

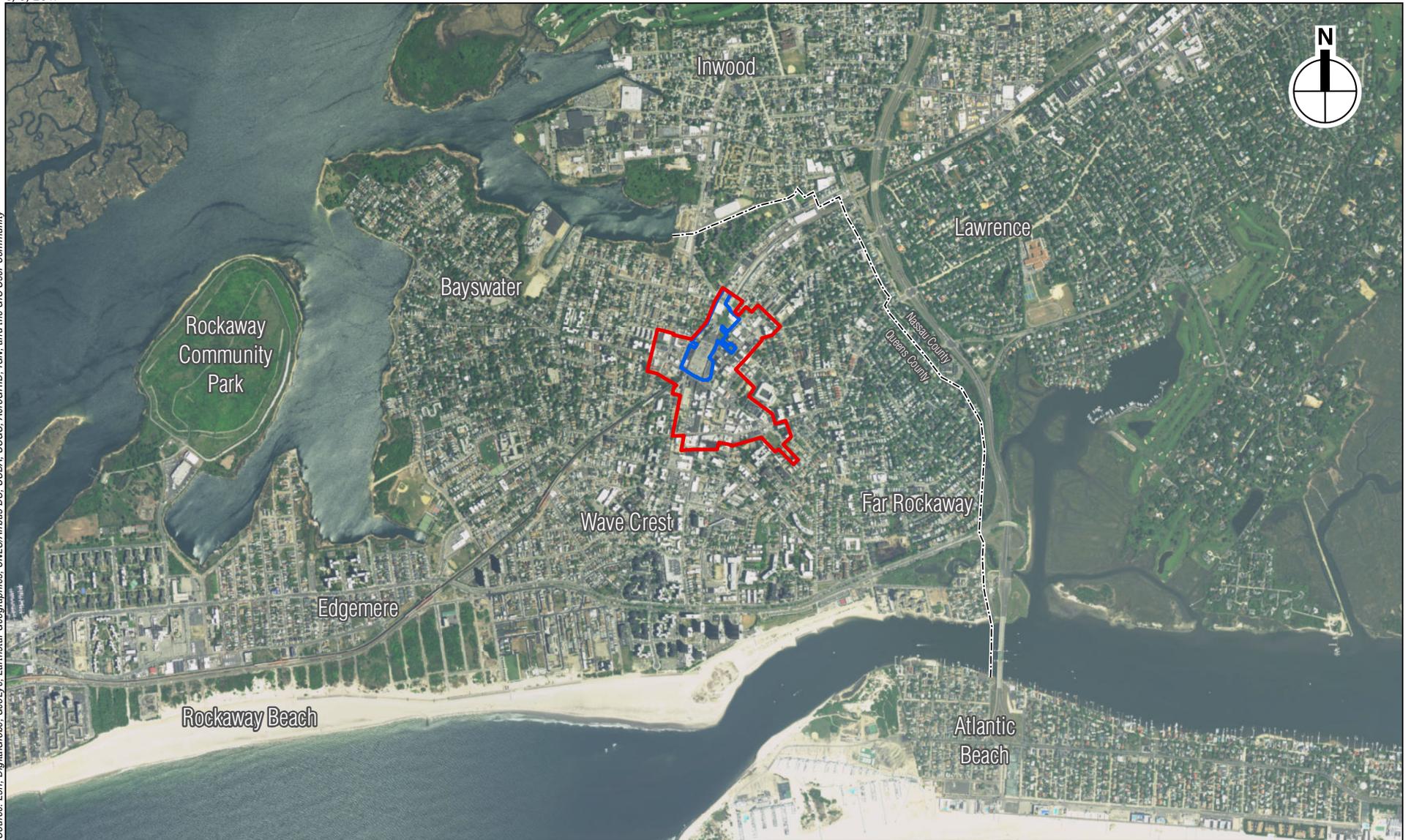
### A. INTRODUCTION

The City of New York, acting through the New York City (NYC) Economic Development Corporation (EDC), the New York City Department of Housing Preservation and Development (HPD), and the New York City Department of Citywide Administrative Services (DCAS), is proposing a series of land use actions, including zoning map amendments, zoning text amendments, disposition and acquisition of property, and the designation and approval of an Urban Renewal Area (URA) and Plan (URP) to implement recommendations of a comprehensive plan to redevelop and revitalize an approximately ~~2223~~-block area of the Downtown Far Rockaway neighborhood of Queens, Community District 14 (see **Figure S-1**). The discretionary land use approvals are herein collectively referred to as the “Proposed Actions” and are described in more detail below. The Proposed Actions are expected to result in a net increase of ~~3,123,027~~ dwelling units (DUs), ~~152,935~~164,595 gross square feet (gsf) of retail space and ~~86,947~~80,947 gsf of community facility space (the “Proposed Project”). The Proposed Project also would provide a new publicly-accessible open space.

The Proposed Actions have been developed as part of a comprehensive community planning process. The Downtown Far Rockaway Working Group (the Working Group) was convened in October 2015 by the council member representing City Council District 31 (which includes Downtown Far Rockaway), in partnership with City Hall to catalyze the revitalization of the peninsula and Downtown Far Rockaway. In support of this effort, the City looked across the peninsula at opportunities to provide new affordable housing and support neighborhood growth with a specific focus on Downtown Far Rockaway, the Peninsula’s historic downtown core. The Working Group included local elected officials and representatives from the community, business, and nonprofit sectors. With input from the public, the Working Group developed a set of recommendations to guide future public and private investment in Downtown Far Rockaway. The recommendations, delivered to Mayor de Blasio on February 1, 2016, were organized around the following goals:

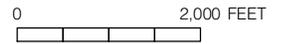
- **Goal 1:** Re-establish Downtown Far Rockaway as the commercial and transportation hub of the Rockaway peninsula;
- **Goal 2:** Reposition the area as a mixed-use district, including new mixed-income housing;
- **Goal 3:** Activate the public realm with new connections and public open space;
- **Goal 4:** Improve the quality of life for residents through access to community services, education and quality jobs; and
- **Goal 5:** Build the capacity of community organizations and support local businesses.

In the 2016 State of the City Address, Mayor de Blasio announced a \$91 million commitment for the Downtown Far Rockaway area to spur revitalization of the neighborhood. Following Mayor de Blasio’s announcement, the City launched an interagency planning effort to respond to the Working Group’s letter and reestablish Downtown Far Rockaway as the commercial hub of



- Project Area
- Proposed Downtown Far Rockaway Urban Renewal Area (DFRURA)

*This figure has been revised for the FEIS*



**Downtown Far Rockaway Redevelopment Project**

Project Location  
**Figure S-1**

## **Downtown Far Rockaway Redevelopment Project**

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the Rockaway peninsula, culminating in the release of the Downtown Far Rockaway Roadmap for Action (the Roadmap for Action) in August 2016. The Roadmap for Action integrates land use tools within infrastructure investments and improved community services to transform the downtown core into a vibrant, mixed-use center. The Roadmap includes the following five strategies:

- Identifying new opportunities for mixed-income housing;
- Improving transportation infrastructure and transforming public space;
- Strengthening existing commercial corridors, small businesses, and connections to jobs;
- Expanding upon community services and cultural assets; and
- Rezoning the downtown area to unlock development potential for commercial and residential uses.

The Roadmap for Action represents a comprehensive response to the recommendations of the Working Group. The Proposed Actions are a key component of the Roadmap for Action, with the aim of transforming underutilized sites with mixed-use, transit-oriented development, and unlocking the potential for development throughout Downtown Far Rockaway. The Proposed Actions would allow new residential uses in locations where zoning does not permit them today and a mix of commercial and community facility uses that would complement the downtown setting and the public realm. New commercial and community facility spaces would occupy the ground floor and lower floors of new mixed-use buildings. The Proposed Actions would concentrate density outside of the flood zone and near mass transit, while blending new development into the existing neighborhood fabric.

The Office of the Deputy Mayor for Housing and Economic Development (ODMHED), serving as lead agency, has overseen the preparation of this Environmental Impact Statement (EIS) in conformance with City Environmental Quality Review (CEQR) guidelines. The environmental analyses in the EIS assumes a development period of 15 years for the reasonable worst-case development scenario (RWCDS) for the Proposed Actions (i.e., analysis year of 2032) and identifies the cumulative impacts of other projects in areas affected by the Proposed Actions.

The lead agency has conducted a coordinated review of the Proposed Actions with Involved Agencies, which include the NYC Departments of City Planning (DCP), HPD, and DCAS. In addition, several agencies have participated in the environmental review as Interested Agencies under CEQR, including the NYC Department of Transportation (DOT), the NYC Department of Sanitation (DSNY), the NYC Department of Environmental Protection (DEP), NYC Transit (NYCT), and the Metropolitan Transit Authority (MTA).

An overview of the study area, the purpose and need for the Proposed Actions and the specific areas affected by the Proposed Actions are discussed below.

## **B. AREA AFFECTED BY THE PROPOSED ACTIONS**

### **PROJECT AREA**

The Proposed Actions would affect an approximately ~~2322~~-block area of the Downtown Far Rockaway neighborhood of Queens. The Project Area is generally bounded by Cornaga Avenue to the south; Beach 22nd Street, Beach Channel Drive, and Redfern Avenue to the west and northwest; Gateway Boulevard to the southeast; and Central Avenue and Nameoke Avenue to

the east and northeast (see **Figure S-2**). The Project Area comprises the areas described below, which would be directly affected by the Proposed Actions (see **Figure S-3**).

#### *REZONING AREA*

The Rezoning Area is the ~~2224~~-block portion of the Project Area, which would be rezoned to allow new residential uses and a mix of commercial and community facility uses that would complement the location. The boundaries of the Rezoning Area are generally coterminous with the boundaries of the Project Area but for the DSNY Disposition Site (see below), located at Nameoke and Augustina Avenues, which would not be rezoned under the Proposed Actions.

#### *PROPOSED DOWNTOWN FAR ROCKAWAY URBAN RENEWAL AREA*

The Proposed Downtown Far Rockaway Urban Renewal Area (DFRURA) is the approximately 13-acre portion of the Project Area—north of Mott Avenue, east of Redfern Avenue, and west of Central Avenue—that is proposed for redevelopment by the City of New York. Parcels within the Proposed DFRURA may be acquired by the City through negotiations with property owners or through eminent domain and subsequently disposed for redevelopment with new housing, retail, commercial, community facility, and public plaza space. The Proposed DFRURA would encourage new mixed-use development on a key site within the core of the downtown.

#### *DISPOSITION SITES*

The Disposition Sites include two City-owned parcels, one of which is located at Beach 21st Street, between Mott and Cornaga Avenues, and is under the jurisdiction of DOT and the MTA (the DOT/MTA Disposition Site). The second site, located at the northwest corner of Augustina and Nameoke Avenues, is under the jurisdiction of DSNY (the DSNY Disposition Site). The Disposition Sites would be disposed of by sale or lease for redevelopment with housing, community facility space, commercial space, and/or retail space.

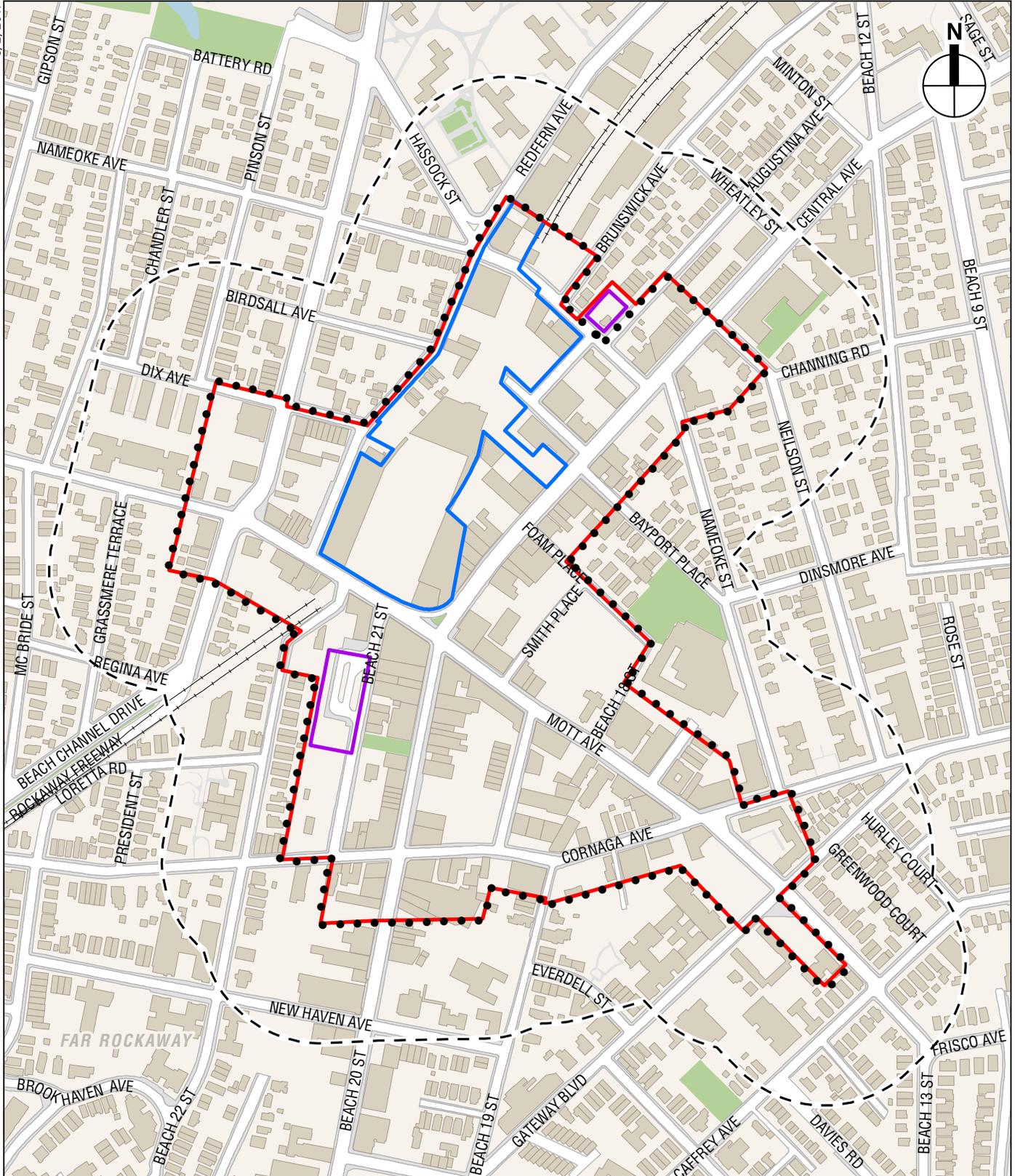
## **C. BACKGROUND**

### **STUDY AREA HISTORY**

The Rockaway Peninsula as a whole became a popular area for seaside hotels starting in the 1830s, and its popularity grew with the development of the Long Island Rail Road's (LIRR) Rockaway Beach Branch to Long Island City and Flatbush Terminal (now Atlantic Terminal). In 1898, when Far Rockaway was consolidated into the City of Greater New York, the estimated permanent population was 11,000 persons. In 1898, while not densely populated, Far Rockaway had begun to resemble the neighborhood it is today. From the late 1800s into the 1900s, Far Rockaway grew as a low-density residential neighborhood, featuring other land uses such as houses of worship, a hospital, banks, and general businesses, as well as attractions such as hotels and entertainment facilities along the seaside. However, Far Rockaway lacked large-scale employers and many permanent residents had to make long daily commutes to the City's employment centers. Many homeowners supplemented their income by renting their homes during the summer months, when the peninsula became attractive for vacationing.

In the following century, Far Rockaway would experience more rapid growth: by 1930, the population had grown to 30,000 people; by 1950, the population was 50,000; and, by 1960, the population was 79,000. In 1956, subway service was introduced to the neighborhood. The

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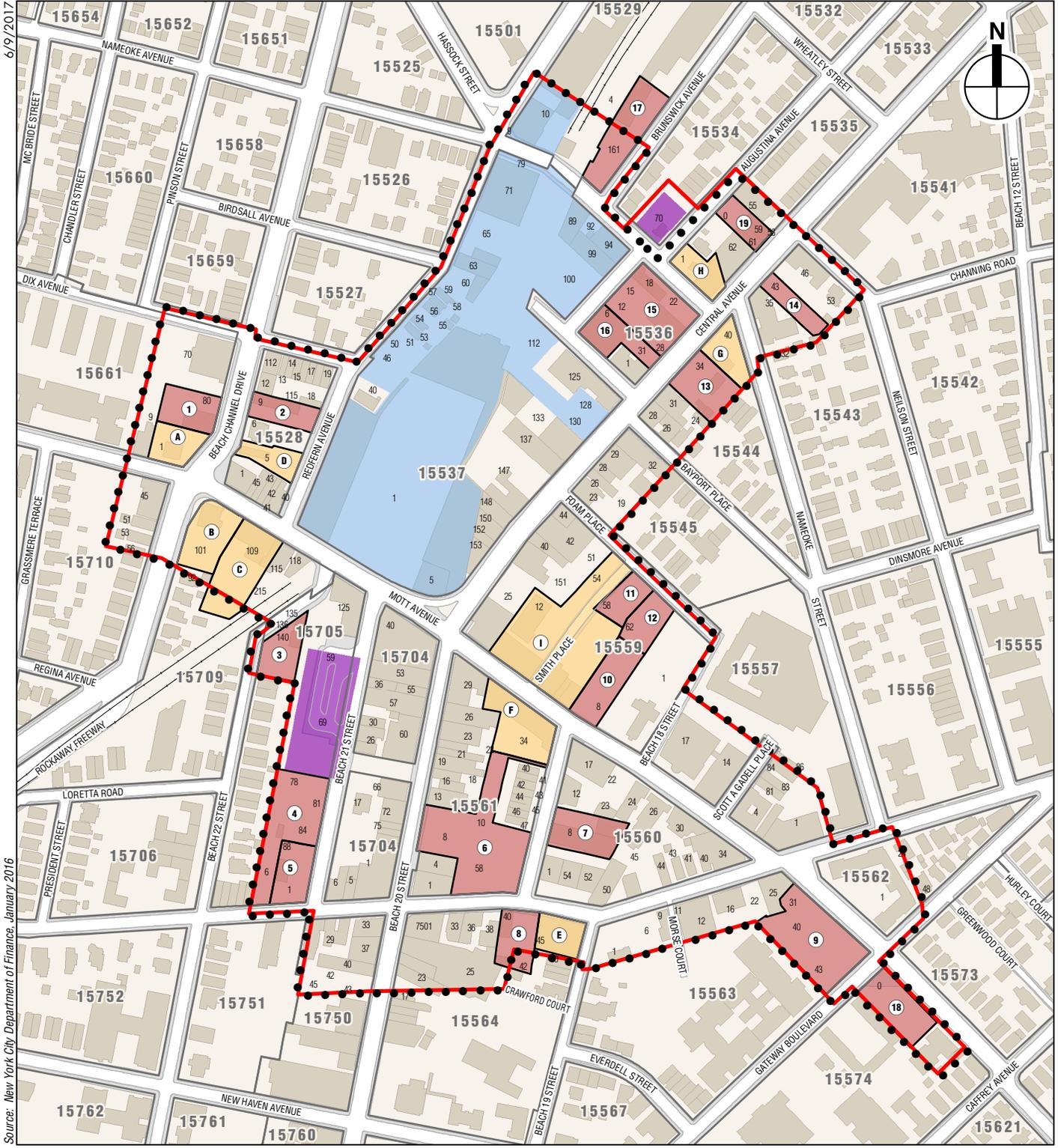


- Project Area
- Rezoning Area Boundary
- Proposed Downtown Far Rockaway Urban Renewal Area (DFRURA)
- Disposition Sites
- 400-foot boundary      *This figure has been revised for the FEIS*

0 400 FEET

**Downtown Far Rockaway Redevelopment Project**

Project Area  
Figure S-2



6/9/2017

Source: New York City Department of Finance, January 2016

- Project Area
- Rezoning Area Boundary
- Proposed DFRURA
- Disposition Sites
- Projected Development Sites
- Potential Development Sites

Note: Projected/Potential Site boundaries illustrate the extent of the entire tax lots that would contribute to total development area. Actual projected/potential development footprints may differ.

Disposition Sites:  
 Block 15705, Lots 59 and 69 are the DOT/MTA Disposition Site  
 Block 15534, Lot 70 is the DSNY Disposition Site

0 200 FEET

This figure has been revised for the FEIS

**Downtown Far Rockaway Redevelopment Project**

Project Area Components  
**Figure S-3**

## **Downtown Far Rockaway Redevelopment Project**

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subway encouraged industrial and commercial growth and brought middle and working class people to the Rockaways, which increased the permanent, year-round population to 79,000 by 1960. However, in the latter part of the 20th century, Far Rockaway began to lose its appeal as a summertime vacation spot. As the tourism industry declined, a lack of investment in Far Rockaway became evident and other aspects of the local economy began to take hold.

Historically, Downtown Far Rockaway's commerce was anchored around tourism, seaside entertainment, and vacation rentals. Today, Downtown Far Rockaway serves as the neighborhood's central commercial downtown, and is anchored by the Central Avenue, Mott Avenue, and Beach 20th Street retail corridors, as well as the Far Rockaway LIRR line and the NYCT A-Train subway line. The area is also served by four MTA bus routes (QM17, Q22, and Q113/Q114) and three Nassau Inter-County Express (NICE) buses (N31/N32, and N33). The downtown area is defined by local-serving retail, office space, and community facilities such as the post office, public library, houses of worship, and police and fire stations. However, decades of insufficient investment have resulted in underperforming retail corridors as well as a lack of housing options, community services, and amenities. The area is characterized by poor pedestrian circulation and uninviting streetscapes, with little public open space. Although Downtown Far Rockaway presents an opportunity for transit-oriented development, revitalization has been hindered due to a significant number of underutilized properties and existing zoning does not support transit-oriented mixed-use development of these sites.

### **D. PURPOSE AND NEED**

Decades of disinvestment in Downtown Far Rockaway have resulted in underperforming retail corridors as well as a lack of housing options, community services, and amenities. The area is characterized by underutilized properties, poor pedestrian circulation, uninviting streetscapes, and little public open space. To catalyze the revitalization of the peninsula and Downtown Far Rockaway, the Working Group was convened in October 2015 by the local Council Member representing City Council District 31 in partnership with City Hall and including other local elected officials and representatives from the community, business, and nonprofit sectors. With input from the public, the Working Group developed a set of recommendations to guide future public and private investment in Downtown Far Rockaway. The recommendations, delivered to Mayor de Blasio on February 1, 2016, were organized around the following goals:

- **Goal 1:** Re-establish Downtown Far Rockaway as the commercial and transportation hub of the Rockaway peninsula;
- **Goal 2:** Reposition the area as a mixed-use district, including new mixed-income housing;
- **Goal 3:** Activate the public realm with new connections and public open space;
- **Goal 4:** Improve the quality of life for residents through access to community services, education, and quality jobs; and
- **Goal 5:** Build the capacity of community organizations and support local businesses.

