

A. INTRODUCTION

This document summarizes and responds to all substantive comments on the Draft Environmental Impact Statement (DEIS). Oral and written comments were received during a public hearing held by City Planning Commission (CPC) on May 12, 2010, together with the public hearing under the City's Uniform Land Use Review Procedure (ULURP) on the zoning and related land use applications. Written comments were accepted from issuance of the DEIS through the public comment period, which ended May 24, 2010.

Section A lists alphabetically the elected officials, organizations, and individuals commenting on the DEIS. Section B summarizes these comments and responds to each of them. These summaries convey the substance of the comments but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally follow the chapter structure of the DEIS. Where more than one commenter expressed a similar view, the comments have been grouped and addressed together.

A number of commenters did not comment on the environmental impacts of the proposed actions or the DEIS methodology for impact assessments. Others suggested only editorial changes. Where appropriate, these edits (as well as other substantive changes to the DEIS) have been incorporated into this Final Environmental Impact Statement (FEIS).

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT**ELECTED OFFICIALS**

1. Queens Borough President Helen Marshall, oral comments (given by Irving Poy) and written comments May 12, 2010 (Marshall)
2. Councilman Koo, oral comments (given by James McLelland, Chief of Staff) and written comments May 12, 2010 (Koo)

ORGANIZATIONS AND INTERESTED PUBLIC

3. Asian Americans for Equality (AAFE), Richard Lee, Advocate, oral comments and written comments May 12, 2010 (AAFE)
4. Auburndale Improvement Association, Henry Euler, First Vice President, oral and written comments May 12, 2010 (Euler)

¹ This chapter is new to the FEIS.

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5. Brian Ketcham Engineering, P.C., Brian T. Ketcham, written comments May 12, 2010 (Ketcham)
6. Coalition for Responsible Development in Flushing, Richard Lipsky, written comments May 9, 2010 and oral comments May 12, 2010 (Lipsky)
7. Flushing Business Improvement District, James Gerson, Chairman, oral comments May 12, 2010 (Gerson)
8. Flushing Chamber of Commerce, Myra Baird Herce, President, oral comments May 12, 2010 (Herce)
9. Flushing Small Business Association, Angelo Park, oral comments May 12, 2010 and written comments May 22, 2010 (A Park)
10. Flushing USD Small Business Association, Danial Kung, Co-President, oral comments May 12, 2010 (D Kung)
11. International Union of Elevator Constructors, Local One, Mike Halpin, oral comments May 12, 2010 (Halpin)
12. International Union of Operating Engineers Local 14, James P. Conway, Director, oral comments May 12, 2010 (Conway)
13. Korean Construction Association, Michael Lam, President, oral comments May 12, 2010 (Lam)
14. Mason Tenders District Council of Greater New York and Long Island PAC, Jason Delgado, oral and written comments May 12, 2010 (Delgado)
15. North East Flushing Civic Association, Inc., Peter J. Brancazio, President, written comments May 10, 2010 (Brancazio)
16. Queens Borough Neighborhood Association, Don Capalbi, President, oral comments May 12, 2010 (Capalbi)
17. Reconsider and Evaluate Development Opportunities at Municipal Parking Lot Number One (REDO), Paul Graziano, oral and written comments, May 12, 2010 (REDO)
18. Trade Employers' Association, James Coletti, Vice President, oral comments May 12, 2010 (Coletti)
19. Union Street Small Business Association, Ikhwan Rim, President, oral and written comments May 12, 2010 (Rim)
20. Joseph Amoroso, written comments May 12, 2010 (Amoroso)
21. Hyun Choe, oral comments May 12, 2010 (Choe)
22. Esther Curenton, oral comments May 12, 2010 (Curenton)
23. Shawvan Freeman, oral comments May 12, 2010 (Freeman)
24. Galina Grinets, oral comments May 12, 2010 (Grinets)
25. Mae Sa Han, oral comments May 12, 2010 (Han)
26. Yanghee Sunny Hahn, oral comments May 12, 2010 (Hahn)
27. Annette Jordan, oral comments May 12, 2010 (Jordan)

28. Lucy Kung, oral comments May 12, 2010 (L Kung)
29. He Gin Lee, written comments March 30, 2010, May 11, 2010, and May 21, 2010, and oral comments May 12, 2010 (HG Lee)
30. Eric Lo, written comments May 20, 2010 (Lo)
31. Janis Loving, oral comments May 12, 2010 (Loving)
32. Al Mackey, oral comments May 12, 2010 (A Mackey)
33. Lydia Mackey, oral comments May 12, 2010 (L Mackey)
34. Natasha Marmolejo, oral comments May 12, 2010 (Marmolejo)
35. Joanne McKinzie, oral comments May 12, 2010 (McKinzie)
36. Mary Mootoo, oral comments May 12, 2010 (Mootoo)
37. Meryl Parker, oral comments May 12, 2010 (Parker)
38. Soon Park, oral comments May 12, 2010 (S Park)
39. Terence Park, oral comments May 12, 2010 (T Park)
40. Learon Pollard, oral comments May 12, 2010 (Pollard)
41. Elda Ramratan, oral comments May 12, 2010 (Ramratan)
42. Diana Riquelme, oral comments May 12, 2010 (Riquelme)
43. Carolyn Scavella, oral comments May 12, 2010 (Scavella)
44. Mildred Scott, oral comments May 12, 2010 (Scott)
45. Lillian Sturgeon, oral comments May 12, 2010 (Sturgeon)
46. Roland Wade, oral comments May 12, 2010 (Wade)
47. Jung Min Won, oral comments May 12, 2010 (Won)
48. Annie Yeh, oral comments May 12, 2010 (Yeh)
49. In Eung Young, oral comments May 12, 2010 (I Young)
50. Joseph Young, oral comments May 12, 2010 (J Young)
51. Soon Ja Young, oral comments May 12, 2010 (S Young)

C. COMMENTS AND RESPONSES

PROJECT REVIEW PROCESS AND PUBLIC PARTICIPATION

Comment 1: There should be more outreach to the small business community. That should have been done before certification. Now there is a truncated race to the finish which makes it difficult to negotiate changes. (Lipsky, Rim)

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Response 1: A public scoping meeting to inform the final scope of this EIS was held on June 21, 2006 and public notification of that meeting and the subsequent hearing on the DEIS was noticed according to City Environmental Quality Review (CEQR) requirements. In addition, the proposed project was established as part of the “Development Framework for Downtown Flushing,” a product of extensive community participatory planning efforts, as early as 2004.

Comment 2: The only way to succeed is to keep everyone in the community informed on a timely and regular basis about the progress of the project and conditions as they change in downtown Flushing. (Marshall, Euler)

Response 2: Comment noted.

Comment 3: The present proposal was created in a vacuum. When TDC/Rockefeller was chosen as the developer for Municipal Lot 1, their winning proposal included many community benefits which were codified in a binding agreement between then-Councilmember Lui and then-Deputy Mayor Doctoroff. The current proposal that is going through ULURP is altered dramatically from what was promised. Unfortunately, the community benefits package, as well as some of the commercial components that were part of the winning design, have been dramatically scaled back. While there may have been input from certain New York City agencies over the years, all of the changes in question were done during a three-year period with zero input or consultation from Flushing residents, businesses, civic organizations, or members of Community Board 7. The result is a proposal that is disrespectful of the original vision that was agreed upon in 2006 by all previously mentioned parties and former Councilmember Liu. (REDO, Euler)

Response 3: Comment noted.

Comment 4: At the beginning of the certification process, no surrounding property owners were notified of the project as required by statute. (REDO).

Response 4: Appropriate notification requirements were followed for the proposed action.

