
CHAPTER 1: PROJECT DESCRIPTION

A. INTRODUCTION

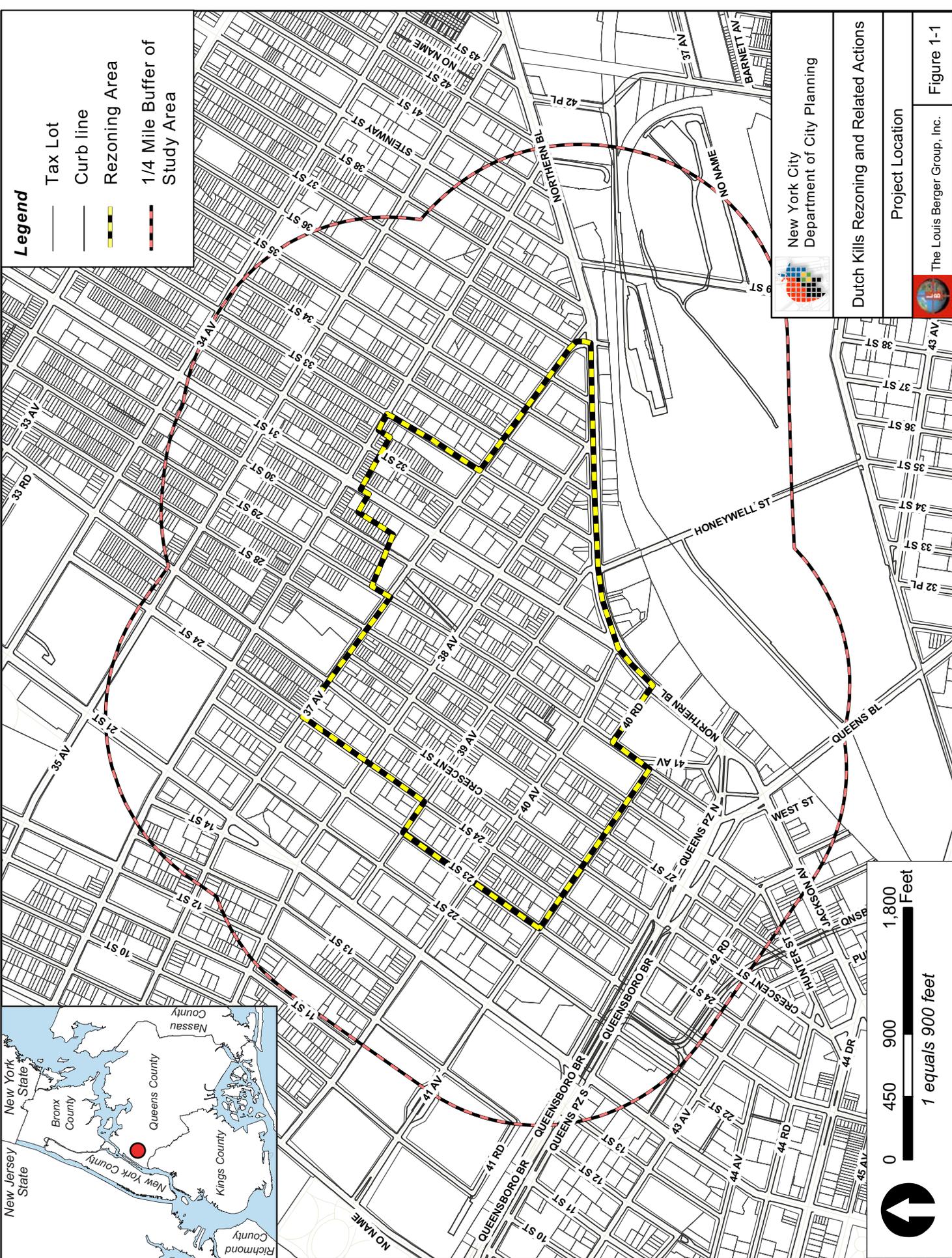
The New York City Department of City Planning (DCP) is proposing zoning map and text amendments for an area encompassing approximately 40 blocks in the Dutch Kills neighborhood of Community District 1, Queens (see Figure 1-1). The area would generally be rezoned from current M1-3D and M1-1 to mixed-use districts where a Residence District would be paired with a light Manufacturing District, or for a small portion of the western side of the rezoning area, to M1-2. The area proposed for the mixed-use districts would also fall within a proposed extension of the Special Long Island City Mixed-Use District (see Figure 1-1a). The proposed zoning text amendments would facilitate the creation of the Dutch Kills Subdistrict within the Special Long Island City Mixed-Use District, establish the Inclusionary Housing Program in the proposed M1-3/R7X district near Northern Boulevard, and modify certain provisions of the proposed underlying districts. Together these amendments (map amendments and text amendments) comprise the “Dutch Kills Rezoning and Related Actions” or what will be referred to in this DEIS as the “proposed actions.” The “proposed project” is defined here as the anticipated 10-year build out that would result from the proposed actions. The general goal of the proposed actions is to encourage moderate- and higher-density development near public transportation and wide streets by removing restrictions on residential development. Moreover, the proposal would support continued economic growth in the mixed-use residential, commercial, and light industrial community by retaining the light manufacturing district in both the mixed-use and predominately light industrial areas of Dutch Kills.

The rezoning area is comprised of 70 acres and is generally bounded by 36th Avenue to the north, the west side of Northern Boulevard to the east, 41st Avenue to the south, and 23rd Street to the west. The rezoning area is north and west of the Sunnyside Yards and north of Queens Plaza Subdistrict and the Special Long Island City Mixed-Use District. The rezoning area is highly accessible by mass transit and is serviced by eight subway lines and five bus lines (see Figure 1-2 for a map of the rezoning area).

Under the proposed actions, the Dutch Kills neighborhood would be rezoned to allow as-of-right residential development as well as a general increase in the allowed residential density. Allowable densities for commercial and light industrial uses would be changed to more closely correspond to proposed residential densities, generally resulting in decreased densities for such uses, except near Northern Boulevard where higher density residential is proposed. The proposed zoning changes would work in conjunction with the proposed Dutch Kills Subdistrict provisions which are intended to encourage appropriate new development and economic growth opportunities in the subdistrict as well as accomplish the following land use policies:

- provide residential and mixed-use development in the Dutch Kills Subdistrict at appropriate scales to more closely match the existing context;
- direct new development at higher densities to wide streets with good access to transit;
- provide incentives for affordable housing in areas proposed for higher density mixed-use development; and
- support existing light-industrial businesses.

In order to assess the environmental impacts of the development that could occur under the proposed actions, DCP has developed a reasonable worst-case development scenario (RWCDS). This RWCDS



Legend

- Tax Lot
- Curb line
- Rezoning Area
- 1/4 Mile Buffer of Study Area



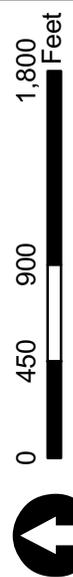
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Dutch Kills Rezoning and Related Actions

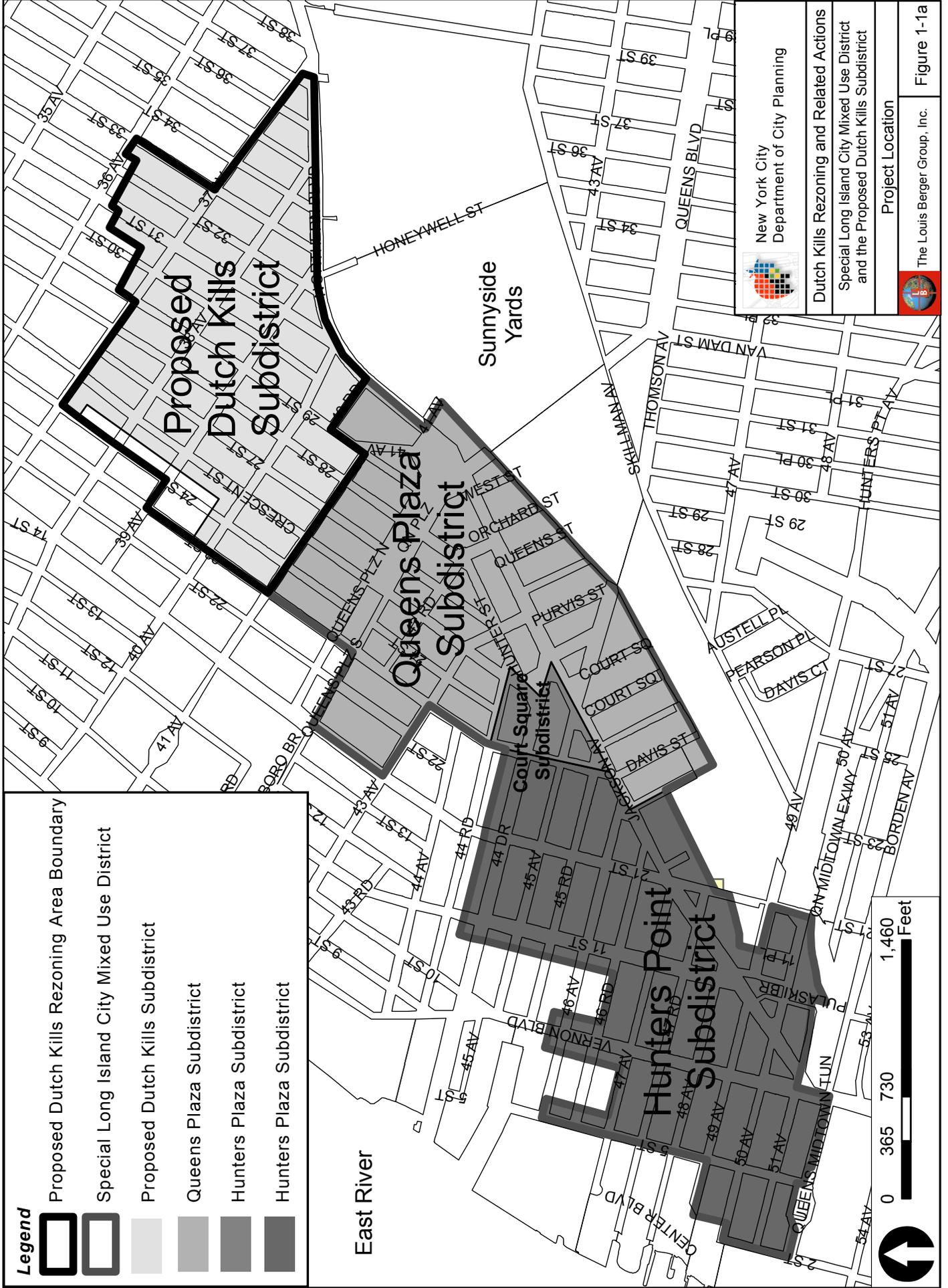
Project Location

The Louis Berger Group, Inc.

Figure 1-1



Sources: MapPluto, NYCDCP.



Sources: MapPluto, NYCDCP.
* This figure has been modified for the FEIS to include the correct Proposed Dutch Kills Rezoning Area Boundary.

identifies both “projected” and “potential” development sites that could be developed under the proposed actions. As identified by DCP, projected development sites include sites that are likely to be developed as a result of the proposed actions. DCP has identified 40 projected development sites considered most likely to be developed by 2017 as a result of the proposed actions. In addition, there are 192 potential development sites considered to have less development potential and which are less likely to be developed in the foreseeable future.

Based on the RWCDs, and as a result of the proposed actions, development in the study area is expected to achieve a build-out that would include 1,555 additional dwelling units than in the future condition without the proposed actions, of which approximately 187 would be affordable units provided through the proposed Inclusionary Housing Program, and 410 additional accessory parking spaces. The RWCDs envisioned under the proposed actions would also result in a net decrease of 197,470 square feet (sf) of commercial space; a net decrease of 180,536 sf of industrial space; and a net decrease of 41,697 sf of community facility space from the anticipated future condition without the proposed actions.