In the 2016 State of the City Address, Mayor de Blasio announced a \$91 million commitment for the Downtown Far Rockaway area to support the revitalization of the neighborhood. Following Mayor de Blasio's announcement, the City launched an interagency planning effort to respond to the Working Group's letter and reestablish Downtown Far Rockaway as the commercial hub of the Rockaway peninsula, culminating in the release of the Downtown Far Rockaway Roadmap for Action in August 2016. The Roadmap for Action integrates land use tools within infrastructure investments and improved community services to transform the

downtown core into a vibrant mixed-use center. The Roadmap includes the following five strategies, including:

- Identifying new opportunities for mixed-income housing;
- Improving transportation infrastructure and transforming public space;
- Strengthening existing commercial corridors, small businesses, and connections to jobs;
- Expanding upon community services and cultural assets; and
- Rezoning the downtown area to unlock development potential for commercial and residential uses.

The City developed the Roadmap for Action as a comprehensive response to the Working Group’s goals and recommendations. The Proposed Actions are one part of the Roadmap for Action, a series of strategies that would work in unison to address housing, land use, economic development, and public space needs in Downtown Far Rockaway. The Proposed Actions are intended to transform the underutilized Proposed DFRURA and Disposition Sites with mixed-use, transit-oriented development and to unlock the potential for additional development throughout the Rezoning Area. The Proposed Actions would concentrate mixed-use development in one of the few areas on the peninsula located out of the floodplain, with access to transit and St. John’s Episcopal Hospital—the peninsula’s largest employer. With the inclusion of the City’s new Mandatory Inclusionary Housing (MIH) provisions, the Proposed Actions would provide permanently affordable housing in the neighborhood.

The proposed zoning strategy would require active ground floor uses, mandatory sidewalk widenings, and other urban design controls along major corridors to enliven the streetscape. Together with the creation of a new public plaza between Beach 21st and Beach 22nd Streets and expanded public open space at the corner of Mott Avenue and Central Avenue, the Proposed Actions would increase pedestrian activity for local businesses, reinforce Mott Avenue as a “Village Main Street,” and create new gateways to Downtown Far Rockaway. In addition, the Proposed Actions would more closely align off-street parking requirement with area demand and promote a walkable and vibrant streetscape.

## **E. PROPOSED ACTIONS**

This Final Environmental Impact Statement (FEIS) incorporates the amended Uniform Land Use Review Procedure (ULURP) application (referred to hereafter as the “A-Application”) that addresses issues raised just before or shortly after the January 27, 2017 issuance of the Draft Environmental Impact Statement (DEIS). The A-Application consists of a series of modifications to the Proposed Actions, including zoning text amendments and zoning map amendments, that were crafted in response to feedback on the application, to allow for additional development projects that meet the purpose and need for the Proposed Actions, and to ensure successful site planning on a complex and irregular site. Potential environmental impacts of the A-Application were evaluated in Technical Memorandum 001 (found in **Appendix O**) and the evaluation of the Proposed Actions in this FEIS incorporates the modifications associated with the A-Application.

In order to facilitate the Proposed Project, a series of discretionary approvals are needed. The City is proposing the following actions.

**ZONING MAP AMENDMENTS**

The City is proposing zoning map amendments to change existing R5, R5/C1-2, R5/C2-2, C4-2, C8-1 and M1-1 districts to R5, R5/C2-4, R6, R6/C2-4, and R7-1/C2-4 districts and establish the Special District known as the Special Downtown Far Rockaway District (the “Special District”) (see **Figure S-4**). The proposed zoning districts would allow for a mix of uses and unlock development potential throughout Downtown Far Rockaway. The proposed zoning would enhance the vitality of existing commercial corridors while creating opportunities for a more vibrant mixed-use community. The proposed zoning changes would concentrate density close to the downtown commercial core and mass transit, while integrating new development with the existing neighborhood scale and preserving the “village” character of Downtown Far Rockaway.

*PROPOSED ZONING DISTRICTS*

*R5/C2-4 District (Existing C4-2)*

An extension of an R5 district is proposed at the southern end of the Rezoning Area, south of Cornaga Avenue along Beach 20th Street. A C2-4 commercial overlay would be established within this area. The proposed R5/C2-4 district would replace a portion of an existing C4-2 district to provide a transition in height and limit the ranges of uses near the periphery of the Rezoning Area to the downtown core.

R5 districts allow a variety of housing at a floor area ratio (FAR) of 1.25, which typically produces three- and four-story attached houses and small apartment houses. With a height limit of 40 feet, R5 districts provide a transition between lower- and higher-density neighborhoods. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building before a building can rise to the maximum permitted building height. Detached, single- and two-family houses must have two side yards that total at least 13 feet, each with a minimum width of 5 feet. Semi-detached houses need one eight-foot-wide side yard, and all other types of residences typically require two side yards, each with a width of eight feet. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage, or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is required for 85 percent of the DUs in the building.

*Affordable Senior Housing*

Within R5 districts, Affordable Independent Residences for Seniors (AIRS) and Long-Term Care Facilities (LTCF) are permitted a maximum FAR of 1.95. The maximum building height is 45 feet, except that beyond 25 feet of the street line, the height may be increased to 55 feet where certain criteria are met, such as adjacency to large lots, existing tall buildings, or a preponderance of multi-family housing.

*R6 District (Existing R5, C4-2, C8-1 and M1-1)*

R6 districts are proposed to be mapped to the north of Nameoke Avenue generally between Redfern Avenue and Central Avenue, the intersection of Mott Avenue and Beach Channel Drive, along Mott Avenue generally between Beach 19th Street and Gateway Boulevard (extending across Gateway Boulevard on the south side of Mott Avenue), and south of Cornaga Avenue between Beach 21st Street and Beach 19th Street. The proposed R6 district would cover most of the Rezoning Area and would replace portions of existing R5, C4-2 C8-1, and M1-1 districts.

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Source: NYC Dept. of City Planning

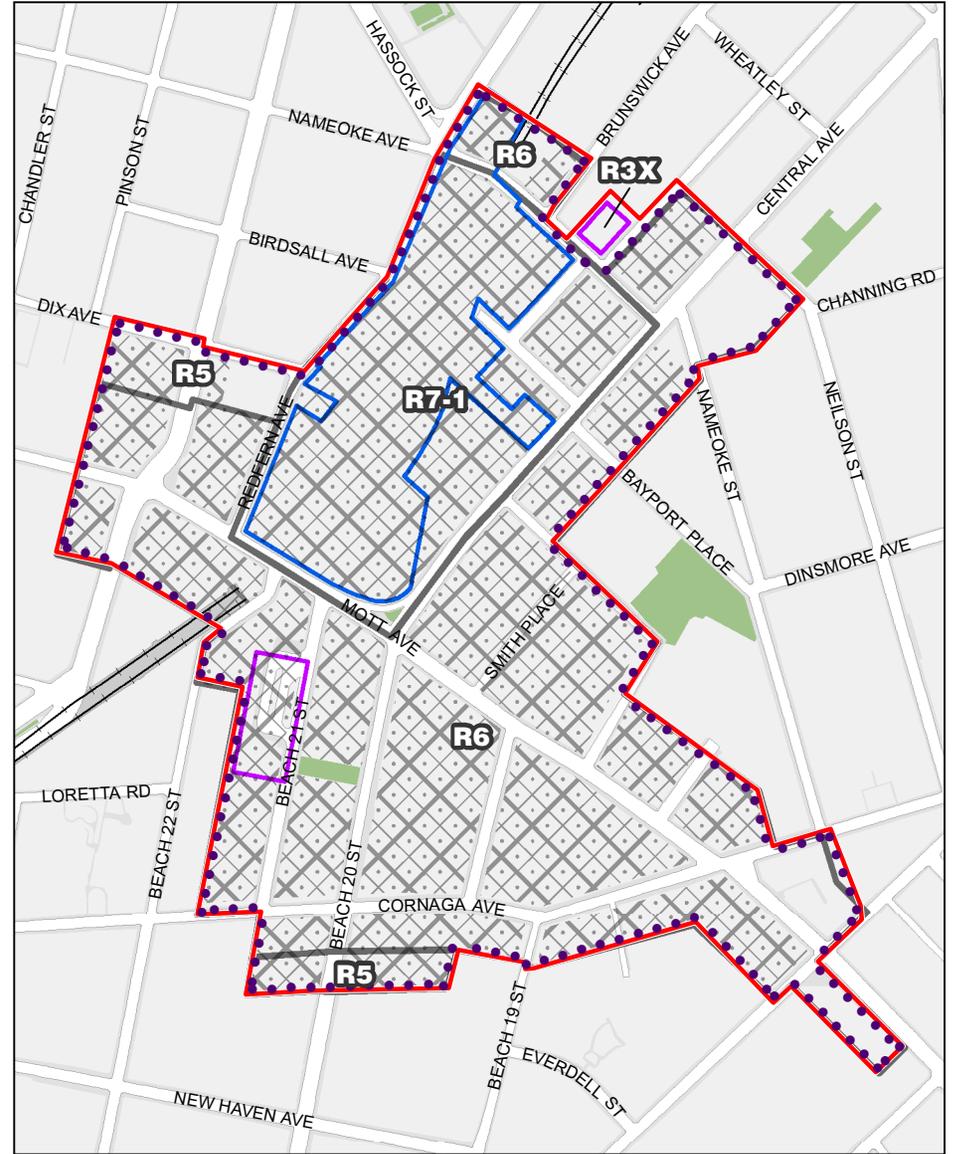


**Special District**

-  Proposed Special Downtown Far Rockaway District
-  Subdistrict A
-  Mandatory Inclusionary Housing Area\*
-  Disposition Sites
-  Proposed DFRURA
-  Project Area
-  Rezoning Area Boundary

This figure has been revised for the FEIS

**Downtown Far Rockaway Redevelopment Project**



**Proposed Zoning**

-  Zoning Districts
-  Proposed C2-4 Commercial Overlay District

\* The Mandatory Inclusionary Housing Area (MIHA) includes all areas of the Proposed Special Downtown Far Rockaway District, except for those areas that will remain zoned as R5.

Proposed Zoning and Special District  
**Figure S-4**

R6 zoning districts would allow residential and community facility uses a maximum FAR of 3.0 (up to 3.6 FAR is allowed in MIH designated areas). R6 districts permit all types of housing. The minimum base height is 40 feet, and the maximum base height is 65 feet for buildings with qualifying ground floors, above which the building must be set back to a depth of at least 10 feet on a wide street and 15 feet on a narrow street. The maximum building height is 75 feet (7 stories) for buildings with qualifying ground floors. For buildings providing inclusionary housing units, the maximum height is increased to 85 feet (8 stories) for buildings with qualifying ground floors. Off-street parking is required for 85 percent of DUs<sup>1</sup>, and outside the transit zone, parking is required for 25 percent of income-restricted units.

*Affordable Senior Housing*

AIRS and LTCF developments in R6 districts are allowed a maximum FAR of 3.9. The maximum base height is 65 feet and the maximum building height is 85 feet (8 stories) for buildings with a qualifying ground floor. Outside the transit zone, AIRS have a parking requirement of ten percent of the total number of DUs.

*R7-1 District (Existing C4-2 and C8-1)*

The proposed R7-1 district would be mapped from Nameoke Avenue to Mott Avenue, between Redfern Avenue and Augustina and Central Avenues.

R7-1 districts are medium-density apartment house districts. The height factor regulations for R7 districts encourage lower apartment buildings on smaller zoning lots and, on larger lots, taller buildings with less lot coverage. As an alternative, developers may choose the optional Quality Housing regulations to build lower buildings with greater lot coverage. Height factor buildings are often set back from the street and surrounded by open space and on-site parking. The maximum FAR is 4.0, and the base height before setback is 40 to 65 feet with a maximum building height of 80 feet. Within R7-1 districts, the area between a building's street wall and the street line must be planted, and the building must have interior amenities for residents pursuant to the Quality Housing Program. Off-street parking is required for 60 percent of the DUs, and can be waived if five or fewer spaces are required.

*Affordable Senior Housing*

AIRS and LTCF developments in R7-1 districts can be developed or enlarged pursuant to the basic floor area and open space regulations set forth in ZR Section 23-151, as applicable. In R7-1 districts the permitted FAR for affordable, independent residences for seniors is 5.01; in addition, when residential uses or community facility uses are mixed with affordable independent residences for seniors on the same zoning lot, the sum of the floor area allocated to residential and community facility uses cannot exceed the maximum FAR for residential uses, which is 4.0.

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<sup>1</sup> As described above, in Community District 14 in the Borough of Queens, R6 and R7 Districts shall be subject to the accessory off-street parking regulations of an R5 District, except that such requirement shall not apply to any development located within an urban renewal area established prior to August 14, 2008, or to income-restricted housing units as defined in NYC ZR Section 12-10. The proposed Special District would modify this requirement to reflect what is described here as the requirement for R6 districts.

## **Downtown Far Rockaway Redevelopment Project**

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### *C2-4 Overlay District (Existing R5, C4-2, C8-1 and M1-1)*

C2-4 commercial overlay are proposed to be mapped along major commercial corridors throughout the Rezoning Area including: Nameoke Avenue, Central Avenue, Mott Avenue, Beach Channel Drive and Cornaga Avenue.

C2-4 commercial overlay districts are typically mapped along streets that serve local retail needs and are found throughout the city's lower- and medium-density areas. The existing C1-2 and C2-2 overlay districts have an FAR of 1.0 when mapped in R5 districts. The proposed C2-4 overlay would allow an additional FAR of 1.0 when compared to the existing C2-2 and C2-2 overlay districts. When mapped in R6 districts, the proposed C2-4 overlay has a maximum commercial FAR of 2.0. Changing the existing C1-2 and C2-2 commercial overlays to C2-4 and C2-4 commercial overlays would reduce the parking from generally one parking space per 300 sf of commercial floor area to one space per 400 sf of commercial floor area.

### *Proposed Removal of C1-2 and C2-2 Overlay Districts*

Existing C1-2 and C2-2 overlays are proposed to be removed from portions of three to four blocks in western, northern, and southeastern sections of the Rezoning Area along Beach Channel Drive, Central Avenue, and Mott Avenue. The removal of these overlay districts is proposed to more closely reflect existing residential and community facility development on these blocks.

## **ZONING TEXT AMENDMENTS**

The Proposed Actions include amendments to the text of the NYC Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing Area (MIHA) in the Rezoning Area and to establish the Special District. The proposed zoning text amendments are summarized below and provided in **Appendix A**.

### *SPECIAL DOWNTOWN FAR ROCKAWAY DISTRICT*

The proposed text amendments to the ZR would establish the Special District within the Rezoning Area to modify underlying zoning and to promote active community facility and retail uses on the ground floors. Community facility and retail uses would also be allowable on second floors within a commercial core area defined to include the Proposed DFRURA south of Nameoke Avenue, as well as along Beach 20th Street, portions of Mott Avenue, portions of Central Avenue, portions of Beach 18th Street, and portions of Foam Place. Active retail would be concentrated near transit, and would allow for retail uses within Use Groups 5 through 9 and 14. In addition, Use Groups 10A and 12 would be allowable within the same commercial core area described above. Transparency requirements are proposed for ground floor commercial and community facility uses. The Special District would also adjust maximum permitted base and building heights to reflect Downtown Far Rockaway's existing built scale, and adjust accessory off-street parking requirements to match neighborhood demand. ~~Transparency requirements are proposed for ground floor commercial and community facility uses.~~

The proposed Special District would also adjust the maximum permitted FAR for inclusionary housing development within the MIHA. Within R6 districts ~~and their commercial equivalents~~ in the MIHA, the maximum residential FAR is proposed to be 3.6, irrespective of whether the building has a wide street or narrow street frontage. Within the R7-1 district in the MIHA, the maximum residential FAR is proposed to be 4.6—again, irrespective of the type of street

frontage. These modifications would allow moderate increases in density to support the redevelopment of the area's underutilized sites.

Maximum permitted base and building heights would be adjusted to help blend new development into the existing neighborhood's fabric and to help unlock the development of the area's deep and irregular lots. Within R6 districts and R7-1 districts, street walls would be required. The maximum permitted base height is proposed to be reduced from 65 feet and 75 feet, respectively, to 55 feet. To offset the proposed reductions in base height and to allow for greater utilization of the maximum permitted FAR, the proposed Special District would set new maximum building height limits. Within R6 districts on the periphery of the Rezoning Area, the maximum permitted building height is proposed to be 95 feet (9 stories) for inclusionary housing buildings. Within R6 districts in the downtown core, the maximum permitted building height is proposed to be 105 feet (10 stories) for inclusionary housing buildings. Within R7-1 districts, the maximum permitted building height is proposed to be 115 feet (11 stories) for inclusionary housing buildings.

In order to adjust accessory off-street parking requirements to more closely reflect demand in this area, the accessory off-street parking requirement for income-restricted DUs would increase from 15 to 25 percent in the R7-1 district, and the accessory off-street parking requirement within the Special District for all other residential DUs would decrease from 85 to 50 percent. Commercial and community facility off-street parking would be subject to the requirements of the C42-4 district but the off-street parking requirement for most commercial and community facility uses ~~in Parking Requirement Category (PRC) A, PRC B and PRC C<sup>2</sup>~~ would generally increase from 1 space per 1,000 sf of commercial floor area to 1 space per 750 sf of commercial floor area.

The proposed Special District would include a Subdistrict A, generally bounded by Nameoke Avenue, Mott Avenue, Central Avenue, and Redfern Avenue, which includes the Far Rockaway Shopping Center. Within this area, the Special District would provide a framework for a publicly accessible private street and open space network, mandatory sidewalk widenings along Mott Avenue and Redfern Avenue, street wall height and setback requirements along designated streets, unique maximum building heights in specified locations—including up to two 15-story buildings, flexibility for location of uses within a building, and a City Planning Commission (CPC) Chairperson's Certification to ensure compliance with and maintenance of private street and open space provisions.

Further detail on the regulations that would govern development in Subdistrict A are as follows:

- Street wall location

The aggregate width of a street wall required to be within 8 feet of the street line would be reduced from 70 percent to 40 percent on blocks less than 100 wide between parallel streets. For portions of buildings or building segments with frontage on Redfern Avenue located between the prolongation of the northerly street line of Dix Avenue and a line 150 feet south

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<sup>2</sup> ~~Parking Requirement Category (PRC) for commercial uses are grouped into nine parking requirement categories based on the compatibility of the uses and the amount of traffic generated. PRC A corresponds to food stores (larger than 2,000 sf), requiring a high traffic volume. PRC B corresponds to local retail or services uses (bakeries, restaurants, department and appliance stores), requiring a high traffic volume. PRC C corresponds to miscellaneous uses requiring low traffic volume (court houses, auto showrooms, etc.).~~

## Downtown Far Rockaway Redevelopment Project

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of and parallel to Nameoke Street, the street wall location rules of ZR Section 136-221 would not apply and instead portions of ZR Section 23-661 would apply.

- *Street wall recesses*  
Street wall recesses would be allowed to be located within 30 feet of Redfern Avenue, except at the intersection of Redfern Avenue and Mott Avenue, and the minimum depth of any street wall recess would be reduced from 8 feet to 3 feet.
- *Minimum and Maximum Base Heights*  
The maximum base height for portions of buildings fronting on, or within 100 feet of a street (other than Redfern Avenue) would be reduced from 70 feet to 65 feet. In areas fronting on a private street or a publicly accessible open space and beyond 100 feet of a street that is not a private street or publicly accessible space, the maximum base height would be reduced from 90 feet to 85 feet. The reduced height would allow for base heights along Mott Avenue that would match the surrounding context and heights.
- *Maximum Building Height and Horizontal Dimension for Tall Buildings*  
The area where towers could potentially land would be reduced, further pushing towers to the interior of the Subdistrict. Maximum building heights along Mott Avenue, Nameoke Avenue, and Redfern Avenue would also be established.
- *Maximum length of buildings*  
For portions of buildings that are not located directly below tower portions, the outermost walls of each story located entirely above a height of 95 feet shall be inscribed within a rectangle with a maximum length of any side being 170 feet.
- *Publicly accessible open space requirements*  
In order to better align public open space design to support active retail space, the amount of publicly accessible open space required would be adjusted. The minimum area within Open Area A would be reduced from 27,000 square feet to 23,000 square feet, and the required minimum area within Open Area B would be reduced from 7,500 square feet to 7,000 square feet (see **Figure 3 in Appendix O**). In addition, Open Area A's shape and dimensions would be adjusted to promote flexibility to respond to the site's unique characteristics. The regulations would also be adjusted to allow a kiosk of up to 400 square feet within Open Area A. Planting requirements, the limitations on the amount of accessory signage permitted on establishments fronting on an open area, and the maximum width of a residential lobby adjacent to open areas would be relaxed.

The Proposed Actions also would enable the City Planning Commission (CPC) to authorize modifications of bulk regulations in order to provide additional design flexibility for developing the irregular lots within Subdistrict A, provided that the modifications result in a superior site plan; do not exceed the maximum permitted building heights and horizontal dimensions for tall buildings; do not unduly increase the bulk of buildings or unduly obstruct access of adequate light and air to the detriment of the occupants or users of buildings on the block or nearby blocks, or of people using the public streets and other public spaces; and would not create traffic congestion. Additional measures would include applying ground floor use regulations to buildings within a certain distance of Mott Avenue and fronting on open area; increasing the maximum width of a residential lobby adjacent to open areas; applying transparency and parking wrap requirements to building frontages along the proposed open space; adjusting dormer

regulations; and providing an additional degree of flexibility for lot coverage requirements in R6 districts when the MIH program is applied.

#### *MANDATORY INCLUSIONARY HOUSING AREA*

The Proposed Actions would establish an MIHA within the Rezoning Area in Appendix F of the ZR. As a key initiative of Mayor de Blasio's housing plan, *Housing New York*, MIH will require, through zoning actions, a share of new housing to be permanently affordable. MIH would require permanently affordable housing for all developments over 10 units or 12,500 zoning square feet, or, as an additional option for developments between 10 and 25 units (or 12,500 to 25,000 square feet), a payment into an Affordable Housing Fund. In cases of hardship, where these requirements would make development financially infeasible, developers may apply to the Board of Standards and Appeals (BSA) for a special permit to reduce or modify the requirements. Developments, enlargements, or conversions that do not exceed either 10 units or 12,500 square feet of residential floor area would be exempt from the requirements of the program. MIH would bring affordable housing for a range of incomes to Downtown Far Rockaway, and would directly support the goals of Housing New York by creating new housing opportunities on underutilized private sites and maximizing affordability on City-owned property.

Under MIH, when new housing capacity is approved through land use actions, the CPC and the City Council can choose to impose either one or both of two basic options regarding affordable housing set-asides. Option 1 requires that 25 percent of the residential floor area be set aside for units affordable to households earning an average of 60 percent of Area Median Income (AMI). Option 2 requires that 30 percent of the residential floor area be set aside for households earning an average of 80 percent of AMI. MIH represents the floor, not the ceiling, of affordability that could ultimately be achieved in new development. In City-initiated neighborhood rezonings, each area would be evaluated to determine the role that HPD programs could play in broadening and deepening affordability.

