

## STATEMENT OF FINDINGS

Willets Point Development Plan  
CEQR Number 07DME014Q

Made Pursuant to the New York State Environmental Quality Review Act and City Environmental  
Quality Review

Office of the Deputy Mayor for Housing and Economic Development  
May 20, 2021

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### INTRODUCTION

This Statement of Findings for the Willets Point Development Plan has been prepared in accordance with the environmental review requirements of Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA), as set forth in Section 617.11 of its implementing regulations, and the New York City Environmental Quality Review (CEQR) process as set forth in New York City Mayoral Executive Order 91 of 1977, as amended, and in the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York. This Statement of Findings has been prepared to 1) certify that the procedural requirements of SEQRA and CEQR have been met; 2) consider the relevant environmental impacts, facts, and conclusions disclosed in the Final Generic Environmental Impact Statement (FGEIS) for the Willets Point Development Plan and subsequent environmental review; 3) weigh and balance the relevant environmental impacts of the proposed action with social, economic, and other considerations; and 4) set forth a rationale for the decision of the lead agency, the Deputy Mayor for Housing and Economic Development (DME).

Pursuant to CEQR, DME is the lead agency responsible for conducting the environmental review that determines whether the proposed action—or any subsequent modifications to the proposed action—would have significant impacts on public health and the environment. For the Willets Point Development Plan, an FGEIS was certified as being complete, and a Notice of Completion was issued on September 12, 2008. Subsequent to the FGEIS, modifications were made to the project and analyzed in five technical memoranda as well as a supplemental EIS (FSEIS), as described below. After considering the FGEIS and subsequent environmental review, DME has adopted this Statement of Findings.

DME has consulted with a number of City agencies in adopting these findings, including the New York City Department of City Planning (DCP), New York City Department of Transportation (DOT), New York City Department of Parks and Recreation (Parks), New York City Landmarks Preservation Commission (LPC), New York City Department of Environmental Protection (DEP), New York City School Construction Authority (SCA), New York City Department of Sanitation (DSNY), New York City Fire Department (FDNY), New York City Transit (NYCT), New York City Department of Health and Mental Hygiene (DOHMH), and the New York City Law Department (Law). These agencies provided particular assistance to DME in the review of those matters within the agency's area of expertise.

### Lead Agency

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### SEQRA Status

The Willets Point Development Project is classified as a Type I action pursuant to 6 NYCRR Part 617.4(b)(5)(v) and Part 617.4(b)(6).

## SUMMARY OF PROJECT

The Special Willets Point District (the District) covers approximately 61 acres on the Willets Point peninsula, generally bounded to the east by the Van Wyck Expressway and an undeveloped parcel owned by MTA, to the south by Roosevelt Avenue, to the west by 126th Street, and to the north by Northern Boulevard.

The Willets Point Development Plan, with subsequent modifications as described below, was approved by the New York City Planning Commission (CPC) and New York City Council on September 24, 2008 and November 13, 2008, respectively, and is referred to herein as “the Approved Plan.” Under the Approved Plan, the District will be redeveloped with up to 8.94 million gross square feet of residential, retail, hotel, convention center, entertainment, commercial office, community facility, open space, and parking uses. The Approved Plan changed the underlying zoning of the District from an M3-1 district (and a small area zoned R3-2) to a C4-4 district, and created an Urban Renewal Plan (URP) and a zoning Special District (i.e., the Special Willets Point District). The Special Willets Point District includes urban design regulations, addressing such elements as the location of uses, building heights and setbacks, street hierarchies, streetscape design, and other site planning and design provisions. Currently, the City of New York seeks to facilitate the development of an initial 6-acre portion of the Willets Point Development Plan (“Phase 1”), as described below.

### *BACKGROUND*

On September 12, 2008, the Office of the Deputy Mayor for Economic Development issued a Notice of Completion for the *Willets Point Development Plan Final Generic Environmental Impact Statement* (FGEIS). Subsequent to the issuance of the FGEIS, the CPC proposed several modifications to the Special Willets Point District zoning regulations. These modifications were described, and their potential for significant adverse environmental impacts examined, in a technical memorandum dated September 23, 2008 (TM001), which found that there were no additional impacts anticipated to result from the modifications that had not been disclosed in the FGEIS. The CPC voted in favor of the Willets Point Development Plan with those modifications on September 24, 2008.

Following the CPC vote, new information became available related to: District business relocation; Phase II Environmental Site Investigations (ESIs) in the District; the amount of affordable housing to be provided in the District; and projected school and day care populations. This information was described, and its potential to result in significant adverse environmental impacts not previously identified was examined, in a Technical Memorandum dated November 12, 2008 (TM002). That Technical Memorandum concluded that none of the newly available information would lead to significant adverse environmental impacts that were not previously identified and addressed in the FGEIS. The New York City Council voted to approve the Willets Point Development Plan with the CPC modifications on November 13, 2008.

In 2009, the City considered the effect of the economic downturn on the Willets Point project. The City anticipated that economic conditions at that time would make it challenging for developers to finance the acquisition and remediation of the entire District at one time and prior to any development, as envisioned in the Approved Plan and described in the FGEIS. In a Technical Memorandum dated November 23, 2009 (TM003), an “Adjusted Plan” for Willets Point was analyzed. The Adjusted Plan assumed the same overall development program at full buildout in 2017 as the Staged Acquisition Alternative analyzed in the FGEIS (with revisions described in the prior technical memoranda), but anticipated a smaller development footprint during the first phase of development, with approximately 70 percent as much floor area in the initial phase compared to the Staged Acquisition Alternative. In the Adjusted Plan, remediation and development of the initial portion of the District would proceed first, by 2013, followed by remediation and development of the remaining portion of the District by 2017. TM003 concluded that there were no additional impacts anticipated to result from the Adjusted Plan that had not been disclosed in the FGEIS.

