



E-74

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW

Joseph B. Rose, *Director*
Department of City Planning

DATE August 7, 1998

**NOTICE OF COMPLETION OF THE FINAL
ENVIRONMENTAL IMPACT STATEMENT**

Downtown Flushing Rezoning and Waterfront Access Plan

CEQR No. 95DCP052Q

SEQRA No. P2630000-00066

ULURP No. C960566ZMQ; N980526ZRQ

SEQR Classification: Type I

Lead Agency: New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure 1991, and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned. The proposal requires approvals by the City Planning Commission and Council of the City of New York. A public hearing on the DEIS was held on July 22, 1998. Written comments on the DEIS were received by the City Planning Commission until the 10th calendar day following the close of the public hearing.

Proposed Action

The New York City Department of City Planning is proposing to rezone approximately 102 acres of land in Downtown Flushing, Community District 7, Queens. In connection with the rezoning, the Department is also proposing to establish a Waterfront Access Plan (WAP) within a portion of the rezoning area on properties adjacent to the Flushing River. The proposal involves two discretionary actions subject to City Planning Commission and City Council approval: (1) a zoning map amendment (ULURP No. C960566ZMQ) for the proposed rezoning, and (2) a zoning text amendment (ULURP No. N980526ZRQ) for the proposed WAP.

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Together, these actions are intended to provide a rational planning framework for future growth in Downtown Flushing, principally by permitting new commercial and residential development in less-utilized manufacturing areas to the west of the commercial core area. This would allow the downtown area to expand to and connect with the Flushing River waterfront. To achieve these objectives, the proposed map amendment would change the existing zoning in a large portion of Downtown Flushing from light and heavy manufacturing (M1-1 and M3-1) to commercial and residential (R6, C2-3, and C4-2). The proposed zoning would allow new residential and commercial development in these areas. Other areas would be rezoned from heavy and light manufacturing (M3-1 and M1-1) to light manufacturing (M1-2). These changes would prohibit new heavy manufacturing uses which may be incompatible with the proposed residential and commercial zoning. In addition, other areas would be rezoned from one commercial designation to another (C4-2 to C4-3) so as to reduce the amount of required parking to a level appropriate for a commercial center and mass transit hub.

The rezoning area comprises approximately 102 acres of land. For analysis purposes, the area has been divided into five subareas, as indicated below.

<u>Subarea</u>	<u>Existing Zoning</u>	<u>Proposed Zoning</u>
A	M1-1	C4-2
B	M1-1, M3-1	R6, R6/C2-3
C	M3-1, M1-1	C4-2
D	M3-1, M1-1	M1-2
E	C4-2	C4-3

The rezoning proposal has been revised since the issuance of the Notice of Completion of the DEIS, as a result of community input. The current proposal differs from the proposal analyzed in the DEIS in the following ways: 1) the proposed zoning for Subarea A has been changed from C4-3 to C4-2; and 2) Subarea E has been reduced in size, with its western boundary shifted from a line 250 feet west of Main Street to a line 100 feet west of Main Street.

Purpose and Need

The purpose of and need for the proposed action evolved from a study conducted by the Department that resulted in the 1993 Downtown Flushing Plan. The Department's recommendations were shaped through a series of discussions with a community-based advisory committee and elected officials. The proposed rezoning, which is based on recommendations from the Plan, would reinforce the existing business community, encourage expansion of the retail area, allow for new residential growth and better reflect the existing land uses. The Downtown Flushing Plan also includes recommendations for improvements to transportation, community facilities and historic sites.

The purpose of the proposed zones for each subarea, and the differences between existing and

proposed zoning controls, are as follows:

In Subarea A, the proposed C4-2 district would provide new opportunities for medium-density commercial and residential development while permitting the central retail area to expand. C4-2 zoning permits commercial uses at an FAR of 3.4 and residential uses at R6-equivalent densities of up to 2.43, or 3.0 with Quality Housing. The existing M1-1 district, in contrast, allows only industrial and commercial uses with a maximum FAR of 1.0.