This ~~Draft~~ Environmental Impact Statement (DEIS) has been prepared in conformance with applicable laws and regulations, including Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, and follows the guidance of the *CEQR Technical Manual* (October, 2001). It contains this description of the proposed actions and their environmental setting; the short- and long-term environmental impacts of the proposed actions; the identification of any significant adverse environmental impacts; a discussion of alternatives to the proposed actions; any irreversible and irretrievable commitments of resources as a result of the proposed actions; and a description of any mitigation measures necessary to minimize significant adverse environmental impacts that could occur under the proposed actions. This set of proposed actions is also subject to the City’s Uniform Land Use Review Procedures (ULURP). The City Planning Commission (CPC) is the lead agency in this environmental review and ULURP process. The DEIS and ULURP applications were certified as complete on May 5, 2008. ~~Public hearings will now be held by the local community board, the Queens Borough President, CPC, and the City Council during the 7 month ULURP review process, 16, 2008 and May 19, 2008, respectively. The application was then referred to Queens Community Board 1 who held a public hearing and voted to approve the proposed project with conditions on June 17, 2008. The project was then reviewed by the Queens Borough President’s Office who voted to approve the proposed project with conditions on July 10, 2008. The CPC held a public hearing on the proposed project July 23, 2008. It is anticipated that the CPC will vote on the proposed project September 8, 2008~~

B. BACKGROUND

STUDY AREA HISTORY

Dutch Kills was so named because of the small stream (or “kill,” in the original Dutch) that traversed it. This kill served as the initial attraction for development and played a major role in shaping conditions in the area. The first settlement of Dutch Kills took place in 1643 when a Dutch settler secured a grant of approximately 100 acres on the east bank of the waterway, followed shortly thereafter by another settler who was granted land on the west bank. Soon, a settler secured land near what would later be called Bridge Plaza and used the headwaters of Dutch Kills to operate a gristmill, which would run for more than a century into the mid-1800s.

The crucial period in determining the modern identity of Dutch Kills began in 1870, when it consolidated with Ravenswood and Hunter’s Point to form a new city called “Long Island City.” The consolidation of

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New York City in 1898 further changed the environment of Long Island City. Recognizing the benefits of their proximity to the central markets of Manhattan, it was in this period that Long Island City and its subsidiary of Dutch Kills shifted to an industrial economy. Several manufacturers moved their plants to Long Island City immediately after this consolidation. This location allowed them to reap the benefits of the major marketplaces just a short boat trip away, along Newtown Creek and the Dutch Kills waterways. After construction of the Queensboro Bridge in 1909, the Queens Plaza area (directly to the south of the rezoning area) developed into a major transportation hub. The rise of truck transport facilitated by the bridge connection to Manhattan, along with new rail lines, resulted in the dominance of the industrial sector. By 1900, several large food manufacturers, such as Silvercup Bakeries, and other industrial companies took advantage of the open space and low land values unattainable in Manhattan or Brooklyn. Banks and commercial corporations built large buildings in Long Island City in the 1920s to support the commerce engendered by manufacturing. World War I and World War II brought economic prosperity to the area, as industrial facilities were integral to the war efforts and the postwar consumer booms.

In 1961, despite the presence of a substantial local population, New York City designated Dutch Kills and the surrounding area as an M1-3 zoning district; a light manufacturing district allowing light manufacturing and other industrial uses, most commercial uses, and limited community facility uses. Residential uses became non-conforming uses in the M1-3 District, leading to difficulties in obtaining mortgages and home insurance, in addition to preventing new residential development. Dutch Kills residents sought to change the zoning to better reflect the mixed character of the neighborhood and consequently the existing M1-3D District was adopted in 1989. The M1-3D District allows residential developments and enlargements through discretionary review and makes existing residences conforming for zoning purposes.

Between 1990 and 2000, the population in Dutch Kills and the surrounding vicinity (an area significantly larger than the rezoning area) increased 29 percent from 5,371 to 6,908. The area's population growth rate was greater than that of Queens County, where the population increased by 14 percent, as well as the rate for New York City as a whole, which grew by nine percent during that decade. New residential construction did not match the growth in population; housing development increased by only 8 percent in the residential districts immediately adjoining Dutch Kills to the north.

During the same time period, the number of manufacturing jobs declined in Dutch Kills by nearly 300, mostly in the larger garment and apparel factories, but jobs increased by approximately 160 in the construction trades, electrical work, commercial printing and businesses services sector. At the end of 2002, Dutch Kills had a total of approximately 260 firms employing 3,600 workers.

EXISTING ZONING

The Dutch Kills community has historically been a mixed-use community including residential, light industrial, and commercial land uses. The 1961 zoning of this community created several M1-1, M1-3, and M1-5 zoning districts that encouraged the further development of industrial developments while prohibiting residential development. M1 zones are considered industrial buffer zones that are often used in areas where industrial uses are adjacent to residences and other sensitive uses. These zoning districts permit only light industrial and commercial uses as-of-right with varying degrees of density and use restrictions. Existing residential uses in these zones were "grandfathered" as legal nonconforming uses.

The existing M1-1 zoning, mapped in the northern portion of the study area, was established in 1961 as a buffer to the neighboring R5 residential district to the north and west. The M1-1 district permits

industrial and commercial uses at a maximum floor area ratio (FAR) of 1.0 and selected community facility uses at an FAR of 2.4 (see Figure 1-3)

The existing M1-3D zoning mapped in the study area was established in 1989 in acknowledgment of the presence of residential development in the area. The DCP created the M1-3D district, as well as other M1-D districts in the area, in response to concerns from residents of Dutch Kills and other mixed-use neighborhoods in New York City. Such districts have subsequently been mapped in Sunset Park, Brooklyn and Ridgewood and Maspeth, Queens. The M1-3D district permits light manufacturing, commercial and retail uses as-of-right at a maximum FAR of 5.0. New residential uses are also permitted in M1-3D districts with a maximum FAR of 1.65. Residential uses in M1-3D districts are permitted only by City Planning Commission authorization. Residential enlargements are limited to 500 square feet per dwelling unit, with no net change in the number of dwelling units permitted on a zoning lot. Residential expansions are limited to 500 square feet per dwelling unit, with no net change in the number of dwelling units permitted on a zoning lot.

C. DESCRIPTION OF THE PROPOSED ACTIONS

ZONING MAP AMENDMENTS

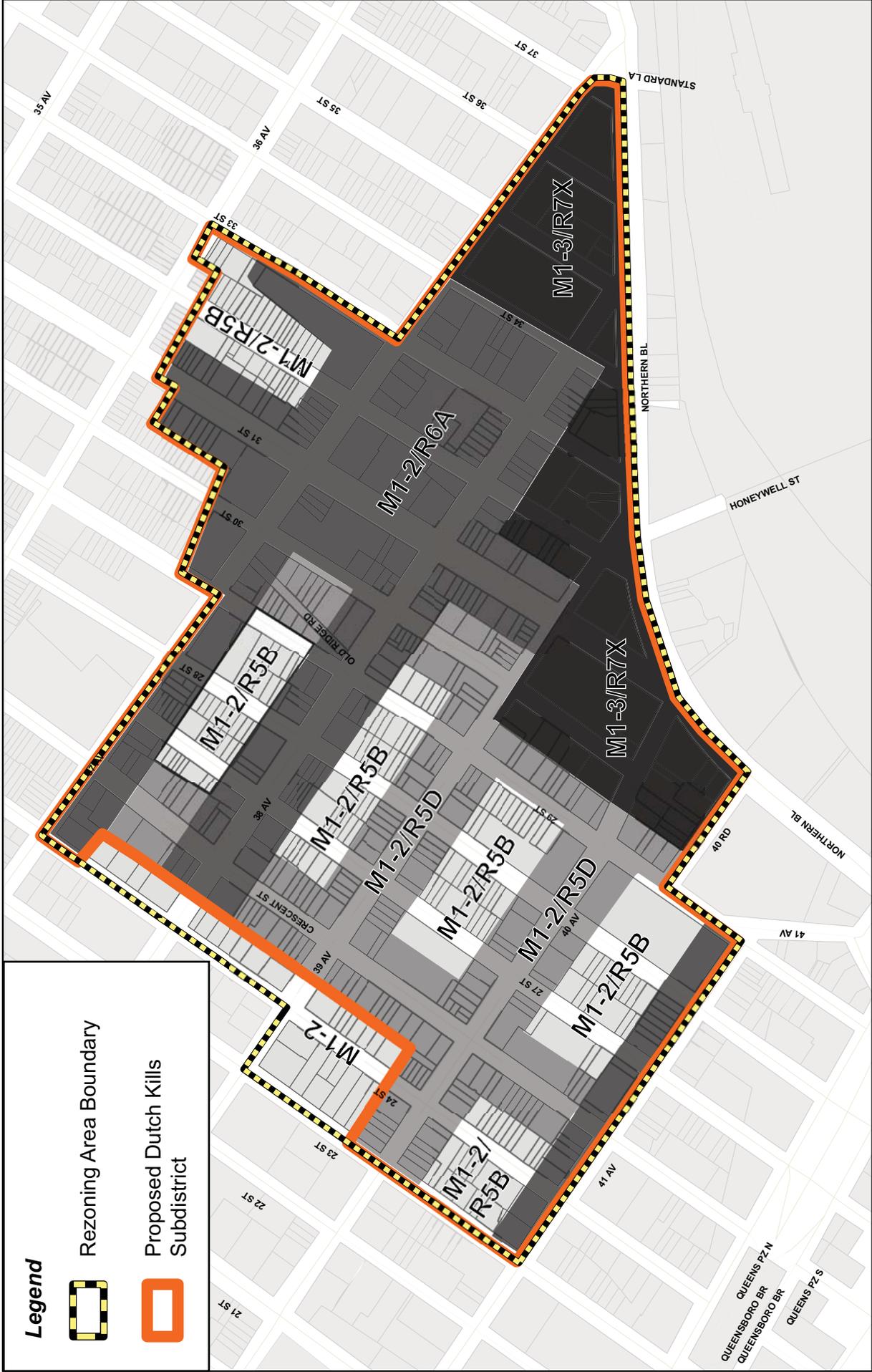
As briefly described above, the DCP is proposing zoning map amendments affecting all or portions of 40 blocks in Dutch Kills neighborhood of Queens Community District 1. The proposed zoning map amendments would create the Dutch Kills Subdistrict within the Special Long Island City Mixed-Use District and establish Inclusionary Housing provisions for an area along Northern Boulevard proposed for an M1-3/R7X District.

The rezoning area is generally bounded by 36th Avenue on the north, Northern Boulevard on the east, 41st Avenue on the south, and 23rd Street on the west. The rezoning area is adjacent to Sunnyside Yards and just north of the Queens Plaza Subdistrict and the Special Long Island City Mixed-Use district.

Under the proposed actions, approximately 70 acres of land currently zoned M1-3D and M1-1 would be rezoned to a finely tuned combination of M1-2, M1-2/R5B, M1-2/R5D, M1-2/R6A and M1-3/R7X, resulting in a net decrease in permitted light manufacturing density and a net increase in residential density. The proposed zoning changes would generally allow as-of-right residential development, encourage compatible land uses at a fine-grained range of densities, provide new opportunities for mixed use development, and bring residential uses currently located in manufacturing zoned areas into conformance (See Figure 1-4 Proposed Zoning and Table 1-1, Dutch Kills Zoning Comparison).

The proposed zoning map and text amendments would create new, as-of-right residential development opportunities. In an effort to foster housing opportunities for a diverse range of income groups, an Inclusionary Housing bonus is proposed for the M1-3/R7X District. The fine-grained range of allowable bulk provisions within the rezoning area (described below) seeks to fulfill contextual zoning objectives::

- change from M1-3D and M1-1 to M1-2/R5B all or a portion of 18 mid-blocks bounded by 37th Avenue, 38th Avenue, 24th Street and 30th Street; 38th Avenue, 39th Avenue, 24th Street, and 29th Street; 39th Avenue, 40th Avenue, 24th Street, 40th Avenue, 41st Avenue, 23rd Street and 29th Street; and 36th Avenue, 37th Avenue, and 32nd Street;
- change from M1-3D to M1-2/R5D all or a portion of 20 blocks bounded by a line 100 feet on both sides of 40th Avenue between 23rd Street and 29th Street; and a line 100 feet on both sides of



Legend



Rezoning Area Boundary



Proposed Dutch Kills Subdistrict



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Dutch Kills Rezoning and Related Actions

Proposed Zoning



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Figure 1-4

Source: MapPluto, NYCDP.

