



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*  
Department of City Planning

September 19, 2014

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

**Astoria Cove Development**

**Project Identification**

CEQR No. 13DCP127Q  
ULURP Nos. C130384MMQ, C140322ZMQ, C140323ZSQ,  
C140323(A)ZSQ, C140324ZSQ, C140324(A)ZSQ,  
N140325ZSQ, N140326ZSQ, N140327ZSQ, N140328ZSQ,  
N140329ZSQ, and N140329(A)ZSQ  
SEQRA Classification: Type I

**Lead Agency**

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 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 involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedures (ULURP). A public hearing on the Draft Environmental Impact Statement (DEIS) was held on August 6, 2014. The public hearing also considered modifications to the proposed action, (ULURP Nos. C140323(A)ZSQ, C140324(A)ZSQ, and N140329(A)ZSQ). Written comments on the DEIS were requested and were received by the Lead Agency until August 18, 2014. The FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

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## A. INTRODUCTION

The Applicant, 2030 Astoria Developers, LLC, is seeking a zoning map amendment, a City Map amendment, a zoning text amendment<sup>1</sup>, Large-Scale General Development (LSGD) Special Permits, a waterfront Special Permit, authorizations to modify waterfront public access area requirements, and a waterfront certification by the New York City Planning Commission (CPC) Chairperson (collectively, “the Proposed Action”) affecting an approximately 8.7-acre site in the Astoria neighborhood of Queens Community District (CD) 1.

The Proposed Action will facilitate a proposal by the Applicant to develop a new approximately 2,189,068 gross square foot (gsf) mixed-use development on approximately 377,726 sf of lot area (the “project site”). The proposed project would be comprised of approximately 1,689 dwelling units (approximately 1,689,416 gsf of residential floor area), of which 295 dwelling units would be affordable<sup>2</sup>; approximately 109,470 gsf of local retail space, including an approximately 25,000 gsf supermarket; a site for an elementary school with approximately 456 seats (PK-5); approximately 900 accessory parking spaces; and approximately 83,846 sf of publicly accessible open space. The anticipated Build Year is 2023.

Development of the proposed project requires approvals from the City Planning Commission (CPC) for the following discretionary actions:

- A zoning map amendment to rezone the project site from M1-1 and R6 to R6B, R7-3 with a C2-4 commercial overlay, and R7A with a C2-4 commercial overlay (ULURP No. C140322 ZMQ);
- A zoning text amendment to extend the Inclusionary Housing Program (IHP) to the portion of the project site zoned R7-3 by making it an Inclusionary Housing Designated Area pursuant to Zoning Resolution (ZR) §23-952 and Appendix F of the FEIS (ULURP No. N140329 ZRQ);
- LSGD Special Permits (i) pursuant to ZR §74-743(a)(1) to allow for the distribution of floor area from the non-waterfront zoning lot to the waterfront zoning lot that comprise the LSGD; (ii) pursuant to ZR §74-743(a)(2) to authorize a reduction in distance between Building 2 and Building 3; and waive court requirements for Buildings 1, 2, and 3; and (iii) pursuant to ZR §74-743(a)(6) to waive requirements for the minimum distance between Building 5’s windows and the western lot line; and extend the Special Permits’ vesting term to ten years under ZR §11-42(c) (ULURP No. C140323 ZSQ);
- A waterfront Special Permit pursuant to ZR §62-836 requesting modifications to yard, height and setback, tower footprint size, and maximum width of walls facing the shoreline (ULURP No. C140324 ZSQ);
- An authorization pursuant to ZR §62-822(a) to allow modifications of the area and minimum dimension requirements of waterfront public access areas and visual corridors under ZR §62-50 (ULURP No. N140325 ZAQ);

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<sup>1</sup> Since the issuance of the DEIS, and following discussions with DCP, and in response to the interest expressed by Queens CB 1 and local elected officials, including Queens Borough President Katz and Council Member Costantinides, regarding expanding opportunities for affordable housing in relation to Astoria Cove, the Applicant has proposed modifications to the Proposed Action. Specifically, the Applicant has proposed modifications to the LSGD special permits (ULURP No. C140323(A)ZSQ), waterfront special permit (ULURP No. C140324(A)ZSQ), and zoning text amendment (ULURP No. N140329(A)ZRQ). Please refer to “Subsequent Actions” section on page S-8 and FEIS Chapter 25, “Potential Modifications to the Proposed Project,” for further details.

<sup>2</sup> The number of residential units, including the number of affordable dwelling units, would increase under the Modified Action from 1,689 to 1,723 (increase of 34) and from 295 to 345 affordable units (increase of 50). Refer to “Subsequent Actions” section on page S-8 and FEIS Chapter 25, “Potential Modifications to the Proposed Project,” for further details.

- An authorization pursuant to ZR 62-822(b) to allow modification of the requirements of ZR §62-60 (Design Requirements for Waterfronts Public Access Areas) (ULURP No. N140326 ZAQ);
- An authorization pursuant to ZR §62-822(c) to permit the phased development of the waterfront public access area, as modified by the above-referenced authorizations (ULURP No. N140327 ZAQ); and
- A City Map amendment for the establishment of 4<sup>th</sup> Street from 26<sup>th</sup> Avenue to the waterfront public access area and elimination of 8<sup>th</sup> Street from 27<sup>th</sup> Avenue to the U.S. Pierhead and Bulkhead Line (ULURP No. C130284 MMQ).

Development of the proposed project requires approvals from the CPC for the following ministerial action:

- A certification by the Chairperson of the CPC pursuant to ZR §62-811 pertaining to the provision of waterfront public access areas and visual corridors, as modified by the above-referenced authorizations (ULURP No. 140328 ZCQ).

The Applicant also intends to seek New York City Housing Preservation and Development (HPD) approval of an Affordable Housing Plan pursuant to the IHP. Since issuance of the DEIS, the Applicant has stated that they do not intend to seek public financing. Though this is the Applicant's intention, the lead agency (DCP) and the Applicant have coordinated with City and State agencies throughout the CEQR process, including HPD, the New York City Housing Development Corporation (HDC), and New York State Homes and Community Renewal (HCR) should the Applicant decide to pursue public financing for affordable housing construction.

In addition, the proposed project requires approvals from the U.S. Army Corps of Engineers (USACE) and the New York State Department of Environmental Conservation (NYSDEC) for new stormwater outfalls to be located at the end of 4<sup>th</sup> and 9<sup>th</sup> Streets. NYSDEC approval will also be required as part of the proposed waterfront esplanade falls within a NYSDEC-regulated wetland adjacent area. Additionally, a State Pollution Discharge Elimination System (SPDES) permit from the NYSDEC will be required for stormwater discharges during the construction period because construction on the project site involves more than one acre.

## **B. PROJECT SITE**

Currently, to the north of 26<sup>th</sup> Avenue, the project site is zoned M1-1; on the two lots south of 26<sup>th</sup> Avenue, the project site is zoned R6. The M1-1 zoning designation allows high performance manufacturing and industrial uses north of 26<sup>th</sup> Avenue and R6 for residential uses south of 26<sup>th</sup> Avenue. M1-1 districts also allow commercial and low-density light manufacturing uses, as well as certain community facility uses such as houses of worship and schools. M1-1 districts permit a maximum Floor Area Ratio (FAR) of 1.0. However, residential uses are not permitted. R6 zoning districts are medium-density residential districts with a maximum FAR of 2.43, which can range from neighborhoods with a diverse mix of building types and heights to large-scale "tower in the park" developments.

The project site, which is under the Applicant's control, comprises the following:

- A total of 377,726 sf of lot area, including approximately 292,155 sf along the waterfront (Block 907, Lots 1 and 8; and Block 906, Lots 1 and 5);
- Approximately 85,571 sf of upland area located along 26<sup>th</sup> Avenue between 4<sup>th</sup> Street and 9<sup>th</sup> Street (Block 908, Lot 12 and Block 909, Lot 35);
- A total of seven buildings with warehouse and industrial uses (with a combined total floor area of approximately 194,700 gsf)
- Bus/vehicle storage (on the upland portion of the project site);

- Approximately 100 accessory parking spaces;
- Shoreline protection measures in the form of riprap;
- Two mapped but unbuilt segments of 8<sup>th</sup> Street (to the north and south of 26<sup>th</sup> Avenue); and
- A portion of 26<sup>th</sup> Avenue west of 9<sup>th</sup> Street, which is currently unimproved.

In total, there are twelve businesses located on the project site with a total of approximately 68 employees. These businesses include industrial/warehouse uses, school bus storage, contracting, and carpentry uses.

### **C. PURPOSE AND NEED FOR THE PROPOSED ACTION**

The Proposed Action is intended to provide opportunities for new residential and commercial development, as well as enhance and upgrade accessibility to the area's waterfront. The Applicant intends for the Proposed Action to create opportunities for new housing development, including affordable housing, on underutilized and vacant land formerly used for manufacturing purposes and where there is no longer a concentration of industrial activity and strong demand for housing exists.

The proposed zoning map change is needed to permit construction of the proposed project. This would allow the redevelopment of the project site, a former waterfront industrial site, into an economically integrated mix of residential and local retail uses consistent with the planned and anticipated redevelopment of nearby waterfront sites to the west and complementary to the existing neighborhood to the south and east. Thus, the Proposed Action would allow the Applicant to maximize use of its property while producing new waterfront development, which is sensitive to the adjoining neighborhoods.

In addition, it is the Applicant's position that the Proposed Action significantly advances the City's Comprehensive Waterfront Plan by facilitating the redevelopment of the area's inaccessible waterfront and completing the street grid in this area of Astoria. As noted below, the Proposed Action would allow the Applicant to build-out the currently mapped (but unbuilt) segment of 8<sup>th</sup> Street (north of 27<sup>th</sup> Avenue) as a pedestrian walkway, as well as the unimproved and currently inaccessible segment of 26<sup>th</sup> Avenue for improved vehicular circulation. The Proposed Action would also allow the Applicant to map 4<sup>th</sup> Street and to develop a public access easement along the waterfront. Together, these street network changes would be expected to complete the existing street grid and improve traffic and pedestrian flow in the area. Thus, the Proposed Action would allow for the creation of physical and visual access to the waterfront, including a publicly accessible waterfront esplanade with a possible linkage to the existing publicly accessible waterfront plaza at Shore Towers Condominiums to the east.

The proposed LSGD and waterfront Special Permits, including waivers of height and setback requirements, are needed in order to redistribute floor area across the entire project site, including both the waterfront and upland parcels, thereby creating a site plan and building layout and design that, according to the Applicant, is superior to what would be allowed as-of-right under the proposed zoning districts. The proposed modification of waterfront access requirements would serve to facilitate an improved open space plan compared to what could be developed as-of-right.

### **D. DESCRIPTION OF THE PROPOSED ACTION**

#### **Proposed Zoning Map Changes**

The Proposed Action includes an amendment of the City's zoning map (ULURP No. C140322 ZMQ) to rezone the project site from the existing M1-1 and R6 to R6B, R7-3 with a C2-4 commercial overlay, and R7A with a C2-4 commercial overlay, a portion of the R6 district would remain. The proposed zoning districts would allow

residential uses on the entire project site, which is prohibited under the existing M1-1 zoning on the waterfront parcels. The mapping of a commercial overlay would also allow a wider range of commercial uses.

#### ***From R6 to R6B and R7A***

The existing R6 zoning designation in the rezoning area would be replaced with contextual medium-density R7A and R6B residential zoning districts. The existing R6 zoning is a medium-density residential district with a maximum FAR of 2.43, which can range from neighborhoods with a diverse mix of building types and heights to large-scale “tower in the park” developments. Heights of buildings within R6 districts are governed by height factor regulations, which often produce tall buildings set back from the street and surrounded by open space and on-site parking. There are no height limits for height factor buildings although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot.

The proposed R7A district would be mapped along the southern portion of the rezoning area along the south side of 26<sup>th</sup> Avenue between 4<sup>th</sup> and 9<sup>th</sup> Streets on portions of Block 908, Lot 12 and Block 909, Lot 35. R7A is a contextual residential district, which permits Use Groups 1 through 4 as-of-right with a maximum FAR of 4.0 for residential and community facility uses. This zoning district allows maximum building heights of 80 feet and streetwall heights of 40 to 65 feet. The building form encouraged by R7A regulations would result in residential buildings that are consistent with the scale, streetwall, and density of the existing buildings in the surrounding area.

The proposed R6B zoning district would be mapped south of the proposed R7A district on portions of Block 908, Lot 12 and Block 909, Lot 35. R6B is a contextual residential zoning district, which permits Use Groups 1 through 4 as-of-right and has a maximum FAR of 2.0 for both residential and community facility uses. Streetwalls in R6B districts can rise 30 to 40 feet, with a maximum building height of 50 feet. The proposed R6B district, with lower bulk, height, and streetwall requirements, would provide consistency with the existing built context of nearby low-scale areas.

#### ***From M1-1 to R7-3***

The existing low-density M1-1 zoning designations on the project site’s waterfront parcels would be replaced with a contextual medium-density R7-3 residential zoning district, which would allow residential development. The project site is located adjacent to existing R6 zoning districts to the east of 9<sup>th</sup> Street and to the south of 26<sup>th</sup> Avenue. Therefore, the proposed zoning map change would extend residential zoning with similar districts to the project site.

The existing M1-1 zoning is a light manufacturing district with high performance standards that permits Use Groups 5 through 14, 16, and 17 as-of-right and has a maximum FAR of 1.0 for commercial and industrial uses. Certain community facility uses (Use Group 4) such as houses of worship and schools are also allowed in M1-1 districts up to an FAR of 2.4; residential uses are not permitted. M1-1 zoning districts typically act as buffers between M2 and M3 heavy manufacturing zoning districts and adjacent residential or commercial zoning districts.

The proposed R7-3 zoning district would be mapped in the northern portion of the rezoning area, north of 26<sup>th</sup> Avenue, along the waterfront between 4<sup>th</sup> and 9<sup>th</sup> Streets on Block 906, Lots 1 and 5 and Block 907, Lots 1 and 8. R7-3 is a medium-density residential district that permits Use Groups 1 through 4 as-of-right and permits a maximum FAR of 5.0 with the use of the Inclusionary Housing Program for residential and community facility uses on waterfront blocks. This zoning district allows maximum building heights of 185 feet and streetwall heights of 65 feet on waterfront blocks.

### ***C2-4 Commercial Overlays***

The C2-4 commercial overlays are proposed to be mapped on the south side of 26<sup>th</sup> Avenue over the proposed R7A district to a depth of 100 feet and on the entire waterfront portion of the project site between 4<sup>th</sup> and 9<sup>th</sup> Streets. C2 commercial overlays are mapped along streets within residential districts that serve the local retail needs of the surrounding residential neighborhood. Typical retail uses include grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. In R7A and R7-3 districts, C2 commercial overlays permit ground floor retail uses up to 2.0 FAR in mixed residential/commercial buildings; buildings without residential uses would also be allowed 2.0 FAR of commercial uses.

The proposed C2-4 commercial overlays would allow for local retail development in the area.

### **Proposed Zoning Text Amendment**

In addition to the aforementioned zoning map amendment, the Proposed Action includes the following zoning text amendment (ULURP No. N140329 ZRQ) (see Appendix A of the FEIS).

### ***Inclusionary Housing Program***

The proposed zoning text amendment would modify ZR §23-922 to include the proposed R7-3 district within an “Inclusionary Housing Designated Area.” This would establish an inclusionary FAR bonus, providing opportunity and incentive for the development of affordable housing on the project site.

The proposed zoning text amendment would make the IHP zoning regulations applicable in the proposed R7-3 zoning district in the rezoning area. The base and maximum FAR for R7-3 districts under the IHP are 3.75 and 5.0, respectively. In the areas where the IHP would be applicable, new residential developments that provide housing that will remain permanently affordable for low- and moderate-income families would receive increased floor area. Specifically, using the IHP, the floor area may be increased by 1.25 square feet for each square foot of affordable housing provided, up to the maximum FAR, essentially a 33 percent bonus in exchange for 20 percent of the floor area being set aside as affordable units. The additional floor area must be accommodated within the bulk regulations of the underlying zoning districts. Affordable units could be financed through City, State, and Federal affordable housing subsidy programs. Within the project site, the entire waterfront site would be subject to the IHP.