Continued investment in new stores and offices, an increase in the number of stores, and a significant population rise, all point to the need for new development opportunities in Downtown Flushing. The central retail area is already expanding into the adjacent western area, zoned M1-1, where new retail and office buildings have been constructed. The proposed C4-2 zone would appropriately accommodate both residential and commercial growth, building upon the residential presence already established by the nearby Bland Houses. The proposed mix of uses would encourage 24-hour street activity and an improved sense of security.

In Subarea B, a one-and-a-half-block area would be rezoned from M1-1 and M3-1 to R6 with a 100-foot deep C2-3 overlay on College Point Boulevard. The proposed zoning would reflect the existing predominance of retail and residential uses in the area. The proposed R6 district would permit residential uses at an FAR of up to 2.43 or 3.0 with Quality Housing. The existing M1-1 and M3-1 districts, in contrast, allow only industrial and limited commercial uses with a maximum FAR of 1.0 in M1-1 and 2.0 in M3-1. Within the C2-3 overlay, local retail and services would be permitted at 2.0 FAR.

In Subarea C, the waterfront area between College Point Boulevard and the Flushing River has great potential for reuse and the development of publicly-accessible open space. Large vacant or underutilized parcels in this subarea are only two to five blocks from the Main Street subway station, making them attractive for commercial and residential development. The proposed C4-2 district would provide new opportunities for commercial and residential uses at a moderate density.

Subarea C is governed by M3-1 zoning with the exception of a small parcel at 40th Road and College Point Boulevard zoned M1-1. M3-1 zoning permits heavy manufacturing uses at an FAR of 2.0 and M1-1 zoning allows light industrial and commercial uses with a maximum FAR of 1.0. In contrast, the proposed C4-2 district would permit commercial uses at an FAR of 3.4 and residential uses at an R6 FAR of 2.43 or 3.0 with Quality Housing.

The proposed C4-2 district along the Flushing River waterfront contains waterfront blocks which are subject to Waterfront Zoning regulations (ZR Section 62-00). Waterfront Zoning mandates public access to the waterfront for most uses and ensures that the scale of development is appropriate for the waterfront. One of these parcels, Site C1 (Block 5066, Lot 1) would be affected by a citywide zoning text amendment proposal (CEQR No. 96DCP055Y, ULURP No. N960560ZRY) filed by a private applicant, which, if approved, would modify

Waterfront Zoning bulk controls for waterfront parcels of property whose seaward views from the entire shoreline are considered to be completely obstructed by man-made structures (elevated roads, bridges, or similar structures) seaward of the shoreline. The proposed text amendment would require new developments on such parcels to conform to height and setback regulations of the underlying district rather than those of Waterfront Zoning.

In connection with the proposed zoning map amendment, the Department is proposing a zoning text amendment to ZR Section 62-85 to establish a Waterfront Access Plan (WAP) for seven parcels in Subarea C along the Flushing River. The WAP would modify the public access and visual corridor requirements mandated by the general waterfront zoning text (ZR Section 62-40) by specifying the locations and dimensions of shore public walkways, upland connections and visual corridors, and redistributing some areas of the shore public walkways to provide viewing areas along the Flushing River. New development on the seven parcels affected by the WAP would be required to conform to its provisions.

The reuse of the Flushing River waterfront for residential, commercial and public open space uses would be enhanced by the expected improvement to the water quality of the Flushing River. The New York City Department of Environmental Protection anticipates that the water will be significantly cleaner by 2002, one year after expected completion of a Combined Sewer Overflow tank in Flushing Meadows-Corona Park.

