



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 Bright Horizons

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency) 15DCP123Q	BSA REFERENCE NUMBER (if applicable)
--	--------------------------------------

ULURP REFERENCE NUMBER (if applicable) N150141ZRQ	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 Bright Horizons Children's Center, LLC
--	---

NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin	NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON James Heineman, Equity Environmental Engineering
--	--

ADDRESS 22 Reade Street, 4 North	ADDRESS 227 Route 206, Suite 6
----------------------------------	--------------------------------

CITY New York	STATE NY	ZIP 10007	CITY Flanders	STATE NJ	ZIP 07836
---------------	----------	-----------	---------------	----------	-----------

TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov	TELEPHONE 973-527-7451	EMAIL jim.heineman@equityenvironmental.com
------------------------	-----------------------------------	------------------------	--

5. Project Description

The applicant, Bright Horizons Children’s Center, LLC, is seeking a zoning text amendment to modify the use provisions of the New York City Zoning Resolution (ZR) Section 117-03, “Queens Plaza Subdistrict Plan Maps,” 117-502, “Queens Plaza Subdistrict Plan,” 117-531, “Street wall location,” 117-551, “General provisions,” and 117-553, “Mandatory sidewalk widening and ground floor uses,” of the Special Long Island City Mixed Use District “LIC District.”

The affected area includes: the southern blockfront of Queens Plaza South between Jackson Avenue and a line 100 feet east of 28th Street (Block 420, Lot 7501, the “project site[1];” and Block 420, Lot 1); and the northern and southern blockfronts of Queens Boulevard between Jackson Avenue and “Sunnyside Yard” (Block 263, Lots 1 and 9, and Block 239, Lots 6 and 7). The affected area is located in the Queens Plaza Subdistrict within the LIC District of Queens, Community Districts 1 and 2. The proposed action would facilitate a proposal by the applicant to operate an approximately 8,200 gross square foot (gsf) Use Group 3A community facility on a portion of the ground floor of a 21-story, approximately 544,000 gsf mixed-use building located at 1 Gotham Center, the project site. Should the action be adopted, ground floor uses allowed at the aforementioned blockfronts will be consistent with ground floor uses allowed throughout the subdistrict.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 1 and 2	STREET ADDRESS 1 Gotham Center
----------------	-------------------------------	--------------------------------

TAX BLOCK(S) AND LOT(S) Block 420, Lot 7501	ZIP CODE
---	----------

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS South side of Queens Plaza between 28th Street and Jackson Avenue

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-6/R10 Special Long Island City Mixed Use Zoning District	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)

<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP
<input checked="" type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:	

*This EAS was revised to identify all sections of Z.R. Chapter 117 that are being amended to reflect changes to ground floor use regulations.

SPECIAL PERMIT (if appropriate, specify type: modification; renewal; other); EXPIRATION DATE:
 SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 117-03; 117-502; 117-531; 117-551; 117-553

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: YES 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: YES 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.*

SITE LOCATION MAP ZONING MAP SANBORN OR OTHER LAND USE MAP
 TAX MAP FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
 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.): 21,210	Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 21,210	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): 8,200
 including 1,170 within the affected area

NUMBER OF BUILDINGS: ground floor of one building
 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 8,200 including 1,170 within the affected area

HEIGHT OF EACH BUILDING (ft.): approx. 250
 NUMBER OF STORIES OF EACH BUILDING: ground floor of 21-story building

Does the proposed project involve changes in zoning on one or more sites? YES NO
 If "yes," specify: The total square feet owned or controlled by the applicant: 1,170
 The total square feet not owned or controlled by the applicant: 20,040

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? YES 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.)			21,200	
Type (e.g., retail, office, school)	units		early childhood center and possible other community facility uses on sites	

			not under applicant's control.	
Does the proposed project increase the population of residents and/or on-site workers? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: 60				
Provide a brief explanation of how these numbers were determined: community facility patrons				
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: Space that would be occupied by Community Facility uses under the proposed action would be occupied by Commercial uses in a No-Action scenario.				
9. Analysis Year CEQR Technical Manual Chapter 2				
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2017 for project site, 2020 for other affected sites.				
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 9-12 months for Project Site; unknown for other affected sites				
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF MULTIPLE PHASES, HOW MANY?				
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:				
10. Predominant Land Use in the Vicinity of the Project (check all that apply)				
<input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> MANUFACTURING <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK/FOREST/OPEN SPACE <input checked="" type="checkbox"/> OTHER, specify: rail yards				

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: The Project Site and other affected sites are subject to the requirements of E-104. The E has been satisfied for the Project Site.	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
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 type="checkbox"/>
(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): 150		
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): 2,055,740		
(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 type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

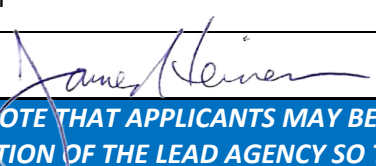
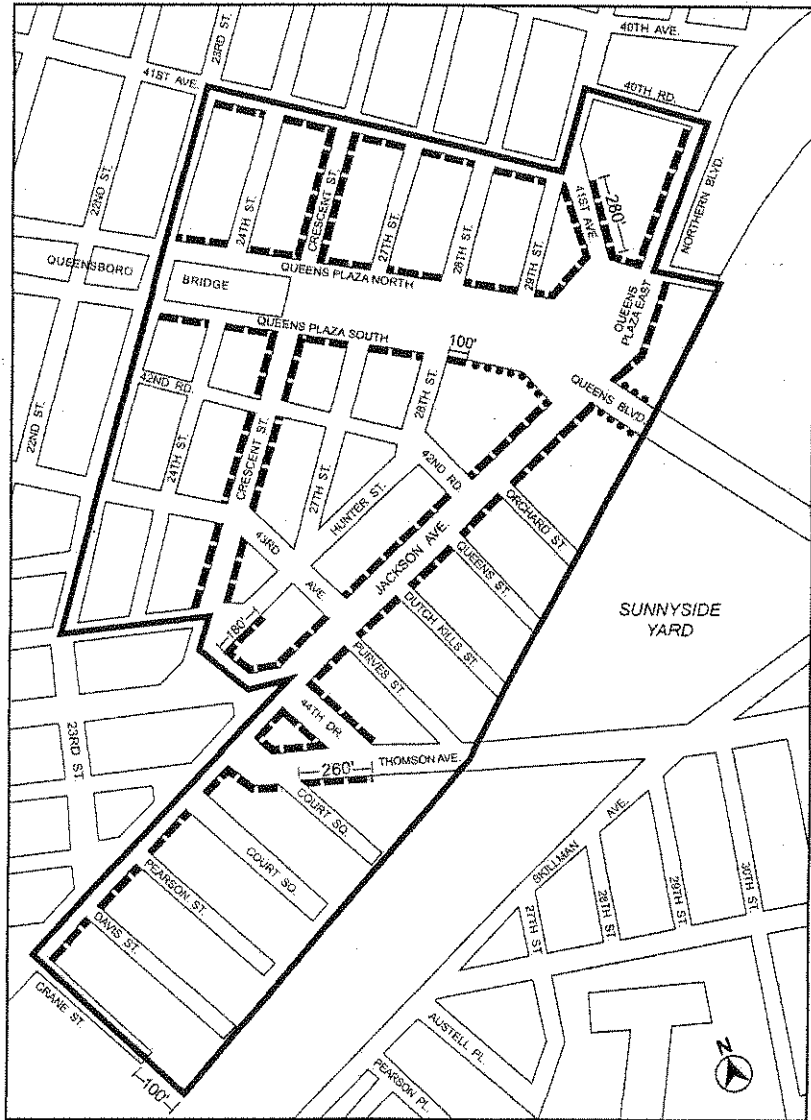
		YES	NO
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20			
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary. An [E] designation on the Project Site and other affected sites ensures that issues related to hazardous materials and noise are adequately addressed as a condition of development.			
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 checked="" type="checkbox"/>	<input 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. No adverse impacts related to any of the constituent elements of Neighborhood Character would occur. Allowing ground floor space within the affected area to be used for non-residential uses rather than be limited to commercial use would not significantly affect the area's neighborhood character.			
19. CONSTRUCTION: CEQR Technical Manual Chapter 22			
(a) Would the project's construction activities involve:			
<input type="checkbox"/> Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> 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"/>	
<input type="checkbox"/> 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"/>	
<input type="checkbox"/> The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Activities within 400 feet of a historic or cultural resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> 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. Construction associated with the proposed action would be limited to interior work to prepare ground floor space for community facility occupancy rather than commercial occupancy. This work would occur entirely within interior space of existing buildings and would not differ in extent or duration from work required to prepare such space for commercial occupancy.			
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 James Heineman	DATE June 9, 2015		
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.			