In combination with these two alternatives, two other options may be utilized. A "Deep Affordability Option" may be utilized under which 20 percent of residential floor area contains housing units affordable to households with income at a weighted average of 40 percent of AMI. A "Workforce Option" also may be utilized, provided that 30 percent of residential floor area contains housing units affordable to households with income at a weighted average of 115 percent, with five percent of residential floor area kept affordable to households at an income band of 70 percent of AMI and another 5 percent of residential floor area affordable to households with an income band of 90 percent of AMI. Other restrictions apply to the Deep Affordability and Workforce Options. As part of this project, both Option 1 and Option 2 are proposed to apply within the MIH area. CPC and the City Council would ultimately determine whether one or both options would be selected.

#### **DISPOSITION OF REAL PROPERTY**

In accordance with 197-c (10) and 384(b)(4) of the NYC Charter, the City seeks disposition approval of Queens Block 15534, Lot 70 and Queens Block 15705, part of Lot 59 and Lot 69.

Queens Block 15705, Lot 59 is under the DOT's jurisdiction and is in use as a municipal parking facility and layover area for buses. The total lot size of Lot 59 is 48,565 square feet. The City seeks disposition approval for an approximately 35,000 sf portion of Lot 59. The remaining, approximately 14,000 sf portion of Lot 59 will remain in City ownership and within DOT's

## **Downtown Far Rockaway Redevelopment Project**

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jurisdiction. The City also seeks disposition approval of approximately 54,000 sf of air rights above the 14,000 sf DOT portion, on part of Lot 59. The current DOT parking facility and bus layover would be closed and a new DOT public plaza (the DOT Plaza) will be built on the 14,000 sf portion of Lot 59. The parking will not be relocated. The construction of the DOT Plaza is independent of the Proposed Project.

City-owned, Queens Block 15705, Lot 69 is also located at Beach 21st Street south of Mott Avenue. Lot 69 is leased by the MTA and is in use as layover area for buses. The City seeks disposition approval of all of Lot 69. The proposed disposition of Lot 69 would require approval from the MTA Board of Directors authorizing the surrender of the MTA's leasehold on this property. The bus layover would be relocated to other curb locations within the immediate neighborhood.

City-owned, Queens Block 15534, Lot 70 is located on the northwest corner of Augustina Avenue and Nameoke Avenue. Lot 70 is vacant and is under DSNY's jurisdiction. The City seeks disposition approval of all of Lot 70.

The combination of Lot 69 and the portions of Lot 59 which the City seeks disposition approval, is referred to as the DOT/MTA Disposition Site. Lot 70 is referred to as the DSNY Disposition Site. EDC and HPD intend to issue a Request for Proposals (RFP) for the DOT/MTA Disposition Site and the DSNY Disposition Site. The DOT/MTA Disposition Site would be redeveloped pursuant to the proposed zoning. With the Proposed Actions, it is assumed as part of the RWCDs that the DOT/MTA Disposition Site would be redeveloped with 176 DUs, 7,421 gsf of ground floor retail space, and 11,557 gsf of community facility space. The DSNY Disposition Site would be developed pursuant to the existing R3X zoning. In addition, DSNY would transfer jurisdiction for their site to DCAS to allow for it to be redeveloped pursuant to zoning following a competitive RFP process.

### **DESIGNATION AND ADOPTION OF THE DOWNTOWN FAR ROCKAWAY URBAN RENEWAL AREA AND PLAN AND DISPOSITION**

HPD seeks approval of the Downtown Far Rockaway Urban Renewal Plan (DFRURP), designation of the DFRURA, and disposition of properties within the Proposed DFRURA. The Proposed DFRURA is generally bounded by Nameoke Avenue to the north, Mott Avenue to the south, Central Avenue and Augustina Avenue to the east, and Redfern Avenue to the west (see **Figure S-5**). The proposed urban renewal strategy is intended to complement the proposed rezoning and Special District text, as well as facilitate site assemblage and redevelopment.

HPD's urban renewal strategy generally supports the activation of a catalytic site in Downtown Far Rockaway with new mixed-income housing, commercial and community facility space, and publicly accessible open spaces. The proposed urban renewal strategy is intended to complement the proposed rezoning and Special District text, as well as facilitate site assemblage and redevelopment. The DFRURA contains the Far Rockaway Shopping Center, which comprises approximately 75 percent of the land area within the DFRURA. A mix of vacant land, vacant buildings, single- and multi-family dwellings, automotive-related uses, and general service establishments occupy the remaining portion of the DFRURA. Sites within the DFRURA include underutilized parcels that act as a barrier to redevelopment along Mott Avenue as well as a physical barrier between the Far Rockaway-Mott Avenue station of the MTA's A-train and the terminal station for the LIRR's Far Rockaway branch.

The objectives of the DFRURP are as follows:

1/6/2017



 Proposed Downtown Far Rockaway Urban Renewal Area (DFRURA)



Proposed Downtown Far Rockaway  
Urban Renewal Area  
Figure S-5

- Redevelop the DFRURA in a comprehensive manner, removing blight and maximizing appropriate land use;
- Remove or rehabilitate substandard and insanitary structures;
- Remove impediments to land assemblage and orderly development;
- Strengthen the tax base of the City by encouraging development and employment opportunities in the DFRURA;
- Provide new housing of high quality and/or rehabilitated housing of upgraded quality;
- Provide appropriate community facilities, parks and recreational uses, retail shopping, public parking, and private parking; and
- Provide a stable environment within the DFRURA which will not be a blighting influence on surrounding neighborhoods.

To facilitate implementation of the Proposed Actions, the City may acquire property through a negotiated purchase or through eminent domain. Properties proposed for potential acquisition are located within the Proposed DFRURA. Any property acquired through eminent domain would be done in compliance with the provisions of the New York State Eminent Domain Procedure Law (NYS EDPL) and the NYC Administrative Code. Properties acquired would be disposed of for development in accordance with the DFRURP. The Proposed DFRURP would have a duration of 40 years.

#### **ADMINISTRATIVE ACTIONS RELATED TO PROPERTIES IN MAPPED STREETS**

A number of Projected and Potential Development Sites within the Rezoning Area, and portions of the Proposed DFRURA along Redfern Avenue, are built within mapped street widening lines (a common phenomenon in this area). Future development on these sites assumes that property owners would follow a series of administrative actions to comply with General City Law Section 35 provisions, whereby the owner(s) would submit an application for a GCL 35 waiver at the BSA. Following this submission, the BSA would submit the application to DOT for review and approval.

#### **F. ANALYSIS FRAMEWORK**

The lead agency is required to take a “hard look” at the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An EIS is a comprehensive document used to systematically consider environmental effects, evaluate reasonable alternatives, and identify and mitigate—to the maximum extent practicable—any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action. This section outlines the conditions to be examined in the DEIS.

#### **REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)**

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed to account for existing, the future No Action condition and the future With Action condition. For purposes of the environmental review, the Proposed Project is expected to be complete and operational by 2032, which is the Proposed Project’s Build Year. While absent the Proposed

## **Downtown Far Rockaway Redevelopment Project**

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Actions in 2032, conditions in the Project Area will remain generally unchanged from existing conditions, there are a limited number of development projects. The several known development projects expected in the No Action condition are expected to result in approximately 8 DUs, 90,93295,092 gsf of commercial space, 5,000 gsf of community facility space, 43,822 gsf of industrial space and 310 parking spaces. Under the With Action condition, the Proposed Project would provide over three million square feet of residential floor area or approximately 3,0353,131 DUs, 243,867259,687 gsf of commercial (retail) space, 91,94785,947 gsf of community facility space, and 35,66930,000 sf of new publicly accessible plaza space within the Proposed DFRURA. The incremental difference between the future No Action and future With Action conditions serves as the basis for the impact analysis of the environmental review. The Proposed Actions are expected to result in an incremental increase (over the No Action condition) of 3,0273,123 DUs, 152,935164,595 gsf of commercial (retail) space, 86,94780,947 gsf of community facility space, and approximately 35,66930,000 sf of open space.

### *PROPOSED DFRURA RWCDs ASSUMPTIONS*

For purposes of a RWCDs, it is assumed that all existing uses on the Proposed DFRURA would be displaced and the site would be redeveloped with: 1,747 DUs (including 50 percent of the units as affordable); 129,077 gsf of neighborhood retail uses, including a grocery store that would be comparable in size to the existing Food Dynasty grocery store; and 36,295 gsf of community facility uses. These uses would be within eight new buildings that would front onto new private streets that would connect to the surrounding street network. In addition, the Proposed DFRURA would include 35,66930,000 sf of new publicly accessible plaza space. The proposed Special District text described above would establish a framework for the street network and include a series of design controls that would set the maximum envelope within which future development could occur. As such, the program and site plan for the Proposed DFRURA in the RWCDs describes a maximum development scenario.

### *Planning Principles*

The development of the DFRURA would be guided by a set of specific controls within the new Special District, which are intended to facilitate a context-sensitive design that meets the following principles:

- Establish a center to the downtown “village” by creating meaningful, lively new gathering and civic spaces along Mott Avenue that complement and strengthen the existing neighborhood;
- Strengthen the neighborhood’s built fabric with new contextual buildings and active street frontages;
- Integrate new streets into an improved pedestrian and vehicular network with key north-south and east-west connections;
- Physically and visually connect pedestrians with clear points of arrival to a variety of commercial and community services; and
- Concentrate taller buildings in the middle of the site that step down to the existing neighborhood through a variety of forms to create a range of contextualized downtown development.

*Street Network*

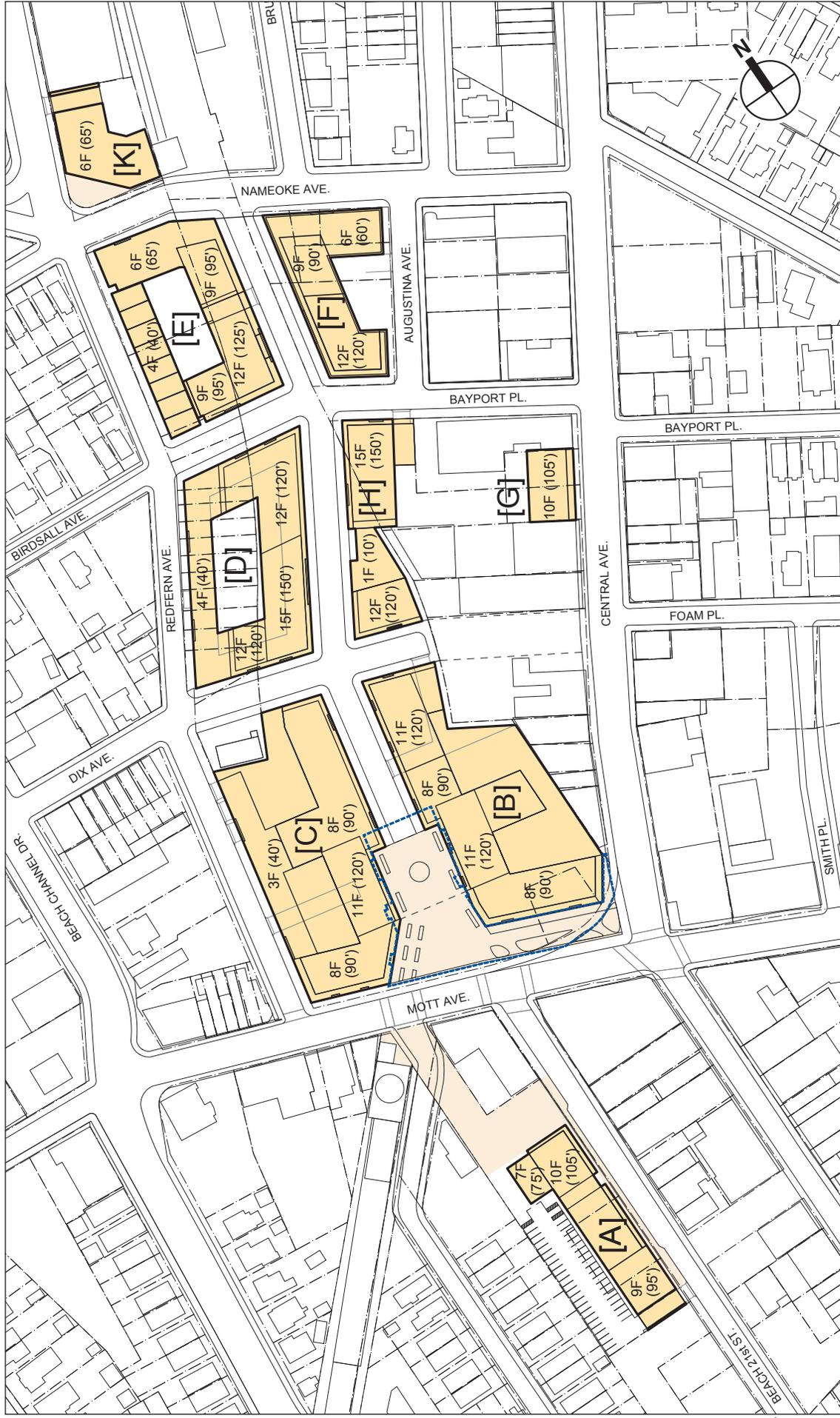
The Proposed DFRURA currently forms a superblock within the heart of the Downtown, limiting the connections to the surrounding neighborhood. As part of the Proposed Project, the Proposed DFRURA would include eight separate buildings and a new private street network. As illustrated in **Figure S-6**, the proposed private street grid would integrate the Proposed DFRURA with the surrounding street network, breaking up the superblock by establishing publicly accessible north-south and east-west connections. Portions of six buildings would front on the new north-south connection, while one would front entirely on Central Avenue and the last would front on Redfern and Nameoke Avenues.

The new north-south oriented street would form the main axis on the Proposed DFRURA. This new street would extend through the Proposed DFRURA connecting to Nameoke Avenue on the north. At the southern end, the new street would terminate at a traffic circle between Buildings B and C that front Mott Avenue. Two new east-west streets would directly connect the Proposed DFRURA with Redfern Avenue and Central Avenue. To achieve this, Birdsall Avenue would extend eastward through the Proposed DFRURA between Buildings D and E, intersecting with the new north-south oriented street and connecting with Bayport Place between Buildings F and H, before connecting to Central Avenue. Also from the west, Dix Avenue would be extended eastward between Buildings C and D and then between Buildings B and H, terminating to the east of these buildings. These streets would also provide vehicular access to on-street and off-street parking, as well as to the loading areas associated with the buildings on the Proposed DFRURA.

These new streets would visually and physically connect the Proposed DFRURA to the surrounding area, promoting easy movement through the Proposed DFRURA between the Central Avenue corridor and Redfern Avenue as well as between Mott Avenue and Nameoke Avenue. The new north-south oriented street would allow for pedestrians and vehicles to move between the A Train Station on Mott Avenue and the LIRR Station on Nameoke Avenue and between the downtown area and the adjoining neighborhoods.

*Active Uses*

The site plan and design for the Proposed DFRURA are intended to promote a “Main Street” feeling in Downtown Far Rockaway by concentrating new retail space along the portion of the north-south street closest to Mott Avenue (See **Figure S-7**). The new street network allows for active street frontages along Mott Avenue and the new streets by having all of the proposed buildings on the Proposed DFRURA front on either an existing street or one of the new streets. Buildings B and C would front directly on Mott Avenue and would include ground floor retail space that would open onto either Mott Avenue, Redfern Avenue, or the new north-south street. The existing supermarket on the Proposed DFRURA would be replaced with a supermarket of similar size in the ground floor of Building C. Buildings within the Proposed DFRURA, and along Beach 20th Street, would also allow for second-story community facility and retail uses within Use Groups 5 through 9, 10A, 12, and 14. Continuing to the north, the six new buildings within the Proposed DFRURA would primarily be residential with frontages directly on the new north-south and east-west streets, Redfern Avenue, Central Avenue, or Nameoke Avenue. Along Nameoke Avenue, near the LIRR Station and the NYC Housing Authority’s (NYCHA) Redfern Houses, Buildings E and K would include ground floor community facility space while Building E would also include ground floor space for new retail uses. Along Central Avenue, Building G would help to fill a gap with complementary ground-floor retail space.



[A] — DOT/MTA Disposition Site Building

[B, C, D, E, F, G, H, K] — Proposed DFRURA Buildings

— DEIS Plaza Outline

This figure has been revised for the FEIS

Illustrative Site Plan for Proposed DFRURA and DOT/MTA Disposition Site  
Figure S-6

Downtown Far Rockaway Redevelopment Project

## **Downtown Far Rockaway Redevelopment Project**

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### *Open Spaces*

A critical component of the Proposed DFRURA's design is the integration of public spaces within the Proposed DFRURA to create a center to the neighborhood, knitting together the adjacent public library, the subway station, and other portions areas of Downtown Far Rockaway. A new public plaza would front Buildings B and C along Mott Avenue and the plaza would continue into the Proposed DFRURA between these two buildings (See **Figures S-8-7 through S-109**). This plaza would create a pedestrian gateway to the Proposed DFRURA between the two new buildings and would include new plantings, seating, and other street furniture, as well as opportunities for public programming that would improve streetscape conditions within the Proposed DFRURA.

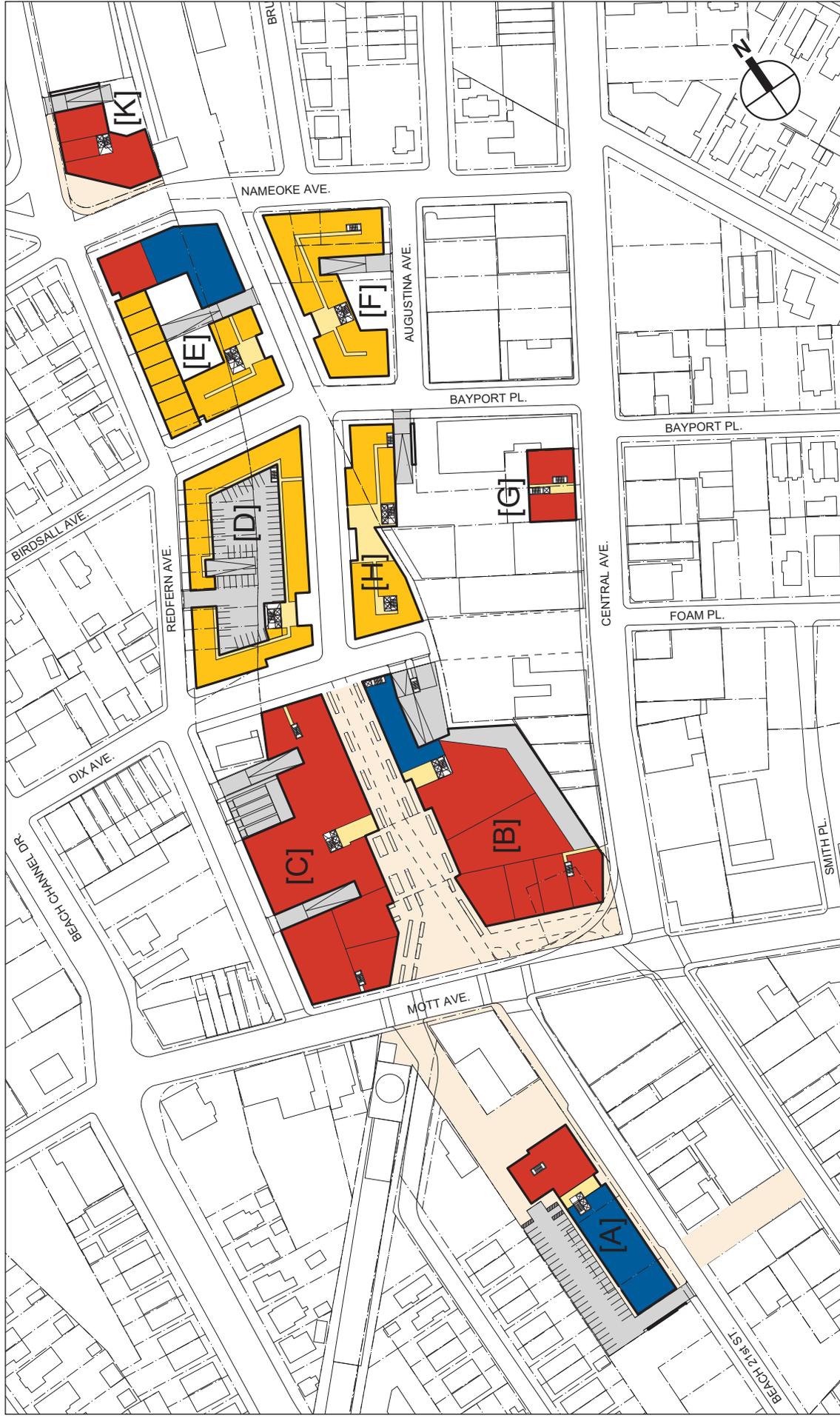
### *Built Form*

**Figures S-11-8 through S-14-12** illustrate the RWCDs massing for the Proposed DFRURA. The proposed design as amended by the A-Application results in the following:

- Building B: Along Mott Avenue, the base of the building would be reduced from 6 stories as presented in the DEIS to five stories before a setback, rising to a total of eight stories along Mott Avenue. The overall height of the building would be reduced from 12 to 11 stories.
- Building C: The base of the building along Mott Avenue would be reduced by one story and set back three feet from the lot line. The tallest tower would be reduced by 4 stories (from 15 stories in the DEIS to 11 stories), and the remaining building rising to 8 stories. A portion of the building façade along Redfern Avenue also would be reduced by one story.
- Building D: The towers at the center of the building would be increased by 3 stories (from 12 to 15 stories and from 9 to 12 stories). The floor-plates of the towers would be reduced by increasing the depth of the setback from the façade along Redfern Avenue.
- Building E: A portion of the tower along the proposed extension of Birdsall Avenue would be reduced 3 stories (from 12 to 9 stories).
- Building H: The southernmost tower would remain 12 stories, but with a setback after 8 stories instead of rising without setbacks. Along the proposed north-south street, the base of the building would be increased from 6 to 8 stories with an additional side-yard setback after 12 stories. The north tower would remain 15 stories.
- Building G: The Central Avenue facade would increase the setback by one story. The tower height would increase one story (from 9 to 10 stories).

The proposed design would concentrate taller, denser development in the middle of the Proposed DFRURA, along the new north-south oriented street and away from the edges of the site. The buildings within the Special District would be allowed to exceed the maximum height restrictions of the underlying zoning. However, each of the buildings on the Proposed DFRURA would have a series of transitions between the lower rise portions of the building and the maximum height. Building CD and H would reach a maximum height of 15 stories (approximately 155 feet), the highest on the Proposed DFRURA. The other buildings would reach a maximum height of 12 stories. Overall, each building on the site would include a series of transition heights of between four, ~~six~~five, and ~~nine~~eight stories before reaching their respective maximum heights (See **Figure S-6**).