In a Technical Memorandum dated February 10, 2011 (TM004), the City considered an “Updated Plan” for Willets Point. The Updated Plan would have developed the District with the same gross floor area and mix of uses as the Approved Plan (with subsequent revisions described in the prior technical memoranda), and would have had the same controls on floor area ratios set forth in the provisions of the Special District zoning text that had been approved by CPC and the City Council. Similar to the Adjusted Plan analyzed in TM003 as well as the Staged Acquisition Alternative analyzed in the FGEIS, the Updated Plan anticipated a smaller development footprint and less overall development in the first phase. With the Updated Plan (as with the FGEIS Staged Acquisition Alternative and the Adjusted Plan), development activities would have proceeded incrementally, with the necessary remediation, grading, infrastructure improvements, and construction activities associated with the buildings in the southwestern portion of the District occurring first, and construction activities on the remainder of the District following. TM004 concluded that there were no additional impacts anticipated to result from the Updated Plan that had not been disclosed in the FGEIS.

The City subsequently revised and reissued a Request for Qualifications and Request for Proposals (RFPs) for the redevelopment of an initial 23-acre portion of the District, and in 2012, the Queens Development Group, LLC (QDG) was selected as the City’s designated developer for that first phase of the Willets Point Development Plan. QDG’s development plan included development of this initial 23-acre portion of land within the District (the District Portion), as well as land adjacent to CitiField stadium, outside the District (the Willets West Portion). In 2013, a Supplemental EIS (SEIS) was prepared to assess the potential effects of QDG’s development, and approvals relating to this development were granted by the City Planning Commission and the City Council in 2013. The SEIS assumed that the District would be developed in three phases. Phase 1A comprised the remediation and development of a small portion of the District along 126th Street with a hotel and retail space, with the remainder of the 23-acre City-owned portion of the District to be used as an interim surface parking/recreational area.<sup>1</sup> Phase 1B comprised the development of the interim surface parking/recreational area created during Phase 1A with residential, retail, community facility, and public school uses, along with parking and more than six acres of new public open space.<sup>2</sup> In Phase 2, the remainder of the District was assumed to be built out substantially as described in the FGEIS.

Subsequently, in 2017, the Willets West Portion of the 2013 plan was invalidated by the New York State Court of Appeals due to the fact that the Willets West Portion was located on mapped parkland without proper authorization of parkland alienation to facilitate the plan. However, the court did not invalidate the analysis, methodology or conclusions of the SEIS that accompanied the 2013 approvals.

Since the completion of the FGEIS and subsequent environmental review, additional visioning of the District’s future development has taken place. Among these efforts is the formation, in 2018, by the Queens Borough President and local City Councilperson, of a Willets Point Task Force to define a vision for the future of a portion of the District, identify community priorities, and produce recommendations for the 17 acres of City-owned land in the District outside the Phase 1 site area (described below). That effort produced two illustrative scenarios. The first illustrative scenario was the creation of a high-density, mixed-use district similar to the development anticipated in the FGEIS and subsequent environmental review (“Mixed-use Scenario”); the second illustrative scenario reimaged this portion of the District as hub for a new soccer stadium, as well as residential, open space, and retail uses (“Soccer Scenario”).

The details of these potential redevelopment visions for this 17-acre portion of the District are conceptual in nature and will need to be further refined; it is also possible that another development scenario might be pursued that combines elements of these two scenarios and/or introduces other elements. Should the Soccer Scenario be pursued, it is anticipated to require discretionary actions and thus additional environmental review. Should the Mixed-use Scenario be pursued, it might also require discretionary actions, or might be

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<sup>1</sup> Phase 1A also anticipated the development of Willets West on the parking lot west of CitiField.

<sup>2</sup> Phase 1B also anticipated the development of new structured parking facilities at the CitiField South Lot and Lot D, to replace the CitiField parking spaces displaced by the Willets West development and located within the District in Phase 1A.

built as-of-right pursuant to the zoning regulations adopted in 2008. No other visioning or planning has been conducted for the remaining 38 acres of the District, which remain in private ownership. Thus, in summary, potential development plans for the portions of the District beyond the six acres to be developed in Phase 1 are still under consideration. Regardless of the selected scenario, the City would prioritize community engagement and commit to further visioning workshops to refine and advance a conceptual vision into a specific plan, which will take time and extensive stakeholder coordination.

*DESCRIPTION OF PROPOSED MODIFICATION*

Similar to the Staged Acquisition Alternative analyzed in the FGEIS, the subsequent Adjusted and Updated Plans analyzed in TM003 and TM004, and the phased development of the District analyzed in the FSEIS, the proposed modification assumes the same gross floor area and mix of uses in the District as the Approved Plan with revisions described in the prior environmental review; however, a 6-acre portion at the southwest corner of the District would be developed first, by 2030, with the remainder of the District to be remediated and built out by 2039.

The proposed program for the first phase of development—referred to here as Phase 1—would include approximately 813,112 gsf of residential use (1,100 units), 24,666 gsf of retail, 3,397 sf of community facility use, a 650-seat K-8 public school, and approximately 1 acre of publicly-accessible open space. All of the proposed residential units would be affordable; a portion of the units (approximately 220) would be for senior use. See **Table 1** below. The Phase 1 development would be located on two parcels totaling 312,420 sf at the southwest corner of the District. Three buildings would be developed; two 12-story buildings with ground-floor retail and affordable housing above, connected at the ground floor, and a public school building, assumed to be approximately 6 stories in height. The senior housing component of the development would be located in a 9-story section of the northern mixed-use building. The one acre of publicly-accessible open space is required by zoning and would be located southwest of the proposed buildings, at the corner of 126th Street (also known as Seaver Way) and Roosevelt Avenue. A proposed perimeter street would extend along the eastern edge of the proposed development (“eastern perimeter street”), turning west to separate the mixed-use buildings from the proposed school (“service street”), and then angling again to connect with 126th Street/Seaver Way (“connector street”).