The affordable housing requirement of the Inclusionary Housing zoning bonus could be met through the development of affordable units on- or off-site either through new construction or the preservation of existing affordable units. Off-site affordable units must be located within the same community district or within a half mile of the development receiving the FAR bonus. The availability of on-site and off-site options provides maximum flexibility to ensure the broadest possible utilization of the program under various market conditions.

### **Proposed City Map Amendment**

The Proposed Action also involves changes to the City Map (ULURP No. C130284 MMQ), including: (1) the establishment of 4<sup>th</sup> Street from 26<sup>th</sup> Avenue to the waterfront esplanade; and (2) the elimination of 8<sup>th</sup> Street between 27<sup>th</sup> Avenue and the waterfront. As a result of the proposed mapping action, 4<sup>th</sup> Street would provide access to the residential and commercial development on the waterfront sites as well as the proposed waterfront esplanade, and 8<sup>th</sup> Street would be utilized as a pedestrian walkway between 27<sup>th</sup> Avenue and the waterfront. 4<sup>th</sup> Street is proposed to be a one-way northbound vehicular street with a mapped width of 60 feet, including a 30-foot travel way and two 15-foot sidewalks. These widths are consistent with the adjacent streets connecting to this newly mapped street segment. New infrastructure to support the proposed project can be placed in the newly mapped public street. In addition to the proposed City Map amendment, a 30-foot wide public access easement would be developed along the waterfront within the public access area between 4<sup>th</sup> and 9<sup>th</sup> Streets. The public access easement would function as a one-way eastbound vehicular street.

The proposed new sidewalks and streets would connect the proposed new development with the surrounding neighborhood and allow for pedestrian and vehicle use.

### **Large-Scale General Development (LSGD) Special Permits**

The proposed project would require LSGD Special Permits (ULURP No. C140323 ZSQ) to allow for the distribution of floor area within the LSGD, waivers of minimum distance between buildings and between windows and lot line requirements, and waivers of court requirements. A Special Permit pursuant to ZR §74-743(a)(1) would allow for the distribution of floor area from the project site's non-waterfront zoning lot to the waterfront zoning lot (within the LSGD). A Special Permit pursuant to ZR §74-743(a)(2) would authorize a reduction in the distance between Buildings 2 and 3 and waive the court requirements for Buildings 1, 2, and 3. A Special Permit pursuant to ZR §74-743(a)(6) would waive minimum distance requirements between Building 5's windows and the western lot line. Lastly, an extension of the vesting term for the LSGD Special Permits to ten years is being requested pursuant to ZR §11-42(c). These LSGD Special Permits would facilitate, according to the Applicant, a superior site plan by authorizing the distribution of bulk within the overall development and an increase in proposed open space.

### **Waterfront Special Permit**

The proposed project would require a waterfront Special Permit to modify yard, height and setback, tower footprint size, and maximum widths of walls facing the shoreline (ULURP No. C140324 ZSQ). A Special Permit pursuant to ZR §62-836 would allow for the granting of waivers for the rear yard provisions of ZR §23-47; for the setback provisions of ZR §62-341(a)(2) and ZR §62-341(d)(2)(i); base height provisions of ZR §62-341(c)(1) and ZR §62-341(d)(2); building height provisions of ZR §62-341(c)(2) and ZR §62-341(d)(1); the tower footprint size limitation provision of ZR §62-341(c)(4); and the maximum width of walls facing shoreline provision of ZR §62-341(c)(5). This is being requested in order to achieve, according to the Applicant, a better site plan and an enhanced relationship between the project site, streets, open space, and the waterfront.

### **Waterfront Authorizations and Certifications**

The proposed project would require an authorization pursuant to ZR §62-822 to modify the area and minimum dimensions of waterfront public access areas and visual corridors under ZR §62-50 (ULURP No. N140325 ZAQ); modify the requirements within a waterfront public access area under ZR §62-60 (ULURP No. N140326 ZAQ); and for phased development of the waterfront public access area (ULURP No. N140327 ZAQ), as modified by the above-referenced authorizations. In addition, the Applicant would seek certification by the CPC Chairperson (ULURP No. N140328 ZCQ) for compliance with waterfront public access and visual corridor requirements, as modified by the above-referenced authorizations, pursuant to ZR §62-811 (a ministerial action). The proposed authorizations and certification would allow, according to the Applicant, development of a waterfront public access area that is superior in access, layout, and amenities that will substantially add to the public use and enjoyment of the waterfront.

### **Additional Actions - Not Subject to City Planning Commission Approval**

The proposed project would include improvements to stormwater infrastructure to support the new development. An existing eight-inch combined outfall currently exists at 9<sup>th</sup> Street. However, it is anticipated that this existing outfall would not be sufficient to support the new development and therefore two new outfalls are being proposed as part of the project. The outfalls are proposed to be located at 9<sup>th</sup> Street and 4<sup>th</sup> Street (proposed to be mapped) to enable direct discharge of stormwater flows into the East River. These outfalls would be permitted by the NYSDEC and the USACE, and the stormwater generated on-site would be treated for water quality prior to discharge. NYSDEC approval will also be required because of the NYSDEC-regulated adjacent area. Additionally, an SPDES permit from the NYSDEC will be required for stormwater discharges during the construction period because construction on the project site involves more than one acre.

These actions are subject to environmental review and will be conducted through a coordinated review with CPC, the lead agency.

In addition, the Applicant and the New York City School Construction Authority (SCA) entered into an Letter of Intent (LOI), dated April 17<sup>th</sup>, 2014, which details the terms under which the SCA can elect to take title to the school site to construct the elementary school proposed as part of the project.

### ***(E) Designation***

The Proposed Action would also assign (E) designations (E-343) to the project site to avoid significant adverse hazardous materials and air quality impacts. An (E) designation is a mechanism that ensures no significant adverse impacts would result from a proposed project because of procedures that would be undertaken as part of the development of the project site. An (E) designation for hazardous materials, noise, and air quality would be placed on all affected building lots.

### ***Restrictive Declaration and PCREs***

A Restrictive Declaration would be recorded at the time all land use-related actions required to authorize the proposed project's development are approved. The Restrictive Declaration would, among other things:

- Require development in substantial accordance with the approved plans, which establish an envelope within which the buildings must be constructed, including limitations on height, bulk, building envelopes, and floor area;
- Require that the proposed project's development program be within the scope of the development scenario analyzed in the Environmental Impact Statement (EIS);
- Provide for the implementation of "Project Components Related to the Environment" (PCREs) (i.e., certain project components which were material to the analysis of environmental impacts in the EIS); and
- Provide for mitigation measures identified in FEIS Chapter 20, "Mitigation" with respect to items such as community facilities, open space, transportation, and construction, substantially consistent with the EIS.

The Applicant also intends to seek HPD approval of an Affordable Housing Plan pursuant to the Inclusionary Housing Program. Since issuance of the DEIS the Applicant has stated that they do not intend to seek public financing. Though this is the Applicant's intent, the lead agency (DCP) and the Applicant have coordinated with City and State agencies throughout the CEQR process, including HPD, HDC, and HCR, should the Applicant decide to pursue public financing for affordable housing construction.

### ***Subsequent Actions***

Since the issuance of the DEIS, and following discussions with the New York City Department of City Planning (DCP), and in response to the interest expressed by Queens CB 1 and local elected officials, including Queens Borough President Melinda Katz and Council Member Costa Costantinides, regarding expanding opportunities for affordable housing in relation to Astoria Cove, the Applicant has proposed modifications to the Proposed Action. Specifically, the Applicant has proposed modifications to the LSGD special permits (ULURP No. C140323(A)ZSQ), waterfront special permit (ULURP No. C140324(A)ZSQ), and zoning text amendment (ULURP No. N140329(A)ZRQ). The Applicant intends to withdraw the original application prior to the CPC vote.

The modifications would make the HP applicable to the proposed R7A and R6B zoning districts in addition to the R7-3 zoning district, which would increase the allowable residential floor area by approximately 34,103 gsf. The Modified Action would also incorporate a mandatory inclusionary housing requirement, with the

development of residential floor area conditioned on the provision of affordable housing based on the standards set forth in the IHP. By adding the proposed R7A and R6B districts to the proposed inclusionary housing-designated area, the Modified Action would require that a minimum of 20 percent of the proposed project's total residential floor area be permanently affordable. The Modified Action would also apply existing provisions of the IHP that allow the option of providing a share of affordable units for moderate- or middle-income households, if an increased share of floor area is made affordable. While the Applicant intends that the affordable units would be provided without public subsidy, the modified proposed text amendment provides that in the event that public funding is used, the CPC, in consultation with HPD, may determine that a share of the units supported by public funding shall not be used to satisfy the IHP requirement. The modified zoning text is provided in Appendix A of the FEIS. In addition, under the modified proposal the market-rate and affordable dwelling units would be redistributed, to provide affordable housing in all of the proposed buildings. All other discretionary actions described above would remain unchanged.

The Modified Action is described and analyzed in FEIS Chapter 25, "Potential Modifications to the Proposed Project," and is summarized in Section L, below.

## **E. REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)**

In order to assess the potential effects of the Proposed Action, a reasonable worst-case development scenario (RWCDS) for both "future without the Proposed Action" (No-Action) and "future with the Proposed Action" (With-Action) conditions will be analyzed for an analysis year, or Build Year, of 2023. The future With-Action scenario identifies the amount, type and location of development that is expected to occur by the end of 2023 as a result of the Proposed Action. The future without the Proposed Action scenario identifies development projections for 2023 absent the Proposed Action. The effect of the Proposed Action would be the incremental change in conditions between the No-Action and With-Action scenarios.

### **Future without the Proposed Action (No-Action Condition)**

In the future without the Proposed Action, the project site would not be rezoned. For analysis purposes, it is expected that the existing light industrial and warehousing uses would remain on the project site's waterfront parcels. These consist of approximately 194,700 sf of warehouse and storage space and an estimated 100 accessory parking spaces. It is assumed that the upland portions of the project site, which are currently zoned R6, would be redeveloped on an as-of-right basis in the future without the Proposed Action. These upland parcels are estimated to accommodate approximately 166 residential units in the No-Action condition.<sup>1</sup> Pursuant to zoning, approximately 83 accessory parking spaces are assumed to be provided for the as-of-right residential development. In conjunction with this as-of-right residential development, it is assumed that portions of the unbuilt segment of 8<sup>th</sup> Street to the south of 26<sup>th</sup> Avenue and/or portions of the unimproved segment of 26<sup>th</sup> Avenue would be built-out in order to satisfy New York City Department of Buildings (DOB) requirements regarding street frontage.

### **Future with the Proposed Action (With-Action Condition)**

The development program and building design for the Applicant's proposed development, as described below, would represent the RWCDS for environmental analysis purposes, as it maximizes the site's allowable FAR pursuant to the proposed new zoning.

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<sup>1</sup> Based on the following assumptions: lot area of approximately 65,237 sf, a maximum allowable FAR of 2.43, a 5 percent increase to estimate gsf, and an assumption of 1,000 gsf per unit.

**Description of the Proposed Project**

The Applicant is proposing several actions to facilitate a new mixed-use, predominantly residential, development on the project site. The Proposed Action described above would facilitate a new approximately 2,189,068 gsf mixed-use development on approximately 377,726 sf of lot area. It is expected that this proposed project would include the following components:

- Up to approximately 1,689,416 gsf of residential floor area, comprising a total of approximately 1,689 units, of which 295 units would be affordable. The 1,689 units are expected to include a mix of rental and condominium units.
- Approximately 109,470 gsf of local retail space, including an approximately 25,000 gsf supermarket.
- A site for an elementary school with approximately 456 seats.
- Approximately 900 accessory parking spaces; and
- Approximately 83,846 sf (1.92 acres) of publicly accessible open space.

Table S-1 below provides a summary of the proposed program by building. If the Proposed Action is approved, the proposed project is expected to be completed by 2023.

**Table S-1: Summary of Proposed Program**

Use	Building 1	Building 2	Building 3	Building 4	Building 5	TOTAL
Residential gsf	639,168	567,963	343,781	79,090	59,414	<b>1,689,416</b>
<i>Total Units</i>	639	568	344	79	59	<b>1,689</b>
<i>Market-Rate</i>	527	454	275	79	59	<b>1,394</b>
<i>Affordable</i>	112	114	69	0	0	<b>295</b>
Retail gsf	37,120	48,299	20,947	3,104	0	<b>109,470</b>
<i>Supermarket gsf</i>	-	25,000	-	-	-	<b>25,000</b>
School gsf	-	-	-	-	62,248	<b>62,248</b>
<i>Seats</i>	-	-	-	-	456	<b>456</b>
Parking gsf	144,052	99,651	65,778	18,605	0	<b>298,086</b>
<i>Accessory Parking Spaces</i>	356	242	230	72	0	<b>900</b>
Mechanical gsf	7,805	7,805	3,975	5,264	5,000	<b>29,848</b>
<b>Total gsf</b>	<b>798,145</b>	<b>723,718</b>	<b>434,481</b>	<b>106,063</b>	<b>126,662</b>	<b>2,189,068</b>
Open Space	<b>83,846 sf</b>					

In conjunction with the proposed project, the mapped but unbuilt portion of 8<sup>th</sup> Street between 27<sup>th</sup> Avenue and the waterfront would be demapped and built-out to provide pedestrian public access to the waterfront (the “8<sup>th</sup> Street Mews”). In addition, the currently unimproved and inaccessible portion of 26<sup>th</sup> Avenue would also be built-out in conjunction with the proposed development, thereby providing access to 9<sup>th</sup> Street and improving traffic circulation in the area. The Applicant is also proposing to map an extension of 4<sup>th</sup> Street from 26<sup>th</sup> Avenue to the waterfront esplanade to provide public access to the proposed project and the waterfront.

The proposed project would be accessible via entrances/exits on the north and south side of 26<sup>th</sup> Avenue, the west side of 9<sup>th</sup> Street, the east and west sides of 4<sup>th</sup> Street, and the south side of the public access easement, with additional entrances/exits to residential units along the 8<sup>th</sup> Street Mews. The proposed project would be comprised of five buildings, three located along the waterfront north of 26<sup>th</sup> Avenue, and two on the upland parcels south of 26<sup>th</sup> Avenue.

Local retail would be located along all vehicular streets within the project site and would include an approximately 25,000 gsf supermarket along 26<sup>th</sup> Avenue in Building 2.

In addition, the proposed project as currently anticipated includes the provision of a site for a public school in the building proposed for upland Block 908, Lot 12 (Building 5). As currently planned, the proposed school would accommodate approximately 456 elementary (PK-5) seats and an approximately 4,000 sf (0.09 acre) private open space to be utilized for school-related activities. The elementary school shall be constructed pursuant to an LOI, dated April 17<sup>th</sup>, 2014, entered into between the Applicant and the SCA. The Restrictive Declaration entered into in connection with the proposed project shall require the Applicant to work with the SCA in accordance with the terms set forth in the Letter of Intent to implement the construction of the elementary school, which is contemplated for purposes of this environmental review in the final phase of the proposed project's development, as outlined in the Uniform Land Use Review Procedure (ULURP) Phasing Plan.

The proposed project would include approximately 83,846 sf (1.92 acres) of publicly accessible open space, which would include a waterfront esplanade that would run along the entire length of the project site, providing multi-layered active and passive recreation space. The waterfront esplanade would be open to vehicular traffic via the proposed public access easement. The proposed project would also improve the portion of 8<sup>th</sup> Street on the project site as a landscaped pedestrian walkway which would provide access from 27<sup>th</sup> Avenue to the waterfront, while also serving as a visual corridor.