In addition, by stepping building heights down, the buildings on the periphery of the Proposed DFRURA would blend into the existing neighborhood fabric. The portions of Buildings C, D, and E along Redfern Avenue would be four stories high to match the adjacent context. The portions of Buildings B and C along Mott Avenue would have a maximum height of ~~six~~five



- Community Facility Use
- Commercial (Retail) Use
- Residential Use

This figure has been revised for the FEIS

Illustrative Ground Floor Plan for Proposed DFRURA and DOT/MTA Disposition Site  
**Figure S-7**



*This figure has been revised for the FEIS*

Illustrative Rendering:  
View from Central Plaza to Library  
**Figure S-8**



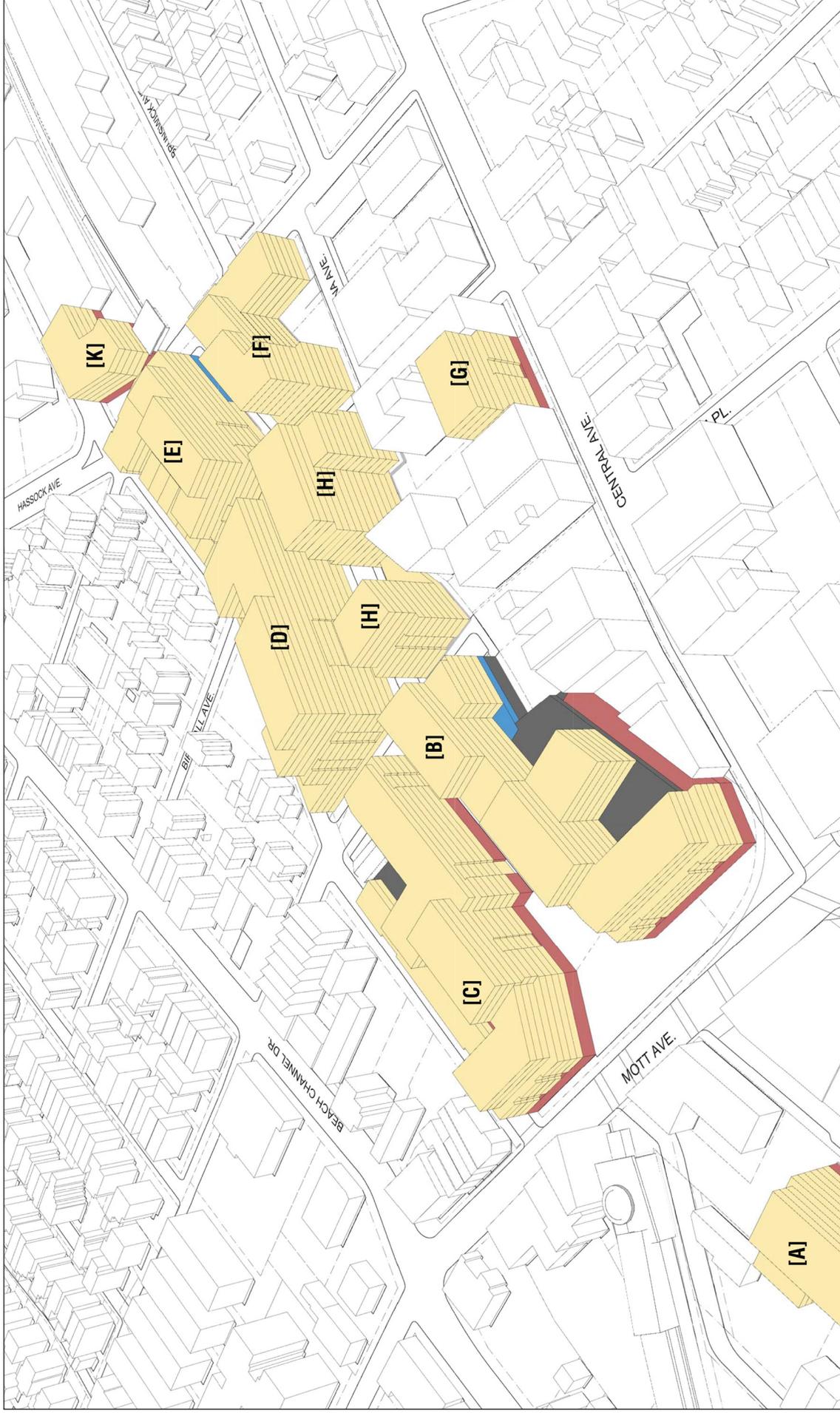
*This figure has been revised for the FEIS*

Illustrative Rendering:  
View of Central Plaza from Subway Station  
**Figure S-9**



*This figure has been revised for the FEIS*

Illustrative Rendering:  
View of Proposed DFRURA, Hassock Street from Redfern Avenue  
(Looking South) **Figure S-10**



- [A] Building Letter
- Community Facility Use
- Commercial (Retail) Use
- Residential Use
- Parking

*This figure has been revised for the FEIS*

Proposed DFRURA Illustrative Rendering with Maximum Building Envelopes  
(Looking North)  
**Figure S-11**



[A] Building Letter  
Community Facility Use  
Residential Use  
Commercial (Retail) Use  
Parking

Proposed DFRURA Illustrative Rendering with Maximum Building Envelopes  
(Looking South)  
Figure S-12

This figure has been revised for the FEIS

stories. On Nameoke Avenue, Buildings E, F, and K would have a maximum height of six stories.

Construction on the Proposed DFRURA would occur in phases, with the final phase expected to be completed by 2032. While a phasing plan has not been finalized, it is expected that construction on the Proposed DFRURA would begin with Buildings B and C along Mott Avenue. Upon completion of these buildings, construction would commence on Buildings D, H, and G. Upon completion of these buildings, construction would commence on Buildings E, F, and K. The duration of construction for specific buildings would vary, but generally each is expected to take approximately two years to complete.

#### *DISPOSITION SITES RWCDS ASSUMPTIONS*

In the future with the Proposed Actions, the vacant City-owned parcel currently under the jurisdiction of DSNY—located at the corner of Augustina and Nameoke Avenues (Block 15534, Lot 70)—would be redeveloped as-of-right with four approximately three-story (35-foot-tall) residential buildings that would include a total of 8 DUs, all of which would be affordable (8,000 gsf).

An approximately 44,000-sf site, including a portion of a lot currently under the jurisdiction of DOT (Block 15705, Lot 59) and a lot under the jurisdiction of the MTA (Block 15705, Lot 69)—located along Beach 21st Street south of Mott Avenue—would be redeveloped with an approximately 10-story (105-foot-tall) building that would include 176 DUs (all of which would be affordable), 7,421 gsf of local ground floor retail, 11,557 gsf of community facility space, and 40 parking spaces at grade. Independent of the Proposed Project, the current bus layover use on this site will be relocated to another location within the immediate neighborhood. As described below, a portion of Lot 59 would be disposed of as part of the Proposed Project and the remaining portion would be developed as a plaza as part of the DOT Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project.

#### *DEVELOPMENT SITE CRITERIA (PROJECTED AND POTENTIAL DEVELOPMENT SITES)*

In addition to development expected to occur on the Proposed DFRURA and Disposition Sites, the Proposed Actions would result in development elsewhere within the Rezoning Area. In projecting the amount and location of other new development expected to occur as a result of the Proposed Actions, several factors have been considered in identifying likely development sites. These include known development proposals, past and current development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area. The first step in establishing the development scenario was to identify those sites where new development could be reasonably expected to occur.

Projected and Potential Development Sites were initially identified based on the following criteria:

- Lots located in areas where an increase in permitted FAR is proposed.
- Lots with a total size of 10,000 sf or larger, and privately owned vacant lots 5,000 sf or greater. Based on current market conditions, the proposed rezoning would not provide lots that are less than 10,000 square feet in area (and vacant lots less than 5,000 square feet) with the incremental density necessary to encourage redevelopment.

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- Underutilized lots (defined as vacant or lots constructed to less than or equal to half of the proposed FAR under the proposed zoning, including consideration for assemblages).
- Lots with at least 50 feet of street frontage.
- Potential assemblages of adjacent lots with one common owner.

Certain lots that meet the above criteria have been excluded from the scenario based on the following conditions (because they are very unlikely to be redeveloped as a result of the Proposed Rezoning):

- Lots where construction is currently ongoing.
- The sites of schools (public and private), libraries, government offices, medical centers, and houses of worship<sup>3</sup>, including accessory parking. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite an ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the Proposed Zoning would induce redevelopment or expansion of these structures. Additionally, for government-owned properties, development and/or sale/lease of these lots may require discretionary actions from the pertinent government agency.
- Multi-unit buildings (existing individual buildings with six or more DUs are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).
- Certain large commercial structures, such as multi-story commercial buildings. Although these sites may meet the criteria for being built to less than half of the proposed permitted floor area, they are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.
- Lots with five or more commercial tenants would be difficult to redevelop due to long-term leases; this exemption has not been applied to lots with five or more commercial tenants with primary frontage on Mott Avenue between Beach Channel Drive and Cornaga Avenue that are currently developed to less than 0.5 FAR under existing zoning, because of their location on primary commercial corridors.
- Lots whose location, highly irregular shape, or highly irregular topography would preclude or greatly limit future as-of-right development. Generally, development on highly irregular lots does not produce marketable floor space.
- Lots with buildings that were developed or significantly altered since 2005.
- Lots that contain City, State, or Nationally listed or eligible historic resources.<sup>4</sup>

### *DEFINITION OF PROJECTED AND POTENTIAL DEVELOPMENT SITES*

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites.

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<sup>3</sup> This criterion does not apply to the designation of Projected Development Site 15 (Block 15536, Lots 12, 15, 18, 22 and 28, upon which a house of worship is currently located) as a development site because there are known plans to redevelop the site with the proposed zoning.

<sup>4</sup> Trinity Chapel, 1874 Mott Avenue, and U.S. Post Office Far Rockaway, 18-36 Mott Avenue, are listed on the State/National Register of Historic Places (S/NR).

The projected development sites are considered more likely to be developed within the 15-year analysis period for the Proposed Actions (i.e., by the 2032 analysis year). Potential Development Sites are considered less likely to be developed by the 2032 Build Year, and are assessed only for site-specific technical areas of CEQR. Of the sites identified based on the criteria described above, Potential Development Sites were identified based on the following criteria:

- Lots with slightly irregular shapes, topographies, or encumbrances such as extensive map easements.
- Active businesses, which may provide unique services or are prominent, and successful neighborhood establishments that are unlikely to move.
- Lots with five or more commercial tenants with their primary frontage on Mott Avenue between Beach Channel Drive and Cornaga Avenue, and that are currently developed to less than 0.5 FAR under existing zoning would be difficult to develop due to long-term leases; however, given their location on primary commercial corridors, it is reasonable to assume that these lots would potentially be redeveloped in the longer-term after the anticipated 2032 build year, and therefore should be considered Potential Development Sites.

Based on the above criteria, in addition to the Proposed DFRURA and the Disposition Sites, a total of ~~26~~28 development sites (~~17~~19 Projected Development Sites and 9 Potential Development Sites) have been identified in the Project Area.<sup>5</sup>

#### *DEVELOPMENT SCENARIO PARAMETERS*

##### *Dwelling Unit Factor*

The number of projected DUs in apartment buildings is determined by dividing the total amount of residential floor area by 1,000 and rounding to the nearest whole number. The Proposed DFRURA would include a series of 4-story townhouses along Redfern Avenue in Building E (refer to **Figure S-6**). Given the design, each of the townhouse units are assumed to be 2,000 gsf each.

##### *Affordable Housing Assumptions*

The Proposed Actions will support the development of new permanently affordable housing construction by mapping new zoning districts to permit residential development in areas where it is not permitted today and to increase residential density where it is permitted today. While Downtown Far Rockaway has not experienced market-rate multifamily construction in recent years, the neighborhood is characterized by a number of underutilized sites with capacity for significant growth. Zoning changes to allow residential development at higher densities would facilitate expansion of the neighborhood's supply of affordable housing and the construction of new permanently affordable housing development. For the immediate future, it is anticipated that new multifamily development will resemble recent multifamily development in the broader area, which has generally utilized public subsidy and been affordable to low-income households.

It is expected that a variety of City and State financing programs for affordable housing would result in the creation of a substantial amount of affordable housing within the project area under the Proposed Actions. Included among the Proposed Actions is the designation of an MIHA, which will require that new residential developments include a permanently affordable

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<sup>5</sup> The A-Application resulted in the addition of two Projected Development Sites (Sites 18 and 19).

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component. The MIH requirement that a percentage of housing units developed under the Proposed Action remain permanently affordable can ensure that new development will address the needs of residents at lower income levels, even in the event that local housing market conditions change. In addition to the permanently affordable housing generated by MIH, the use of public subsidies can help broaden and depend affordability.

While it is possible that by the time of the 2032 Build Year, changes in the housing market and government subsidies may result in non-subsidized multifamily development occurring, the MIH program would ensure that a substantial amount of new housing would be permanently affordable to low- to moderate-income households. The MIH program includes two primary options for set-aside percentages with different affordability levels. One option would require 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the area median income (AMI) (with ten percent of the floor area affordable at 40 percent AMI) and the second would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI.

In combination with these options, two other options may be utilized. A “Deep Affordability Option” may be utilized under which 20 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 40 percent of AMI. Also, a “Workforce Option” also may be utilized providing 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 115 percent, with five percent of residential floor area must be affordable housing units affordable to households with income at an income band of 70 percent of AMI and another five percent of residential floor area must be affordable housing units affordable to households with income at an income band of 90 percent of AMI. No public funding may be used for MIH development utilizing the “Deep Affordability Option or the “Workforce Option.”

As part of this project, both Option 1 and Option 2 are proposed to apply within the MIHA. CPC and the City Council would ultimately determine whether one or both options would be selected. Therefore, each impact category will utilize whichever of the two primary MIH options would provide the more conservative basis for its specific analysis.

For the City-owned sites, it is assumed that 50 percent of the future dwelling units would be affordable. The total number of affordable DUs assumed on the city-owned sites (874 for the Proposed DFRURA and 184 for Disposition Sites) was estimated based on past and current development trends, the City, State, and Federal programs that support the construction of affordable housing, the proposals in Housing New York, the Mayor’s 10-year housing plan, that aim to significantly increase the amount of affordable housing created and preserved in the five boroughs, and the City’s specific commitments to providing affordable housing in Downtown Far Rockaway.

### **FUTURE WITHOUT THE PROPOSED ACTIONS**

In the future without the Proposed Actions (the No Action condition), the Proposed DFRURA, Disposition Sites, and Projected Development Sites are assumed to remain unchanged from existing conditions. The No Action condition is expected to contain approximately 8 DUs, 90,93295,092 sf of commercial space, 5,000 sf of community facility space, 43,822 sf of industrial space and 310 parking spaces. While some projected development sites—particularly those that are vacant, occupied by vacant buildings, or occupied by low intensity uses—could become occupied by uses that are as-of-right under existing zoning, in order to ensure a conservative analysis, it is assumed that these sites would remain unchanged. However, there are

several private and public projects planned that are expected to occupy six unrelated sites within the Project Area:

1. At 11-38 Foam Place (Block 15545, Lot 19), a seven-unit residential building is planned<sup>6</sup>;
2. At 18-31 Mott Avenue (Block 15560, Lot 30), an approximately 5,236-gsf commercial building, with two units, is planned<sup>7</sup>;
3. At 16-37 Central Avenue (Block 15559, Lot 25), construction of the new Far Rockaway Public Library is slated for expansion;
4. At 15-26 Central Avenue (Block 15537, Lot 137), an open area behind the existing charter school for middle school students will be redeveloped as a play area for the school;
5. At 15-28 Central Avenue (Block 15537, Lot 133), the vacant building fronting Central Avenue will be demolished and redeveloped as a charter school for primary and intermediate school students, and the vacant building at the rear of the lot will be rehabilitated to be part of the charter school campus, containing a mix of classroom and administrative space.
6. As part of the DOT Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project (described below), an approximately 14,000-sf area of City-owned property (on Block 15705, Lot 59) immediately north of the DOT/MTA Disposition Site—currently under the jurisdiction of DOT—will be improved with a new public plaza, and the existing slip lane at Mott and Central Avenues will be closed and converted to a public plaza.

The No Action condition assumes that the DOT Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project<sup>8</sup> will be completed by the 2032 build year. The project, undertaken by DOT, in a priority Vision Zero location, is aimed at enhancing the public realm by implementing a comprehensive urban design plan and streetscape improvements that will encourage a safer, more inviting pedestrian experience while employing sustainable, energy-efficient and visually appealing street design elements. The project will include full street reconstruction in conjunction with new DEP storm and sanitary sewers, new curbs, sidewalks and expanded pedestrian spaces throughout the downtown. While the project is expected to address maintenance and safety concerns in the study area, improvements will be limited to the area generally bounded by Cornaga Avenue to the south and east, Beach Channel Drive to the west, and Foam Place to the north.

## **FUTURE WITH THE PROPOSED ACTIONS**

The full build-out of the Proposed Project includes development projected to be completed within the 15-year analysis window by 2032 (this includes development on the Proposed DFRURA, Disposition Sites, and Projected Development Sites). Since Potential Development Sites are not expected to be redeveloped under the Proposed Actions, the program associated with these sites is not included in the projection of future project-generated development. The full build-out under the RWCDs is assumed to include 3,0353,131 DUs, 243,867259,687 gsf of commercial space and 91,94785,947 gsf of community facility space. Most of the off-street parking for the Proposed

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<sup>6</sup> Based on Department of Buildings (DOB) Building Information System.

<sup>7</sup> Ibid.

<sup>8</sup> DDC Capital Project Nos. SANDR02, HWQ1079 and SE-830.

## **Downtown Far Rockaway Redevelopment Project**

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DFRURA would be provided below-grade, as would the parking for Projected Development Sites 6 and 15. All of the remaining off-street parking is assumed to be provided at-grade. The Proposed Project also would provide a new privately owned, publicly accessible plaza along Mott Avenue on the Proposed DFRURA.

### **G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS**

#### **LAND USE, ZONING AND POLICY**

The Proposed Actions would not adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with existing zoning and land uses. Furthermore, the Proposed Actions would not result in development that conflicts with adopted public policies.

The Proposed Actions would result in beneficial land use effects by facilitating mixed-use, transit-oriented development, substantial amounts of new permanently affordable housing, as well as publicly accessible open space. New, higher-density development is expected to occur at the commercial core along and north of Mott Avenue and near mass transit resources, while the character of Downtown Far Rockaway's historic village center would be preserved through the new Special District. Overall, the Proposed Actions would improve land use conditions in the Project Area by allowing it to evolve into an active, mixed-use neighborhood while blending new development into the existing neighborhood fabric.

#### **SOCIOECONOMIC CONDITIONS**

The Proposed Actions would not result in significant adverse impacts to socioeconomic conditions. The following summarizes the findings with respect to the five CEQR areas of concern.

##### *DIRECT RESIDENTIAL DISPLACEMENT*

A screening-level assessment finds that the Proposed Actions would not result in significant adverse socioeconomic impacts due to direct residential displacement. Under the RWCDS, by 2032 the Proposed Actions could directly displace an estimated 17 residents living in eight DUs. Seven DUs are located on the Proposed DFRURA, and one DU is located on a Projected Development Site.

According to the 2014 *CEQR Technical Manual*, direct displacement of less than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood. The 17 potentially displaced residents represent less than one-half of one percent of the Socioeconomic Study Area<sup>9</sup> population, and therefore the displacement does not have the potential to alter the socioeconomic character in the Study Area.

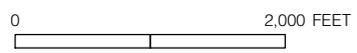
To facilitate implementation of the Proposed Actions, the City would acquire properties located within the Proposed DFRURA through negotiated purchase or, if necessary, through eminent domain. If the City, acting through HPD, acquires property within the Proposed DFRURA

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<sup>9</sup> The socioeconomic study area is the area within which the Proposed Actions could directly or indirectly affect socioeconomic conditions. The Socioeconomic Study Area for this analysis captures an approximately ½-mile to ¾-mile area surrounding the Project Area, including Downtown Far Rockaway as well as the greater Far Rockaway, Wave Crest, and Bayswater neighborhoods (see **Figure S-1315**).



-  Project Area
-  Study Area (1/2-mile boundary)
-  2010 Census Tracts



This figure has been revised for the FEIS

through eminent domain, in accordance with NYS EDPL, displaced owner-occupants of buildings within the Proposed URA would be compensated for the value of their property and fixtures through the NYS eminent domain process and may also be entitled to additional benefits under applicable relocation benefit laws and regulations. In addition, any displaced residents who qualify for affordable housing could apply for new affordable housing developed as part of the Proposed Project.

#### *DIRECT BUSINESS DISPLACEMENT*

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to direct business displacement. Under the RWCDs, by the 2032 Analysis Year, the Proposed Actions could directly displace up to ~~29~~30 businesses employing an estimated ~~283~~299 workers. While all businesses contribute to neighborhood character and provide value to the City's economy, the ~~29~~30 potentially displaced businesses were determined not to be of substantial economic value to the Study Area as defined under CEQR. The potentially displaced businesses do not contribute substantially to a defining element of neighborhood character, and alternative sources for the goods and services provided by these businesses can be found elsewhere in the Study Area or within a product's trade area. The potentially displaced businesses do not represent a majority of the Study Area businesses for any given industry sector. In addition, under the RWCDs, the Proposed Actions would result in the incremental development of ~~452,935~~164,595 gsf of commercial (retail) space and ~~86,947~~80,947 gsf of community facility space. Comparable services to those provided by directly displaced commercial businesses could be provided as part of the Proposed Project. Further, the Proposed Actions would result in valuable amenities that would serve existing and new residential populations.

The directly displaced employees would not represent a majority of employment for most industry sectors in the Study Area. The two sectors where potentially directly displaced businesses represent a majority of industry sector employment are Finance and Insurance, and Transportation and Warehousing. The displaced Finance and Insurance sector business, a Capitol One bank, represents an estimated 52.8 percent (19 employees) of Finance and Insurance employment within the Study Area. With the Proposed Actions, the new commercial space developed within the Proposed DFRURA is expected to include a bank that would provide comparable services and employment opportunities to those provided by the existing Capitol One bank. Therefore, while the Capitol One would be displaced, employment opportunities in the Finance and Insurance sector would continue to be available on the Proposed DFRURA and within the Study Area in the future with the Proposed Actions. The directly displaced employees within Transportation and Warehousing represent an estimated 77.8 percent (21 employees) of Study Area employment within the sector. Warehousing uses are not defining characteristic of the Study Area and the displacement of 21 employees would not represent a substantial change in economic conditions and employment opportunities within the Study Area.

One potentially displaced business—the Food Dynasty grocery store located on the Proposed DFRURA—is a large-format neighborhood grocery store within the boundaries of the City's Food Retail Expansion to Support Health (FRESH) Program. The FRESH Program provides zoning and/or financial incentives as a way to promote the establishment and retention of neighborhood grocery stores. Through the FRESH Program, discretionary tax incentives are available in Far Rockaway, but zoning incentives are not available. As a neighborhood grocery store within the boundaries of the FRESH Program, the Food Dynasty is the subject of plans or programs to preserve, enhance, or protect it, but has not benefitted from FRESH incentives.