**Table 1: Willets Point Development Program with Proposed Modification**

Use	Phase 1	Remainder of District	FSEIS Phase 1A/1B	Total at Full Buildout*
Residential	813,112 gsf (1,100 units total / 220 senior)	4,686,888 gsf (4,400 units)	2,490,000 gsf (2,490 units)	5,500,000 gsf (5,500 units)
Affordable	1,100 units (100 percent of total)	715	872 units (35 percent of total)	1,815 units <sup>φ</sup> (33 percent of total)
Retail	24,666 gsf	1,675,334 gsf	905,000 gsf	1,700,000 gsf
Office	0	500,000 gsf	500,000 gsf	500,000 gsf
Hotel	0	560,000 gsf (700 rooms)	395,000 gsf (490 rooms)	560,000 gsf (700 rooms)
Convention Center	0	400,000 gsf	400,000 gsf	400,000 gsf
Community Facility	3,397 gsf	146,603 gsf	25,000 gsf	150,000 gsf
Public School (K-8)	127,760 gsf <sup>φ</sup> (650 seats)	102,240 gsf	105,000 gsf	230,000 gsf (Approx. 1,540 seats) <sup>φ</sup>
Parking Spaces	310 (accessory)	Approx. 6,390	Approx. 2,775	Approx. 6,700
Publicly Accessible Open Space	1 acre (approx.. 45,611)	7	6 acres	Minimum 8 acres
<b>Total</b>	<b>968,935 gsf</b>	<b>8,071,065 gsf</b>	<b>4,820,000 gsf</b>	<b>8,940,000 gsf<sup>φ</sup></b>

**Notes:** \*Total program for the District is as noted in the FGEIS. Subsequent technical memoranda increased the assumed square footage for the school use from 130,000 gsf to 230,000 gsf. The FGEIS also assumed the same total program for the District, with one exception; the retail use would have been lower by 400,000 gsf in the District to account for the development of the Willets West portion of the program, west of CitiField. 300,000 gsf was assumed to be developed instead as additional residential use, for a total of 5,850,000 gsf (5,850 units), and 100,000 gsf was allocated to public school use, consistent with the square footage assumptions in TM003. The total floor area permitted in the District would remain at 8,940,000 gsf.

♀ Seat capacity of proposed school used for analysis. The projected square footage of the proposed school is subject to change, and may be lower or higher than estimated here. The total floor area permitted in the District would remain at 8,940,000 gsf.

♠ The capacity of the proposed school was anticipated to meet the project-generated shortfall in school seats. The FGEIS analyzed a 130,000 sf, 850-seat school based on student generation rates available at that time; as noted above, subsequent environmental review, including the FGEIS, assumed a larger capacity school (230,000 sf / approx. 1,540 seats) at full buildout, based on updated student generation rates from the New York City School Construction Authority (SCA). The total floor area permitted in the District would remain at 8,940,000 gsf.

\*\* The total number of proposed parking spaces would be determined based on anticipated project-generated demand per zoning requirements. Parking floor area is exempt from the gross floor area calculations, per the zoning regulations applicable to the Special Willets Point District.

♠ Based on commitments made in 2008; may increase, subject to availability of affordable housing subsidy.

It is also anticipated that additional development on Lots B and D would occur, as described and analyzed in the FGEIS. The anticipated development program for Lots B and D has not changed since the FGEIS, and is anticipated to occur at full buildout. It is not included in the development program outlined above.

The Phase 1 development requires a CPC Chairperson certification that: all streets comply with Zoning Regulation (ZR) Section 124-31; all streets are constructed to grades acceptable to the New York City Department of Buildings (DOB) and the New York City Department of Transportation (DOT); all publicly-accessible open space complies with ZR Section 124-40; and the development pursuant to the certification does not preclude future phases of Special Willets Point District development from complying with these regulations.

It is assumed that Phase 1 of the Willets Point Development Plan would be constructed starting in 2023. Essential predevelopment and site prep activities, including remediation and infrastructure work, would begin in 2021 and 2023, respectively, and would be completed before construction of the proposed buildings.

For the purposes of the environmental review of this Proposed Modification, it is assumed that the remainder of the District would be built out consistent with existing zoning for the area and substantially as anticipated and analyzed in the FGEIS and subsequent environmental reviews, including a new connection between the Van Wyck Expressway and the District. The maximum permitted development within the District remains at 8.94 million gsf. At full buildout, the District is anticipated to include up to 5.85 million sf of residential use (approximately 5,500 units, of which at least 1,815 would be affordable); up to 1.7 million sf of retail; approximately 500,000 sf of office use; up to 400,000 sf of convention center use; up to 560,000 sf of hotel use (approximately 700 rooms); up to 150,000 sf of community facility use; approximately 230,000 sf of public school use; and a minimum of 8 acres of publicly-accessible open space.

Development activities for buildout of the remainder of the District are anticipated to proceed incrementally, with the necessary associated site acquisition, remediation, grading, and infrastructure improvements occurring in advance of building construction. As described above, 38 acres of the 61-acre District remain in private ownership, and the City does not anticipate obtaining additional ownership of land in 2021. It is anticipated that development of the remainder of the District, including the Van Wyck Expressway ramps, could begin as early as 2029 and would be complete by 2039. Completion of the Van Wyck Expressway ramps is targeted for 2032. Any proposed development plan for some or all of the remainder of the District that is inconsistent with existing zoning or different from the development plan assumed in the FGEIS and subsequent environmental review, would likely be subject to additional environmental review and, possibly, further discretionary actions at that time.

## *PROJECT PURPOSE AND NEED*

The Approved Plan was designed to further a number of redevelopment goals for the Willets Point area. The Approved Plan evolved from the Downtown Flushing Development Framework, a land use and economic planning strategy developed between 2002 and 2004 by the Downtown Flushing Task Force. The Task Force outlined several redevelopment goals for the Willets Point District that were adopted for the Approved Plan. In addition, the Approved Plan aimed to achieve the following goals, which are consistent with the vision of the Downtown Flushing Development Framework:

- Provide a substantial number of new housing units to help meet the growing demand for housing in Queens and the City as a whole;
- Ensure that District housing would be affordable to a mix of incomes;
- Provide a world-class example of superior urban design, with a focus on green building and sustainable design practices; and
- Strengthen the role of Flushing and Corona as commercial centers in northern Queens, while helping to meet the demand for office space in Queens and the City as a whole.