FIGURE 1: EXISTING REGULATIONS

EXISTING

Map 2: Ground Floor Use and Frontage

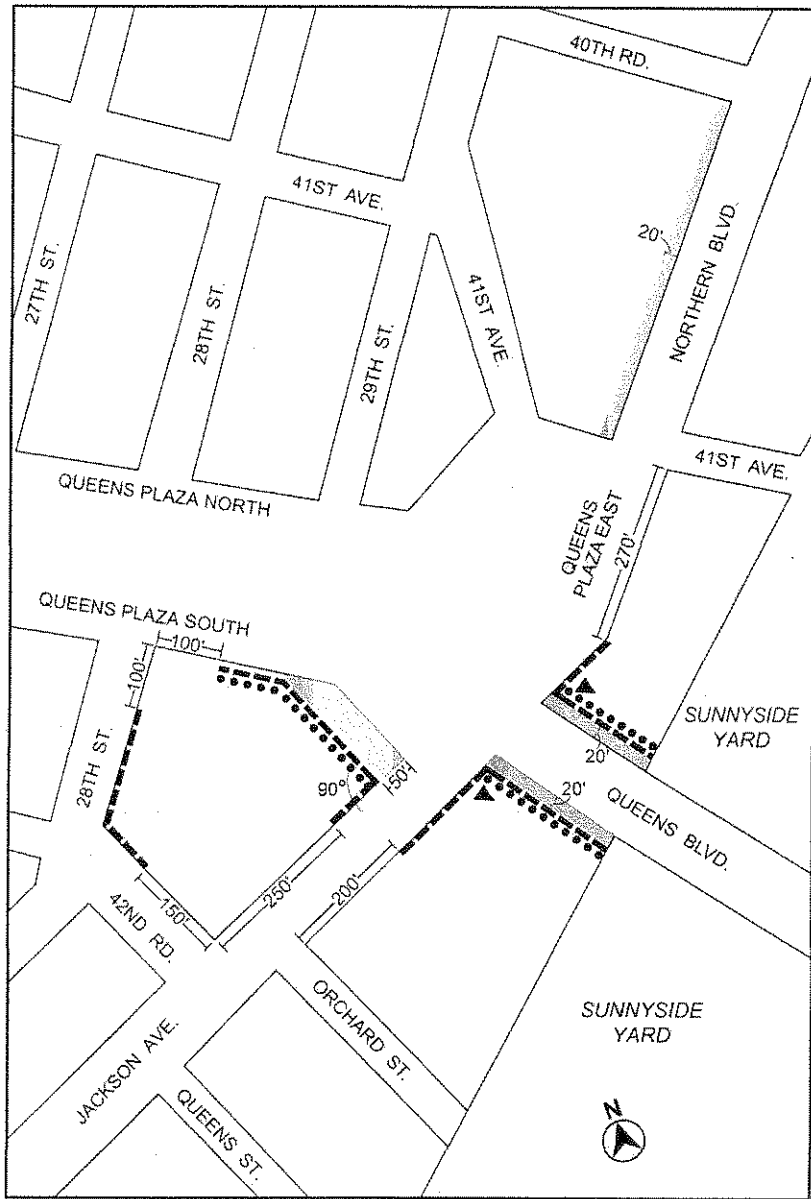


- Queens Plaza Subdistrict Boundary
- - - Street Frontages where Ground Floors are Restricted to Non-Residential Uses
- Street Frontages where Ground Floors are Restricted to Commercial Uses

FIGURE 1: EXISTING REGULATIONS (cont.)

EXISTING

Map 3: Sidewalk Widening, Street Wall Location and Ground Floor Use

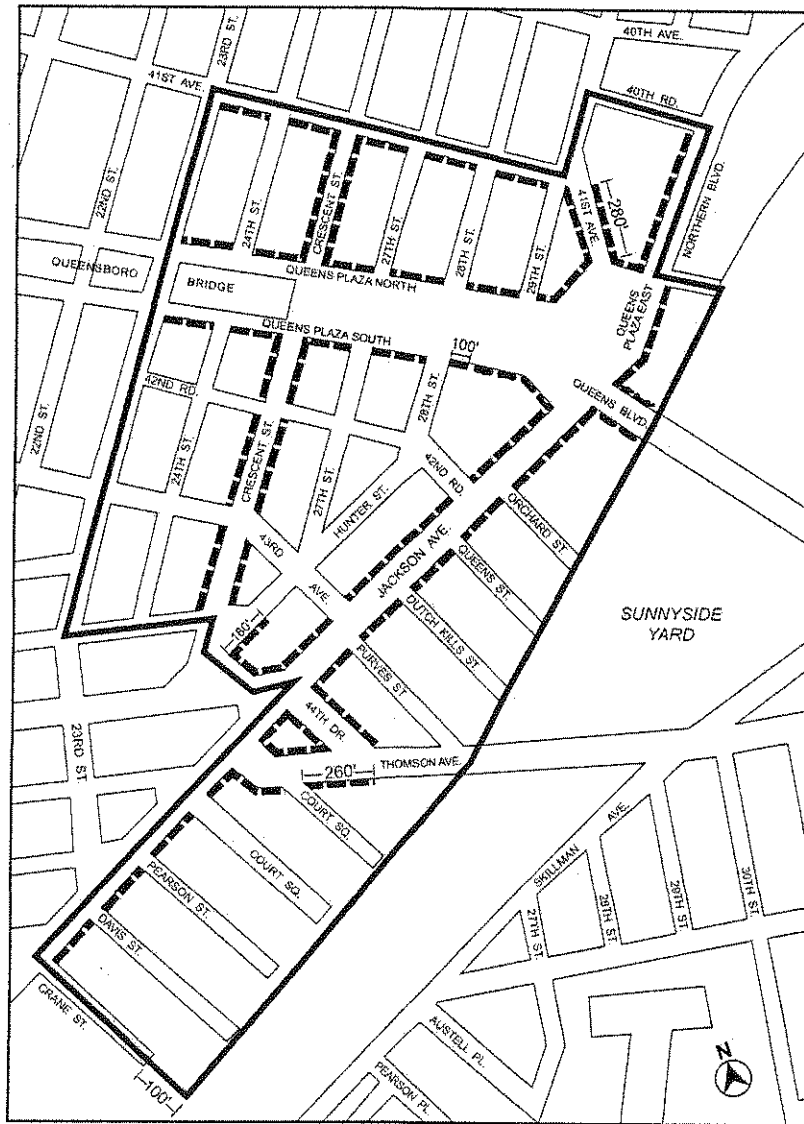


- ▨ Mandatory Sidewalk Widening
- - - Permitted Street Wall Setback Locations
- Ground Floor Commercial Use only
- ▲ Additional 1,500 sq. ft. of sidewalk widening to be located within 100' of the intersection.

FIGURE 2: PROPOSED REGULATIONS

PROPOSED

Map 2: Ground Floor Use and Frontage

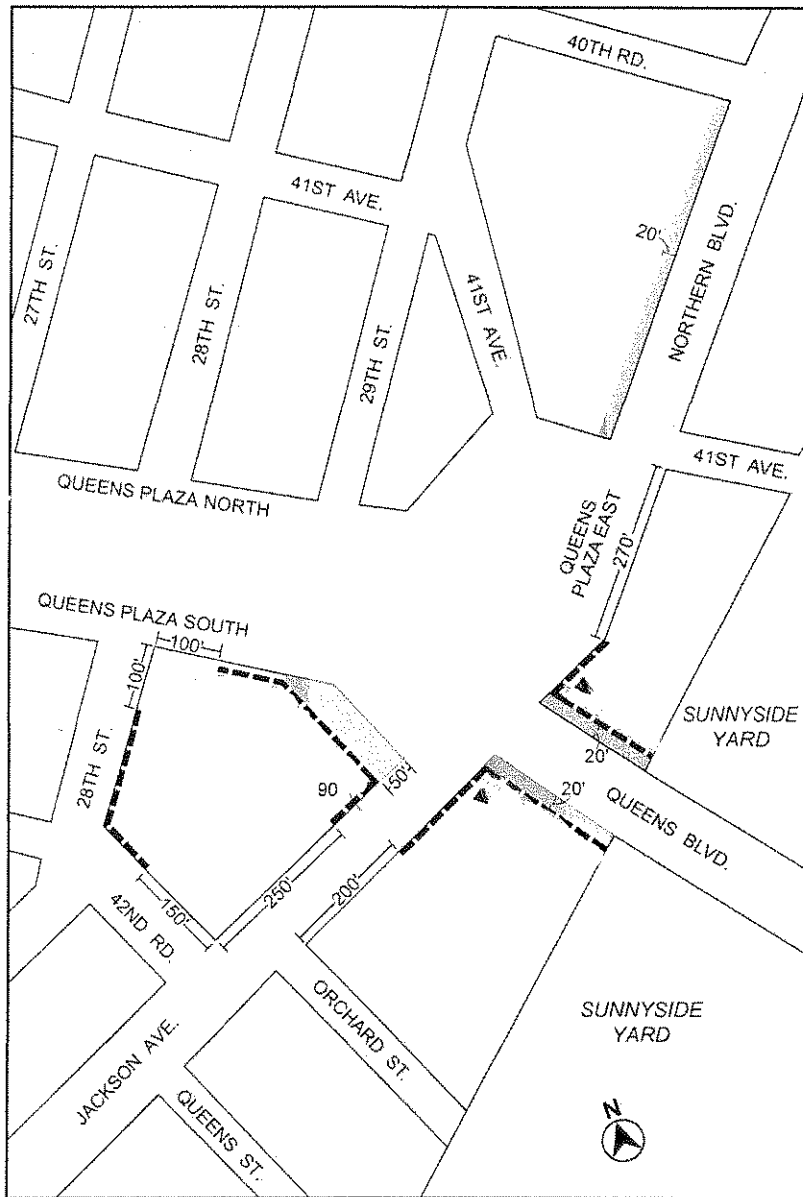


- Queens Plaza Subdistrict Boundary
- - - Street Frontages where Ground Floors are Restricted to Non-Residential Uses

FIGURE 2: PROPOSED REGULATIONS (cont.)

