



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

May 12, 2017

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

The Boulevard at Hylan Plaza

Project Identification

CEQR No. 17DCP031R
ULURP Nos. N170197ZAR, N170198 ZAR,
N170199 ZCR

Lead Agency

City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271
SEQRA Classification: Type I

Contact Person

Robert Dobruskin, AICP, Director (212) 720-3423
Environmental Assessment and Review Division
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the proposed actions described below. The proposal involves actions by the City Planning Commission of the City of New York. Copies of the FEIS are available for public inspection at the office of the undersigned. A public hearing on the DEIS was held on April 5, 2017. Written comments on the DEIS were requested and accepted by the Lead Agency until April 17, 2017.

INTRODUCTION

The FEIS was prepared to evaluate the potential for significant environmental impacts associated with the proposal by the applicant, Hylan Plaza 1339, LLC, to reconfigure and enlarge an existing commercial center currently known as the Hylan Plaza Shopping Center, located at 2600 Hylan Boulevard (Block 3969, Lots 1, 6, 31, and 35) in the New Dorp Beach neighborhood of Staten Island Community District 2. The 23.7-acre project site for the proposed project is located in a C4-1 zoning district and is bounded by Hylan Boulevard, Ebbitts Street, Mill Road, and Dartmouth Loop.

The proposed actions include zoning authorizations pursuant to Section 36-023 of the New York City Zoning Resolution (ZR) for a group parking facility accessory to a commercial enlargement on a zoning

Robert Dobruskin, AICP, *Director*
Olga Abinader, *Deputy Director*
120 Broadway, 31st Floor, New York, N.Y. 10271
(212) 720-3423 FAX (212) 720-3485
rdobrus@planning.nyc.gov

lot in excess of 4 acres in a C4-1 zoning district and for a reduction of the parking requirement of ZR Section 36-21. The project would also require a certification of cross-access easements pursuant to ZR Sections 36-592 and 36-596(a); this certification is a ministerial action and is not subject to environmental review. The proposed actions would facilitate a proposal by the applicant to demolish an approximately 290,100-gross-square-foot (gsf) portion of the existing 362,462-gsf commercial center and construct in its place approximately 386,705 gsf of new retail structures, including: approximately 240,612 gsf of local and destination retail uses (Use Group 6 or 10, depending on the retail use and size of establishment), approximately 41,030 gsf of Use Group 8 cinema uses, and approximately 23,159 gsf of receiving/common areas for the proposed retail uses. The applicant intends the additional space to be occupied by: a supermarket (Use Group 6); cinema (Use Group 8); restaurant space (Use Group 6); department store retail uses (Use Group 10); other non-department store retail uses (Use Group 6 or 10, depending on the size and type of establishment); receiving/common areas. Prior to the completion of the DEIS the Applicant was approached by a potential tenant to operate a health club (physical culture or health establishment); this would require a separate approval from the New York City Board of Standards and Appeals (BSA). Potential impacts associated with the health club were not fully analyzed in the DEIS, but were evaluated between draft and final of this Environmental Impact Statement (EIS) and additional analyses were provided as part of the FEIS.

In conjunction with the retail enlargement, the project would also reconfigure and landscape the project site's parking areas. As described in more detail below, the overall number of parking spaces provided on the project site would increase by 239 spaces (from an existing 1,414 spaces to the proposed 1,653 spaces.) The proposed actions would facilitate the applicant's proposal by allowing the reconfiguration of the existing parking lot to create the building footprints for the commercial enlargement, which requires a reduction in the amount of parking at the site. It is anticipated that the proposed project would be completed by 2019.

PROJECT DESCRIPTION

PROPOSED ACTIONS

The applicant is seeking zoning authorizations pursuant to the ZR Section 36-023 for:

- 1) Approval of the layout of a group parking facility accessory to a commercial development; and
- 2) A reduction by up to 50 percent of the ZR Section 36-21 parking requirement.

In addition, the applicant is seeking a cross-access easement certification pursuant to: ZR Section 36-592 to certify that cross-access connections have been provided (for locations where they are required). In the Borough of Staten Island, existing or new open parking lots adjacent to one another on the same or separate zoning lots shall be required to provide vehicular passageways between such open parking lots, referred to as "cross access connections." This certification is a ministerial action and not subject to environmental review.

The applicant may also seek a special permit from the BSA to locate and operate a physical culture establishment (in this case, a health club) as part of the proposed project.

(E) DESIGNATION

The proposed project would assign (E) Designation (E-414) to the project site to avoid significant adverse hazardous materials impacts. An (E) designation is a mechanism that ensures no significant adverse impacts would result from the proposed project because of procedures that would be undertaken as part of the development of the project site. The E-Designation will require that construction and remediation is conducted in accordance with an New York City Office of Environmental Remediation (OER) approved Remedial Action Work Plan (RAWP) and associated Construction Health and Safety Plan (CHASP), and

a post-construction Remedial Closure Report (RCR) documenting compliance with the RAWP/CHASP be submitted for OER review and approval.