CHAPTER 1: PROJECT DESCRIPTION

FLUSHING COMMONS DEVELOPMENT PLAN

Comment 1-1: The developer plans to “flip” this property after zoning changes are made. (Lipsky)

Response 1-1: The actions associated with the proposed Flushing Commons project include the rezoning as noted but also a Large Scale Development site plan. The environmental review focuses on potential impacts of the actions, including the zoning changes and the Large Scale Development site plan. Therefore, the project was assessed for what would be allowed to be built, whether or not the current developer remains on the site.

Comment 1-2: What is the purpose of changing the C4-3 zoning to C4-4? (HG Lee)

Response 1-2: The C4-4 designation has been proposed to facilitate development of a mixed-use project with community facilities, and mixed densities, based on the site's immediate adjacency to the downtown Flushing commercial district and its excellent transit connections.

Comment 1-3: With so many other places in need of development and this area already booming, why was this site picked to develop? (S Park)

Response 1-3: As set forth in Chapter 1, "Project Description," the site has consistently been identified as an excellent location to provide for a mixed-use development. With new housing, commercial uses, and a 1.5 acre town-square open space (an amenity that is notably absent in this portion of downtown Flushing), the project is well situated to take advantage of its downtown setting with exceptional subway, rail, and bus transit and would enhance the vibrancy and diversity of land use in downtown Flushing.

Comment 1-4: The new home for the YMCA will benefit the community. (Delgado, Conway, Coletti, Koo, Ramratan, Freeman, Riquelme, Marmolejo, Grinets, Parker)

Response 1-4: Comment noted.

Comment 1-5: While a new YMCA complex might benefit Flushing, a public school at the current YMCA site must be included as part of any agreement. There are serious issues arising from the YMCA relocation from the current facility on Northern Boulevard. The YMCA will only move to the proposed space at Flushing Commons once its existing building is sold. This could lead the current YMCA building to be demolished by a developer for a high-rise building. As part of any deal, the current YMCA building should be either sold or leased for long-term use to the Department of Education for 1) a recreational and pool facilities for Flushing High School or its successors and/or 2) a new Kindergarten through 5th grade elementary school. Based on the increased residential units recently constructed, under construction, or planned by 2013, it is

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critical that new educational inventory be added to downtown Flushing. (REDO)

Response 1-5: Comment noted. Such future uses of the YMCA complex are not precluded by the proposed action.

Comment 1-6: As part of the RFP process and reflected in the agreement between former Councilmember Liu and then-Deputy Mayor Doctoroff, a multi-screen cinema and large-scale bookstore were proposed for Flushing Commons. In the current proposal, TDC/Rockefeller has stated that they have gone to a national multiplex chain and, for economic and development purposes, are unable to fit the multiplex into the development. As for a bookstore, they believe that their proposed retail spaces are not conducive to one. When Queens Crossing was being proposed by TDC, part of the allure was a proposed Barnes and Noble bookstore, which never materialized. Downtown Flushing, the third largest retail area in New York City, is the only major commercial district without a movie theater or bookstore.

TDC/Rockefeller should meet with smaller movie chains, such as Angelika or City Cinema groups, to build a 500 to 700 person capacity 4 to 6-screen theater that would show first-run films, including art films as well as mainstream cinema, from all international backgrounds as well as the United States. TDC/Rockefeller should bring a major retail bookstore back to Flushing, from their last development but has remained unfulfilled. (REDO)

Response 1-6: The EIS assesses the potential for environmental impacts resulting from a reasonable worst case development scenario that includes a general mix of uses likely to be part of the project.

FLUSHING COMMONS OPEN SPACE

Comment 1-7: The new open space will benefit the community. (Delgado, Conway, Curenton, Wade, Scavella, Coletti, Koo, Parker, Herce)

Response 1-7: Comment noted.

Comment 1-8: Open space in Flushing Commons is limited to 1.5 acres. The main portion—approximately one acre—is located at the southwest corner, across the street from the rear portion of the present Queens Crossing building. The manner in which the one acre space is sited essentially creates a “front lawn” for the retail stores that are to surround the space rather than a multi-purpose open space. The additional open spaces are little more than narrow linear connectors, passageways, and alleys

between 14 to 17-story buildings that will overwhelm the scale of the public areas of the proposed development. (REDO)

Response 1-8: The public plaza area included in the Flushing Commons project would provide a new public gathering place with a pedestrian focus that does not currently exist in downtown Flushing. Its open street orientation providing entry to the open space along most of the frontage of 138th Street between 38th and 39th Avenues would maximize its accessibility to the public and minimize the appearance that the plaza would only be serving tenants of the project's retail frontages. The plaza was a mandatory component of the development plan.

Comment 1-9: Because of the way the pedestrian circulation and open space is designed, with a focus on the southwest portion of the site, and a lack of integration to the proposed Macedonia Plaza section, the businesses on Union Street will be negatively impacted. The site should be designed to create a more centrally located and larger park or plaza component with adequately designed connector pathways and corridors. (REDO)

Response 1-9: In terms of pedestrian circulation to and from Union Street, the proposed Flushing Commons and Macedonia Plaza projects provide for convenient and comfortable pedestrian movements through and around the site, an enhancement over current conditions where pedestrians need to navigate around or through the municipal lot and the many curb cuts and driveways. In addition, the new residential and worker populations, as well as new shopper trips to the area generated by the Flushing Commons and Macedonia Plaza projects, provide potential new customers for all local businesses.

FLUSHING COMMONS/MACEDONIA PLAZA ECONOMIC BENEFITS

Comment 1-10: The Flushing Commons and Macedonia projects will socially and economically benefit the community. (Scott, McKinzie, Jordan, A Mackey, Capalbi)

Response 1-10: Comment noted.

Comment 1-11: The new local and national retail space will benefit the community. (Koo, T Park)

Response 1-11: Comment noted.

Comment 1-12: The project will create new city tax revenue, which will pay for municipal services such as police, fire, sanitation, and education. The

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lack of tax revenue is creating severe cutbacks in all of those areas today. (Coletti, Herce)

Response 1-12: Comment noted.

PROJECT ARCHITECTURE AND DESIGN

Comment 1-13: While Flushing Commons/Macedonia Plaza is unified architecturally, it is not particularly attractive considering it aspires to be the focal point of downtown Flushing. The architectural renderings are based on the programming of the buildings, rather than striking what should be a careful balance between facades, design, form, and function. Better architecture and site planning will attract better tenants, and more patrons, customers, and visitors to downtown Flushing. (REDO)

Response 1-13: Comment noted.

Comment 1-14: The proposed project is too tall and too dense for the site and the surrounding community. While there have been numerous new projects in downtown Flushing over the past decade, none have even come close to the scale and density of this project, with the exception of Skyview Parc on College Point Boulevard. However that project is configured differently, with sufficient parking, and not in the heart of downtown Flushing. While TDC/Rockefeller have stated that they need the density to “make the numbers work” this is not necessarily the case. If the proposal had more public open space, somewhat lower buildings, and less retail/commercial space, it would be a better project overall. (REDO)

Response 1-14: The potential for the project to result in land use and urban design impacts on the surrounding community has been analyzed in the EIS (see Chapter 2, “Land Use, Zoning, and Public Policy,” and Chapter 8, “Urban Design and Visual Resources”). As described in the FEIS, the proposed project would not result in significant adverse land use or urban design impacts.

Comment 1-15: The Flushing Commons project will create harsher wind conditions in the area. (Lo)

Response 1-15: The site is not located along the waterfront or where the wind from the waterfront is not attenuated by other buildings, which are typically the areas of concern for high winds. Furthermore, the proposed size, orientation, and/or site plan was not identified as having the potential to alter wind conditions.

