



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • Please fill out and submit to the appropriate agency ([see instructions](#))

Part I: GENERAL INFORMATION

1. Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)? ☐ YES ☒ NO

If "yes," STOP and complete the [FULL EAS FORM](#).

2. Project Name Plaza 48 Special Permit

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)

19DCP121Q

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)

190443ZSQ

OTHER REFERENCE NUMBER(S) (if applicable)

(e.g., legislative intro, CAPA)

4a. Lead Agency Information

NAME OF LEAD AGENCY

Department of City Planning

4b. Applicant Information

NAME OF APPLICANT

3500 48th Street Owner LLC

NAME OF LEAD AGENCY CONTACT PERSON

Olga Abinader

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

Vincent Petraro

ADDRESS 120 Broadway, 31st Floor

ADDRESS 350 Seventh Avenue, Suite 1703

CITY New York

STATE NY

ZIP 10271

CITY New York

STATE NY

ZIP 10001

TELEPHONE (212) 720-3493

EMAIL

OABINAD@planning.nyc.gov

TELEPHONE (212) 736-

0525

EMAIL vpetraro@gmail.com

5. Project Description

The applicant seeks a CPC Special Permit pursuant to ZR 74-922 to allow the flexibility in re-tenanting space at an existing retail facility; specifically, space within Building 2, which currently has a vacancy of 39,912 sf. The action would allow Use Group 6A and/or 10A establishment(s) with no limitation on floor area per establishment at 34-50 48th Street in the Long Island City neighborhood of Community District 1, Queens.

Project Location

BOROUGH Queens

COMMUNITY DISTRICT(S) 1

STREET ADDRESS 34-50 48th Street

TAX BLOCK(S) AND LOT(S) Block 143, Lot 10 and 21

ZIP CODE 11101

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS 48th Street near Northern Boulevard

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1

ZONING SECTIONAL MAP NUMBER 9b

6. Required Actions or Approvals (check all that apply)**City Planning Commission:** ☒ YES ☐ NO☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)☐ CITY MAP AMENDMENT☐ ZONING CERTIFICATION☐ CONCESSION☐ ZONING MAP AMENDMENT☐ ZONING AUTHORIZATION☐ UDAAP☐ ZONING TEXT AMENDMENT☐ ACQUISITION—REAL PROPERTY☐ REVOCABLE CONSENT☐ SITE SELECTION—PUBLIC FACILITY☐ DISPOSITION—REAL PROPERTY☐ FRANCHISE☐ HOUSING PLAN & PROJECT☐ OTHER, explain:☒ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION ZR 74-922

Board of Standards and Appeals: ☐ YES ☒ NO☐ VARIANCE (use)☐ VARIANCE (bulk)☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

| | | | | |
|--|---|---|-------------------------------|------------------------------------|
| Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify: | | | | |
| Other City Approvals Subject to CEQR (check all that apply) | | | | |
| <input type="checkbox"/> LEGISLATION | <input type="checkbox"/> FUNDING OF CONSTRUCTION, specify: | | | |
| <input type="checkbox"/> RULEMAKING | <input type="checkbox"/> POLICY OR PLAN, specify: | | | |
| <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES | <input type="checkbox"/> FUNDING OF PROGRAMS, specify: | | | |
| <input type="checkbox"/> 384(b)(4) APPROVAL | <input type="checkbox"/> PERMITS, specify: | | | |
| <input type="checkbox"/> OTHER, explain: | | | | |
| Other City Approvals Not Subject to CEQR (check all that apply) | | | | |
| <input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) | | <input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL | | |
| | | <input type="checkbox"/> OTHER, explain: | | |
| State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify: | | | | |
| 7. Site Description: The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area. | | | | |
| Graphics: The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches. | | | | |
| <input checked="" type="checkbox"/> SITE LOCATION MAP | <input checked="" type="checkbox"/> ZONING MAP | <input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP | | |
| <input checked="" type="checkbox"/> TAX MAP | <input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S) | | | |
| <input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP | | | | |
| Physical Setting (both developed and undeveloped areas) | | | | |
| Total directly affected area (sq. ft.): 315,274 | | Waterbody area (sq. ft) and type: 0 | | |
| Roads, buildings, and other paved surfaces (sq. ft.): 315,274 | | Other, describe (sq. ft.): | | |
| 8. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action) | | | | |
| SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 136,460 | | | | |
| (existing) | | | | |
| NUMBER OF BUILDINGS: 3 (existing) | | GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): See EAS Section 1 | | |
| HEIGHT OF EACH BUILDING (ft.): Bldg 1 & 2: 29 ft; Bldg 3: 18 ft | | NUMBER OF STORIES OF EACH BUILDING: 1 story each building | | |
| Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | |
| If "yes," specify: The total square feet owned or controlled by the applicant: | | | | |
| The total square feet not owned or controlled by the applicant: | | | | |
| Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | |
| If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known): | | | | |
| AREA OF TEMPORARY DISTURBANCE: | | sq. ft. (width x length) | VOLUME OF DISTURBANCE: | cubic ft. (width x length x depth) |
| AREA OF PERMANENT DISTURBANCE: | | sq. ft. (width x length) | | |
| Description of Proposed Uses (please complete the following information as appropriate) | | | | |
| | Residential | Commercial | Community Facility | Industrial/Manufacturing |
| Size (in gross sq. ft.) | 0 | 136,460 | 0 | 0 |
| Type (e.g., retail, office, school) | 0 units | Retail (UG 6 and/or 10) | | |
| Does the proposed project increase the population of residents and/or on-site workers? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | |
| If "yes," please specify: | | NUMBER OF ADDITIONAL RESIDENTS: | NUMBER OF ADDITIONAL WORKERS: | |
| Provide a brief explanation of how these numbers were determined: | | | | |
| Does the proposed project create new open space? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify size of project-created open space: sq. ft. | | | | |
| Has a No-Action scenario been defined for this project that differs from the existing condition? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | | | |
| If "yes," see Chapter 2 , "Establishing the Analysis Framework" and describe briefly: Assumes vacant spaces would be re-tenanted. | | | | |

9. Analysis Year [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2020

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 2 months for interior fitout

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: N/A

10. Predominant Land Use in the Vicinity of the Project (check all that apply)
☐ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: See pg 2.1-3

Part II: TECHNICAL ANALYSIS


INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.


- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

| | YES | NO |
|---|-------------------------------------|-------------------------------------|
| 1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4 | | |
| (a) Would the proposed project result in a change in land use different from surrounding land uses? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Would the proposed project result in a change in zoning different from surrounding zoning? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Is there the potential to affect an applicable public policy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. | | |
| (e) Is the project a large, publicly sponsored project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," complete a PlaNYC assessment and attach. | | |
| (f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," complete the Consistency Assessment Form . | | |
| 2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5 | | |
| (a) Would the proposed project: | | |
| o Generate a net increase of 200 or more residential units? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Generate a net increase of 200,000 or more square feet of commercial space? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Directly displace more than 500 residents? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Directly displace more than 100 employees? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Affect conditions in a specific industry? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6 | | |
| (a) Direct Effects | | |
| o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Indirect Effects | | |
| o Child Care Centers: Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Libraries: Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Public Schools: Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Health Care Facilities and Fire/Police Protection: Would the project result in the introduction of a sizeable new neighborhood? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. OPEN SPACE: CEQR Technical Manual Chapter 7 | | |
| (a) Would the proposed project change or eliminate existing open space? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees? | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees? | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | YES | NO |
|--|--------------------------|-------------------------------------|
| 5. SHADOWS: CEQR Technical Manual Chapter 8 | | |
| (a) Would the proposed project result in a net height increase of any structure of 50 feet or more? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9 | | |
| (a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. | | |
| 7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10 | | |
| (a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11 | | |
| (a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources. | | |
| (b) Is any part of the directly affected area within the Jamaica Bay Watershed ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," complete the Jamaica Bay Watershed Form , and submit according to its instructions . | | |
| 9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12 | | |
| (a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) Has a Phase I Environmental Site Assessment been performed for the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: | | |
| 10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13 | | |
| (a) Would the project result in water demand of more than one million gallons per day? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) If the proposed project located in a separately sewered area , would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13 ? | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | YES | NO |
|---|--------------------------|-------------------------------------|
| (f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14 | | |
| (a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): N/A | | |
| o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. ENERGY: CEQR Technical Manual Chapter 15 | | |
| (a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): N/A | | |
| (b) Would the proposed project affect the transmission or generation of energy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. TRANSPORTATION: CEQR Technical Manual Chapter 16 | | |
| (a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions: | | |
| o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? | <input type="checkbox"/> | <input type="checkbox"/> |
| If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour? | <input type="checkbox"/> | <input type="checkbox"/> |
| If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line? | <input type="checkbox"/> | <input type="checkbox"/> |
| o Would the proposed project result in more than 200 pedestrian trips per project peak hour? | <input type="checkbox"/> | <input type="checkbox"/> |
| If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop? | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. AIR QUALITY: CEQR Technical Manual Chapter 17 | | |
| (a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed) | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Does the proposed project involve multiple buildings on the project site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18 | | |
| (a) Is the proposed project a city capital project or a power generation plant? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project fundamentally change the City's solid waste management system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. NOISE: CEQR Technical Manual Chapter 19 | | |
| (a) Would the proposed project generate or reroute vehicular traffic? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20 | | |
| (a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | YES | NO |
|---|--------------------------|-------------------------------------|
| Hazardous Materials; Noise? | | |
| (b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary. | | |
| 18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21 | | |
| (a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary. | | |
| 19. CONSTRUCTION: CEQR Technical Manual Chapter 22 | | |
| (a) Would the project's construction activities involve: | | |
| o Construction activities lasting longer than two years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Construction activities within a Central Business District or along an arterial highway or major thoroughfare? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o The operation of several pieces of diesel equipment in a single location at peak construction? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Closure of a community facility or disruption in its services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Activities within 400 feet of a historic or cultural resource? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Disturbance of a site containing or adjacent to a site containing natural resources? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. | | |
| 20. APPLICANT'S CERTIFICATION | | |
| I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records. | | |
| Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS. | | |
| APPLICANT/REPRESENTATIVE NAME Allison Ruddock | DATE May 14, 2019 | |
| SIGNATURE  | | |
| PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE. | | |

| Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency) | | |
|---|--|-------------------------------------|
| INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance. | | |
| 1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. | Potentially Significant Adverse Impact | |
| IMPACT CATEGORY | YES | NO |
| Land Use, Zoning, and Public Policy | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Socioeconomic Conditions | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Community Facilities and Services | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Open Space | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Shadows | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Historic and Cultural Resources | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Urban Design/Visual Resources | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Natural Resources | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Hazardous Materials | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Water and Sewer Infrastructure | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Solid Waste and Sanitation Services | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Energy | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Transportation | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Air Quality | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Greenhouse Gas Emissions | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Noise | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Public Health | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Neighborhood Character | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Construction | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Check determination to be issued by the lead agency: | | |
| <input type="checkbox"/> Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS). | | |
| <input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617. | | |
| <input checked="" type="checkbox"/> Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page. | | |
| 4. LEAD AGENCY'S CERTIFICATION | | |
| TITLE Acting Director, Environmental Assessment and Review Division | LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission | |
| NAME Olga Abinader | DATE 05/17/19 | |
| SIGNATURE  | | |

NEGATIVE DECLARATION (Use of this form is optional)**Statement of No Significant Effect**


Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed action sought before the NYC City Planning Commission would not have a significant adverse effect on the environment. Detailed analysis was not warranted in any technical area for this proposed action.