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**Table 1-1
Dutch Kills Zoning Comparison**

Regulation By Use	Existing M1-1	Existing M1-3D	Proposed M1-2	Proposed M1-2/R5B	Proposed M1-2/R5D	Proposed M1-2/R6A	Proposed M1-3/R7X
Maximum FAR							
Residential	n/a	1.65	n/a	1.35	2.0	3.0	3.75 without Incl. Housing or 5.0 (QH)
Industrial/Commercial	1.0	5.0	2.0	2.0	2.0	2.0	5.0
Community Facility	2.4	6.5	4.8	2.0	2.0	3.0	5.0
Min-Max Street Wall Height							
Residential	n/a	32'	n/a	30'	40'	40'-60'	60'-85'
Industrial/Commercial	30' or 2 stories	85' or 6 stories	60' or 4 stories	60' or 4 stories	60' or 4 stories	40'-60'	60'-85'
Community Facility	30' or 2 stories	85' or 6 stories	60' or 4 stories	60' or 4 stories	60' or 4 stories	40'-60'	60'-85'
Maximum Building Height							
Residential	n/a	32'-0"	n/a	33'	40'	70'	125'
Industrial/Commercial	Sky Exposure Plane	70'	125'				
Community Facility	Sky Exposure Plane	70'	125'				
Parking							
Residential	n/a	None Required	n/a	66%	66%	50%	50%
Industrial/Commercial	varies-1/1000sf	varies-1/1000sf	varies-1/1000sf	varies by use	varies by use	varies by use	varies by use
Community Facility	varies by use	varies by use	varies by use				

39th Avenue between Crescent Street and 30th Street and the east side of 29th Street between 40th Road and 39th Avenue and 100 feet on both sides of Crescent Street between 41st Avenue and 38th Avenue and 41st Avenue from 29th Street to 23rd Street;

- change from M1-3D and M1-1 to M1-2/R6A all or a portion of 22 blocks bounded by a line 100 feet north of 41st Avenue, 23rd Street and 29th Street; a line 100 feet on both sides of 38th Avenue, 24th Street, 39th Avenue, 34th Street, 32nd Street, and a line 100 feet south of 37th Avenue, 24th Street, 29th Street, 34th Street, 33rd Street and 36th Avenue;

- change from M1-3D to M1-3/R7X all or a portion of 11 blocks bounded by 40th Road, Northern Boulevard, 29th Street, 39th Avenue, a line 100 feet south of 38th Avenue, 34th Street, 37th Avenue and 37th Street.
- change from M1-3D to M1-2 a portion of 4 blocks bounded by 37th Avenue & 40th Avenue between the west side of 23rd and 24th Street.

The proposed rezoning would allow new development at higher densities along 41st Avenue, 31st Street and Northern Boulevard. These locations are near subway stops served by the G, 7, E, V, W, R and N subway lines and Northern Boulevard, a 100-foot wide primary thoroughfare, served by the 32, 60, 66, 102, 103, and 104 bus lines. The proposed zoning map amendments that would encourage moderate and high density development near public transportation and wide streets are as follows:

- change from M1-3D and M1-1 to M1-2/R6A; and
- change from M1-3D to M1-3/R7X.

The area on both sides of 24th Street between 40th Avenue and 37th Avenue is proposed to be rezoned from M1-3D to M1-2. These blocks are situated outside the proposed Dutch Kills Special Subdistrict, and therefore would not be subject to the special district controls. All of the existing land uses there are 1-2 story light industrial with no residential or mixed-uses. To preserve the industrial character at the edge of the rezoning area boundary and to establish a transitional zone between the proposed mixed-use districts in the special subdistrict to the east and the adjacent M1-3 light manufacturing district to the west, this area would be rezoned from M1-3D, which permits residential use by authorization, to M1-2 which prohibits residential use. In addition, the maximum FAR would be reduced from 5.0 to 2.0 to better reflect the existing context. No additional development is expected to occur in this area as a result of the proposed actions.

The proposed zoning map and text amendments will support continued economic growth in a mixed-use residential, commercial and light industrial community. Each proposed Residence District will be paired with a light Manufacturing District to allow a broad range of commercial and light industrial businesses in the rezoning area, compatible with residential uses. The range of mixed-use zoning districts reflects both the use and scale of non-residential development typically found in the area today (See Figure 1-3, Existing Zoning and Figure 1-4, Proposed Zoning and Table 1-1, Dutch Kills Zoning Comparison).

ZONING TEXT AMENDMENTS

Creation of the Dutch Kills Subdistrict is proposed in conjunction with the zoning map amendments and would extend over all or portions of 40 blocks in the Dutch Kills neighborhood except for a small sliver adjacent to 23rd and 24th Streets, which would be rezoned from M1-3D to M1-2 (see Figure 1-4). The proposed Dutch Kills Subdistrict would be part of the Special Long Island City Mixed Use District. The Special Long Island City Mixed Use District was established in 2001 to include the Court Square, Queens Plaza, and Hunter's Point subdistricts. The overarching goal of the Special Long Island City Mixed Use District is to support the continued growth of the area's longstanding mix of residential, commercial, industrial and cultural uses by permitting their development and expansion at varying densities. The Queens Plaza and Hunter's Point subdistricts of the Special Long Island City Mixed Use District are subject to the provisions of 123-00, as modified by special provisions within each subdistrict. The Dutch Kills Subdistrict would follow the same format. The objective of the subdistrict is to achieve a strong mixed use community, to reinforce the existing street wall, and retail community of Northern Boulevard. The proposed Dutch Kills Subdistrict is generally bound by Queens Plaza north to the south 23rd Street to

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the west, 36th Avenue to the north and Northern Boulevard to the east. The proposed subdistrict would be guided by the following goals:

- to foster development in Dutch Kills and provide direction and incentives for future growth where appropriate;
- to provide transitions between the moderate/high density commercial core of Long Island City, the lower scale residential community in Dutch Kills and the higher density light industrial and retail strip at the edge;
- to encourage new development that is in character with the special mixed-use character of the area, and;
- to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the city's tax revenues.

Special zoning text provisions are proposed for the Dutch Kills Subdistrict primarily to modify FAR, lot coverage, and street wall height in the proposed M1-2/R5B district and to make modifications to the parking requirements. The zoning text provisions include the following:

- in the proposed subdistrict the street wall of any residential or mixed-use building or enlargement shall be located no closer to nor further from the street line than the street wall of an adjacent existing building within 15 feet of the street line;
- in the proposed subdistrict the floor area of a building shall not include floor space used for accessory off-street parking spaces provided it is located no more than 33 feet above curb level;
- in the proposed M1-2/R5B district the maximum FAR for residential use shall be 1.65 and the maximum lot coverage for a residential building shall be 60 percent on an interior lot and 80 percent on a corner lot.
- in the proposed M1-2/R5B district, the maximum height of a street wall shall be 33 feet or three stories, whichever is less for all residential or mixed-use buildings;
- in the proposed M1-3/R7X district the maximum base FAR for residential use is 3.75 which may be increased up to 5.0 if affordable housing is provided;
- in the proposed subdistrict permit Use Group 6A supermarkets of any size
- in the proposed subdistrict the C8-2 commercial/light manufacturing parking regulations shall apply for all commercial and community facilities except that this modification shall not apply to uses listed in Use Group 5. The parking requirements applicable to the designated M1 District shall apply to Use Group 5.
- for Use Group 5 uses, the maximum number of parking spaces waived shall be 10 spaces.
- in the proposed M1-3/R7X district require all new residential developments to provide 50 percent parking regardless of lot size with a maximum waiver of 5 spaces.
- in the proposed M1-2/R6A and M1-3/R7X district parking waivers would not be allowed on existing lots that are subdivided.
- in the proposed M1-2/R5B district, the prohibition of curb cuts on lots 40 feet or less shall not apply for residential or community facility uses; and
- in the proposed M1-2/R5B and M1-2/R5D districts for enlargements of existing non-residential buildings where new floor area would be used for DUs allow a maximum waiver of 2 spaces.

INCLUSIONARY HOUSING TEXT AMENDMENT

The text amendment to establish an Inclusionary Housing Program near Northern Boulevard would modify ZR Section 23-90. Since 1987, New York City zoning has contained the Inclusionary Housing Program, which promotes affordable housing development by providing the incentive of additional

allowable floor area to developers willing to provide affordable units as part of their project. Until recently, this program was only applicable in Manhattan's high-density districts. Today, the use of the Inclusionary Housing Program (also called Inclusionary Zoning) has been expanded beyond Manhattan and is now being used in the outer boroughs in medium- and high-density residential districts. The revised Inclusionary Housing Program combines the incentive of additional floor area with a variety of housing subsidy programs to provide permanently affordable housing. Under ZR Section 23-90, the Inclusionary Housing Program is currently available in portions of Manhattan Community District 7, Brooklyn Community District 1, 2 and 7; and Queens Community Districts 2, 8 and 12. Under the proposed actions, Inclusionary Housing will be available in portions of Queens Community District 1. The proposed Inclusionary Housing text amendment includes the following components:

- the Inclusionary Housing Program would apply in the M1-3/R7X District proposed to be mapped on the west side of Northern Boulevard between 40th Road and 37th Avenue (37th Street);
- the proposed text would permit the maximum FAR of 5.0 in developments within the specified M1-3/R7X districts near Northern Boulevard that provide affordable housing;
- developments not participating in the Inclusionary Housing Program would be allowed a maximum FAR of 3.75;
- developments would qualify for the maximum FAR of 5.0 by providing 20 percent of residential floor area for low-income households; such households have incomes below 80 percent of the Area Median Income (AMI), and;
- affordable units would be developed and administered pursuant to a Lower Income Housing plan with the Department of Housing Preservation and Development and would remain affordable in perpetuity.

D. REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

OVERVIEW

The proposed actions are subject to the City Environmental Quality Review (CEQR) process and as such require the analysis of both short-term and long-term impacts. For area-wide rezonings not associated with a specific development, a 10-year time horizon is utilized to assess the potential impacts of a full build out under the proposed rezoning. This is assumed to be the period of time in which real estate developers would act on the change in zoning and the effects of the proposed actions would be realized. Therefore, the future condition with the proposed actions identifies the amount, type, and location of development that is expected to occur by 2017 as a result of the proposed project. The future condition without the proposed actions identifies development projects anticipated by 2017 absent the development allowed by the proposed rezoning. The incremental difference between the future condition without the proposed actions and the future condition with the proposed actions serves as the basis for the environmental impact analysis presented in this EIS.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

To determine the development scenarios, standard methodologies have been used following *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future residential, commercial, and community facility growth allowed by the proposed actions. In estimating the amount and location of new residential development, several factors have been considered, including known development proposals, past development trends, and DCP's standard "soft site" criteria, described below, for identifying likely

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development sites. In formulating the projections, DCP was aware that there is a large demand for new housing in the area, but that the demand has been constrained by zoning that does not permit such development as-of-right. Generally, for area-wide rezonings, which create a broad range of development opportunities, new development could be expected to occur on selected, rather than all, sites within a rezoning area. The first step in establishing the development scenarios was to identify those sites where new development could reasonably be expected to occur by the 2017 Build Year.

In identifying the RWCDS, a set of criteria was established and all sites that met the criteria were identified. Development sites were identified based on the following criteria:

- sites for which owners have expressed interest in redevelopment;
- pre-existing residential buildings with fewer than six units on lots of 3,500 sf or larger that are built to less than 50 percent of the proposed FAR;
- lots of 3,500 sf or larger developed with buildings used for industrial, manufacturing, parking, or automotive uses, including those that are built at greater than 50 percent of the proposed FAR. These sites were determined to be demolitions, expansions or conversions based on site-specific conditions of existing buildings;
- other uses on lots of 3,500 sf or larger that are built to less than 50 percent of the proposed FAR;
- sites that meet the criteria above when assembled with adjacent lots, and;
- as well as the following categories on lots of any size: Board of Standards and Appeals (BSA) applications granted in the proposed action area. For analysis purposes, it is assumed that residential development of these sites would proceed as-of-right under the proposed action.

Lots meeting the above criteria are not considered soft if the following is true:

- there are known development plans for the site under the existing zoning or pending discretionary actions that would allow redevelopment;
- the lot configuration is inefficient in terms of residential development complying with the proposed contextual zoning districts;
- the lot is owned and used by the MTA for transit-related purposes, and ;
- the site contains a school, cemetery, house of worship, or other public facility (unless there are known development plans for the site).

To produce a reasonable and conservative estimate of future growth, these sites were then divided into two categories – projected development sites and potential development sites. Many sites met one or more of the above criteria. The sites most likely to undergo new development were chosen from among this group, based on size, location and degree of underutilization. These are called projected development sites. The projected sites are those sites considered most likely to be developed in the 10-year period following implementation of the proposed actions. The identification of projected sites is based on recent housing growth in the area, including adjustments to reflect possible future growth trends in the future condition with the proposed actions.