FLUSHIN COMMONS PARKING GARAGE

Comment 1-16: The statements that Flushing Commons is supplying more parking spaces than what the RFP required and significantly more than what zoning requires are misleading. The RFP called for a minimum of 825 parking spaces plus those required by zoning. The developer is stating that 700 are required by zoning. However, the number of spaces needed with a change of zoning to C4-4 would require 310 parking spaces for the residential portion (50 percent of residential units, not including Macedonia Plaza) and 510 parking spaces of 1 space per 1,000 square feet (sf) for the commercial portion for a total of 820 spaces—not 700. (REDO)

Response 1-16: As set forth in Chapter 1, “Project Description,” to be conservative the EIS examines a larger amount of commercial square footage than presented in the ULURP application and drawings. As a result, the assessment of parking demand, traffic generation, and related studies in the EIS is based on a larger amount of commercial space. Since the special permit for the parking garage is for a specific number of parking spaces, the ULURP-based calculation of 1,600 parking spaces was used as the size of the garage in the EIS. Therefore the EIS analysis more conservatively applies a higher demand for parking to the actual parking garage capacity (1,600 spaces associated with the special permit application). As shown in ULURP drawing Z2.0, the required parking was established as 700, with 310 spaces for residential (50 percent of the proposed 620 units) and 390 spaces for commercial (389,843 square feet/1000 square feet per space).

Comment 1-17: In the TDC/Rockefeller winning proposal, 2,000 parking spaces were guaranteed, which is part of the reason that their project design chosen. In addition, the signed letter of agreement between former Councilmember Liu and then-Deputy Mayor Doctoroff implicitly stated that the number of parking spaces required would include the replacement of the existing 1,101 plus those required under zoning, for a total of 2,000. Therefore, 2,000 spaces was the number both promised by TDC/Rockefeller and the number required under the letter of agreement. (REDO)

The number of parking spaces is required to be 2,000 due to the MOU between former Councilmember Liu and former Deputy-Mayor Doctoroff. The current proposal only offers 1,596 spaces. (Lipsky, Ketcham, Brancazio)

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- Response 1-17:** As shown in the Parking section of Chapter 14, “Traffic and Parking,” the proposed amount of parking would meet the demand from project-related and adjacent uses.
- Comment 1-18:** Parking rates must honor the 2006 agreement; otherwise they are not “right-priced.” The 2006 signed letter of agreement between former Councilmember Liu and then-Deputy Mayor Doctoroff stipulated that parking spaces at Municipal Lots 1 and 2 would be \$2.00 for the first hour; \$3.00 for 2 hours; \$4.00 for 3 hours; and \$5 for 4 hours for the first three years. Afterwards, \$1.00 would be added for each hour of the next two years. These prices would be allowed to increase by 3 percent or the rate of inflation in perpetuity.
- The TDC/Rockefeller proposal includes a modified cap, with higher rates to begin with, and a removal of the cap after five years to allow for market-rate parking. As most of the private parking lots in downtown Flushing charge significantly higher rates than the current Municipal lots, this will ultimately cost businesses more or drive potential customers to other neighborhoods such as College Point, which has free parking at the “Big Box” stores and municipal rates at the retail stores along College Point Boulevard. This will ultimately hurt the business community in downtown Flushing. (REDO).
- The market rate parking fees are unacceptable. The modified cap fees are higher than the former rate and the fees after five-years will drive business out of downtown Flushing. (Ketchum, Lipsky)
- Response 1-18:** Comment noted.
- Comment 1-19:** Experts believe the proposed parking structure will be too expensive to build and that the parking will be eliminated entirely. (Lipsky)
- Response 1-19:** Provision of parking is an integral component of the project and has been studied accordingly.
- Comment 1-20:** The market rate parking fees are unacceptable. The modified cap fees are higher than the former rate and the fees after five-years will drive business out of downtown Flushing. (Ketchum, Lipsky)
- Response 1-20:** Market rate pricing of public parking for retail uses regularly adjusts to ensure that parking demand is not reduced due to customer’s price choices. An impact on surrounding business would only occur if parking rates were above market, thereby causing drivers to choose to not use the garage and resulting in an empty garage. Public parking garage operators must appropriately adjust parking prices according to

the market to provide that their garages are fully utilized as projected in this EIS.

Comment 1-21: The 1,600 parking spaces will benefit the community. (Delgado, Conway, Herce)

The 1,600 space parking garage balances the parking needs and traffic congestion. Too many spaces would create an impossible log jam. Many traffic experts have explained the need for balance. (Herce)

Response 1-21: Comment noted.

AFFORDABLE HOUSING

Comment 1-22: There are not enough affordable housing units being built. (AAFE, Euler) Flushing is actually the most populated community district in the entire city. More than one third of the population earns less than \$30,000 a year. Therefore, the City Planning Commission should recommend that 20 percent of the residential units, 125 of the 620 market rate units, be converted for affordable housing and made available for families who are earning \$30,000 to \$55,000 a year. (AAFE)

Why is there so much market value housing being proposed here? This is a working class community. (Euler)

Response 1-22: Comment noted. The combination of the proposed Flushing Commons and Macedonia Plaza projects as analyzed in this EIS has almost a 20 percent affordable housing mix.

Comment 1-23: The affordable housing from the project will benefit the community. (L Mackey, Curenton, Scavella, Koo)

Response 1-23: Comment noted.

Comment 1-24: There should be a mechanism to check whether the people in the affordable housing units are qualified, even after they've moved in and that they're not living there for life. (L Kung)

Response 1-24: In accordance with a binding Regulatory Agreement, owners and managing agents of affordable housing projects are required to conduct tenant re-certifications, and submit re-certification reports to ensure that tenants are financially eligible for the affordable housing units that they occupy.

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Comment 1-25: The recommendation of the planning board indicated that the Macedonia Plaza project should be put on hold. Is there any valid reason why that project should be put on hold while other developments around Flushing continue? (Pollard)

Response 1-25: The EIS analysis does not differentiate and the two projects are both assumed to be completed by the future build year.

Comment 1-26: Why did the planning board recommend that the retail space within the Macedonia Plaza project should be deleted? (Pollard)

Response 1-26: The EIS analysis examined the Macedonia Plaza project with a retail component.

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

Comment 2-1: The current zoning C4-3 (R6 equivalent) is a fairly dense commercial zone mapped throughout Queens to allow for large-scale commercial and residential developments, with a 2.43 FAR for residential use and one parking space for every 400 sf of commercial space. The proposed zoning C4-4 (R7 equivalent) is an even higher density zone. It is only mapped in a few other small areas of Queens and allows for residential development at 3.44 FAR for residential use and one parking space for every 1,000 sf of commercial space.

Under the current C4-3 zoning, if Flushing Commons/Macedonia Plaza were to be built at its proposed density, 1,750 parking spaces would be required by zoning. However, that residential density would not be allowed as-of-right under C4-3; the project would be approximately 30 percent smaller, with a corresponding fewer number of parking spaces. If the project would be built under current zoning, many of the issues that are bedeviling this proposal would be mitigated due to the fact that the footprint would be smaller, and by definition, have less of an impact on downtown Flushing. (REDO)

Response 2-1: The comment describes aspects of the C4-4 that in fact make the zoning more appropriate and flexible (i.e., densities by use and parking standards) for the site and its location in downtown Flushing adjacent to transit. However, it is noted that with the plans established by the proposed Large Scale Development site plan and the actions associated with its approval, the project will not be utilizing the maximum allowable densities associated with the C4-4 zoning. As set forth in the project's ULURP application, the proposed Flushing Commons project will have a commercial FAR of 1.92 (versus 3.4 maximum), community facility FAR of 0.41 (compared to a maximum of 6.5), and a residential FAR of 3.18 (compared to a maximum of 3.44).

CHAPTER 3: SOCIOECONOMIC CONDITIONS

Comment 3-1: The lack of parking in the project will hurt the small businesses in the area. (HG Lee, D Kung, S Young, Rim, S Park, A Park, Han, Choe, Won, Euler)

Response 3-1: As analyzed in the Chapter 14, “Traffic and Parking,” it is anticipated that the future garage will closely match the demand generated by existing and future demand for parking at the proposed facility. In a vital downtown mixed-use and retail center like Flushing, the demand for parking will be based on shared trips serving both existing and new businesses. It is anticipated that the new residents and overall level of new economic activity generated by the proposed project may also expand local business opportunities to capture new spending in the area generated by the proposed project.