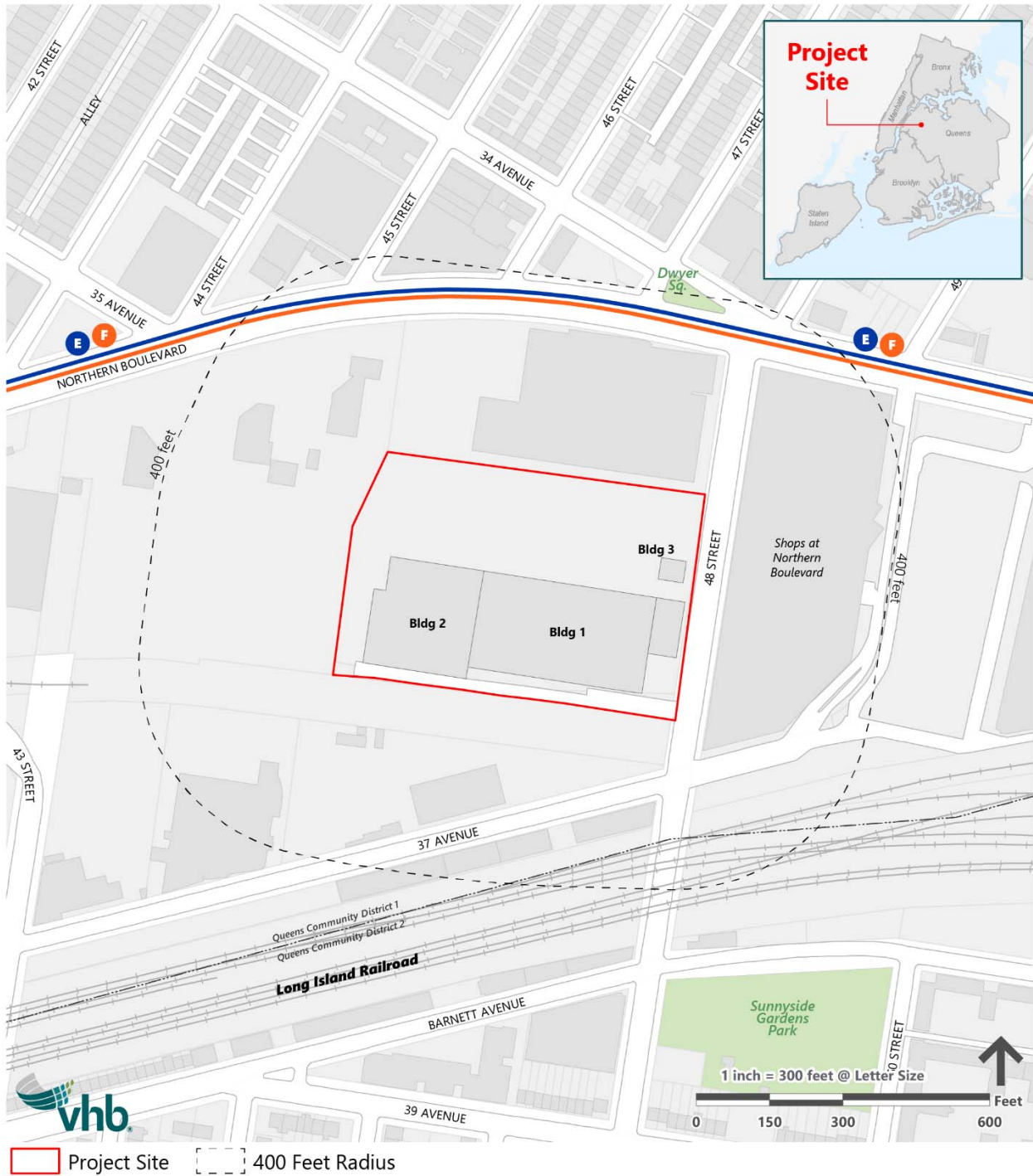
A preliminary assessment of the effects of the proposed action on land use, zoning, and public policy was conducted as part of this EAS. The proposed action would supersede an existing special permit to permit certain large retail establishments in an M1 district and expand it to cover additional floor area on the project site. The proposed action, a special permit, would only affect the project site. The proposed actions would provide additional flexibility in the use of the existing commercial retail buildings on the project site but are not anticipated to result in bulk changes or new development. The project site is located on Northern Boulevard, a major commercial thoroughfare in this area of Queens, which is currently developed with and suitable for large retail establishments. The effects of the proposed actions would be consistent with the land use characteristics and development trends of Northern Boulevard and would not result in significant adverse impacts to land use, zoning, and public policy; no further analysis is warranted.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA)