DESCRIPTION OF THE PROJECT SITE

The Hylan Plaza Shopping Center is a regional shopping center consisting of local- and regional-serving retail stores arranged within one-story retail structures fronted by surface parking. Current tenants include a K-mart department store, a Toys“R”Us/Babies“R”Us, a United Artists Movie Theater, a Modell’s sporting goods store, and a CVS pharmacy among other uses. In late 2015 an approximately 60,000-gsf space in the shopping center was vacated by Pathmark Supermarket; this space is currently vacant. The shopping center comprises four tax lots:

- Tax lot 1, which includes surface parking, a one-story retail building (currently occupied by Modell’s) that would remain on the project site in the future with the proposed actions¹, and a portion of the existing one-story retail building that would be demolished in the future with the proposed actions;
- Tax lot 6, which includes a one-story retail building (currently occupied by CVS) that would remain on the project site in the future with the proposed actions and an accompanying surface parking lot;
- Tax lot 31, which includes surface parking and the remaining portion of the one-story retail building that would be demolished in the future with the proposed actions; and
- Tax lot 35, which includes a one-story retail structure (currently occupied by multiple retail tenants) that would remain on the project site in the future with the proposed actions and an accompanying surface parking lot.

The project site (Staten Island Block 3969, Lots 1, 6, 31, and 35) is a 1,033,946-sf, approximately 23.7-acre site generally bounded by Hylan Boulevard, Ebbitts Street, Mill Road, and commercial and residential properties lots (properties) to the north. The project site is located within a C4-1 zoning district, and contains 362,462 sf of retail uses and 1,414 parking spaces. The existing retail uses on the project site are Use Group 6, Use Group 8 and Use Group 10. There are an estimated 632 workers on the project site.

PRIOR CITY PLANNING COMMISSION (CPC) APPROVALS

Prior CPC approvals on the site include:

- (1) Authorization pursuant to ZR 36-023 for reduction of on-site parking requirement to facilitate the provision of approximately 34,500 sf of additional retail space on the subject site. This project, N000213ZAR, was approved by CPC in October 2001. The 46 percent parking reduction allowed 1,522 required parking spaces. Environmental review was completed under City Environmental Quality Review (CEQR) #00DCP010R.
 - The shopping center, originally built in 1958, had 347,997 square feet of floor area and 1,448 accessory parking spaces prior to CPC approval of this 2001 authorization. The expansion approved in 2001 permitted 32,433 additional square feet of floor area and a 46 percent parking reduction from the Section 36-21 requirements to allow 1,522 required parking spaces.
- (2) Minor modification, M000213(A) ZAR, to the 2001 site plan further reduced the on-site parking requirement. CPC approved this project in 2011. The modification allowed 1,540

¹ In the future with the proposed actions 5,680 gsf of existing below-grade retail space in this one-story retail building would be decommissioned.

required parking spaces, a 37.2 percent parking reduction. Environmental review was completed under CEQR #10DCP026R.

- o The modification was sought as the 2001 approved expansion was only partially built. Of the additional 32,433 sf of floor area approved in 2001, 25,300 sf were not built. The M000213AZAR modification application was determined to be consistent with the 2001 approval and was approved by the CPC on January 24, 2011.
- o This modification eliminated the possibility of building the remaining 25,300 sf of floor area. It permitted replacement of an 11,392-sf building with a 13,044-sf building. The approved floor area was reduced to 356,782 sf. Required accessory parking was increased from 1,522 spaces to 1,540 spaces, a 37.2-percent parking requirement reduction from the Section 36-21 requirement.

DESCRIPTION OF THE PROPOSED PROJECT

RETAIL PROGRAM

Approval of the proposed actions would facilitate the demolition of an approximately 290,100-gsf portion of existing retail and cinema uses at the project site, and the development of approximately 386,705 gsf of new retail, cinema, and receiving/common area uses, for a net increase of approximately 96,617 gsf. Uses within the building that would be demolished are (in approximate sf): a 59,800-gsf vacant supermarket; a 17,300-gsf, 700-seat cinema; and 212,900 gsf of department store and smaller retail establishments, including restaurants and possibly a health club. The uses within the proposed two-story retail buildings are intended to include: a 76,769-gsf supermarket on the ground floor; a 41,030-gsf, 1,000-seat cinema on the second floor; 68,686 gsf of smaller-format non-department store retail and restaurants on the ground floor; 171,926 gsf of larger-format retail stores, restaurants and possibly a health club on the second floor; and 23,159 gsf of receiving/common areas. The proposed new retail uses also would include a new 5,135-gsf single-story retail pad near the project site entrance at Hylan Boulevard. The retail components within the existing shopping center, within the building proposed to be demolished, and within the proposed new buildings are shown in **Table 1**.