The modification to the Approved Plan is intended to further these redevelopment goals. The affordable housing component of the Willets Point redevelopment has been prioritized to occur in the first phase of development, to help address the critical shortage of affordable housing in the City. Like the Approved Plan, the Proposed Modification represents a critical step in achieving these redevelopment goals for the Willets Point District. While the Proposed Modification facilitates the development of Phase 1 of the District, the Phase 1 development would not differ substantially from what was approved in 2008, would represent the implementation of the first portion of the 2008 vision for the District, and would occur within the area previously identified for the first phase of redevelopment.

## **FACTS AND CONCLUSIONS RELIED UPON TO SUPPORT THE DECISION**

The FGEIS analyzed the Approved Plan in detail and concluded that it would not result in significant adverse impacts in the following areas: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; archaeological resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation; energy; air quality; greenhouse gas emissions; noise; public health; or neighborhood character. The Approved Plan included the development of a new public school that would alleviate the potential public school seat shortfall created by the Plan. In addition, a significant adverse impact to public libraries was identified at the full buildout of the District in the FSEIS. As discussed below, areas where potential significant impacts were identified include community facilities, historic resources, transportation and construction.

## *COMMUNITY FACILITIES AND SERVICES*

The proposed Phase 1 modification would not physically affect or displace any police, fire, or hospitals and health care facilities. At full buildout, the District is assumed to be developed with the same program and maximum gross floor area as previously analyzed. Therefore, there would be no new demand at full buildout in 2039 for police or fire services or health care facilities, compared to what was analyzed in the FGEIS and subsequent environmental review for the full buildout of the District.

As detailed in prior environmental review, the Approved Plan would generate additional traffic on roads throughout the area, including the possible routes used by NYPD, FDNY, and EMS vehicles to access the District. Traffic at certain intersections near the District in the future with the Approved Plan may result in slower access for emergency services vehicles. However, when responding to emergencies, NYPD, FDNY, and EMS vehicles are not bound by standard traffic controls or rules and are capable of adjusting to congestion encountered en route to their destinations and are therefore less affected than other vehicles by

such congestion. In addition, emergency services vehicles have access to enhanced sirens and lights that enable them to safely navigate through congested areas. These vehicles would be able to access the District as they do other areas throughout New York City. FDNY is experienced with the logistical issues of providing support for single and simultaneous events occurring at CitiField, Flushing-Meadows Corona Park, and the USTA National Tennis Center. Because the NYPD and FDNY would continue to reevaluate staffing and resource needs and would continue to have the ability to adjust to congestion en route to emergencies, response times were not expected to significantly change in the future with the Approved Plan. Furthermore, the proposed development would meet all relevant New York City fire safety standards, and the Plan includes significant infrastructure improvements for the District, including road grading and paving and improvements to City water service, including fire hydrants. As such, the Plan (with or without the Proposed Modification) would bolster FDNY's firefighting ability within the District. EMS units are assigned a permanent cross-street location where they await a service call. If warranted by demand, the FDNY could assign an EMS unit within the District to provide services to the new population. The Proposed Phase 1 Modification would not result in any changes to the local or internal District street network, or notable increases in traffic, in comparison to the previously analyzed first phase of District development. Therefore, no significant effects on emergency vehicle response times would be expected.

### *Public Schools*

Updated information on background conditions and anticipated Build years was reviewed to determine whether the potential effects on public schools of the Approved Plan with the proposed Phase 1 modification would remain consistent with the conclusions in the FGEIS and subsequent environmental review. The analysis was also updated to account for current information on school enrollment and enrollment projections, and to reflect current *CEQR Technical Manual* guidance on public school analysis methodology. As described above, the FGEIS and subsequent environmental review concluded that because the Approved Plan would provide a public school with sufficient capacity to offset the project-generated demand for school seats, it would not result in any significant adverse impacts to public schools.

The current student generation rates for CSD 25 are 0.22 elementary school students per unit, 0.07 intermediate school students per unit, and 0.1 high school students per unit. Using these student generation rates, the Approved Plan with the proposed Phase 1 modification would be expected to generate 194 elementary students, 62 intermediate students, and 88 high school students by 2030 (Phase 1 completion), and 1,162 elementary students, 370 intermediate students, and 528 high school students by 2039 (full buildout of District). As detailed above, the Phase 1 development to be completed by 2030 would include a 650-seat school to meet the needs of the new District population, which would increase school capacity within Subdistrict 2. Additional school capacity also would be developed within the District by 2039 at full buildout of the Approved Plan, to meet the needs of the new District population.

Elementary and intermediate schools in Subdistrict 2 would continue to operate with seat shortfalls in both the 2030 No Action and With Action condition; however, the 650-seat public school to be constructed in the Phase 1 development would serve to improve overall utilization rates within Subdistrict 2. Elementary school utilization rates within Subdistrict 2 would decrease from 192 percent in the 2030 No Action condition to 181 percent in the 2030 With Action condition (a 10.45 percent decrease in utilization), and intermediate school utilization rates would decrease from 213 percent in the 2030 No Action condition to 196 percent in the 2030 With Action condition (a 17.17 percent decrease in utilization).

Elementary and intermediate schools in Subdistrict 2 and high schools in Queens would continue to operate with seat shortfalls in both the 2039 No Action and With Action condition; however, the public school capacity to be constructed within the District would serve to improve overall utilization rates within Subdistrict 2. Elementary school utilization rates within Subdistrict 2 would decrease from 192 percent in the 2039 No Action condition, to 180 percent in the 2039 With Action condition (an 11.65 percent decrease in utilization), and intermediate schools utilization rates would decrease from 213 percent in the 2039 No Action condition to 185 percent in the 2039 With Action condition (a 28.01 percent decrease in utilization).

Therefore, the Approved Plan with the proposed Phase 1 modification would not result in a significant adverse schools impact in the 2030 With Action condition or the 2039 With Action condition, as the utilization rates would decrease compared to the 2030 No Action condition and 2039 No Action condition, respectively.