Potential sites are considered less likely to be developed over the 10-year analysis period; however, this analysis recognizes that a number of potential sites could be developed under the proposed actions in lieu of one or more of the projected sites in accommodating the development anticipated. The potential sites are therefore also addressed in the EIS to evaluate site-specific effects such as hazardous materials or archaeology. Potential development sites generally consist of smaller assemblages, and/or irregular-shaped parcels. In the future condition without the proposed actions, the identified projected and potential development sites are assumed to either remain unchanged from existing conditions, or become

occupied by uses that are as-of-right under existing zoning and reflect current trends (such as hotel construction) if they are vacant, occupied by vacant buildings, or occupied by low intensity uses and are deemed likely to support more active uses.

All projected development sites identified for the future condition with the proposed actions are analyzed for density-related and site-specific impacts in this EIS, whereas potential development sites are only analyzed for site-specific potential impacts. Density-related impacts are dependent on the amount of development projected on a site; i.e., the number of dwelling units and the resulting population’s impact on areas such as traffic, mobile-source air quality, community facilities and services, and open space. Site-specific impacts relate to individual site conditions and are not dependent on the density of projected development. Site-specific impacts include analysis for historic resources, archaeological resources, shadows, urban design and visual resources, hazardous materials, stationary-source air quality, and noise. The Reasonable Worst Case Development Scenario identifies 40 projected development sites and 192 potential development sites on which new buildings could be constructed or existing buildings converted into residential uses by 2017 (Tables 1-3, 1-4, Figures 1-6 and 1-7). Currently, the 40 projected sites are developed with 24 dwelling units, 36,198 square feet of commercial space and 261,451 square feet of industrial floor space.

In addition to the above mentioned projects, the ~~nine~~ several known projects¹ expected to be completed in the rezoning area by 2017 that will serve as part of the future condition without the proposed actions are presented in Table 1-2 and shown in Figure 1-5. All of these projects are proposed as hotels and construction is either underway or currently being planned.

Table 1-2
Known **Non-Residential** Development Projects

Development Site	Block	Lot	Height	Occupancy
A	397	2	9 stories	54 rooms
B	386	27	8 stories	16 rooms
C	387	31	12 stories	128 rooms
D	398	29	9 stories	34 rooms
E	384	32	9 stories	56 rooms
F	388	23	10 stories	80 rooms
G	400	1	6 stories	44 rooms
H	399	17	13 stories	107 rooms
I	402	25	6 stories	87 rooms

THE FUTURE CONDITION WITHOUT THE PROPOSED ACTIONS

In the future condition without the proposed actions, given the current zoning and existing land use trends, it is anticipated that new, as-of-right development would occur on a number of development sites in the rezoning area. In addition to the ~~nine~~ known development projects noted immediately above, it is

¹ Prior to publication of the FEIS, DCP learned that the following sites within the rezoning area are also being developed for non-residential (hotel) use: Block 386 Lot 33, Block 407 Lot 37, Block 402 L12, and Block 406 L40. The density-based technical analyses in the FEIS are conservative in so far as they consider these sites as projected development sites in the RWCDS. Please see Chapter 11 “Hazardous Materials,” Chapter 17 “Air Quality,” and Chapter 18 “Noise” for information regarding the (E) designation process as it relates to these sites.



Legend

-  Rezoning Area Boundary
-  Background Development Sites



New York City
Department of City Planning

Dutch Kills Rezoning and Related Actions

Background Development Sites

The Louis Berger Group, Inc.

Figure 1-5

Source: MapPluto, NYCDP.

Table 1-3
Projected Development Sites

PROJECTED SITES WITH SITE INFORMATION		EXISTING CONDITIONS					FUTURE NO-ACTION					FUTURE WITH ACTION					INCREMENT				
Development Site	Tax Block Lot	Existing Zoning	Lot Area (sf)	Maximum Floor Area Ratio (FAR)	Comm. Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Comm. Floor Area (sf)	Community Facility Area (sf)	Industrial Floor Area (sf)	Proposed Zoning	Total Dwelling Units	Affordable Dwelling Units	Comm. Floor Area (sf)	Community Facility Area (sf)	Industrial Floor Area (sf)	Total Dwelling Units	Comm. Floor Area (sf)	Community Facility Area (sf)	Industrial Floor Area (sf)	
1	402	18	M1-3D	2800	5.00	0	0	0	0	0	0	14	0	0	0	0	0	14	0	0	0
1	402	16	M1-3D	5600	5.00	0	0	0	0	5000	M1-3/R7X	28	0	0	0	0	0	28	0	0	-5000
1	402	16	M1-3D	8400	5.00	0	0	0	0	5000	M1-3/R7X	42	8	0	0	0	0	42	0	0	-5000
2	402	28	M1-3D	5550	5.00	0	0	0	0	0	M1-3/R7X	28	0	0	0	0	0	28	0	0	0
2	402	30	M1-3D	5750	5.00	2397	7052	0	2397	0	M1-3/R7X	29	0	0	0	0	0	29	-2397	0	-7052
2	402	30	M1-3D	11300	5.00	2397	7052	0	2397	0	M1-3/R7X	57	11	0	0	0	0	53	-2397	0	-7052
3	402	1	M1-3D	22300	5.00	0	0	0	11150	0	M1-3/R7X	93	0	18955	0	0	0	93	7805	0	0
3	402	12	M1-3D	9000	5.00	0	0	0	0	9000	M1-3/R7X	37	0	7650	0	0	0	37	7650	0	-9000
3	402	32	M1-3D	11760	5.00	2100	17300	0	2100	0	M1-3/R7X	49	0	9966	0	0	0	49	7896	0	-17300
3	402	35	M1-3D	3207	5.00	0	0	0	1604	0	M1-3/R7X	13	0	2726	0	0	0	13	1122	0	0
3	402	35	M1-3D	46267	5.00	2100	17300	0	14854	0	M1-3/R7X	192	38	39327	0	0	0	192	24474	0	-26300
3	400	5	M1-3D	83066	5.00	0	15404	0	0	15404	M1-3/R7X	345	69	70606	0	0	0	345	70606	0	-15404
4	382	29	M1-3D	8800	5.00	0	0	0	0	17600	M1-3/R7X	36	7	7820	0	0	0	36	7820	0	-1875
6	379	1	M1-3D	9200	5.00	0	1875	0	0	0	M1-3/R7X	38	8	7820	0	0	0	38	7820	0	0
7	377	13	M1-3D	20000	5.00	0	80200	0	80200	0	M1-3/R7X	72	17	10000	0	0	0	72	-70200	0	0
8	408	5	M1-3D	8519	5.00	0	1800	0	0	1800	M1-2/R6A	18	0	7241	0	0	0	18	7241	0	-1800
9	406	1	M1-3D	2523	5.00	1025	1475	2	1025	0	M1-2/R6A	5	0	2145	0	0	0	3	1120	0	-1475
9	406	2	M1-3D	15000	5.00	3250	6500	0	3250	0	M1-2/R6A	32	0	12750	0	0	0	32	9500	0	-6500
9	406	8	M1-3D	2505	5.00	0	1253	0	1253	0	M1-2/R6A	5	0	2129	0	0	0	5	877	0	0
9	406	9	M1-3D	2505	5.00	0	1253	0	1253	0	M1-2/R5D	3	0	2129	0	0	0	3	877	0	0
9	406	10	M1-3D	2505	5.00	0	1253	0	1253	0	M1-2/R5D	3	0	2129	0	0	0	3	877	0	0
9	406	11	M1-3D	2254	5.00	0	1127	0	1127	0	M1-2/R5D	3	0	1916	0	0	0	3	789	0	0
9	406	38	M1-3D	2505	5.00	0	1253	0	1253	0	M1-2/R5B	2	0	2129	0	0	0	2	877	0	0
9	406	40	M1-3D	5000	5.00	0	0	2	0	0	M1-2/R5B	4	0	4250	0	0	0	2	4250	0	0
9	406	40	M1-3D	34797	5.00	4275	7975	4	10412	0	M1-2/R6A	57	0	29577	0	0	0	53	19185	0	-7975
10	405	5	M1-3D	2505	5.00	780	1420	0	12525	0	M1-2/R6A	8	0	0	0	0	0	8	-12525	0	0
10	405	6	M1-3D	2505	5.00	0	0	0	12525	0	M1-2/R6A	8	0	0	0	0	0	8	-12525	0	0
10	405	6	M1-3D	5010	5.00	780	1420	0	25050	0	M1-2/R6A	15	0	0	0	0	0	15	-25050	0	0
11	383	9	M1-3D	4773	5.00	0	0	0	0	0	M1-2/R6A	14	0	0	0	0	0	14	0	0	-2000
12	368	34	M1-3D	5785	5.00	1440	3760	0	1440	0	M1-2/R6A	17	0	0	0	0	0	17	-1440	0	-3760
12	368	36	M1-3D	1887	5.00	850	0	1	850	0	M1-2/R6A	6	0	0	0	0	0	5	-850	0	0
12	368	36	M1-3D	7672	5.00	2290	3760	1	2290	0	M1-2/R6A	23	0	0	0	0	0	22	-2290	0	-3760
12	370	29	M1-3D	7355	5.00	0	0	0	0	0	M1-2/R6A	22	0	0	0	0	0	22	0	0	0
13	371	38	M1-3D	10600	5.00	1200	4950	1	1200	0	M1-2/R6A	23	0	9010	0	0	0	22	7810	0	-4950
14	367	15	M1-3D	8860	5.00	0	8850	0	0	0	M1-2/R6A	12	0	15062	0	0	0	12	0	15062	-8850
15	367	17	M1-3D	5150	5.00	0	2250	0	0	0	M1-2/R6A	7	0	8755	0	0	0	7	0	8755	-2250
15	367	23	M1-3D	4680	5.00	0	0	0	0	0	M1-2/R6A	6	0	7956	0	0	0	6	0	7956	-4680
15	367	23	M1-3D	18690	5.00	0	11100	0	0	0	M1-2/R6A	24	0	31773	0	0	0	24	0	31773	-15780
15	370	12	M1-3D	20420	5.00	2800	17600	0	2800	0	M1-2/R6A	61	0	0	0	0	0	61	-2800	0	-17600
17	375	18	M1-3D	8275	5.00	0	7880	0	0	0	M1-2/R6A	25	0	0	0	0	0	25	0	0	-7880
18	600	11	M1-1	2725	1.00	0	0	0	0	5450	M1-2/R6A	8	0	0	0	0	0	8	0	0	-5450
18	600	8	M1-1	9625	1.00	0	0	0	0	13800	M1-2/R6A	21	0	0	0	0	0	21	0	0	-13800
18	600	8	M1-1	9625	1.00	0	0	0	0	19250	M1-2/R6A	29	0	0	0	0	0	29	0	0	-19250

*This table has been modified for the FEIS to correct calculation errors for sites 7, 24 and 38. This correction is made in the interest of accuracy but is minor and does not affect the analysis, since the EIS has conservatively analyzed an increment of 1,555 dwelling units, rather than 1,547 dwelling units.