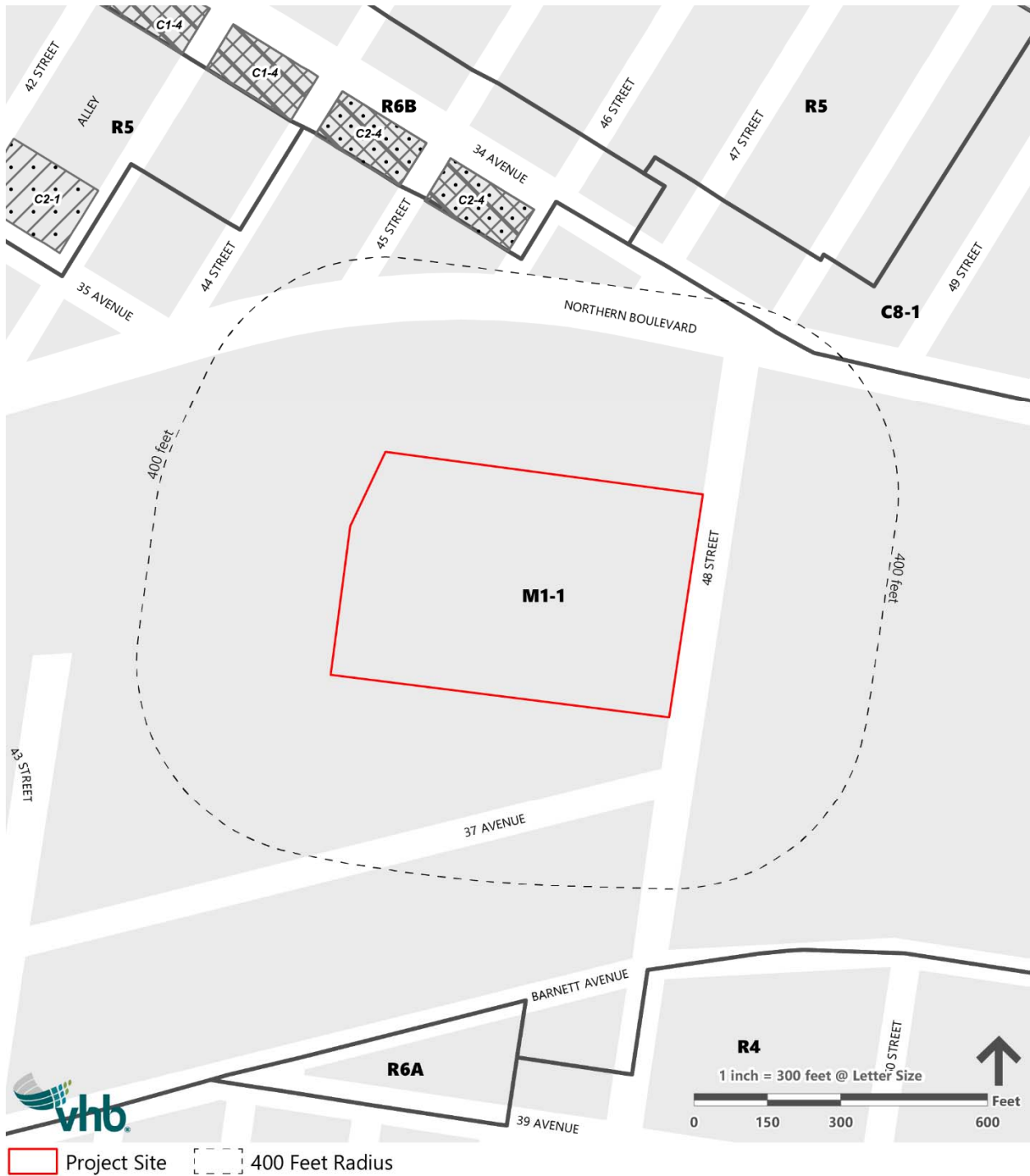
| | |
|--|--|
| TITLE Acting Director, Environmental Assessment and Review Division | LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission |
| NAME Olga Abinader | DATE 05/17/19 |
| SIGNATURE  | |

| | |
|--|------------------|
| TITLE Chair, City Planning Commission | |
| NAME Marisa Lago | DATE 05/20/19 |
| SIGNATURE | |