It appears likely that the residential units proposed to be constructed in Phase 1 could be completed and occupied in advance of the completion of the Phase 1 public school, although both components are projected for completion by 2030. Based on the current construction schedule for Phase 1, the non-senior residential buildings would be completed first, with the senior residential building following; therefore, it is possible that the non-senior residential buildings could be completed up to 30 months before the Phase 1 public school is ready for occupancy in 2030. In such a scenario, the elementary and intermediate students generated by the non-senior Phase 1 residential development—up to 194 elementary students, and 62 intermediate students—would be anticipated to attend nearby schools as directed by DOE during this temporary condition, and would attend the District school upon its completion. In this temporary condition without the Phase 1 public school, elementary school utilization rates within Subdistrict 2 would increase from 192 percent in the No Action condition, to 195 percent (a 3.55 percent change in the utilization rate), and intermediate school utilization rates within Subdistrict 2 would increase from 213 percent in the No Action condition to 216 percent (a 2.77 percent change in the utilization rate). Therefore, during this temporary condition, while the utilization rate of public elementary and intermediate schools in the subdistrict would be greater than 105 percent, there would not be an increase of five percent or more in the collective utilization rate, and thus this scenario would not meet both criteria for identification of a significant adverse school impact according to the guidance of the 2020 *CEQR Technical Manual*. Furthermore, this scenario assumes all residential units would be fully occupied upon completion of the Phase 1 buildings, which is unlikely to be the case; rather, it is more likely that occupancy of the residential buildings would ramp up over time. Upon completion of the Phase 1 public school, the public school needs of the new Phase 1 District population would be met on-site, while providing additional Subdistrict 2 capacity, as described above.

#### *Libraries*

The Flushing Library of the Queens Public Library system is the only public library located within 3/4-mile radius around the District). The Flushing Library contains approximately 4.68 holdings per resident, which is smaller than the borough-wide average of 5.4 (an increase from 3.1 volumes per resident in the FGEIS) holdings per resident. The additional population from the Phase 1 development (approximately 3,080 new residents) represents an increase of approximately 3.59 percent over the 2030 No Action condition. In 2039, the Plan with the Proposed Modification would introduce approximately 5,500 new housing unit to the District, which would result in approximately 15,400 new residents. In both the 2030 With Action condition and 2039 With Action condition, the holdings-to-resident ratio within the study area would be 4.05, which would be smaller than the present borough-wide holdings-to-resident ratio of 5.4 holdings per resident. The additional population in the 2039 With Action condition represents an increase of more than 5 percent over the 2039 No Action condition. The FGEIS also identified that the Approved Plan would result in population increases of more than 5 percent over the No Action condition. The FGEIS determined that although the population increase would greater than 5 percent, the change would not impair the delivery of library services within the study area. Study area residents would continue to have access to the entire QPL system through the inter-library loan system and could have holdings delivered directly to their nearest library branch. Residents would also have access to libraries near their place of work. Furthermore, it is anticipated the trend toward increased electronic research, the SimplyE mobile application, and the interlibrary loan system would make space for increased patron capacity and programs to serve population growth. Study area residents also would continue to have access to the nearby Mitchell-Linden Library branch, which is located just outside the 3/4-mile study area.

In summary, the updated analysis find that, accounting for the changes in background conditions and the anticipated Build years, the Approved Plan with the proposed Phase 1 modification would not result in any

significant adverse impacts to libraries that were not already identified in the FGEIS and subsequent environmental review.

### *Early Childhood Programs*

Early childhood programs comprise EarlyLearn NYC (Child Care and Head Start programs), 3-K, and Pre-K for All. While 3-K and Pre-K programs are free for all three- and four-year-old children in New York City, there are eligibility requirements for children to enroll in EarlyLearn Child Care and Early Head Start programs. Publicly financed child care services are available for income-eligible children up to the age of 13.

Based on the current *CEQR Technical Manual* child care multipliers, the Phase 1 development would result in approximately 123 children under the age of six who would be eligible for publicly funded child care programs. In the 2030 future with the Proposed Modification, early childhood programs in the study area would operate at 150.70 percent utilization with a deficit of 204 slots. At full buildout, the Plan with the Proposed Modification would result in approximately 223 children under the age of six who would be eligible for publicly funded child care programs. In the 2039 Future with the Proposed Modification, early childhood programs in the study area would operate at 205.96 percent utilization with a deficit of 427 slots. In the 2030 and 2039 future with the Proposed Modification, early childhood programs in the study area would operate over capacity and would exhibit an increase in the utilization rate of more than 5 percentage points as compared with the future without the Proposed Modification. Therefore, consistent with the findings of the FGEIS, the Plan with the Proposed Modification would be expected to result in a significant adverse impact on publicly-funded child care services (early childhood programs)

To fully mitigate this impact, it is expected that the measures identified in the FGEIS and noted above would be implemented. Possible mitigation measures include adding capacity to existing facilities, or providing a new facility within or near the area surrounding the District. Because several factors may limit the number of children in need of publicly funded child care services (early childhood programs), the developer of Phase 1 and the future developer(s) for full buildout of the District would consult with the DOE to determine the appropriate way to meet demand for early childhood programs generated by development in the District and would, as directed by DOE, add capacity to existing facilities or provide a new facility within or near the area surrounding the District.

In summary, the updated analysis find that, accounting for the changes in background conditions and the anticipated Build years, the Approved Plan with the proposed Phase 1 Modification would not result in any significant adverse impacts to publicly-funded child care services (early childhood programs) beyond those already identified in the FGEIS and subsequent environmental review.

### *HISTORIC AND CULTURAL RESOURCES*

As part of the FGEIS, the former Empire Millwork Corporation Building at 128-50 Willets Point Boulevard within the District was determined to be eligible for listing on the State and National Registers of Historic Places (S/NR) by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Due to site planning goals and engineering concerns in the District, including the need to raise the District above the 100-year floodplain level, the Approved Plan anticipated that all buildings within the District, including the former Empire Millwork Corporation Building, would be demolished. Measures to partially mitigate this impact, which could include recordation of the building through a Historic American Buildings Survey (HABS)-level photographic documentation and accompanying narrative, would be developed in consultation with OPRHP. The FGEIS also noted that NYCEDC would encourage future developers to retain part or all of the building as part of their formal request for proposals (RFP) process. As part of the FGEIS, the New York City Landmarks Preservation Commission (LPC) and OPRHP also determined that the District is not sensitive for archaeological resources. Subsequent environmental review did not identify any significant adverse impacts on historic and cultural resources beyond those disclosed in the FGEIS.