PROPOSED

Map 3: Sidewalk Widening and Street Wall Location



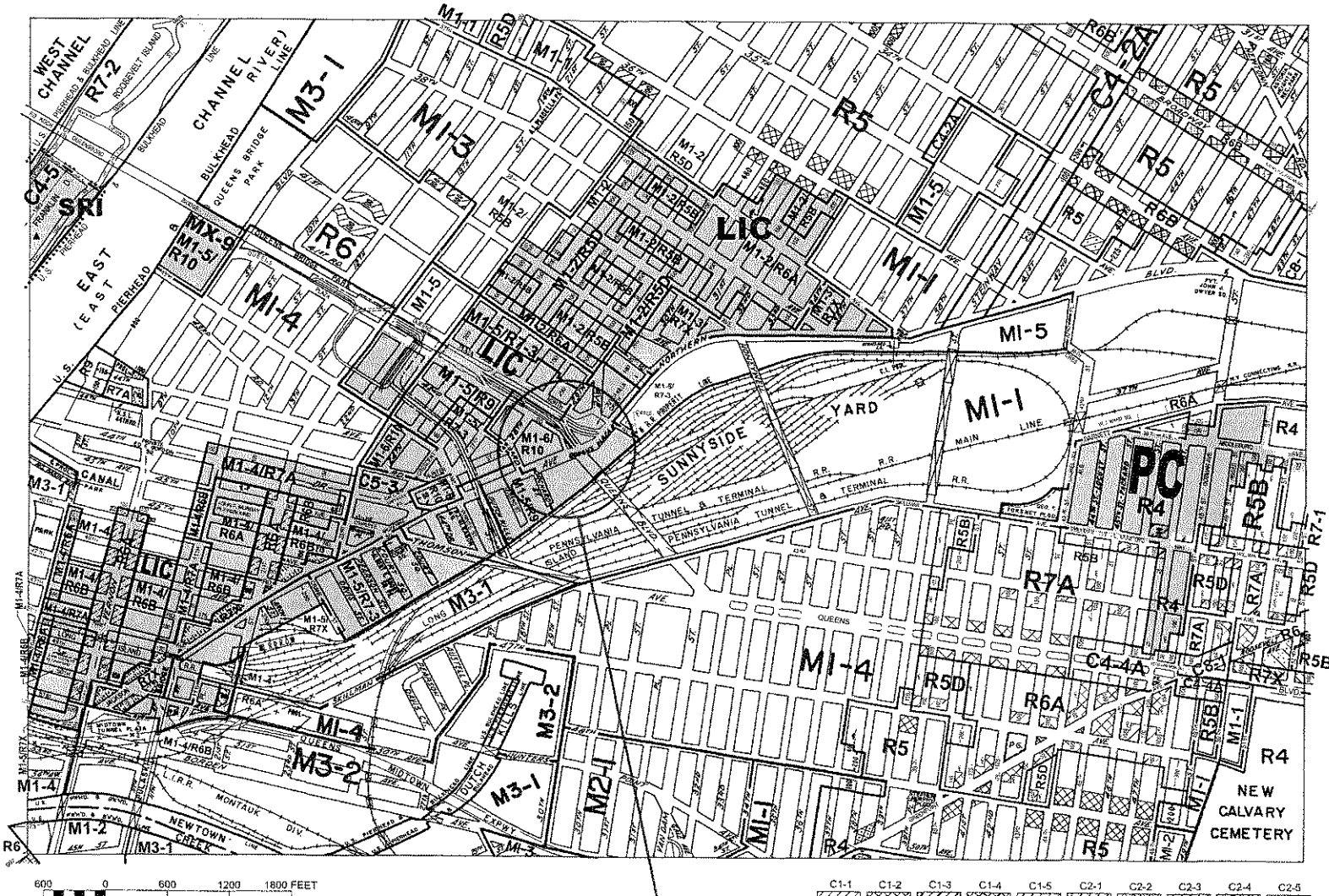
▨ Mandatory Sidewalk Widening

--- Permitted Street Wall Setback Locations

▲ Additional 1,500 sq. ft. of sidewalk widening to be located within 100' of the intersection.

FIGURE 3: ZONING SECTIONAL

Click blue box on map to view sketch map of proposed map change



SITE

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
 The number(s) and/or letter(s) that follows on R, C or M District designations indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
 The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:
 05-06-2013 C 130076 2MM

Special Requirements:
 For a list of lots subject to CEQR environmental requirements, see APPENDIX D.
 For a list of lots subject to "D" restrictive designations, see APPENDIX D.
 For Interim Planning designated areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):
 ▲ 10-12-2013 C 130097 1MM

MAP KEY

8c	9a	9c
8d	9b	9d
12c	13a	13c

© Copyright by the City of New York

ZONING MAP 9b

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

FIGURE 4: AFFECTED AREA ZONING MAP

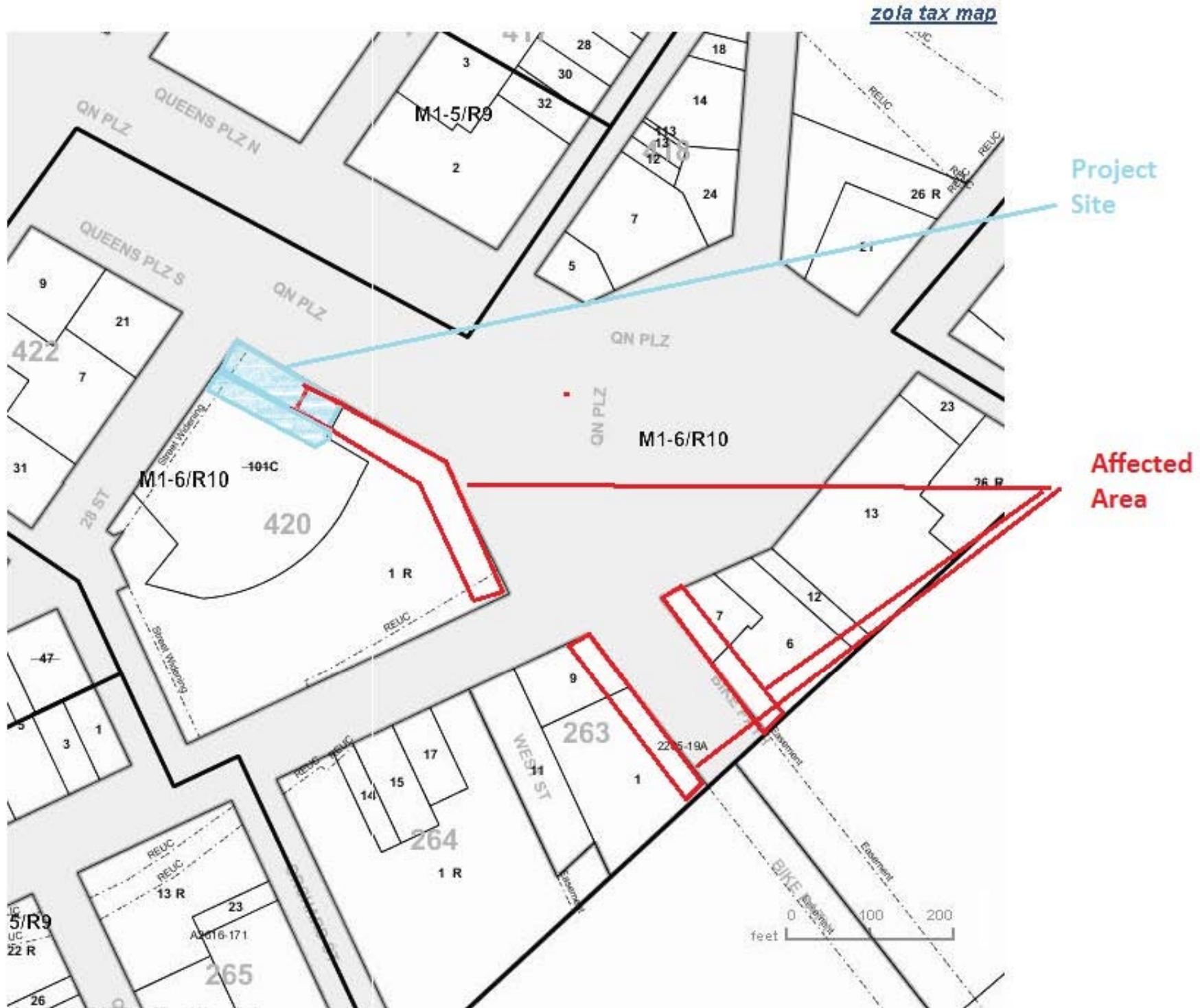
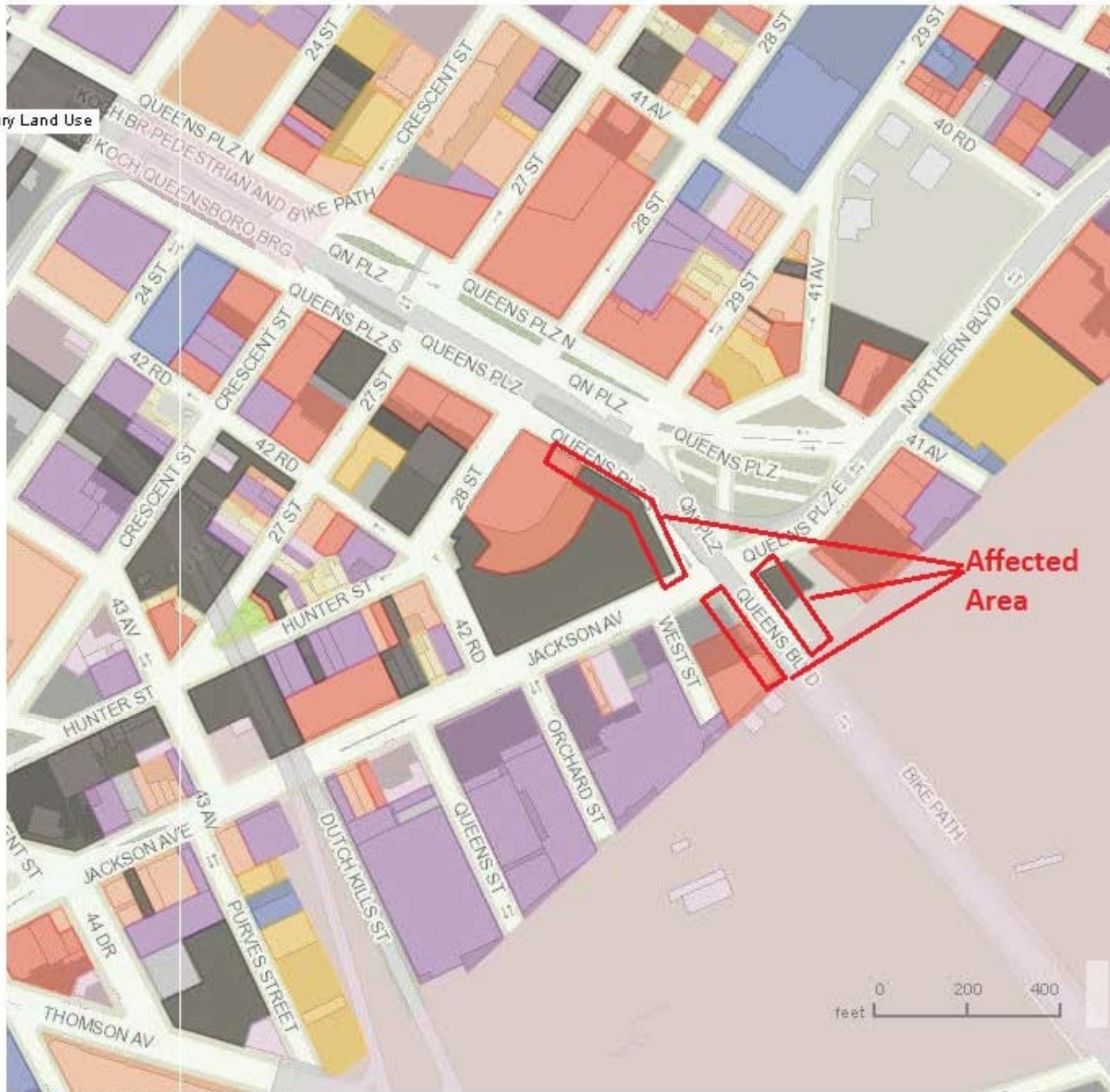