Also shown in **Table 1** is the increment between the No Action condition (which is the existing condition) and the With Action condition (which is the future condition with the proposed actions). With the proposed actions, the amount of destination retail would increase by 55,961 gsf (and would include 23,159 gsf of receiving areas), supermarket space would increase by 16,960 gsf and cinema space would increase by 23,696 gsf. The overall incidental change between the No Action and the With Action condition is 96,617 gsf.

Use Group 6 includes a wide variety of local retail stores and personal service establishments. Examples of such uses include gift shops, toy stores, candy stores, clothing stores of 10,000 sf or less, furniture stores of 10,000 sf or less, and eating and drinking establishments with a capacity of 200 patrons or fewer and supermarkets. Use Group 8 primarily includes amusement uses such as cinemas and bowling alleys, and service establishments, such as automobile driving schools and television repair shops. Use Group 10 includes large retail uses intended to serve a wide area, including department stores, wholesale stores, and large clothing or furniture stores.

Table 1
Proposed Development Program – Retail Components

Proposed Use	ZR Use Group ¹	Existing Floor Area (GSF)	Proposed Floor Area to be Demolished (GSF)	Proposed New Retail Development (GSF)	Total With Proposed Actions (GSF)	Net Addition with Proposed Actions (GSF)
Destination Retail	6/10	285,319	212,945	268,906 ²	341,280 ²	55,961 ²
Supermarket	6	59,809	59,809	76,769	76,769	16,960
Cinema	8	17,334	17,334	41,030	41,030	23,696
TOTAL		362,462	290,088	386,705	459,079	96,617
Notes: 1. Retail establishments could fall into Use Groups 6 or 10. 2. Proposed destination retail amounts account for a reduction of 5,680 gsf of retail space associated with the decommissioning of below-grade retail space at a one-story retail building currently occupied by Modell's Sporting Goods. Proposed destination retail amount includes 23,159 gsf of receiving/common areas for the proposed retail uses. Proposed destination retail amount also could include an approximately 37,500-gsf health club, which is defined by the ZR as a physical culture or health establishment.						
Sources: S9 Architects and Hylan Plaza 1339, LLC.						

PARKING

As noted above, the project site is located within a C4-1 zoning district. According to Section 36-21 of the Zoning Resolution, C4-1 zoning districts require one accessory parking space for every 150 sf of floor area for retail/service uses. For other uses, one parking space must be provided for every 100 sf of floor area for supermarket uses and for every 4 cinema seats. As shown in **Table 2**, for the existing development on the project site, a total of 2,454 spaces would be required based on C4-1 zoning requirements; however, as part of a previously-approved authorization, the project site received a reduction in required parking to facilitate the existing development.

To accommodate the development of the proposed project, the existing surface parking areas would be substantially reconfigured and landscaped, requiring the temporary displacement of parking spaces during the demolition of the existing retail building, and during construction of the proposed project.

Upon completion, the proposed project would provide an estimated 1,653 spaces (a net increase of 239 parking spaces as compared to existing parking). Approximately 225 of the 1,653 spaces would be provided as part of a new parking deck located at the second level of the proposed Building F, partially above the contemplated grocery store use and partially above the at-grade parking in the rear of Building F. Pedestrians would access the parking deck at ground level through a parking lobby located at the southwest corner of the contemplated grocery store building via elevators and convenience stair. A second point of access would be provided by pedestrian walkway from the second level pedestrian gallery/circulation at the main entrances of Building F. There would be another convenience stair at the east side of the parking deck that also connects the parking with at-grade parking, and provides an access to the main circulation spine through the alley between portions of the ground floor retail of Building F.

As shown in **Table 2**, the 1,653 parking spaces proposed would be approximately 50 percent fewer than the 3,293 spaces required by Section 36-21; thus an approximate 50 percent reduction in required spaces is requested by the applicant.

**Table 2
 Parking Calculations**

	Existing	Proposed	Net Addition
Total Site Building Area	362,462 gsf¹	459,079² gsf	96,617² gsf
Total Retail	285,319 gsf	341,280 ³ gsf	55,961 gsf
Total Grocery/Food Store	59,809 gsf	76,769 gsf	16,960 gsf
Total Cinema	700 seats	1,000 seats	300 seats
Parking Provided	1,414⁴	1,653 spaces	239 spaces
Notes: 1. Totals are from plan previously approved by the New York City Department of City Planning (DCP). 2. Proposed destination retail amounts account for a reduction of 5,680 gsf of retail space associated with the decommissioning of below-grade retail space at a one-story retail building currently occupied by Modell's Sporting Goods. 3. Proposed retail amount includes approximately 23,159 gsf of common/receiving areas, and also could include an approximately 37,500-gsf health club, which is defined by the ZR as a physical culture or health establishment and has the same parking requirements as retail. 4. Actual number of parking spaces based on survey of existing shopping center.			
Source: S9 Architects and Hylan Plaza 1339, LLC.			