In Subarea D, the proposed M1-2 zone would be an extension of the M1-2 zone to the south. The subarea's existing M3-1 zoning permits heavy manufacturing uses with an allowable FAR of 2.0, and the existing M1-1 district permits light manufacturing uses with strict performance standards at an FAR of 1.0. The proposed M1-2 district would permit light manufacturing at an FAR of 2.0. The proposed increase in required performance standards for the area currently zoned M3-1 would better reflect existing land use and would be appropriate for an area adjacent to the proposed R6 zoning district in Subarea B.

The three-and-a-half- block area is roughly bounded by the Long Island Railroad, Haight Street and Sanford Avenue. Auto-related uses, which would conform to M1-2 regulations, predominate in this area. Approximately 11 of the 15 businesses are auto repair shops.

In Subarea E, the proposed rezoning from C4-2 to C4-3 would lower parking requirements to a level appropriate for a major business district and mass transit hub. Public transportation to this area is excellent and the prevalence of moderate-sized lots make it difficult for new development to comply with the C4-2 parking requirements.

(E) Designation for Hazardous Materials

To avoid any potential impacts associated with hazardous materials, as part of the proposed rezoning action, an (E) designation for hazardous materials would be placed on the following lots:

<u>Site</u>	<u>Block/Lot</u>
A1	4973/24 4976/23, 27
A3	4973/1, 6
B1	5063/20
C1	5066/1
C2	4963/ 65, 75, 85
C3	4963/7

The (E) designation ensures that sampling and remediation take place where hazardous material contamination may exist.

(E) Designation for Noise

To avoid any potential impacts associated with noise, as part of the proposed rezoning action, an (E) designation for noise would be placed on the following lots:

<u>Site</u>	<u>Block/Lot</u>	<u>Attenuation</u>
A1	4973/24 4976/23, 27	40 dB(A) 35 dB(A)
A2	4972/65	40 dB(A)
A3	4973/1, 6	40 dB(A)
B1	5063/20	40 dB(A)
B2	5063/4,5	40 dB(A)
C1	5066/1	40 dB(A)
C2	4963/65,75, 85	40 dB(A)
C3	4963/7	40 dB(A)

Projected Development

The proposed action is likely to induce new development in the Project Area, although it is not possible to predict with any level of certainty where such development would occur. Based on site and market conditions, a reasonable worst case development scenario was identified to serve as a basis for impact assessment. It is projected that the proposed action could induce the following net new development: approximately 959,916 square feet of residential uses, or 1,020 dwelling units; 31,426 square feet of office space; 619,182 square feet of retail space, and 30,737 square feet of community facility space. Table 1 compares projected development under the proposed action and projected development under existing zoning.

Table 1
PROJECTED DEVELOPMENT SCENARIOS

FUTURE NO ACTION SCENARIO

Subarea/ Site	Residential S.F.	Dwelling Units	Office S.F.	Retail S.F.	Comm.Fac. S.F.
A*	--	--	40,625	40,625	--
B	--	--	--	13,000	--
C	--	--	--	--	--
D	--	--	--	--	--
E#	--	--	211,250	211,250	--
TOTAL	--	--	251,875	264,875	--

FUTURE WITH ACTION SCENARIO

Subarea/ Site#	Residential S.F.	Dwelling Units	Office S.F.	Retail S.F.	Comm.Fac. S.F.
A1	50,722	54	31,542	47,313	13,452
A2	40,175	43	24,963	37,475	10,655
A3	25,000	27	15,546	23,319	6,630
B1	--	--	--	14,700	--
B2	9,997	10	--	--	--
C1	--	--	--	550,000	--
C2	834,022	886	--	--	--
C3**	--	--	--	--	--
D	--	--	--	--	--
E***#	--	--	211,250	211,250	--
TOTAL	959,916	1,020	283,301	884,057	30,737
INCREASE OVER NO ACTION SCENARIO	959,916	1,020	31,426	619,182	30,737

* In the future no action scenario, development projections have been identified by subarea only. Specific development sites have not been projected within each subarea.

** Specific development projections have not been identified for Site C3, which has been identified as a potential development site. As such, it is being assessed for site-specific environmental impacts, but not for density-related effects.