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While the displacement of this supermarket would adversely affect the availability of large-format grocery stores within the immediate downtown Far Rockaway neighborhood, there would continue to be other grocery stores within a reasonable area from which residents could shop. There are numerous small-scale grocers and markets within Downtown Far Rockaway and the broader Study Area, as well as large-scale grocers within the Study Area, such as the local Key Foods, Bravo Supermarket, and C-Town Supermarket. In addition, with the Proposed Actions, the new commercial space development within the Proposed DFRURA is expected to include a grocery store that would be comparable in size to the existing Food Dynasty grocery store. Therefore, the potential displacement of the Food Dynasty grocery store would not result in significant adverse socioeconomic impacts.

To facilitate implementation of the Proposed Actions, the City would acquire properties located within the Proposed DFRURA through negotiated purchase or, if necessary, through eminent domain. If the City, acting through HPD, acquires property within the Proposed DFRURA through eminent domain, in accordance with the NYS EDPL, displaced owner-occupants of buildings within the Proposed URA would be compensated for the value of their property and fixtures through the NYS eminent domain process and may also be entitled to additional benefits under applicable relocation benefit laws and regulations.

### *INDIRECT RESIDENTIAL DISPLACEMENT*

A preliminary assessment finds that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement. Under the RWCDs, by 2032 the Proposed Actions would introduce a net increment of 3,0273,123 DUs to the Project Area, of which 1,6381,543 would be market-rate units and 1,3891,580 would be affordable units.<sup>10</sup>

The purpose of the preliminary assessment of indirect residential displacement is to determine whether the Proposed Actions would introduce a substantial new use that would alter or accelerate existing trends in rent, resulting in significant adverse socioeconomic impacts. According to the U.S. Census, recent Study Area trends show that the average household income has declined by approximately 6 percent since 2000, while the average and median gross rents have increased by more than 26 percent. There is very little new housing development within Downtown Far Rockaway compared to surrounding areas, leading to the conclusion that these socioeconomic trends are likely to continue.

The Proposed Actions could facilitate the development of a substantial amount of new housing within the Project Area, potentially leading to demographic shifts. The market-rate units associated with the Proposed Actions would introduce a population that has a higher average household income than existing Study Area residents, while the affordable housing would introduce households at or below the area's average household income. In the aggregate, the

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<sup>10</sup> Given that the specific number of affordable units has not been determined, a conservative assumption was developed that assumes that 50 percent of the DUs on the Proposed DFRURA would be affordable, 100 percent of the DUs on the Disposition Sites would be affordable, and 30 percent of the DUs on the Projected Development Sites would be affordable, except for Projected Development Sites 9, 18, and 19 where 100 percent of the DUs would be affordable. For the ~~latter sites~~ Projected Development Sites, a specific Mandatory Inclusionary Housing (MIH) option has not been chosen but would be determined during the land use approval process. For purposes of this analysis, it was assumed that all affordable units would be available to households at or below 80 percent of Area Median Income (AMI).

average household income of the Project-generated population would be approximately \$70,000, exceeding the Study Area's current average household income by approximately ~~\$12,000~~ \$12,500.

Many lower-income households in the Study Area live in housing protected by rent control, rent stabilization, or other government regulations that limit rent increases. These are not defined under CEQR as vulnerable to displacement due to rent increases. A vulnerable population is one who lives in market-rate rental housing, and who is unable to afford rent increases in their neighborhood. Based on Census estimates, approximately 13 percent of Study Area residents live in buildings with less than five units (which are not rent protected) and who are considered "rent burdened," paying 30 percent or more of their household income toward gross rent. A portion of these rent-burdened households are vulnerable to displacement if their rents were to continue to increase. Given existing market trends, these residents are already subject to rising rents and potential displacement.

The Proposed Project's housing would initially be targeted to moderate-income families, with a large affordable component for lower-income residences. These Proposed Actions would stabilize the rental market by increasing the supply of affordable housing in the area. The increased supply of housing for this market segment created by the Proposed Actions would provide additional opportunities for vulnerable households to remain in the area. The new housing is not expected to accelerate the housing market. Instead, these actions would moderate rent increases for vulnerable-, low-, and moderate-income families.

Market-rate rents in Downtown Far Rockaway currently do not support new, unsubsidized construction of multifamily housing, and it is expected that this condition will continue in the near future. However, the Proposed Actions would increase the permitted residential density and allow residential development in areas where it was previously not allowed, making a greater number of development sites available. In the near future with the Proposed Actions, these sites would be redeveloped with subsidies to create mixed-income, multifamily housing, maintaining a supply of rent-protected housing and a population that is socioeconomically diverse.

Given market conditions and the Study Area's location, in the future with the Proposed Actions, new development is expected to result in a gradual influx of higher income residents, to a point when the market supports new mixed-income development under MIH. However, given the Study Area's distance from dense job centers, such as Downtown Brooklyn, Jamaica, or Long Island City, near-term growth of housing supply would be expected to continue to primarily serve moderate income households. In both the No Action and with Action condition, it is likely that rents would rise in Downtown Far Rockaway and in the overall Study Area, with unprotected units gradually turning over to moderate-income populations. However, the additional housing supply created by the Proposed Actions, particularly the affordable housing developed in the first phase of the RWCDS, and the required affordable housing under MIH would result in a more socioeconomically diverse population than in the future No Action condition.

#### *ADVERSE EFFECTS ON SPECIFIC INDUSTRIES*

A preliminary assessment finds that the Proposed Actions would not significantly affect the business conditions in any specific industry or any category of business within or outside the Study Area. The Proposed Actions could directly displace an estimated ~~29-30~~ 29-30 businesses employing approximately ~~283-299~~ 283-299 workers. The potentially displaced businesses do not represent a critical mass of businesses within any City industry or category of business. Although these businesses are valuable individually and collectively to the City's economy, the

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goods and services offered by potentially displaced businesses can be found elsewhere within the Socioeconomic Study Area, within a broader trade area, and/or within the City as a whole. Furthermore, the products and services offered by the businesses that would be directly displaced are not expected to be essential to the viability of other businesses within or outside the Study Area. Finally, the Proposed Actions, through direct or potential indirect business displacement, would not substantially reduce employment or have an impact on the economic viability in any City industry or category of business.

### **COMMUNITY FACILITIES**

Based on a preliminary screening, the RWCDs associated with the Proposed Actions does not exceed the thresholds requiring analyses of health care facilities or fire and police protection services, indicating that there would be no significant adverse impacts on these facilities. The RWCDs exceeds the threshold for an analysis of elementary, intermediate, and high schools, libraries and child care facilities. Detailed analyses for these facilities have been prepared. The detailed analyses find that the RWCDs would not result in significant adverse impacts on elementary, intermediate and high schools, or on libraries. However, a detailed analysis found that the RWCDs would result in significant adverse impacts on child care facilities. The “Mitigation” section, below, describes potential measures that have been considered to address the significant adverse impact.

### **OPEN SPACE**

According to the *CEQR Technical Manual*, a proposed action may result in a significant impact on open space resources if: (a) there would be direct displacement/alteration of existing open space within the study area that would have a significant adverse effect on existing users, or an imposition of noise, air pollutant emissions, odors, or shadows on public open space that may alter its usability; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space.

As the Proposed Actions under the RWCDs would introduce substantial new worker and residential populations, an open space analysis was conducted for both a non-residential (¼-mile) study area and residential (½-mile) study area. The analysis finds that the Proposed Actions would result in both direct and indirect significant adverse impacts to open space resources within the study areas.

### ***DIRECT EFFECTS***

The Proposed Actions would not directly displace any public open spaces. However, as detailed in Chapter 6, “Shadows,” the Proposed Project would cast incremental shadows on three existing open space resources available to area residents and workers: Beach 20th Street Plaza; M.S. 53 Community Playground; and Redfern Houses Playground. The Proposed Actions would also cast shadows on the DOT Plaza to be developed immediately north of the DOT/MTA Disposition Site in the No Action condition as part of the DOT Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project. While there would be incremental shadows on the above-described open spaces, the shadows would not significantly alter the usability of the resources, nor significantly threaten the health of their vegetation.

With the Proposed Actions certain construction-related activities associated with the development of the DOT/MTA Disposition Site and Projected Development Site 3 are predicted to produce noise levels at the DOT Plaza in the low 60s to mid 80s decibels (dBA). Additionally,

noise levels at the existing Beach 20th Street Plaza—across the street from the DOT/MTA Disposition Site—are predicted in the high 60s to low 80s dBA. The predicted noise level increases at these locations would be noticeable, and would result in significant adverse impacts throughout the excavation and foundation construction of the DOT/MTA Disposition Site and Projected Development Site 3. Although temporary in nature, there would be no practical or feasible mitigation measures that would fully mitigate the significant adverse construction impacts.

Construction activities also would result in some elevated air pollutant concentrations at open space locations within the existing Beach 20th Street Plaza and the planned DOT Plaza. However, predicted concentrations would fall below all applicable thresholds, and would not result in any significant adverse air quality impacts within publicly accessible open spaces.

#### *INDIRECT EFFECTS*

According to the *CEQR Technical Manual*, a project may result in a significant adverse open space impact if the project would reduce the open space ratio by more than five percent in areas that are currently below the optimal ratio for worker populations of 0.15 acres of passive open space per 1,000 workers, or the City’s median community district open space ratio of 1.5 acres per 1,000 residents. An open space assessment also considers qualitative factors in determining the potential for impacts.

#### *Non-Residential (1/4-mile) Study Area*

The Proposed Actions would not result in a significant adverse indirect impact on passive open spaces available to workers within the 1/4-mile non-residential study area. In the With Action condition, under the RWCDS the passive open space ratio would be approximately ~~5.725.22~~ 1.341.15 acres per 1,000 non-residents, which is well above the optimal ratio of 0.15 acres per 1,000 non-residents. Workers in the 1/4-mile study area would continue to be well-served by passive open space resources. Moreover, the new public plaza on the Proposed DFRURA would provide a new, expansive, centrally located passive resource for workers and residents within Downtown Far Rockaway.

#### *Residential (1/2-Mile) Study Area*

Within the Proposed Project’s 1/2-mile residential study area, the existing total open space ratio is ~~1.341.15~~ 1.341.15 acres per 1,000 residents, slightly below the city-wide median open space ratio of 1.5 acres per 1,000 residents. With the Proposed Actions, under the RWCDS the total residential study area open space ratio would decline by approximately 14 percent, to 1.15 acres per 1,000 residents; the residential study area’s active open space ratio would decline by approximately 15 percent, to 0.40 acres per 1,000 residents; and the residential study area’s passive open space ratio would decline by approximately 14 percent, to 0.75 acres per 1,000 residents. Because the 1/2-mile residential study area already exhibits a shortfall of open space, the population introduced by the Proposed Project would result in significant adverse open space impacts within the residential study area for total, active, and passive open space ratios. The “Mitigation” section, below, describes potential measures that have been considered to address the significant adverse impact.

### **SHADOWS**

The shadows analysis compares shadows that would be cast by new buildings that would result from the Proposed Actions (the “With Action condition”) against the shadows that originate from existing buildings and those buildings that will be built in the future without the Proposed Actions (the “No Action condition”). The Proposed Project would create incremental shadows on four existing sunlight-sensitive resources—Beach 20th Street Plaza, MS 53 Community Playground, Trinity Chapel’s original stained glass window, and Redfern Houses Playground—as well as three future sunlight-sensitive resources to be developed in the No Action condition as part of the DOT Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project—the Pedestrian Gateway, the Mott Avenue Greenstreet, and the DOT Plaza.

The detailed shadow analysis found that none of the seven affected resources would experience a significant adverse shadows impact. However, three resources—Beach 20th Street Plaza, the future Pedestrian Gateway, and the future DOT Plaza—would receive fairly substantial new shadows in certain seasons. The new shadows would not significantly alter the usability of the resources nor significantly threaten the health of their vegetation. Substantial new shadows on Beach 20th Street Plaza would be limited to late afternoons, leaving the space mostly in sun for much of the day in each season, and allowing enough direct sunlight to support the plantings over the course of the day during the growing season. The Pedestrian Gateway would receive substantial shadow only on the winter analysis day, and given the typically low usage of this kind of small, street-side space in winter, the new shadow would not cause a significant adverse impact. In the case of the planned DOT Plaza, new shadow would never block all direct sunlight from reaching the plaza and park users would benefit from a large, well-lit, project-generated public plaza across Mott Avenue. The DOT Plaza landscaping will include plant species tolerant to low durations of direct sunlight.

Four other resources—MS 53 Community Playground, Trinity Chapel’s original stained glass window, Redfern Houses Playground, and the future Mott Avenue Greenstreet—would receive new shadows in some seasons, but these new shadows are limited in extent and duration, and would not significantly affect the use of these resources or their vegetation.

### **HISTORIC**

The study area for archaeological resources is the area where there would be increased ground disturbance as a result of the Proposed Actions. While the larger study area has the potential to be archaeologically sensitive, the potential area of disturbance for the Proposed Actions would be limited to the Projected Development Sites, Potential Sites, Disposition Sites, and the Proposed DFRURA. A-11 letters from the New York City Landmarks Preservation Commission (LPC), dated June 21, 2016 and March 29 2017, found that those sites have no archaeological significance and no further assessment is warranted.

### **ARCHITECTURAL RESOURCES**

Architectural resources are defined as properties or districts that are State/National Registers of Historic Places (S/NR)-listed or determined eligible for such listing, National Historic Landmarks (NHLs), New York City Landmarks (NYCLs) and Historic Districts, and properties that have been found by the LPC to appear eligible for designation, considered for designation (“heard”) by LPC at a public hearing, or calendared for consideration at such a hearing (these are “pending” NYCLs).

The study area for architectural resources is determined based on a Proposed Action’s area of potential effect on architectural resources, which accounts for both direct physical impacts and

indirect impacts. Direct impacts include demolition of a resource and alterations to a resource that cause it to become a different visual entity. A resource could also be damaged by construction activities such as blasting, pile driving, falling objects, subsidence, collapse, or damage from construction machinery unless proper protection measures are put in place. Construction activity that would occur within 90 feet of an architectural resource, as defined in the NYC Department of Buildings (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88*, may cause such damage.

There are no known architectural resources located on any of the Projected Development Sites, Potential Sites, Disposition Sites, or Proposed DFRURA. However, construction-related activities in connection with the Proposed Actions on Projected Development Site 10 could result in significant adverse direct impacts on one known architectural resources in the rezoning area—the S/NR-listed Trinity Chapel at 18-74 Mott Avenue. This resource could experience accidental damage from adjacent construction. However, the 2014 NYC Building Code, in Section BC 3309: Protection of Adjoining Property, provides protection measures for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Further, Section BC 3309.4.4 requires that “historic structures that are contiguous to or within a lateral distance of 90 feet ... from the edge of the lot where an excavation is occurring” be monitored during the course of excavation work. In addition, the DOB *TPPN #10/88*, applies to NYCLs, properties within NYC Historic Districts, and NR-listed properties. *TPPN #10/88* supplements the standard building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. These measures would avoid the potential for significant adverse construction-related impacts on Trinity Chapel.

Only one architectural resource with sunlight-dependent features—Trinity Chapel—would be affected by new shadow from the Proposed Project. The stained glass window above the south-facing porch would receive new incremental shadows for approximately 30 minutes at the end of the May 6/August 6 and June 21 analysis days (representing the summer growing season and the summer solstice), and for approximately 45 minutes at the end of the December 21 analysis day (the winter solstice). On the same three analysis days, the stained glass window would receive direct sunlight for nearly the entirety of the remaining portions of the day. The shadows analysis presented in Chapter 6 concluded that the short duration of new shadow on the stained glass window would not significantly impact the public enjoyment of this architectural resource, and therefore would not cause significant adverse impacts due to shadows.

## **URBAN DESIGN**

The Proposed Actions would allow for new residential and commercial developments at a greater density than what is currently permitted as-of-right in the Project Area and would represent a notable change in the urban design character of the Project Area and Primary Study Area. Compared to the future without the Proposed Actions, the visual appearance and vehicle and pedestrian circulation patterns, and therefore the pedestrian experience of the Primary Study Area, would change. However, these changes would not constitute a significant adverse urban design impact because the changes that would occur with the Proposed Actions would not alter the arrangement or functionality of the area such that the alteration would adversely affect a pedestrian’s experience of the area. Rather, development anticipated with the Proposed Actions would enhance the pedestrian experience along designated commercial corridors by replacing underutilized and vacant lots with new buildings built to the sidewalk creating consistent

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streetwalls. The buildings' massings would be broken down with setbacks generally at the fifth floor, and active ground floor uses and transparency requirements would further contribute to a more vibrant and walkable streetscape as would new publicly accessible open spaces in and connections through the Proposed DFRURA.

The scale of the new buildings that would be developed with the Proposed Actions would be appropriate to the scale of existing buildings in the Primary Study Area. The proposed zoning changes would focus higher density buildings toward the center of large lots. The bulk of the building heights within the Proposed DFRURA would be shifted toward the middle of the DFRURA site, minimizing the effect on the pedestrian experience by allowing the buildings along existing streets to be shorter and similar to existing buildings within the Primary Study Area. Taller building would be grouped along the new north-south oriented street within the Proposed DFRURA, or on sites near mass transit stations/resources, with shorter buildings located closer to Mott, Central, and Redfern Avenues. With the A-Application the overall height of most of the buildings within the Proposed DFRURA would be lowered as compared to the DEIS, and the number of front and side setbacks on each building reduced. These alterations would result in buildings that would be more in keeping with the urban design of the Primary Study Area. Lower building heights would be concentrated on the periphery of the Proposed DFRURA. Buildings located on secondary corridors would have varied heights, bulk, and massing that would contribute to the visual and physical transition between the Project Area to the Primary Study Area. New buildings with ground-floor retail and active street-level uses would replace vacant lots and underdeveloped sites along these corridors, enhancing street-level activity and pedestrian safety. Existing sites currently surrounded by fencing or accessed by multiple curb cuts also would be redeveloped with new buildings that would enliven the streetscape with new active uses and residents, particularly in locations where mixed residential and commercial buildings are not permitted today. The new buildings are expected to contribute to pedestrian activity on the sidewalks in the Project Area and surrounding Primary Study Area, improving pedestrian safety and walkability.

While the Proposed Actions would not result in any new development in the Secondary Study Area, some of the Projected and Potential Sites located at, or near, the edge of the Project Area would be visible from the Secondary Study Area. The With-Action developments would contribute to the visual character and pedestrian activity by introducing residential and retail uses and pedestrians within the Secondary Study Area. Views of the Project Area With-Action condition buildings would be limited to the parts of the Secondary Study Area that are most proximate to the Project Area. By focusing the highest density development near mass transit resources and the interior portion of large sites, the building heights near the Project Area's border would provide a visual transition between the Project Area and the Primary Study Area, where there are buildings with similar height, bulk, and massing, and the lower-scale Secondary Study Area.

Because views within the Project Area and the Primary and Secondary Study Areas are already limited by the existing street pattern and street trees, the Proposed Actions would not result in any significant adverse impacts to view corridors or views to visual resources. While the buildings that could be built under the Proposed Actions would be taller than the existing buildings in the Project Area and in the Primary and Secondary Study Areas, the new buildings in the Project Area would create consistent streetwalls, and add visual interest by constructing new buildings that could have articulated facades. Therefore, the new buildings would maintain views on existing view corridors on the Project Site and in the Primary Study Area. Beach 9th Street, which provides the longest views within the Secondary Study Area, runs north-south and

is located approximately 1,200 feet east of the closest Projected and Potential Sites and there is no visual relationship between the Beach 9th Street and these sites. Therefore, the Proposed Actions would not result in any significant adverse impact to view corridors or views to visual resources.

The Proposed Actions would not result in any significant adverse visual and contextual impacts to Trinity Chapel, the only visual resource in the Project Area. Although the nine-story building that would be constructed immediately adjacent to Trinity Chapel would obstruct most views of the church from vantage points to the west along Mott Avenue, these views are already restricted by existing buildings and the irregular street pattern. Further, views of Trinity Chapel would remain available and unobstructed from the vantage points to the east. The First Presbyterian Church, the only visual resource in the Secondary Study Area, is located approximately 1,200 feet northeast of the closest Projected and Potential Sites. The buildings on the Projected and Potential Sites would not affect views of this church and the existing landscaping surrounding the church would be maintained. Therefore, the Proposed Actions would not result in any significant adverse impacts on visual resources.

Overall, the Proposed Actions would not result in any significant adverse impacts to the urban design character or visual resources in the Project Area or within the Primary or Secondary Study Areas.

## **NATURAL RESOURCES**

The analysis finds that construction and operation of the Proposed Project would not result in significant adverse impacts to natural resources.

With the implementation of measures, such as (E) designations (E-415) and health and safety plans detailed in Chapter 10, "Hazardous Materials," significant adverse impacts to groundwater are not expected to occur due to the construction of below-grade parking structures in the Proposed DFRURA or at Projected Development Sites 6 and 15, both of which would have below-grade parking.

Floodplains would not be affected by construction related activities or the operation of buildings and open space areas that would result from the Proposed Project. Any construction for the Proposed DFRURA would comply with NYC Building Codes for construction within the 500-year floodplain and would incorporate sea level rise resilience measures into the design of building structures. Therefore, operation of the Proposed Project would not result in significant adverse impacts to floodplains.

The Proposed Project would result in the disturbance of paved road/path, mowed lawn with trees, urban vacant lot and urban structure exterior habitat. These ecological communities provide limited habitat to wildlife other than species common to urban areas. Loss of this habitat may adversely affect individual wildlife unable to find suitable available habitat in the vicinity of the study area. Loss of individuals of these common species would not result in significant adverse impacts to populations of these species within the NYC metropolitan region. Landscaping resulting from the Proposed Project such as street tree plantings has the potential to improve ecological communities and habitat for wildlife during operation of the Proposed Project.

## **HAZARDOUS MATERIALS**

The hazardous materials assessment identified various potential sources of contamination on, or in close proximity to, the Proposed DFRURA, Disposition Sites, and most of the Projected and Potential Development Sites. Potential sources of contamination included past or present: auto-related uses (auto repair, filling stations and/or petroleum storage); manufacturing; a scrap metal yard; day cleaning; and potentially, soil exceeding United States Environmental Protection Agency (USEPA) hazardous waste threshold for lead (on the Proposed DFRURA). To reduce the potential for adverse impacts associated with new construction resulting from the Proposed Actions, further environmental investigations will be required at sites where a high or moderate potential for contamination was identified. To ensure that these investigations are undertaken, hazardous materials (E) designations (E-415) would be placed on the following sites:

- Projected Development Sites 1 through 9, 13, and 15 through ~~17~~19;
- Potential Development Sites A through I; and
- Sites within the Proposed DFRURA that are currently privately owned.