The former Empire Millwork Corporation Building is still extant within the District. As with the Approved Plan, it is anticipated that the Willets Point Plan with the proposed modification could potentially entail the demolition of the S/NR-eligible former Empire Millwork Corporation Building at full buildout of the District. No change to the mitigation measures identified in the FGEIS is currently contemplated. With the proposed Phase 1 modification, the initial development phase would be limited to the southwestern portion of the District, and the former Empire Millwork Corporation Building (located in the northeastern portion of the District) would not need to be demolished until sometime closer to the 2039 Build year for full buildout. Therefore, there may be no effect on this building during the first phase of development, and mitigation measures may not be required at that time. The preferred alternative for the Van Wyck Expressway ramp configuration would not adversely affect the former Empire Millwork Corporation Building; however, in the event that the Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) ultimately select a ramp configuration other than the preferred alternative, demolition of the former Empire Millwork Corporation Building may be required sometime before 2032, when the ramps are targeted for completion.

In summary, with the mitigation measures noted above in place, and accounting for the changes in background conditions and the anticipated Build years, the Approved Plan with the proposed Phase 1 modification would not result in any significant adverse impacts to historic and cultural resources beyond those disclosed in the FGEIS and subsequent environmental review.

### *TRANSPORTATION*

The FGEIS analyzed 29 intersections for potential traffic impacts. The time periods studied included the weekday AM, midday, PM, and Saturday midday peak hours for non-game day conditions, and the weekday PM pre-game, Saturday pre-game, and Saturday post-game peak hours for game-day conditions. Up to 24 of the 29 study area intersections during the non-game day peak hours and up to 25 of the 29 study area intersections during game-day peak hours were identified in the FGEIS to incur significant adverse traffic impacts. Traffic improvement measures were proposed to mitigate the predicted impacts to the extent practicable. Due to the magnitude of traffic volumes projected to be generated by the Approved Plan, impacts at more than half of the impacted intersections during each of the analysis peak hours were found to be either partially mitigated or unmitigated. As part of the FGEIS approvals, the lead agency committed to undertake a traffic monitoring plan (TMP) at full buildout of the Plan. The FGEIS also identified significant adverse impacts for a street-level stairway at the Mets-Willets Point subway station and line-haul conditions on two local bus routes. Mitigation measures, such as widening the impacted stairway and increasing bus service frequencies, were identified to address each of these impacts, with implementation to be coordinated with the Metropolitan Transportation Authority (MTA) and NYCT. The FGEIS also identified that significant adverse pedestrian impacts would occur at several area crosswalks. The extent of widening needed to fully mitigate the predicted impacts at these crosswalks was identified. However, due to certain physical constraints, some of these impacts could be only partially mitigated or remain unmitigated.

Based on the volume of vehicle trips generated by the proposed Phase 1 development program and the distribution of those trips, traffic assignment maps were prepared for the four traffic analysis peak hours. In consultation with DOT, 17 intersections were selected for detailed analysis. Quantified analyses of affected elements at the Mets-Willets Point subway station and subway line-haul for the No. 7 line for the weekday AM and PM peak hours, as well as for the Q66 bus route, were prepared. Based on the detailed assignment of pedestrian trips, 5 sidewalks, 2 corner reservoirs, and 2 crosswalks were selected for detailed analysis for the weekday AM, midday, PM, and Saturday peak hours.

#### *Traffic*

The traffic analysis concluded that the Plan with the Proposed Modification in 2030 would result in significant adverse traffic impacts at five intersections (at seven movements) during the weekday AM peak

hour, six intersections (at ten movements) during the weekday midday peak hour, four intersections (at five movements) during the weekday PM peak hour, and three intersections (at five movements) during the Saturday peak hour. Although the increase in traffic volumes at individual intersections in 2030 as a result of the Proposed Modification are expected to be relatively modest, significant traffic impacts are expected during one or more peak hours due to prevailing traffic congestion at key intersections and volume increments from background developments and diversions created by the Main Street busway in the No Action condition.

The significantly impacted traffic movements are:

*126th Street and Shea Road/34th Avenue*

- Eastbound Shea Road right turn movement (weekday midday, PM, and Saturday)
- Southeastbound Whitestone Expressway Off-Ramp (weekday midday, PM, and Saturday)

*Roosevelt Avenue and 126th Street*

- Northbound Northern Boulevard shared left-through-right movement (weekday midday and Saturday)
- Southbound Northern Boulevard left turn movement (weekday midday, PM, and Saturday)

*Roosevelt Avenue Westbound and College Point Boulevard*

- Northbound College Point Boulevard left turn movement (weekday AM and midday)
- Southbound College Point Boulevard shared through-right movement (weekday AM, midday, PM, and Saturday)

*Northern Boulevard and Prince Street*

- Westbound Northern Boulevard Service Road shared through-right movement (weekday AM and midday)

*Westbound Northern Boulevard and Main Street*

- Westbound Northern Boulevard through movement (weekday AM)

*Northern Boulevard and Union Street*

- Eastbound Northern Boulevard shared through-right movement (weekday AM)
- Eastbound Northern Boulevard through movement (weekday midday)
- Westbound Northern Boulevard shared through-right movement (weekday AM and midday)

*Marina Road and Boat Basin Place*

- Northbound Boat Basin Place left turn movement (weekday AM, midday, and PM)

The Plan with the Proposed Phase 1 Modification would result in both fewer significantly impacted intersections and movements compared to impacts disclosed in the FGEIS. In addition, all intersections showing significant impacts in 2030 under the Proposed Modification also showed significant impacts under the full District buildout condition analyzed in the FGEIS. There are no intersections which were previously unimpacted in the FGEIS that show impacts for the 2030 With Action condition.