FIGURE 5: LAND USE

Bright Horizons

Primary Land Use



Primary Land Use

- One & Two Family Residence
- Multi-Family Residence (Walkup)
- Multi-Family Residence (Elevator)
- Mixed Residential & Commercial
- Commercial Use
- Industrial / Manufacturing
- Transportation / Utility
- Public Facilities and Institutions
- Open Space & Recreation
- Parking
- Vacant Land

FIGURE 6: TAX MAP



NYC Digital Tax Map

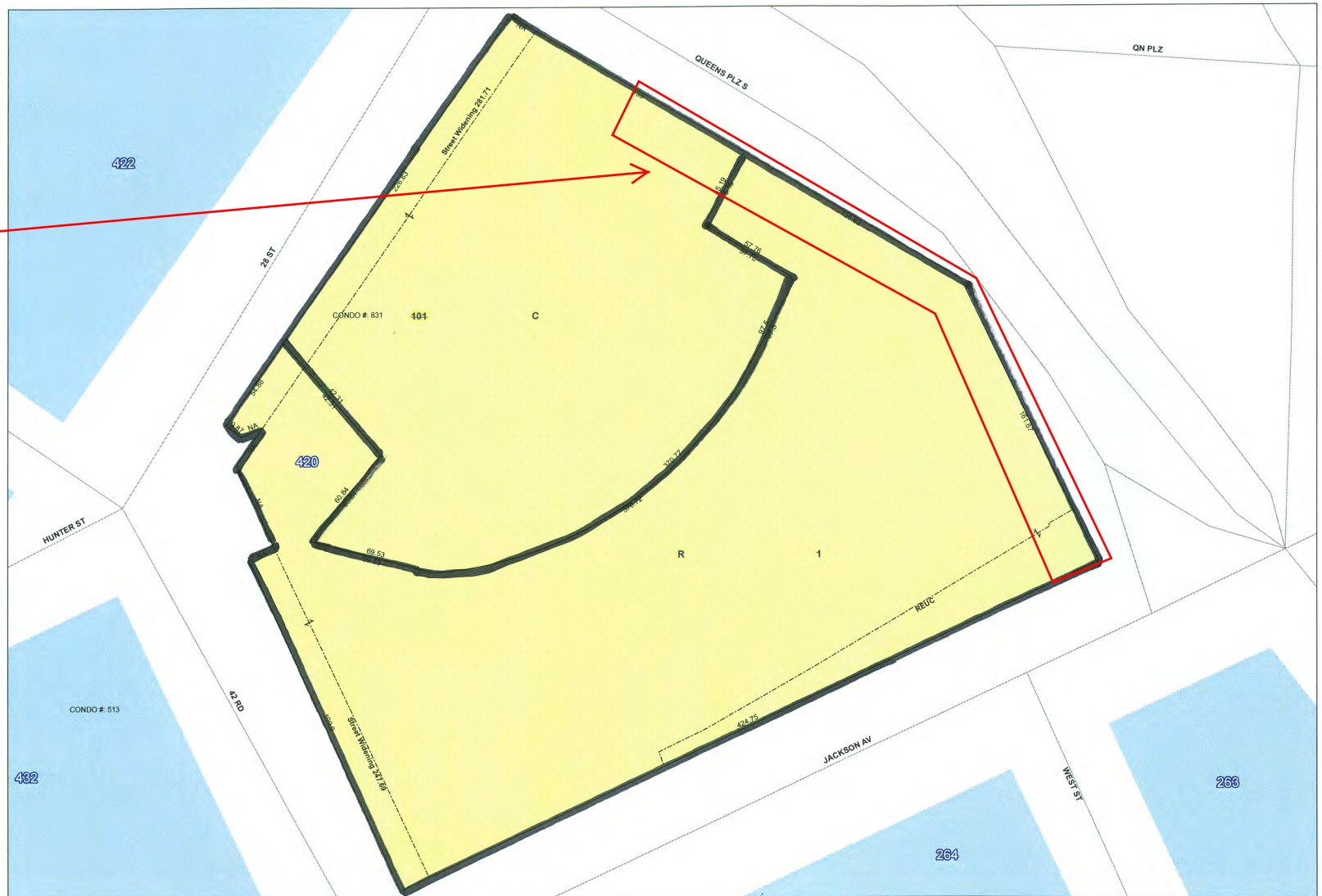
Effective Date : 10-27-2011 09:11:42
End Date : Current
Queens Block: 420



Affected Area

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon



0 5 10 20 30 40 Feet

FIGURE 6: TAX MAP (cont.)