These (E) designations require the owners of the properties to do the following prior to obtaining DOB permits for new development entailing soil disturbance or for changes to a more sensitive building use (e.g., from non-residential to residential):

- Conduct a Phase I ESA in accordance with the American Society of Testing Materials (ASTM) E1527-13, where one was not previously conducted or where required by the Mayor's Office of Environmental Remediation (OER) based on the date of the previous assessment;
- Prepare and implement a soil and groundwater testing protocol approved by OER;
- Where appropriate, conduct remediation in accordance with an OER-approved Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) to the satisfaction of the OER; and
- Prepare a post-construction Remedial Closure Report (RCR) documenting compliance with the RAP/CHASP, to obtain a Notice of Satisfaction and Certificates of Occupancy for newly constructed structures.

For the Disposition Sites, the City and the sites' developer(s) would enter into a Land Disposition Agreement (LDA) that would require the developer(s) to carry out the following prior to new development entailing soil disturbance:

- Prepare and implement a soil and groundwater testing protocol approved by DEP or OER;
- Where appropriate, conduct remediation in accordance with a DEP- or OER-approved RAP and CHASP to the satisfaction of the either oversight agency; and
- Prepare and submit to OER or DEP for approval a post-construction RCR documenting compliance with the RAP/CHASP, prior to obtaining Certificates of Occupancy for the new uses.

The hazardous materials assessment also identified the potential for hazardous materials in existing buildings (such as asbestos-containing materials [ACM], lead-based paint [LBP], and polychlorinated biphenyl [PCB]-containing equipment and lighting fixtures). Regulatory requirements for maintenance and (if necessary) disposal of such materials prior to or during demolition would continue to be followed.

With the implementation of the measures required by the (E) designations and LDAs, the Proposed Actions would not result in any significant adverse impacts with respect to hazardous materials.

## **WATER AND SEWER**

DEP is planning infrastructure capital improvements within the Project Area, and is currently evaluating those projects to identify improvements necessary to support future development. These identified improvements will be incorporated into currently planned capital projects or future capital projects. Additionally, the City's drainage plan will be amended to reflect the infrastructure improvements that are needed to support future development based on the proposed change in zoning.

With the completion of all infrastructure improvements identified by DEP or improvements necessary for new developments to connect to the City sewer system (if taking place in advance of the capital work), as well as the incorporation of the appropriate sanitary flow and stormwater control best management practices (BMPs) that would be required as part of the DEP site connection approval process for each development within the Project Area, the water supply and sewer system in the Project Area would be sufficient to handle the increased water demand and wastewater flow resulting from the Proposed Project. In particular, the BMPs would result in reduced overall volumes of water demand, sanitary sewer discharge, and stormwater runoff. Additionally, in accordance with New York State Department of Environmental Conservation (NYSDEC) regulations, development of the Proposed DFRURA and any other site or parcel assemblage larger than one acre (which includes the DOT/MTA Disposition Site and may include Projected Development Site 6) would require a Stormwater Pollution Prevention Plan (SWPPP), which would identify both temporary erosion and sediment controls and permanent water quality controls for the development of those sites. Treatment capacity at the Rockaway Wastewater Treatment Plant (WWTP) is sufficient to handle wastewater flow resulting from the Proposed Project. Therefore, with the completion of the required infrastructure improvements, there would be no significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure.

## **SOLID WASTE AND SANITATION SERVICES**

This analysis finds that the Proposed Actions would not result in a significant adverse impact on solid waste and sanitation services. The Proposed Actions would not directly affect a solid waste management facility. Development resulting from the Proposed Actions would generate an increment above the No Action condition of approximately 103,1498.81 tons per week of solid waste, of which approximately 6465 percent (65.6163.75 incremental tons) would be handled by the New York City (NYC) Department of Sanitation (DSNY), and 3635 percent (37.5435.06 incremental tons) would be handled by private carters. This correlates to approximately 5,245.10 additional truckloads per week of solid waste handled by DSNY, and between 2,502.34 and 3,002.92 additional truckloads per week handled by private carters. Although this would be an increase compared with the conditions in the future without the Proposed Actions, the additional solid waste resulting from the Proposed Actions would be a negligible increase relative to the approximately 12,260 tons of solid waste handled by the DSNY every day, or the 13,000 tons handled by private carters.<sup>11</sup> As such, the Proposed Actions would not result in an increase in

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<sup>11</sup> About DSNY: <http://www1.nyc.gov/assets/dsny/about/inside-dsny.shtml>

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solid waste that would overburden available waste management capacity. The Proposed Actions would not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the SWMP.

### **ENERGY**

The Proposed Actions would not result in a significant adverse impact on energy systems. In the future with the Proposed Actions (the "With Action condition"), the RWCDS would result in increased demand of approximately ~~417~~430.9 billion British Thermal Units (BTUs) of energy per year as compared to the No Action condition. This increase in annual demand represents less than one percent of the projected year 2025 service demand for the Long Island service area, which includes Far Rockaway.<sup>12</sup>

Any new development resulting from the Proposed Actions would be required to comply with the NYC Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with this code, new developments must meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance.

### **TRANSPORTATION**

#### *TRAFFIC*

The traffic impact analysis indicates the potential for significant adverse impacts at ~~20~~17 intersections during one or more analyzed peak hours. Significant adverse impacts were identified to ~~21~~20 lane groups at ~~12~~11 intersections during the weekday AM peak hour, ~~20~~21 lane groups at 12 intersections in the weekday midday peak hour, ~~28~~27 lane groups at ~~18~~17 intersections in the weekday PM peak hour, and ~~17~~14 lane groups at ~~11~~8 intersections during the Saturday midday peak hour. The "Mitigation" section, below, discusses potential measures that were considered to mitigate these significant adverse traffic impacts.

#### *TRANSIT*

##### *Subway*

###### *Subway Stations*

The Proposed Actions would generate a net increment of approximately ~~632~~651 and ~~911~~943 new subway trips during the weekday AM and PM commuter peak hours. The Rezoning Area is served by the Far Rockaway/Mott Avenue A-train station and all new subway trips generated by the Proposed Actions are expected to use this station. As the expected number of project-generated subway trips at the Far Rockaway/Mott Avenue station would exceed the 200-trip *CEQR Technical Manual* analysis threshold in both peak hours, key circulation elements (e.g., street stairs and fare arrays) at this station are included in the analysis.

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<sup>12</sup>New York Independent System Operator's 2015 Load & Capacity Data report, p.12. The Project Area is located within Zone K, which includes Nassau and Suffolk Counties as well as portions of the Rockaways. Year 2025 forecasted energy demand for Zone K is 23,062 gigawatt hours, which is approximately 78.69 trillion BTUs.

In the future with the Proposed Actions, all stairs and fare arrays at the Far Rockaway/Mott Avenue A-train station are projected to operate at level of service A in both the AM and PM peak hours in the With Action condition. Therefore, the Proposed Actions are not expected to result in significant adverse subway station impacts.

*Subway Line Haul*

Line haul is the volume of transit riders passing a defined point on a given transit route. Line haul is typically measured in the peak direction at the point where the trains carry the greatest number of passengers during the peak hour (the maximum load point) on each subway route. The rezoning area is served by one NYCT subway routes, the A-train operating on the IND Rockaway Line. The peak direction of travel on this line is typically westbound towards the Manhattan Central Business District (CBD) in the AM peak hour and eastbound from the Manhattan CBD in the PM peak hour. This route is not projected to exceed guideline capacity in the peak direction in either peak hour in the future with the Proposed Actions and would therefore not be considered significantly impacted based on *CEQR Technical Manual* criteria.

*Bus*

The proposed Rezoning Area is served by a total of four MTA bus routes (QM17, Q22, Q113/Q114) and three Nassau Inter-County Express (NICE) buses (N31/N32, and N33). The Proposed Actions would generate a total of approximately ~~589-607~~ and ~~767-795~~ incremental bus trips on these routes during the weekday AM and PM peak hours, respectively. A preliminary screening assessment concluded that new demand from the Proposed Actions would exceed the 50-trip per direction *CEQR Technical Manual* analysis threshold in the AM and/or PM peak hour along the MTA Q22 and Q113/Q114 Bus Service and along the three NICE bus routes.

Based on projected levels of bus service in the No Action condition, the Proposed Actions would result in a capacity shortfall of ~~12-13~~ spaces on the westbound Q22 service and 59 spaces on the northbound Q113/Q114 service in the AM peak hour and a shortfall of ~~45-48~~ spaces on the eastbound Q22 service in the PM peak hour. The Q113/Q114 routes would continue to operate with available capacity in ~~both the AM and PM~~ peak hours. Therefore, westbound and eastbound Q22 service would be significantly adversely impacted in the AM and PM peak hours, respectively, and northbound Q113/Q114 service would be significantly adversely impacted in the AM peak hour based on *CEQR Technical Manual* criteria. The significant impact to Q22 service could be mitigated by increasing the number of westbound buses from 9 to 10 in the AM peak hour and the number of eastbound buses from 6 to 7 in the PM peak hour, while the significant impact to the Q113/Q114 service could be mitigated by increasing the number of northbound buses from 7 to 8 in the AM peak hour. The general policy of the MTA is to provide additional bus service where demand warrants, taking into account financial and operational constraints. The “Mitigation” section, below, discusses potential measures to mitigate this significant adverse bus impact.

*Pedestrians*

The Proposed Actions would generate a net increment of approximately ~~1,079~~1,125 walk-only trips in the weekday AM peak hour, ~~4,157~~4,403 in the midday, ~~2,568~~2,710 in the PM peak hour, and ~~3,018~~3,188 in the Saturday midday/afternoon peak hour. Persons en route to and from subway station entrances and bus stops would add approximately ~~1,317~~, ~~1,451~~, ~~1,786~~, ~~1,357~~, 1,509, and 1,850 and ~~1,629~~1,685 additional pedestrian trips to rezoning area sidewalks and crosswalks during these same periods, respectively. Peak hour pedestrian conditions were evaluated at a total of 91 representative pedestrian elements where new trips generated by

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projected developments are expected to be most concentrated. These elements—36 sidewalks, 27 crosswalks and, 28 corner areas—are primarily located in the vicinity of major projected development sites and corridors connecting these sites to area subway station entrances and bus routes. Based on *CEQR Technical Manual* criteria, one crosswalk would be significantly adversely impacted by the Proposed Actions in the weekday PM and Saturday peak hours. The “Mitigation” section, below, discusses potential measures that were considered to mitigate these significant adverse pedestrian impacts.

### *Vehicular and Pedestrian Safety*

The intersection Beach Channel Drive and Mott Avenue within the traffic study area was identified in the *Vision Zero Queens Pedestrian Safety Action Plan* as a Priority Intersection.

Crash data for the traffic and pedestrian study area intersections were obtained from DOT for the three-year reporting period between January 1, 2013, and December 31, 2015 (the most recent period for which data were available for all locations). During this period, a total of 140 reportable or non-reportable crashes and 35 pedestrian/bicyclist-related injury crashes occurred at study area intersections. One fatality was reported at Augustina Avenue and Bayport Place in 2015. A review of the crash data identified Beach Channel Drive and Mott Avenue as the only high crash location (defined as those with 48 or more total reportable and non-reportable crashes or five or more pedestrian/bicyclist injury crashes occurring in any consecutive 12 months of the most recent 3-year period for which data are available).

### *Parking*

The parking analyses document changes in the parking supply and utilization in the rezoning area and within a ¼-mile radius of the rezoning area under both No Action and With Action conditions.

There is one off-street public parking lot within ¼-mile of the rezoning area, which is located on one of the City-owned disposition sites and which would be displaced under No Action conditions.

Under the With Action RWCDs, it is assumed that up to ~~1,272~~1,268 accessory parking spaces would be provided on projected development sites. Additionally, 171 new publicly accessible parking spaces are anticipated to be provided ~~the newly created connector roadways within the Proposed DFRURA are anticipated to provide approximately 171 new on-street parking spaces.~~

After accounting for new parking demand and the number of required accessory spaces provided on a site-by-site basis under the RWCDs, it is estimated that compared to the No Action condition, incremental on-street parking demand from new development associated with the Proposed Actions would total approximately ~~246~~290 spaces in the weekday midday period and ~~1,297~~1,373 spaces during the overnight period.

In the future with the Proposed Actions, approximately ~~1,725~~1,681 on-street spaces would remain available within ¼-mile of the rezoning area in the weekday midday period, while approximately ~~127~~51 on-street spaces would remain available during the overnight period. Therefore, the Proposed Actions are not expected to result in significant adverse parking impacts during the weekday midday peak period for commercial and retail parking demand, nor during the overnight peak period for residential demand.

## AIR QUALITY

The analyses conclude that the Proposed Actions would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and the Proposed Actions would not be adversely affected by existing sources of air emissions in the rezoning area. A summary of the findings is presented below.

The mobile source analyses determined that concentrations of CO and fine particulate matter less than ten microns in diameter (PM<sub>10</sub>) due to project-generated traffic would not result in any violations of National Ambient Air Quality Standards (NAAQS). The results show that CO increments, as well the annual and daily (24-hour) PM<sub>2.5</sub> increments, are predicted to be below *de minimis* criteria.

The analysis of the parking facilities, assumed to be developed as a result of the Proposed Actions, determined that there would not be any significant adverse air quality impacts from the Proposed Actions. The maximum predicted eight-hour average CO concentration from parking facilities in the With Action condition is 1.5 parts per million (ppm). This value includes a predicted concentration of 0.08 ppm from the parking garage analyzed, and a background level of 1.4 ppm. The maximum predicted concentration is substantially below the applicable NAAQS of nine ppm and the *de minimis* CO criteria of 5.2 ppm.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems. For certain Proposed DFRURA sites and DOT/MTA Disposition Site, restrictions would be necessary to ensure that emissions from fossil fuel-fired heat and hot water systems would not result in any significant air quality impacts. The restrictions would be set forth in a LDA to ensure that the developer(s) satisfy these restrictions. Additionally, an (E) designation (E-415) would be mapped as part of the proposed zoning to ensure the development on certain Projected and Potential Development Sites as well as sites within the Proposed DFRURA that are currently privately owned would not result in any significant air quality impacts from fossil fuel-fired heat and hot water systems emissions.

## GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The building energy use and vehicle use associated with the Proposed DFRURA and Disposition Sites would result in up to approximately 32.5 kilotons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions per year. These emissions estimates are conservatively high since, per *CEQR Technical Manual* guidance, they do not account for the decreasing carbon footprint of electricity and vehicular emissions associated with renewable power sources and improved engine performance. The emissions resulting from the Proposed Actions would also be lower due to the incorporation of emission reduction measures (see below). Note that in the No Action condition, if new buildings were to be constructed elsewhere to accommodate the same number of units and space for other uses, the emissions from the use of electricity, energy for heating and hot water, and vehicle use could equal or exceed those estimated for the proposed project, depending on their location, access to transit, building type, and energy efficiency measures. There would be additional Greenhouse Gas (GHG) emissions associated with the Projected and Potential Development Sites, which, per the *CEQR Technical Manual* guidance, have not been quantified here.

The *CEQR Technical Manual* defines five goals through which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3)

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sustainable transportation; (4) construction operation emissions; and (5) building materials carbon intensity.

The development of the Proposed DFRURA and the Disposition Sites would be required to achieve certification under the Enterprise Green Communities (EGC) program, or to achieve equivalent energy efficiency.<sup>13</sup> The EGC program is designed to achieve a minimum of 15 percent reduction in energy expenditure relative to the current building code, as well as other sustainability measures that would indirectly reduce GHG emissions. The Proposed Actions' mandatory requirements under the EGC program, and additional measures aimed at achieving points necessary for certification or resulting from the Request for Proposal (RFP) encouraging energy efficient development, would result in substantially reduced energy consumption at the Proposed DFRURA and Disposition Sites as compared with buildings designed to meet but not exceed the building code. In general, dense, mixed-use development with access to transit and existing roadways is consistent with sustainable land use planning and smart growth strategies to reduce the carbon footprint of new development. The EGC program may also result in the use of lower-GHG materials and materials reduction, and would require recycling construction materials. Overall, the implementation of the various design measures and features described would result in development that is consistent with the City's GHG emissions reduction goal, as defined in the *CEQR Technical Manual*.

The Proposed Actions would also support the other GHG emission reduction goals because of the proximity of the sites to public transportation, commitment to construction air quality controls, and the fact that as a matter of course, construction in NYC uses recycled steel and includes cement replacements. All of these factors demonstrate that the Proposed Actions support the GHG emission reduction goal.

Therefore, based on the commitment to energy efficiency and by virtue of location and other factors discussed above, the Proposed Actions would be consistent with the City's GHG emissions reduction goals, as defined in the *CEQR Technical Manual*.

### **NOISE**

The analysis finds that the Proposed Actions would not result in any significant adverse noise increases at nearby noise receptors. Additionally, the building attenuation analysis determined that the buildings to be constructed at the Proposed DFRURA and the Projected and Potential Development Sites included in the Proposed Actions would require between 23 and 33 dBA window/wall attenuation to meet *CEQR Technical Manual* interior noise level requirements. For the Disposition Sites, these attenuation requirements would be included in a LDA between the City and the sites' developer(s). For Projected and Potential Development Sites as well as sites within the Proposed DFRURA that are currently privately owned, the attenuation requirements would be included in Noise (E) Designations (E-415) mapped on the sites. With these measures,

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<sup>13</sup>The Proposed DFRURA and Disposition Sites would be developed under the affordable housing requirements of the City of New York Department of Housing Preservation & Development (HPD). The Land Disposition Agreement between EDC and the developer(s) would require a commitment to certification under the EGC program per the HPD EGC Overlay, or the incorporation of equivalent sustainability measures through the Leadership in Energy and Environmental Design (LEED) or Energy Star programs. Proposed DFRURA developments would also require certification under the EGC program or the incorporation of equivalent sustainability measures through the provisions of a contract of sale or long-term lease, or other legally binding agreement between the City and the developer(s).

the Proposed Actions would not have the potential to result in any significant adverse noise impacts.

## **PUBLIC HEALTH**

As described in the preceding chapters of this DEIS, the Proposed Actions would not result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: air quality, water quality, hazardous materials, or operational noise.

Construction activities associated with the Proposed Actions could result in significant adverse noise impacts that would not be fully mitigated. Under the RWCDS, construction activities associated with the Proposed DFRURA would have the potential to result in significant adverse construction noise impacts at up to 34 receptor locations, and construction activities associated with Projected Development Sites would have the potential to result in significant adverse construction noise impacts at up to ~~66~~72 receptor locations. These locations, including residences, library, community facilities, and open space locations (at Beach 20th Street Plaza and the planned DOT Plaza) would intermittently experience exterior noise levels up to the mid 80s dBA. The maximum predicted noise level increments, which would occur only during the limited amount of time that impact pile driving would occur at the points nearest adjacent receptors on the same block as construction, are predicted to be up to approximately 27 dBA compared with existing levels. The most noise intensive construction activities would occur during portions of up to approximately 3 to 5 years of the Proposed DFRURA construction period.

Despite these potentially unmitigated impacts, the predicted overall changes in noise levels would not be large enough to significantly affect public health, as they would be below the public health-based *CEQR Technical Manual* noise threshold of 85 dBA. The Proposed Actions are not anticipated to cause excessively high chronic noise exposure and, therefore, are not expected to result in a significant adverse public health impact related to noise. Therefore, the Proposed Actions would not result in significant adverse public health impacts during construction.

## **NEIGHBORHOOD CHARACTER**

The neighborhood of Downtown Far Rockaway is primarily characterized by the commercial downtown with surrounding residential use at varying densities. The Downtown Far Rockaway neighborhood can be characterized as a ‘village,’ as the neighborhood has provided the local community with commercial and institutional services typical of a village center. However, as the neighborhood has grown and changed, the services provided have become inadequate to meet the local need. In terms of land use, the majority of the study area (which includes the Project Area and a ¼-mile buffer surrounding the Project Area) is characterized by residential uses along the side-streets, a variety of commercial and institutional uses along the major roadways, and pockets of industrial and auto-related uses throughout the study area; the patchwork of uses, combined with the presence of vacant and undertutilized sites, contribute to a disjointed streetscape. Features such as the neighborhood’s proximity to Rockaway Beach also contribute to the area’s defining character.

Currently, the neighborhood’s character is largely defined by the uses and built form found within the Proposed DFRURA, which is located at the heart of the Project Area and directly across from the NYCT A-Train subway line. The Proposed DFRURA is primarily characterized by aging, underutilized, and in some cases poorly maintained buildings, as well as vacancy (both vacant land and vacant structures). Evidence of recent reinvestment was observed with the

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ongoing façade renovations to the Far Rockaway Shopping Center, but little additional evidence of physical improvements to repair, update or upgrade buildings and/or lot conditions were observed for any of the remaining lots in the Proposed DFRURA.

As described elsewhere in this ~~DEIS~~FEIS, the Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; shadows; urban design and visual resources; or noise (during operational conditions). The significant adverse open space and traffic impacts would not adversely affect defining features of Downtown Far Rockaway’s neighborhood character; nor would a combination of moderately adverse effects impact the area’s defining features. While the Proposed Actions would result in significant adverse open space impacts, as the residential study area is currently underserved by open space and would remain so in both the No Action and With Action conditions, open space is not a critical defining feature of the Downtown area, and any resultant impacts to open space would not have a significant adverse impact on neighborhood character. In addition, while the Proposed Actions would result in increased transportation activities and significant adverse transportation impacts, the resulting conditions would be similar to those seen in other urban neighborhoods and would not result in density of activity or service conditions that would be out of character with a typical downtown core.

With the development of approximately ~~3,000~~3,100 DUs, the Proposed Actions would introduce a large residential population to Downtown Far Rockaway; the Proposed Actions would also introduce additional amenities such as community facility space and commercial resources, to meet the needs of the existing and Project-generated populations. The amenities introduced by the Proposed Actions would enhance the “village character” of the neighborhood by bringing mixed-use, transit-oriented development to the area, and by requiring active ground floor uses, mandatory sidewalk widenings and other urban design controls along major corridors to enliven the streetscape.

### **CONSTRUCTION**

As is the case with any major construction project, construction of the Proposed Project as defined by the RWCDS would result in some temporary disruptions in the surrounding area. Construction of the Proposed Project is anticipated to be completed over a 15-year period with completion in 2032 (this includes development on the Proposed DFRURA, Disposition Sites, and Projected Development Sites). Since Potential Development Sites are not expected to be redeveloped under the Proposed Actions by the 2032 Analysis Year, these sites were not considered in the construction assessment.

As described in detail below, construction activities associated with the Proposed Project would result in temporary significant adverse impacts from construction noise and traffic conditions. Additional information for key technical areas is summarized below.

