Chapter 3: Land Use, Zoning, and Public Policy

A. INTRODUCTION

As described in Chapter 1, "Project Description," the proposed project involves the redevelopment of several parcels on Halletts Point in Astoria, Queens with residential, retail, publicly accessible open space, and parking uses. The proposed project requires a number of actions including zoning map and text amendments and special permits for modifications to height, setback, and bulk requirements. As such, the proposed project would directly affect zoning and land use on the project site. Therefore, this chapter examines the proposed project's consistency with land use and development trends, zoning regulations, and other applicable public policies within a ¼-mile study area, in accordance with the 2012 *City Environmental Quality Review (CEQR) Technical Manual* and Coastal Zone Management (CZM) Act of 1972 (Sections 307c and 307d).

PRINCIPAL CONCLUSIONS

The proposed project would be consistent with land use and development trends, zoning, and public policy for the study area and New York City as a whole. While the proposed project would result in uses that are substantially different than the light industrial and manufacturing/warehousing uses currently permitted on the project site, the proposed mixed-use development would be in keeping with the trend throughout the study area and other parts of the city toward reinvestment in appropriately located and underutilized waterfront areas through redevelopment of mixed-use, higher density projects. Overall, the proposed project would not result in any significant adverse impacts on land use, zoning, or public policy. The proposed project would have a positive effect on land use by creating a vibrant new mixed-use development with public waterfront access and open space on a site that currently contains underutilized industrial uses and vacant land and buildings and would otherwise likely remain vacant and underutilized with no public open space or waterfront access. The new housing, retail, and open space would bring activity to the site and would serve both residents of the proposed project's buildings and the larger Astoria community. The proposed project would be consistent with the goals of the city's New Housing Marketplace Plan (NHMP) and would also help facilitate the New York City Housing Authority's (NYCHA) goal of repositioning its assets to generate revenue for operation of its affordable housing mandate, particularly at the Astoria Houses Campus. Specifically, the proposed project would involve the disposition of property within the NYCHA Astoria Houses Campus to the applicant for the development of affordable housing and to a future development entity for the development of market-rate housing as part of a future request for proposals (RFP) by NYCHA.

B. METHODOLOGY

The analysis methodology is based on the guidelines of the *CEQR Technical Manual* as well as the CZM Act of 1972 and examines the consistency of the proposed project with land use patterns and development trends, zoning regulations, and applicable public policies.

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if a proposed action would result in a significant change in land use or would substantially affect regulations or policies governing land use. An assessment of zoning is typically performed in conjunction with a land use analysis when the action would result in a change in zoning or result in the loss of a particular use. Therefore, a detailed analysis has been prepared that describes existing and anticipated future conditions for the 2022 Build year, assesses the nature of any changes on these conditions that would be created by the proposed project, and identifies those changes, if any, that could be significant or adverse.

This chapter analyzes conditions on the project site, or the area where direct land use effects of the proposed project could occur. In addition, this chapter identifies a study area where the proposed project's indirect land use effects may occur. The study area extends approximately a ¼ mile from the project site boundary. Both the project site and the study area are shown on **Figure 3-1**.

Various sources were used to comprehensively analyze the land use, zoning, and public policy characteristics of the study area, including field surveys, land use and zoning maps, and online sources from the New York City Department of City Planning (DCP) and the New York City Department of Buildings (DOB).