In general, it can be concluded that the proposed Phase 1 development would result in significant impacts to intersection operations that would be lesser than or within the scope of the impacts disclosed for the full District buildout analyzed in the FGEIS. The majority of the intersections could be fully mitigated with readily implementable traffic improvement measures, including signal timing changes or installation of a new traffic signal (at the intersection of Marina Road and Boat Basin Place). These measures represent some of the standard traffic capacity improvements that are typically implemented by DOT, and are consistent with those recommended in the FGEIS. Two of the 17 intersections—Northern Boulevard at Prince Street and at Union Street—would remain unmitigated during the weekday AM peak hour, and one intersection—Northern Boulevard at Union Street—would remain unmitigated during the weekday midday peak hour. All intersections could be fully mitigated during the weekday PM and Saturday peak hours.

Only one intersection, Northern Boulevard and Prince Street, has an unmitigated impact under the current analysis that was previously mitigated in the FGEIS. At this location, the weekday midday analysis hour has an unmitigated impact, while in the FGEIS impacts for the midday analysis hour were mitigated by adjusting the signal timings. However, the overall impacts under the current analysis at this location are still less than under the FGEIS analysis. In the FGEIS, of the four analysis hours at this intersection, one had significant traffic impacts that were mitigated and the other three had impacts that were unmitigated. In the current analysis, of the four analysis hours at the same intersection, only two analysis hours have significant impacts that are unmitigated, while the other two analysis hours show no significant impacts. Therefore, it can be concluded that the current traffic analysis, with its reduced scope of development compared to what was analyzed under the FGEIS, falls within the impacts disclosed in that document.

#### *Transit*

In the 2030 With Action condition, all analyzed circulation elements and control areas would continue to operate at LOS A during the weekday AM and PM peak periods. Therefore, the proposed Phase 1 development would not result in any significant adverse subway station impacts. With regard to subway line-haul conditions, the No. 7 express and local lines would continue to operate within capacity in the peak direction during both peak hours. Accordingly, the proposed Phase 1 development would not result in any significant adverse subway line-haul impacts. The Q66 bus route would operate above guideline capacity in the westbound direction during the weekday AM peak hour and within guideline capacity in the eastbound direction during the weekday AM peak hour and both directions during the weekday PM peak hour.

Per the *CEQR Technical Manual*, the increase in ridership in the westbound direction during the weekday AM peak hour would constitute a significant adverse bus line-haul impact. This impact could be mitigated by increasing the number of buses in the westbound direction during the weekday AM peak hour by one, from 14 to 15. This service adjustment is subject to NYCTs fiscal and operational constraints and, if implemented, is expected to take place over time.

The FGEIS similarly projected bus line-haul impacts along the Q66 bus route, which could be mitigated by increasing service by up to nine buses per hour per direction. Therefore, the proposed Phase 1 program would not result in any significant bus line-haul impacts that were not disclosed previously.

#### *Pedestrians*

As part of the proposed Phase 1 development, geometric changes would be implemented at the intersection of Roosevelt Avenue and 126th Street. These geometric modifications would result in the following differences between the No Action and With Action pedestrian analyses:

- The effective width of the north sidewalk of Roosevelt Avenue between 126th Street and the Van Wyck Expressway would increase by eight feet from 8.5-feet to 16.5-feet; and
- The effective width of the east sidewalk of 126th Street between Roosevelt Avenue and Connector Street would decrease by one foot from 9-feet to 8-feet.

All sidewalk, corner reservoir, and crosswalk analysis locations would operate at LOS A and B, and the proposed Phase 1 development would not result in any significant adverse pedestrian impacts.

#### *Vehicular and Pedestrian Safety*

Two intersections, Roosevelt Avenue at College Point Boulevard and Northern Boulevard at Union Street, are considered high-crash locations by DOT criteria; these intersections have at least five pedestrian/bicyclist injury crashes within a consecutive 12-month period. Vehicular and pedestrian thresholds are not exceeded at any of the other analysis locations. Measures to improve pedestrian safety at the intersection of Roosevelt Avenue and College Point Boulevard could include the restriping of faded crosswalks and incorporating “LOOK” crosswalk markings to improve visibility for both pedestrians and motorists. For the intersection of Northern Boulevard and Union Street, improvements such as the leading

pedestrian interval and a median widening along Northern Boulevard were implemented in the fall of 2018. Furthermore, project-generated trips due to the Proposed Modification would travel as through movements to and from the District and should not result in an increase of turning vehicle conflicts at this intersection.

### *Parking*

The peak weekday and Saturday project-generated parking demand for the proposed Phase 1 program was determined to be 396 spaces during the overnight hours, when demand for residential parking would be the highest. Residential overnight parking demand was determined based on census data on vehicles rented in the surrounding areas.

The proposed Phase 1 program would provide 310 on-site parking spaces, resulting in a shortfall of 20 parking spaces during both the weekday and Saturday overnight periods. However, the modest amount of remaining overnight parking demand can be accommodated by nearby off-street parking facilities, such as the Skyview parking lot, as well as the South Lot, which would also be available during game days. Additionally, as noted above, the full buildout of the Special Flushing Waterfront District (which is located within a half-mile radius of the Phase 1 development) would have an overnight surplus of 513 parking spaces, easily capable of absorbing the small shortfall projected due to the proposed Phase 1 program.

### *Game-Day Conditions*

For traffic, given that detailed non-game-day analyses of four peak hour conditions has shown that none of the four hours reveal new significant impacts nor mitigation needs for an initial development that is approximately 10 percent of full buildout, the same 10 percent buildout would not be expected to create substantially different findings on game days especially when the major generator, i.e., the school, would not be in session. Therefore, this additional game-day analysis is not needed to conclude that the proposed Phase 1 development would not create significant impacts nor mitigation needs beyond those depicted in the FGEIS.

Similarly, the proposed Phase 1 development would generate substantially fewer transit and pedestrian trips under game-day conditions compared to non-game-day conditions. The FGEIS did not disclose significant adverse transit or pedestrian impacts during game-day periods beyond those expected during non-game-day periods. Therefore, game-day conditions of the Phase 1 development would also not result in any significant transit or pedestrian impacts that were not identified above for non-game-day conditions of the Phase 1 development.