The buildings comprising the proposed project would range in height from 80 feet on the upland parcels, to a maximum of 320 feet on the waterfront. The buildings located along the waterfront (Buildings 1, 2, and 3) would have base heights between 40 and 102 feet that would be topped with towers ranging in height from 120 to 320 feet. The buildings located on the upland parcels (Buildings 4 and 5) would have base heights between 40 and 90 feet; Building 4 would have a maximum height of 80 feet, and Building 5 would have a maximum height of 90 feet. Townhouses would be located within the bases of Buildings 2, 3, 4, and 5 along the proposed 8<sup>th</sup> Street Mews.

As there are no subway stations in the immediate vicinity of the project site, it is anticipated that the proposed project would provide shuttle service for residents during the weekday AM and PM peak hours to and from the 30<sup>th</sup> Avenue station serving the N and Q lines. It is assumed three shuttles with a 40-passenger capacity would make up to four runs an hour each during the weekday commuter peak hours, depending on ridership demand.

Parking for the proposed project would be located on both the upland and waterfront parcels. Parking in the waterfront buildings would be both below- and above-grade, and the upland buildings would include one continuous below-grade parking garage.

### **Reasonable Worst-Case Development Scenario for Analysis Purposes**

As summarized in Table S-2, compared to future conditions without the Proposed Action, the RWCDS anticipates that the Proposed Action would result in a net increase of 1,523 dwelling units (approximately 1,522,964 gsf), 109,470 gsf of retail space, a 456-seat elementary school, and 817 accessory parking spaces, as well as a reduction of approximately 194,700 sf of warehouse/industrial space. This net increment will represent the basis for environmental analyses in the EIS. As noted above, at this time it is anticipated that the residential component of the proposed project would include 295 affordable units, and this estimate will be used for analysis purposes where applicable.

**Table S-2: Net Change in Land Uses as a Result of the Proposed Project**

Use	No-Action	With-Action	Net Increment
<b>Residential</b>	166,452 gsf 166 DU	1,689,416 gsf 1,689 DU	1,522,964 gsf 1,523 DU
<b>Retail</b>	--	109,470 gsf	109,470 gsf
<b>Warehouse/Storage</b>	194,700 gsf	--	-194,700 gsf
<b>Public Elementary School</b>	--	456 seats	456 seats
<b>Accessory Parking Spaces</b>	83 (estimated)	900	817
<b>Public Open Space</b>	--	83,846 sf	83,846 sf

## F. PROBABLE IMPACTS OF THE PROPOSED ACTION

### Land Use, Zoning, and Public Policy

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual*, are anticipated in the future with the Proposed Action in the primary or secondary study areas. The Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policies in the secondary study area. The Proposed Action would not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause a substantial number of existing structures to become non-conforming. The Proposed Action would not result in land uses that conflict with public policies applicable to the primary or secondary study areas.

The Proposed Action would result in an overall increase in residential and commercial use throughout the primary study area, when compared to conditions in the future without the Proposed Action. The proposed zoning map amendments would allow new residential and commercial development at a scale and density that is compatible with the existing zoning designations in the surrounding areas. Also, while the affected area is currently zoned for manufacturing uses, it is located within an area that is largely characterized by residential and retail uses. The affected area contains underutilized and vacant lots used for vehicle/open storage, where residential uses are not permitted per the existing zoning. The proposed rezoning would therefore provide opportunities for new affordable and market rate residential development on those underutilized lots and would be consistent with the goals outlined in PlaNYC. As to Housing New York, the Mayor's ten-year affordable housing strategy, issued on May 5, 2014; while the Proposed Action does not incorporate regulations that specifically address the objectives laid out in this plan for Inclusionary Housing, by fostering diverse, livable neighborhoods and providing new affordable housing, the Proposed Action is not inconsistent with the broad goals laid out by this plan. The proposed rezoning action would therefore ensure that the zoning designation more accurately reflects the area's development trends.

The Proposed Action would also enhance and upgrade the currently inaccessible waterfront area to provide waterfront access. The proposed project includes 83,846 sf of publicly accessible open space, which would include a waterfront esplanade that would run along the entire length of the project site providing active and passive recreation space. Per the Waterfront Revitalization Program (WRP) Consistency Assessment (WRP #12-104), the proposed project would support the applicable policies of the recently revised WRP.

In addition, to encourage new residential development for all income levels, the Proposed Action would create increased densities through use of the IHP to expand and enhance future affordable housing development opportunities.

## **Socioeconomic Conditions**

The Proposed Action and resultant proposed project would not result in significant adverse socioeconomic impacts. The following summarizes the conclusions for each of the five CEQR areas of socioeconomic concern.

### ***Direct Residential Displacement***

The Proposed Action would not directly displace any residents, as the project site does not contain any existing residential units. Therefore, the Proposed Action would not result in significant adverse impacts due to direct residential displacement.

### ***Indirect Residential Displacement***

A detailed analysis finds that the Proposed Action would not result in significant adverse impacts due to indirect residential displacement. According to the *CEQR Technical Manual*, indirect displacement of a residential population most often occurs when an action increases property values, and thus rents, making it difficult for some of the existing residents to continue to afford to live in the area. The Proposed Action and resultant proposed project would introduce approximately 1,689 residential units (net of 1,523 units) to the study area, of which 295 would be developed as affordable housing. While the Proposed Action would add a substantial amount of residential development to the project site, this would be in keeping with existing trends toward higher-density residential development in northwestern Queens. Compared with the existing study area population, the population that would be introduced by the Proposed Action could include a larger proportion of households with higher incomes.

A detailed analysis of indirect residential displacement has determined that the study area (census tracts 69, 71, 73, 79, 81, 83, 87, and 91) may contain as many as 2,487 residents in privately-held units unprotected by rent control, rent stabilization, or other government regulations restricting rent that are considered to be “at risk” of indirect residential displacement if their rents were to increase. While the Proposed Action could result in some upward pressure on rents within the study area, it is not expected to result in significant indirect residential displacement of the study area’s potentially vulnerable population.

The following describes a number of reasons why indirect residential displacement of the population identified as at risk would be unlikely to take place in the future as a result of the Proposed Action. First, the project site, located along the waterfront on the Halletts Point peninsula, is geographically separated from the identified at risk population, limiting its potential to influence residential market trends in those areas. Many of the study area’s potentially vulnerable residents live in housing stock that differs from newer residential uses. Inland portions of the study areas contain older, smaller residential buildings with few amenities that do not cater to the incoming, more affluent residential population who is primarily seeking newly-constructed condominiums, many with waterfront views. In addition, there is little opportunity for large-scale development opportunity in these inland areas; unlike many other portions of the study area, much of the inland portion of the study area was not rezoned to allow higher FAR in the 2010 Astoria Rezoning and remains in lower-density, contextual residential districts. Furthermore, by adding new housing units, the proposed project could serve to relieve, rather than increase, market pressure in the study area. There is already a very strong existing trend in the study area toward residential development and an influx of a more affluent population that is anticipated to accelerate in the future without the Proposed Action. The construction of new residential buildings in Astoria has accelerated noticeably in recent years, and there is a substantial amount of new market-rate housing planned for the study area by 2023, including the approved Halletts Point development, which will add 2,644 dwelling units. Moreover, the proposed project would add affordable housing to the study area, which would help ensure housing opportunities for lower-income residents and would maintain a more diverse demographic composition within the study area.

### ***Direct Business and Institutional Displacement***

A screening-level assessment concluded that the Proposed Action would not result in significant adverse impacts due to direct business displacement. There are 12 existing businesses located on the project site that would be directly displaced by the Proposed Action, including: two manufacturing uses; seven construction-related firms; two transportation-related firms; and one wholesale establishment. While these potentially displaced businesses are valuable to the City's economy, supporting an estimated 68 jobs, the products and services they provide are not uniquely dependent on their location on the project site, nor are the businesses the subject of regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. The employment associated with the potentially displaced businesses does not constitute a substantial portion of the ½-mile study area's employment base, and is below the *CEQR Technical Manual's* 100-employee threshold warranting a preliminary assessment of direct business displacement. These businesses are occupying Applicant-controlled sites and have short-term leases with termination clauses in anticipation of site redevelopment should the requested discretionary land use actions be approved. The Applicant is committed to working with these 12 existing businesses in consultation with the New York City Small Business Services (SBS) to facilitate and ease their future relocation within New York City. In addition, the entities comprising the Applicant control other sites in the New York Tri-State Area, including sites in Queens, which could accommodate any potentially displaced businesses.

### ***Indirect Business and Institutional Displacement***

A preliminary assessment finds that the Proposed Action would not result in significant adverse impacts due to indirect business displacement. While the proposed project's uses would be a substantial addition to the ½-mile study area, they would not be new types of uses within the study area, and therefore would not introduce a new trend that could alter economic patterns. The study area is already experiencing a trend toward increased residential development, adding to the demand for neighborhood retail and services. The housing inventory in Astoria and Long Island City increased by approximately 4.8 percent with the addition of more than 3,600 units between 2002 and 2008, and a substantial amount of new housing (approximately 3,750 new housing units) is anticipated to be added to the ½-mile study area absent the Proposed Action by 2023. Despite these increases in residential development, there has not been a corresponding increase in retail goods and services. According to the U.S. Census Bureau's County Business Patterns, the number of retail establishments has only increased by approximately three percent since 2000. In the future without the Proposed Action, approximately 103,727 gsf of retail would be added to the ½-mile study area. The proposed project's retail would serve existing residents and would accommodate future consumer demand introduced by residents of planned developments and the proposed project. Existing industrial uses are expected to continue to experience increased rents and indirect displacement pressures due to this trend irrespective of the Proposed Action. The uses, residents, and workers introduced by the Proposed Action are not expected to place upward pressure on commercial office rents in the study area.

### ***Adverse Effects on Specific Industries***

A screening-level assessment concluded that the Proposed Action would not result in any significant adverse impacts due to effects on specific industries. As noted above, the 14 businesses that could be directly displaced by the Proposed Action are on short-term leases with termination clauses that provide a six month notice provision in anticipation of future site redevelopment and would be expected to relocate as a result of the Proposed Action. These businesses represent a small portion of the businesses within their industries, and the goods and services provided by these businesses can be found elsewhere in the City. Similarly, any potential indirect business displacement that could occur as a result of the proposed project would be limited, and would not affect conditions within any City industries.

## **Community Facilities**

Pursuant to *CEQR Technical Manual* guidelines, detailed analyses of potential impacts on public elementary, intermediate, and high schools, publicly funded child care services, and public libraries were conducted for the Proposed Action. Based on the *CEQR Technical Manual* screening methodology, detailed analyses of outpatient health care facilities and police and fire protection services are not warranted. As summarized below, the Proposed Action would have a significant adverse impact on publicly funded child care services, as well as a temporary significant adverse impact on elementary schools.

### ***Public Schools***

The project site falls within the boundary of New York City Community School District (CSD) 30, Sub-district 3. The RWDCS associated with the Proposed Action would introduce a net increment of 426 elementary school students, 183 intermediate school students, and 213 high school students. The assessment of public schools assesses the potential effects of these additional students on elementary and intermediate schools within Sub-district 3 of CSD 30 and on high schools within the borough of Queens.

In the future with the Proposed Action, elementary schools within Sub-district 3 of CSD 30 would operate at 118.4 percent capacity, with a shortfall of 916 seats. Although the collective utilization rate of elementary schools in CSD 30, Sub-district 3 would exceed 100 percent in the With-Action condition, because the proposed project includes a site for a 456-seat elementary school, the Proposed Action would result in a decrease of approximately 2.5 percent in the collective utilization rate between the No-Action and With-Action conditions. However, as the proposed school would be constructed in the final phase of the proposed project's development, the Proposed Action would result in a maximum temporary increase in the elementary school utilization rate of 7.59 percent, and therefore would result in a temporary significant adverse elementary school impact.

Intermediate schools would operate with surplus capacity in Sub-district 3 of CSD 30 in the future with the Proposed Action, and, therefore, the Proposed Action would not result in a significant adverse impact on intermediate schools.

According to the *CEQR Technical Manual*, the determination of impact significance for high schools is conducted at the borough level. The additional high school students introduced as a result of the Proposed Action would raise the utilization for high schools in Queens from approximately 136.6 percent to 136.9 percent. Accordingly, the Proposed Action would not have a significant adverse impact on high school.

### ***Child Care Services***

Within the study area, which extends approximately 1.5 miles from the project site, there are three publicly funded group child care facilities. As of May 2014, these facilities were operating at capacity (100 percent utilization). In the future with the Proposed Action, the proposed project would generate up to 295 low and moderate income housing units by 2023. Based on *CEQR Technical Manual* Table 6-1b, it is estimated that these 295 units would generate 41 children under the age of 6 eligible for publicly funded child care services. The additional children would increase the utilization rate to 160.3 percent (an increase of approximately 13 percent from the No-Action condition).

According to the *CEQR Technical Manual*, a significant adverse child care impact may result, warranting consideration of mitigation, if a proposed action would increase the study area's utilization rate by at least five percent and the resulting utilization rate would be 100 percent or more. The Proposed Action would cause an approximately 13 percent increase in demand over the No-Action child care capacity in the study area, over the CEQR threshold of five percent. Therefore, the Proposed Action would result in a significant adverse impact to publicly funded child care centers in the study area. To avoid exceeding the significant adverse impact threshold, the number of affordable units included in the proposed project would need to be reduced to 74,

which would generate only 10 children eligible for publicly funded group child care. Alternately, 21 additional child care slots would need to be provided to reduce the increase in utilization to below the five percentage point threshold.

### ***Libraries***

The project site is within the catchment area of the Astoria Library. Assuming 2.34 persons per household based on 2010 Census data, the Proposed Action would result in a net increase of 3,564 residents to the area. This would increase the study area population, and therefore the number of residents per branch, by 6.5 percent. However, in the 2023 With-Action condition, the Astoria Library would have a ratio of approximately 0.12 holdings per resident, which is the same as under No-Action conditions.

Although the Astoria Library study area population would increase by approximately 6.5 percent, the increase would not be expected to impair the delivery of library services. Residents of the Astoria Library study area and the proposed project would have access to the entire Queens Public Library system through the interlibrary loan system and could have volumes delivered directly to their nearest library branch. There are also three other Queens Library branches located approximately one mile from the project site. Therefore, as noted above, there are more library resources available to study area residents than are reflected in the quantitative analysis. Residents would also have access to libraries near their places of work. In addition, the recent renovations along with the trend toward increased electronic research and interlibrary loans are expected to free up stack space, providing for increased capacity and programs to serve the future population. As such, the Proposed Action would not result in a significant adverse impact to public libraries. In a letter dated March 24, 2014, the Queens Public Library concurred with the conclusion that the Proposed Action would not result in a significant adverse impact to public libraries (see Appendix C of the FEIS).

### **Open Space**

According to the *CEQR Technical Manual*, a proposed action may result in a significant impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that has a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbate a deficiency in open space. As the Proposed Action would not directly displace or alter an existing open space, the focus of the open space analysis is on the potential for indirect effects on open space resources. As the Proposed Action would introduce more than 200 residents in the area, a detailed analysis of indirect open space impacts was conducted, pursuant to CEQR. The detailed analysis determined that the Proposed Action would result in a significant adverse impact to active open space in the residential study area as a result of the decrease in the active open space ratio.

The *CEQR Technical Manual* also states that “if the area exhibits a low open space ratio indicating a shortfall of open space, even a small decrease in the ratio as a result of the action may cause an adverse effect.” A five percent or greater decrease in the open space ratio is considered to be “substantial” in areas that are currently below the City’s median community district open space ratio of 1.5 acres per 1,000 residents, and a decrease of less than one percent is generally considered to be insignificant unless open space resources are extremely limited.

An open space impact assessment is conducted using both quantitative and qualitative factors, and the determination of significance is based upon the context of a project, including its location, the quality and quantity of the open space in the future With-Action condition, the types of open space provided, and any new open space provided by a project. The open space study area is well-served by open space in existing conditions, with over 75 acres of open space. As the study area has over 1.5 acres of open space per 1,000 residents under existing conditions, the five percent decrease impact threshold does not apply to the analysis of

the Proposed Action in and of itself; therefore, the open space analysis also considers the balance of open space resources appropriate to support the affected population.