FINANCE
NEW YORK
NARTHIA E. STARK
COMMISSIONER



NYC Digital Tax Map

Effective Date : 12-07-2008 10:02:27
End Date : Current
Queens Block: 239

Affected Area

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

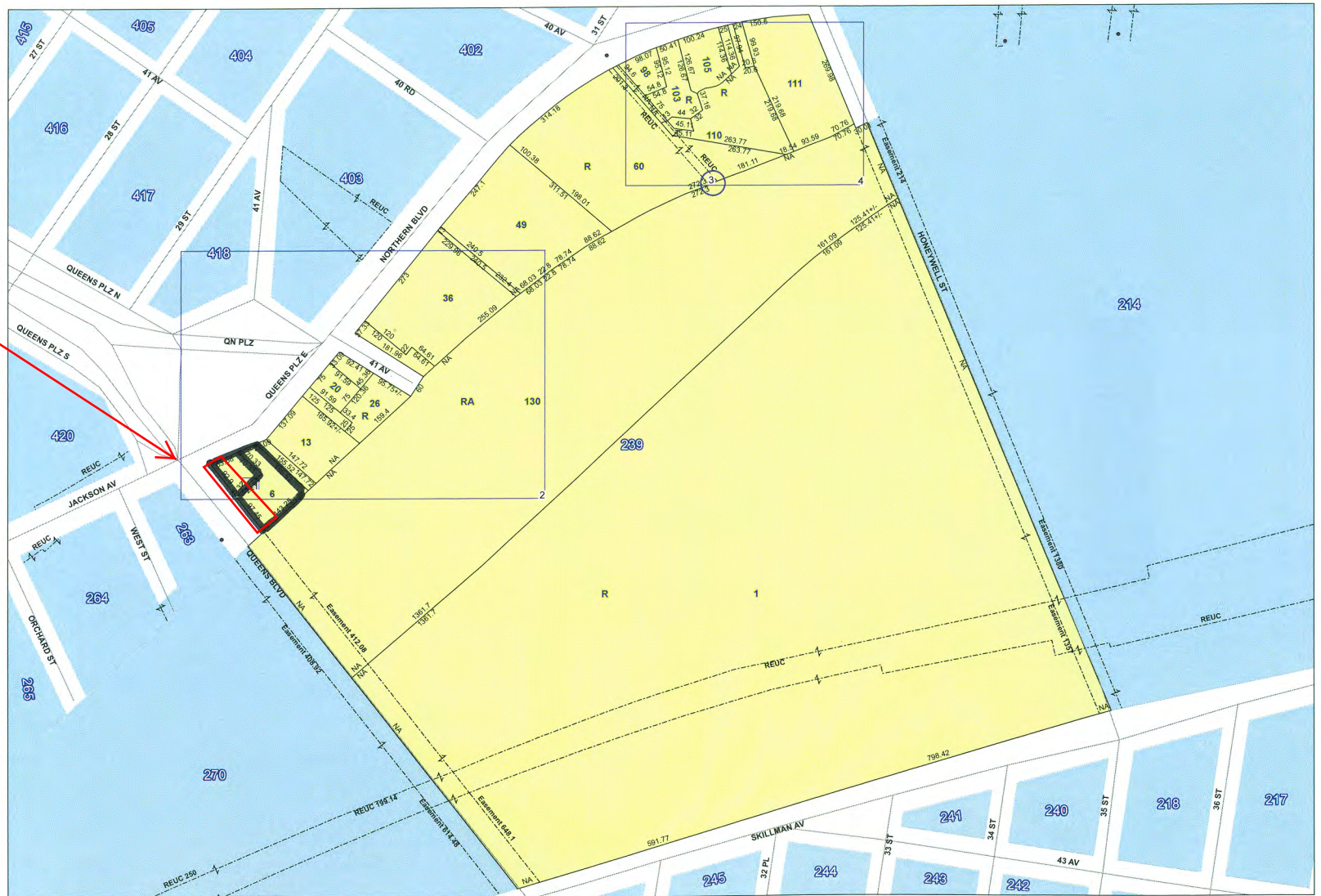


FIGURE 6: TAX MAP (cont.)



NYC Digital Tax Map

Effective Date : 12-07-2008 10:09:06
End Date : Current
Queens Block: 263



Affected Area

Legend

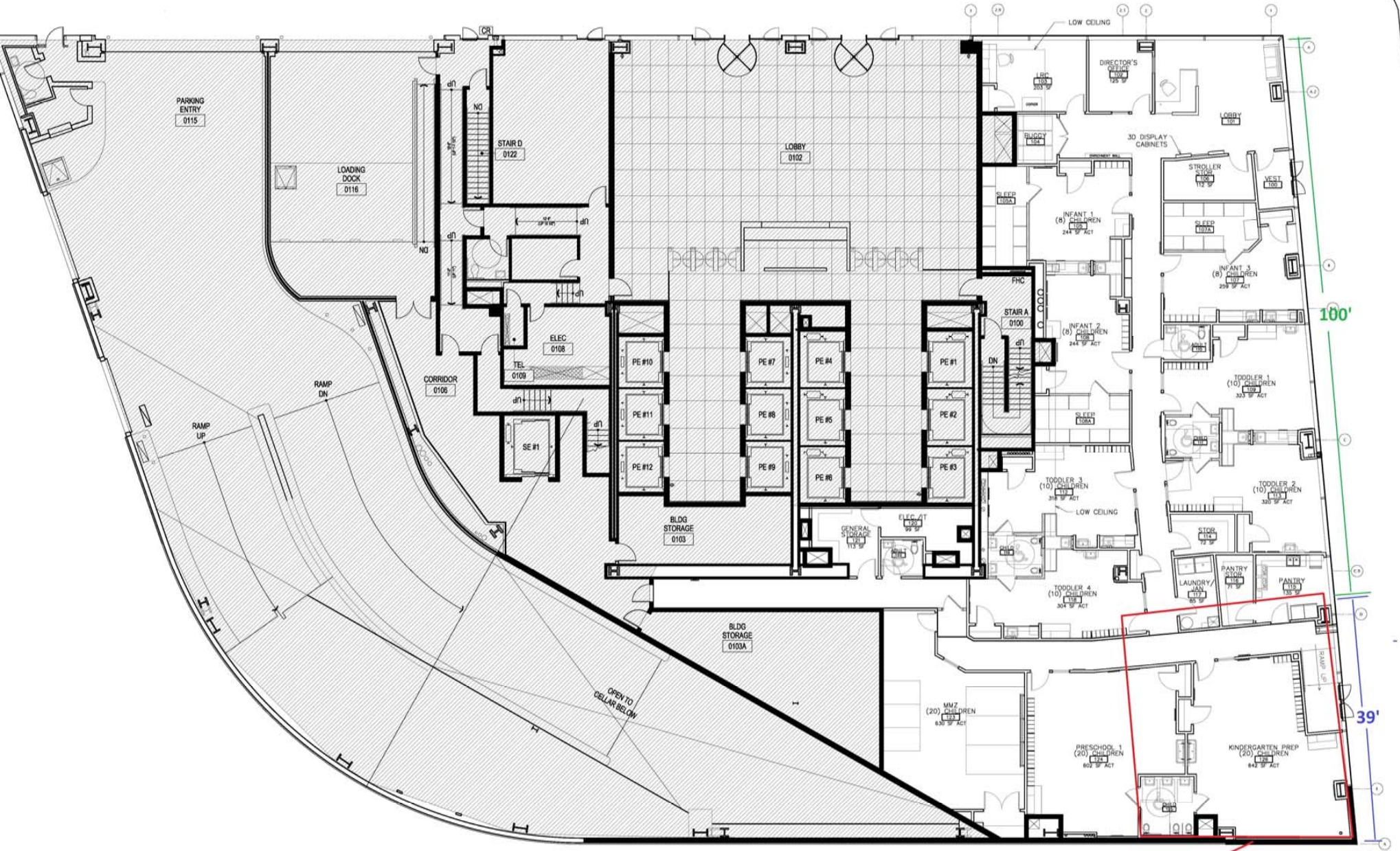
- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon



0 5 10 15 20 Feet

FIGURE 7: PROPOSED SITE PLAN

28TH STREET



**Area Subject to Text
Amendment**

Introduction

Project Description

The applicant, Bright Horizons Children's Center, LLC, is seeking a zoning text amendment to modify the use provisions of the New York City Zoning Resolution (ZR) Section 117 - 03, "Queens Plaza Subdistrict Plan Maps," 117-502, "Queens Plaza Subdistrict Plan," 117-531, "Street wall location," 117-551, "General provisions," and 117-553, "Mandatory sidewalk widening and ground floor uses," of the Special Long Island City Mixed Use District "LIC District." The affected area includes: the southern blockfront of Queens Plaza South between Jackson Avenue and a line 100 feet east of 28th Street (Block 420, Lot 7501, the "project site[1];" and Block 420, Lot 1); and the northern and southern blockfronts of Queens Boulevard between Jackson Avenue and "Sunnyside Yard" (Block 263, Lots 1 and 9, and Block 239, Lots 6 and 7). The affected area is located in the Queens Plaza Subdistrict within the LIC District of Queens, Community Districts 1 and 2. The proposed action would facilitate a proposal by the applicant to operate an approximately 8,200 gross square foot (gsf) Use Group 3A community facility on a portion of the ground floor of a 21 - story, approximately 544,000 gsf mixed - use building located at 1 Gotham Center, the project site. Should the action be adopted, ground floor uses allowed at the aforementioned blockfronts will be consistent with ground floor uses allowed throughout the subdistrict.

The affected area is located in the Queens Plaza Subdistrict within the LIC District of Queens, Community Districts 1 and 2. The proposed action would facilitate a proposal by the applicant to operate an approximately 8,200 gross square foot (gsf) Use Group 3A community facility on a portion of the ground floor of a 21-story, approximately 544,000 gsf mixed-use building located at 1 Gotham Center, the project site. Should the action be adopted, ground floor uses allowed at the aforementioned blockfronts will be consistent with ground floor uses allowed throughout the subdistrict.

The affected area, which includes the Project Site, is zoned M1-6/R10, and falls within the Queens Plaza Subdistrict of the Special Long Island City Mixed Use Zoning District in the Hunter's Point neighborhood of Queens Community Districts 1 and 2.

Currently ground floor use on the above mentioned affected frontages is restricted to commercial uses. Under the proposed action, the "Ground floor Commercial Use Only" designation on these three block fronts under ZR Section 117-03 would be changed to "Street Frontages Where Ground Floors are Restricted to Non-Residential Uses and other references to ground floor use regulations in Chapter 117 would be amended accordingly." Under the proposed text amendment, the same frontage regulations would apply to all frontages in the Subdistrict with a few exceptions, as illustrated in the attached map showing the proposed ground floor use regulations Figure 2 - *Map 2. Ground Floor Usage: Proposed.*

Affected Area

As previously noted, the proposed text amendment would change the ground floor use regulations along three street frontages: Queens Plaza South from 100 feet east of 28th Street to Jackson Avenue (including the Project Site), and both sides of Queens Boulevard from Jackson Avenue to the Sunnyside Yards. The affected Queens Plaza South frontage is 297 feet long, the northern frontage of Queens Boulevard east of Jackson Avenue is 190 feet long, and the southern frontage of Queens Boulevard east of Jackson Avenue is 220 feet long.