SITE ACCESS AND CIRCULATION

The proposed project site would be accessed as follows:

- At Hylan Boulevard, from two existing curb cuts: one curb cut at the existing traffic signal at the proposed two-way internal drive that is designed to be the main entrance to the site; the second is near the existing CVS building.
- At Ebbits Street from two existing curb cuts and one proposed curb cut: one existing curb cut connects the drive in front of the Grocery with the western roundabout; the other existing curb cut provides easy access to Building F loading and parking at the back of Building F; and a proposed curb cut near the corner of Ebbits Street and Mill Road. In order to reduce the potential for pedestrian conflicts, at the curb cut along Ebbits Street closest to Mill Road tractor trailers would be restricted between the hours of 10am and 10pm, unless accompanied by a flagger.
- At Mill Road from one existing and three proposed curb cuts: the existing curb cut at the North property line connects the parking and loading of Building G; one proposed curb cut in the middle of the property would connect to the main circulation spine and angled parking and roundabouts in front of main entrances of Buildings G and F; and two other proposed curb cuts would provide access directly to and from the parking field at the back of Buildings G and F. Both at-grade parking areas are partially covered and connected to the main circulation spine by vehicular and pedestrian access through the breezeways at Buildings G and F.

LANDSCAPING PLAN

The proposed project would include landscape improvements throughout the project's site surface parking areas in compliance with the requirements of the Zoning Resolution, including planting new trees. These trees would be planted in areas including the perimeter of the proposed parking structure, as well as within and along the edges of various parking areas.

BUILD YEAR

Assuming commencement of construction by or before early 2018, and an estimated 20-month, single-phase construction period, the proposed project is expected to be complete and occupied by or before 2019. Although the applicant would not be obligated to retain required parking spaces during the construction period, spaces would be retained or replaced on a temporary basis, to the extent practicable. For the purposes of analyzing the Reasonable Worst-Case Development Scenario (RWCDs), a future build year of 2019 will be examined to assess the potential impacts of the proposed project.

PURPOSE AND NEED OF THE PROPOSED ACTIONS

The proposed actions are necessary to facilitate new commercial development on the project site. Without the proposed approval of parking facility layout and relief from requirements regarding the provision of off-street accessory parking, no new development could occur on the project site, even though development on the site is substantially below the maximum allowable floor area ratio (FAR). In fact, the proposed enlargement and reconfiguration would trigger the need for authorization approval, regardless of parking requirements. Currently, despite the commercial success of the shopping center, the applicant believes that the existing retail layout is insufficient.

The proposed project would be built on the site of an existing commercial center, and would therefore not require major new infrastructure. The site is accessible to major roadways, including Hylan Boulevard, and is located near eastern Staten Island's numerous residential neighborhoods.

Without the proposed zoning authorizations to approve the proposed site plan and reduce the amount of parking required on the site, the proposed project could not be built.

DEVELOPMENT SITES

The proposed actions would be limited to the project site, which is controlled by the applicant. No other projected or potential development sites would be affected by the proposed actions.

FRAMEWORK FOR ANALYSIS

The 2014 *CEQR Technical Manual* serves as the general guide on the methodologies and impact criteria for evaluating the proposed project's potential effects on the various environmental areas of analysis. As noted above, the proposed project is expected to be complete and occupied by 2019. Because the proposed project is anticipated to be fully operational in 2019, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess current conditions and forecast these conditions to 2019 for the purposes of determining potential impacts. Specifically, the EIS provides a description of "Existing Conditions" and forecasts these conditions to the future 2019 analysis year without and with the proposed project ("No Action" and "With Action" conditions, respectively).

To forecast the No Action condition, information on known land-use proposals, are incorporated. The differences between No Action and With Action conditions are assessed to determine whether such differences are adverse and/or significant; and any significant adverse environmental impacts are disclosed.

Based on the preliminary screening assessments provided as part of the EAS form, the following environmental areas did not require supplemental analysis: community facilities; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; water and sewer infrastructure; solid waste and sanitation services; energy; greenhouse gas emissions; public health; neighborhood character; and construction impacts.

The RWCDs for the purpose of analyzing the potential environmental impacts of the proposed project is described below, including the No Action scenario and the With Action scenario.

NO ACTION SCENARIO

No new development is anticipated to occur on the project site absent the proposed actions. Any development, including changes to the parking site plan, would require an authorization pursuant to ZR Section 36-023, which is a discretionary action and subject to environmental review. Therefore, in the future without the proposed actions the conditions on the project site are expected to remain unchanged from existing conditions, with the exception of the now-vacant supermarket space. Absent the proposed actions it is assumed that the vacant, approximately 60,000-gsf space would be re-tenanted by another grocery store use. The FAR on the project site would continue to be 0.345. Project site conditions under the No Action Scenario are summarized in **Table 3**.