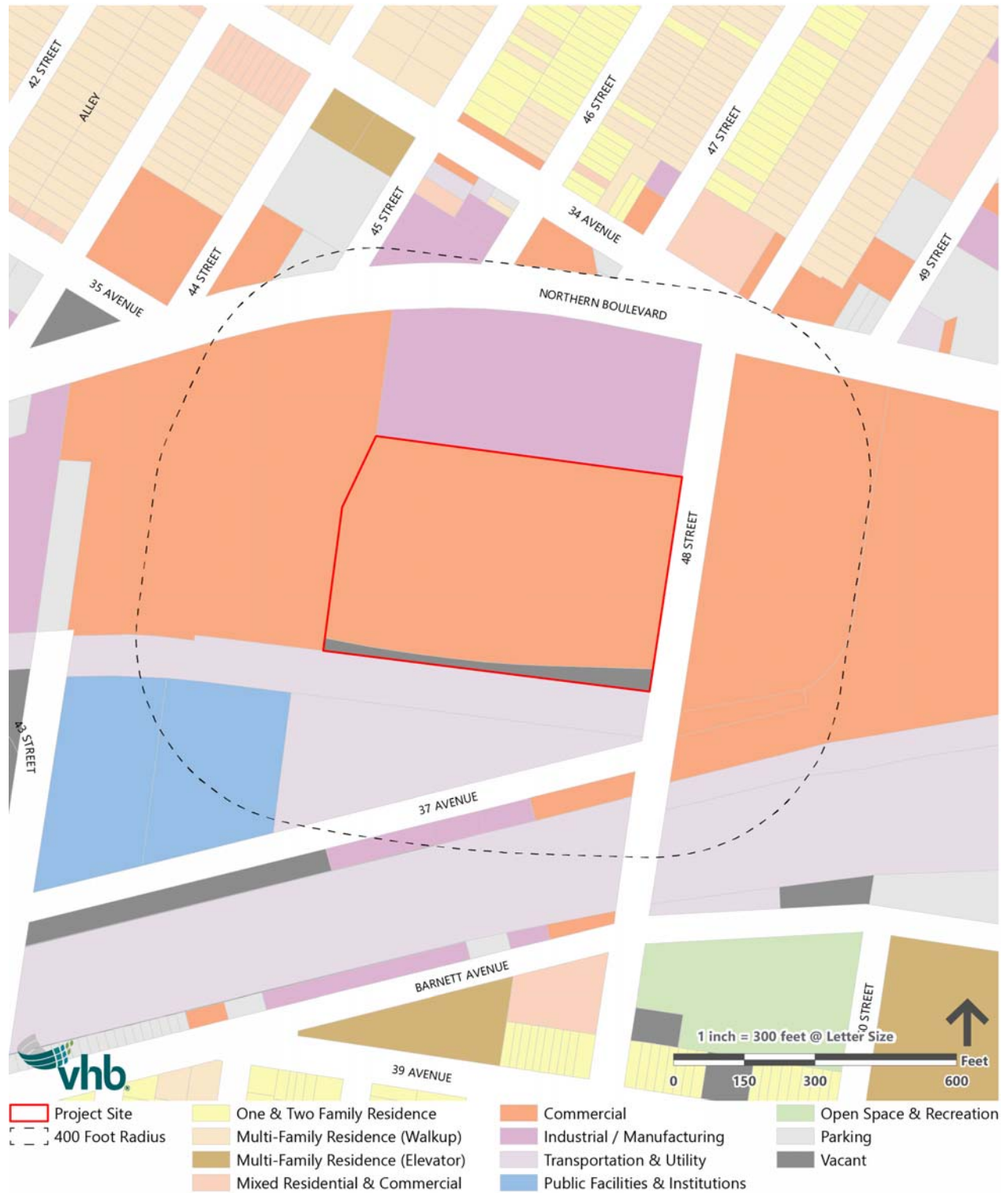
EAS Figure 1 Site Location Map



EAS Figure 2 Zoning Map



EAS Figure 3 Land Use Map



EAS Figure 4 Tax Map



EAS Figure 5 Aerial and Photo Key



Photo 1



Eastward view of northern façade of Buildings 1 and 2. Building 2 is the foreground. Both buildings are one story.

Photo 2



View across 48th Street towards eastern façade of Building 1. Building 1 loading areas can be seen in the foreground.

Photo 3



View west across Plaza 48 paved accessory parking lot towards the Manhattan skyline.

Photo 4



View of Building 1 northern façade across the Plaza 48 paved accessory parking lot.

Photo 5



View towards northern façade of Building 2 loading area and the space that has been vacated by Toys-R-Us.

Photo 6



View northeast towards Building 3, which currently operates as a Dunkin'.

Photo 7



View towards northern façade of Building 2 façade across the Plaza 48 paved accessory parking lot.

Photo 8



View of Building 1 southern (rear) façade, as seen from 48th Street.

Plaza 48 Special Permit

CEQR No.: 19DCP121Q

ULURP No.: 190443ZSQ

PREPARED FOR

3500 48th Street Owner LLC
3500 48th Street
Long Island City, NY, 11101

PREPARED BY



**VHB Engineering, Surveying,
Landscape Architecture, and
Geology, P.C.**

1 Penn Plaza
Suite 715
New York, NY 10119
212.857.7350

May 2019



1.0

Project Description

This chapter provides descriptive information about the requested discretionary land use action and the project that could be facilitated by the requested action. The purpose of this chapter is to convey information in written form to the Department of City Planning, the City Planning Commission, local Community Boards, elected officials, and the general public.

This section provides the following information:

1. A description of the affected area;
2. A brief description of the proposed project;
3. The purpose and need for the proposed project; and
4. The framework established to analyze the potential for the proposed action to result in significant adverse impacts, as set forth in the *2014 City Environmental Quality Review (CEQR) Technical Manual* (refer to Chapter 2 for supplemental analysis).

3500 48th Street Owner LLC, the Applicant, seeks City Planning Commission (CPC) approval of a Special Permit pursuant to New York City Zoning Resolution (ZR) Section 74-922, the Proposed Action, to permit certain large retail establishments with no limitation on floor area per establishment in an M1 district at 34-50 48th Street (Block 143, Lots 10 and 21) in the Long Island City neighborhood of Community District 1, Queens.

1.0-1 Project Site

The project site is 34-50 48th Street (Block 143, Lots 10 and 21) in Queens Community District 1. It is an irregular 315,274 square foot (sf) site that contains three one-story buildings totaling 128,480 gsf (0.4 FAR) in a strip mall configuration on Lot 10. Building 1 has 72,265 gsf and is currently occupied by National Wholesale Liquidators (variety store), Petland Discount (pet store), Modell's (sporting goods store), and Danice (women's fashion store). Building 2 is a 54,842 sf building that contains David's Bridal and 39,912 sf of vacant space formerly occupied by Toys-R-Us and Babies-R-Us (a national chain that recently went bankrupt). Building 3 is occupied by a 1,373 sf eating and drinking establishment with a drive-through facility (Dunkin') and contains a Consolidated Edison substation near the 48th Street frontage. Lot 21 is a narrow irregular lot with 15,197 square feet of lot area and provides auto access in a 25-foot long area along the southern end of the site. This parcel is the subject of sewer easement and was formerly property of the City of New York.

The project site was the subject of prior ULURP applications, both of which were approved:

1. The first ULURP application, 981141 ZSQ, was approved May 19, 1999 by the CPC, and granted a Special Permit pursuant to ZR 74-922 to allow certain retail establishments (Use Groups 6A and 10A) within Building 1 greater than 10,000 sf. On June 30, 1999, the City Council approved the Special Permit, with one modification to prohibit Use Group 10A department and variety store establishments greater than 10,000 sf.
2. The second ULURP application, 020611 ZSQ, superseded the first ULURP application (981141 ZSQ), and was approved by the CPC on February 5, 2003. The second application granted a second Special Permit pursuant to ZR 74-922 to allow certain large retail establishments (Use Groups 6A and 10A) with no limitations on floor area per establishment within the same 72,254 sf building (Building 1). The City Council did not assume jurisdiction, and therefore, all uses, including department stores and variety store uses, are permitted in Building 1.