In addition to affecting the Project Site, the proposed text amendment would allow non-residential ground floor uses to occupy the ground floor development within three additional lots (Potential Development Sites 1-3 shown in Table 1) where current regulations limit occupancy to commercial uses. The proposed zoning text amendment would affect the following parcels:

Table 1

Site Number	Block/Lot	Lot Area	Location	Current Use
Project Site	420/7501	44,826 (1,170 within affected area) ¹	South side of Queens Plaza btwn 28 th St and Jackson Ave	21-story commercial office building
Potential Development Site 1	420/1	71,692 (7,740 within affected area) ¹	South side of Queens Plaza btwn 28 th St and Jackson Ave	Vacant
Development Potential Development Site 2	263/1 and 9	29,150 (6,600 within affected area) ¹	South Side of Queens Boulevard East of Jackson Ave	Under development for 33-53 story residential buildings
Potential Development Site 3	239/7	6,200 (2,790 within affected area) ¹	29-00 Queens Plaza East (North Side of Queens Boulevard east of Jackson Avenue)	Vacant
	239/6	17,000 (2,910 within affected area) ¹	30-25 Queens Boulevard (North Side of Queens Boulevard east of Jackson Avenue)	Vacant (former gas station)
Total Affected Area: 21,210 gsf				

¹ While ZR Section 117-03 does not define the depth to which the ground floor use regulations apply, a thirty-foot depth from the street line is assumed to be the reasonable depth of any viable commercial or community facility development. This 30-foot depth is the standard that appears in multiple section of the Zoning Resolution that address ground floor use regulations including the Enhanced Commercial Uses regulations, the Lincoln Square, Forest Hills, Manhattanville MX, Downtown Jamaica, and Stapleton Waterfront Special Districts; and the C6-3D district text. Based on this 30-foot depth, the total area affected by the proposed text amendment would equal 21,210 square feet, within the four above mentioned sites $((297+190+220) * 30 = 21,210 \text{ gsf})$.

Although at this time no known development that would take advantage of the proposed text amendment other than that proposed at the Project Site, it is conservatively assumed that three sites within the affected area may take advantage of the opportunity to occupy their ground floor space with community facility uses as would be allowed by the proposed action. These three sites are identified as Potential Development Sites 1-3 in Table 1 above, and are considered sites that could be developed with community facilities uses in the future with the proposed action but have been determined to have less development potential than the project site, based on observed historic and current market conditions.

The incremental development attributable to the proposed action, which forms the basis for environmental review, is presented in the following table:

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	YES X NO	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	<input type="checkbox"/> YES X NO	X YES NO	X YES NO	
If "yes," specify the following:				
Describe type (retail, office, other)		Not known		
Gross floor area (sq. ft.)		Up to 21,200 on the project site and other affected sites	0	-21,200
Manufacturing/Industrial	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	X YES NO	
If "yes," specify the following:				
Type			Early childhood center s	
Gross floor area (sq. ft.)			2,1,200 community facilities uses (e.g. early childhood center)	21,200
Vacant Land	X YES NO	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	
If "yes," describe:	Other than the project site, the affected area contains vacant lots and open storage			
Other Land Uses	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	
If "yes," describe:				
PARKING				
Garages	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	<input type="checkbox"/> YES X NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Lots	YES X NO	YES X NO	<input type="checkbox"/> YES X NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
ZONING				
Zoning classification	M1-6/R10, LIC Special District	M1-6/R10, LIC Special District	M1-6/R10, LIC Special District	
Maximum amount of floor area that can be developed	12 FAR	12 FAR	12 FAR	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	M1-6/R10, M1-5/R9, M3; primarily commercial, some new residential	M1-6/R10, M1-5/R9, M3; additional commercial and residential may occur	M1-6/R10, M1-5/R9, M3; additional commercial and residential may occur	

Based on the answers to the questions contained in the attached Environmental Assessment Statement (EAS) Form, the following issues were found to require additional information and analysis: Land Use, Zoning, and Public Policy, Hazardous Materials, Noise, Public Health, and Neighborhood Character.

- Land Use, Zoning and Public Policy: The proposed text amendment would change the permitted ground floor uses within the affected area. By bringing the ground floor use regulations on the three affected block fronts into consistency with the 52 other block fronts in the Queens Plaza Subdistrict that have ground floor use restrictions, the proposed action would allow for development that is consistent with permitted development in the surrounding area. The proposed text amendment would allow for a wider range of commercial and community facility uses that would serve the area's workers and residents. Therefore no impact on Land Use, Zoning, and Public Policy would occur.
- Hazardous Materials: Based on the environmental review conducted for the Long Island City Rezoning (CEQR #00DCP055Q), the potential for hazardous materials was identified on the project site (Block 420 Lot 7501), Potential Development Site 1 (Block 420, Lot 1), and Potential Development Site 2 (Block 263, Lots 1 and 9). A Notice to Proceed was issued on October 22, 2008 upon completion of site investigation and remediation in association with the development of 1 Gotham Center, indicating that development and occupancy of the site for that project would not create impacts related to hazardous materials. The [E] designation affecting Block 263, Lots 1 and 9 requires submission of a Remedial Investigation Work Plan (RIWP) for the review and approval of the Mayor's Office of Environmental Remediation, and completion of the Remedial Investigation and any appropriate site mitigation as a prerequisite to site development or occupancy. The presence of [E] designation E-104 ensures that development of these lots would incorporate appropriate investigation and remediation so that no impacts related to hazardous materials would occur on these sites.

Potential Site 3 (Block 239, Lots 6 and 7) was not identified as a potential or projected development site in the FEIS conducted for the Long Island City rezoning (CEQR #00DCP055Q), and therefore was not analyzed for hazardous materials. Based on the potential that the proposed action would induce new community facility development on this site, and the site's past use as a gas station that may have been a source for hazardous materials, in order to avoid the potential for significant adverse impacts related to hazardous materials, an [E] Designation (E-362) has been assigned to Block 239, Lots 6 and 7. This [E] designation would require sampling and remediation as required, under supervision of the Mayor's Office of Environmental Remediation, as a condition of site development or occupancy. The presence of [E] designation E-362 ensures that development of this lot would incorporate appropriate investigation and remediation so that no impacts related to hazardous materials would occur on this site.

- Noise: Based on the environmental review conducted for the Long Island City Rezoning (CEQR #00DCP055Q), the potential for ambient noise to adversely affect occupants of new development was identified on the project site (Block 420 Lot 7501), Potential Development Site 1 (Block 420, Lot 1), and Potential Development Site 2 (Block 263, Lots 1 and 9). A Notice to Proceed was issued on October 22, 2008 for the Project Site. At that time, ground floor occupancy was proposed to be for retail use. The Notice to Proceed indicated that the [E] designation was not applied to the non sensitive ground floor retail use.. Because the proposed action involves a change to occupancy of the ground floor, the [E] designation noise requirements as they relate to the Project Site on the ground floor of 1 Gotham Center would be expected to be satisfied before occupancy by the project sponsor.

The presence of [E] designation E-104 also ensures that development of Block 263, Lot 1 and 9 would incorporate appropriate noise attenuation so that no impacts related to noise would occur. The [E] designation requires attenuation levels at building facades, as described in the Noise section of this analysis, to provide acceptable interior noise levels.

Potential Site 3 (Block 239, Lots 6 and 7) was not identified as a potential or projected development site in the FEIS conducted for the Long Island City rezoning (CEQR #00DCP055Q), and therefore was not analyzed for noise. Based on the potential that the proposed action would induce new community facility development on this site, and the site's proximity to elevated subway tracks, an [E] Designation (E-362) has been assigned to Block 239, Lots 6 and 7. This [E] designation would require that adequate noise attenuation be incorporated into any community facility space on the ground floor of this site. The presence of [E] designation E-362 ensures that development of this lot would incorporate appropriate noise attenuation measures so that no impacts related to noise would occur on this site.

- **Public Health:** Based on the analysis of Hazardous Materials and Noise, neither of these aspects of the environment would have the potential to result in conditions that could adversely affect public health.
- **Neighborhood Character:** No adverse impacts related to any of the constituent elements of Neighborhood Character would occur. Allowing ground floor space within the affected area to be used for non-residential uses rather than be limited to commercial use would not significantly affect the area's neighborhood character.

Purpose and Need

The existing zoning requirements limit ground floor development at the subject site to commercial use only. This precludes development of a community facility, which is the intention of the Applicant. The area is being transformed from a predominantly industrial area with small residential uses, to a dense mixed-use community with thousands of new housing units. According to the Applicant, this growing residential population creates a demand for community facilities, as well as commercial services.

The proposed text amendment would make ground floor land use regulations consistent throughout the Subdistrict, allowing both commercial and community facility uses greater freedom in identifying space that meets their needs.

Development Scenarios

No-Action Scenario:

Project Site

Under the Subdistrict's existing ground floor use regulations, the 1,170-square foot portion of the proposed development site that is limited to commercial use, and a 1,530-square foot portion behind the 30-foot frontage within the affected area, would not be occupied by the proposed early childhood facility. Instead, a conforming commercial use would occupy this space. Beyond the affected area, a smaller early childhood center, occupying approximately 5,500 square feet of floor area, could be built within and behind the section of the development site that is within 100 feet of 28th Street and therefore restricted to non-residential ground floor use.