*** In Subarea E, the same amount of office and retail development would occur in both the future no action and future with action scenarios.

Development projections for Subarea E reflect the original subarea boundaries, which include all the contiguous C4-2 district in Downtown Flushing. These projections represent a conservative estimate of future development with or without the proposed rezoning.

Probable Impacts

The FEIS analyzes the potential environmental effects of the proposed action on land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic resources; urban design and visual resources; hazardous materials; neighborhood character; traffic and transportation; air quality; noise; community facilities; infrastructure; solid waste and sanitation; energy; natural resources, Waterfront Revitalization Program; and construction impacts. The analysis presented in the FEIS discloses that the proposed action may have significant adverse impacts to community facilities, historic resources (archaeology), traffic and transportation, and mobile source air quality. Mitigation measures for the anticipated community facilities, traffic and transportation, and air quality impacts are identified and discussed in the FEIS. The projected impacts to historic resources (archaeology) are considered unmitigatable. Mitigation of the potential impact on community facilities (schools) would require construction of additional school capacity. In the absence of a commitment to provide this additional capacity, the community facility impact would be unmitigated. Projected impacts to traffic and transportation and air quality could be mitigated through implementation of the mitigation measures identified in this document.

The analysis in the FEIS concludes that the proposed action is unlikely to result in significant adverse impacts related to land use, zoning, and public policy; socioeconomic conditions; open space; shadows; architectural resources; health care facilities; urban design and visual resources; neighborhood character; hazardous materials; stationary source air quality; noise; infrastructure; solid waste and sanitation; energy; natural resources, Waterfront Revitalization Program; and construction impacts.

It should be noted that the proposed rezoning includes (E) designations for hazardous materials and noise. These (E) designations are necessary to avoid the potential for significant adverse impacts in these categories.

Mitigation

Impacts were identified in the areas of archaeological resources, traffic, pedestrian conditions, air quality, and community facilities. No mitigation measures were identified for the potential archaeological impacts.

Traffic and Transportation

New vehicular and pedestrian trips associated with action-induced development could result in significant impacts to elements of the vehicular and pedestrian transportation network. Mitigation measures have been identified which mitigate all action-related transportation impacts. These measures include adjustments to signal timing, lane restriping, creating additional moving lanes by removing parking (daylighting), road widening, increases in bus service, and modifications to corners and crosswalks. The Draft EIS identified a potentially unmitigatable traffic impact at the intersection of College Point Boulevard and Roosevelt Avenue. Subsequently, mitigation measures were identified that would address this potential impact through restriping and changes to signal phasing and timing, eliminating its potential to be unmitigated. The property owner who would be affected by a proposed road widening identified as mitigation for the intersection of 40th Road and College Point Boulevard has committed to this mitigation if projected development levels on his site are achieved.

Air Quality

The induced vehicular traffic associated with action-related development could result in a *de minimis* air quality impact at the intersection of College Point Boulevard and Roosevelt Avenue. The maximum 8-hour carbon monoxide concentration at this location could increase from 4.7 parts per million to 7.8 parts per million. This would be an increase of more than half the difference between the no-build level and the regulatory standard of 9 ppm, but would not constitute a violation of National Ambient Air Quality Standards. Traffic mitigation measures identified for this intersection would reduce the CO concentration to 6.1 ppm, mitigating the *de minimis* air quality impact.

Community Facilities

Elementary schools in the study area are considerably overutilized at present and projections for the future with action condition indicate a shortfall of approximately 1,265 elementary and middle school seats in the analysis year of 2007. The potential impact could be mitigated in a number of ways: the two 650-seat schools budgeted for the area could be sited and built by the Board of Education, transportable classrooms could be installed at existing schools, or sixth grade classes in elementary schools could be rezoned to available space in the district's junior high schools.