Comment 3-2: The long term parking on the upper deck has hurt businesses for over 20 years. Merchants and businesses wanted short term only in order to accommodate customers. This plan should remedy that. (Herce)

Response 3-2: Comment noted.

Comment 3-3: There needs to be a contingency arrangement enforced by the city if the project gets started and then is not completed or is delayed. Already some retail stores are leaving the area because they’re concerned about the construction and this will only accelerate once the project is approved. (Gerson)

Response 3-3: Comment noted.

Comment 3-4: The City Planning Commission should commission an economic impact study to figure out three things: (a) what the impact zone is, i.e., how many stores and the radius of the impact zone of construction; (b) what the economic impact actually is; and (c) what the appropriate level of remediation for these businesses are. The study should include the input of stakeholders such as the elected officials, the developer, and business owners. (AAFE)

Response 3-4: A socioeconomic conditions analysis pursuant to the *CEQR Technical Manual* has been completed as part of the FEIS. In addition, it is noted that the City is committed to implementing business support services to assist existing businesses during the construction period (see Business Assistance Plan, below).

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Comment 3-5: One of the great generators of business on Sundays is the churches surrounding the downtown area, but with the project these folks will now be paying for parking. (REDO)

Response 3-5: There has been no established pattern associated with the free Sunday parking to indicate that it specifically comprises church parkers. In fact, several comments at the Public Hearing indicated that under current conditions, church users were more than likely to find the lot already full on Sunday morning with long term parkers using the lot for the whole day (See Comment 14-5, below).

Comment 3-6: When the plaza building next to the parking space was developed, it was said it would result in more people coming and prosperity for the area. This prosperity never materialized. Now they think the prosperity will result from building in this municipal parking lot. But it's been thought before. (I Young)

Response 3-6: Comment noted.

Comment 3-7: In difficult economic times, projects like Flushing Commons are much needed to stimulate the economy and put people back to work. The effects of such development are exponential, from construction jobs to permanent jobs to economic benefits. (Delgado, Scott, Halpin, Herce, Lam, Coletti, Koo, T Park, Amoroso)

This project, with its \$850 million of private investment, will create 2,600 union jobs and 1,900 post-construction jobs. (Delgado, Conway)

Response 3-7: Comment noted.

BUSINESS ASSISTANCE PLAN

Comment 3-8: A comprehensive strategy will be created to identify local businesses and residents to work on the project during and after construction. It is extremely beneficial to have a local developer engaged in the project. (Koo)

Response 3-8: Comment noted.

Comment 3-9: The Queens Borough President will work with Councilmember Peter Koo and the New York City Small Business Association in developing the business interruption plan for the most effective use of the \$2 million business assistance fund that will be established to help small businesses affected during the construction of the proposed projects. (Marshall)

The City has promised to provide assistance to small businesses that will be impacted by the construction of the Flushing Commons project. (Koo)

Response 3-9: Comment noted.

Comment 3-10: The City should provide a business assistance plan, which should be analyzed and backed up. (Gerson)

Response 3-10: As noted in Comments 3-8 and 3-9, the City is committed to implement a business assistance plan.

Comment 3-11: There aren't enough protections for the small businesses on the periphery of the development zone, mainly on Union Street. Construction should not be allowed to start until there's a legally binding agreement between the City, the developer, and the businesses in the impact zone. The construction zone impact zone is ambiguous, and the \$5,000 grant will not adequately compensate the businesses for the considerable economic impacts they will face. (AAFE)

Response 3-11: A socioeconomic conditions analysis pursuant to the *CEQR Technical Manual* has been completed as part of the FEIS and concluded that the proposed project would not result in impacts due to indirect business displacement. In addition, it is noted that the City is committed to implementing business support services to assist existing businesses during the construction period

CHAPTER 4: COMMUNITY FACILITIES

No comments were received relating to community facilities.

CHAPTER 5: OPEN SPACE

No comments were received relating to open space.

CHAPTER 6: SHADOWS

Comment 6-1: There should be a study on whether the Macedonia Plaza building will cast shadows on the church itself. (Euler)

Response 6-1: The massing of the new Macedonia Plaza building was included in the EIS shadows analysis. As described in Chapter 6, "Shadows," the proposed Macedonia Plaza building would not result in a new incremental shadow impact on the light-sensitive resources of the existing church.

CHAPTER 7: HISTORIC RESOURCES

No comments were received relating to historic resources.

CHAPTER 8: URBAN DESIGN AND VISUAL RESOURCES

No comments were received relating to urban design and visual resources.

CHAPTER 9: NEIGHBORHOOD CHARACTER

Comment 9-1: The condo building will be out of character with the rest of the neighborhood. (S Young)

Response 9-1: The FEIS analyzed the potential for the proposed action to affect neighborhood character, which, as defined by the *CEQR Technical Manual*, is an amalgam of the many factors that combine to give an area its distinctive personality. These components include land use, scale, and type of development; historic features; patterns and volumes of traffic; noise levels; and other physical or social characteristics that help define a community. As described in Chapter 9, “Neighborhood Character,” the proposed action would not adversely affect the combined elements contributing to the neighborhood character of the downtown area of Flushing, Queens. Specifically, it would not cause any significant adverse impacts to land use, urban design, visual resources, socioeconomic conditions, pedestrian conditions, or noise.

CHAPTER 10: HAZARDOUS MATERIALS

No comments were received relating to hazardous materials.

CHAPTER 11: INFRASTRUCTURE

Comment 11-1: This is a project that is overly dense on a site and in an area that has seen no infrastructure improvements in decades. Either the project should be built at a lower density or the infrastructure has to be made strong enough. (REDO, L Kung, Yeh, Euler)

Very little is being done to increase and improve the current infrastructure, let alone put in additional infrastructure for future growth. (REDO)

Response 11-1: In accordance with the *CEQR Technical Manual*, the water and sewer infrastructure serving the site was examined in terms of its ability to meet demand generated by the new development, and no significant adverse effects on infrastructure were identified. It is also noted that as a new construction project replacing the existing Municipal Lot, new stormwater detention would, at a minimum, be utilized to offset any

total additional peak flows generated by the new sanitary sewer demand.

CHAPTER 12: SOLID WASTE AND SANITATION SERVICES

No comments were received relating to solid waste and sanitation services.

CHAPTER 13: ENERGY

No comments were received relating to energy.

CHAPTER 14: TRAFFIC AND PARKING

Comment 14-1: The DEIS fails to accurately depict auto mode split. The DEIS assumes 30 percent of Queens trips are auto use when in fact a much larger portion of Queens trips are made by auto. In addition, the subway use for residents of the project is overestimated (more than double current Queen’s residential subway use). (Ketchum, Lipsky)

Origin-destination data provided by New York Metropolitan Transportation Council (NYMTC) shows that: 53 percent of all travel in Queens is by auto, 9.8 percent by bus, and 12.8 percent by subway and commuter rail.

