

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the proposed action's impacts; and
- There are no reasonable alternatives to the proposed action that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts.

As described in Chapter 20, "Mitigation," a number of the potential impacts identified for the proposed action could be mitigated. However, as described below, in some cases, project impacts would not be fully mitigated.

A. OPEN SPACE

Chapter 5, "Open Space," identifies an indirect significant adverse impact on the active open space ratio in the residential study area in 2013. Potential mitigation measures could include, among others: creating new public open spaces on-site or elsewhere in the study area of the type needed to serve the proposed population and offset their impact on existing open spaces in the study area, and improving existing open spaces in the study area to increase their utility, safety, and capacity to meet identified needs in the study area.

The proposed Flushing Commons project would create approximately 1.52 acres of passive public open space on the project site. As described in Chapter 1, "Project Description," one of the goals for redevelopment of the site, as reflected in the "Development Framework for Downtown Flushing," is to create a town square-style public open space that would be a center of community activity, which is currently missing from the urban fabric of Downtown Flushing. The main portion of the proposed open space would be an elliptical green opening onto 138th Street that is intended to respond to the community's desire for a central gathering place. It is expected to contain a terraced lawn, formal plaza, trees, tables and chairs, additional seating, and a water feature. The terraced lawn is also intended to function as an amphitheater for ceremonies and performances. The open space would be open to the public at all times and available for programming for public events. Due to the configuration of the proposed buildings and the below-grade parking, this open space would not be able to accommodate active open space uses and also meet the goal of providing a town square-style community gathering place.

As described in Chapter 5, the quantitative open space analysis does not account for the amenity space within the residential portion of the Flushing Commons project or the new YMCA space that would be provided. The residential portion of Flushing Commons would include several thousand square feet of amenity space, including exercise rooms and equipment, outdoor rooftop and terrace space, as well as a children's play space, that would serve the proposed population. In addition, Flushing Commons would house a proposed new YMCA, an approximately 62,000 square feet state-of-the art recreational facility. The existing YMCA facility in Downtown Flushing is one of the oldest YMCA facilities in the City and is currently located on a lot that

cannot accommodate any further expansion. The proposed new YMCA space in the Flushing Commons project would contain two indoor swimming pools, a full basketball court, classrooms and meeting rooms for youth, as well as standard exercise equipment. The YMCA is also considering developing programs whereby residents of the proposed project would be allowed to buy discounted memberships at the same price as “group” or “corporate” memberships. While these resources are not considered as public open space, the recreational space and the YMCA facility would each include a number of uses that would relieve future open space demands, particularly for active open space, created by the residential and worker populations introduced by the proposed action.

Absent the creation of additional active public open space resources, the proposed action would result in an unmitigated significant adverse impact on the active open space ratio.

It should be noted that during the mornings on each of the shadow analysis days (see Chapter 6, Shadows,) incremental shadow resulting from the proposed project would cover much of the proposed 1.5 acre open space. During the afternoons, the proposed open space would not be in shadow and would receive sunlight throughout the afternoon. These incremental shadows are not considered a significant adverse impact because they would only occur in the build condition. The *CEQR Technical Manual* specifies that a shadow impact on an open space occurs when a proposed action results in significant incremental shadow on an existing open space resource as compared to the no action condition. Since the shadows resulting from the proposed project would not affect an existing open space, the incremental shadows and height would not cause any qualitative open space impacts. As described in Chapter 6, the proposed project would not result in significant adverse shadow impacts on any nearby existing public open space.

B. HISTORIC RESOURCES

As discussed in Chapter 7, “Historic Resources,” the proposed Flushing Commons project would cause a significant adverse impact by casting new shadows on the western and southern windows of the Macedonia African Methodist Episcopal (AME) Church. The Flushing Commons project’s incremental shadow would significantly reduce the amount of direct sunlight that currently shines through these windows throughout the year and thus would adversely affect the users of this potential historic resource.

The project sponsors would coordinate with the Macedonia AME Church to develop measures to offset the potential effect of the project’s shadows on the arched windows. Such measures could include lighting the windows by a new light source that would be mounted on one of the proposed buildings. This light source could approximate sunlight conditions for the arched windows, without indirect light spillover to adjacent areas. Another option could be removing the existing protective coverings from the arched windows, cleaning the interior and exterior of the windows, and installing new transparent protective coverings of similar or greater durability; a stained glass restoration effort; and/or the implementation of some other mutually agreed-to measure. The Flushing Commons project’s shadow-related impact on the church could be partially mitigated with such measures.

To fully mitigate the proposed Flushing Commons project’s significant adverse impact on the church’s western windows, the proposed Building B and C/D buildings to the south and west of the church would need to be reduced to a maximum height of approximately 75 feet. Reducing the height of these structures would be inconsistent with the City’s land use strategy for this site,

which is to establish a new residential community and town square-like open space in an area that is well served by necessary infrastructure, particularly transportation.

C. SHADOWS

The only identified significant project-related shadow impact is the impact on the arched windows of the Macedonia AME Church. Mitigation for this impact is discussed above in the previous section.

D. TRAFFIC AND PARKING

As discussed in Chapter 14, “Traffic and Parking,” and Chapter 20, “Mitigation,” the proposed action would result in significant adverse traffic impacts at 17 intersections during the weekday AM peak hour, 14 during the weekday midday peak hour, 20 during the weekday PM peak hour, and 21 during the Saturday midday peak hour. Mitigation measures, including standard traffic capacity improvements applied to individual intersections (e.g. signal timing), would fully mitigate the projected significant adverse impacts at some of the study area intersections, while others would be partially mitigated or remain unmitigated. Of the 17 intersections with significant adverse traffic impacts during the weekday AM peak hour, 13 would be partially mitigated or remain unmitigated. Of the 14 intersections with significant adverse traffic impacts during the weekday midday peak hour, 11 would be partially mitigated or remain unmitigated. Of the 20 intersections with significant adverse traffic impacts during the weekday PM peak hour, 13 would be partially mitigated or remain unmitigated. Of the 21 intersections with significant adverse traffic impacts during the Saturday midday peak hour, 14 would be partially mitigated or remain unmitigated.

The New York City Department of Transportation (NYCDOT) is considering several scenarios to improve traffic and pedestrian conditions in Downtown Flushing as alternatives to the contra-flow bus lanes, which is the scenario analyzed in this DEIS. The City continues to analyze other scenarios and it is possible that some unmitigated traffic impacts may be eliminated, although it is likely that numerous significant adverse traffic impacts would remain unmitigated.

E. TRANSIT AND PEDESTRIANS

As discussed in Chapter 15, “Transit and Pedestrians,” and Chapter 20, “Mitigation,” the proposed action would result in significant adverse pedestrian impacts at five crosswalks, three street corners, and three sidewalks during the weekday midday peak hour; at three crosswalks, three street corners, and two sidewalks during the weekday PM peak hour; and at three crosswalks, three street corners, and two sidewalks during the Saturday midday peak hour. Implementing standard pedestrian mitigation measures, such as widening crosswalks and increasing effective widths of sidewalks would fully mitigate all significant adverse pedestrian impacts, with the exception of those identified for the northeast sidewalk along Main Street at Roosevelt Avenue, the northeast corner of Main Street and 39th Avenue, the northeast corner of Main Street at Roosevelt Avenue, and the northeast corner of Union Street and Roosevelt Avenue. As noted above, NYCDOT is considering other scenarios to improve pedestrian safety in Downtown Flushing as alternatives to the contra-flow bus lanes, which is the scenario analyzed in this DEIS. *