Other measures to alleviate citywide overcrowding, proposed in the 1995 report of the Citizens Commission on Planning for Enrollment Growth (established by the Chancellor), may

be applicable to conditions in the study area. These measures include: increased use of leased space; evaluating and reforming the special education program to lessen space demands; exploring opportunities for use of vacant commercial space; and building collaborative programs with universities, businesses and non-profit organizations that offer out-of school learning environments.

However, in the absence of a funding commitment for one or more of the potential mitigation measures described above, the elementary school seat impact would remain unmitigated.

Alternatives to the Proposed Action

Four alternatives to the proposed action have been analyzed: an As-of-Right alternative, a No Action alternative, a Modified Action alternative in which Subarea A remains M1-1 and the rest of the proposed action goes forward, and a No Impact alternative. Impacts under these alternatives were compared to those under the proposed action. Generally, the alternatives would result in fewer impacts than the proposed action, but the same potential for unmitigated impacts.

As-of-Right Alternative

The As-of-Right alternative assumes that no zoning map change or WAP would occur in the Project Area, and that a limited amount of development would occur as-of-right within the rezoning area. Under the As-of-Right alternative, it is projected that Subarea A would experience approximately 81,250 square feet of commercial development (40,625 square feet office and 40,625 square feet of retail); Subarea B would receive 13,000 square feet of retail development; and the C4-2 zoned commercial core including Subarea E would receive 422,500 square feet of commercial development (211,250 square feet of office and 211,250 square feet of retail).

No Action Alternative

The No Action alternative is essentially the same as the As-of-Right alternative described above. The No Action alternative assumes that no zoning map changes or discretionary actions would occur in the Project Area, and that a limited amount of development would occur on-site as-of-right. The effects of the No Action alternative would be the same as those disclosed in the As-of Right alternative described above.

Modified Action Alternative

Under this alternative, Subarea A would remain an M1-1 district; Subarea B would be rezoned from M1-1 and M3-1 to R6/C2-3; Subarea C would be rezoned from M3-1 and M1-1 to C4-2; Subarea D would be rezoned from M3-1 and M1-1 to M1-2; and Subarea E would be rezoned from C4-2 to C4-3.

Projected development in Subarea A would be the same as what is anticipated in the no-build: approximately 81,250 square feet of commercial development: 40,625 square feet office and 40,625 square feet of retail. Projected development for the other subareas would be the same as for the proposed action. Subarea B is projected to receive approximately 10 new residential units and 14,700 square feet of retail space, and Subarea C would receive approximately 886 new residential units and 550,000 square feet of retail. Subarea E would receive the same level of development as under the no-action and proposed action scenarios.

No Impact Alternative

It is the City's policy to include, whenever feasible, a "No Impact" alternative that avoids, without the need for mitigation, all significant environmental impacts of the proposed action. It was determined, after analysis, that there is no such No Impact alternative that is feasible and consistent with City policies for the expansion of Downtown Flushing and redevelopment of underutilized industrial land.

Project Identification

CEQR No. 95DCP052Q
SEQRA No. P2630000-00066
ULURP No. C960566ZMQ; N980526ZRQ
SEQRA Classification: Type I
Action Location: CD 7, Queens