The DEIS states (Table 14-6): 29.5 percent by auto, 10.1 percent by bus, and 27.6 percent by subway and commuter rail. The DEIS assumed 46 percent of residents will use transit (Willetts Point assumes 53 percent). According to NYMTC, Queens’ residents use transit for just 23 percent of travel. Auto use by Flushing Commons’ residents is very likely substantially greater than what has been assumed. Correcting this error will result in a near doubling of resident auto trips with a huge impact on congestion in the downtown Flushing community. (Ketchum)

Response 14-1: The DEIS projections were prepared in accordance with CEQR procedures using standard references, approved studies, and census tract level travel statistics, which more accurately depict travel characteristics in specific areas or neighborhoods. The trip generation assumptions for No Build projects and components of the proposed action are detailed in Tables 14-6 and 14-16 of the DEIS and in this FEIS, respectively. Specifically, data from Flushing census tracts 851, 853, 855, 865, 867, and 871 were used to develop mode of transportation profiles for certain types of uses, such as residential and office. Travel to and from these uses are highly dependent on the area’s population density and availability of transit services. For downtown Flushing, consistent with the census data, a relatively high level of transit use is expected. It would be inappropriate and would not reflect the vehicular travel in downtown Flushing to use a single set of borough-wide mode share

distribution for an EIS transportation analysis. Therefore, applying overall Queens averages, as the comment suggests, would yield a gross overestimate of vehicular travel for downtown Flushing, where there is convenient subway, commuter rail, and bus transit services. For an area that is remote from transit, such as northern Whitestone or Little Neck, the suggested methodology would significantly underestimate vehicular travel. Furthermore, contrary to the statistics quoted in the comment, the auto, bus, and subway/commuter rail percentages used in the DEIS for projecting trips made by the project's residents are 29.5, 18.6, and 27.6 percent, respectively. For the project's destination retail, office, and hotel uses, much higher auto shares were assumed (59.0, 31.6, and 70.0 percent, respectively).

Comment 14-2: The proportion of auto trips by all land uses assumed in the Flushing Commons DEIS does not change by time of day. This is wrong. Trip purpose and volume does vary by time of day. Reference NYMTC's "Household Interview Survey" for evidence of this behavior. (Ketchum)

Response 14-2: The trip generation estimates presented in the DEIS follow CEQR methodology and have been determined reasonable for analysis by the lead agency and the New York City Department of Transportation (NYCDOT). While mode choice could vary by time of day, it is widely recognized that CEQR analyses make use of an acceptable set of data sources and very conservative trip projection assumptions, focusing on peak periods during which the most activities or highest traffic volumes are expected to occur, such that the variability in mode choice across different hours should not make material differences in the overall trip projection and in most cases need not be delineated to conduct an adequate traffic analysis.

Comment 14-3: Trip generation and temporal characteristics used in the DEIS are from the *CEQR Technical Manual* or other sources that have been used for decades. The *CEQR Technical Manual* is derived from limited data collected generations ago during a very different time in New York City. The data were also collected in Manhattan where just 20 percent of households used cars. Trip generation data should have been collected from nearby sites of similar land uses. There is plenty of large scale development in Queens that would be appropriate for surveys of the various land use categories in this project. (Ketchum)

Response 14-3: While data from original surveys are sometimes used in place of standard references for specific uses or unique areas, the sources of information and data used for the DEIS trip generation projections were vetted with NYCDOT and deemed appropriate for conservative

estimates of trips made by the Flushing Commons project. Most of these data sources provide typical trip generation characteristics for specific land uses in New York City, irrespective of the location. For example, the trip generation rate for a typical New York City apartment building is commonly accepted to be 8.075 daily trips per dwelling unit, regardless of whether the building is located in Manhattan, Queens, Brooklyn, Staten Island, or the Bronx. However, the modal splits for these trips could be very different among the five boroughs or even very different among different neighborhoods within the same borough. Therefore, the DEIS modal split was developed from characteristics of specific neighborhoods near the project site and it is unnecessary to collect original trip generation data from nearby sites of similar land uses. Where needed, original data were collected to provide additional information to properly analyze the project's potential impacts, as demonstrated by the exhaustive parking survey data gathered at Municipal Lot 1. In particular, the data revealed a substantial linkage of trip-making for those currently parking at Municipal Lot 1. The magnitude of this linkage was reduced in the projection of future trip-making, based on NYCDOT direction, to provide a more conservative traffic impact analysis for the Flushing Commons project.

Comment 14-4:

The DEIS reports that approximately 70 percent of residents in the Flushing Commons site will own a car whereas 94 percent of all residents in Queens own a car. Correcting for auto ownership would require 30 percent more parking for residents. (Ketchum, Lipsky)

The developer claims there will be 1,900 new jobs. Some portion of that will have to be reserved by those who drive to work. There's going to be over 700 apartments. With Queens' car ownership in excess of 90 percent, the 1,600 parking spaces in the project are insufficient for the area's merchants. (Gerson)

While the developer stated that approximately 350 spaces—approximately 50 percent of units—would be needed for long-term parking for the residents of the condominium because many buyers would not own cars, it is believed that a much higher ratio of units would request and need long-term parking. This is based on a statement made by a well-known traffic engineer who said recently that 90 percent of families within a 3-mile radius of downtown Flushing had at least one car. In addition, the business owners of the retail stores and commercial offices would most likely need several hundred parking spaces as well. (REDO)

The parking that has been planned for the Flushing Commons development is not adequate. (Ketchum, Lipsky, HG Lee, S Young, A

Flushing Commons

Park, Scavella, D Kung, Rim, S Park, Han, Choe, Won, REDO, Euler, Brancazio)

The project should include at least 2,400 additional parking spaces. (HG Lee)

Response 14-4: The DEIS projection of 70-percent auto ownership for future residents of the Flushing Commons project is conservative, as it reflects auto ownership statistics for various census tracts in the Flushing area. For the core downtown Flushing locations, where Flushing Commons would be developed, auto ownership is closer to 50 percent. Using the 90-percent overall Queens auto ownership number would result in a vast overestimate of parking needs for this transit-oriented development project. The same 90 percent would in fact be an underestimate for some other areas in Queens, such as northern Whitestone, where auto ownership generally exceeds 100 percent (i.e., where each household owns, on average, more than one vehicle). The DEIS presented detailed parking demand estimates for each components of the proposed project and demonstrated that future parking needs, including those that exists today plus the project's incremental demand, could be met by the 1,600-car capacity planned for the project's parking garage.

Comment 14-5: The free parking on Sunday is actually a problem because cars will be parked there from Saturday night. Paid parking would be welcome if it means getting a parking spot Sunday morning. (Loving)

Response 14-5: Comment noted.

Comment 14-6: The zoning should be changed back to C4-3 to provide more parking than the C4-4 would require on the same location. Or if the new C4-4 zoning is kept, the density of the building buildable area of use should be reduced from what is being proposed, thus requiring less parking spaces. (HG Lee)

Response 14-6: The existing C4-3 zoning does not meet the goals and objectives of the proposed project and the City's goal toward sustainable development and reduced travel by automobiles for downtown Flushing.

Comment 14-7: There is no accounting for displacement of remote commuter parking in the Flushing Commons (or Willets Point) traffic analysis. (Ketchum, Lipsky)

Response 14-7: The DEIS and this FEIS account for the shift of current Municipal Lot 1 long-term parkers to Citi Field in its traffic analysis.

Comment 14-8: The methodology used to compute the number of parking spaces needed and provided in downtown Flushing is questionable because it takes into account new development like Skyview Parc which already have parking spaces allocated for its own tenants and customers, not necessarily for other patrons and residents of downtown Flushing or the proposed projects. (REDO)

Response 14-8: The comment is incorrect. The DEIS projection of future parking demand and what would be provided for the Flushing Commons project did not account for the additional parking supply made available by other new developments, such as SkyView Parc. SkyView Parc's travel demand was included in the DEIS's analysis of the future No Build condition. As shown in Table 14-22 of the DEIS and in this FEIS, SkyView Parc's parking supply was not included in the assessment of future parking conditions in downtown Flushing, whether with or without the proposed project.

Comment 14-9: No analysis is provided for impacts on nearby expressways, particularly the already gridlocked Whitestone and Van Wyck Expressways or along the ramps accessing each of these expressways. It is generally standard practice to omit such impacts in CEQR analyses, but the practice is wrong and like the measurement of travel characteristics, must change. (Ketchum)

Response 14-9: The methodologies by which the DEIS analyses were prepared are in accordance with CEQR procedures and approved by NYCDOT. Analyses of highway facilities are typically conducted on a regional level and for projects that could potentially have substantial effects on their operations, such as the Willets Point project. The projected vehicle trip generation for the Flushing Commons project pales in comparison to that of the Willets Point project.