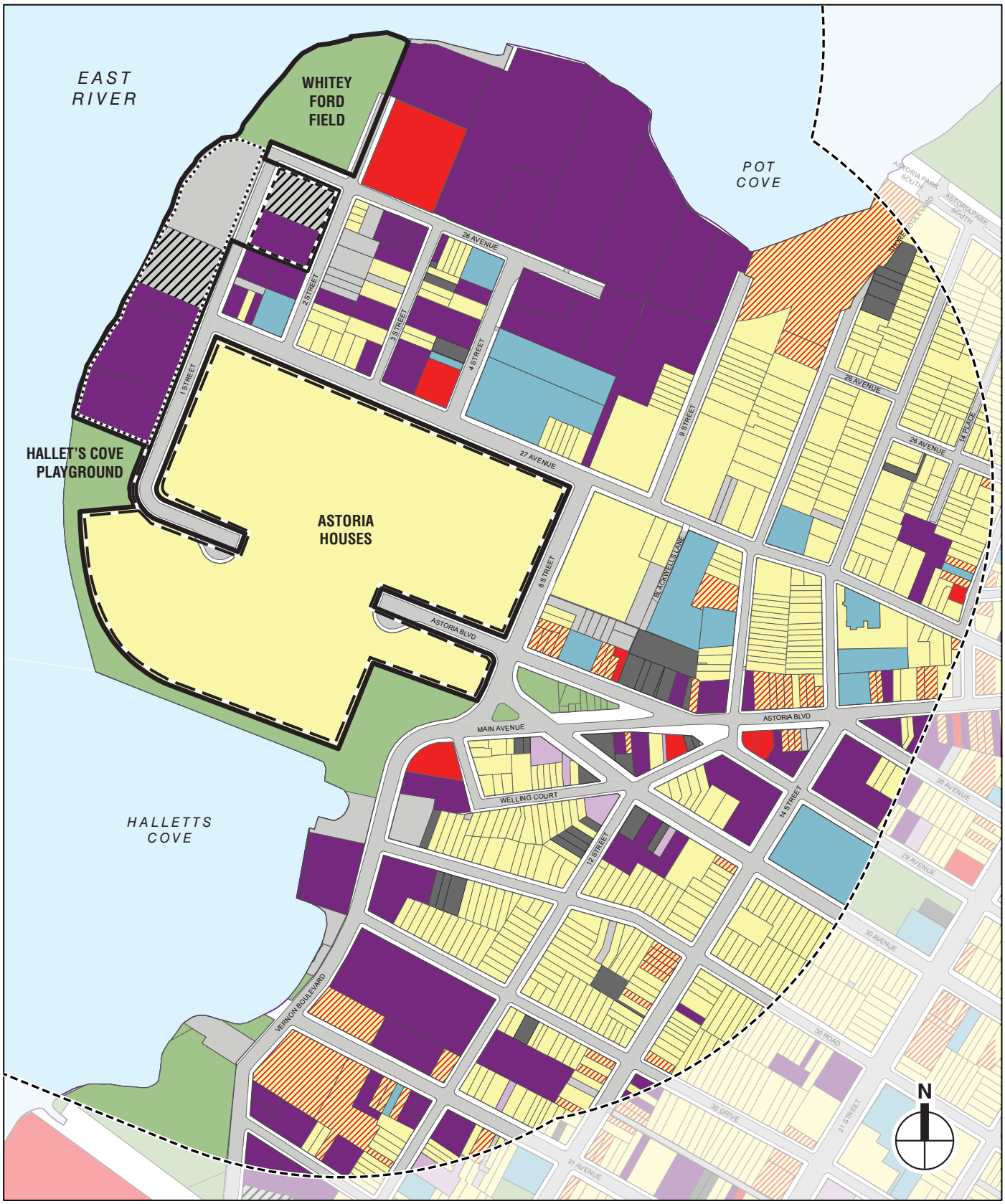
C. DEVELOPMENT HISTORY

The Astoria neighborhood in northwestern Queens consists of the portion of Long Island City north of Broadway. Astoria began to be developed in the 1830s, when Stephen Alling Halsey, a fur trader, purchased the land around a ferry landing at Halletts Cove (at the East River and Astoria Boulevard), which provided service to Manhattan. In 1839, the Village of Astoria was incorporated, and named in honor of John Jacob Astor, also a prominent fur trader.

During the 1840s and 1850s, the area developed inland from the ferry landing, and large homes were built on 27th Avenue and on 12th and 14th Streets. Industrial development began in the area with the construction of the Long Island Rail Road (LIRR) terminal in Hunter's Point in 1861, and industry began to spread northward along the East River, such as Steinway and Sons Piano Factory at the northernmost edge of Astoria—one of the last major American piano manufacturers still in business. In 1870, Astoria, Hunter's Point, Steinway, and Ravenswood consolidated to form Long Island City. In 1898, Long Island City became incorporated as part of New York City.