Table 1-3
Projected Development Sites

PROJECTED SITES WITH		EXISTING CONDITIONS					FUTURE NO-ACTION					FUTURE WITH ACTION					INCREMENT				
SITE INFORMATION		Maximum	Commercial	Community	Industrial	FUTURE NO-ACTION		FUTURE WITH ACTION		INCREMENT		Affordable		Commercial	Community	Industrial	FUTURE WITH ACTION		INCREMENT		
Developm ent Site	Tax Block Lot	Existing Lot Area (sf)	Floor Area Ratio (FAR)	Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Commercial Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	Proposed Zoning	Total Dwelling Units	Affordable Dwelling Units	Commercial Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	Total Dwelling Units	Commercial Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	
19	407	27	M1-3D	4975	5.00	836	0	0	0	0	0	10	0	0	0	0	0	0	-836	0	0
19	407	29	M1-3D	2504	5.00	836	0	0	0	0	0	5	0	0	0	0	0	0	0	0	0
19	407	29	M1-3D	7479	5.00	836	0	0	0	0	0	15	0	0	0	0	0	0	-836	0	0
19	Total					1820	0	1820	0	0	0	15	0	0	0	0	0	0	-1820	0	0
20	405	26	M1-3D	7563	5.00	1820	0	1820	0	1820	M1-2/R5D	15	0	0	0	0	0	0	0	0	0
21	397	33	M1-3D	5000	5.00	500	0	500	0	4240	M1-2/R5D	10	0	0	0	0	0	0	-500	0	-4240
21	397	35	M1-3D	10000	5.00	1000	0	1000	0	7170	M1-2/R5D	20	0	0	0	0	0	0	-1000	0	-7170
21	Total					1500	0	1500	0	11410	0	30	0	0	0	0	0	0	-1500	0	-11410
22	387	32	M1-3D	4291	5.00	0	0	0	0	0	M1-2/R5D	9	0	0	0	0	0	0	0	0	0
23	405	36	M1-3D	2505	5.00	0	0	1253	0	0	M1-2/R5B	4	0	0	0	0	0	0	-1253	0	0
23	405	37	M1-3D	2523	5.00	0	0	1	0	0	M1-2/R5B	4	0	0	0	0	0	0	0	0	0
23	Total					5028	0	1253	0	0	M1-2/R5B	8	0	0	0	0	0	0	-1253	0	0
24	398	1	M1-3D	47200	5.00	0	0	0	0	39600	0	79	0	0	0	0	0	0	0	-39600	0
25	398	19	M1-3D	2823	5.00	0	0	480	0	0	Split M1-2/R5B/R5E	5	0	0	0	0	0	0	0	0	-480
26	399	6	M1-3D	2823	5.00	0	0	7000	0	0	M1-2/R5B	4	0	0	0	0	0	0	0	0	-7000
26	399	7	M1-3D	4950	5.00	0	0	4250	0	0	M1-2/R5D	8	0	0	0	0	0	0	0	0	-4250
26	399	9	M1-3D	2582	5.00	0	0	4000	0	0	M1-2/R5D	4	0	0	0	0	0	0	0	0	-4000
26	Total					10055	0	15250	0	0	0	17	0	0	0	0	0	0	0	0	-15250
27	388	18	M1-3D	2510	5.00	0	0	5020	0	0	M1-2/R5D	5	0	0	0	0	0	0	0	0	-5020
28	387	9	M1-3D	5009	5.00	2000	0	2000	0	5500	M1-2/R5D	10	0	0	0	0	0	0	-2000	0	-5500
28	387	7	M1-3D	2675	5.00	0	0	0	0	0	M1-2/R5D	5	0	0	0	0	0	0	0	0	0
28	387	8	M1-3D	2700	5.00	0	0	2	0	0	M1-2/R5D	5	0	0	0	0	0	0	0	0	0
28	Total					10384	0	5500	0	0	0	21	0	0	0	0	0	0	-2000	0	-5500
29	385	4	M1-3D	2505	5.00	0	0	2475	0	0	M1-2/R5B	4	0	0	0	0	0	0	0	0	0
30	385	5	M1-3D	5021	5.00	0	0	2	0	0	M1-2/R5B	4	0	0	0	0	0	0	0	0	0
31	367	33	M1-3D	13730	5.00	0	0	6865	0	0	M1-2/R5D	27	0	0	0	0	0	0	0	-6865	0
32	368	11	M1-3D	8721	5.00	0	0	43605	0	0	M1-2/R5D	17	0	0	0	0	0	0	0	-43605	0
33	370	3	M1-3D	3450	5.00	0	0	2	0	0	M1-2/R5B	6	0	0	0	0	0	0	0	0	0
34	370	28	M1-3D	5000	5.00	0	0	0	0	0	M1-2/R5B	8	0	0	0	0	0	0	0	0	0
34	Total					7500	0	0	0	0	M1-2/R5B	4	0	0	0	0	0	0	0	0	0
35	371	34	M1-3D	13050	5.00	0	0	17000	0	0	Split M1-2/R5A/R5B	22	0	0	0	0	0	0	0	0	-17000
35	371	33	M1-3D	2990	5.00	0	0	2900	0	0	M1-2/R5B	5	0	0	0	0	0	0	0	0	-2900
35	Total					16040	0	19900	0	0	0	26	0	0	0	0	0	0	0	0	-19900
36	600	34	M1-1	11250	1	2700	0	8600	0	2700	M1-2/R5B	19	0	0	0	0	0	0	0	0	-8600
37	399	13	M1-3D	14000	5	10000	0	10000	0	0	Split M1-3/R7X	84	17	0	0	0	0	0	0	-2700	0
38	399	13	M1-3D	7510	5	1500	0	15020	0	0	M1-2/R5D	15	0	0	0	0	0	0	0	-15020	0
38	399	26	M1-3D	7510	5	0	0	37500	0	0	M1-3/R7X	38	8	0	0	0	0	0	0	-37500	0
38	Total					15020	0	52520	0	0	0	53	8	0	0	0	0	0	0	-52520	0
39	387	31	M1-3D	4750	5	0	0	23750	0	0	M1-2/R5B	8	0	0	0	0	0	0	0	-23750	0
40	388	23	M1-3D	5000	5	0	0	25000	0	0	M1-2/R5B	8	0	0	0	0	0	0	0	-25000	0
40	Total					542,089	0	261,451	0	183,011	0	1,569	182	173,552	38,773	2,475	1,547	-187,470	-41,697	-180,536	

*This table has been modified for the FEIS to correct calculation errors for sites 7, 24 and 38. This correction is made in the interest of accuracy but is minor and does not affect the analysis, as we have conservatively analyzed an increment of 1,555 dwelling units, rather than 1,547 dwelling units.

SITE INFORMATION				EXISTING CONDITIONS				FUTURE NO-ACTION				FUTURE WITH ACTION (Inclusionary Housing)				INCREMENT								
Development Sites	Tax Block	Existing Lot Zoning	Lot Area (sf)	Maximum Floor Area Ratio (FAR)	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	PROPOSED ZONING	Affordable Dwelling Units	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Community Facility Floor Area (sf)	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units		
105	408	31 M1-3D	2523	5	0	0	0	1	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	3	0	0
105 Total	408	32 M1-3D	5046	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	2	0	0
106	408	34 M1-3D	2523	5	0	0	0	1	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	3	0	0
106 Total	408	33 M1-3D	2523	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	2	0	0
107	408	25 M1-3D	2521	5	616	0	0	1	0	0	0	0	0	0 M1-2RSD	5	0	0	0	0	0	0	5	0	0
107 Total	408	24 M1-3D	2521	5	616	0	0	3	616	0	0	0	0	0 M1-2RSD	10	0	0	0	0	0	0	7	-616	0
108	408	26 M1-3D	2500	5	5000	0	0	1	0	0	0	0	0	0 M1-2RSD	10	0	0	0	0	0	0	10	-5000	0
108 Total	408	28 M1-3D	2500	5	5000	0	0	1	0	0	0	0	0	0 M1-2RSD	15	0	0	0	0	0	0	14	-5000	0
109	407	34 M1-3D	2504	5	0	0	0	1	0	0	0	0	0	0 M1-2RSD	5	0	0	0	0	0	0	4	0	0
109 Total	407	33 M1-3D	2504	5	0	0	0	2	0	0	0	0	0	0 M1-2RSD	5	0	0	0	0	0	0	3	0	0
110	406	12 M1-3D	45200	5	4000	19840	0	0	4000	0	19840	0	0	0 M1-2RSD	90	0	0	0	0	0	0	90	-4000	0
110 Total	406	29 M1-3D	2521	5	4000	19840	0	3	4000	0	19840	0	0	0 Split M1-2/R65D/ M1-2/R5B	95	0	0	0	0	0	0	92	-4000	0
111	405	10 M1-3D	2521	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	2	0	0
111 Total	405	9 M1-3D	2521	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	2	0	0
112	405	17 M1-3D	2521	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	2	0	0
112 Total	405	16 M1-3D	2521	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	2	0	0
113	405	34 M1-3D	4146	5	0	4146	0	0	0	0	4146	0	0	0 M1-2RBB	7	0	0	0	0	0	0	7	0	-4146
113 Total	405	33 M1-3D	2439	5	0	4146	0	2	0	0	4146	0	0	0 M1-2RBB	11	0	0	0	0	0	0	9	0	-4146
114	405	32 M1-3D	2523	5	0	0	0	1	0	0	0	0	0	0 M1-2RBB	4	0	0	0	0	0	0	3	0	0
114 Total	405	31 M1-3D	2523	5	0	0	0	2	0	0	0	0	0	0 M1-2RBB	8	0	0	0	0	0	0	6	0	0
115	371	19 M1-3D	4985	5	0	4985	0	0	0	0	4985	0	0	0 M1-2R6A	15	0	0	0	0	0	0	15	0	-4985
115 Total	371	17 M1-3D	3360	5	0	3280	0	0	0	0	3280	0	0	0 M1-2R6A	10	0	0	0	0	0	0	10	0	-3280
116	408	21 M1-3D	3529	5	0	0	0	2	0	0	0	0	0	0 M1-2RSD	7	0	0	0	0	0	0	5	0	0
116 Total	408	23 M1-3D	2521	5	0	0	0	2	0	0	0	0	0	0 M1-2RSD	12	0	0	0	0	0	0	3	0	0
117	368	22 M1-3D	4980	5	0	4980	0	0	0	0	4980	0	0	0 M1-2R6A	15	0	0	0	0	0	0	15	0	-4980
117 Total	368	21 M1-3D	2800	5	0	2500	0	0	0	0	2500	0	0	0 M1-2R6A	8	0	0	0	0	0	0	8	0	-2500
118	382	24 M1-3D	6840	5	2000	8000	0	0	2000	0	8000	0	0	0 M1-3R7X	34	0	0	0	0	0	0	23	0	-7480
118 Total	382	27 M1-3D	2250	5	2000	8000	0	2	2000	0	8000	0	0	0 M1-3R7X	45	0	0	0	0	0	0	34	-2000	0
119	383	24 M1-3D	4500	5	1750	5000	0	0	1750	0	5000	0	0	0 M1-2R6A	14	0	0	0	0	0	0	14	0	-1750
119 Total	383	26 M1-3D	2250	5	1800	800	0	0	1800	0	800	0	0	0 M1-2R6A	7	0	0	0	0	0	0	7	0	-800
120	387	24 M1-3D	4033	5	0	0	0	3	0	0	0	0	0	0 M1-2R6A	12	0	0	0	0	0	0	9	0	-5800
120 Total	387	25 M1-3D	1770	5	0	0	0	3	0	0	0	0	0	0 M1-2R6A	5	0	0	0	0	0	0	2	0	0
121	601	19 M1-1	1683	1	0	0	0	2	0	0	0	0	0	0 M1-2RBB	3	0	0	0	0	0	0	1	0	0
121 Total	601	20 M1-1	3400	1	0	0	0	1	0	0	0	0	0	0 M1-2RBB	3	0	0	0	0	0	0	2	0	0
122	387	31 M1-3D	5475	5	0	0	0	3	0	0	0	0	0	0 Split M1-2/RSD/ RBB	11	0	0	0	0	0	0	6	0	0
122 Total	387	30 M1-3D	2017	5	0	0	0	3	0	0	0	0	0	0 Split M1-2/RSD/ RBB	4	0	0	0	0	0	0	1	0	0
123	408	38 M1-3D	7509	5	2904	0	0	0	2904	0	0	0	0	0 M1-2RBB	12	0	0	0	0	0	0	12	-2904	0
123 Total	408	37 M1-3D	2523	5	2904	0	0	3	2904	0	0	0	0	0 M1-2RBB	16	0	0	0	0	0	0	13	-2904	0
124	367	40 M1-3D	4210	5	800	0	0	3	800	0	0	0	0	0 M1-2R6A	13	0	0	0	0	0	0	10	-800	0
124 Total	367	42 M1-3D	2500	5	800	0	0	0	2500	0	0	0	0	0 M1-2R6A	8	0	0	0	0	0	0	8	0	-2500
125	407	16 M1-3D	2533	5	0	2500	0	0	800	0	2500	0	0	0 M1-2RBB	21	0	0	0	0	0	0	18	-800	-2500
125 Total	407	17 M1-3D	2504	5	0	2500	0	0	800	0	2500	0	0	0 M1-2RBB	4	0	0	0	0	0	0	4	0	-2500
126	369	113 M1-3D	1500	5	0	0	0	3	0	0	0	0	0	0 M1-2R6A	8	0	0	0	0	0	0	1	0	0
126 Total	369	211 M1-3D	1406	5	0	0	0	3	0	0	0	0	0	0 M1-2R6A	5	0	0	0	0	0	0	2	0	0
126 Total	369	211 M1-3D	2906	5	0	0	0	6	0	0	0	0	0	0 M1-2R6A	9	0	0	0	0	0	0	3	0	0