Comment 14-10: The DEIS underestimates the value of the Van Wyck Expressway ramps, which cannot handle the Willets Point assumptions. EDC's Access Modification Report reduced the use of ramps from Willets Point to the Van Wyck expressway from 47 percent in the peak hour to 16 percent, leaving 1,900 PM peak hour auto trips to find other ways to get in and out of the "Iron Triangle." Some of this traffic will move through downtown Flushing, and is not properly accounted for in either the Willets Point or Flushing Commons EISs.

Cutting the use of the Van Wyck Expressway from 47 percent to just 16 percent is an astounding oversight and affects all traffic analyses for every project anticipated in the downtown Flushing area, especially for Flushing Commons. It is an oversight that makes each and every project

a far greater hazard to traffic and transit than has been acknowledged in any environmental analysis completed under CEQR and is one more reason not to approve Flushing Commons. This omission is a fatal flaw for both the Willets Point Development Plan and for the Flushing Commons DEIS. (Ketchum)

The DEIS has not accurately accounted for No Build traffic, particularly the Willets Points development traffic. (Ketchum, Lipsky)

Response 14-10:

The DEIS appropriately incorporated trips from the Willets Point project, based on information presented in the approved Willets Point FGEIS and did not make any independent assessment on the value of the Van Wyck Expressway ramps. With regard to the Willets Point traffic assumptions, the comment states an incorrect account of the restriction of traffic volumes using the proposed new ramps, presumably based on an interim draft of the Access Modification Report (AMR), which is still in the process of being prepared. The current and most up-to-date analyses account for the same traffic volumes studied in the Willets Point FGEIS. Furthermore, the traffic that could potentially use the proposed ramps would be entering or exiting from the highway network, and would have very little effect on local traffic conditions in downtown Flushing. Finally, the statement in the comment that “the DEIS has not accurately accounted for No Build traffic” is also incorrect. As shown in Table 14-5 of the DEIS and in this FEIS, Willets Point’s interim build-out in 2013, comprising 2,100 residential units, 980,000 sf of retail, 500,000 sf of office, 430 hotel rooms, an approximately 590-seat school, approximately 3,400 parking spaces, and nearly 7 acres of open space, were all included in the DEIS’s No Build analyses. The DEIS also fully accounted for traffic associated with SkyView Parc and the speculative River Park Place, along with 46 other No Build projects.

Comment 14-11:

The DEIS reports that some of the project traffic impacts can be mitigated. Some of this mitigation comes from optimization of traffic signal timing and phasing, which should have been done for the No Build conditions. The DEIS traffic analysis is flawed in that it does not optimize signal timing for the No Build conditions, and therefore it fails to provide a real comparison of performance with and without No Build traffic, which, is largely gridlocked with No Build traffic. (Ketchum)

Response 14-11:

The comment is incorrect. In accordance with *CEQR Technical Manual* procedures, the DEIS’s No Build condition incorporates background growth, traffic from other future projects in the area, and changes to the roadway network (including signal timing changes) as proposed by other projects (e.g., NYCDOT’s roadway improvement initiatives),

whereas the Build condition analyzes potential project impacts. For example, if the Build analysis found that one or two approaches to an intersection are impacted by incremental traffic from the proposed project, signal timing and phasing changes may be recommended to mitigate the project's impacts on those approaches.

Comment 14-12: A major mitigation measure in the DEIS is the proposed one way traffic on Main and Union Streets, a proposal that has since been abandoned, which invalidates the entire DEIS. (Ketchum)

Response 14-12: The comment is incorrect. The one-way pair plan for Main and Union Streets is not a project-related mitigation measure. Rather, it is a NYCDOT proposal for improving traffic and pedestrian circulation in downtown Flushing, with or without the proposed project. Also, this proposal has not been abandoned. Instead, NYCDOT is now considering a Modified Two-Way proposal that may have better traffic and pedestrian circulation benefits than the one-way pair plan. Some of the roadway parameters and key elements of this proposal were developed subsequent to the publication of the DEIS. As such, an analysis of the proposed project's potential impacts with the Modified Two-Way proposal in place has also been included in this FEIS.

Comment 14-13: NYCDOT should undertake traffic simulation modeling in downtown Flushing so that the DCP can understand how the Flushing community processes traffic and determine whether or not the area can accommodate more development. (Ketchum)

Response 14-13: The DEIS and this FEIS have presented reasonably conservative assessments of future traffic conditions, identified potential impacts associated with the proposed action, and provided traffic improvement recommendations, in accordance with CEQR procedures. A traffic simulation modeling is not required for a CEQR analysis of potential traffic impacts.

Comment 14-14: The Flushing Commons Project will severely exacerbate already intolerable traffic conditions in downtown Flushing and surrounding communities and, for the most part, the additional traffic from the project cannot be mitigated. (Lipsky, Ketchum, Sturgeon, A Park, L Kung, REDO, Euler, Lo)

Because the DEIS underestimated auto trip generation and temporal distribution, congestion levels will be even worse than has been reported in the DEIS. The DEIS traffic assumptions are wrong and are contradicted by various sources. In the absence of any revised and

corrected DEIS, CPC lacks the necessary information on which to base any approval for Flushing Commons. (Lipsky, Ketchum)

Response 14-14: The potential traffic impacts and feasible mitigation measures are disclosed in the DEIS and further assessed in this FEIS. In addition, NYCDOT continues to evaluate projected traffic conditions from this EIS and other studies to identify the most effective measures to alleviate traffic congestion in downtown Flushing. With regard to the DEIS's trip estimates, as detailed in some of the responses above, they are prepared in accordance with *CEQR Technical Manual* procedures and deemed appropriate by the lead agency and NYCDOT. The assumptions and methodologies in the comment, as described in previous responses, are incorrect and based on erroneous application of statistics for transportation studies.

Comment 14-15: NYCDOT has put forth a plan to the community's traffic problems that will be implemented in July. If flaws in the plan are discovered or suggestions for improvement are presented, the plan can be modified to address those needs. (Koo)

Response 14-15: Comment noted.

Comment 14-16: As part of the original agreement, NYCDOT was to create a new traffic plan for downtown Flushing as part of an overall strategy to deal specifically with development on Municipal Lot 1. By creating a series of one-way streets, including Main and Union Streets, traffic would circulate in a different fashion and allow for better flow. Unfortunately, this plan was essentially abandoned by the City three days before certification of the Flushing Commons/Macedonia Plaza proposal. While a more limited traffic mitigation pilot program has been proposed by NYCDOT, it may actually create more traffic problems throughout the downtown Flushing area and beyond. This includes the No Turns at Roosevelt Avenue and Main Street; No Left Turns to be implemented at Union Street and Northern Boulevard and Northern Boulevard and Main Street; and the reversal of traffic flow on Prince Street.

In addition, widening sidewalks, while making sense in order to create more safety for pedestrians, can only work with an overall one-way street scheme. (REDO).

Response 14-16: As stated in a previous response, the one-way pair plan for Main and Union Streets has not been abandoned. Instead, NYCDOT is now considering a Modified Two-Way proposal that may have better traffic and pedestrian circulation benefits than the one-way pair plan. Some of the roadway parameters and key elements of this proposal were

developed subsequent to the publication of the DEIS. As such, an analysis of the proposed project's potential impacts with the Modified Two-Way proposal has been included in this FEIS, in addition to the originally analyzed scenario of a one-way pair with bus contra flow lanes.

CHAPTER 15: TRANSIT AND PEDESTRIANS

Comment 15-1: The subway analysis does not include a line-haul analysis, which would demonstrate that even though there may be capacity in the system, there is not capacity at specific locations at specific times. (Ketchum)

Response 15-1: In accordance with *CEQR Technical Manual* procedures, the Flushing Commons project did not provide a subway line-haul impact analysis because its subway trip generation does not exceed the CEQR threshold warranting such an analysis. Furthermore, a CEQR subway line-haul analysis would not provide results that would demonstrate what is suggested in the comment.