In the late 19th and early 20th centuries, much industrial and residential development occurred in the area, spurred by the opening of the Queensboro Bridge in 1909, the Hell Gate Bridge in 1916, and construction of the Astoria elevated subway line, which opened on 31st Street in 1917. The East River waterfront, extending from Long Island City to Astoria, experienced continued development of industrial uses, while residential development continued in inland areas. Later transportation projects further increased connectivity with the rest of the city, such as the extension of subway service on Steinway Street and Broadway in 1933 and construction

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Project Site
Study Area Boundary (1/4-Mile Perimeter)
Eastern Parcel
WF Parcel
NYCHA Parcel

Residential
Residential with Commercial Below
Commercial and Office Buildings
Hotels
Public Facilities and Institutions
Industrial, Manufacturing, Storage, and Auto-Related
Open Space and Outdoor Recreation
Parking Facilities
Transportation and Utility
Vacant Land
Vacant Building

0 400 800 FEET
SCALE

HALLETTS POINT

Land Use
Figure 3-1

of the Triborough Bridge in 1936. The NYCHA Astoria Houses Campus (with 1,103 residential units in 22 buildings on a 27-acre site) was completed in 1951 on the Halletts Point peninsula.

Beginning in the 1970s, industrial use in Queens began to decline, as a result of the overall decline of the manufacturing sector throughout the country. This is similar to the trend along the Manhattan and Brooklyn waterfronts. Today, areas historically occupied by industrial uses that have become vacant or underutilized—particularly along the waterfront—are being redeveloped with residential and commercial uses. The demographics of the area have also changed through time. Following World War II, Astoria was mainly Italian, and a large Greek community was established in the area beginning in the mid-1960s. The neighborhood now contains a more diverse population, including those of Asian, Middle Eastern, South American, and Caribbean ancestry, contributing to the vibrant commercial mix as well.

D. EXISTING CONDITIONS

LAND USE

PROJECT SITE

The project site includes the Eastern Parcel (the block bounded by 27th Avenue to the south, 1st Street to the west, 26th Avenue to the north, and 2nd Street to the east), the Waterfront (WF) Parcel (the area bounded by Hallet's Cove Playground to the south, the East River to the west, Whitey Ford Field to the north, and 1st Street to the east), the NYCHA Parcel (the existing Astoria Houses Campus and a 10-foot-wide strip of parkland of Hallet's Cove Playground) and Whitey Ford Field and adjacent area in 2nd Street. Currently, the project site contains vacant land and buildings and underutilized industrial uses, two waterfront park areas, and the NYCHA Astoria Houses Campus. **Figure 3-1** identifies the project site and associated parcels and shows the existing land uses.

The Eastern Parcel contains a low-rise industrial building that is partially occupied by one manufacturing use—an electronics and ink toner company—with the remainder of the building vacant. The WF Parcel contains three low-rise buildings and three open lots. It is predominantly vacant but portions of it are occupied by construction and telecommunications storage and parking uses. From south to north, the WF Parcel consists of an open lot used for construction equipment storage, a building used for construction equipment storage, another smaller open lot used for construction equipment storage, two vacant buildings, and a vacant lot at the northern end.

The NYCHA Parcel contains the Astoria Houses Campus, which consists of 22 six- and seven-story residential buildings on an approximately 27-acre campus with a total of 1,103 residential units, as well as surface parking lots, a day care center and senior center, basketball courts and playgrounds, walkways, and other landscaped areas. The campus was completed in 1951. As discussed in Section F, "Probable Impacts of the Proposed Project," Buildings 6, 7, and 8 would be built within the existing Astoria Houses Campus in areas that currently contain parking lots, walkways, and a small amount of landscaped area. As discussed in Section F, "Probable Impacts of the Proposed Project," as part of the proposed project, Astoria Boulevard, which currently terminates at two non-contiguous cul-de-sacs (one from the east and another from the west), would be connected to extend through the campus over what is an existing landscaped area. As noted above, the NYCHA Parcel includes a 10-foot-wide strip of parkland located on the

Hallet's Cove Playground 1st Street frontage. This section, referred to as the Parks Parcel, comprises a section of the current sidewalk along 1st Street.