Other Affected Sites

Ground floor space elsewhere on the three frontages with the commercial-only limitation would be occupied as permitted by commercial uses. The proposed text amendment would affect three frontages: Queens Plaza South from 100 feet east of 28th Street to Jackson Avenue (Potential Development Site 1, Block 420 Lot 1), and both sides of Queens Boulevard from Jackson Avenue to the Sunnyside Yards (Potential Development Site 2, Block 263, Lot 1 and 9 and Potential Development Site 3, Block 239, Lot 6 and 7). Potential Development Site 3(Block 239, Lots 6 and 7) is both vacant, and there are no known development proposals for these lots. Potential Development Site 2 (Block 263, Lots 1 and 9) form a portion of a development site where Tishman Speyer has begun site preparation to develop a mixed use project consisting of three towers ranging in height from 33 to 53 stories and containing a total of approximately 1,789 new housing units and 15,614 square feet of ground floor retail. The proposed ground floor retail use would be permitted under the existing rules governing the affected block fronts.

With-Action Scenario:

Project Site

Under the proposed action, an 8,200 square foot early childhood facility would be developed on the ground floor of 1 Gotham Center. 1,170 square feet of this facility would be within the affected area and 1,530 square feet would be behind the space within the affected area. The remaining 5,500 square feet would be within 100 feet of 28th Street, on a portion of the block front where ground floor community facility use is permitted as of right under existing zoning regulations.

Other Affected Sites

The proposed text amendment would affect three frontages: Queens Plaza South from 100 feet east of 28th Street to Jackson Avenue (Potential Development Site 1, Block 420 Lot 1), and both sides of Queens Boulevard from Jackson Avenue to the Sunnyside Yards (Potential Development Site 2, Block 263, Lot 1 and 9 and Potential Development Site 3, Block 239, Lot 6 and 7). Potential Development Site 3 (Block 239, Lots 6 and 7) is vacant, with Lot 6 containing a former gasoline service station. Potential Development Site 2 (Block 263, Lots 1 and 9) forms a portion of a development site where Tishman Speyer is beginning to develop the project described above. As noted previously, the total area affected by the proposed text amendment would be $(297+190+220) * 30 = 21,210$ square feet. In the future with the proposed action, ground floor occupancy in any new development within this area could be any non-residential use. The Tishman Speyer development includes proposed ground floor commercial space that is permitted under existing regulations and would not take advantage of the proposed text amendment. There are no known development plans for Potential Development Site 3 (Block 239, Lots 6 and 7). The proposed project as envisioned constitutes a Reasonable Worst-Case Development Scenario for the subject site.

While there are no known development proposals for the remainder of the affected area, it is possible that under the with-action scenario, there could be an increment of 21,210 square feet of additional community facility use including the development proposed for the Project Site, and a corresponding decrease in the potential amount of commercial space.

Land Use, Zoning and Public Policy

Existing Conditions

Project Site

The Project Site is identified as 1 Gotham Plaza, Block 420, Lot 7501 and is located at the southeast corner of Queens Plaza South and 28th Street. The lot is irregularly shaped, with a lot area of approximately 44,826 square feet. It is developed with a 21-story office building containing approximately 544,000 square feet of floor area. The portion of the lot's Queens Plaza South frontage beyond 100 feet from 28th Street is within the affected area, where ground floor use is limited to commercial. The remainder of the lot is not subject to ground floor use restrictions beyond those contained in the site's M1-6/R10 zoning. The Project Site is built to its full allowable Floor Area Ratio (FAR) of approximately 12.0.

Other Affected Sites

The affected area is within an M1-6/R10 zoning district in the Queens Plaza Subdistrict of the Special Long Island City Mixed Use Zoning District. In addition to the Project Site, four other lots include frontage on block fronts where ground floor use is limited to commercial use. Potential Development Site 1 (Block 420, Lot 1) is adjacent to the east of the Project Site. This site is vacant and is under the jurisdiction of the New York City Economic Development Corporation. The site's zoning includes an [E] designation for hazardous materials and for noise. The requirements of the [E] are discussed in the hazardous materials and noise sections of this document.

Potential Development Site 2 (Block 263 Lots 1 and 9) form a portion of a development site where Tishman Speyer has begun site preparation to develop a mixed use project consisting of three towers ranging in height from 33 to 53 stories and containing a total of approximately 1,789 new housing units and 15,614 square feet of ground floor retail. Block 263, Lot 1 is 21,450 square feet in size. Block 263 Lot 9, located at the southeast corner of Queens Boulevard and Jackson Avenue, has a lot area of 7,700 square feet. Both Lot 1 and Lot 9 have an [E] designation for hazardous materials and noise. The requirements of the [E] are discussed in the hazardous materials and noise sections of this document.

Potential Development Site 3 (Block 239, Lot 6 and 7) is currently vacant. Block 239, Lot 6 is an L-shaped lot with frontage on the east side of Queens Plaza East and the north side of Queens Boulevard. It contains an unused former gasoline service station and has a lot area of 17,000 square feet. Block 239 Lot 7, identified as 29-00 Queens Plaza East, occupies the northeast corner of Queens Plaza East and Queens Boulevard. This lot has an area of 6,200 square feet.

Surrounding Area

The study area for land use, zoning, and public policy consists of the area within approximately a 400' radius of the affected area. The area contains a mix of both recent and older commercial buildings along Queens Plaza to the west of the affected area. Train yards are located immediately to the east (the Sunnyside Yard). The side streets north and south of Queens Plaza contain a mix of industrial buildings and commercial buildings.

Building heights range from single-story commercial and manufacturing structures to new high-rise construction of twenty to thirty stories in height.

The surrounding area's zoning includes an M3-1 heavy industrial zone mapped over the Sunnyside Yard, and higher density M1-6/R10 and M1-5/R9 mixed use districts mapped within the portion of the Special Long Island City Mixed Use Zoning District located within the land use study area.

Public policy for land use development for the subject property and the surrounding area is embodied in the NYC Zoning Resolution. The Queens Plaza Subdistrict of the Special Long Island City Mixed Use Zoning District was created in 2001 to facilitate development of a fourth Central Business District in a compact, transit-rich section of Long Island City. The area's zoning allows a wide range of residential, community facility, commercial, and light industrial uses at high density. In 2001, in connection with the Long Island City Rezoning (CEQR No. 00DCP055Q), the affected area was subject to zoning map and text amendments and other related actions, including the

establishment of the LIC District. The Queens Plaza Subdistrict, established within the LIC District, set forth ground floor use provisions for all of the blocks within the subdistrict. These provisions allow community facility or commercial uses on the ground floor of the first 100 feet of the project site's frontage between 29th Street and Jackson Avenue, and allow commercial uses only on the ground floor of the balance of the project site's Queens Plaza South frontage. Uses on the ground floors of buildings on the remaining three blocks of the intersection of Jackson Avenue, Queens Plaza South, and Queens Boulevard were also restricted to commercial use. Uses on the ground floors of the subdistrict's remaining significant thoroughfares were restricted to community facility and commercial. At the time of the Long Island City Rezoning, retail uses were projected to occupy the entire ground floor of the project site, as allowed by the provisions of the Queens Plaza Subdistrict.

Future Without the Proposed Action

In the future without the proposed action, ground floor space in new developments within the affected area would be limited to commercial uses. Part of the Project Site would be developed with a 5,500-square foot Community Facility located wholly within 100 feet of 28th Street, beyond the affected area. The 1,170-square foot portion of the Project Site within the affected area, and a 1,530-square foot section of floor area located behind the affected area would be developed with commercial uses.

It is expected that Potential Development Site 1 (Block 420, Lot 1) would be developed pursuant to a development agreement between the site's owner, New York City Economic Development Corporation, and a private developer. Under existing zoning, the portion of Block 420, Lot 1 within the affected area would be limited to ground floor commercial occupancy.

Development on a site that includes Potential Development Site 2 (Block 263, Lots 1 and 9) for mixed residential and commercial occupancy would continue as described above.

No development plans are known for Potential Development Site 3 (Block 239, Lots 6 and 7). Any such development would be pursuant to those lots' M1-6/R10 zoning and the commercial frontage regulations governing their Queens Boulevard frontage.

Overall, it is expected that up to 21,210 square feet of ground floor commercial floor area could be developed within the affected area. There are no known proposals for changes in the area's zoning regulations and public policy.

Future With the Proposed Action

Since 2002, plans for the ground floor uses at the project site have changed. The project site has since been developed with an approximately 544,000 gsf commercial building, which is currently occupied with approximately 465,500 gsf of office uses on its upper stories, and approximately 25,000 gsf of ground floor space, including 8,200 gsf of vacant space, and 16,800 gsf of retail, lobby and mechanical uses. Under the proposed action, an 8,200 square foot early childhood facility would be developed on the ground floor of 1 Gotham Center. 1,170 square feet of this facility would be within the affected area, and the remaining floor area would be within an area where ground floor community facility use is permitted as of right under existing zoning resolutions.

Other Affected Sites

In addition to facilitating the proposed project at 1 Gotham Center, the proposed action would also allow community facility uses on the ground floors of three non-applicant controlled parcels where these uses are not currently allowed: Block 420, Lot 1 (potential development site 1); Block 263, Lots 1 and 9 (potential development site 2); and Block 239, Lots 6 and 7 (potential development site 3). Potential development sites 1 and 3 are currently vacant, while potential development site 2 is being developed with an approximately 1.2 million gsf mixed-use building pursuant to Department of Building (DOB) approved plans. For the purposes of a conservative analysis, the Environmental Assessment Statement (EAS) assumed that ground floor development on these three sites could include a total of 21,210 gsf of community facility uses in the future with the proposed action. Absent the proposed action, it was assumed that these three sites would be developed per the existing provisions of the Queens Plaza Subdistrict, which could result in 21,210 gsf of ground floor commercial uses.