Comment 15-2: The traditional stairway analyses avoids the critical test for the subway—whether or not passengers can actually get on a train in 3 or 4 tries or whether crowding is so severe at Manhattan entry and exit points that no additional travel can be accommodated. (Ketchum)

Response 15-2: The subway analyses prepared for the DEIS are in accordance with *CEQR Technical Manual* procedures, in that vertical circulation elements are generally the first set of subway elements to be evaluated for potential impacts. Analyses of control areas, platforms, and line-haul levels become warranted with increasing incremental subway trips. The suggested “critical test” is beyond the scope of this EIS and unnecessary for a single development project.

Comment 15-3: The project will add extra congestion to the sidewalks in the area. (Sturgeon)

Response 15-3: Where sidewalk impacts are identified, feasible mitigation measures have been recommended. As discussed in Chapter 20, “Mitigation,” sidewalk impacts along the northwest sidewalk on 39th Avenue at Union Street and along the southeast sidewalk on Main Street at Roosevelt Avenue could be fully mitigated, while those along the northeast sidewalk on Main Street at Roosevelt Avenue would remain unmitigated.

CHAPTER 16: AIR QUALITY

No comments were received relating to air quality.

CHAPTER 17: NOISE

Comment 17-1: The main portion of the open space, one acre, is situated close to the corner of 138th Street and 39th Avenue. The pedestrian, car, and bus traffic—existing plus the amount added by Flushing Commons—will overwhelm any other use for the site besides a noisy outdoor seating area. (REDO)

Response 17-1: Based on the measured $L_{10(1)}$ noise levels at Noise Receptor Site 4, which is the closest to the proposed open space, noise levels within the proposed open space are expected to reach up to 70.0 dBA. However, it is noted that this is similar to existing noise levels in the area and not a condition created by the project. This is above the noise level for outdoor areas requiring serenity and quiet contained in the *CEQR Technical Manual* noise exposure guidelines (see Table 17-6 of Chapter 17 “Noise”) of 55 dBA $L_{10(1)}$. There are no practical and feasible mitigation measures that could be implemented to reduce noise levels to below the 55 dBA $L_{10(1)}$ guideline within the open space areas.

Although noise levels in these new areas would be above the 55 dBA $L_{10(1)}$ guideline noise level, they would be comparable to noise levels in a number of open space areas that are also located adjacent to heavily trafficked roadways, including Hudson River Park, Riverside Park, Bryant Park, Fort Greene Park, and other urban open space areas. The 55 dBA $L_{10(1)}$ guideline is a worthwhile goal for outdoor areas requiring serenity and quiet. However, due to the level of activity present at most New York City open space areas and parks (except for areas far away from traffic and other typical urban activities) this relatively low noise level is often not achieved.

CHAPTER 18: CONSTRUCTION

Comment 18-1: The dust and noise will be disruptive. (S Young, Sturgeon)

Response 18-1: As set forth in Chapter 18, “Construction,” the proposed project would utilize available best practices and technologies to minimize air and noise effects during construction, including: diesel fuel reduction, clean ultra low sulfur diesel, tailpipe reduction technologies, Tier 2 or new engine technology, dust control, and noise reduction and avoidance best practices. Over the construction period, no long-term adverse impacts from construction activities are expected.

Comment 18-2: The alternate parking proposed during construction at College Point is too much of a walk for patrons and will hurt businesses. Shuttle bus service from the alternate parking won't make it any more convenient because of the time waiting for the shuttle. People go shopping where it is convenient for them. (Rim)

The alternative parking during construction should be located on 39th Avenue, one block from the site, and on Prince Street, a block and a half away. (Herce)

Response 18-2: The interim parking strategy places new parking capacity at three locations in and surrounding the core downtown Flushing commercial district. The three interim parking locations are located at (1) Municipal Lot 2 (east of Prince Street between 38th and 39th Avenues); (2) the Fulton Max Lot (east of College Point Boulevard between 37th and 39th Avenues); and (3) the College Point Lot (west of College Point Boulevard between 37th and 38th Avenues). As shown in Figure 26-1, Municipal Lot 2 is within a 5-minute walking distance from Municipal Lot 1 and is actually more centrally located to local businesses in downtown Flushing than Municipal Lot 1. The Fulton Max Lot is less than 2 additional minutes away and the College Point Lot is still less than a 10-minute walk from Municipal Lot 1. A shuttle bus service connecting these interim lots to the project site or to Union Street is not part of the proposed action.

Comment 18-3: Small businesses in the area will be hurt during the construction of the project. (J Young, S Park) A lot of small businesses on the periphery of the development zone, mainly those on Union Street, really depend on the parking lot that's going to be the municipal parking lot. Once construction begins, this lot will be completely inaccessible. (AAFE, A Park)

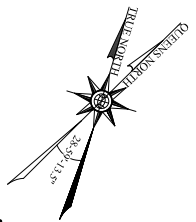
With the economic crisis, people are already having problems paying rent and employees. During the period of construction, this will be made even worse. (A Park)

Response 18-3: The construction period will result in new parking patterns and locations as noted in the comment, but also an increase in economic activity at and around the construction site based on new daily expenditures brought to the area by construction workers. As noted in comment 18-2, it is anticipated that the interim parking plan will provide an equal or greater number of interim spaces at three lots which are located in a 5 to 10 minute walking distance for most of the commercial downtown. Thus, while it would likely be somewhat less convenient and cause longer walking times to certain retailers, sufficient parking capacity would remain during the construction period to serve