The project site also incorporates Whitey Ford Field. Whitey Ford Field is an approximately 3.6-acre park bounded by the East River, 26th Avenue, and 2nd Street, containing a baseball field, bleachers, and open lawn area. It is under the jurisdiction of the New York City Department of Parks and Recreation (DPR), although it is not mapped parkland. As discussed in Chapter 1, "Project Description," the proposed project includes an action that would map Whitey Ford Field as parkland. Lastly, the project site incorporates a portion of the 2nd Street streetbed bounded by the edge of Whitey Ford Field, the centerline of 2nd Street, the East River, and 26th Avenue (the 2nd Street Rezoning Area).

STUDY AREA

The study area generally includes the area within a ¼ mile of the project site, extending north to Pot Cove, south to 31st Drive, east to 18th Street, and west to the East River, and is limited to the area in Queens, taking into account natural features (i.e., the East River), which define the area that may be affected by the proposed project. The study area includes the Halletts Point peninsula and the surrounding area, which is located at the western end of the Astoria neighborhood in Queens. This area contains a mix of residential, commercial, and light-manufacturing uses, interspersed with community facilities and open space.

The study area reflects Astoria's historic character of low-density industrial uses along the waterfront, with residential uses farther inland, and also reflects the area's trend toward the replacement of industrial uses with higher-density residential and commercial development. Low-rise industrial development is generally located along the waterfront on the Halletts Point peninsula, and is found upland between 26th and 27th Avenues and along Astoria Boulevard in the eastern portion of the study area. Residential uses are mixed with the industrial uses on the upland portion of the peninsula and extend farther outward into the remainder of the study area, with large concentrations located north of 27th Avenue and south of 30th Avenue. The area is developed with a wide variety of housing types including prewar mid-rise apartment buildings, two- and three-story rowhouses and semi-detached buildings, and detached one- and two-family homes mixed with a few newer, higher-density towers with commercial uses on the ground floor.

Mid-rise residential buildings ranging from three to eight stories are located along 26th and 27th Avenues, such as on both sides of 27th Avenue at 8th and 9th Streets, including Bridgeview II, a low-income housing apartment complex on 9th Street at 27th Avenue. A recently constructed 3-story apartment building is located at the southeast corner of 26th Avenue and 2nd Street. Another recent construction residential development is RiverPoint Condominiums, a 4-story, 52-unit development on 27th Avenue between 2nd and 3rd Streets. Other residential towers with retail uses on the ground floor are located at the edges of the study area, such as the 20-story East River Tower on 31st Avenue between Vernon Boulevard and 12th Street, and the 23-story Shore Towers Condominiums on Shore Boulevard, with public access to the waterfront. Some smaller scale residential buildings, including detached one- and two-family homes and two- and three-story rowhouses, are located on the blocks between 1st and 9th Streets—interspersed with light-manufacturing uses on those blocks—and throughout the study area.

In terms of industrial uses, the northeastern section of the Halletts Point peninsula primarily contains low-rise industrial buildings with light-manufacturing uses and open storage yards, which extend to the waterfront at Pot Cove. Light-manufacturing uses are predominantly

construction and building suppliers in this area. Additional warehousing and industrial buildings as well as bus/vehicle storage are also located in this area. Vacant, former industrial sites are located along 26th Avenue between 4th Street and 9th Street and are the subject of a proposal for mixed-use redevelopment (see "The Future Without the Proposed Project," below).

Other warehouses, light industrial uses, and storage yards are located on the upland blocks between 1st and 4th Streets, and include a custom cabinet-maker, a tile and marble contractor, and an ambulette service provider. Other concentrations of industrial and light-manufacturing uses are found along Main Avenue/Astoria Boulevard and along Vernon Boulevard, including a carpet cleaner, a tile manufacturer and wholesaler, a signage manufacturer, and a grocery supplier. Other industrial and light-manufacturing uses along these corridors include welding, blacksmithing, and tools manufacturers; air conditioning contractors; and auto-related uses.