### *TRANSPORTATION*

Based on the RWCDS and conceptual construction schedule, construction travel demand—construction work and truck volumes generated by construction activities on development sites—is expected to peak in the fourth quarter of 2019 (2019[Q4]), the third quarter of 2022 (2022[Q3]), and the ~~fourth~~ first quarter of ~~2028 (2028[Q4])~~2029 (2029[Q1]). Therefore these quarters were selected as a reasonable worst-case analysis periods for assessing potential cumulative transportation impacts from operational trips from completed portions of the

Proposed Project and construction trips. Both of these periods were therefore analyzed for potential transportation impacts during construction.

#### *Traffic*

During construction, traffic would be generated by construction workers commuting via autos and by construction trucks transporting materials. Traffic volume increases during the 6-7 AM and 3-4 PM construction peak hours would be less than those projected under the With Action condition analyzed in Chapter 14, “Transportation.” In all of the worst-case analysis periods, traffic conditions during the construction peak hours are also expected to be generally better than traffic conditions during the analyzed operational peak hours under the With Action condition. Consequently, there would be substantially fewer intersections with potential significant adverse traffic impacts during the 2019(Q4), 2022(Q3), and ~~2029~~2028(Q1Q4) construction analysis years compared with the 2032 operational analysis year, and no additional intersections are expected to experience significant adverse traffic impacts in these peak hours.

#### *Transit*

In worst-case analysis periods, transit conditions during the 6-7 AM and 3-4 PM construction peak hours are expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions in 2032. As the Proposed Actions are not expected to result in any significant subway station impacts, no subway station impacts are expected during construction. The Proposed Actions’ significant adverse bus impact would also be less likely to occur during construction than with full build-out of the Proposed Actions in 2032 because incremental demand would be lower during construction and would not occur during the peak hours of commuter demand. It is expected that the mitigation measures identified for operational transit impacts would also be effective at mitigating any potential impacts from construction transit trips during the 2019(Q4), the 2022(Q3), and the ~~2029~~2028(Q1Q4) construction periods.

#### *Pedestrians*

In ~~2019(Q4)~~2020(Q2), construction workers—and therefore generated pedestrian trips—would be at a peak. Pedestrian trips by construction workers would be widely distributed among the development sites that would be under construction in this period, and would primarily occur outside of the weekday AM and PM commuter peak periods and weekday midday peak period when area pedestrian facilities typically experience their greatest demand. It is unlikely that any single sidewalk, corner, or crosswalk is expected to experience 200 or more peak-hour trips (the threshold below which significant adverse pedestrian impacts are considered unlikely to occur based on *CEQR Technical Manual* guidelines). Consequently, significant adverse pedestrian impacts in the ~~2019(Q4)~~2020(Q2) peak construction period are not anticipated.

In 2022(Q3) and ~~2028(Q4)~~2029(Q1), cumulative construction and operational travel demand would result in peak number of on-site daily workers. Pedestrian conditions during the 6:00-7:00 AM and 3:00-4:00 PM construction peak hours are expected to be generally better than pedestrian conditions during the analyzed operational peak hours with full build-out of the Proposed Actions in 2032. The Proposed Actions’ significant adverse sidewalk, corner area and crosswalk impacts would therefore be less likely to occur during this construction period than with full build-out of the Proposed Actions in 2032, but is projected to occur. It is expected that mitigation measures identified for 2032 operational pedestrian impacts would also be effective at

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mitigating any potential impacts from construction pedestrian trips during the 2022(Q3) and ~~2028(Q4)~~~~2029(Q1)~~ construction periods. These mitigations would include sidewalk widening and/or relocating or removing street furniture. In addition, shifts to signal timing may be done to mitigate significant adverse impacts to pedestrians. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure would be identified. The proposed mitigation measures could be implemented early than the full build-out of the Proposed Actions in 2032 at the discretion of the DOT to address actual conditions experienced at that time.

### *Parking*

Based on the extent of available on-street parking spaces within ¼-mile of the Project Area, there would be sufficient on-street parking capacity to accommodate all of the projected construction worker parking demand during the ~~2019(Q4)~~~~2020(Q2)~~ peak construction period—when the number of construction workers would be at a peak. During the 2022(Q3)—~~and 2029(Q1)~~ peak construction periods for cumulative construction and operational traffic, the maximum daily parking demand from project site construction workers would be accommodated by the expected available spaces. While there would be a relatively small parking shortfall of 26 spaces during the 2028(Q4) peak construction period for cumulative construction and operational traffic, this relatively small parking shortfall does not exceed more than half of the available on-street parking spaces within the ¼-mile radius, and therefore would not be considered a significant adverse impact per 2014 CEQR Technical Manual criteria. In addition, the parking demand associated with construction workers commuting via auto would be temporary in nature and the potential shortfall would be limited to one calendar quarter over the entire construction period. Furthermore, there are multiple transit options available to the proposed rezoning area and the excess demand is expected to be accommodated outside of the ¼-mile parking study area radius.

### *AIR QUALITY*

Measures would be taken to reduce pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes. These include dust suppression measures, idling restriction, and the use of ultra-low sulfur diesel (ULSD) fuel. In addition, an emissions reduction program, including the use of best available tailpipe reduction technologies and utilization of newer equipment would be implemented during construction for the Proposed DFRURA as well as the Disposition Sites. These measures would be required to be undertaken by the developer(s) through provisions of a Memorandum of Understanding (MOU), an LDA, Contract of Sale, Lease Agreement, or other legally binding document between the City and the developer(s). The MOU, LDA, Contract of Sale, Lease Agreement, or other legally binding agreement would require the use of a construction monitor, which will operate under the oversight of the Mayor's Office of Environmental Coordination, to ensure that the emissions reduction measures, to the extent practicable and feasible, are implemented during construction activities.

Projected Development Sites with construction durations of more than two years are anticipated to implement similar emissions reduction programs. However, there would be no mechanism under CEQR to provide for a commitment to implement any of the above emission reduction measures on Projected Development Sites. Nevertheless, construction in future years is expected to meet these emissions reduction requirements, as there would be an increasing percentage of newer and cleaner engines.

A detailed analysis of on-site and on-road emissions determined that annual-average nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), PM<sub>10</sub>, PM<sub>2.5</sub> concentrations would be below their corresponding NAAQS or *de minimis* thresholds. Therefore, construction under the Proposed Actions would not result in significant adverse air quality impacts due to construction sources.

#### *NOISE AND VIBRATION*

Detailed construction noise modeling analysis concluded that construction activities associated with the Proposed DFRURA would have the potential to result in significant adverse construction noise impacts at up to 34 receptor locations, and construction activities associated with Projected Development Sites would have the potential to result in significant adverse construction noise impacts at up to ~~7266~~ receptor locations. At these locations, construction noise levels would exceed *CEQR Technical Manual* noise impact criteria for an extended period of time. These locations, including residences, library, community facilities, and open space locations (at Beach 20th Street Plaza and the future DOT Plaza) would intermittently experience exterior noise levels up to the mid 80s dBA. The maximum predicted noise level increments, which would occur only during the limited amount of time that impact pile driving would occur at the points nearest adjacent receptors on the same block as construction, are predicted to be up to approximately 27 dBA compared with existing levels. The most noise intensive construction activities would occur during portions of up to approximately 3 to 5 years of the Proposed DFRURA construction period.

At other receptors near the development area, noise resulting from construction of the Proposed Project may at times be noticeable, but would be temporary, would generally not exceed typical noise levels for NYC, and would not rise to the level of a significant adverse noise impact.

Construction activities would be required to follow the requirements of the *NYC Noise Control Code* (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the *NYC Noise Code*. These measures could include a variety of source and path controls. In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures would be implemented in accordance with the *NYC Noise Code*:

- Equipment that meets the sound level standards specified in Subchapter 5 of the *NYC Noise Control Code* would be utilized from the start of construction.
- As early in the construction period as logistics would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable.
- Where feasible and practicable, construction sites would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than three minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the *NYC Administrative Code*.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures for construction would be implemented to the extent feasible and practicable:

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- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks would be located away from and shielded from sensitive receptor locations.
- Noise barriers constructed from plywood or other materials would be erected to provide shielding; and
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents, where feasible) for certain dominant noise equipment would be employed to the extent feasible and practical based on the results of the construction noise calculations.

However, there are no practical or feasible mitigation measures that would fully mitigate the significant adverse construction impacts.

### **VIBRATION**

Construction of the Proposed Actions would not have the potential to result in vibration at a level that could result in architectural or structural damage to adjacent buildings. Additionally, construction would generate vibration at a level that would have the potential to be noticeable or annoying only for limited periods of time, therefore there is no potential for significant adverse vibration impacts due to construction resulting from the Proposed Actions.

### **HISTORIC AND CULTURAL RESOURCES**

~~A~~ Letters from ~~the~~ LPC, dated June 21, 2016 and March 29, 2017, found that development sites considered as part of the Proposed Actions have no archaeological significance and no further assessment is warranted. There are no known architectural resources located on any of the Projected Development Sites, Disposition Sites, or on the Proposed DFRURA. However, construction-related activities on Projected Development Site 10 have the potential to result in significant adverse impacts on an adjacent architectural resource—the S/NR-listed Trinity Chapel at 18-74 Mott Avenue. This resource could experience accidental damage from adjacent construction on Projected Development Site 10. However, the 2014 NYC Building Code, in Section BC 3309: Protection of Adjoining Property, provides protection measures for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Further, Section BC 3309.4.4 requires that “historic structures that are contiguous to or within a lateral distance of 90 feet ... from the edge of the lot where an excavation is occurring” be monitored during the course of excavation work. In addition, the DOB *Technical Policy and Procedure Notice (TPPN) #10/88* applies to NYCLs, properties within NYC Historic Districts, and NR-listed properties. *TPPN #10/88* supplements the standard building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. These measures would avoid the potential for significant adverse construction-related impacts on Trinity Chapel.

### **HAZARDOUS MATERIALS**

As discussed in Chapter 10, “Hazardous Materials,” the hazardous materials assessment identified various potential sources of contamination on, or in close proximity to, the Proposed DFRURA, Disposition Sites, and most of the Projected Development Sites. To reduce the potential for adverse impacts associated with new construction resulting from the Proposed Actions, further environmental investigations will be required at sites where a high or moderate potential for contamination was identified. As detailed in Chapter 10, to ensure that these

investigations are undertaken, hazardous materials (E) designations would be placed on sites within the Proposed DFRURA that are currently privately owned, and Projected Development Sites 1 through 9, 13, and 15 through ~~17~~19. These (E) designations require the owners of the properties to do the following prior to obtaining DOB permits for new development entailing soil disturbance or for changes to a more sensitive building use (e.g., from non-residential to residential):

- Conduct a Phase I ESA in accordance with ASTM E1527-13, where one was not previously conducted or where required by OER based on the date of the previous assessment;
- Prepare and implement a soil and groundwater testing protocol approved by OER;
- Where appropriate, conduct remediation in accordance with an OER-approved RAP and CHASP to the satisfaction of the OER; and
- Prepare a post-construction RCR documenting compliance with the RAP/CHASP, to obtain a Notice of Satisfaction and Certificates of Occupancy for newly constructed structures.

For the Disposition Sites, the City and the sites' developer(s) would enter into a LDA that would require the developer(s) to carry out the following prior to new development entailing soil disturbance:

- Prepare and implement a soil and groundwater testing protocol approved by DEP or OER;
- Where appropriate, conduct remediation in accordance with a DEP- or OER-approved RAP and CHASP to the satisfaction of either oversight agency; and
- Prepare and submit to OER or DEP for approval a post-construction RCR documenting compliance with the RAP/CHASP, prior to obtaining Certificates of Occupancy for the new uses.

The hazardous materials assessment also identified the potential for hazardous materials in existing buildings (such as ACM, LBP, and PCB-containing equipment and lighting fixtures). Regulatory requirements for maintenance and (if necessary) disposal of such materials prior to or during demolition would continue to be followed.

With the implementation of the measures required by the (E) designations and LDAs, construction under the Proposed Actions would not result in any significant adverse impacts with respect to hazardous materials.

## MITIGATION

### *CHILD CARE SERVICES*

Under the RWCDs, by 2032 the Proposed Actions would result in the development of ~~1,389~~1,580 affordable DUs.<sup>14</sup> Based on *CEQR Technical Manual* child care multipliers, the

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<sup>14</sup>Given that the specific number of affordable units has not been determined, a conservative assumption was developed that assumes that 50 percent of the DUs on the DFRURA would be affordable, 100 percent of the DUs on the Disposition Sites would be affordable, and 30 percent of the DUs on the Projected Development Sites would be affordable except for Projected Development Sites 9, 18, and 19, where 100 percent of the DUs would be affordable. For the ~~latter s~~ Projected Development Sites, a specific MIH option has not been chosen but would be determined during the land use approval process. As such, the option that generates the most affordable DUs (1,580 affordable DUs) was used for this analysis, but should not be construed as the specific MIH option for the Proposed Project. For purposes

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development of this amount of affordable housing would result in an estimated ~~194-222~~ additional children under the age of six who would be eligible for publicly funded child care programs. With the addition of these children, child care facilities in the study area would operate at ~~146.9~~154.2 percent utilization, with a deficit of ~~181-209~~ slots, resulting in a significant adverse impact on child care facilities.

To avoid the identified significant adverse impact on child care facilities, the number of affordable DUs that could be developed as a result of the Proposed Actions would have to be reduced to 93, which would be a ~~93-94~~ percent (~~1,296~~1,487-DU) reduction in the number of affordable units. The 93 affordable DUs would generate 13 children under age six eligible for publicly funded child care, and study area facilities would operate at capacity with no child care slot shortfall. Alternatively, the provision of an additional ~~181-209~~ child care slots would fully mitigate the significant adverse child care center impact. With ~~181-209~~ additional child care slots, study area facilities would operate at capacity, with no child care slot shortfall.

Possible mitigation measures for this significant adverse impact ~~will be~~were developed in consultation with the NYC Administration for Children's Services (ACS). ~~Mitigation for a significant child care impact may and included the~~ provision of additional suitable location(s) for a child care center and within a reasonable distance, ~~or funding, or and~~ making program improvements to support additional capacity. While funding and program improvements were not deemed feasible measures, it was identified that increased demand for child care slots could be met through expanded capacity. HPD is expected to subsidize the development of a significant number of new mixed-use buildings in the Proposed DFRURA, and developers of Projected Development Sites may also seek HPD subsidies. The Proposed DFRURA and Projected Development Sites would allow for non-residential ground floor uses in any new development, thus expanding the amount of available commercial and community facility space in the neighborhood. These spaces could be occupied by retail or community facility uses such as day care facilities. HPD will encourage the inclusion of community facilities, including day care providers, in any Request for Proposals for sites within the DFRURA as well as any developments receiving HPD subsidy. Outside of City-controlled and City-subsidized development sites, the ability to expand capacity is limited because the City cannot mandate the provision of day care facilities on private sites. ACS will monitor the demand and need for additional publicly funded day care services in the area and identify the appropriate measures to meet demand for additional slots. While new development subsidized by HPD may occur in the near future and would potentially offset or at least partially mitigate the identified impact by providing day care facilities, there are no known development plans or funding commitments at this time. Therefore, the Proposed Actions would result in an unavoidable significant adverse impact on day care facilities.

~~Measures to mitigate the identified significant adverse impact on publicly funded child care centers will continue to be explored between the DEIS and Final EIS (FEIS) in coordination with the lead agency, DCP, and ACS. However, a potential exists that sufficient measures may not be available to fully mitigate the identified adverse impacts. If, after exploring all possible mitigation measures, it is determined that the significant adverse impact on publicly funded child care facilities would not be completely mitigated, an unavoidable significant adverse impact would result.~~

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of this analysis, it was assumed that all affordable units would be available to households at or below 80 percent of AMI.

### OPEN SPACE

As detailed in Chapter 5, “Open Space,” by 2032 under the RWCDs, the Proposed Actions would result in significant adverse open space impacts within the ½-mile residential study area for total, active, and passive open space ratios. To avoid the identified significant adverse residential study area open space impacts, the number of residents that could be introduced by the Proposed Actions would have to be reduced to 55 (or approximately 28 DUs). This would represent an approximately 99 percent reduction in the number of DUs anticipated under the RWCDs. Alternatively, in order to avoid significant adverse open space impacts, the Proposed Actions would have to provide approximately 11.0 acres of additional open spaces (including a minimum of 7.1 acres of passive open space and a minimum of 3.9 acres of active open space) to the study area.

Measures ~~being~~ considered to mitigate the Proposed Actions’ significant adverse open space impacts included: expanding existing parks within the NYCHA Redfern Houses; reconstructing existing parks and playgrounds within the NYCHA Redfern Houses; creating new open space on publicly owned sites; pursuing opportunities to encourage owners of large privately owned sites to create new open space as part of their redevelopment; making additional playgrounds the PS 253 Playground accessible to the community after school hours through the Schoolyards to Playgrounds program; and/or improving existing parks to allow for more diverse programming and enhanced usability. These potential mitigation measures ~~are currently being~~ explored in coordination with the lead agency, DCP, ~~and the NYC Department of Parks and Recreation (DPR/~~NYC Parks), NYCHA, and HPD ~~and will be refined between the DEIS and FEIS.~~ Due to the complexity of interagency coordination required for implementation of these mitigation measures and the lack of committed capital and expense funding to build and maintain the additional open space at this point in time, the significant adverse open space impacts identified would not be mitigated. Consequently, unavoidable significant adverse open space impacts would occur as a result of the Proposed Actions.

However, the City will continue to explore opportunities to implement the measures identified and contemplated between the DEIS and FEIS, as discussed above, and to explore opportunities within the neighborhood to provide more open space, improve existing open spaces, or provide additional programming within existing open spaces. The City will also pursue opportunities to encourage owners of large privately-owned sites to create new public open space as part of their development. The City will also inventory City-owned property within Downtown Far Rockaway as well as throughout the peninsula that would be suitable sites for community farming or gardening (see Appendix P).

~~Although many of the mitigation measures being considered would increase the amount and usability of open space resources for the additional population introduced by the Proposed Actions, opportunities to create new publicly accessible open space resources in sufficient amounts within the study area to fully mitigate the identified significant adverse open space impacts are extremely limited. As a consequence, the Proposed Actions’ significant adverse open space impacts may not be completely eliminated and, as a result, unmitigated significant adverse open space impacts would occur.~~

### TRANSPORTATION

The Proposed Actions would result in significant adverse traffic impacts at ~~18-17~~ study area intersections during one or more analyzed peak hours; specifically ~~21-20~~ lane groups at ~~12-11~~ intersections during the weekday AM peak hour, ~~20-21~~ lane groups at 12 intersections during the

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midday peak hour, ~~28-27~~ lane groups at ~~18-17~~ intersections during the PM peak hour, and ~~17-14~~ lane groups at ~~10-8~~ intersections during the Saturday midday peak hour.

Most of these impacts could be mitigated through the implementation of traffic engineering improvements, including:

- ~~Installation of a new traffic signal at the intersection Beach Channel Drive & Birdsall Avenue;~~
- Modification of traffic signal phasing and/or timing;
- Elimination of on-street parking within 100 feet of intersections to add a limited travel lane, known as “daylighting”; and
- Channelization and lane designation changes to make more efficient use of available street widths.

The types of mitigation measures proposed are standard measures that are routinely identified by the City and considered feasible for implementation. Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure will be identified. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

According to *CEQR Technical Manual* criteria, an impact is considered fully mitigated when the resulting Level of Service (LOS) degradation under the Action-with-Mitigation condition compared to the No Action condition is no longer deemed significant following the impact criteria described in Chapter 14, “Transportation.” Identified significant adverse impacts would be fully mitigated at all but ~~15-16~~ lane groups at eight intersections during the weekday AM peak hour; ~~11-13~~ lane groups at ~~seven-8~~ intersections during the midday peak hour; ~~19-20~~ lane groups at 11 intersections during the PM peak hour; and ~~11-12~~ lane groups at ~~six-7~~ intersections during the Saturday midday peak hour. In total, impacts to one or more approach movements would remain unmitigated in one or more peak hours at 11 intersections.

In the time between issuance of the DEIS and the FEIS, further review was conducted of proposed mitigation measures (as described in the DEIS) for intersections with significant adverse impacts will be continued in order to confirm adequacy and feasibility of their implementation, ~~and recommend changes as necessary~~. In addition, the lead agency in consultation with DOT, will explore other mitigation measures to mitigate impacts at intersections for which no feasible mitigation measures were identified before issuance of the DEIS. This review included additional traffic signal timing modeling in an effort to optimize signal timing parameters for certain intersections. However ~~if it was~~ determined that other measures are not available to mitigate the identified impacts, either in part or in whole, and therefore these impacts would be identified in ~~the this~~ FEIS as unmitigable. Consequentially, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Actions (refer to Chapter 22, “Unavoidable Adverse Impacts”).

### *Transit (Bus)*

The Proposed Actions would add approximately ~~51-52~~ trips through the maximum load point on the westbound Q22 service in the AM peak hour, resulting in a capacity shortfall of ~~12-13~~ spaces; and approximately ~~80-83~~ trips through the maximum load point on the eastbound Q22 service in the PM peak hour, resulting in a capacity shortfall of ~~45-48~~ spaces. The Proposed Actions would also add approximately 75 trips through the maximum peak load point on the northbound

Q113/Q114 service in the AM peak hour, resulting in a capacity shortfall of 59 spaces. Therefore, westbound Q22 service and northbound Q113/Q114 service would be significantly adversely impacted in the AM peak hour, and eastbound Q22 service would be significantly adversely impacted in the PM peak hour based on *CEQR Technical Manual* criteria. These significant adverse impacts to Q22 and Q113/Q114 bus service could be fully mitigated by the addition of one standard bus ~~in the~~ westbound (WB) Q22 service and one articulated bus to Q113/Q114 northbound service ~~direction~~ in the AM peak hour, and the addition of one standard bus ~~in the~~ eastbound (EB) Q22 service ~~direction~~ in the PM peak hour. The general policy of the Metropolitan Transit Authority (MTA) bus company is to provide additional bus service where demand warrants, taking into account financial and operational constraints. In the absence of the application of mitigation measures, this impact would remain unmitigated and would constitute an unavoidable significant adverse impact.

### *Pedestrians*

Results of the analyses of pedestrian conditions show that demand from the Proposed Actions would significantly adversely impact the west crosswalk at the intersection of Mott Avenue and Beach 21st Street during the weekday PM and Saturday peak hours. A significant adverse pedestrian impact is considered mitigated if measures implemented return the anticipated conditions to an acceptable level, following the same impact criteria used in determining impacts. Standard mitigation for projected significant adverse pedestrian impacts can include providing additional signal green time or new signal phases; widening crosswalks; relocating or removing street furniture; providing curb extensions, neck-downs or lane reductions to reduce pedestrian crossing distance; and sidewalk widening.

The proposed mitigation measures consist of sidewalk widening and/or relocating or removing street furniture. With implementation of the proposed mitigation measures, this crosswalk would operate at an acceptable LOS D in the impacted peak hours, and all significant adverse crosswalk impacts would be fully mitigated. In addition, shifting 2 seconds of green time from the EB/WB phase to the NB phase in both the weekday PM and Saturday peak hours would fully mitigate the significant adverse impacts to the west crosswalk at Mott Avenue and Beach 21st Street.