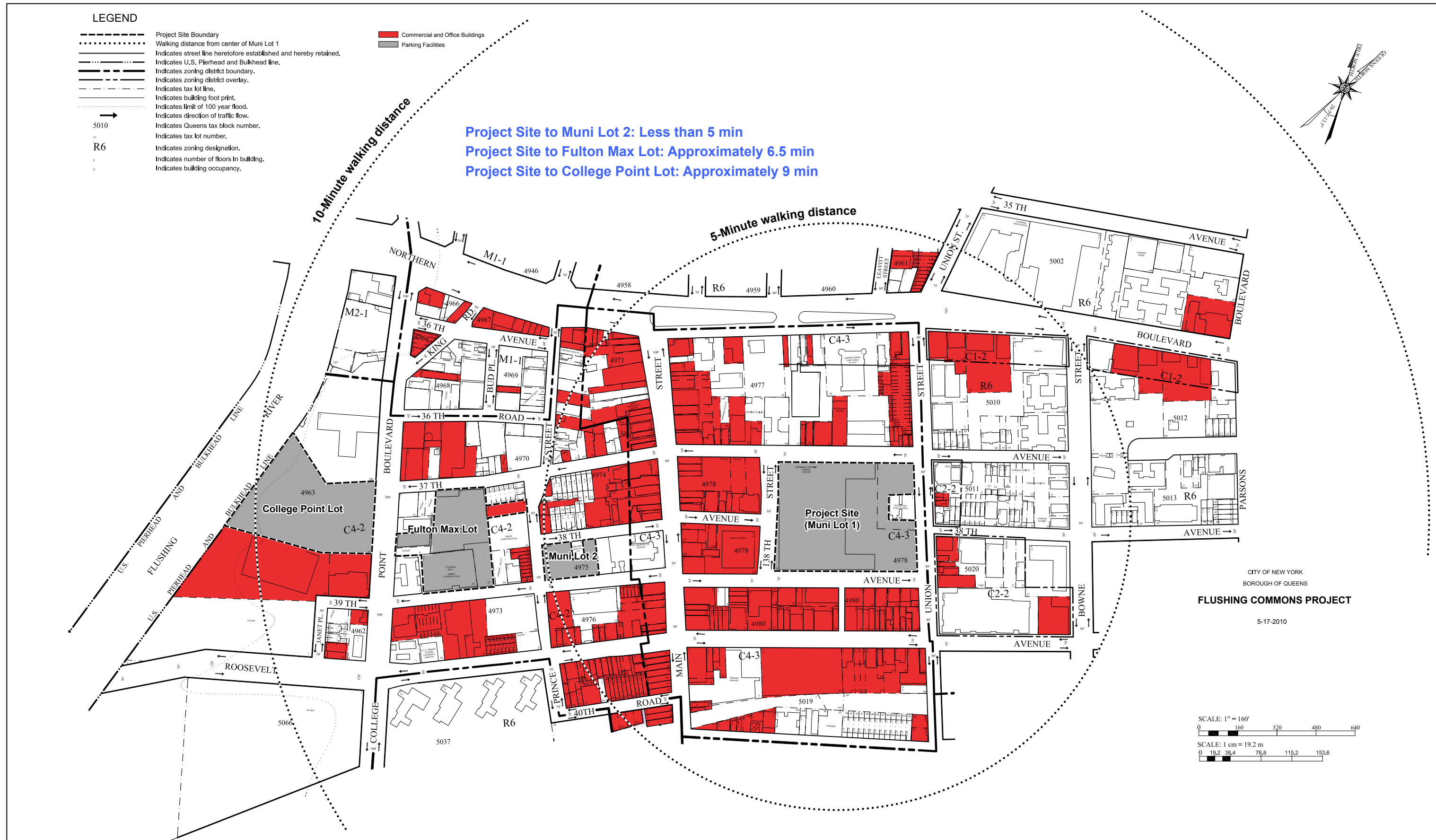
LEGEND

- Project Site Boundary
- Walking distance from center of Muni Lot 1
- Indicates street line heretofore established and hereby retained.
- Indicates U.S. Pierhead and Bulkhead line.
- Indicates zoning district boundary.
- Indicates zoning district overlay.
- Indicates tax lot line.
- Indicates building foot print.
- Indicates limit of 100 year flood.
- Indicates direction of traffic flow.
- 5010 Indicates Queens tax block number.
- R6 Indicates tax lot number.
- 1 Indicates zoning designation.
- 2 Indicates number of floors in building.
- 3 Indicates building occupancy.

- Commercial and Office Buildings
- Parking Facilities



Project Site to Muni Lot 2: Less than 5 min
Project Site to Fulton Max Lot: Approximately 6.5 min
Project Site to College Point Lot: Approximately 9 min



CITY OF NEW YORK
 BOROUGH OF QUEENS
FLUSHING COMMONS PROJECT
 5-17-2010

SCALE: 1" = 160'
 0 160 320 480 640
 SCALE: 1 cm = 19.2 m
 0 19.2 38.4 76.8 115.2 153.6

the downtown retail community, and the temporary effects during the construction period would not significantly impact the overall downtown business community.

Comment 18-4: The compensation fund set up to help business in downtown Flushing is wholly inadequate for the amount of long-term inconvenience and disruption that will occur if Flushing Commons/Macedonia Plaza is built. During the three years of construction, the existing parking will be relocated to scattered sites on the west side of Main Street to College Point Boulevard. In addition, parking and traffic circulation will be severely restricted on the streets surrounding the current municipal lot. The amount of money allocated to help the estimated 400 or so immediate affected businesses—\$2 million—if divided equally would come out to \$5,000 compensation per business for a three year period, or \$140 per month. By cutting the lifeblood of these businesses—their patrons and customers, who will undoubtedly shop elsewhere where parking and the ability to get there will be easier—this development will put them out of business before it is even completed. (REDO)

Response 18-4: As described in Chapter 18, “Construction,” construction-related activities are not expected to restrict access to any of the surrounding business. No permanent street closures are expected and most staging activities would occur on site. As discussed in the response to Comment 18-3, walking distances from the interim parking lots during construction are estimated to be 5 to 10 minutes, and the temporary effects during the construction period would not jeopardize the viability of existing retail stores.

CHAPTER 19: PUBLIC HEALTH

No comments were received related to public health.

CHAPTER 20: MITIGATION

Comment 20-1: The overall infrastructure in downtown Flushing must be improved before redevelopment of Municipal Lot 1 occurs. Overall infrastructure improvement include: long-range traffic mitigation and adequate affordable parking; increased capacity on the #7 subway line and bus lines (not to mention the long-promised bus depot); increased meaningful open space; sewer and water capacity that will not increase environmental damage to the Flushing River or Flushing Bay; additional public school seats for an ever increasing population; and maintain, at a minimum, the existing level of public safety. Without those assurances, the kind of project being proposed will have, by

default, a negative effect on downtown Flushing and the surrounding neighborhoods. (REDO)

Response 20-1: The long term investments identified in the comment, some of which have been identified as part of the City's planning Framework for Downtown Flushing, are not mitigation specific or necessary for development of the proposed Flushing Commons and Macedonia Plaza projects to move forward. In those instances where the Flushing Commons EIS did identify potential adverse impacts specifically generated by the project (i.e. open space, historic resources, shadows, traffic, and pedestrians), appropriate mitigation measures were identified to the extent practicable.

CHAPTER 21: ALTERNATIVES

Comment 21-1: At Kissena Boulevard and 45th Road, 4495, there's a huge space to develop. Please develop that location. (S Park)

Response 21-1: The proposed project is based on a long standing public policy initiative to redevelop Municipal Lot 1 with a mixed-use development with open space, parking, and mix of commercial, residential, and community uses such that the project could enhance the diversity and vibrancy of downtown Flushing. An additional alternative location was not established as an appropriate or reasonable alternative during the EIS scoping process.

Comment 21-2: The project should be built instead at the Flushing Mall, which is a failed project by the same developer and apparently due to be redeveloped. The Flushing Commons design would be perfect for that location. Together with a water fountain it would transform the area around 39th Avenue between College Point Boulevard and Prince Street into a chic, luxury condominium zone with high end stores and boutiques. There is already the luxury Sky View Park condominium around the corner. (Hahn)

Response 21-2: The Flushing Mall property does not have the same large site footprint and ability to integrate a mix of development and open space resources. As noted above, the redevelopment of Municipal Lot 1 has been a City planning initiative for many years and an additional alternative location was not considered a reasonable alternative for the EIS.

Comment 21-3: At the Municipal Lot 1 location, a better project would be a grand structure containing ample parking, commercial and retail spaces, a movie theater, and restaurants, as well as an open space on top of the structure. (Hahn)

Flushing Commons

Response 21-3: Since the goal of the project is specifically to introduce a wide mix of uses to enhance downtown vibrancy and to take advantage of the availability of public transit access, residential development was a key project component. No commercial and parking alternative was identified as a reasonable alternative as part of the EIS.

Comment 21-4: The introduction of five new towers incorporating 620 condo units may be somewhat overbearing to the community and a smaller number of condo towers should be investigated. (Amoroso)

Response 21-4: The site is a very large, multi-block area and the Large Scale Development Plan established for the proposed project provides for a unified urban design plan. The proposed scale of the project is well suited to its large site area, ability to include a large parking facility, and its immediate access to transit. As described in the EIS, the resulting buildings would not be inconsistent with the surrounding urban design and neighborhood character of large residential or mixed use buildings. It is noted that the existing zoning would yield a development project of similar density and scale. Therefore, the proposed rezoning and other actions are not generating a substantial change in tower configuration. A reduced residential density alternative was not identified as a reasonable alternative to be examined in the FEIS as part of the scoping process.

CHAPTERS 22, 23, AND 25: UNAVOIDABLE ADVERSE IMPACTS, IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES, GROWTH-INDUCING ASPECTS, AND SHORT VS. LONG TERM PRODUCTIVITY

No comments were submitted related to these chapters.

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