Commercial and retail uses in the study area are less prominent, but a number of the residential buildings have ground-floor retail or commercial uses, particularly along 14th Street, which feature neighborhood services including barber shops and hair salons, pizza eateries, delis, and laundry services. Astoria Boulevard has a vibrant commercial strip. A one-story commercial building is located on 27th Avenue and 4th Street, and contains a few small retail establishments, including a grocery store, hair salon, laundromat, and pharmacy. A one-story 99 cents store is located on Vernon Boulevard at Welling Court. Hellgate Filming Studios occupies half of the block bounded by 26th Avenue, 2nd and 3rd Streets, and Pot Cove.

There are several community facility uses in the study area. The headquarters of Goodwill Industries, as well as some of its programs and services and the Goodwill Terrace Apartments, occupies a 15-story residential tower, located on 27th Avenue at 4th Street, atop a rehabilitation center. Goodwill Industries also has a storefront on 4th Street, which houses its youth services, and Betel of America, which operates a food pantry, is located in a three-story building on 4th Street and 26th Avenue. Reality House recently opened a Veterans community residence and outpatient program on Astoria Boulevard between 8th Street and Blackwell Lane, and Urban Pathways recently constructed its Hallet's Cove House—a 50-unit supportive housing residence on the northwest corner of 27th Avenue and 2nd Street.

Three religious institutions are located in the study area: St. Margaret Church and Parish Center on 27th Avenue at Blackwell Lane; the Holy Protection of the Mother of God Greek Orthodox Church on 27th Avenue and 12th Street; and the Historic St. George Church on 27th Avenue near 14th Street. The St. George Cemetery is located on the same block, adjacent to the Astoria Library—located on the northeastern corner of Astoria Boulevard and 14th Street.

A public elementary school, P.S. 171, is located on the block bounded by 29th Avenue to the north, 30th Avenue to the south, 21st Street to the east, and 14th Street to the west.

Bordering the Astoria Houses Campus to the south, east, and west along the waterfront, is Hallet's Cove Playground, which is under the jurisdiction of DPR. This park consists of two playground areas—one abutting the WF Parcel to the south and one located at Vernon Boulevard and Main Avenue—connected by a waterfront esplanade that runs along Halletts Cove. The playground areas include play equipment, asphalt ballfields, basketball courts, and handball courts. Other open spaces in the study area include Two Cove Community Garden, bounded by Astoria Boulevard, Main, and 30th Avenues, and Socrates Sculpture Park, along Halletts Cove at the southwestern edge of the study area. These are described in more detail in Chapter 6, "Open Space."

ZONING

PROJECT SITE

There are two New York City zoning districts mapped on the project site: M1-1 (a light-manufacturing district) and R6 (a medium-density residence district). **Figure 3-2** depicts the zoning districts on the project site and in the surrounding ¼-mile study area. **Table 3-1** details the study area's existing zoning district regulations.