The Proposed Action would decrease the 2023 No-Action total, active, and passive open space ratios by more than five percent. However, as the With-Action total and passive residential open space ratios would remain above the City's optimal planning goals of 2.5 acres and 0.5 acres, respectively, per 1,000 residents, no significant adverse impacts to total or passive open space would result.

The proposed project would include a playground and opportunities for walking and biking, as well as a school play area that would further offset active open space demand from school age children in the area, and would improve access to existing open space resources in the area, including Astoria Park. However, the residential population generated by the Proposed Action would exacerbate an existing deficiency in active open space in the residential study area. Therefore, the Proposed Action would result in a significant adverse impact on active open space in the residential study area.

### **Shadows**

The proposed project would cast incremental shadows on Whitey Ford Field on May 6/August 6 and June 21, Astoria Park on December 21, and the East River on March 21/September 21, May 6/August 6, June 21, and December 21. On all analysis days, project-generated incremental shadows would not be large enough in extent or long enough in duration to result in significant adverse shadow impacts. Project-generated shadows would not affect the utilization or enjoyment of any sunlight-sensitive resources and all open spaces would continue to receive a minimum of four hours of direct sunlight throughout the growing season. Therefore, the proposed project would not result in a significant adverse shadows impact on any nearby sunlight-sensitive resources.

### **Historic and Cultural Resources**

#### ***Architectural Resources***

Based on consultation with the New York City Landmarks Preservation Commission (LPC) it was determined that there are no designated or potential architectural resources within or in close proximity of the project site. Therefore, the Proposed Action would not result in potential impacts to architectural resources.

#### ***Archaeological Resources***

A Phase 1A archaeological documentation study concluded that portions of the project site (Block 906, Lot 1; Block 908, Lot 12; and Block 909, Lot 35) could contain potentially sensitive archaeological resources. To determine if archaeological resources are present, Phase 1B archaeological testing will be carried out in these potentially archaeologically sensitive areas; the Phase 1B testing protocol has been reviewed and approved by LPC. The Phase 1B testing would be conducted in coordination with LPC prior to construction of the affected blocks. If LPC determines that no resources of significance are encountered, no further archaeological study would be warranted. Should the Phase 1B archaeological field testing find significant archaeological resources on the project site, further testing would be conducted under LPC oversight to identify the boundaries and significance of the findings. If required, data recovery would be conducted in accordance with an LPC-approved recovery plan. With implementation of all of the above measures, which will be incorporated into the Restrictive Declaration, there would be no significant adverse impacts to archaeological resources.

### **Urban Design and Visual Resources**

#### ***Urban Design***

The proposed zoning map changes would replace the existing M1-1 and R6 zoning districts within the proposed rezoning area with R6B, R7-3 with a C2-4 commercial overlay, and R7A with a C2-4 commercial overlay. Development facilitated by the Proposed Action would not result in significant adverse impacts on urban design as defined by the guidelines for determining impact significance set forth in the *CEQR Technical*

*Manual.* While the proposed structures would be a departure from the existing conditions, the design would be consistent with anticipated future development in the surrounding area. By focusing the majority of the bulk on the waterfront, the lower height of the inland structures would be more consistent with the surrounding built context. In addition, the proposed waterfront open space would facilitate connections to adjacent existing and proposed open space resources and improve the streetscape. The Proposed Action would also provide public access to the proposed project and the waterfront by mapping an extension of 4<sup>th</sup> Street, demapping and building out an unbuilt portion of 8<sup>th</sup> street for pedestrian use, and providing access to 9<sup>th</sup> Street by building out a currently inaccessible portion of 26<sup>th</sup> Avenue.

As the Proposed Action would facilitate the construction of multiple large buildings close to one another along the East River (an area where potentially high wind conditions can occur), a detailed analysis of pedestrian wind conditions was undertaken to determine whether the proposed project might result in accelerated ground-level winds. The assessment of pedestrian-level wind effects was completed based on the current conceptual level of design of the proposed project, and actual effects would vary depending on the final design of the proposed project, as facilitated by the Proposed Action. The results of the computational fluid dynamics-based (CFD-based) wind analysis prepared for the DEIS indicated that elevated pedestrian wind conditions would be limited to two locations on the project site: the northwest corner of Building 1 and the northeast corner of Building 3. As the potential high wind conditions at the northwest corner of Building 1 would only occur during the winter months and would occur at a location where a limited number of pedestrians would be affected, no significant adverse urban design impacts due to pedestrian wind would result at this location.

Subsequent to issuance of the DEIS, the CFD-based analysis included in the DEIS was supplemented by a wind tunnel study, focusing on the worst-case location at the northeast corner of Building 3. The wind tunnel model incorporated a wind canopy at the northeast corner of Building 3, as outlined in the ULURP application for the proposed project. The supplemental analysis indicated that no locations, including the northeast corner of Building 3, are expected to exceed the wind safety criteria applicable to the general population under the Proposed Action. Consequently, with the incorporation of a wind canopy at the northeast corner of Building 3, no significant adverse pedestrian wind impacts would result.

### ***Visual Resources***

The Proposed Action would not result in significant adverse impacts to visual resources. Development facilitated by the Proposed Action would open up new view corridors to significant visual resources that are currently obstructed by fencing and inaccessible to the public. In addition, the Proposed Action would result in the creation of new visual resources in the form of waterfront open space.

### **Natural Resources**

The Proposed Action would not result in significant adverse impacts to groundwater, floodplains, water quality, aquatic biota, wetlands, terrestrial natural resources, or threatened or endangered species within or near the project site. Project construction would not result in a net increase in fill below mean high water (MHW) and spring high water (SHW) or a change in the shoreline configuration that would result in loss of NYSDEC tidal wetland adjacent area or aquatic habitat. New stormwater outfalls would be constructed above SHW and would not result in loss of tidal wetland or disturbance to the river bottom. Further discussions will be held with the NYSDEC during the NYSDEC application process. At that time, additional measures may be incorporated either on- or off-site to eliminate the potential for significant adverse impacts to NYSDEC littoral zone tidal wetlands, if deemed necessary. With the implementation of such measures, there would be no significant adverse impacts to NYSDEC littoral zone tidal wetlands, water quality, or aquatic biota from construction of the esplanade.

Stormwater management measures implemented as part of the proposed project would improve the quality of stormwater discharged to the East River. This would benefit NYSDEC tidal wetland adjacent area and aquatic

resources adjacent to the project site, as discharge of runoff from the project site is currently untreated. Stormwater management measures implemented as part of the proposed project would regulate the rate at which runoff is discharged to adjacent storm sewers, in accordance with the New York City Department of Environmental Protection (DEP) allowable rate, and then to the East River through the proposed outfalls. Discharge of stormwater runoff to the DEP storm sewer at the rate allowed by DEP would not be expected to contribute to street flooding due to storm sewer capacity exceedances.

Because floodplains within and adjacent to the project site are affected by coastal flooding rather than local or fluvial flooding, the proposed project would not result in increased flooding on or adjacent to the project site. The design and construction of the buildings within the project site would comply with current and any future changes to the New York City Building Code requirements for construction within the 100-year floodplain and any future changes in the floodplain zones designated by the Federal Emergency Management Agency (FEMA). Development of the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of flood waters within the project site or in other portions of the Halletts Point peninsula. Construction of the proposed project would require minimal tree removal and would not eliminate or degrade valuable wildlife habitat. No threatened or endangered terrestrial species are known to occur or have the potential to occur on or in the vicinity of the project site.

### **Hazardous Materials**

A Phase I Environmental Site Assessment (ESA) was prepared in July 2013 in order to evaluate potential contamination on the project site. Several potential sources of contamination were identified, including past and present manufacturing, woodworking, manufacturing supply storage, and automobile repair uses, evidence of historic leaks associated with machinery use, known aboveground storage tanks (ASTs), suspected underground storage tanks (USTs), asbestos containing materials (ACM), and/or lead based paint (LBP).

Based on the findings of the Phase I ESA, to reduce the potential for human or environmental exposure to contamination during and following construction of the proposed project, an (E) designation would be assigned to the project site (Block 906, Lots 1 and 5, Block 907, Lots 1 and 8, Block 908, Lot 12, and Block 909, Lot 35) to ensure that remedial activities would be undertaken prior to redevelopment (E-343). With these (E) designations in place, sampling and remedial protocols and reports will be required, and will be submitted to the New York City Mayor's Office of Environmental Remediation (OER) for review and approval.

Specifically, based on the findings of the Phase I ESA, a Subsurface (Phase II) Investigation would be conducted in accordance with the DEP-approved Work Plan for the project site to determine whether past or present, on-site or off-site activities have affected subsurface conditions; all Phase II work would be conducted in accordance with the DEP-approved Health and Safety Plan (HASP). Furthermore, all Phase II investigative work on the future school site would be required to comply with both the Phase II Work Plan and supplemental investigation protocol identified by the SCA, consistent with typical SCA Phase II Environmental Site Investigations (ESIs).

It is anticipated that the Applicant will begin Phase II investigative work for the future school site subsequent to issuance of the FEIS, and that all Phase II investigative work on the future school site will be completed by the time the City Council will be required to act upon the Proposed Action. Phase II investigative work on the remaining project site lots would be carried out subsequent to approval of the Proposed Action, but prior to issuance of any permits for the proposed project. Following implementation of this Phase II investigation and based on its findings, a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared (and submitted to OER for review and approval) for implementation during the proposed project's construction.

With the (E) designation in place and implementation of the associated sampling and remedial protocols described above, in addition to the remediation phasing protocol to be outlined in the Restrictive Declaration to

be recorded, the proposed project is not expected to result in significant adverse impacts for hazardous materials.

### **Water and Sewer Infrastructure**

Based on the methodology set forth in the *CEQR Technical Manual*, the analysis finds that the Proposed Action would not result in a significant adverse impact on the City's water supply or wastewater and stormwater conveyance and treatment infrastructure.

#### ***Water Supply***

The anticipated water usage as a result of the Proposed Action is expected to total 338,611 gallons per day (gpd) over water demand under existing conditions. This incremental demand would represent less than 0.1 percent of the City's overall water supply and would be distributed over the 8.7-acre site. As changes of this magnitude would not be large enough to have a significant adverse impact on the City's water system, the incremental demand with the Proposed Action would not adversely affect the City's water supply or system water pressure.

#### ***Sanitary (Dry Weather) Flows***

The Bowery Bay water pollution control plant (WPCP), which is designed to treat a dry weather flow of 150 million gallons per day (mgd), handled an average of 110 mgd of sewage flow between January and December 2012. Based on rates in the *CEQR Technical Manual*, the Proposed Action has the potential to result in an increase of 0.34 mgd of sanitary sewage flow. This incremental increase in sanitary flow would represent approximately 0.2 percent of the Bowery Bay WPCP's designated State Pollution Discharge Elimination System (SPDES) capacity. Pursuant to CEQR methodology, as the projected increase in sanitary sewage would not cause the Bowery Bay WPCP to exceed its operational capacity or its SPDES-permitted capacity, the Proposed Action would not result in significant adverse impacts to sanitary sewage conveyance and treatment.

#### ***Stormwater (Wet Weather) Flows***

The Proposed Action would include improvements to stormwater infrastructure to support the new development, including the construction of new stormwater outfalls to enable direct discharge of project site stormwater flows into the East River and therefore would decrease the amount of stormwater flows generated on the project site that could contribute to combined sewer overflow (CSO) events. Based on the analysis conducted in accordance with the *CEQR Technical Manual*, with the infrastructure improvements and Best Management Practices (BMP) implemented on the project site by the Applicant, it is concluded that the Proposed Action would not result in significant adverse impacts on stormwater conveyance and treatment infrastructure.

### **Energy**

Development facilitated by the Proposed Action (the proposed project) is projected to generate demand for approximately 124.3 billion British Thermal Units (BTUs) of energy per year. This energy demand represents the total incremental increase in energy consumption between the future without the Proposed Action (the No-Action condition) and the future with the Proposed Action (the With-Action condition). As explained in the *CEQR Technical Manual*, the incremental demand produced by most projects would not create a significant impact on energy capacity, and detailed assessments are only recommended for projects that may significantly affect the transmission or generation of energy. The proposed project would generate an incremental increase in energy demand that would be negligible when compared to the overall demand within Con Edison's New York City and Westchester County service area. Therefore, the Proposed Action would not result in any significant adverse energy impacts.

**Transportation**

***Weekday Traffic***

Weekday AM (7:30-8:30 AM), midday (12-1 PM), and PM (4:30-5:30 PM) peak hour traffic conditions were evaluated at 30 intersections generally bounded by Hoyt Avenue North to the north, Broadway to the south, 33<sup>rd</sup> Street to the east, and 4<sup>th</sup> Street to the west. These 30 intersections, where project-generated trips are expected to be most concentrated, were analyzed for a RWCDs that assumes full completion of the nearby Halletts Point project, which has a 2022 build year.

The traffic impact analysis indicates that there would be a potential for significant adverse impacts at 21 intersections during the weekday AM peak hour, nine intersections during the weekday midday peak hour, and 17 intersections during the weekday PM peak hour, as outlined in Table S-3a.

**Table S-3a: Summary of Weekday Impact Locations**

<b>Intersection</b>	<b>Weekday AM Peak Hour</b>	<b>Weekday Midday Peak Hour</b>	<b>Weekday PM Peak Hour</b>
1. 26 <sup>th</sup> Ave. & 4 <sup>th</sup> St.			
A. 26 <sup>th</sup> Ave. & 9 <sup>th</sup> St.			
2. 27 <sup>th</sup> Ave. & 4 <sup>th</sup> St.			X
3. 27 <sup>th</sup> Ave. & 8 <sup>th</sup> St.	X	X	X
4. 27 <sup>th</sup> Ave. & 12 <sup>th</sup> St.	X		X
5. 27 <sup>th</sup> Ave. & 14 <sup>th</sup> St.	X		
6. 27 <sup>th</sup> Ave. & 18 <sup>th</sup> St.			
7. Astoria Blvd. & 21 <sup>st</sup> St.	X	X	X
8. Astoria Blvd. & 23 <sup>rd</sup> St.	X		X
9. Astoria Blvd. & Crescent St.	X	X	X
10. Astoria Blvd. & 27 <sup>th</sup> St.	X		
11. Astoria Blvd. & 28 <sup>th</sup> St.			
12. Astoria Blvd. & 29 <sup>th</sup> St.	X	X	X
13. Astoria Blvd. & 30 <sup>th</sup> St.			
14. Astoria Blvd. & 31 <sup>st</sup> St.	X		
15. Hoyt Ave. S./Astoria Blvd. & 33 <sup>rd</sup> St.	X	X	X
16. Hoyt Ave. N. & 29 <sup>th</sup> St.	X		
17. Hoyt Ave. N. & 31 <sup>st</sup> St.	X		
18. Astoria Blvd. N. & 32 <sup>nd</sup> St.	X	X	X
19. Astoria Blvd. & 8 <sup>th</sup> St.			X
20. 30 <sup>th</sup> Ave. & 14 <sup>th</sup> St.	X		
21. 30 <sup>th</sup> Ave. & 21 <sup>st</sup> St.	X		
22. Vernon Blvd. & Welling Court/8 <sup>th</sup> St.	X	X	X
23. Astoria Blvd. & 18 <sup>th</sup> St.			
24. Hoyt Ave. N. & 21 <sup>st</sup> St.	X		X
25. Hoyt Ave. S./Astoria Park S. & 21 <sup>st</sup> St.	X		X
26. 27 <sup>th</sup> Ave. & 9 <sup>th</sup> St.	X	X	X
27. Vernon Blvd. & 31 <sup>st</sup> Ave.	X		X

Intersection	Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour
28. Vernon Blvd. & Broadway/11 <sup>th</sup> St.	X	X	X
29. 31 <sup>st</sup> Ave. & 21 <sup>st</sup> St.			