**Table 3
 No Action Scenario**

Site	Total GSF	Retail GSF	Office GSF	Community Facility GSF	Residential GSF	# Residential Units	# Public Parking Spaces
Block 3969, Lots 1, 6, 31, and 35	362,462	362,462	0	0	0	0	1,414

WITH ACTION SCENARIO

Table 4 summarizes project site conditions in the future with the proposed actions (With Action scenario). In total, the project would contain 459,079 sf of retail uses and 1,653 parking spaces, which represents a 96,617-sf increase in retail space and a 239-space increase in parking as compared to the No Action scenario.

**Table 4
 With Action Scenario**

Site	Total GSF	Retail GSF	Office GSF	Community Facility GSF	Residential GSF	# Residential Units	# Public Parking Spaces
Block 3969, Lots 1, 6, 31, and 35	459,079	459,079*	0	0	0	0	1,653

*Note: Proposed retail amount includes approximately 23,159 gsf of common/receiving areas.
 Source: S9 Architects and Hylan Plaza 1339, LLC. (March 25th, 2016)

The proposed actions would facilitate the applicant’s proposal by allowing the reconfiguration of the existing parking lot to create the building footprints for the commercial enlargement, which requires a reduction in the amount of parking at the site. The proposed enlargement would be limited to the building footprints and the layout and number of parking spaces shown on the authorized site plan, which limits the floor area that may be developed on the site. Substantial deviation from the site plan by reconfiguring the layout of the parking spaces, providing a lower percentage of parking, or shifting the building footprints would require the applicant to seek an additional authorization pursuant to ZR Section 36-023. However, the site plan does not set the size and location of the proposed Use Groups 6, 8, and 10 and allows flexibility for where the uses would be located within the proposed footprints. For instance: the proposed cinema (UG-8) could be sited at another location on the second floor of that proposed building (Building G) or on the second floor of the

proposed Building F; or the larger-format retail stores envisioned on the second floor of the proposed retail buildings could be redesigned within the same footprint to provide for a greater number of smaller-format stores.

In order to provide a conservative environmental review, a RWCDs for the With Action scenario was developed based on the incremental development attributable to the proposed actions (i.e., the proposed new retail development, after discounting for the existing uses within the building to be demolished), and based on the size and distribution of typical retail uses in similar developments that generate a high number of vehicle trips. The incremental development associated with the proposed actions is shown in **Table 5**. Using the 96,617 gsf project increment, the specific retail types assumed for the RWCDs program increment are as follows: 32,802 gsf of destination retail uses (UG 6 or 10, depending on the retail use and size of establishment); 16,960 gsf of supermarket use (UG-6); 23,696 gsf (300 seats) of cinema space (UG-8); and 23,159 gsf of receiving/common area (see **Table 6**).

Table 5
Summary of Incremental Development Associated with the Proposed Actions

Block/Lot	Project Info	Existing Condition	No Action Condition	With Action Condition	Increment
3969/ 1, 6, 31, 35	Zoning Lot Size (SF)	1,033,946	1,033,946	1,033,946	0
	GSF Above Grade	356,782	1,228,814	459,070	96,617
	GSF Below Grade	5,680	5,680	0	-5,680
	Commercial GSF	362,462	362,462	459,079	96,617
	Uses	Retail (UG 6, 8, 10)	Retail (UG 6, 8, 10)	Retail (UG 6, 8, 10)	0
	Community Fac. GSF	0	0	0	0
	Residential GSF	0	0	0	0
	Manufacturing GSF	0	0	0	0
	Dwelling Units	0	0	0	0
	Affordable Dwelling Units	0	0	0	0
	Accessory Parking Spaces	1,414	1,414	1,653	+239
	Building Height	Up to 35'	Up to 35'	Up to 88'	Up to 53'
	Workers ¹	±632	±893	±1,224	±331
	TOTAL GSF	362,462	362,462	459,070	96,617

Notes: ¹Worker assumptions use the following standard industry employment densities which are frequently utilized in environmental review documents: non-department store (in-line) retail = 1 worker/400 gsf; large-format and department store retail = 1 worker/500 gsf; restaurant = 1 worker/200 gsf; supermarket = 1 worker/250 gsf; cinema employment estimated (30 in Existing and No-Action, 40 in With-Action) based on size, hours, and comparable theaters.

**Table 6
 RWCDs Program Assumptions**

Use	No Action Scenario Floor Area (GSF)	With Action Scenario Floor Area (GSF)	With Action Increment (GSF)
Destination Retail	285,319	318,121 ¹	32,802
Supermarket	59,809	76,769	16,960
Cinema	17,334 (700 seats)	41,030 (1,000 seats)	23,696 (300 seats)
Receiving/Common Areas	0	23,159	23,159
TOTAL	362,462	459,079	96,617
Note:	1. Proposed destination retail amount accounts for a reduction of 5,680 gsf of retail space associated with the decommissioning of below-grade retail space at a one-story retail building currently occupied by Modell's Sporting Goods. Proposed destination retail amount could include an approximately 37,500-gsf health club, which is defined by the ZR as a physical culture or health establishment.		
Source:	S9 Architects and Hylan Plaza 1339, LLC. (March 25th, 2016)		

PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

The analysis finds that the proposed project would not result in any significant adverse impacts to land use, zoning, and public policy.