Table 3-1
Existing Zoning in Study Areas

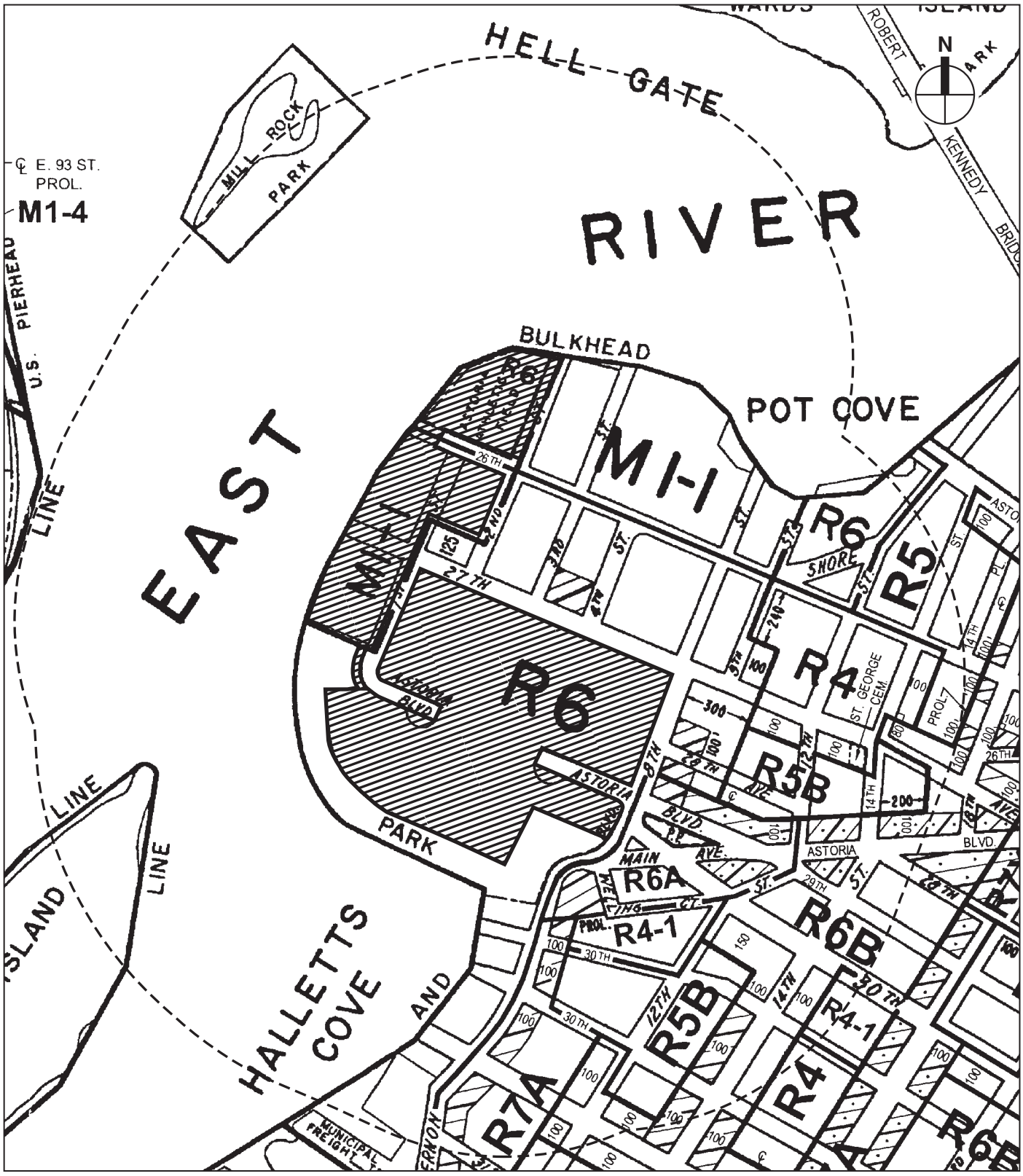
District	Maximum FAR1	Uses/Type
Residential Districts		
R4	0.75[2] residential; 2.00 community facility	Lower-density residential district; attached, semi-detached, and detached dwellings
R4-1	0.75[2] residential; 2.00 community facility	Lower-density contextual residential district; one- and two-family detached and semi-detached dwellings
R5	1.25 residential; 2.00 community facility	Lower-density residential district; attached, semi-detached, and detached dwellings
R5B	1.35 residential; 2.00 community facility	Lower-density contextual residential district; rowhouse development or detached and semi-detached buildings
R6	0.78 to 2.43; 2.2 to 3.0[3] residential; 4.8 community facility	Medium-density residential district; can support rowhouse development or "tower-in-the-park" development
R6A	3.0 residential; 3.0 community facility	Medium-density contextual residential district with base height, building height, and setback requirements
R6B	2.0 residential; 2.0 community facility	Medium-density contextual residential district with base height, building height, and setback requirements
R7A	3.0 residential; 3.0 community facility	Medium-density contextual residential district with base height, building height, and setback requirements
Commercial Districts		
C1-3 (overlay)	2.0 when mapped in R6-R10	Local retail and services
C2-3 (overlay)	2.0 when mapped in R6-R10	Local retail and services
Manufacturing Districts		
M1-1	1.0 manufacturing and commercial; 2.4 community facility	Light-manufacturing uses with strict performance standards, often mapped as buffers between residential and manufacturing areas.