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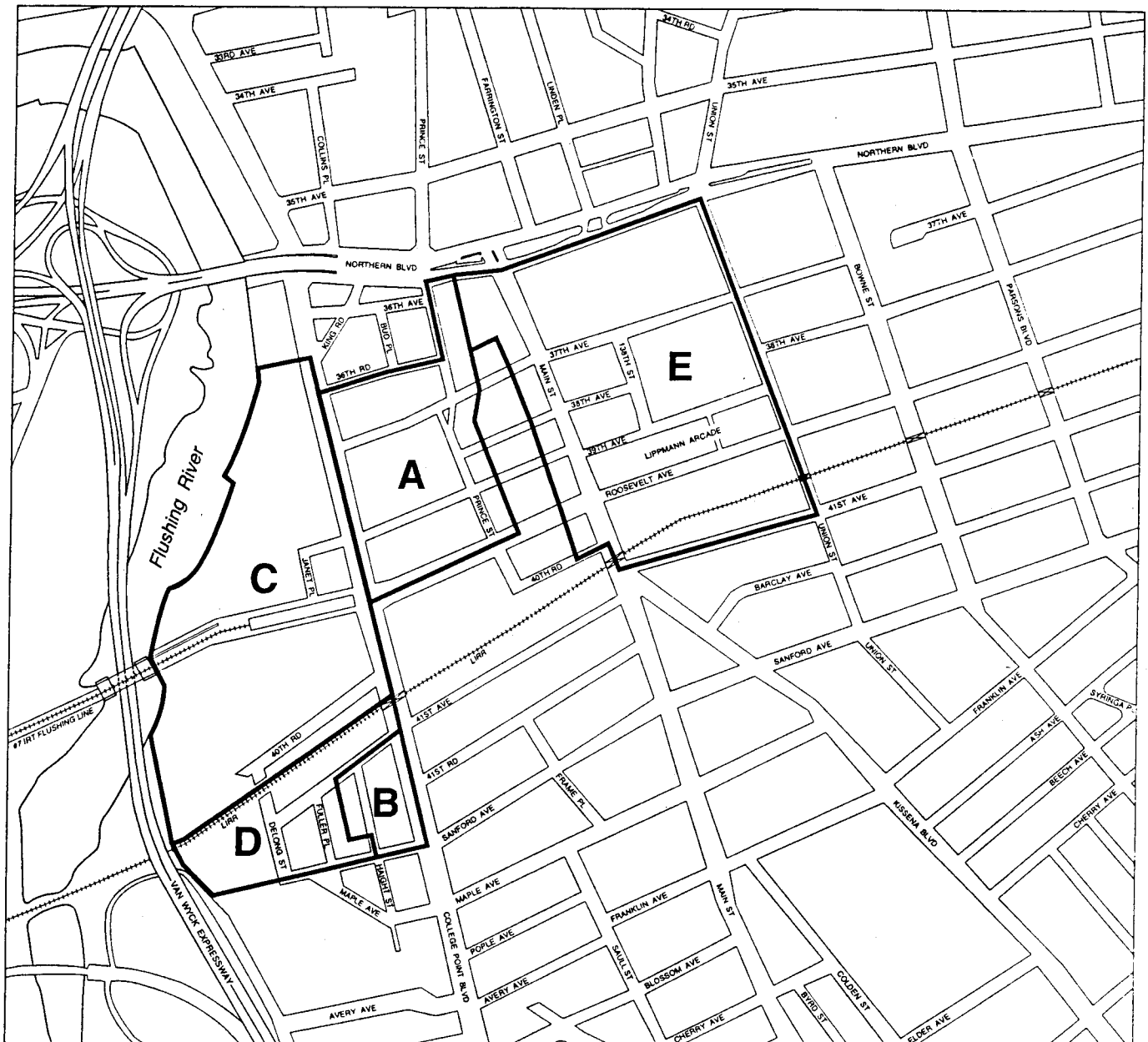
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Rezoning Subareas

- A** Rezoning from M1-1 to C4-2
- B** Rezoning from M1-1 and M3-1 to R6 and R6 with C2-3 overlay
- C** Waterfront Area Rezoning from M1-1 and M3-1 to C4-2
- D** Rezoning from M1-1 and M3-1 to M1-2
- E** Rezoning from C4-2 to C4-3



Table 2
Blocks and Lots Affected by Proposed Zoning Map Amendment

Block Lots

Area A (7 Blocks, 74 Lots, p.o./10)

4970	1, 11, 18, 20, 25, 29, 37, 39, 41, 42, 53.
4971	1, 4, 5, 6, p.o./8, p.o./10, p.o./12, p.o./16, 18, 19, 20, 21, 22, 27, p.o./45, p.o./69, 71, 73.
4972	1, 8, 10, 16, 20, 22, 23, 34, 38, 43, 48, 49, 52, 53, 54, 55, 57, 59, 65, 148, 149, 152.
4973	1, 6, 12, 16, 24, 37, 41, 42, 43, 44, 45, 46, 47, 48, 56.
4974	5, 9, 14, 15, 16, p.o./17, p.o./18, p.o./60, 61, 62, 63, 1001, 1002.
4975	p.o./15.
4976	18, 20, 23, 25, 27.