SITE INFORMATION				EXISTING CONDITIONS				FUTURE NO-ACTION				FUTURE WITH ACTION (Inclusionary Housing)				INCREMENT						
Development Sites	Tax Block	Existing Lot	Zoning	Maximum Floor Area Ratio (FAR)	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Dwelling Units	Commercial Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	PROPOSED ZONING	Total Dwelling Units	Affordable Dwelling Units	Commercial Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	Total Dwelling Units	Commercial Floor Area (sf)	Community Facility Floor Area (sf)	Industrial Floor Area (sf)	
149	600	39	M1-1	2250	0	0	0	6	6	0	0	0	0	0	0	0	0	0	-2	0	0	0
149	600	48	M1-1	1440	0	0	0	1	7	0	0	0	0	0	0	0	0	0	-1	0	0	0
149 Total	600	116	M1-1	3690	0	0	0	7	14	0	0	0	0	0	0	0	0	0	-3	0	0	0
150	600	116	M1-1	230	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
150	600	148	M1-1	1730	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2	0	0	0
150 Total	600	264	M1-1	4030	0	0	0	1	2	0	0	0	0	0	0	0	0	0	2	0	0	0
151	369	14	M1-3D	2440	800	0	0	2	2	800	0	0	0	0	0	0	0	0	5	-800	0	0
151	369	15	M1-3D	2440	800	3020	0	0	0	0	3020	0	0	0	0	0	0	0	7	0	0	-3020
151 Total	369	29	M1-3D	4880	1600	3020	0	2	2	800	3020	0	0	0	0	0	0	0	12	-800	0	-3020
152	380	11	M1-3D	2500	5	1375	0	2	2	1375	0	0	0	0	0	0	0	0	6	-1375	0	0
152 Total	380	11	M1-3D	2500	5	1375	0	2	2	1375	0	0	0	0	0	0	0	0	6	-1375	0	0
153	407	10	M1-3D	2425	5	0	0	2	2	0	0	0	0	0	0	0	0	0	2	0	0	0
153 Total	407	10	M1-3D	2425	5	0	0	2	2	0	0	0	0	0	0	0	0	0	2	0	0	0
154	368	1	M1-3D	4500	5	9000	0	0	0	9000	0	0	0	0	0	0	0	0	14	-9000	0	0
154 Total	368	1	M1-3D	4500	5	9000	0	0	0	9000	0	0	0	0	0	0	0	0	14	-9000	0	0
155	376	1	M1-3D	82000	5	218000	0	0	0	218000	0	0	0	0	0	0	0	0	14	-218000	0	0
155 Total	376	1	M1-3D	82000	5	218000	0	0	0	218000	0	0	0	0	0	0	0	0	14	-218000	0	0
156	385	1	M1-3D	3550	5	700	0	3	3	700	0	0	0	0	0	0	0	0	4	-700	0	0
156 Total	385	1	M1-3D	3550	5	700	0	3	3	700	0	0	0	0	0	0	0	0	4	-700	0	0
157	408	1	M1-3D	10000	5	17320	0	0	0	23980	0	0	0	0	0	0	0	0	20	-23980	0	0
157 Total	408	1	M1-3D	10000	5	17320	0	0	0	23980	0	0	0	0	0	0	0	0	20	-23980	0	0
158	383	2	M1-3D	9050	5	20250	0	0	0	20250	0	0	0	0	0	0	0	0	20	-20250	0	0
158 Total	383	2	M1-3D	9050	5	20250	0	0	0	20250	0	0	0	0	0	0	0	0	20	-20250	0	0
159	387	2	M1-3D	6500	5	5520	0	0	0	5520	0	0	0	0	0	0	0	0	13	0	0	-5520
159 Total	387	2	M1-3D	6500	5	5520	0	0	0	5520	0	0	0	0	0	0	0	0	13	0	0	-5520
160	399	1	M1-3D	3200	5	0	0	0	0	0	0	0	0	0	0	0	0	0	6	0	0	0
160	399	3	M1-3D	7500	5	1835	7326	0	0	1835	7326	0	0	0	0	0	0	0	15	-1835	0	-7326
160 Total	399	4	M1-3D	10700	10	1835	7326	0	0	1835	7326	0	0	0	0	0	0	0	21	-1835	0	-7326
161	370	4	M1-3D	3509	5	0	0	2	2	0	0	0	0	0	0	0	0	0	4	0	0	0
161 Total	370	4	M1-3D	3509	5	0	0	2	2	0	0	0	0	0	0	0	0	0	4	0	0	0
162	383	5	M1-3D	7000	5	1695	6030	0	0	1695	6030	0	0	0	0	0	0	0	14	-1695	0	-6030
162 Total	383	5	M1-3D	7000	5	1695	6030	0	0	1695	6030	0	0	0	0	0	0	0	14	-1695	0	-6030
163	387	5	M1-3D	5046	5	0	0	3	3	0	0	0	0	0	0	0	0	0	8	0	0	0
163 Total	387	5	M1-3D	5046	5	0	0	3	3	0	0	0	0	0	0	0	0	0	8	0	0	0
164	407	5	M1-3D	5000	5	2000	5800	0	0	2000	5800	0	0	0	0	0	0	0	15	-2000	0	-5800
164 Total	407	5	M1-3D	5000	5	2000	5800	0	0	2000	5800	0	0	0	0	0	0	0	15	-2000	0	-5800
165	395	6	M1-3D	17500	5	4600	31500	0	0	4600	31500	0	0	0	0	0	0	0	35	-4600	0	-31500
165 Total	395	6	M1-3D	17500	5	4600	31500	0	0	4600	31500	0	0	0	0	0	0	0	35	-4600	0	-31500
166	384	22	M1-3D	12500	5	0	36973	0	0	36973	0	0	0	0	0	0	0	0	25	-26348	0	0
166 Total	384	22	M1-3D	12500	5	0	36973	0	0	36973	0	0	0	0	0	0	0	0	25	-26348	0	0
167	405	7	M1-3D	5042	5	864	2000	3	3	864	2000	0	0	0	0	0	0	0	15	-864	0	-2000
167 Total	405	7	M1-3D	5042	5	864	2000	3	3	864	2000	0	0	0	0	0	0	0	15	-864	0	-2000
168	374	8	M1-3D	7805	5	0	6000	0	0	0	6000	0	0	0	0	0	0	0	16	0	0	-6000
168 Total	374	8	M1-3D	7805	5	0	6000	0	0	0	6000	0	0	0	0	0	0	0	16	0	0	-6000
169	381	9	M1-3D	4685	5	0	0	3	3	0	0	0	0	0	0	0	0	0	14	0	0	0
169 Total	381	9	M1-3D	4685	5	0	0	3	3	0	0	0	0	0	0	0	0	0	14	0	0	0
170	374	12	M1-3D	20500	5	0	18100	0	0	0	18100	0	0	0	0	0	0	0	0	0	0	0
170 Total	374	12	M1-3D	20500	5	0	18100	0	0	0	18100	0	0	0	0	0	0	0	0	0	0	0
171	600	12	M1-1	5800	1	0	0	2	2	0	0	0	0	0	0	0	0	0	17	0	0	0
171 Total	600	12	M1-1	5800	1	0	0	2	2	0	0	0	0	0	0	0	0	0	17	0	0	0
172	405	13	M1-3D	12500	5	7700	1500	0	0	7700	1500	0	0	0	0	0	0	0	21	-7700	0	-1500
172 Total	405	13	M1-3D	12500	5	7700	1500	0	0	7700	1500	0	0	0	0	0	0	0	21	-7700	0	-1500
173	383	14	M1-3D	4400	5	0	5795	0	0	0	5795	0	0	0	0	0	0	0	13	0	0	-5795
173 Total	383	14	M1-3D	4400	5	0	5795	0	0	0	5795	0	0	0	0	0	0	0	13	0	0	-5795
174	408	14	M1-3D	4282	5	0	4258	0	0	0	4258	0	0	0	0	0	0	0	7	0	0	-4258
174 Total	408	14	M1-3D	4282	5	0	4258	0	0	0	4258	0	0	0	0	0	0	0	7	0	0	-4258
175	371	15	M1-3D	3820	5	0	3615	0	0	0	3615	0	0	0	0	0	0	0	11	0	0	-3615
175 Total	371	15	M1-3D	3820	5	0	3615	0	0	0	3615	0	0	0	0	0	0	0	11	0	0	-3615
176	382	17	M1-3	4473	5	0	0	2	2	0	0	0	0	0	0	0	0	0	11	0	0	0
176 Total	382	17	M1-3	4473	5	0	0	2	2	0	0	0	0	0	0	0	0	0	11	0	0	0
177	387	17	M1-3D	3940	5	0	3940	0	0	0	3940	0	0	0	0	0	0	0	12	0	0	-3940
177 Total	387	17	M1-3D	3940	5	0	3940	0	0	0	3940	0	0	0	0	0	0	0	12	0	0	-3940
178	368	18	M1-3D	4450	5	0	0	0	0	0	0	0	0	0	0	0	0	0	13	0	0	0
178 Total	368	18	M1-3D	4450	5	0	0	0	0	0	0	0	0	0	0	0	0	0	13	0	0	0
179	374	18	M1-3D	4940	5	520	0	5	5	520	0	0	0	0	0	0	0	0	15	-520	0	0
179 Total	374	18	M1-3D	4940	5	520	0	5	5	520	0	0	0	0	0	0	0	0	15	-520	0	0

SITE INFORMATION				EXISTING CONDITIONS				FUTURE NO-ACTION				FUTURE WITH ACTION (Inclusionary Housing)				INCREMENT			
Development Sites	Tax Block	Tax Zoning	Existing Lot Area (sf)	Maximum Floor Area Ratio (FAR)	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Dwelling Units	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Community Facility Floor Area (sf)	Dwelling Units	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Community Facility Floor Area (sf)	Total Dwelling Units	Commercial Floor Area (sf)	Industrial Floor Area (sf)	Community Facility Floor Area (sf)	
213	377	1M1-3D	4800	5	5150	0	0	24000	0	0	0	4	4080	0	20	-19920	0	0	0
213	377	5M1-3D	9900	5	0	0	0	49500	0	0	41	8	8415	0	41	-41085	0	0	0
213	377	9M1-3D	10098	5	0	0	0	50490	0	0	42	8	8583	0	42	-41907	0	0	0
213	377	40M1-3D	2300	5	0	0	0	11500	0	0	10	2	1955	0	10	-9545	0	0	0
213 Total			27098		5150	0	0	135490	0	0	112	22	23033	0	112	-112457	0	0	0
214	395	35M1-3D	5008	5	0	5000	0	0	0	5000	0	10	0	0	10	0	0	0	-5000
214 Total			5008		0	5000	0	0	0	5000	0	10	0	0	10	0	0	0	-5000
215	408	35M1-3D	5046	5	0	5000	0	0	0	5000	0	8	0	0	8	0	0	0	-5000
215 Total			5046		0	5000	0	0	0	5000	0	8	0	0	8	0	0	0	-5000
216	370	36M1-3D	4730	5	0	0	2	2	0	0	14	0	0	0	14	0	0	0	0
216 Total			4730		0	0	2	2	0	0	14	0	0	0	14	0	0	0	0
217	387	38M1-3D	5420	5	0	0	1	1	0	0	16	0	0	0	16	0	0	0	0
217 Total			5420		0	0	1	1	0	0	16	0	0	0	16	0	0	0	0
218	396	39M1-3D	5004	5	0	4750	0	0	0	4750	0	10	0	0	10	0	0	0	-4750
218 Total			5004		0	4750	0	0	0	4750	0	10	0	0	10	0	0	0	-4750
219	395	40M1-3D	5000	5	5000	5000	0	5000	0	5000	0	10	0	0	10	0	0	0	-5000
219 Total			5000		5000	5000	0	5000	0	5000	0	10	0	0	10	0	0	0	-5000
220	395	126M1-3D	6250	5	0	10000	0	0	0	10000	0	13	0	0	13	0	0	0	-10000
220 Total			6250		0	10000	0	0	0	10000	0	13	0	0	13	0	0	0	-10000
221	384	9M1-3D	5320	5	0	0	2	2	0	0	9	0	0	0	9	0	0	0	0
221 Total			5320		0	0	2	2	0	0	9	0	0	0	9	0	0	0	0
222	378	1M1-3D	29918	5	8700	21200	0	8700	0	21200	0	124	25	25430	0	124	16730	0	-21200
222 Total			29918		8700	21200	0	8700	0	21200	0	124	25	25430	0	124	16730	0	-21200
223	408	16M1-3D	4292	300	300	3950	0	300	0	3950	0	7	0	0	7	0	0	0	-3950
223 Total			4292		300	3950	0	300	0	3950	0	7	0	0	7	0	0	0	-3950
224	407	37M1-3D	10000	2000	2000	8000	0	2000	0	8000	0	17	0	0	17	0	0	0	-8000
224 Total			10000		2000	8000	0	2000	0	8000	0	17	0	0	17	0	0	0	-8000
226	387	4M1-3D	3500	2935	2935	945	0	2935	0	945	0	7	0	0	7	0	0	0	-945
226 Total			3500		2935	945	0	2935	0	945	0	7	0	0	7	0	0	0	-945
227	384	11M1-3D	5000	5000	0	5000	0	0	0	5000	0	8	0	0	8	0	0	0	-5000
227 Total			5000		5000	0	0	0	0	5000	0	8	0	0	8	0	0	0	-5000
228	375	24M1-3D	19500	13200	13200	6300	0	13200	0	6300	0	39	0	0	39	0	0	0	-6300
228 Total			19500		13200	6300	0	13200	0	6300	0	39	0	0	39	0	0	0	-6300
229	386	7M1-3D	11000	0	0	0	0	0	0	0	18	0	0	0	18	0	0	0	0
229 Total			11000		0	0	0	0	0	0	18	0	0	0	18	0	0	0	0
230	372	7M1-3D	5204	5200	5200	5200	0	5200	0	5200	0	16	0	0	16	0	0	0	-5200
230 Total			5204		5200	5200	0	5200	0	5200	0	16	0	0	16	0	0	0	-5200
231	405	41M1-3D	5005	5000	0	5000	0	0	0	5000	0	8	0	0	8	0	0	0	-5000
231 Total			5005		0	5000	0	0	0	5000	0	8	0	0	8	0	0	0	-5000
232	599	48M1-1	8955	1	0	8900	0	0	0	8900	0	27	0	0	27	0	0	0	-8900
232 Total			8955		0	8900	0	0	0	8900	0	27	0	0	27	0	0	0	-8900
233	601	17M1-1	11235	2280	1	0	2	2	0	0	0	34	0	0	34	0	0	0	-8900
233 Total			11235		0	0	2	2	0	0	0	34	0	0	34	0	0	0	-8900
233	601	18M1-1	1649	1	0	0	1	1	0	0	3	0	0	0	3	0	0	0	0
233 Total			1649		0	0	1	1	0	0	3	0	0	0	3	0	0	0	0
233 Total			3824		0	0	3	3	0	0	7	0	0	0	7	0	0	0	0