Notes:
1. Floor area ratio (FAR) is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 square feet with a FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet.
2. May be increased up to 20 percent for attic allowance.
3. On a wide street outside the Manhattan Core.

Industrial uses in M1 districts are subject to stringent performance standards relating to noise, vibration, dust, and other conditions. M1-1 districts allow industrial and commercial development at a floor area ratio (FAR) of 1.0. Certain community facility uses are allowed by special permit at 2.4 FAR; new residential development is not permitted in M1-1 districts. The Eastern and WF Parcels, located along the western portion of the Halletts Point peninsula, are currently zoned M1-1.

R6 districts produce a variety of building types, ranging from attached row houses to "tower-in-the-park" developments. If height factor regulations are employed, the maximum FAR for residential use ranges from 0.78 to 2.43, based on sky exposure planes. Parking is required for 70 percent of dwelling units, and is waived if 5 or fewer spaces are required. If contextual

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Project Site

Study Area Boundary (1/4-Mile Perimeter)

Zoning District Boundary

C1-3 Overlay

C2-3 Overlay

HALLETTS POINT

Existing Zoning
Figure 3-2

regulations are employed through the Quality Housing option, the maximum residential FAR ranges from 2.2 for narrow streets to 3.0 for development on wide streets. Parking is required for 50 percent of dwelling units, and is waived if 5 or fewer spaces are required. Development of community facility uses is permitted at 4.8 FAR. The entire Astoria Houses Campus is zoned R6. Whitey Ford Field is also currently zoned R6.

The Parks Parcel is mapped parkland on the City Zoning Map.

STUDY AREA

On the Halletts Point peninsula, the M1-1 district extends north of 26th Avenue to the waterfront, east to 2nd Street, and west of 5th Street. The remainder of the Halletts Point peninsula is zoned R6.

A C1-3 commercial overlay is mapped within the R6 district on 27th Avenue between 3rd and 4th Streets and on the east side of 8th Street between 27th Avenue and Astoria Boulevard. A C1-3 overlay is also mapped in a R6B district along part of 14th Street, and a C2-3 overlay is mapped within R6A, R6B, R7A, and R7X districts along Astoria Boulevard, Broadway, and 21st Street. C1-3 and C2-3 districts permit up to 2.0 FAR for commercial uses when mapped in R6–R10 districts. They are intended to provide neighborhood services for residential neighborhoods.

The remainder of the study area is mapped with low- and medium-density residential districts, including R4, R5, R6, lower-density contextual residential districts (R4-1 and R5B), and medium-density contextual residential districts, including R5B, R6A, R6B, and R7A. Much of the waterfront area—on Pot Cove and Halletts Cove—is zoned R6. Some of the main thoroughfares in the study area, such as Astoria Boulevard and 14th Street, are zoned with contextual residential districts.

The R4 and R5 districts are located in the northeastern portion of the study area. R4 districts permit residential development with an FAR of up to 0.75 FAR (20 percent increase allowed for an attic), and community facility development at up to 2.0 FAR. R4 districts typically result in three-story, attached and semi-detached buildings. The R5 district is mapped throughout the outer boroughs, often to provide a transition between lower- and higher-density areas. R5 districts permit up to 1.25 FAR for residential use and up to 2.0 FAR for community facilities. R5 districts typically include three-story attached houses and small apartment houses.

R4-1 contextual districts permit only one- and two-family detached and semi-detached houses (same FAR requirements as for R4 districts). An R4-1 district is mapped on one block within the study area, north of 30th Road, south of Welling Court, east of Vernon Boulevard, and west of 12th Street. R5B contextual districts permit detached and semi-detached buildings, but primarily produce three-story rowhouses. R5B districts are located generally along portions of 12th Street within the study area.