The new uses introduced by the proposed project would be consistent with existing uses on the project site. While the proposed project could include in a health club, which is a use not present on the project site, this use would be compatible with other uses and would not result in any land use conflicts. The replacement of certain underutilized parking areas with active commercial uses would not be considered an adverse land use change. The proposed project would not alter the land use mix of the study area—which would continue to be characterized by a concentration of regional commercial uses—and the portions of the study area containing low- and medium-density residential communities would not be affected by the proposed project.

In the Future with the proposed project, the overall number of parking spaces provided on the project site would increase by 239 spaces (from an existing 1,414 spaces to the proposed 1,653 spaces). The proposed actions would facilitate the applicant's proposal by allowing the reconfiguration of the existing parking lot to create the building footprints for the commercial enlargement, which requires the reconfiguration of parking at the site. The proposed supply of parking at the project site would be adequate to fulfill future needs with the proposed project. The proposed actions would apply only to the project site and would have no effect on zoning in the surrounding area. In addition, the proposed project would be consistent with the relevant policies of the City's WRP, as it would result in commercial development in an appropriate area, and would incorporate measures to avoid impacts related to hazardous materials. Therefore, the proposed project would not result in any significant adverse impacts to land use, zoning, and public policy.

HAZARDOUS MATERIALS

The hazardous materials assessment identified various potential sources of contamination on, or in close proximity to, the proposed project. Potential sources identified included: a former on-site underground

storage tank (UST), past and current commercial/automotive repair uses, the past storage of hazardous waste on-site, and an on-site dry cleaning facility. Subsequent subsurface testing identified concentrations of organic compounds and metals in soil consistent with the presence of urban fill and/or natural background levels; however, no evidence of a significant release was detected. Groundwater testing analytical results did not detect significant contamination. Elevated concentrations of chlorinated-solvents were detected in soil vapor, likely from a combination of past on- and off-site dry cleaning and other commercial operations.

To avoid the potential for adverse impacts associated with new construction resulting from the proposed project, the property has been assigned an E-Designation for hazardous materials (E-414), which will require that construction and remediation will be conducted in accordance with an OER-approved Remedial Action Work Plan (RAWP) and associated Construction Health and Safety Plan (CHASP), and a post-construction Remedial Closure Report (RCR) documenting compliance with the RAWP/CHASP be submitted for OER for review and approval. The RAWP would include requirements for engineering controls, as necessary, to prevent soil vapor migration into future on-site buildings.

Based on the age of the buildings there is a 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 management and disposal of such materials prior to or during demolition would continue to be followed.

With the implementation of the measures, the proposed project would not result in any significant adverse impacts with respect to hazardous materials.

TRANSPORTATION

TRAFFIC

The proposed project would generate 193 vehicles per hour (vph) (92 “ins” and 101 “outs”) in the weekday midday peak hour; 198 vph (96 “ins” and 102 “outs”) in the weekday PM peak hour; and 272 vph (141 “ins” and 131 “outs”) during the Saturday midday peak hour.

Of the 10 study area intersections analyzed (nine signalized and one unsignalized intersections), the proposed project would create significant traffic impacts at five in the weekday midday peak hour; seven in the weekday PM peak hour; and seven in the Saturday midday peak hour.

PARKING

The proposed project would provide an additional 239 new parking spaces to the existing on-site parking lot and would accommodate all project-generated parking needs. The existing parking is underutilized, and the Applicant is seeking to reduce the parking requirement by approximately 50 percent from the zoning requirements. A parking analysis was performed to determine whether the projected parking demand associated with the future shopping center expansion could be accommodated. The findings of the analysis determined that the future weekday peak parking demand (approximately 564 parking spaces, 34 percent occupancy), and the future Saturday peak parking demand (approximately 622 parking spaces, 38 percent occupancy), could be accommodated on-site with the reduced parking requirements.

TRANSIT

A trip generation screening assessment was performed and shows that the number of bus and subway person trips expected to be generated by the proposed project would not have the potential for significant adverse bus or subway impacts. Therefore, no detailed analysis was warranted.

PEDESTRIANS

A trip generation screening assessment was performed and shows that the number pedestrian trips expected to be generated by the proposed project would not have the potential for significant adverse impacts. Therefore, no detailed analysis was warranted.

VEHICULAR AND PEDESTRIAN SAFETY

Per New York City Department of Transportation (NYCDOT) criteria, one of the 10 intersections analyzed is considered a high accident location. The Hylan Boulevard and Ebbitts Street intersection had six pedestrian/bicyclist-related crashes in 2013. Traffic improvement measures in the form of signal phasing modifications were implemented at this intersection by NYCDOT and are expected to improve safety conditions at this intersection. No additional measures were identified.