Legend



Rezoning Area Boundary



Projected Development Sites



New York City
Department of City Planning

Dutch Kills Rezoning and Related Actions

Projected Sites



The Louis Berger Group, Inc.

Figure 1-6

Source: MapPluto, NYCDP.

expected that ~~46~~ 17 projected and ~~7~~ 6 potential development sites would have new and/or expanded as-of-right development absent the proposed rezoning (see Tables 1-3 and 1-4). In total, it is projected that 22 dwelling units, 371,052 square feet of commercial space, 81,470 square feet of community facility space and 183,011 square feet of industrial floor space would be developed in the future condition without the proposed actions. Compared with existing conditions, this represents a decrease of two dwelling units, a 334,854 square foot increase in commercial floor area, an 81,000 square foot increase in community facility floor area and a 78,440 square foot increase in industrial floor area.

THE FUTURE CONDITION WITH THE PROPOSED ACTIONS

In the future condition with the proposed actions, a sharp increase in residential development is expected to occur, with the introduction of approximately 1,555² dwelling units. Additionally, approximately 174,000 square feet of additional commercial floor area; 39,000 square feet of community facility floor area; and 2,400 square feet of industrial floor area are expected in the future with the proposed actions.

DCP has identified 40 projected development sites in the RWCDS that are considered most likely to be developed by 2017 as a result of the proposed action (see Table 1-3 and Figure 1-6). In addition, there are approximately 192 potential development sites considered less likely to be developed in the same 10-year analysis period (see Table 1-4 and Figure 1-7).

As shown in Table 1-3, the 40 projected development sites currently have 24 dwelling units; 36,198 square feet of commercial uses (including office and retail); 261,451 square feet of industrial/manufacturing uses; and no community facility space. In the future without the proposed actions as-of-right development is expected to occur on these projected development sites. The future condition without the proposed actions is expected to result in 22 dwelling units; 371,052 square feet of commercial uses; 183,011 square feet of industrial space; and 81,470 square feet of community facility space.

Under the future condition with the proposed actions, the total build out expected to occur on the 40 projected development sites includes approximately 1,577 dwelling units; a net decrease of 197,470 square feet of commercial space; a net decrease of 180,536 square feet of industrial space; and a net decrease of 41,697 square feet of community facility space, (see Tables 1-3: *Projected Development Sites* and 1-4: *Potential Development Sites* and Figures 1-6: *Projected Development Sites* and 1-7: *Potential Development Sites*) beyond what would have occurred in the future condition without proposed actions. New higher density development, in the future condition with the proposed actions, is expected to occur along wider street with good access to transit.

E. PURPOSE AND NEED

The Dutch Kills Subdistrict would allow a range of residential, community facility, commercial and light industrial uses generally as-of-right, similar to other parts of the Special Long Island City Mixed-Use District. It is proposed to provide as-of-right residential opportunities, retain existing light industrial businesses and support the continued growth of other business opportunities in a mixed use commercial

² In calculating the projected dwelling units (DUs) under the Future Condition with the Proposed Actions and the corresponding DUs increment value an addition error occurred. The density-based technical analyses in the FEIS have not been adjusted as the 1,555 DUs increment represents a more conservative value for the analyses than that for the actual 1,547 DUs.

Dutch Kills Rezoning and Related Actions EIS

and light industrial community. A fine-grained rezoning strategy would allow for new development at a compatible scale of two and three-story buildings on mid-blocks and provide greater density on wide streets or near public transportation to accommodate future growth. Furthermore, inclusionary zoning would be applied to give developers incentives to build affordable units.

Current zoning in the Dutch Kills rezoning area does not permit residential uses on an as of right basis. Under the current M1-3D zoning, new residential uses are permitted only by City Planning Commission authorization. New residential uses or enlargements are prohibited in the M1-1 zone. Similarly, limitations on infill residential development, rehabilitation, and appropriate mixed-use development remain formidable. There has only been one authorization granted by the City Planning Commission in the M1-3D district in the past 10 years for a modest enlargement and although there are currently four pending applications, the authorization process has proven to be quite burdensome to property-owners.

Additionally, many former light manufacturing factories are underused as warehouses, parking lots and auto-repair shops. Almost nine percent of the land area in Dutch Kills is used by auto-body shops, repair facilities or transportation related garages. The increased traffic, parking and pedestrian/vehicle conflicts resulting from the proliferation of these uses creates incompatibility with residents and other businesses.

PURPOSE AND NEED OF TEXT AMENDMENTS

After the Special Long Island City Mixed-Use District was established in 2001, the Dutch Kills Civic Association asked the Department of City Planning to consider similar zoning changes for the Dutch Kills community. As DCP completed work on its Hunter's Point rezoning in the fall of 2004, also using mixed-use zoning, the Dutch Kills Civic Association renewed their request. Consistent with the release of the Citywide Industrial Policy at the start of 2005, a zoning study was undertaken to assess changes in the neighborhood's residential and employee populations. The final rezoning proposal was developed with considerable input from the Dutch Kills Civic Association and Community Board 1.

The proposed zoning map and text amendments would allow for balanced development on vacant or underutilized sites to meet the demand for new housing, and the proposed actions seek to foster housing opportunities for a diverse range of income groups, with the Inclusionary Housing proposed for the M1-3/R7X District. The proposed text amendments will also provide adjustments to certain provisions of the proposed underlying zoning districts to ensure that the proposed regulations will appropriately address current and future needs of this uniquely developed neighborhood.

F. ANALYSIS AND PROCEDURAL FRAMEWORK

As discussed above, the Department of City Planning is proposing zoning map amendments for an area encompassing approximately 40 blocks in the Dutch Kills Neighborhood of Community District 1, Queens, a zoning text amendment to create the Dutch Kills Subdistrict and a zoning text amendment to facilitate the use of the Inclusionary Housing program in the proposed R7X district. A determination has been made that the size and scope of the proposed project may result in one or more significant adverse environmental impacts and, as a result, that a comprehensive Environmental Impact Statement (EIS) must be prepared. As specified in 6 NYCRR 617, and 62 RCNY 5 (and Executive Order No. 91), an EIS is appropriate to assess the potential environmental impacts that may result from a proposed project.

The EIS must fully define and describe the proposed project to provide decision-makers with information to understand the action in its full context and to allow for the assessment of its impacts. This chapter

outlines the procedural and analytical framework utilized to comply with environmental review regulations and identifies the approvals and actions necessary to implement the proposed project. In addition, the chapter provides an overview of the analytical and procedural framework used to guide the EIS technical analyses presented in subsequent chapters.

ENVIRONMENTAL REVIEW PROCESS

All agencies of government at the state, county, and local level within New York, except the State Legislature and the courts, must comply with the State Environmental Quality Review Act (SEQRA). New York City has further promulgated a local regulation, the City Environmental Quality Review (CEQR) procedures, to specifically implement SEQRA for actions within New York City, and to take into account the special circumstances found in New York City. To understand the environmental consequences of their decision-making, and to afford the public an opportunity to participate in identifying such consequences, all discretionary decisions of an agency that will approve, fund, or directly undertake an action are subject to review under SEQRA/CEQR, unless explicitly excluded or exempted under the regulations. Discretionary decisions involve choices to be made by decision-makers that determine whether and how an action is to be taken. Non-discretionary or ministerial decisions for which the only determination of an action's approval is verification of compliance with specific and pre-determined criteria (e.g., issuance of a building permit) are not subject to SEQRA/CEQR. As set forth below, the SEQRA/CEQR process for this EIS follows a prescribed path that enables the agencies to make informed decisions.

LEGISLATIVE APPLICABILITY

This document has been prepared pursuant to SEQRA, Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617) and CEQR requirements as established in Executive Order No. 90, 1977, and as set forth in its implementing Rules and Procedures, Title 62, Chapter 5, of the Rules of the City of New York.

ENVIRONMENTAL IMPACT STATEMENT

This document has been prepared under the regulatory framework established for preparing and reviewing environmental impact statements in New York. This framework is appropriate for decisions relating to multiple and broad actions that often cover a large geographic area and which have the potential to cause a significant adverse environmental impact. The studies contained in this EIS provide analysis methods, criteria for determining impact significance, and comprehensive assessments that enable the decision-makers to understand the significant environmental impacts associated with the proposed project; consider reasonable alternatives to the proposed project (including those with lesser or fewer impacts); and adopt reasonable and practicable mitigation measures that reduce or avoid significant adverse environmental impacts caused by the proposed project.

PROCESS OVERVIEW

ESTABLISHING A LEAD AGENCY

Under CEQR, the “lead agency” is the public entity responsible for conducting the environmental review of a proposed action. The lead agency is typically the agency primarily responsible for the proposed action. Other agencies also participate in the review process as involved or interested agencies. “Involved agencies” are those agencies that will be required to make discretionary decisions regarding

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some aspect of the proposed action. “Interested agencies” are agencies without jurisdiction to fund, approve or undertake an action, but that wish to comment during the review process. DCP will serve as the lead agency.

The proposed actions must be approved by the DCP, as lead agency, as an action subject to review under CEQR. In addition, the City Planning Commission (CPC) must make discretionary decisions on the zoning map amendments and the zoning text amendments and, and will act as an involved agency. These actions require approval by the CPC in coordination with the New York City Council under Sections 200 and 201 of the City Charter and the city’s Uniform Land Use Review Procedure (ULURP), and are actions subject to review under CEQR. The New York City Department of Environmental Protection (NYCDEP) and the New York City Department of Transportation (NYCDOT) have actions that are not subject to CEQR, and are considered “interested agencies.”

The rezoning and zoning text changes to create the Dutch Kills Subdistrict, and allow the use of Inclusionary Housing are the central actions that will allow the proposed project to move ahead. Therefore, DCP is serving as the lead agency to carry out a single, comprehensive environmental analysis for the proposed project under the CEQR process. This lead agency determination was made on October 19, 2007.