**Note:** X – denotes potential for significant adverse impact.

As the impacts shown in Table S-3a would result from an increase of traffic volumes due to both the Proposed Action and the Halletts Point development, an additional impact analysis was conducted per guidance by DCP and NYCDOT to determine whether these impacts would occur absent the Halletts Point development. The analysis of future conditions without accounting for the Halletts Point development shows that, although the majority of significant adverse impacts were identified at the same locations for both the future conditions, generally fewer impacts would occur absent the Halletts Point development. A total of 20 of the 30 analyzed intersections would be significantly adversely impacted in one or more peak hour as a result of the Proposed Action absent the Halletts Point development, while 23 of the 30 analyzed intersections would be impacted when accounting for the Halletts Point development.

***Transit***

**Subway**

The project site is served by the N, Q, and F lines; the 30<sup>th</sup> Avenue Station (to the southeast of the project site) is served by the N and Q lines, and the 21<sup>st</sup> Street-Queensbridge Station (to the south of the project site) is served by the F line. Based on current station usage, the proximity to the project site, and the proposed shuttle service to the 30<sup>th</sup> Avenue Station, it was estimated that the majority (approximately 80 percent) of subway riders would utilize the 30<sup>th</sup> Avenue Station via a shuttle, while the remaining 20 percent would utilize the 21<sup>st</sup> Street-Queensbridge Station. Therefore, according to *CEQR Technical Manual* criteria, a detailed analysis of subway station elements was only warranted at the 30<sup>th</sup> Avenue Station. In addition, a subway line haul analysis was conducted for the three subway lines serving the project site. The results of the analysis of future conditions indicate that the Proposed Action would result in significant adverse impacts on the 30<sup>th</sup> Avenue Station’s northwest street stair during the PM peak hour. Due to the high volumes of Manhattan-bound morning commuter traffic, significant adverse impacts to the 30<sup>th</sup> Avenue Station’s southbound fare array are anticipated during the AM peak hour. While the Manhattan-bound Q line would operate over capacity in future With-Action conditions, as the Proposed Action would add less than five passengers per car (the CEQR impact criterion), no significant adverse subway line haul impact would result.

**Bus**

In addition to new bus riders resulting from the Proposed Action, the level of new bus demand on the analyzed local bus route Q103 would include project-generated F line subway riders that are expected to take the Q103 bus to and from the 21<sup>st</sup> Street-Queensbridge Station. The results of the bus transit impact analysis indicate that the Q103 route would experience significant adverse impacts in the southbound direction during both the weekday AM and PM peak hours, as well as in the northbound direction during the PM peak hour.

***Pedestrians***

The Proposed Action would not result in any significant adverse impacts to sidewalks, corner areas or crosswalks. A total of 11 existing sidewalks, three corners, and one crosswalk in the vicinity of the project site and close to the 30<sup>th</sup> Avenue subway station were selected for analysis in the three peak hours. Four additional future sidewalk elements on the project site were analyzed for the With-Action condition only. The results of the analysis of future conditions with the Proposed Action indicate that all analyzed sidewalks, corners, and crosswalks would operate at acceptable levels of service during the weekday AM, midday, and PM peak hours under With-Action conditions.

***Pedestrian and Vehicular Safety Evaluation***

None of the analyzed study area intersections exceeded one pedestrian and/or bicyclist injury crash in one or more years from 2010-2012 or reached the *CEQR Technical Manual* threshold for the total number of crashes per year. Therefore, a significant safety impact on pedestrian, bicyclist, and vehicular safety is not anticipated. In addition, no pedestrian and vehicular safety concerns are anticipated on future project site streets. However, the Applicant will work with NYCDOT to implement required school signage and other typical safety features applied in proximity to schools where necessary.

***Parking***

The maximum parking demand, which is expected to occur from 8-9 PM, as well as the overnight demand, are expected to be accommodated by new parking spaces that would be created as part of the proposed project as well as on-street parking in the immediate vicinity. Therefore, no significant adverse parking impacts are expected.

***Weekend Conditions Assessment***

Between issuance of the DEIS and the FEIS, a semi-quantitative/qualitative assessment of a representative weekend peak period (Saturday 2-3 PM) was prepared. This assessment included estimates of action-generated Saturday peak hour trips and comparisons of weekday and Saturday background conditions, as well as detailed traffic LOS analyses, where warranted. Saturday peak hour traffic conditions were analyzed at thirteen of the 30 study area intersections, as requested by NYCDOT. The traffic impact analysis indicates that there would be a potential for significant adverse impacts at seven intersections during the Saturday midday peak hour. The analysis of future conditions without accounting for the Halletts Point development showed that, although the majority of significant adverse impacts were identified at the same locations for both the future conditions, generally fewer impacts would occur absent the Halletts Point development. The Saturday impact locations under both future scenarios are shown in Table S-3b, below.

**Table S-3b: Summary of Weekend Impact Locations—With-Action and Alternate With-Action Conditions**

<b>Intersection</b>	<b>With-Action Condition</b>	<b>Alternate With-Action Condition</b>
2. 27 <sup>th</sup> Ave. & 4 <sup>th</sup> St.	X	
3. 27 <sup>th</sup> Ave. & 8 <sup>th</sup> St.	X	
4. 27 <sup>th</sup> Ave. & 12 <sup>th</sup> St.		X
5. 27 <sup>th</sup> Ave. & 14 <sup>th</sup> St.		
6. 27 <sup>th</sup> Ave. & 18 <sup>th</sup> St.		
7. Astoria Blvd. & 21 <sup>st</sup> St.	X	X
14. Astoria Blvd. & 31 <sup>st</sup> St.		X
15. Hoyt Ave. S./Astoria Blvd. & 33 <sup>rd</sup> St.	X	X
18. Astoria Blvd. N. & 32 <sup>nd</sup> St.	X	
19. Astoria Blvd. & 8 <sup>th</sup> St.		
24. Hoyt Ave. N. & 21 <sup>st</sup> St.	X	X
25. Hoyt Ave. S./Astoria Park S. & 21 <sup>st</sup> St.		
26. 27 <sup>th</sup> Ave. & 9 <sup>th</sup> St.	X	X

**Note:** X – denotes potential for significant adverse impact.

## **Air Quality**

Air quality analyses addressed mobile sources, parking facilities, heating, ventilation, and air conditioning (HVAC) systems, and air toxics. The results of the analyses are summarized below.

- Emissions from project-related vehicle trips would not cause significant air quality impacts to receptors at the local or neighborhood scale;
- Emissions from parking facilities would not cause a significant air quality impact to project site buildings or existing sensitive land uses;
- An air quality (E) designation (E-343) will be assigned to the project site and will require the use of natural gas and restrict boiler types, stack heights, and/or locations for all project site buildings, as well as restricting the stack location on Building 3. With these measures in place, the emissions from the HVAC systems of project site buildings would not cause significant air quality impacts to other project site buildings or existing sensitive land uses;
- As no existing large or major sources are located within 1,000 feet of the project site, emissions from existing stationary HVAC sources would not cause a significant air quality impact to the proposed project; and
- No significant air quality impacts to the proposed project are anticipated from air toxics.

## **Greenhouse Gas Emissions and Climate Change**

It is estimated that the proposed project would result in approximately 26,348 total metric tons of greenhouse gas (GHG) emissions from its operations and 7,569 metric tons of GHG emissions from mobile sources annually. This would represent an annual total of approximately 33,917 total metric tons of GHG emissions. In comparison, New York City's annual GHG emissions total in 2012 was approximately 47.9 million metric tons. In addition, according to the PlaNYC document *Inventory of New York City Greenhouse Gas Emissions* (December 2013), the total for supplying energy to buildings (residential, commercial, industrial, and institutional) was 33.9 million metric tons.<sup>1</sup> Compared to these values, the contribution of the proposed project's GHG emissions to GHG emissions citywide is insignificant and represents approximately 0.07 percent of the total citywide emissions.

The *CEQR Technical Manual* provides specific GHG reduction goals through which a project's consistency with the City's emissions reduction goal is evaluated. The Applicant is currently evaluating the specific energy efficiency measures and design elements that may be implemented to support these goals. The proposed project's use of natural gas for heating systems, its commitment to construction air quality controls, its introduction of a residential shuttle to the 30<sup>th</sup> Avenue subway station, and its use of water-conserving features and water-efficient landscaping would advance New York City's GHG reduction goals as stated in PlaNYC. In addition, the development could be subject to changes in the New York City Building Code that are currently being considered to require greater energy efficiency and to further the goals of PlaNYC. These could include energy efficiency requirements, specifications regarding cement, and other issues influencing GHG emissions. Furthermore, by virtue of the location of the project site in relation to public transportation, the Proposed Action, which would facilitate dense and efficient mixed-use buildings, would be consistent with the GHG reduction goals. The Proposed Action is, therefore, based on the aforementioned commitments to energy efficient project features, and by virtue of the project's location and nature, consistent with the City's GHG reduction goals, as defined in the *CEQR Technical Manual*.

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<sup>1</sup> City of New York, *Inventory of New York City Greenhouse Gas Emissions, December 2013*, by Jonathan Dickinson, Jamil Khan, and Mikael Amar. Mayor's Office of Long-Term Planning and Sustainability, New York, 2013.

All waterfront buildings would be constructed to meet the standards of the New York City Building Code and the Best Available Flood Hazard Data available from FEMA at the time of their construction (which will be reflected in the Restrictive Declaration to be recorded). Specific areas of the project site that are within the 100-year floodplain include a small area of Building 1 and small portions of the waterfront esplanade. Should the base flood elevation rise to these projected elevations in the future, the Applicant anticipates retrofitting the perimeter of Building 1 with flood prevention systems (either temporary or permanently installed flood gates/shutters), potentially in conjunction with an emergency flood protection plan. As the potential future floodplain elevations on the remaining waterfront buildings may be slightly above the currently anticipated ground floor elevations for the waterfront buildings, the ground floor elevations could simply be raised to be out of the applicable floodplain, as zoning permits the proposed buildings' Base Plane to be set at the 100-year flood elevation. Therefore, the proposed project would minimize the potential for public and private losses due to flood damage, reduce the exposure of public utilities to flood hazards, and prepare for and address future risks, and would be consistent with the City's climate change goals.

### **Noise**

The analysis concludes that the Proposed Action would not result in significant adverse noise impacts at any sensitive receptors within the study area. Future With-Action noise levels for the majority of the analyzed receptor locations would increase by less than three dBA, with most noise levels remaining in the same acceptability category as under No-Action conditions. While noise levels are expected to increase by more than three dBA in one or more peak hour at two locations (the intersection of 4<sup>th</sup> Street and 26<sup>th</sup> Avenue and the intersection of 9<sup>th</sup> Street and 26<sup>th</sup> Avenue), due to the low No-Action noise levels at these locations (under 62 dBA), no significant adverse noise impacts would result due to these predicted incremental noise increases.

Between issuance of the DEIS and FEIS, a detailed playground noise analysis was conducted. The playground noise analysis conservatively assumed that the potential school playground would occupy the entirety of the proposed Building 5 school site's rear yard with no setbacks or landscaping and fencing features to reduce noise levels at nearby sensitive receptors. The playground noise analysis identified the potential for noticeable noise level increases (5.2 dBA) at adjacent 26-14 9<sup>th</sup> Avenue during limited time periods (when school is in session). As the existing 26-14 9<sup>th</sup> Avenue has double-glazed windows and alternate means of ventilation, the predicted interior noise levels at this worst-case existing sensitive receptor would be less than the CEQR 45 dBA L<sub>10(1)</sub> interior noise level guideline. As a result, the noise level increases at this location would not constitute a significant adverse noise impact. The future Building 5 school would undergo further CEQR environmental review at the time of funding approval. As part of this process, the SCA would conduct further noise testing and may provide additional noise reduction measures (i.e., restrictions on the location of the playground, noise barriers, etc.) to further reduce noise levels.

The building attenuation analysis concludes that no building attenuation would be required on any project site building façade to meet *CEQR Technical Manual* interior noise level requirements. While the projected noise levels at the proposed project's open space areas could be greater than the 55 dBA L<sub>10</sub> CEQR guideline, it would be comparable to other parks around New York City and would not constitute a significant adverse noise impact.

### **Public Health**

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources. As the Proposed Action would not have the potential for unmitigated significant adverse impacts in any of the technical areas related to public health, the Proposed Action would not have the potential for significant adverse impacts related to public health.

## **Neighborhood Character**

Based on the methodology of the *CEQR Technical Manual*, a preliminary assessment of the Proposed Action's effects on neighborhood character was conducted to determine the need for a detailed analysis. Of the relevant technical areas specified in the *CEQR Technical Manual*, the Proposed Action would not result in significant adverse impacts on land use, zoning, and public policy, socioeconomic conditions, shadows, historic and cultural resources, urban design and visual resources, or noise. The scale of significant adverse impacts to open space and transportation would not affect any defining features of neighborhood character, nor would a combination of moderately adverse effects affect the neighborhood's defining features. The proposed project would be consistent with existing trends and would facilitate new mixed-use development, waterfront open space, and improved neighborhood circulation. Thus, based on the results of the preliminary assessment, there is no potential for the Proposed Action to result in significant adverse impacts to neighborhood character, and further analysis is not warranted.

## **Construction Impacts**

The analysis concludes that construction of the proposed project would result in significant adverse construction impacts with respect to vehicular traffic and noise. The results of construction analyses for each technical area are discussed in more detail below.

### ***Land Use and Neighborhood Character***

Construction of the proposed project would not result in significant adverse impacts on land use or neighborhood character. The proposed project would entail construction over an approximately nine-year period; no one location on-site would be under construction or used for staging for the full nine years. Throughout the construction period, access to surrounding residences, businesses, and waterfront uses in the area would be maintained, as required by City regulations. In addition, throughout the construction period, measures would be implemented to control noise and air pollutant emissions, and dust on the construction sites and minimize impacts on the surrounding areas. Even with these measures in place, in some cases significant impacts are predicted to occur. However, because none of these impacts would be continuous in any one location or permanent, they would not create significant impacts on land use patterns or neighborhood character in the area.

### ***Socioeconomic Conditions***

Construction of the proposed project would not result in significant adverse impacts on socioeconomic conditions. Construction of the proposed project could, in some instances, temporarily affect pedestrian and vehicular access on street frontages immediately adjacent to the project site. However, lane and/or sidewalk closures are not expected to occur in front of entrances to any existing or planned retail businesses, construction activities would not obstruct major thoroughfares used by customers or businesses, and the limited number of businesses surrounding the project site would not be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities. In addition, construction would create direct benefits resulting from expenditures on labor, materials, and services and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction would also contribute to increased tax revenues for the City and the State, including those from personal income taxes.

### ***Community Facilities***

No study area community facilities would be directly affected by construction activities for an extended duration. The construction sites would be surrounded by construction fencing and barriers that would limit the effects of construction on nearby facilities. As the proposed 456-seat elementary school in Building 5 would be constructed in the final phase of the proposed project's development, no construction activities would occur

adjacent to the school once it is operational. In addition, construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care services. Construction of the proposed project's buildings and other project elements would not block or restrict access to any community facilities in the area and would not materially affect emergency response times.

### ***Open Space***

Construction of the proposed project would not result in significant adverse impacts to area open spaces. As no open space resources currently exist on the project site, and no open space resources would be used for staging or other construction activities, no open space resources would be disrupted during the construction of the proposed project. Construction fences around these sites would shield the adjacent parks (including the nearby Shore Towers waterfront open space and the completed portions of the proposed waterfront open space) from construction activities. As construction of the proposed project would not limit access to existing or proposed open spaces in the vicinity of the project site, no significant adverse construction-related impacts on open space are anticipated.

Noise levels at some project site and study area public open spaces would exceed the CEQR-recommended open space noise level of 55 dBA during certain periods of the proposed project's construction, as under full build conditions. These activities would generate noise that could impair the enjoyment of nearby public open space users. However, as such noise effects would be temporary and of short duration, these would not be considered significant adverse open space impacts resulting from construction of the proposed project.