Area B (2 Blocks, 32 Lots)

5062	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20.
5063	1, 3, 4, 5, 7, 15, 16, 20, 24, 25, 27, 30, 31, 32, 33, 36, 42, 53, 55.

Area C (4 Blocks, 47 Lots, p.o./3)

4962	1, 4, 12, 19, 22, 23, 24, 26.
4963	1, 7, 65, 75, 85, 200, p.o./210, p.o./249.
5060	p.o./36, 37, 38, 39, 42, 46, 47, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 67, 68, 69, 70, 71, 155, 161, 162.
5066	1, 79, 91, 107, 110.

Block Lots Cont'd

Area D (4 Blocks, 26 Lots, p.o./2)

5060 1, 14, 18, 24, 25, 26, 28, 29, 33; p.o./36.

5061 1, 6, 15, 22, 24.

5062 1, 4, 5, 6, 25, 28, 30, 34, 36, 38, 50.

5066 225, p.o./250.

Area E (9 Blocks, 188 Lots, p.o./28)

4971 p.o./8, p.o./10, p.o./12, p.o./16, 29, 31, 32, 40, 41, 42, 43,
p.o./45, 48, 49, 50, 51, 53, p.o./54, 55, 57, p.o./59, 60, p.o./63,
p.o./65, 143.

4974 p.o./27, p.o./36, p.o./38, p.o./39, 41, 42, p.o./45, p.o./60.

4975 p.o./1, p.o./15.

4976 p.o./1, 48, p.o./51, p.o./52, 101, p.o./147.

4977 1, 3, 4, 6, 7, 9, 10, 11, 12, 13, 15, 17, 21, 23, 26, 32, 33, 35, 36,
37, 39, 48, 50, 52, 54, 55, 56, 57, 58, 59, 62, 66, 67, 68, 80, 82,
86, 88, 90, 91, 92, 94, 95, 96, 99, 100, 102, 154, 155, 156, 157,
158, 159, 160, 161, 162, 163, 164, 165, 166.

4978 1, 2, 3, 4, 6, 7, 8, 13, 15, 25, 46, 74, 75, 76, 101, 104, 107, 109,
110.

4980 1, 3, 4, 5, 9, 11, 14, 18, 19, 24, 32, 35, 37, 41, 44, 46, 48, 49,
50, 51, 52, 53, 54, 55, 56, 60, 61, 64, 67, 68, 69, 70, 78, 79, 80,
81, 139.

5019 1, 2, 3, 4, 5, 8, 11, 14, 15, 24, 50, 52, 53, 54, 56, 57, 59, 63, 64,
66, 68, 80, 83, 84, 85, 86, 88, 90, 91, 92, 93, 94, 95, 98, 99,
100, 101, 105, 107, 108, 109, 110, 111, 185, 186, 187, 189, 195.

5036 p.o./36, p.o./37, p.o./38, p.o./39, p.o./40, p.o./41, p.o./42, 54,
127, 128.

Table 3

Tax Blocks and Lots Affected by Proposed Waterfront Access Plan

<u>Block</u>	<u>Lots</u>
4963	7, 65, 85, 200.
5066	1, 105*, 107* (* New York City Department of Parks and Recreation park strip) Property #45 (New York State Department of Transportation)
p.o.	Roosevelt Avenue right-of-way (New York City Department of Transportation)
p.o.	Van Wyck Expressway right-of-way (New York State Department of Transportation)