If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure would be identified. The proposed mitigation measures could be implemented early at the discretion of the DOT to address actual conditions experienced at that time.

### *CONSTRUCTION NOISE AND VIBRATIONS*

The Proposed Actions have the potential to result in significant adverse construction noise impacts at locations throughout the Project Area. Specifically, under the RWCDS construction activities associated with the Proposed DFRURA would have the potential to result in significant adverse construction noise impacts at up to 34 receptor locations, and construction activities associated with Projected Development Sites would have the potential to result in significant adverse construction noise impacts at up to ~~66-72~~ receptor locations. These locations, including residences, library, community facilities, and open space locations (at Beach 20th Street Plaza and the future DOT Plaza) would intermittently experience exterior noise levels up to the mid 80s dBA. The maximum predicted noise level increments, which would occur only during the limited amount of time that impact pile driving would occur at the points nearest adjacent receptors on the same block as construction, are predicted to be up to approximately 27 dBA compared with existing levels. The

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most noise intensive construction activities would occur during portions of up to approximately 3 to 5 years of the Proposed DFRURA construction period.

At other receptors near construction areas, noise resulting from construction of the Proposed Project may at times be noticeable, but would be temporary, would generally not exceed typical noise levels for NYC, and would not rise to the level of a significant adverse noise impact.

Construction activities would be required to follow the requirements of the *NYC Noise Control Code* (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the *NYC Noise Code*. These measures could include a variety of source and path controls. In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures would be implemented in accordance with the *NYC Noise Code*:

- Equipment that meets the sound level standards specified in Subchapter 5 of the *NYC Noise Control Code* would be utilized from the start of construction.
- As early in the construction period as logistics would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable.
- Where feasible and practicable, construction sites would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than three minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the *NYC Administrative Code*.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures for construction would be implemented to the extent feasible and practicable:

- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks, would be located away from and shielded from sensitive receptor locations.
- Noise barriers constructed from plywood or other materials would be erected to provide shielding; and
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents, where feasible) for certain dominant noise equipment would be employed to the extent feasible and practical based on the results of the construction noise calculations.

However, the implementation of these measures would not eliminate the identified significant adverse construction noise impacts predicted to occur during hours when the loudest pieces of construction equipment (e.g., impact pile driver) are in use. In order to avoid significant adverse construction noise impacts, Proposed Project buildings could not be developed on the same block as, or across a narrow street from, an existing sensitive receptor; and/or all buildings would require construction without pile foundations, which would severely limit the achievable development density. There are no further practical or feasible measures that would fully mitigate the significant adverse construction noise impacts. Therefore, the Proposed Actions would result in unavoidable significant adverse construction noise impacts.

## ALTERNATIVES

### *NO ACTION ALTERNATIVE*

The No Action Alternative examines future conditions within the Project Area, but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No Action Alternative, existing zoning would remain in the Project Area, the Proposed DFRURA would not be established and the City would not seek to acquire properties within the Proposed DFRURA, and the Proposed DFRURA and Disposition Sites would not be disposed of to the developer(s) for redevelopment.

Under the No Action Alternative, no development is expected to occur by the 2032 Analysis Year on the Proposed DFRURA, the two City-owned Disposition Sites, the ~~17-19~~ Projected Development Sites, or the 9 Potential Development Sites. However, some moderate levels of privately and publicly sponsored residential, commercial, and community facility development are planned on five other sites within the Project Area, as well as City-sponsored streetscape and water and sewer infrastructure improvements.

The significant adverse impacts anticipated for the Proposed Actions would not occur under the No Action Alternative. However, the No Action Alternative would not meet the goals of the Proposed Actions. The benefits expected to result from the Proposed Actions—including transforming underutilized properties with mixed-use, transit-oriented development, providing permanently affordable, mixed-income housing, and providing a substantial amount of new off-street parking to address the community’s parking needs while promoting a walkable and vibrant streetscape—would not be realized under this alternative, and the No Action Alternative would fall short of the objectives of the Proposed Actions.

### *NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE*

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. There is the potential for the Proposed Actions to result in unmitigated significant adverse impacts related to child care services, open space, traffic and bus transit, and construction noise.

Under the RWCDS, the Proposed Actions would result in a significant adverse impact on publicly funded child care facilities. ~~Should practical and feasible mitigation measures were not identified between the DEIS and the FEIS, be found, and therefore~~ the significant adverse child care impact would be unmitigated. To avoid the identified significant adverse child care center impact, the number of affordable DUs that could be developed on development sites would have to be reduced to 93, which is a ~~93-94~~ percent (~~1,296~~~~1,487~~-DU) reduction in the number of affordable units anticipated under the RWCDS. Such a reduction in the number of affordable housing units developed in the rezoning area would be less supportive of the goals and objectives of the Proposed Actions. If the amount of affordable housing were to equal the amount assumed under the RWCDS, the provision of an additional ~~181-209~~ child care slots under this alternative would fully mitigate the significant adverse child care impact.

The Proposed Actions would result in significant adverse indirect impacts to open space resources in the residential (½-mile) study area. To avoid the identified impacts, the number of residents that could be introduced on Project Area development sites would have to be reduced to 55 (or approximately 28 residential units). This would represent an approximately 99 percent

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reduction in the number of incremental residential units anticipated under the RWCDs and would, therefore, not support the Proposed Actions' goal of promoting mixed-income housing, including affordable housing development. If the number of incremental residential units was equal to the amount assumed under the RWCDs, this alternative would have to provide approximately 11.0 acres of additional open space (including a minimum of 7.1 acres of passive open space and a minimum of 3.9 acres of active open space) to the study area to avoid the unmitigated significant adverse open space impact.

The Proposed Actions would result in significant adverse traffic impacts at ~~18-17~~ study area intersections during one or more analyzed peak hours. Implementation of traffic engineering improvements, such as signal timing changes or modifications to curbside parking regulations, would provide mitigation for many of the anticipated traffic impacts. However, because of existing congestion at a number of these intersections, even a minimal increase in traffic would result in unmitigated impacts. Specifically, in the No Action condition, a total of 11 intersections will have at least one congested lane group in one or more peak hours, and a total of four, three, four, and three intersections will have one or more lane groups operating at or over capacity in the weekday AM, midday, and PM and Saturday midday peak hours, respectively. According to the *CEQR Technical Manual*, for a lane group that would operate at LOS F in the No Action condition, a projected delay of three or more seconds is considered a significant impact. As such, small increases in incremental project-generated traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

No practical or feasible alternative could be developed to completely avoid significant adverse construction noise impacts at locations adjacent to development sites while still maintaining the Proposed Action's stated goals. In order to avoid significant adverse construction noise impacts, Proposed Project buildings could not be developed on the same block as, or across a narrow street from, an existing sensitive receptor; and/or all buildings would require construction without pile foundations, which would severely limit the achievable development density.

Overall, in order to fully mitigate all identified significant adverse impacts, the Proposed Actions would have to be modified to a point where their principal goals and objectives would not be realized.

### **LESSER DENSITY ALTERNATIVE**

The Lesser Density Alternative was developed for the purpose of assessing whether reducing the size of the Project Area—resulting in a lesser amount of overall development—would eliminate or reduce the identified significant adverse impacts of the Proposed Actions while also meeting the goals and objectives of the Proposed Actions. Under the Lesser Density Alternative, a portion of the Project Area generally west of Redfern Avenue would be removed, as would a large portion of the Project Area generally east of Beach 19th Street and Central Avenue. The removal of portions of the Project Area would result in fewer Projected and Potential Development Sites. Under this alternative, 12 Projected Development Sites and 8 Potential Development Sites would be outside of the proposed rezoning boundary and would not be redeveloped. The remaining seven Projected Development Sites, the Proposed DFRURA, and the two Disposition Sites would be redeveloped under this alternative, and would contain

205,306 gsf of commercial (retail) space, 73,352 gsf of community facility space, and 2,538,204 gsf of residential space (2,517 DUs). The incremental development associated with the Lesser Density Alternative (when discounting for existing uses) would be 122,084 gsf of commercial (retail) space, 68,352 gsf of community facility space, and 2,530,991 gsf of residential space (2,510 DUs). The Lesser Density Alternative would result in the same mix of uses as the Proposed Actions, but the total amount of development would be reduced by approximately 20 percent as compared to the RWCDS for the Proposed Actions.

For CEQR impact areas that are density-related (e.g., community facilities, open space, traffic, etc.), the effects of this alternative are reduced in magnitude since there would be fewer DUs, and therefore, fewer residents than under the Proposed Actions. However, since the Projected and Potential Development Sites that remain for the Lesser Density Alternative are the same as for the Proposed Actions, site-specific impacts (e.g., hazardous materials) would be similar under both scenarios. As compared to the Proposed Actions, the significant adverse impacts expected under the Lesser Density Alternative would be generally the same, although the extent would be somewhat less due to the smaller number of Projected and Potential Development Sites and overall lower density. However, the Lesser Density Alternative would not avoid any significant adverse impacts that are predicted to occur under the Proposed Actions. Similar to the Proposed Actions, the Lesser Density Alternative would result in significant adverse impacts on publicly funded day care facilities, open space conditions, transportation, and construction noise. Also similar to the Proposed Actions, feasible and practicable measures could not be identified to mitigate the significant adverse impacts to publicly funded day care facilities, open space conditions, and construction noise, nor would measures be available to fully mitigate all identified traffic impacts under this alternative.

The Lesser Density Alternative would not fully support the Proposed Actions' goals of re-establishing Downtown Far Rockaway as the commercial and transportation hub of the Rockaway peninsula, repositioning the area as a mixed-use district including mixed-income housing, activating the public realm with new connections and public open space, improving the quality of life for residents through access to community services, education, and quality jobs, as well as building the capacity of community organizations and supporting local businesses. The Lesser Density Alternative would result in fewer DUs, including fewer affordable DUs through Mandatory Inclusionary Housing (MIH), and less commercial and community facility space along Mott, Cornaga, and Central Avenues—three key commercial corridors in Downtown Far Rockaway. In addition, the Lesser Density Alternative would not result in any new commercial or community facility uses on Beach Channel Drive, which is also an important commercial corridor. Overall, the Lesser Density Alternative would not serve to eliminate or substantially reduce the identified significant adverse impacts of the Proposed Actions while also meeting the goals and objectives of the Proposed Actions.

## **H. UNAVOIDABLE ADVERSE IMPACTS**

### **CHILD CARE**

The Proposed Actions are expected to result in significant adverse impacts to publicly funded child care centers. The Proposed Actions under the RWCDS would introduce ~~1,389~~1,580 affordable residential units, generating an estimated ~~194-222~~ additional children under age six eligible for publicly funded child care programs. With the addition of these children, child care facilities in the study area would operate at ~~146.9~~154.2 percent of capacity, which represents an

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increase in the utilization rate of ~~50.357.5~~ percentage points over the future No Action condition. This increase exceeds the five percent threshold in the *CEQR Technical Manual* for a significant adverse impact.

Possible mitigation measures for this significant adverse impact ~~were~~ will be developed in consultation with ACS. ~~Mitigation for a significant child care impact may and included the provision of additional suitable location(s) for a child care center and within a reasonable distance, or funding, or and making program improvements to support additional capacity. While funding and program improvements were not deemed feasible measures, it was identified that increased demand for child care slots could be met through expanded capacity. HPD is expected to subsidize the development of a significant number of new mixed-use buildings in the Proposed DFRURA, and developers of Projected Development Sites may also seek HPD subsidies. The Proposed DFRURA and Projected Development Sites would allow for non-residential ground floor uses in any new development, thus expanding the amount of available commercial and community facility space in the neighborhood. These spaces could be occupied by retail or community facility uses such as day care facilities. HPD will encourage the inclusion of community facilities, including day care providers, in any Request for Proposals for sites within the DFRURA as well as any developments receiving HPD subsidy. Outside of City-controlled and City-subsidized development sites, the ability to expand capacity is limited because the City cannot mandate the provision of day care facilities on private sites. ACS will monitor the demand and need for additional publicly funded day care services in the area and identify the appropriate measures to meet demand for additional slots. While new development subsidized by HPD may occur in the near future and would potentially offset or at least partially mitigate the identified significant adverse impact by providing day care facilities, there are no known development plans or funding commitments for such developments at this point in time. Therefore, the Proposed Actions would result in an unavoidable significant adverse impact to day care facilities.~~

~~Measures to mitigate the identified significant adverse impact on publicly funded child care centers will continue to be explored between the DEIS and FEIS in coordination with the lead agency, DCP, and ACS. However, a potential exists that sufficient measures may not be available to fully mitigate the identified adverse impacts. If, after exploring all possible mitigation measures, it is determined that the significant adverse impact on publicly funded child care facilities would not be completely eliminated, an unavoidable significant adverse impact would result.~~

### **OPEN SPACE**

As discussed in Chapter 5, “Open Space,” given the anticipated decrease in the total, active, and passive open space ratios in the residential study in the future with the Proposed Actions, a significant adverse open space impact would result. Measures ~~being~~ are considered to mitigate the Proposed Actions’ significant adverse open space impacts included: expanding existing parks within the NYCHA Redfern Houses; creating new open space on publicly owned sites; pursuing opportunities to encourage owners of large privately owned sites to create new open space as part of their redevelopment; making additional playgrounds the PS 253 Playground accessible to the community after school hours through the Schoolyards to Playgrounds program; and/or improving existing parks to allow for more diverse programming and enhanced usability. These potential mitigation measures ~~are currently being~~ were explored in coordination with the lead agency, DCP, and ~~DPR~~ NYC Parks, NYCHA, and HPD and ~~will be refined~~ are between the DEIS and FEIS. Due to the complexity of interagency coordination required for implementation of

these mitigation measures and the lack of committed capital and expense funding to build and maintain the additional open space at this point in time, the significant adverse open space impacts identified will not be mitigated. Consequently, significant adverse unavoidable open space impacts would occur as a result of the Proposed Actions.

However, the City will continue to explore opportunities to implement the measures identified and contemplated between the DEIS and FEIS, as discussed above, and to explore opportunities within the neighborhood to provide more open space, improve existing open spaces, or provide additional programming within existing open spaces. The City will also pursue opportunities to encourage owners of large privately-owned sites to create new public open space as part of their development. The City will also inventory City-owned property within Downtown Far Rockaway as well as throughout the peninsula that would be suitable sites for community farming or gardening.

~~Although many of the mitigation measures being considered would substantially increase the amount and usability of open space resources for the additional population introduced by the Proposed Actions, opportunities to create new publicly accessible open space resources in sufficient amounts within the study area to fully mitigate the identified significant adverse open space impacts are extremely limited. As a consequence, the Proposed Actions' significant adverse open space impacts may not be completely eliminated and, as a result, unavoidable significant adverse open space impacts would occur.~~

## **TRAFFIC**

As detailed in Chapter 21, "Mitigation," the Proposed Actions would result in significant adverse traffic impacts at ~~20-17~~ study area intersections during one or more analyzed peak hours; specifically ~~24-20~~ lane groups at ~~12-11~~ intersections during the weekday AM peak hour, ~~20-21~~ lane groups at 12 intersections during the midday peak hour, ~~28-27~~ lane groups at ~~18-17~~ intersections during the PM peak hour, and ~~17-14~~ lane groups at ~~118~~ intersections during the Saturday midday peak hour.

Most of these impacts could be mitigated through the implementation of traffic engineering improvements, including: ~~installation of a new traffic signal at the intersection Beach Channel Drive & Birdsall Avenue;~~ modification of traffic signal phasing and/or timing; elimination of on-street parking within 100 feet of intersections to add a limited travel lane, known as "daylighting"; and channelization and lane designation changes to make more efficient use of available street widths. However, some significant adverse impacts could not be fully mitigated. In total, impacts to one or more approach movements would not be fully mitigated in one or more peak hours at 11 intersections, even with the application of feasible mitigation measures. Consequentially, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Actions.

## **TRANSIT**

As detailed in Chapter 21, "Mitigation," the Proposed Actions would result in significant adverse impacts to westbound Q22 service and northbound Q113/Q114 service in the AM peak hour and eastbound Q22 service in the PM peak hour. These significant adverse impacts to Q22 and Q113/Q114 bus service could be fully mitigated by the addition of one standard bus to westbound Q22 service and one articulated bus to Q113/Q114 northbound service in the AM peak hour and the addition of one standard bus to eastbound Q22 service in the PM peak hour.

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MTA Bus routinely monitors changes in bus ridership, and subject to the agency's fiscal and operational constraints, make necessary service adjustments where warranted. As discussed above and as detailed in Chapter 21, "Mitigation," the identified potential impacts could be mitigated if increased service adjustments are made. If adjustments are not made, these impacts would be considered unavoidable.

### **CONSTRUCTION NOISE**

The RWCDS the Proposed Actions would have the potential to result in significant adverse construction noise impacts at several locations throughout the Project Area. As detailed in Chapter 20, construction activities associated with the Proposed DFRURA would have the potential to result in significant adverse construction noise impacts at up to 34 receptor locations, while construction activities associated with Projected Development Sites would have the potential to result in significant adverse construction noise impacts at up to ~~66~~72 receptor locations. These locations, including residences, library, community facilities, and open space locations (at Beach 20th Street Plaza and future DOT Plaza) would intermittently experience exterior noise levels up to the mid 80s dBA. The maximum predicted noise level increments, which would occur only during the limited amount of time that impact pile driving would occur at the points nearest adjacent receptors on the same block as construction, are predicted to be up to approximately 27 dBA compared with existing levels. The most noise intensive construction activities would occur during portions of up to approximately 3 to 5 years of the Proposed DFRURA construction period.

At other receptors near construction areas, noise resulting from construction of the Proposed Project may at times be noticeable, but would be temporary, would generally not exceed typical noise levels for NYC, and would not rise to the level of a significant adverse noise impact.

Construction activities would be required to follow the requirements of the *NYC Noise Control Code* (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the *NYC Noise Code*. These measures could include a variety of source and path controls. In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures would be implemented in accordance with the *NYC Noise Code*:

- Equipment that meets the sound level standards specified in Subchapter 5 of the *NYC Noise Control Code* would be utilized from the start of construction.
- As early in the construction period as logistics would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable.
- Where feasible and practicable, construction sites would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than three minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the *NYC Administrative Code*.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures for construction would be implemented to the extent feasible and practicable:

- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks, would be located away from and shielded from sensitive receptor locations.
- Noise barriers constructed from plywood or other materials would be erected to provide shielding; and
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents, where feasible) for certain dominant noise equipment would be employed to the extent feasible and practical based on the results of the construction noise calculations.

However, the implementation of these measures would not eliminate the identified significant adverse construction noise impacts predicted to occur during hours when the loudest pieces of construction equipment (e.g., impact pile driver) are in use. In order to avoid significant adverse construction noise impacts, Proposed Project buildings could not be developed on the same block as, or across a narrow street from, an existing sensitive receptor; and/or all buildings would require construction without pile foundations, which would severely limit the achievable development density. There are no practical or feasible measures that would fully mitigate the significant adverse construction noise impacts. Therefore, the Proposed Actions would result in unavoidable significant adverse construction noise impacts.

## I. GROWTH-INDUCING IMPACTS

The term “growth-inducing aspects” generally refers to “secondary” impacts of a proposed action that trigger further development outside the directly affected area. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

The Proposed Actions are intended to transform the underutilized Proposed DFRURA and Disposition Sites with mixed-use, transit-oriented development and to unlock the potential for additional development throughout the Rezoning Area. The Proposed Actions would concentrate mixed-use development in one of the few areas on the peninsula located out of the floodplain, with access to transit and St. John’s Episcopal Hospital—the peninsula’s largest employer. With the inclusion of the City’s new MIH provisions, the Proposed Actions would provide permanently affordable, mixed-income housing on underutilized City-owned and privately owned sites in Downtown Far Rockaway.

The total development expected to occur by the analysis year of 2032 on the Proposed Downtown Far Rockaway Urban Renewal Area (DFRURA), Disposition Sites, and Projected Development Sites identified in the RWCDS under the With Action condition would consist of 3,0353,131 residential units, 243,867259,687 gross square feet (gsf) of retail space and 91,94785,947 gsf of community facility space. The incremental change between the No Action and With Action conditions that would result from the Proposed Actions would be a net increase of 3,0273,123 residential units, 152,935164,595 gsf of retail space, and 86,94780,947 gsf of community facility space. The Proposed Actions also would introduce a new publicly-accessible open space. The environmental consequences of this growth are the subject of Chapters 2 through 20 of this ~~DEIS~~ FEIS.

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The projected increase in residential population is likely to increase the demand for neighborhood services in the 2223-block Project Area, ranging from community facilities to local goods and services retail. This would enhance the growth of local commercial corridors in the Project Area. However, the Proposed Actions take this potential growth into account as part of the RWCDs under the assumed commercial, retail, and community facility components. The Proposed Actions could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the projected and/or potential development sites and operation of these developments after their completion. However, this secondary growth would be expected to occur incrementally throughout the region and is not expected to result in any significant impacts in any particular area or at any particular site.

The Proposed Actions would result in more intensive land uses within the Project Area, and as described in Chapter 3, "Socioeconomic Conditions," the Proposed Actions would introduce a new residential population that could alter commercial market trends, leading to the potential indirect displacement of some existing businesses. However, storefronts that might be vacated due to indirect displacement would not be expected to remain vacant; they would turn over to retail or community facility uses that could better capitalize on the market. The Proposed Actions would generate additional local demand for neighborhood retail and services necessary to maintain a strong retail presence along the major retail corridors in the Study Area. Therefore, the limited indirect retail displacement that could result from potential rent increases would not lead to major changes within nearby commercial strips, would not result in adverse changes to neighborhood character, and would not generate significant secondary impacts resulting in substantial new development in nearby areas.

As the study area already has an established residential market and a critical mass of non-residential uses, including retail, industrial and community facility uses, the Proposed Actions would not create the critical mass of uses or populations that would induce additional development outside the Project Area not already accounted for as part of the RWCDs. Moreover, the Proposed Actions do not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

## **J. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES**

Resources, both natural and man-made, would be expended in the construction and operation of developments projected to occur as a result of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The projected and/or potential development under the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use changes that would occur as a result of the Proposed Actions would be compatible with existing conditions and trends in the area as a whole. None of the projected or potential development sites possess any natural resource values, and the sites are in large part developed or have been previously developed. It is noted that funds committed to the design, construction/renovation, and operation of projected or potential

developments under the Proposed Actions would not be available for other projects. However, this is not a significant adverse fiscal impact or a significant adverse impact on City resources.

In addition, the public services provided in connection with the projected and/or potential developments under the Proposed Actions (e.g., police and fire protection, public education, open space, and other city resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds to offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Actions. The Proposed Actions would transform the underutilized Proposed DFRURA and Disposition Sites with mixed-use, transit-oriented development and would unlock the potential for additional development throughout the Rezoning Area. The Proposed Actions would also provide permanently affordable, mixed-income housing on underutilized City-owned and privately owned sites in Downtown Far Rockaway. \*