### ***Historic and Cultural Resources***

A Phase 1A archaeological documentation study concluded that portions of the project site (Block 906, Lot 1; Block 908, Lot 12; and Block 909, Lot 35) could contain potentially sensitive archaeological resources. To determine if archaeological resources are present, Phase 1B archaeological testing will be carried out in these archaeologically sensitive areas; the Phase 1B testing protocol has been reviewed and approved by LPC. The Phase 1B testing would be conducted in consultation with the LPC prior to construction of the affected blocks. If no resources of significance are encountered, no further archaeological study would be warranted. Should the Phase 1B archaeological field testing find significant archaeological resources on the project site, further testing would be undertaken in consultation with LPC to identify the boundaries and significance of the find. If required, data recovery would be undertaken in consultation with LPC. With implementation of all of the above measures, which will be incorporated into the Restrictive Declaration, there would be no significant adverse impacts to archaeological resources resulting from construction of the proposed project.

### ***Natural Resources***

Construction of the proposed project would not result in significant adverse impacts to natural resources. Construction activities that would be located within the tidal wetlands adjacent area would not result in a net increase in fill below the SHW or MHW lines or a change in shoreline configuration that would result in loss of NYSDEC littoral zone tidal wetlands. The new stormwater outfalls would be constructed above the SHW elevation and would not have the potential to adversely affect NYSDEC littoral zone tidal wetlands or aquatic resources. Further discussions will be held with the NYSDEC during the NYSDEC application process, and additional measures may be incorporated either on- or off-site to eliminate the potential for significant adverse impacts to NYSDEC littoral zone tidal wetlands, if deemed necessary. With the implementation of such measures, there would be no significant adverse impacts to NYSDEC littoral zone tidal wetlands, water quality, or aquatic biota from construction of the esplanade.

While construction of the proposed project would require tree removal on the project site as well as the 9<sup>th</sup> Street sidewalk located along the project site boundaries, it would not eliminate or degrade valuable wildlife habitat. Terrestrial ecological communities present on the project site are characteristic of an urbanized

landscape and highly ubiquitous throughout New York City. These ecological communities are not of high ecological value or uncommon in the surrounding area. Therefore, loss of some areas of these communities within the project site due to clearing activities would not result in a significant adverse impact to these or other ecological communities at a local or regional scale. Overall, construction of the proposed project would not have significant adverse impacts to wildlife or wildlife habitat within the project site or in the surrounding area.

Implementation of erosion and sediment control measures and stormwater management measures identified in the Stormwater Pollution Prevention Plan (SWPPP) would minimize potential impacts on littoral zone tidal wetlands and aquatic resources along the edges of the project site associated with discharge of stormwater runoff during land-disturbing activities resulting from construction of the proposed project. Furthermore, the proposed project would adhere to all applicable rules and regulations governing groundwater; consequently, significant adverse impacts to groundwater would not occur as a result of construction of the proposed project. Any hazardous materials encountered during grading or other land-disturbing activities would be handled and removed in accordance with DEP, NYSDEC, the Occupational Safety and Health Administration (OSHA), and United States Environmental Protection Agency (EPA) requirements, and the RAP/CHASP to be prepared for the project site in accordance with the (E) designation that will be assigned to the project site.

### ***Hazardous Materials***

Based on the findings of the Phase I ESA, an (E) designation (E-343) would be assigned to the project site (Block 906, Lots 1 and 5; Block 907, Lots 1 and 8; Block 908, Lot 12; and Block 909, Lot 35) to ensure that remedial activities would be undertaken prior to redevelopment. With these (E) designations in place, sampling and remedial protocols and reports will be required, and will be submitted to OER for review and approval prior to construction. Specifically, based on the findings of the Phase I ESA, a Subsurface (Phase II) Investigation would be conducted in substantial conformance with the DEP-approved Work Plan for the project site to determine whether past or present, on-site or off-site activities have affected subsurface conditions; all Phase II work would be conducted in substantial conformance with the DEP-approved HASP. Following implementation of this Phase II investigation and based on its findings, a RAP and associated CHASP would be prepared (and submitted to OER for review and approval) for implementation during the proposed construction. With the (E) designation in place and implementation of the associated sampling and remedial protocols described above, in addition to adherence to the applicable DEP and OSHA regulations, construction of the proposed project would not result in significant adverse hazardous materials impacts.

### ***Transportation***

Peak construction conditions during the fourth quarter of 2022 were considered for the analysis of potential transportation (traffic, parking, transit, and pedestrian) impacts during construction. Based on the combined construction and operational vehicle trip projections in 2022 (Q4), construction activity is expected to result in significant adverse traffic impacts. However, no significant adverse impacts to parking, transit, or pedestrian conditions are anticipated due to construction.

### **Traffic**

The peak construction period vehicle trips, including both construction and operational trips, are expected to occur in the fourth quarter of 2022. Increased vehicle volumes in the surrounding area are anticipated to result in significant adverse impacts at three of the five analyzed construction traffic study area intersections in one or more peak hour: 27<sup>th</sup> Avenue and 4<sup>th</sup> Street during the 3-4 PM peak hour; 27<sup>th</sup> Avenue and 8<sup>th</sup> Street during both construction peak hours; and 27<sup>th</sup> Avenue and 9<sup>th</sup> Street during both construction peak hours. At all other study area intersections where significant adverse traffic impacts are anticipated for the proposed project's full build, similar or lesser impacts are anticipated. With implementation of the same mitigation measures recommended to mitigate the operational traffic impacts, the identified potential significant adverse

construction period impacts at 27<sup>th</sup> Avenue/8<sup>th</sup> Street and 27<sup>th</sup> Avenue/9<sup>th</sup> Street could be fully mitigated. Impacts at 27<sup>th</sup> Avenue/4<sup>th</sup> Street could be only partially mitigated.

Maintenance and Protection of Traffic (MPT) plans would be developed, reviewed, and approved by NYCDOTs's Office of Construction Mitigation and Coordination (NYCDOT-OCMC) for curb-lane and sidewalk closures as well as equipment staging activities, as warranted.

#### Parking

The anticipated construction activities are projected to generate a maximum parking demand of 85 spaces during the peak construction traffic period (2022, Q4). The combined construction and operational parking demand during the construction traffic peak period would be accommodated by the completed project site parking garages, with temporary shortfalls of parking on-site during the construction peak period accommodated by available on-street parking within a ¼-mile of the project site.

#### Transit

The estimated number of total construction peak hour transit trips would be 37, below the CEQR analysis thresholds of 200 trips at any one subway station (or station element) or any one bus route and 50 trips in any one direction on one bus route. In addition, these construction worker trips would occur outside of peak periods for transit ridership and be distributed and dispersed to the nearby transit facilities. As such, no significant adverse transit impacts are anticipated during the project's construction.

#### Pedestrians

The estimated number of total construction peak hour pedestrian trips traversing the area's sidewalks, corners, and crosswalks would be 122. While the combined construction and operational pedestrian trips (including walk-only, bus, and subway trips) during the construction peak hour would exceed the CEQR threshold of 200 trips for detailed analysis, they would occur during off-peak hours, and would be less than half the operational project peak pedestrian trips. As the Proposed Action would not result in operational pedestrian impacts upon completion in 2023, there would be no pedestrian impacts with partial build-out of the proposed project during 2022 (Q4) peak construction.

During construction, where sidewalk closures are required, adequate protection or temporary sidewalks would be provided in accordance with NYCDOT-OCMC requirements.

#### ***Air Quality***

Construction air quality was modeled for CO, NO<sub>2</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> using EPA's AERMOD dispersion model for the worst-case for construction activities. The Applicant has committed to measures that would minimize pollutant emissions during construction. This includes the use of Tier 3 equipment with diesel particle filters (DPFs) or newer equipment, locating all construction equipment 50 feet from nearby residential/community facility buildings and open spaces (where feasible), and using DPFs and selective catalytic reduction (SCR) retrofit kits on stationary equipment with 50 horsepower (hp) or more. Based on these commitments, the worst-case construction air quality analysis showed no potential for concentrations of criteria pollutants to exceed the NAAQS or *de minimis* criteria at sidewalks, open space, or residential windows in the vicinity of the construction sites for Buildings 2 and 3. As the remaining construction sites are of similar size, have similar numbers of equipment on the site, or are similarly oriented with regard to adjacent receptor locations, modeled exceedances of the *de minimis* criteria are not likely to occur at additional receptor locations adjacent to the remaining construction sites.

The construction air quality analysis prepared for the DEIS was based on conservative assumptions. The maximum annual concentrations were computed for the peak construction quarter and the results conservatively assumed that this peak construction activity would last an entire year. In addition, the modeling

assumed that the construction activity would occur 24 hours per day instead of the actual construction workday of 8 to 12 hours. Furthermore, the analysis did not account for the effect of construction fencing around the site perimeter. The location of the maximum annual average concentrations also would vary based on the location of the sources during construction, which would move throughout the site over time. Based on the more refined modeling conducted for the FEIS and the components of the emissions reduction program, the construction emission requirements outlined in the Restrictive Declaration has been adjusted, as appropriate.

### ***Noise***

Between the DEIS and the FEIS, a more refined construction noise analysis was undertaken to more precisely determine the magnitude of the elevated noise levels resulting from construction at these locations. The refined analysis examined both the practicality and feasibility of relocating some equipment within the construction sites to add distance and/or shielding between the equipment and the adjacent receptors, and the addition of a 16-foot high wall around the active construction sites.

With the implementation of noise control measures, including path and source controls, construction of the proposed project would not result in significant adverse noise impacts on existing sensitive receptors in the surrounding area including open space resources. While interior noise levels at existing nearby residential buildings would, during some time periods (i.e., the periods when exterior  $L_{10(1)}$  noise levels due to construction would be greater than the low- to mid-70s dBA range), exceed the CEQR acceptable interior noise level criteria for residential uses of 45 dBA  $L_{10(1)}$ , such exceedances would occur for less than 24 consecutive months and therefore would not represent a significant adverse impact at these project site buildings, pursuant to CEQR impact criteria.

With the provision of 26 dBA of attenuation along the northwest façade of Building 2 and 25 dBA of attenuation on the west façade of Building 3 and the north façade of Building 4, no significant adverse noise impacts are expected to occur on completed and occupied project site buildings during construction on adjacent building sites. Interior noise levels would, during some time periods, exceed the CEQR acceptable interior noise level criteria for residential uses of 45 dBA  $L_{10(1)}$ . Such exceedances may be intrusive, but would occur for less than 24 consecutive months and therefore would not represent a significant adverse impact at these project site buildings, pursuant to CEQR impact criteria.

### ***Rodent Control***

Construction contracts for the proposed project would include provisions for a rodent (mouse and rat) control program. Before the start of construction of any of the proposed buildings, construction contractors would survey and bait the appropriate areas and provide for proper site sanitation. During the construction phase, as necessary, the contractors would carry out a maintenance program in a manner that avoids hazards to persons, domestic animals, and non-target wildlife. Coordination would be maintained with the appropriate public agencies.

## **G. MITIGATION**

### **Community Facilities**

#### ***Public Elementary Schools***

The Proposed Action would include a 456-seat elementary school, which would add much-needed elementary school capacity to CSD 30, Sub-district 3 and lower the future elementary school utilization rate, compared to the 2023 No-Action condition. The elementary school shall be constructed pursuant to an LOI, dated April 17<sup>th</sup>, 2014, entered into between the Applicant and the SCA. The Restrictive Declaration entered into in connection with the proposed project shall require the Applicant to work with the SCA in accordance with the terms set forth in the Letter of Intent to implement the construction of the elementary school, which is

contemplated for purposes of this environmental review in the final phase of the proposed project's development, as outlined in the ULURP Phasing Plan. Therefore, the Proposed Action would result in a temporary significant adverse impact on CSD 30, Sub-district 3 elementary schools upon occupancy of Building 2. The Proposed Action would not result in any potential significant adverse impacts on intermediate or high school students.

Based on the public school student generation rates provided in the *CEQR Technical Manual*, Buildings 2, 3, 4, and 5 (residential portion) would generate approximately 248 net elementary school students prior to construction of the proposed 456-seat elementary school and would therefore result in a temporary 7.59 percent increase in the elementary school utilization rate (to 123.1 percent). To mitigate the potential temporary significant adverse elementary school impact, the proposed 456-seat elementary school would need to be constructed prior to completion and occupancy of Building 2. Absent this change in the proposed project's phasing schedule, a temporary unmitigated significant adverse impact to elementary schools could result.

However, it should be noted that the analysis of public elementary school conditions relies on conservative assumptions regarding both background growth in the student population and the development of new residential units in future conditions. Should this level of background growth in the sub-district and residential development in the study area not occur, the temporary impact on elementary school seats in Sub-district 3 of CSD 30 could be reduced or potentially eliminated. It should also be noted that the above analysis does not account for the 1,057 seat PS/IS school that is expected to be developed on the nearby Halletts Point site to mitigate the school impacts identified in the 2013 *Halletts Point Rezoning FEIS*. This future No-Action school could be built and operational by 2018.

### ***Child Care Centers***

The Proposed Action would result in a potential significant adverse impact to publicly funded group child care facilities based on *CEQR Technical Manual* methodology. The additional children would decrease the available slots and increase the utilization rate by approximately 20 percent from the No-Action condition (to approximately 160 percent), exceeding the CEQR impact threshold of a five percent increase. In order to avoid a significant adverse impact, the number of affordable units introduced by the proposed project would need to be reduced to 74, which would generate an estimated ten eligible children. This would represent a reduction of 221 affordable dwelling units (a 75 percent reduction), compared to the proposed project.

As the proposed project would be developed sequentially, the potential to result in an increase in a deficiency of available publicly funded group child care slots by 5 percent or more (the CEQR impact threshold) would occur when the proposed project completes construction of approximately 75 affordable residential units (or approximately 11 children eligible for publicly funded group child care). Based on the proposed phasing schedule, it is therefore anticipated that the significant adverse child care impact would occur upon completion and occupancy of Building 2 in the third phase of the project's construction.

It should be noted that the analysis conservatively accounts for the potential child care-eligible children that would be generated by the nearby Halletts Point project (approximately 68 children in 2022) without accounting for the mitigation measures identified in that project's own environmental review. As stated in the 2013 *Halletts Point Rezoning FEIS*, the Halletts Point project would need to provide 37 child care slots to fully mitigate their identified significant adverse child care impact. If this mitigation measure was accounted for in the child care analysis in this EIS, the shortfall of slots would be smaller. In addition, the child care analysis is conservatively based on the existing inventory of public child care providers in the area and does not reflect likely shifts in demand or the creation of new child care capacity.

Mitigation measures for this impact would possibly include adding capacity to existing facilities if determined feasible through consultation with ACS or providing a new child care facility within or near the project site. As a City agency, ACS does not directly provide new child care facilities, but, rather, contracts with providers in

areas of need. ACS is also working to create public-private partnerships to facilitate the development of new child care facilities where there is an area of need. As part of this initiative, ACS may be able to contribute capital funding, if it is available, towards such projects to facilitate the provision of new facilities.

The Restrictive Declaration for the proposed project will require the Applicant implement one or more of the mitigation measures identified above, to mitigate the significant adverse impact on child care facilities. Absent the implementation of such needed mitigation measures, the proposed project could have an unmitigated significant adverse impact on publicly funded child care facilities.

### **Open Space**

The proposed project would include the development of 1.92 acres of publicly accessible open space, including a waterfront esplanade and an upland connection along the proposed 8<sup>th</sup> Street Mews. The proposed waterfront esplanade would include landscaping and seating, as well as play equipment. New visual corridors and physical public access would be provided along the 8<sup>th</sup> Street Mews upland connection, as well as the proposed upland connection.

The proposed project would also include approximately 1,689 residential units, which would place new demands on the area's open space resources. As the Proposed Action would result in a substantial decrease in the active open space ratio in the residential study area, and the active open space ratio would be below the City's guideline ratio in the future, the Proposed Action would result in a significant adverse active open space impact. The significant adverse active open space impact would occur with completion of 688 residential units, and therefore would occur upon completion and occupancy of Building 2 in the third phase of the proposed project's construction.