The existing floor area by building and retailer is summarized in Table 1.0-1.

Table 1.0-1 Project Site Floor Area by Building and Retailer

| Retailer by Building | Land Use (Use Group) | Floor Area (sf) |
|--------------------------------|----------------------|-----------------|
| Building 1 | | 72,265 |
| National Wholesale Liquidators | Wholesale (10B) | 50,193 |
| Petland Discount | Pet Shop (6C) | 2,488 |
| Danice | Clothing Store (6A) | 4,202 |
| Modell's | Sporting Store (6C) | 13,262 |
| <i>[Back of House Areas]</i> | <i>Accessory Use</i> | <i>2,120</i> |
| Building 2 | | 54,842 |
| David's Bridal | Clothing Rental (6C) | 6,664 |
| Former Toys-R-Us | Vacant | 39,912 |
| <i>[Back of House Areas]</i> | <i>Accessory Use</i> | <i>8,266</i> |
| Building 3 | | 1,373 |
| Dunkin' | Retail (6A) | 1,373 |
| Project Area Total sf | | 128,480 |
| <i>Total Use Group 6</i> | | <i>67,901</i> |
| <i>Total Use Group 10</i> | | <i>50,193</i> |

The project site:

- › Has 464 feet of frontage along 48th Street;
- › Is within an M1-1 zoning district;
- › Is outside the Coastal Zone Boundary;
- › Has 386 open paved accessory parking spaces;
- › Is accessed by pedestrians from 48th Street; and
- › Is accessed by vehicles via four curb cuts along 48th Street, the southernmost two of which are primarily used for truck access.

Existing conditions at the project site are shown in EAS Photograph 1 through Photograph 8.

In September 2018, the Applicant filed application 4541446 with the New York City Department of Buildings (DOB) to construct a 7,980 sf expansion of Building 1. This expansion, which has been completed as-of-right near the 48th Street frontage, will contain local retail uses. The existing Special Permit does not apply to this future expansion; however, the proposed Special Permit would permit establishments in Use Groups 6A and/or 10A in this space without limitation on floor area.

1.0-2 Proposed Project

The proposed action would supersede the existing CPC Special Permit (020611 ZSQ, pursuant to ZR 74-922) and allow the Applicant to re-tenant both Building 1 and Building 2 with Use Group 6A and/or 10A tenant(s) with no limitation on floor area per establishment. The proposed project would not result in any change in overall floor area at the site.

To comply with current parking area design requirements, the Applicant would improve the existing open paved parking area in accordance with the provisions of ZR 44-48 and would increase the number of parking spaces to 457.

1.0-3 Project Purpose and Need

Per ZR 42-12, Use Groups 6A and 10A establishments are not permitted a floor area greater than 10,000 sf within M1-1 districts. The toy store (Toys-R-Us) that previously occupied 39,912 sf of Building 2 went bankrupt, and has discontinued operations at this location. Toy stores are classified as Use Group 6C and are permitted as-of-right in M1 zoning districts without restriction on floor area per establishment. The requested Special Permit would permit Use Group 6A and 10A establishments with no limitation on floor area per establishment within Building 2, which would provide flexibility to lease the existing space (including the proposed as-of-right expansion near the 48th Street frontage) to a wider range of retailers.

1.0-4 Proposed Actions

The Applicant seeks to supersede the existing Special Permit (020611 ZSQ, pursuant to ZR 74-922) for Building 1 to permit Use Group 6A and 10A establishments with no limitation on floor area within both Buildings 1 and 2 at the project site. There would be no increase in floor area at the project site.

1.0-5 Analysis Framework and Reasonable Worst Case Development Scenario

The *CEQR Technical Manual* will serve as the guidance document for the methodologies and impact criteria to evaluate the potential environmental effects of the proposed action. Consistent with CEQR methodology, the EAS will first describe existing conditions, then forecast those conditions to a future analysis year (the No-Action condition). The future With-Action condition will be compared to the No-Action condition for purposes of determining potential impacts in the future with the proposed actions. For this project, the analysis (build) year is 2020, the year when the proposed project would be complete and fully occupied. The proposed action would apply only to the project site.

Future No-Action Condition

The floor area by building and retailers in the future No-Action condition is summarized in Table 1.0-2.

Table 1.0-2 Project Site Floor Area by Building and Retailer – No-Action

| Retailer by Building | Land Use (Use Group) | Floor Area (sf) |
|--|----------------------|-----------------|
| Building 1 | | 80,245 |
| Supermarket Establishment | Supermarket (6A) | 50,193 |
| Retail Establishment | Retail (6A) | 7,980 |
| Petland Discount | Pet Shop (6C) | 2,488 |
| Danice | Clothing Store (6A) | 4,202 |
| Modell's | Sporting Store (6C) | 13,262 |
| <i>[Back of House Areas]</i> | <i>Accessory Use</i> | <i>2,120</i> |
| Building 2 | | 54,842 |
| David's Bridal | Clothing Rental (6C) | 6,664 |
| Local Retail (up to 10,000 sf per establishment) | Retail (6A) | 39,912 |
| <i>[Back of House Areas]</i> | <i>Accessory Use</i> | <i>8,266</i> |
| Building 3 | | 1,373 |
| Dunkin' Donuts | Retail (6A) | 1,373 |
| Project Area Total sf | | 136,460 |
| <i>Total Use Group 6</i> | | <i>126,074</i> |

Building 1

In the future absent the proposed action, the Applicant would complete an as-of-right 7,980 sf expansion to Building 1 near 48th Street frontage of the project site that would be tenanted with local retail. Additionally, National Wholesale Liquidators, a tenant in Building 1, plans to cease operations at this location, and it is expected the Applicant would re-tenant this space with a 50,193 sf supermarket, as permitted in Building 1 by the existing Special Permit.

