

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

New York City Department of Housing Preservation & Development

June 22, 2021

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), and thereby adopted by the New York City Department of Housing Preservation and Development (HPD).

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 six technical memoranda as well as a supplemental EIS (FSEIS), as described below. After considering the FGEIS and subsequent environmental review, HPD 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.

At this time, the City is considering a Proposed Action (the Acquisition) consistent with the Approved Plan. Similar to the Staged Acquisition Alternative analyzed in the FGEIS, the subsequent Adjusted and Updated Plans analyzed in TM003, TM004, and recently in TM005 (published May 10, 2021), and the phased development of the District analyzed in the FSEIS, the Proposed Action 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.

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.¹ 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.² 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.

As detailed in a Technical Memorandum dated May 10, 2021 (TM005), the City modified the Approved Plan with a Phase 1 project in Willets Point. 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, TM005 assumed 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.

In TM005, 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)

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

² 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.

would be for senior use. 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”). 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. TM005 concluded that there were no additional impacts anticipated to result from the Updated Plan that had not been disclosed in the FGEIS.

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 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 ACTION

The Department of Housing Preservation and Development (HPD) is seeking a discretionary Mayoral Approval Document (MAD) for the Acquisition and will proceed through a Mayor’s Office of Contract Services (MOCS) Hearing and review, to acquire the parcels (“Site”) once owned by the City of New York (comprised of the below 15 lots in the Special Willets Point District and Willets Point Urban Renewal Area). Once reacquired by the City, the Site will be conveyed to the designated developer. No ground disturbance is currently proposed and there is no anticipated impact to the physical environment under this Proposed Action, which is administrative in nature. The Acquisition is anticipated to be a transfer of the

Site at a nominal fee. The Acquisition is anticipated to proceed through the MOCS Hearing and review in 2021 and once approved, be acquired by the end of the year.

Willets Point Acquisition Parcels, Queens (Site)

- Block 1823, Lot 19 – N/A 35th Avenue, Corona, New York 11368
- Block 1823, Lot 20 – N/A 35th Avenue, Corona, New York 11368
- Block 1823, Lot 21 – 126-42 35th Avenue, Corona, New York 11368
- Block 1823, Lot 23 – 126-44 35th Avenue, Corona, New York 11368
- Block 1823, Lot 26 – 126-50 35th Avenue, Corona, New York 11368
- Block 1823, Lot 28 – N/A 35th Avenue, Corona, New York 11368
- Block 1823, Lot 44 – N/A 36th Avenue, Corona, New York 11368
- Block 1823, Lot 47 – 126-27 36th Avenue, Corona, New York 11368
- Block 1823, Lot 52 – 126-25 36th Avenue, Corona, New York 11368
- Block 1823, Lot 55 – 126-17 36th Avenue, Corona, New York 11368
- Block 1824, Lot 19 – 126-40 36th Avenue, Corona, New York 11368
- Block 1824, Lot 21 – 126-42 36th Avenue, Corona, New York 11368
- Block 1824, Lot 26 – 126-50 36th Avenue, Corona, New York 11368
- Block 1824, Lot 38 – 126-37 36th Avenue, Corona, New York 11368
- Block 1824, Lot 40 – 126-43 37th Avenue, Corona, New York 11368

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 Proposed Action is necessary to further the goals of the Approved Plan and is a precondition to further development onsite. The Proposed Action would not change the program and anticipated work studied in prior environmental review, and most recently in TM005, and eventual ground disturbance or implementation of the remediation plan would be subject to review and oversight by state and local regulatory agencies. As detailed in TM006, published on May 14, 2021, 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.

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 Action would not result in any new residential population and would not result in the displacement or alteration of any existing community facilities. Therefore, the Approved Plan with the Proposed Action would not result in any significant adverse impacts to community facilities and services beyond those already identified in the FGEIS and subsequent environmental review.

HISTORIC RESOURCES

The Proposed Action would not result in any new at-grade structures or excavation work. Should there be any new structure proposed as design advances, any new structures would be planned within the footprint and bulk of what was previously analyzed. Therefore, the Approved Plan with the Proposed Action would not have the potential to result in any significant adverse impacts related to historic resources.

TRANSPORTATION

The Proposed Action would not result in any additional projected travel or be anticipated to change the projected and approved uses allowable onsite. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to traffic operations, mobility, public transportation facilities and train elements and flow, safety of all roadway users (pedestrians, cyclists, transit users and motorists), or parking, and/or goods movement. Therefore, the Approved Plan with the Proposed Action would not have the potential to result in any significant adverse impacts related to transportation.

CONSTRUCTION

The Proposed Action would not result in excavation work. The Proposed Action would not result in any significant changes to the construction means and methods from the program studied in the FGEIS and subsequent environmental review. In terms of hazardous materials, prior to any excavation and construction activities at the Site, any impacted soil or groundwater would be properly addressed in accordance with applicable federal, state, and local regulatory requirements, and all active and closed-in-place petroleum tanks would be properly closed and removed. Therefore, the Approved Plan with the Proposed Action would not have the potential to result in any significant adverse impacts related to construction.

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 Action (TM006) concluded that the proposed action would not 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. Like the Approved Plan, the Proposed Action represents a critical step in achieving these redevelopment goals for the Willets Point District through property acquisition, and represents further implementation of the original 2008 goals.

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, HPD as the agency pursuing the discretionary action of property acquisition in Willets Point 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.

For these reasons, HPD has determined to undertake activities related to the Approved Actions, including property acquisition. The FGEIS, subsequent environmental review and these Findings constitute HPD’s written statement of facts and the environmental, social, economic and other facts and standards that form the basis of this decision, pursuant to Section 617.11 (d) of the SEQRA regulations.

Matthew Juliana

Matthew Juliana, AICP, Director of Environmental Planning
City of New York – Department of Housing Preservation & Development

June 22, 2021

Date