DETERMINATION OF SIGNIFICANCE

The first step in the environmental review process is to determine whether the proposed action is subject to environmental review. For CEQR purposes, actions are broadly divided into three types, as defined by state law and regulations: Type II actions, Type I actions, and Unlisted actions. Type II actions are defined by SEQRA in 6 NYCRR Part 617.5 and are those actions or classes of actions that have been found not to have a significant impact on the environment and, therefore, will not require preparation of an EIS. Type I actions are defined in the state regulations as those actions that are more likely to have a significant effect on the environment and more likely to require the preparation of an EIS than Unlisted actions. Type I actions are defined by SEQRA in 6 NYCRR Part 617.4. Unlisted actions are all actions that are not defined as Type I or Type II actions in Part 617.4 or 617.5. Due to its size and scope, the proposed project is defined as a Type I action in accordance with 6 NYCRR Part 617.4.

Therefore, pursuant to CEQR, the lead agency’s first decision is to determine whether a proposed action may have a significant impact on the environment. This is based on an Environmental Assessment Statement (EAS) which includes information about the existing environmental setting of the proposed project, as well as a screening analysis of relevant technical areas to determine the potential of the proposed project to have significant adverse impacts. Upon reviewing the EAS prepared for the proposed project, the Department of City Planning, as lead agency, issued a Positive Declaration on the proposed project on October 19, 2007. A Positive Declaration determination means that the proposed project could have a significant adverse impact on the environment and, therefore, an EIS must be prepared.

SCOPING

Once the lead agency issues a Positive Declaration, the Draft Scoping Document which outlines the environmental studies to be undertaken as part of the EIS is developed and shared with interested and involved agencies and the public. Required under CEQR, “scoping” is the process of focusing the environmental impact analyses on the relevant issues that are to be studied and creating an opportunity for others to comment on the intended effort. The lead agency provides a draft scope to all involved agencies and makes it available to anyone who has written to express interest in the project. The draft scope is also

made available to the general public via the Department of City Planning's website. CEQR requires a public scoping meeting. Under CEQR, involved governmental agencies and the public are given the opportunity to provide comments on the draft scoping document for the EIS. After considering such comments, the lead agency prepares and issues a final scoping document.

For the Draft Environmental Impact Statement (DEIS), a Draft Scoping Document was issued by the lead agency on October 19, 2007. The period for interested and involved agencies and the public to review and comment on the Draft Scoping Document was held open through November 29, 2007, including a public scoping meeting held on November 19, 2007 at the Evangel Church Meeting Hall (39-21 Crescent Street, Long Island City, New York). A Final Scoping Document was ~~issued~~ completed on March 11, 2008 (see Appendix H).

PREPARATION OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

The DEIS was prepared in accordance with the Final Scoping Document and following the methodologies and criteria for determining significant impact in the *CEQR Technical Manual*. It is a comprehensive document used to systematically consider the expected environmental effects of the proposed project, evaluate reasonable alternatives, and identify mitigation measures that, to the maximum extent practicable, can address any potentially significant adverse environmental impacts of the proposed project. The lead agency reviews all aspects of the document to determine its adequacy and adherence to the work effort outlined in the Final Scoping Document. Once the lead agency is satisfied that the DEIS is complete for purposes of public review, it issues a Notice of Completion and circulates the DEIS for public review.

Circulation of the DEIS marks the beginning of a public review period, during which time a public hearing will be held to solicit comments on the DEIS. The completion of the DEIS also allows certification of the applications for zoning text and map amendments to occur to start the ULURP process as discussed in more detail below.

Once the lead agency issues the DEIS Notice of Completion and the ULURP applications are certified, the formal public review period under ULURP begins.

The Notice of Completion for the DEIS was issued on May ~~19~~ 16, 2008. The zoning text and map amendments were certified on May 19, 2008, marking the beginning of the public review period for ULURP.

PUBLIC REVIEW

Publication of the DEIS and issuance of the Notice of Completion commences the public review period. During this time, which must extend for a minimum of 30 days, the public may review and comment on the DEIS, either in writing or at a public hearing convened for the purpose of receiving such comments. The lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comment for at least ten days following the close of the hearing. All substantive comments received during the public review process become part of the record and are summarized and responded to in the Final EIS.

Notice of the public hearing was posted in the New York Sun on July 7, 2008. A public hearing on the DEIS was held on Wednesday, July 23, 2008 at 10:00 AM in Spector Hall, at the Department of City Planning located at 22 Reade Street, New York, New York. The comment period was held open until

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August 4, 2008. Comments received at the public hearing and during the comment period have been summarized incorporated into Chapter 26, "Response to Comments".

PREPARATION AND COMPLETION OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT

After the close of the public comment period for the DEIS, the lead agency prepares the Final Environmental Impact Statement (FEIS). The FEIS must include a summary of the substantive comments received and the lead agency's responses to these comments. When the lead agency has reviewed the FEIS and determines it is a complete and adequate document, a Notice of Completion on the FEIS is issued. The completed FEIS is available for review and comment for a minimum of ten days, after which the lead agency and the involved agencies can make their respective findings as to the expected environmental impacts of the proposed project.

STATEMENT OF FINDINGS

The lead agency and each involved agency must adopt a formal set of written findings based on the FEIS and reflecting its conclusions about the potential significant environmental impacts of the proposed project, potential alternatives, and potential mitigation measures. The Statement of Findings (SOF) may not be adopted until ten days after the Notice of Completion has been issued for the FEIS. Once the findings are adopted, the CEQR process is completed, and the lead agency and involved agencies may begin to implement the proposed project in the selected alternative.

COORDINATION WITH OTHER REVIEW PROCESSES

The CEQR process is intended to provide decision-makers with an understanding of the environmental consequences of proposed actions presented before an agency. Often, the environmental review process is integrated and coordinated with other decision-making processes utilized by government agencies. As defined below, for the proposed project, the other public process necessary to implement the project is ULURP.

UNIFORM LAND USE REVIEW PROCEDURE

The city's Uniform Land Use Review Procedure (ULURP) establishes a standardized procedure whereby applications affecting land use in the city are publicly reviewed. ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specifically designed to allow public review of proposed actions at four levels: Community Board, Borough President, CPC, and City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The process begins with certification by CPC that the ULURP application is complete; certification will be made when there is compliance with CEQR, in this case, upon issuance of the Notice of Completion for the DEIS. The application is then referred to the relevant Community Board(s) (for the proposed project, Queens Community Board 1). The Community Board(s) have up to 60 days to review and discuss the proposal, hold a public hearing, and adopt a recommendation regarding the actions. Once this is complete, the Borough President has up to 30 days to review the ULURP application and issue a recommendation. CPC then has up to 60 days for review of the application, during which time a public hearing is held. Typically, this hearing also serves as the CEQR hearing on the DEIS. Comments made at the DEIS public hearing are incorporated into an FEIS. In compliance with the CEQR requirement that findings and decision must wait ten days after the Notice of Completion, the FEIS must be completed at

least ten days before the CPC makes any decisions. In the event that the CPC votes to approve the application or to approve it with modifications, the CPC files its decision with the City Council and sends copies to the affected Community Board(s) and Borough President (and Borough Board if necessary). Within 50 days of filing with the Council, the Council holds a public hearing and takes final action on the decision. The Council can approve, approve with modifications, or disapprove the application(s). In the event that the Council approves with modifications, the timeframe for actions may be extended from 50 to 65 days. The City Charter enables the Mayor to veto a Council action within five days of the Council's decision. The Council, by a 2/3 vote; can override a Mayoral veto within ten days.

The zoning map amendments and text amendments associated with the proposed project are subject to ULURP. The zoning map amendments are subject to review by CPC and City Council under Sections 200 and 201 of the New York City Charter. Zoning text amendments are not subject to ULURP, but in this case, will be reviewed concurrently with the related ULURP actions.

The ULURP application for the Dutch Kills Rezoning and Related Actions project was certified by the CPC on May 19, 2008. The application was then referred to Queens Community Board 1 who held a public hearing and voted to approve the proposed project with conditions on June 17, 2008. The project was then reviewed by the Queens Borough President's Office who voted to approve the proposed project with conditions on July 10, 2008. As stated above, the CPC held a public hearing on the proposed project July 23, 2008. It is anticipated that the CPC will vote on the proposed project September 8, 2008.

G. FRAMEWORK FOR ENVIRONMENTAL ANALYSIS

SCOPE OF ENVIRONMENTAL ANALYSIS

As set forth in the Positive Declaration, the lead agency has determined that the size and scope of the proposed action may result in one or more significant adverse environmental impacts and thus requires preparation of an EIS. This document uses the methodologies and follows the guidelines set forth in the *CEQR Technical Manual*. These are generally considered to be the most appropriate technical analysis methods and guidelines for environmental impact assessment of projects in New York City and are consistent with SEQRA.

For each technical analysis in this DEIS, the assessment includes a description of existing conditions, an assessment of conditions in the future without the proposed action (the "No Build Condition") for the year that the action is expected for completion, and an assessment of conditions for the same year with the proposed action fully constructed, implemented and operational (the "Build Condition"). Identification and evaluation of impacts of the proposed action are based on the change (i.e., incremental difference) from the No Build Condition to the Build Condition. The No Build Condition reflects a continuation of most existing conditions that the proposed project is intended to address and improve.

Each technical analysis chapter of this DEIS also describes the methodology used to assess impacts to that particular resource, identifies the affected environment, assesses potential environmental impacts on the resource, and identifies opportunities and measures to mitigate adverse impacts, if any. Geographic study areas for each environmental resource are defined in each resource analysis chapter, consistent with the reasonably expected geographic extent of potential impacts on the given resource.

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ANALYSIS YEAR

The proposed action which is the subject of this document has multiple elements that will be developed or implemented over a period of approximately ten years. In such cases, the *CEQR Technical Manual* suggests that one analysis year be established based on the anticipated first full year of operation of a proposed element or, in the case of an area-wide rezoning, the year in which a substantial level of the development allowed under the proposed rezoning would be anticipated. In this ~~D~~EIS, the No Build and Build Condition are assessed for the year 2017.

STUDY AREAS

Impact assessments were completed for appropriate study areas (including primary and secondary study areas as appropriate), the boundaries of which are defined in the individual technical chapters of this ~~D~~EIS. It is anticipated that the principal effects of the proposed action would occur in the areas closest to the project area (i.e., within the primary study area). However, adverse impacts on certain resources may occur in the secondary study area as well. The methods and study areas for addressing these impacts are discussed in the individual technical chapters. Primary study areas are typically assessed at a greater level of detail than secondary study areas.

EXISTING CONDITIONS

For each technical area assessed in the EIS, the existing conditions must first be described. The assessment of existing conditions establishes a baseline, not against which the project is measured, but from which future conditions can be projected. The prediction of future conditions begins with an assessment of existing conditions because these can be measured and observed. Studies of existing conditions are generally selected for the reasonable worst-case conditions. For example, the periods when the greatest number of new vehicular, pedestrian and transit trips to and from a project site would occur are measured for the traffic analysis. The project impacts are then assessed for those same traffic peak periods.

THE FUTURE CONDITION WITHOUT THE PROPOSED ACTIONS

The future conditions without the proposed actions provides a baseline condition that is evaluated and compared to the incremental changes due to the proposed project. The future conditions without the proposed actions is assessed for the same analysis year (2017) as the proposed project.

The future conditions without the proposed actions uses existing conditions as a baseline and adds to it changes known or expected to be in place at various times in the future. For many technical areas, the future conditions without the proposed actions incorporates known development projects that are likely to be built by the analysis year. This includes development currently under construction or which can be reasonably anticipated. For some technical areas such as traffic, the future conditions without the proposed actions analyses use an additional background growth factor to account for a general increase in population expected in the future. Such growth factors may also be used in the absence of known development projects.

THE FUTURE CONDITION WITH THE PROPOSED ACTIONS

For purposes of providing an assessment of the reasonable worst-case impacts that may occur as a result of the proposed actions, a reasonable worst-case development scenario (RWCDS) was identified for the

2017 build year. The RWCDS includes the development reasonably expected to be completed in the entire rezoning area, as described in the introduction of this chapter.

Both projected and potential development sites are evaluated as appropriate in the EIS. This document analyzes the projected development sites for all categories of concern (e.g. noise, air quality, and traffic). Potential development sites were evaluated for effects that would be site-specific to their location, including urban design, shadows, architectural resources, archaeological resources, hazardous materials, air quality, and noise.