Potential partial mitigation measures for this significant adverse impact were explored by the Applicant in consultation with the lead agency, DCP, and the New York City Department of Parks and Recreation (DPR) between the Draft and Final EIS. The *CEQR Technical Manual* lists potential mitigation measures for open space impacts. In order to address the significant adverse impact on active open space, the Applicant would be required to upgrade or replace adult fitness equipment and construct a comfort station at Whitey Ford Field. These improvements would increase the utility of Whitey Ford Field and its capacity to meet the active open space needs of the study area, and therefore would constitute partial mitigation of the potential significant adverse impact on active open space. Improvements to Whitey Ford Field would occur during Phase 3 of the proposed ULURP Phasing Plan (i.e., before a Temporary Certificate of Occupancy is granted for the 688<sup>th</sup> DU). As the implementation of the above-described measures would constitute partial mitigation of the significant adverse impact on open space, the Proposed Action would result in an unavoidable adverse impact on open space.

### **Transportation**

#### ***Weekday Traffic***

In the 2023 future, vehicle volumes in the traffic study area are expected to increase due to both the Astoria Cove and nearby Halletts Point projects. As such, in addition to the RWCDs No-Action and With-Action conditions, an alternate future condition without the Halletts Point development and the associated traffic mitigation measures identified in the 2013 *Halletts Point Rezoning FEIS* was analyzed to determine whether the disclosed impacts would occur absent the Halletts Point development. Potential significant adverse traffic impacts were identified at a number of locations in the traffic study area under the future With-Action condition, with slightly fewer impact locations anticipated absent the Halletts Point development (the Alternate With-Action condition).

It should also be noted that, since certification of the DEIS, NYCDOT proposed improvements for Astoria Boulevard between 33<sup>rd</sup> and 31<sup>st</sup> Streets as part of the Vision Zero initiative. These planned improvements and

the resultant traffic diversions (including future Halletts Point traffic diversions) were incorporated into the future conditions analyses in consultation with NYCDOT. As a result of these proposed improvements and resultant traffic diversions, new mitigation measures and/or changes to the mitigation measures presented in the DEIS were warranted at two study area intersections.

Table S-4a summarizes the potential significant adverse weekday traffic impacts under both future With-Action conditions and the alternative without Halletts Point and identifies whether the identified impacts could be fully or partially mitigated with the implementation of traffic improvement measures, or could not be mitigated.

**Table S-4a: Comparison of Weekday Traffic Impact Mitigation under the RWCDs With-Action Condition and the Alternate With-Action Condition**

Intersections	Weekday AM Peak Hour		Weekday Midday Peak Hour		Weekday PM Peak Hour	
	With-Action Condition	Alternate With-Action Condition	With-Action Condition	Alternate With-Action Condition	With-Action Condition	Alternate With-Action Condition
No significant impact	9	10	21	22	13	16
Impact could be fully mitigated	8	15	8	8	9	11
Impact could be partially mitigated	10	4	1	0	5	3
Unmitigated impact	3	1	0	0	3	0

The overall finding of the weekday traffic mitigation analysis is that in the RWCDs With-Action condition 14 of the 30 analyzed intersections would either not experience significant impacts or could be fully mitigated with readily implementable traffic improvement measures, including installing a traffic signal at a currently unsignalized intersection, signal timing changes, parking regulation changes to gain a travel lane at key intersections, and lane restripings. The remaining 16 analyzed intersections would either be unmitigated or partially mitigated in one or more peak hour and, therefore, would be considered unavoidable significant adverse impacts. In comparison, should Halletts Point not be completed by the 2023 Build Year, 23 of the 30 analyzed intersections would either not experience significant impacts or could be fully mitigated with readily implementable traffic improvement measures during the weekday peak hours. The remaining seven analyzed intersections would either be unmitigated or partially mitigated in one or more peak hour and, therefore, would be considered unavoidable significant adverse impacts. These mitigation measures represent standard capacity improvements that are typically implemented by NYCDOT.

***Saturday Traffic***

Subsequent to issuance of the DEIS, Saturday peak hour traffic conditions were analyzed at thirteen of the 30 study area intersections, as requested by NYCDOT. Potential significant adverse traffic impacts were identified at seven locations under the future With-Action condition, with slightly fewer (six) impact locations anticipated absent the Halletts Point development. Table S-4b summarizes the potential significant adverse Saturday traffic impacts under both future With-Action conditions (the RWCDs With-Action condition and the Alternate With-Action condition [without Halletts Point]) and whether the identified impacts could be fully or partially mitigated with the implementation of traffic improvement measures or could not be mitigated.

**Table S-4b: Comparison of Saturday Traffic Impact Mitigation under the RWCDS With-Action Condition and the Alternate With-Action Condition**

	<b>With-Action Condition</b>	<b>Alternate With-Action Condition</b>
No significant impact	6	7
Impact could be fully mitigated	2	5
Impact could be partially mitigated	4	0
Unmitigated impact	1	1

The overall finding of the Saturday traffic mitigation analysis is that in the RWCDS With-Action condition nine of the 13 analyzed intersections would either not experience significant impacts or could be fully mitigated with readily implementable traffic improvement measures, including the installation of a traffic signal at a currently unsignalized intersection, signal timing changes, parking regulation changes to gain a travel lane at key intersections, and lane restripings. The remaining four analyzed intersections would either be unmitigated or partially mitigated in the Saturday midday peak hour and, therefore, would be considered unavoidable significant adverse impacts. In comparison, should Halletts Point not be completed by the 2023 Build Year, 12 of the 13 analyzed intersections would either not experience significant impacts or could be fully mitigated with readily implementable traffic improvement measures during the Saturday midday peak hour. The one remaining analyzed intersections would be unmitigated in the Saturday midday peak hour and, therefore, would be considered an unavoidable significant adverse impact. The mitigation measures represent standard capacity improvements that are typically implemented by NYCDOT.

***Transit***

Subway Station Operations

The proposed project would result in potential significant adverse subway impacts at the 30<sup>th</sup> Avenue (N and Q line) Station’s northwest street stair in the PM peak hour and at the southbound fare array in the AM peak hour.

In consultation with DCP (the lead agency) and NYCT, and in consideration of the feasibility and practicality of potential mitigation measures, it was determined that the identified significant adverse 30<sup>th</sup> Avenue Station fare array and street stair impacts could be mitigated by relocating the proposed N/Q-line shuttle stop from the 30<sup>th</sup> Avenue Station to the Astoria Boulevard Station.

While the Proposed Action would not result in significant adverse subway line haul impacts, NYCT expressed concerns about the future capacity of the N/Q line due to the proposed project and other recently approved projects in the area. To address this concern, the Applicant has committed to provide two mitigation shuttle routes: one to the Astoria Boulevard (N/Q) Station, and a second route to the 21<sup>st</sup> Street-Queensbridge (F) Station.

As the identified subway station impacts would occur upon completion and occupancy of Building 1 in the final phase of the project’s development, the proposed shuttle rerouting mitigation would be required at this time. Implementation of the subway mitigation would be outlined in the Restrictive Declaration, to be recorded.

Bus Line Haul

Under future With-Action conditions, the Q103 bus route would experience significant adverse impacts in the southbound direction during both the weekday AM and PM peak hours, as well as in the northbound direction during the weekday PM peak hour. Potential mitigation measures include service adjustments to these lines, subject to changes in bus ridership and NYCT and MTA Bus Company fiscal and operational constraints.

## **Construction**

### ***Transportation***

The highest amount of construction traffic associated with construction of the proposed project is anticipated in the fourth quarter of 2022. During this peak construction traffic period, the total number of construction-related and operational vehicle trips generated from the proposed project would be approximately 59 percent and 34 percent less than the total number of vehicle trips generated by the proposed project in the 2023 Build Year's AM and PM peak hours, respectively. Nevertheless, incremental vehicle trips in the 2022 (Q4) construction traffic period are expected to result in significant adverse impacts at three of the five intersections analyzed for potential construction traffic-related impacts: 27<sup>th</sup> Avenue at 4<sup>th</sup> Street; 27<sup>th</sup> Avenue at 8<sup>th</sup> Street; and 27<sup>th</sup> Avenue at 9<sup>th</sup> Street. By early implementation of the same mitigation measures as those proposed to mitigate the projected 2023 full-build traffic impacts, two of the three impacted intersections would be fully mitigated. Impacts at the intersection of 27<sup>th</sup> Avenue and 8<sup>th</sup> Street would be partially mitigated and/or unmitigated during the construction traffic peak hours, as under full build conditions.

## **H. ALTERNATIVES**

### **No-Action Alternative**

The No-Action Alternative examined future conditions absent the Proposed Action (i.e., none of the discretionary approvals proposed as part of the Proposed Action would be adopted). Under the No-Action Alternative, existing zoning would remain in the area affected by the Proposed Action and it is assumed that two residential buildings with a combined 166 market-rate residential units would be constructed as-of-right on the upland parcels. No affordable housing would be developed on the project site under the No-Action Alternative. All existing industrial uses on the waterfront parcels would remain. It is further anticipated that 83 accessory parking spaces would be developed and portions of 8<sup>th</sup> Street and/or 26<sup>th</sup> Avenue would be constructed in order to satisfy New York City zoning and DOB requirements.

The significant adverse community facilities, active open space, transportation, and construction traffic impacts anticipated for the Proposed Action would not occur under the No-Action Alternative. Many of the study area intersection movements that are congested under existing conditions would continue to operate at the same level of service with slight increases in volume-to-capacity (v/c) ratios and delays. Subway station elements and area bus routes would similarly be increasingly congested under the No-Action Alternative. As no Restrictive Declaration would be recorded outlining requirements pertaining to potential archaeological resources, potential impacts on archaeological resources could occur due to construction on the upland parcels under the No-Action Alternative. Compared to the mitigation measures identified for the Proposed Action, this alternative would require less mitigation to address the significant adverse impacts that would result from its development.

However, the No-Action Alternative would not meet the goals and objective of the Proposed Action. The benefits expected from the Proposed Action including improvements to the area street network, the provision of waterfront open space, improving public access and visual corridors to the waterfront, the construction of new stormwater outfalls and associated infrastructure improvements, the provision of a new elementary school, and the creation of much-needed residential units, local retail, and a supermarket, would not be realized under the No-Action Alternative.

### **Lower Density Alternative**

A Lower Density Alternative to the Proposed Action was developed to determine whether the impacts to community facilities, open space, urban design, transportation, and/or construction traffic could be reduced or eliminated while accomplishing the purpose and need established for the Proposed Action. The Lower Density

Alternative would result in 267 fewer DU compared to the Proposed Action, including 33 fewer affordable DU; the same amount of commercial and community facility square footage (109,470 gsf and 62,248 gsf, respectively) and open space (1.92 acres) would be developed under both scenarios.

The Lower Density Alternative would still result in significant adverse impacts on community facilities, active open space, transportation, and construction traffic. The Lower Density Alternative is expected to result in the same number of significant adverse traffic impacts than the Proposed Action, and would result in three fewer partially mitigated or unmitigated significant adverse traffic impacts. In addition, both the Lower Density Alternative and the Proposed Action would result in significant adverse bus line haul and subway station element impacts. As the Lower Density Alternative would not substantially alter the anticipated construction schedule, similar or slightly lesser construction traffic and construction noise impacts are anticipated under this alternative. These impacts could be mitigated using the same mitigation measures identified for the Proposed Action, with slightly lesser mitigation needed to mitigate the child care and bus impacts.

Overall, although the Lower Density Alternative would meet a number of the goals and objective of the Proposed Action, it would do so to a lesser degree than the Proposed Action. Specifically, as the Lower Density Alternative would result in fewer residential units, it would be less supportive of the objective of the Proposed Action to create opportunities for new housing development, including affordable housing, while continuing to result in significant adverse impacts on community facilities, active open space, transportation, and construction traffic.

### **Ferry Alternative**

The Ferry Alternative analyzes the provision of a ferry dock on the upland parcel and the establishment of a ferry route to the project site that would serve the proposed project's residents and workers, as well as the greater Astoria neighborhood. As under the Proposed Action, the Ferry Alternative would result in the development of approximately 1,689 dwelling units (approximately 1,689,416 gsf of residential floor area), of which 295 dwelling units would be affordable; approximately 109,470 gsf of local retail space, including an approximately 25,000 gsf supermarket; a site for an elementary school with approximately 456 seats (PK-5); and approximately 900 accessory parking spaces. For analysis purposes it is assumed that up to approximately 0.36 acres of additional passive open space (comprised of the ferry pier) would be developed under this alternative, for a total of 2.28 acres of open space. While the provision of ferry service at the project site is being considered at this time, it should be noted that this would be contingent upon City funding to extend ferry service to this area and would be a discretionary action subject to City approval.

As the Ferry Alternative would not alter the proposed project's building bulk or program, the community facilities, open space, transportation, and construction traffic impacts associated with the Proposed Action are similarly anticipated under the Ferry Alternative, and therefore, similar measures would mitigate these identified significant adverse impacts. The Ferry Alternative would result in minor decreases in subway demand from both the proposed project and the surrounding area, and therefore would likely lessen the anticipated impacts at the 30<sup>th</sup> Avenue (N and Q lines) Station. The Ferry Alternative would result in a minor increase in traffic volumes (less than five additional vehicles in any peak hour), and therefore would result in minor incremental increases in mobile source noise and air quality emissions. However, as the Ferry Alternative would require additional discretionary actions not being sought at this time, a separate environmental assessment would be conducted at a later date if this alternative is pursued.

### **No Unmitigated Significant Adverse Impacts Alternative**

The No Unmitigated Significant Adverse Impact Alternative examines a scenario in which the density of the Proposed Action is changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Action. There is the potential for unmitigated impacts in the areas of active open space, traffic,

and construction traffic. The proposed mitigation measures would fully mitigate all of the significant adverse community facilities and transit impacts.

In order to result in no unmitigated significant adverse impacts, development on the project site would have to be reduced by up to approximately 89 percent, including an 86 percent reduction in residential units (to 241 DU) and no community facility or commercial uses on the project site. As such, this alternative would be unlikely to include affordable residential units. Overall, this alternative would be less successful than the Proposed Action at meeting the project's goals of providing opportunities for new residential and commercial development; enhancing and upgrading the waterfront area to provide waterfront access; creating opportunities for new housing development, including affordable housing; advancing the City's Comprehensive Waterfront Plan; and creating a superior site plan, building layout, and design.

## **I. UNAVOIDABLE ADVERSE IMPACTS**

### ***Public Elementary Schools***

The Proposed Action would include a site for a 456-seat elementary school, which would add much-needed elementary school capacity to CSD 30, Sub-district 3 and lower the future elementary school utilization rate, compared to the 2023 No-Action condition. The elementary school will be constructed pursuant to an LOI, dated April 17<sup>th</sup>, 2014, entered into between the Applicant and the SCA. The Restrictive Declaration entered into in connection with the project will require the Applicant to work with the SCA in accordance with the terms set forth in the LOI to implement construction of the elementary school, which is contemplated for purposes of this environmental review in the final phase of the proposed project's development, as outlined in the ULURP Phasing Plan. Therefore, the Proposed Action would result in a temporary significant adverse impact on CSD 30, Sub-district 3 elementary schools upon occupancy of Building 2. The Proposed Action would not result in any significant adverse impacts on intermediate schools or high schools. To mitigate the potential temporary significant adverse elementary school impact, the proposed 456-seat elementary school would need to be constructed prior to completion and occupancy of Building 2. Absent this change in the proposed project's phasing schedule, a temporary unmitigated significant adverse impact to elementary schools would result.

### ***Child Care***

Following *CEQR Technical Manual* methodology, the proposed project would result in a significant adverse impact to publicly funded child care facilities. Mitigation measures for this significant adverse impact will possibly include adding capacity to existing facilities if determined feasible through consultation with ACS or providing a new child care facility within or near the project site. As a City agency, ACS does not directly provide new child care facilities, but, rather, contracts with providers in areas of need. ACS is also working to create public-private partnerships to facilitate the development of new child care facilities where there is an area of need. As part of this initiative, ACS may be able to contribute capital funding, if it is available, towards such projects to facilitate the provision of new facilities. Mitigation measures for this significant adverse impact will continue to be explored by the Applicant in consultation with the lead agency, DCP, and ACS, and will be refined between the Draft and Final EIS.