### *2039 With and Without the Proposed Modification*

The changes to the proposed program and Build year for the first phase of development in the District would not preclude the rest of the District from being developed with a program of substantially the same size (8.94 million gsf) and mix of land uses as that envisioned as part of the Approved Plan analyzed in the FGEIS and in subsequent environmental review. Upon full buildout of the District in 2039 in compliance with the Approved Plan, the range of impacts previously identified, as well as the measures previously proposed, where feasible, to mitigate those impacts, are not expected to differ substantially from those identified in the FGEIS.

As described above, since the completion of the FGEIS and subsequent environmental review, additional visioning of the District's future development has taken place, and potential development plans for the portions of the District beyond the six acres to be developed in Phase 1 are still under consideration. Should the full buildout of the District be undertaken for a modified plan that differs substantially in its size or mix of land uses from that analyzed in the FGEIS, it is likely that such a modified plan would require further discretionary approvals and further environmental review in conjunction with those approvals. While there are currently no detailed plans for modifications to the approvals assessed in the FGEIS, at such time that details of such a modified plan are known, subsequent environmental review would be undertaken to fully assess its impacts with respect to Transportation.

## *CONSTRUCTION*

The FGEIS concluded that the Approved Plan would result in significant adverse construction impacts due to construction-related traffic. As detailed in the FGEIS, significant adverse construction traffic impacts could occur at some of the study area intersections through which construction-related traffic would travel, albeit expected at notably lower magnitudes than the operational impacts. Where impacts during construction could occur, the FGEIS noted that measures recommended to mitigate impacts associated with the Approved Plan could be implemented early to aid in alleviating congested traffic conditions. However, where unmitigable operational traffic impacts were identified, the FGEIS also noted the potential for such impacts to occur during construction. Construction of the full buildout of the Approved Plan also would entail the demolition of the former Empire Millwork Corporation Building (see “Historic and Cultural Resources” above; this resource lies outside the Phase 1 site). The FSEIS also identified significant adverse impacts related to historic and cultural resources and construction-related traffic.

In the FGEIS Staged Acquisition Alternative, subsequent technical memoranda, and the FSEIS, construction activities associated with buildings in the southwestern portion of the District have been assumed to occur first, with construction on the remainder of the District following. The Plan with the Proposed Modification carries forward this assumption, but anticipates a smaller development footprint and less overall development in the first phase, compared to what was analyzed in prior environmental review. The Plan with the Proposed Modification would involve the same types of construction activities as described in the FGEIS and subsequent environmental review, and would comply with the same laws, codes, and other rules and regulations. Any noise or air quality effects from construction are expected to be temporary; however, measures to control air emissions and noise would be implemented as previously assumed. As the scope of the proposed Phase 1 program is less than assumed in the past for the first phase of District redevelopment, the intensity of construction activity could be somewhat less during this phase; the intensity of construction activity for full buildout of the District is anticipated to be as previously analyzed.

Overall, the potential for construction impacts associated with the Plan with the Proposed Modification would be the same as disclosed in the FGEIS and subsequent environmental review. Specifically, the potential for construction-related impacts to traffic and historic resources under the Plan with the Proposed Modification would be similar to the construction impacts identified in the FGEIS, and no significant adverse construction impacts related to land use, socioeconomic conditions, neighborhood character, community facilities, natural resources, hazardous materials, transit and pedestrians, noise, or air quality are expected.

In summary, accounting for the changes in background conditions and the anticipated Build years, as well as the difference between the proposed Phase 1 development program and the programs assessed for the first phase of development in the District during prior environmental review, the Plan with the Proposed Modification would not be expected to result in any significant adverse construction impacts beyond those disclosed in the FGEIS and subsequent environmental review.

## **CONCLUSION**

The benefits of the Willets Point Development Plan outweigh the adverse environmental impacts, many of which can be mitigated by the measures identified in the FGEIS and subsequent environmental review. As discussed above, the technical memorandum analyzing the Plan with the Proposed Phase 1 Modification (TM005) concluded that neither the proposed modification, nor the change in anticipated Build years, nor changes in background conditions and methodology, would result in any significant adverse environmental impacts that were not previously identified in the FGEIS. Accordingly, no supplemental environmental impact statement is required.

The balance of benefits and impacts, combined with the need for job creation and the far-reaching, City-wide economic development benefits of transforming a largely underutilized site with substandard conditions and substantial environmental degradation into a lively, mixed-use, sustainable community and regional destination, in addition to infrastructure improvements and new open space, provides a full and

compelling rationale to proceed with the Project notwithstanding its environmental impacts. The Plan with the Proposed Phase 1 Modification will allow for development of an initial phase of the Project followed by full build-out at a later date. The affordable housing component of the Willets Point redevelopment has been prioritized to occur in the first phase of development, to help address the critical shortage of affordable housing in the City. Like the Approved Plan, the Proposed Modification represents a critical step in achieving these redevelopment goals for the Willets Point District. While the Proposed Modification facilitates the development of Phase 1 of the District, the Phase 1 development would not differ substantially from what was approved in 2008, would represent the implementation of the first portion of the 2008 vision for the District, and would occur within the area previously identified for the first phase of redevelopment.

The initial phase of development will have some of the same significant adverse impacts as predicted for the full build-out of the District, including those related to transportation; however, these impacts will be mitigated or partially mitigated to the extent feasible, employing similar measures as identified in the FGEIS and subsequent environmental review and described above. The initial phase of development will have similar benefits as the completed Project, including the creation of a vibrant new community, the creation of affordable housing and jobs, and environmental remediation. As identified above, these benefits will be lesser in magnitude or extent than those of the full build-out of the Project. However, balanced against the adverse environmental impacts, these considerable benefits still warrant proceeding with the Plan with the Proposed Phase 1 Modification.

#### **CERTIFICATION OF FINDINGS TO APPROVE/FUND/UNDERTAKE**

Having considered the relevant environmental impacts, facts, and conclusions disclosed in the FGEIS and subsequent environmental review and weighed and balanced relevant environmental impacts with social, economic, and other essential considerations as required in 6 NYCRR 617.11, DME certifies that:

- the requirements of 6 NYCRR Part 617 have been met and that, consistent with social, economic, and other essential considerations from among the reasonable alternatives available;
- the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and,
- adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable.



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Hilary Semel  
Assistant to the Mayor

May 20, 2021

Date