Building 2

The portion of Building 2 vacated by Toys-R-Us would be re-tenanted with Use Group 6A (retail) establishments up to 10,000 sf. The 6,664 sf of Building 2 currently occupied will continue to be used as local retail (David's Bridal) or retenant with a similar use.

Building 3

The existing eating and drinking establishment with drive through facilities in Building 3 (Dunkin') will remain.

Future With-Action Condition

In the With-Action condition, Use Groups 6A and 10A establishments greater than 10,000 sf would be permitted in Building 2 by the proposed Special Permit (currently Use Group 6A and 10A greater than 10,000 sf in area are allowed only in Building 1). Rather than re-tenant

the vacant space within Building 2 with tenants up to 10,000 sf per establishment, in the With-Action condition, the Applicant would have the flexibility to re-tenant the space with Use Group 6A and/or 10A tenants who require greater than 10,000 sf per establishment.

While the 6,664 sf space in Building 2 currently occupied by a local retail establishment (David's Bridal) would continue to operate as in existing conditions for the foreseeable future, the Applicant seeks the flexibility for the entirety of Building 2 to be occupied by Use Groups 6A and 10A establishments with a floor area of 10,000 sf or greater.

The requested Special Permit would supersede the approved CPC Special Permit applicable to Building 1 (which currently permits establishments in Use Groups 6A and 10A with a floor area greater than 10,000 sf), and would continue to permit establishments in Use Groups 6A and 10A with a floor area greater than 10,000 sf in this building.

Therefore, the difference between the No-Action condition and the With-Action condition would be that Use Groups 6A and 10A establishments would be able to occupy spaces of greater than 10,000 sf within Building 2 and within the as-of-right 7,980 sf expansion to Building 1 near 48th Street frontage.

Increment for Analysis

Over the No-Action condition, the With-Action condition would result in no modifications to floor area by use; the sole difference between the No-Action and With-Action conditions would be that establishments in Use Groups 6A and/or 10A with a floor area greater than 10,000 sf would be able to operate within Building 2.

Analysis (Build) Year

Allowing for seven months of the New York City Uniform Land Use Review Process, it is anticipated that the proposed action, if approved, would allow for full tenancy in the existing building by 2020.



2.0

Supplemental Studies



2.1

Land Use, Zoning, and Public Policy

This chapter considers the potential for the proposed action to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the 2014 City Environmental Quality Review (*CEQR Technical Manual*), this analysis evaluates the uses in the area that may be affected by the proposed action and determines whether the proposed project is compatible with those conditions or may otherwise affect them. The analysis also considers the proposed action's compatibility with zoning regulations and other public policies applicable to the area.

2.1-1 Methodology

This preliminary analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

- › Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- › Characterizes the land use development trends in the area that might be affected by the proposed action; and

- › Determines whether the proposed project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for the proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the project area to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400-feet from the project site was used. This area is generally defined as the area bounded to the north by Northern Boulevard, to the west by the prolongation of 45th Street, to the south by the Long Island Rail Road right-of-way, and to the east by the eastern edge of the Shops at Northern Boulevard (see EAS Figure 1).
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy;
3. Conduct a preliminary assessment of the proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
 - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
 - If the proposed project is found to not conflict with the identified policies, no further assessment is needed.

2.1-2 Assessment

Land Use

This section describes land use in the Existing, No-Action, and With-Action conditions. The land use in these conditions are analyzed for both the project site and the study area.

Existing Condition

Project Site

The project site is improved with three buildings in a strip mall configuration with one stand-alone eating and drinking establishment with drive-through facilities in Building 3 (Dunkin'). Buildings 1 and 2 are attached and contain 72,265 sf and 54,842 sf of floor area, respectively. Table 1.0-1 summarizes the existing floor area by building and retailer.

Study Area

As shown in EAS Figure 2, land uses in the study area contains a mix of community facility, commercial, industrial/manufacturing, transportation/utility, and parking uses.

The sole community facility use in the study area is a house of worship (the Korean Presbyterian Church) in the southwest part of the study area at 43-23 37th Avenue (Block 143, Lot 350).

The commercial uses in the study area are predominately retail. Opposite 48th Street from the project site at 48-18 Northern Boulevard (Block 120, Lot 12) is the Shops at Northern Boulevard, which is a two-story shopping center that contains a supermarket (Stop & Shop), an eating and drinking establishment (New Grand Buffet), clothing retailers (Old Navy, Marshalls, and Five Below), a furniture store (Raymour & Flanigan), two general retail establishments (Party City and MetroPCS), and an eating and drinking amusement establishment (Chuck E. Cheese's). To the west of the project site at 43-20 – 43-60 Northern Boulevard (Block 143, Lot 500) are three automobile sales establishments (City Buick GMC, Major World Chevrolet, and General Motors). On the north side of Northern Boulevard are three other automobile sales establishments (Paragon Acura Certified, Northstar Mitsubishi, and Chrysler Jeep Sales). All automobile sales establishments within the study area have showrooms with open parking areas between the surrounding streets and the showroom buildings. There is a kitchen and bath sales and showroom use at 37-02 48th Street (Block 142, 115) in the southern part of the study area.

There are three industrial/manufacturing areas within the study area. Immediately to the north of the project site at 47-00 Northern Boulevard (Block 143, Lot 1), there is a site that is primarily used as a two-story brick warehouse for a moving service (Two Men and A Truck), and that also contains office (Northstar Auto Group), media production studio (Color Werx Studios), and laundry service (FlyCleaners) spaces. On the north side of Northern Boulevard at 45-01 Northern Boulevard (Block 705, Lot 1) is a bookbinding establishment (Spiel Associates) above retail and commercial services uses (Mattress Firm and Esquire Insurance Agency, respectively). In the southern part of the study area, there are three contiguous lots (Block 142, Lots 50, 75, and 80) that contain one-story manufacturing/industrial uses, including an electrical services establishment (Barth Gross Electric Co.) at 46-02 37th Avenue.