AIR QUALITY

The air quality analysis examined the potential effect of the proposed parking expansion and fuel fired heating systems associated with the proposed project. The analysis for the parking expansion and heating systems determined that there would not be any potential significant adverse air quality impacts from the proposed actions. Since the proposed project would not exceed thresholds for mobile source analyses, no mobile source analysis is required, and the proposed project would not have any significant impact on air quality from mobile sources. Overall, the project would not have any significant adverse impact on air quality.

NOISE

The proposed project would not generate sufficient traffic to have the potential to cause a significant adverse noise impact. The building's mechanical systems would be designed to meet all applicable noise regulations. Therefore, the proposed project would not result in any significant adverse noise impacts related to building mechanical equipment.

Due to existing high levels of ambient noise in the area, building attenuation would be required to ensure that interior noise levels meet CEQR criteria. The proposed design for the building includes acoustically-rated windows and central air conditioning as an alternate means of ventilation. The proposed buildings would provide sufficient attenuation to achieve the CEQR interior $L_{10(1)}$ noise level guideline of 50 dBA or lower for retail uses.

NEIGHBORHOOD CHARACTER

The proposed project would not substantially change the character of the neighborhood. The character of the study area is primarily defined by its large concentration of destination retail uses. In addition, residential use and their supporting private open spaces and community facility use also contribute to the neighborhood character. With the exception of transportation, the proposed project would not result in significant adverse impacts on any of the technical areas that could impact neighborhood character (including land use, socioeconomic conditions, open space, urban design and visual resources, and noise). As the study area already experiences high volumes of visitors due to its large concentration of destination retail uses, the proposed project would not affect the essential character of the neighborhood. Mitigation measures would be implemented to reduce the effects of the significant adverse transportation impacts. While some of the significant adverse traffic impacts would not be fully mitigated, these impacts occur along corridors that are congested in the existing and No Action conditions and would not adversely impact neighborhood character. In addition, the proposed project would not result in a combination of moderate effects to several elements that could cumulatively impact neighborhood character. Overall, the proposed project would be consistent with the existing character of the neighborhood, and would not result in any significant adverse impacts on neighborhood character.

MITIGATION

As discussed in “Transportation,” of the 10 study area intersections analyzed, the proposed project would create significant traffic impacts at five intersections in the weekday midday peak hour; seven intersections in the weekday PM peak hour; and seven intersections in the Saturday midday peak hour.

The recommended mitigation measures to address significant adverse traffic impacts consist of readily implementable improvement measures, which are limited to signal timing changes. These measures represent standard traffic capacity improvements that are typically implemented by the NYCDOT. **Table 7** summarizes the significant adverse traffic impacts and whether they could be fully or partially mitigated with the implementation of these traffic improvement measures.

Table 7
Traffic Impact Mitigation Summary

Intersections	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
No significant impact	5	3	3
Impact could be fully mitigated	3	4	5
Impact could be partially mitigated	1	1	1
Unmitigated impact	1	2	1

Seven of the 10 intersections analyzed would either not be significantly impacted or could be mitigated with mitigation measures identified in Chapter 8, “Mitigation.” Impacts identified at three intersections could not be fully mitigated during at least one peak hour: Hylan Boulevard and New Dorp Lane would be unmitigated for the weekday PM peak hour (but could be fully mitigated during the weekday midday and Saturday midday peak hours); Hylan Boulevard and Beach Avenue would be unmitigated for all peak hours analyzed; and Hylan Boulevard and Ebbitts Street could be partially mitigated during all peak hours analyzed.

ALTERNATIVES

The proposed actions are necessary to facilitate new commercial development on the project site. It is the Applicant’s opinion that the existing retail layout is inefficient and expanded retail uses on the project site would fulfill the surrounding community’s demand for additional commercial goods and services, and promote the retention of sales and economic activity within Staten Island. Neither the No Build Alternative nor the No Unmitigated Significant Impacts Alternative would substantively meet the goals and objectives of the proposed project. The alternatives are summarized briefly below, followed by a more detailed chapter analysis.