The proposed action would not adversely affect land use, zoning, or public policy. It would bring the ground floor use regulations of the affected area into consistency with the ground floor regulations that affect 52 other block fronts in the Queens Plaza Subdistrict. It would allow building operators a wider range of potential tenants for ground floor space, and would allow for community facility uses that would serve the growing worker and residential population of Long Island City. The mix of uses that could occur within the affected area under the proposed action are currently allowed on the vast majority of similarly situated block fronts in the Queens Plaza Subdistrict. No conflicts with established land use, zoning, or public policy in the area would occur and no further assessment is warranted.

Hazardous Materials

The affected area is within the area that was subject to environmental review (CEQR No. 00DCP055Q) for the Long Island City Zoning Changes and Related Actions. This environmental review identified the potential for hazardous materials on the Project Site (Block 420, Lot 7501), Potential Development Site 1 (Block 420, Lot 1), and Potential Development Site 2 (Block 263, Lots 1 and 9). Accordingly, an [E] designation (E-104) was placed on these lots requiring assessment and remediation of potential hazardous materials as a condition of site development.

The [E] designation affecting the Project Site was satisfied as identified in the Notice to Proceed issued by the Department of Environmental Protection dated October 22, 2008. The Remedial Action Plan proposed for the site was accepted by DEP, with the requirement that a Remedial Closure Report be submitted by a Professional Engineer as a condition of issuance of a Certificate of Occupancy by the Department of Buildings. By their issuance of the Notice to Proceed, DEP has indicated that all hazardous materials concerns associated with development of the Project Site were appropriately addressed.

The presence of this [E] designation (E-104) also ensures that any hazardous materials issues associated with development of Potential Development Site 2 (Block 263, Lots 1 and 9) are adequately addressed. The proposed action would not affect hazardous materials. Under the area's M1-6/R10 zoning, residential and community facility development are allowed, with the exception of the block frontages designated for ground floor commercial use only. Allowing community facility occupancy of ground floor space within the affected area, as well as elsewhere on these sites, would not increase the potential for exposure to hazardous materials. Therefore no further assessment of hazardous materials is warranted and no significant impact is anticipated.

Potential Site 3 (Block 239, Lots 6 and 7) was not identified as a potential or projected development site in the FEIS conducted for the Long Island City rezoning (CEQR #00DCP055Q), and therefore was not analyzed for hazardous materials. The prior use of Potential Development Site 3 (Block 239, Lot 6 and 7) was a gas station, and the site currently contains underground storage tanks. Per CEQR Technical Manual Chapter 12, the proposed project would allow for a portion of the ground floor to be occupied with new sensitive community facility uses near underground storage tank. As a result, a new [E] designation (E-362) has been assigned to potential development site 3 (Block 239, Lots 6 and 7).

The text for the (E) Designation related to hazardous materials is as follows:

Task 1-Sampling Protocol

The applicant submits to the Office of Environmental Remediation (OER), for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

Noise

The affected area is within the area that was subject to environmental review (CEQR No. 00DCP055Q) for the Long Island City Zoning Changes and Related Actions. This environmental review identified the potential for noise impacts affecting Project Site (Block 420, Lot 7501), Potential Development Site 1 (Block 420, Lot 1), and Potential Development Site 2 (Block 263, Lot 1 and 9). Accordingly, an [E] designation was placed on these lots requiring that adequate noise attenuation be incorporated into design of new buildings on these lots.

A Notice to Proceed was issued on October 22, 2008 for the Project Site by the Department of Environmental Protection. At that time, ground floor occupancy was proposed to be for retail use. Because the proposed action involves a change to occupancy of the ground floor, the [E] designation noise requirements as they relate to the Project Site on the ground floor of 1 Gotham Center would be expected to be satisfied before occupancy by the project sponsor.

The presence of [E] designation E-104 also ensures that development of Potential Development Site 2 (Block 263, Lot 1 and 9) would incorporate appropriate noise attenuation so that no impacts related to noise would occur. The [E] designation requires attenuation levels at building facades, as described in the Noise section of this analysis, to provide acceptable interior noise levels.

Potential Site 3 (Block 239, Lots 6 and 7) was not identified as a potential or projected development site in the FEIS conducted for the Long Island City rezoning (CEQR #00DCP055Q), and therefore was not analyzed for noise. Per CEQR Technical Manual Chapter 19, the proposed project would allow for a portion of the ground floor to be occupied with new sensitive community facility uses near an elevated train line. Therefore in order to avoid the potential for significant adverse impacts related to noise, an (E) Designation (E-362) has been assigned to potential development site 3 (Block 239, Lots 6 and 7).

The text for the (E) designation related to noise is as follows:

In order to ensure an acceptable interior noise environment, future community facility must provide a closed window condition with a minimum of 41 dBA window/wall attenuation in order to maintain an interior noise level of 45 dBA. To achieve 41 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially designed windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

The proposed action would allow ground floor space that would otherwise be occupied by commercial use to be occupied by community facility use. This change would not introduce a significant noise generator. The community facility uses that would be permitted to locate within the affected area under the proposed action are currently permitted elsewhere on the affected lots, as are residential uses. The presence of the [E] designations ensures that development in locations where ambient noise is a concern will incorporate adequate noise attenuation. Therefore, the proposed action does not have the potential for adverse impacts related to noise and no further assessment is warranted.

Neighborhood Character

An assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts on or moderate effects on a specific range of technical areas presented in the CEQR Technical Manual. These elements are believed to define a neighborhood's character, specifically:

- Land Use, Zoning, and Public Policy
- Socioeconomic Conditions
- Open Space
- Historic & Cultural Resources
- Urban Design and Visual Resources
- Shadows
- Transportation
- Noise

“Yes” responses were provided for the following elements of the CEQR assessment:

- Land Use, Zoning, and Public Policy: Yes, the proposed action would allow a wider range of non-residential ground floor use within the affected area than is currently permitted, but this range of uses is permitted in the vast majority of similarly situated frontages within the Queens Plaza Subdistrict, and would be compatible with existing and future land uses in the area
- Noise: Yes, the affected area includes sites with an [E] designation for noise. The presence of this [E] ensures that new community facility uses within the affected area, as well as other uses on the zoning lots that have a noise [E], are adequately protected from the potential effects of ambient noise.
-

A preliminary assessment determines if anticipated changes in these elements may affect one or more contributing elements of neighborhood character. The assessment should answer the following two questions:

1. *What are the defining features of the neighborhood?*
2. *Does the project have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas?*

The Queens Plaza Subdistrict is emerging as a fourth Central Business District. It currently contains a mix of older and newer commercial offices, as well as local-serving retail and services. The vast majority of block fronts in the area do not have zoning regulations that prohibit community facility occupancy of ground floor space. Eliminating this restriction from the affected area would not have the potential to affect the defining features of the neighborhood.

The introduction of community facility uses in ground floor space in the affected area would be compatible with surrounding land use patterns in this mixed commercial, retail, and residential area.

No significant adverse neighborhood character impacts are anticipated and no additional assessment is warranted.

APPENDIX

Proposed Text Amendment

Matter underlined is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

**117-03
District Plan and Maps**

* * *

Appendix C Queens Plaza Subdistrict Plan Maps:

Map 1 - Designated Districts within the Queens Plaza Subdistrict

Map 2 - Ground Floor Use and Frontage

Map 3 - Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use.~~

* * *

**117-502
Queens Plaza Subdistrict Plan**

* * *

Map 3 (Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use~~) of the Queens Plaza Subdistrict Plan specifies the locations where special #street wall#, and mandatory sidewalk widening ~~and ground floor #use#~~ regulations, as set forth in Sections 117-531 and ~~117-553~~, apply applies.

* * *

**117-531
Street wall location**

* * *

(e) In the locations specified on Map 3 (Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use~~) of Appendix C of this Chapter, a #building# shall comply with the provisions of paragraphs (a) through (d) of this Section, as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #building# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, in

accordance with the provisions of Section 117-554, and located adjacent to a public sidewalk or mandatory sidewalk widening.

* * *

**117-551
General provisions**

* * *

The provisions of Sections 117-553 (Mandatory sidewalk widening ~~and ground floor uses~~) and 117-554 (Mandatory sidewalk widening design requirements) apply to those locations identified on Map 3 in Appendix C of this Chapter.

* * *

**117-553
Mandatory sidewalk widening ~~and ground floor uses~~**

The sidewalk widening ~~and ground floor use~~ provisions of this Section shall apply to all ~~developments or enlargements~~ with ground floor ~~street walls~~ with a ratio of ~~floor area~~ to ~~lot area~~ of 3.0 or more.

- (a) Sidewalk widening accessible to the public must be provided in the locations specified on Map 3 (Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use~~) of Appendix C of this Chapter. Such mandatory sidewalk widening is subject to the design requirements of Section 117-554.
- (b) ~~Ground floor commercial use restriction~~

~~For any building or portion of a building developed or enlarged after July 26, 2001, fronting on the mandatory sidewalk widening required in paragraph (a) of this Section, uses within stories on the ground floor or with a floor level within five feet of curb level shall be limited to commercial uses listed in Use Groups 5, 6A, 6C, 7A, 7B, 8A, 8B, 9, 10, 11A, 12A and 12B, where such uses are permitted by the special use regulations of Section 117-51 (Queens Plaza Subdistrict Special Use Regulations). Any such building, or portion thereof, fronting on such mandatory sidewalk widening shall be allocated exclusively to such uses, except for lobby space, entrance space or frontage used for subway access.~~

* * *