There are three lots that contain transportation and utility uses within the southern portions of the study area. 45-20 48th Street (Block 143, Lot 23) is a former rail spur that is currently used as open automobile parking. Farther south at 45-03 37th Avenue (Block 143, Lot 28) is a New York City Department of Transportation Signals and Street Light Yard that contains a one-story warehouse building and several temporary office trailers, as well as open parking areas. At the very southern portions of the study area is the Long Island Rail Road right-of-way (Block 142, Lot 5).

No-Action Condition

In the No-Action condition, the Applicant will expand Building 1 by 7,980 sf adjacent to the 48th Street frontage, as per DOB Application No. 421673736. This as-of-right expansion would contain local retail uses. In Building 1, National Wholesale Liquidators plans to cease operations, and it is expected the Applicant will re-tenant this space with a 50,193 sf supermarket (Use Group 6A), a use with a floor area greater than 10,000 sf that is permitted in Building 1 by the existing Special Permit.

The portion of Building 2 vacated by Toys-R-Us will be re-tenanted with Use Group 6A (retail) establishments up to 10,000 sf in area. The 6,664 sf of Building 2 currently occupied would continue to be used as Use Group 6A retail (David's Bridal). The existing use in Building 3 (eating and drinking establishment with drive through facilities) will remain. The No-Action floor area by building and retailer is summarized in Table 1.0-2.

With-Action Condition

In the With-Action condition, Use Groups 6A and 10A establishments greater than 10,000 sf in size would be permitted in Buildings 1 and 2 by the proposed Special Permit. Accordingly, the sole change with the proposed action over the No-Action condition would be that Use Groups 6A and 10A establishments would be permitted with no limitation on floor area per establishment within Building 2 and in the proposed as-of-right 7,980 sf expansion near the 48th Street frontage.

Overall, the proposed action would not result in a significant adverse land use impact given:

- › Outside the project site, there would be no changes over the No-Action condition as the proposed action would apply solely to the project site;
- › Establishments in Use Groups 6A and 10A currently exist on the project site in the study area, and therefore are not incompatible uses;
- › The proposed action would not facilitate an increase in floor area on the project site;
- › Establishments in Use Group 6A and/or 10A greater than 10,000 sf in area currently are permitted within Building 1 by the existing Special Permit. Per the 020611 ZSQ CPC Report published on February 5, 2003, the CPC found at that time that establishments in Use Group 6A and/or 10A greater than 10,000 at the project site would not impair the essential character or future of the surrounding area, and that such land use will not produce any adverse effects which interfere with the appropriate use of land in the district or in any adjacent district.

Zoning

Existing Condition

Project Site

The project site is within an M1-1 zoning district and is outside any special purpose districts. M1 districts allow nearly all industrial uses and some community facility uses as-of-right (Use Groups 4-14 and 16-17), but must comply with stricter performance standards than in M2 and M3 districts. The M1-1 district allows a maximum commercial and/or manufacturing FAR of 1.0, and new developments are subject to parking and loading berth requirements based on the type of use and the size of an establishment. Community facilities are permitted a maximum FAR of 2.4. Rear yards in M1 districts are required to be at least 20 feet deep except within 100 feet of a corner. Building heights and setbacks are controlled by the sky exposure plane that begins 30 feet above the street line.

Study Area

Similar to the project site, the study area is predominantly within an M1-1 zoning district, except for an area in the northeast of the study area, which is within a C8-1 district. C8 districts bridge commercial and industrial uses and provide for automotive and other heavy commercial services that often require large amounts of land. In C8-1 districts, a maximum FAR of 1.0 is permitted for commercial uses, and 2.4 for community facility uses. Like M1-1 districts, building heights are controlled by a sky exposure plane that begins 30 feet above the street line.

No-Action Condition

As discussed above, there are no projects expected to be completed by the analysis year.

With-Action Condition

In the With-Action condition, the Applicant would receive a CPC special use permit to allow Use Groups 6A and/or 10A establishments with no limitation on floor area per establishment within Buildings 1 and 2 at the project site. There would be no modifications to underlying zoning, and therefore the proposed project would not result in a significant adverse zoning impact.

Public Policy

As described in the *CEQR Technical Manual*, officially adopted and promulgated public policies describe the intended use applicable to an area or particular site(s) in the City. The manual provides several examples: Urban Renewal Plans, 197a Plans, Industrial Business Zones, the Criteria for the Location of City Facilities ("Fair Share" criteria), Solid Waste Management Plan, Business Improvement Districts, the New York City Landmarks Law, the Waterfront Revitalization Program (WRP) and Sustainability (as defined by OneNYC).

Existing Condition

The project site and study area are not in an area that is subject to officially adopted or promulgated public policies such as the New York City Landmarks Law, the Waterfront Revitalization Program, Business Improvement Districts, or other public policies. While some policies such as OneNYC and Vision Zero apply citywide, none of these policies are relevant to the proposed action.

No-Action Condition

Similar to the existing conditions, there are no public policies that would apply to the proposed action.

With-Action Condition

The proposed action would provide flexibility to re-tenant a vacant space with Use Groups 6A and 10A establishments with no limitation on size per establishment within Building 1 and 2 at the project site. The proposed action would apply solely to the project site and

would not affect existing public policies. Accordingly, the proposed action would not result in a significant adverse public policy impact.



Appendix A

Proposed Site Plan

Prepared by Gerald J. Caliendo, R.A, A.I.A. Architect, P.C.

Site Plan, prepared by Gerald J. Caliendo, R.A., A.I.A. Architect, P.C., dated 9 January 2018.