NO BUILD ALTERNATIVE

The No Build Alternative assumes no discretionary actions would occur and that no new development would occur on the project site. This alternative would avoid the proposed project’s significant adverse traffic impacts. However, in this alternative, there would be no redevelopment or enlargement and reconfiguration of retail uses on the project site, which is already an existing commercial center accessible to major roadways, including Hylan Boulevard, and is located near eastern Staten Island’s numerous residential neighborhoods. The No Build Alternative would not meet the goals and objectives of the proposed project, which include expanding retail uses and efficiency on the project site, which the Applicants believes would fulfill the surrounding community’s demand for additional commercial goods and services, and would promote the retention of sales and economic activity within Staten Island.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The proposed project would result in significant adverse traffic impacts at intersections within the study area that could not be fully mitigated with practical traffic capacity improvement measures. A sensitivity analysis was performed at the three impacted locations that could not be fully mitigated to determine the magnitude of the proposed enlargement that would not produce unmitigatable significant traffic impacts within the traffic study area. Because of the existing congestion at a number of intersections, in particular at the intersection of Hylan Boulevard and New Dorp Lane, even a minimal increase in traffic could result in unmitigatable significant adverse traffic impacts. It was estimated that the proposed enlargement would not be able to exceed 7,500 gross square feet (gsf) of destination retail space (approximately 10 percent of the proposed enlargement), and would not be able to accommodate a new supermarket or movie theater without generating significant traffic impacts. Given that any new development on the project site in excess of approximately 7,500 gsf could result in significant impacts in the area of transportation, there is no alternative that could be advanced to completely avoid such impacts without substantially compromising the proposed project's goals and objectives.

UNAVOIDABLE ADVERSE IMPACTS

According to the *CEQR Technical Manual*, unavoidable significant adverse impacts are defined as those that meet the following two criteria: 1) There are no reasonably practicable mitigation measures to eliminate the proposed project's impacts; and 2) There are no reasonable alternatives to the proposed project that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts.

Traffic conditions were evaluated at 10 intersections for the weekday midday and PM, and Saturday midday and PM peak hours. The analysis found that the proposed project could result in significant adverse traffic impacts at five intersections during the weekday midday peak hour, at seven intersections during the weekday PM peak hour, and seven intersections during the Saturday midday peak hour. The traffic mitigation analysis found that 7 of the 10 intersections analyzed would either not be significantly impacted or could be mitigated with readily implementable traffic improvement measures identified in Chapter 8, "Mitigation." However, one intersection could not be mitigated during the weekday PM peak hour (but could be fully mitigated during the weekday midday and Saturday midday peak hours), one intersection could only be partially mitigated during all peak hours analyzed, and one intersection could not be mitigated during all peak hours analyzed. Absent the implementation of the proposed mitigation measures, the proposed project could result in additional unmitigated significant adverse traffic impacts at some or all of the identified locations. Between the DEIS and FEIS, additional measures were explored, where feasible, to further mitigate the identified impacts. No additional feasible measures were identified, and therefore the projected impacts that were identified as not fully mitigated would remain unmitigated, and would therefore be considered unavoidable adverse impacts.

GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The proposed actions are not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

The term "growth-inducing aspects" generally refers to the potential for a proposed project to trigger additional development in areas outside the project site that would otherwise not have such development without the proposed project. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed project is appropriate when the project:

- Adds substantial new land use, new 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

- Introduces or greatly expands infrastructure capacity.

While the proposed project would add retail to the project site, the project area already has a well-established retail market anchored by several existing shopping centers, and therefore the proposed project would not alter the land use mix of the study area, nor would it introduce new economic activities that would alter existing economic patterns. While the proposed project could include in a health club, which is a use not present on the project site, this use would be compatible with other uses and would not result in any land use conflicts. The retail uses added by the proposed project would generate additional foot traffic within the project site and additional vehicular traffic to retail uses near the project site, which would be expected to increase the customer base for existing businesses. It is not expected that the proposed uses would result in any land use conflicts or substantially alter existing economic patterns.


While the proposed uses would be expected to contribute to growth in the City and State economies, they would not be expected to induce additional notable growth outside the project site. It is not anticipated that the proposed enlargement and reconfiguration would increase the local population of the area, since it is expected that many of the new jobs would go to residents already living in the surrounding area. It is possible that development resulting from the proposed actions and other developments in the area could prompt some new retail development from those seeking to capitalize on the area's increased consumer base. Induced commercial development, if it were to occur, would be limited and would likely include stores catering to the new workers and shoppers.

Because the proposed project would expand an existing commercial center, it would not require major new infrastructure and is accessible to major roadways, including Hyland Boulevard and is located near eastern Staten Island's numerous residential neighborhoods.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

With the proposed project there are a number of resources, both natural and built, that would be expended in the construction and operation of the enlargement and reconfiguration of the Hylan Plaza Shopping Center. These resources would include the materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the proposed project; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the proposed project. These resources are considered irretrievably committed because their reuse for some purpose other than the proposed project would be highly unlikely. The proposed enlargement and reconfiguration of the shopping center would constitute an irreversible and irretrievable commitment of the project site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term.

These commitments of materials and land resources are weighed against the benefits of the proposed actions, which, as noted in Chapter 1, "Project Description," would facilitate commercial development on underutilized land within an existing concentration of retail uses.



Robert Dobruskin, AICP, Director
Environmental Assessment and Review Division
New York City Department of City Planning

cc: Marisa Lago, Chair
City Planning Commissioners
The Hon. James Oddo Staten Island
Borough President

Dana Magee, Chair, Community Board 2,
Staten Island
Debra Derrico, District Manager,
Community Board 2, Staten Island