The Restrictive Declaration for the proposed project will require the Applicant to work with ACS to develop appropriate mitigation measures to provide additional capacity, if needed, as the project in its entirety is completed. Absent the implementation of such needed mitigation measures, the proposed project could have an unmitigated significant adverse impact on publicly funded child care facilities.

## **Open Space**

As the Proposed Action would result in a substantial decrease in the active open space ratio in the residential study area, and the active open space ratio would be below the City's guideline ratio in the future, the Proposed Action would result in a significant adverse active open space impact. In order to address the significant adverse impact on active open space, the Applicant would be required to upgrade or replace adult fitness equipment and construct a comfort station at Whitey Ford Field. These improvements would increase the utility of Whitey Ford Field and its capacity to meet the active open space needs of the study area, and therefore would constitute partial mitigation of the potential significant adverse impact on active open space. Improvements to Whitey Ford Field would occur during Phase 3 of the proposed ULURP Phasing Plan (i.e., before a Temporary Certificate of Occupancy is granted for the 688<sup>th</sup> DU). As the implementation of the above-described measures would constitute partial mitigation of the potential significant adverse impact on open space, the Proposed Action would result in an unavoidable adverse impact on open space.

## **Transportation**

### ***Traffic***

In the 2023 future, vehicle volumes in the traffic study area are expected to increase due to both the Astoria Cove and nearby Halletts Point project. As such, in addition to the RWCDs No-Action and With-Action conditions, an alternate future condition without the Halletts Point development and the associated traffic mitigation measures identified in the 2013 *Halletts Point Rezoning FEIS* was conducted to determine whether the disclosed impacts would occur absent the Halletts Point development. Potential significant adverse traffic impacts were identified at a number of locations in the traffic study area under the future With-Action condition, with slightly fewer anticipated absent the Halletts Point development.

Many of the intersections expected to experience significant adverse traffic impacts could be mitigated through implementation of standard traffic improvements such as installing traffic signals at currently unsignalized intersections, modifying signal timing, changing parking regulation to gain a travel lane at key intersections, and restriping lanes. However, as described below, in some cases, traffic impacts from the proposed project would not be fully mitigated in the RWCDs With-Action condition and/or the Alternate With-Action condition. Specifically, 16 of the 30 analyzed intersections that would have significant adverse traffic impacts in the future With-Action condition could not be fully mitigated in at least one weekday peak hour, and four of the 13 intersections included in the weekend analysis could not be mitigated in the Saturday midday peak hour. In comparison, should Halletts Point not be completed by the 2023 Build Year (the Alternate With-Action condition), seven of the 30 study area intersections that would have significant adverse traffic impacts could not be fully mitigated in at least one weekday peak hour, and one of the 13 intersections for the weekend analysis could not be mitigated in the Saturday midday peak hour. Because these impacts would not be fully mitigated, they are considered unavoidable adverse impacts.

### ***Transit***

#### **Bus Line Haul**

The Proposed Action would result in potential significant adverse bus line haul impacts on the southbound Q103 during the weekday AM peak hour and on the northbound and southbound Q103 during the weekday PM peak hour. NYCT and MTA Bus routinely monitor changes in bus ridership and, subject to the agencies' fiscal and operational constraints, make necessary service adjustments where warranted. The identified potential impacts could be mitigated if increased service adjustments are made. If adjustments are not made, these impacts would be considered unavoidable.

## **Construction**

### ***Transportation***

The highest amount of construction traffic associated with construction of the proposed project is anticipated in the fourth quarter of 2022. Incremental vehicle trips (including both construction-related and operational trips) in the 2022 (Q4) construction traffic period are expected to result in significant adverse impacts at three of the five intersections analyzed for potential construction traffic-related impacts. At all other study area intersections where significant adverse traffic impacts are anticipated for the proposed project's full build, similar or lesser impacts are anticipated. By applying early the same mitigation measures as those proposed for mitigation for the proposed project's full build-out, two of the three impacted intersections would be fully mitigated. However, the anticipated significant adverse impact at the intersection of 27<sup>th</sup> Avenue and 4<sup>th</sup> Street would be only partially mitigated during the 3-4 PM construction peak hour. Because the traffic impact at this location could not be fully mitigated, it is considered an unavoidable adverse impact. This same location would also not be fully mitigated in the 2023 full build-out conditions.

## **J. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTION**

As set forth in the *CEQR Technical Manual*, growth-inducing aspects of a proposed action generally refer to "secondary" impacts of a proposed action that trigger further development. The Proposed Action would expand future development opportunities while providing incentive for affordable housing through the Inclusionary Housing Program. In addition, the proposed mapping action would connect the existing neighborhoods in the vicinity of the project site.

The projected increase in residential population is likely to increase the demand for neighborhood services in the surrounding area, ranging from religious establishments to banks and local retail. The Proposed Action could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction of the proposed project and operation of the development after its completion.

The Proposed Action is not expected to induce additional notable growth outside of the project site. This residential growth is anticipated to occur independent of the Proposed Action, and the new uses introduced by the proposed project would not trigger additional residential development outside of the project site. In addition, the proposed project's retail uses would not represent a new type of use within the study area and would serve both existing residents and future consumer demand.

The proposed project would improve existing infrastructure on and around the project site. However, the study area is sufficiently well-developed such that improvements associated with the Proposed Action would not induce additional notable growth outside of the project site.

## **K. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Resources, both natural and man-made, would be expended in the construction and operation of the development facilitated by the Proposed Action. These are considered irretrievably committed resources because their reuse for some other purposes would be highly unlikely. Examples of irreversible and irretrievably committed resources that would be expended in conjunction with the Proposed Action include: the land use changes associated with the proposed rezoning action, which constitutes a long-term commitment of land resources; funds committed to the design, construction/renovation, and operation of the proposed project; and the public services provided in connection with the proposed project. These commitments of resources and materials are weighed against the Proposed Action's goals of transforming a largely underused waterfront area into a new, enlivened mixed-use development, including much-needed affordable housing and neighborhood retail as well as a 456-seat public elementary school, while providing new publicly accessible

waterfront open space and transportation and infrastructure improvements that would serve both the existing residential population and new residents from the proposed project.

## **L. POTENTIAL MODIFICATIONS TO THE PROPOSED PROJECT**

Following discussions with DCP, and in response to the interest expressed by Queens CB 1 and local elected officials, including Queens Borough President Melinda Katz and Council Member Costa Costantinides, regarding expanding opportunities for affordable housing in relation to Astoria Cove, the Applicant has proposed modifications to the Proposed Action. Specifically, the Applicant has proposed modifications to the LSGD special permits (ULURP No. C140323(A)ZSQ), waterfront special permit (ULURP No. C140324(A)ZSQ), and zoning text amendment (ULURP No. N140329(A)ZRQ).

Under the Modified Action, the IHP zoning regulations would be extended to the proposed R7A and R6B zoning districts in addition to the R7-3 zoning district under the Proposed Action, facilitating the development of an additional 34,103 gsf of residential floor area comprised of approximately 34 additional residential units. The Modified Action would incorporate a mandatory inclusionary housing requirement, with the development of residential floor area conditioned on the provision of affordable housing based on the standards set forth in the IHP. By adding the proposed R7A and R6B districts to the proposed inclusionary housing-designated area, the Modified Action would require that a minimum of 20 percent of the proposed project's total residential floor area be permanently affordable. The Modified Action would also apply existing provisions of the IHP that allow the option of providing a share of affordable units for moderate- or middle-income households, if an increased share of floor area is made affordable. While the Applicant intends that the proposed affordable units would be provided without public subsidy, the modified proposed text amendment provides that in the event that public funding is used, the CPC, in consultation with HPD, may determine that a share of the units supported by public funding shall not be used to satisfy the IHP requirement. The proposed zoning text amendment for the Modified Action is included in its entirety in Appendix J of the FEIS.

### **Proposed Modified Project**

The Modified Action would increase the allowable residential floor area by approximately 34,103 gsf. This would result in a total development of approximately 1,723 dwelling units (34 more than under the Proposed Action), including 345 affordable units (50 more than under the Proposed Action). The 34 additional dwelling units would result in an additional 79 residents<sup>1</sup> for the proposed modified project. In addition, under the modified proposal the market-rate and affordable dwelling units would be redistributed (within Buildings 1, 4, and 5), to provide affordable housing in all of the proposed buildings. As described in greater detail below, the additional allowable residential floor would be located in Building 1 of the Applicant's development project.

Table S-5, below, compares the proposed project with the proposed modified project. As indicated in the table, the total commercial, community facility, parking, and open space area would remain the same; an additional 50 affordable DU would be provided, with sixteen fewer market-rate units.

Table S-6, below, compares the number of market-rate and affordable residential units by building under the Proposed Action and under the Modified Action. As indicated in the table, an additional 28 affordable dwelling units would be developed on the upland parcel (along with 28 fewer market-rate DU), and an additional 22 affordable DU and 12 market-rate DU would be developed in Building 1; the Building 2 and 3 programs would not change.

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<sup>1</sup> Based on the 2010 Census average household size for Queens Community District 1 of 2.34.

**Table S-5: Comparison of the Proposed Action and the Modified Action**

Land Use	Proposed Action	Modified Action	Increment
Residential			
- gsf	1,689,416	1,723,519	+ 34,103
- total DU	1,689	1,723	+ 34
- market-rate DU	1,394	1,378	- 16
- affordable DU	295	345	+ 50
Commercial	109,470	109,470	0
Community Facility (school)	62,248	62,248	0
Parking			
- gsf	298,086	298,086	0
- spaces	900	900	0
Open Space	83,846 (1.92 acres)	83,846 (1.92 acres)	0

**Table S-6: Comparison of Market-Rate and Affordable Residential Units by Building—Proposed Action and Modified Action**

Building	Affordable			Market-Rate			Total Residential		
	Proposed Action	Modified Action	Increment	Proposed Action	Modified Action	Increment	Proposed Action	Modified Action	Increment
<i>Waterfront Parcel</i>									
<b>Building 1</b>	112 DU (112,494 gsf)	134 DU (134,655 gsf)	+ 22 DU (+22,161 gsf)	527 DU (526,674 gsf)	539 DU (538,617 gsf)	+ 12 DU (+11,943 gsf)	639 DU (639,168 gsf)	673 DU (673,271 gsf)	+ 34 DU (+34,103 gsf)
<b>Building 2</b>	114 DU (113,593 gsf)	114 DU (113,593 gsf)	No Change	454 DU (454,370 gsf)	454 DU (454,370 gsf)	No Change	568 DU (567,963 gsf)	568 DU (567,963 gsf)	No Change
<b>Building 3</b>	69 DU (68,756 gsf)	69 DU (68,756 gsf)	No Change	275 DU (275,025 gsf)	275 DU (275,025 gsf)	No Change	344 DU (343,781 gsf)	344 DU (343,781 gsf)	No Change
<i>Upland Parcel</i>									
<b>Buildings 4 and 5</b>	0 DU (0 gsf)	28 DU (27,701 gsf)	+ 28 DU (+27,701 gsf)	138 DU (138,504 gsf)	110 DU (110,803 gsf)	- 28 DU (-27,701 gsf)	138 DU (138,504 gsf)	138 DU (138,504 gsf)	No Change

As also indicated in Table S-6, the residential floor area of Buildings 2, 3, 4, and 5 would remain as under the Proposed Action; Building 1 would increase its residential floor area by 34,103 gsf. The additional Building 1 floor area would result in an increase in Building 1's northern tower by approximately twenty feet (from 292 feet to 312 feet) and an increase in Building 1's southern tower by approximately thirty feet (from 222 feet to 252 feet).

**Probable Impacts of the Modified Action**

As described above, the Modified Action would result in an increase of 34,103 gsf of residential floor area (34 DU). The overall construction phasing and schedule for the Applicant's proposed modified project would remain the same under the Modified Action and, therefore, the buildings would be constructed in the order of Building 4/5 in the first phase followed by Building 3, Building 2, and finally Building 1 in the fourth and final phase.

The Modified Action would not change the overall proposed land uses, the building footprints, or the construction schedule and, therefore, no additional environmental analyses were required for historic and cultural resources; natural resources; hazardous materials; or construction. An assessment was conducted for the following environmental impact categories that could be affected by the proposed modifications to the Astoria Cove project: land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; urban design and visual resources; water and sewer infrastructure; energy; transportation; air quality; greenhouse gas; noise; public health; and neighborhood character. As with the Proposed Action, the Modified Action would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; public libraries; total or passive open space; shadows; urban design and visual resources; water and sewer infrastructure; energy; pedestrians; vehicular parking; air quality; greenhouse gas; noise; public health; or neighborhood character.

The Modified Action would result in the same significant adverse impacts as the Proposed Action. These significant adverse impacts included community facilities (public schools and child care), active open space, vehicular traffic, public transit (subway and bus), and construction-related traffic. Furthermore, the impacts would be mitigated to the same extent as under the Proposed Action. The (E) designations identified for the Proposed Action would require a minor modification under the Modified Action.

*Community Facilities – Public Schools:* Both the Proposed Action and the Modified Action could result in a temporary significant adverse impact as the proposed elementary school, which is contemplated for purposes of this environmental review in the final phase of the proposed project's development, would need to be constructed prior to completion and occupancy of Building 2 (Phase 3).

*Community Facilities – Child Care:* The Modified Action would result in need to provide 26 child care slots in coordination with ACS in comparison to the 21 slots necessary under the Proposed Action. As the Modified Action would redistribute the affordable residential units throughout the entirety of the project site, rather than just the waterfront parcel as under the Proposed Action, the Modified Action would trigger the identified child care impact earlier in the proposed project's development. It would occur upon completion of Building 3 in the second phase of the proposed project's construction under the Modified Action versus upon completion and occupancy of Building 2 in the third phase for the Proposed Action.

*Active Open Space:* As the proposed project's construction program would not change under the Modified Action, the timing of the active open space impact would similarly occur upon completion and occupancy of Building 2 (Phase 3). The open space mitigation measures for both the Proposed Action and the Modified Action consist of upgrading or replacing adult fitness equipment and constructing a comfort station at Whitey Ford Field.

*Vehicular Traffic:* The Modified Action would slightly worsen conditions at some intersections where significant adverse impacts were identified and mitigation was proposed for the Proposed Action. The mitigation measures would be the same as under the Proposed Action, with minor changes in signal timing at the proposed new signal at 27<sup>th</sup> Avenue and 9<sup>th</sup> Street in the weekday PM peak period. As the proposed project modifications would only increase the total floor area of Building 1, which would be constructed in the final phase of the project's construction, the mitigation implementation timing would not change.

*Public Transit:* The Modified Action, as under the Proposed Action, would result in potential significant adverse subway impacts at the 30<sup>th</sup> Avenue Station's northwest street stair in the weekday PM peak period and at the southbound fare array in the weekday AM peak period. In consideration of the feasibility and practicality of potential mitigation measures, it was determined that these impacts could be mitigated by relocating the project's proposed N/Q-line shuttle stop from the 30th Avenue Station to the Astoria Boulevard Station.

*Public Transit – Bus:* Potential significant adverse bus line haul impacts on the Q103 bus route are anticipated under both the Proposed Action and the Modified Action. While NYCT and MTA Bus Company routinely

monitor changes in bus ridership and would make the necessary service adjustments where warranted, these service adjustments are subject to the agencies' fiscal and operational constraints and, if implemented, are expected to take place over time.

*Construction-related Traffic:* Vehicle trips during the proposed modified project's peak construction period are expected to result in significant adverse impacts at three of the five intersections analyzed for potential construction traffic-related impacts. All other study area intersections where significant adverse operational traffic impacts are anticipated, similar or lesser impacts are anticipated during the construction traffic peak period. Early implementation of the same mitigation measures as those proposed to mitigate operational vehicular traffic impacts would address the construction-related impacts.

*(E) designations:* The hazardous material (E) designation would be the same as for the Proposed Action and the air quality (E) designation for Buildings 1 would still require a restriction on fuel type (natural gas) with controlled low NO<sub>x</sub> boilers with flue gas recirculation, with different restrictions on stack location and height.



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