The R6A, R6B, and R7A districts are meant to preserve the scale and streetscape of the existing neighborhood, and must comply with Quality Housing bulk regulations. R6A districts (mapped along part of Main Avenue and Astoria Boulevard in the study area) allow new residential and community facility development at 3.0 FAR, and have a required base height of 40 to 60 feet, and a maximum height of 70 feet. R6B districts, which are mapped along 14th Street and part of Astoria Boulevard, allow new residential and community facility development at 2.0 FAR, and have a required base height of 30 to 40 feet, and a maximum height of 50 feet. R7A districts (mapped along the west side of Vernon Boulevard in the study area) allow new residential and

community facility development at 3.0 FAR, and have a required base height of 40 to 65 feet, and a maximum height of 80 feet.

Portions of the eastern end of the study area—generally east of Vernon Boulevard, 8th Street, 5th Street, and 12th Street—were rezoned in 2010 as part of the Astoria Rezoning. This rezoning was intended to preserve the existing scale and character of the area while allowing for a modest increase in residential and commercial density in appropriate limited locations. A related action made the Inclusionary Housing Program applicable in certain zoning districts within the rezoning area to incentivize the development of affordable housing.

WATERFRONT ZONING REGULATIONS

Areas on the waterfront in New York City are generally subject to "Special Regulations Applying in the Waterfront Area" of the New York City Zoning Resolution. The regulations include special bulk and use restrictions and other design standards to ensure visual connections to the waterfront, as well as physical access to the waterfront.

PUBLIC POLICY

There are a number of waterfront regulations and policies that apply to development within the study area, as well as other public policies. Officially adopted and promulgated public policies describe the intended use applicable to an area in the city. Some of these policies have regulatory status, while others describe general goals.

NEW YORK CITY COMPREHENSIVE WATERFRONT PLAN

In March 2011, DCP released *Vision 2020: New York City Comprehensive Waterfront Plan*. An update of the 1992 Comprehensive Waterfront Plan, this plan articulates eight goals for the city's waterfront:

1. Expand public access to the waterfront and waterways on public and private property for all New Yorkers and visitors alike.
2. Enliven the waterfront with a range of attractive uses integrated with adjacent upland communities.
3. Support economic development activity on the working waterfront.
4. Improve water quality through measures that benefit natural habitats, support public recreation, and enhance waterfront and upland communities.
5. Restore degraded natural waterfront areas, and protect wetlands and shorefront habitats.
6. Enhance the public experience of the waterways that surround New York—our Blue Network.
7. Improve governmental regulation, coordination, and oversight of the waterfront and waterways.
8. Identify and pursue strategies to increase the city's resilience to climate change and sea level rise.

The *Comprehensive Waterfront Plan* lays out strategies to achieve each goal and complements those strategies with the New York City Waterfront Action Agenda, a set of projects chosen for their ability to catalyze investment in the waterfront. With respect to Halletts Point, the Plan

supports rezoning and medium-density residential and mixed-use development with continuous waterfront access around the peninsula.

WATERFRONT REVITALIZATION PROGRAM/COASTAL ZONE MANAGEMENT ACT

The project site is located within the New York State Coastal Zone Boundary (see **Figure 3-3**). The federal CZM Act of 1972 was established to support and protect the distinctive character of the waterfront, and to assist coastal states in establishing policies for managing their coastal zone areas. In 1982, New York adopted a State Coastal Management Program (CMP), designed to balance economic development and preservation in the coastal zone by promoting waterfront revitalization and water-dependent uses while protecting fish and wildlife, open space and scenic areas, public access to the shoreline and farmland, and minimizing adverse changes to ecological systems and erosion and flood hazards. The state program, administered by the New York State Department of State (NYSDOS), is consistent with the federal CZM Act and contains 44 coastal policies. It also provides for local implementation when a municipality adopts a local waterfront revitalization program that is consistent with the federal CZM Act.

In accordance with the State program, New York City adopted a local waterfront revitalization program, the New York City Waterfront Revitalization Program (WRP), in 1999, and was subsequently approved by NYSDOS with the concurrence of the U.S. Department of Commerce. The WRP, as amended, incorporates the state's 44 coastal policies, and contains an additional 10 policies. The program is administered by DCP. It establishes the city's policies for development and use of the waterfront and provides a framework for evaluating activities proposed in the Coastal Zone. The WRP is currently under revision with expected approval by NYSDOS and the U.S. Department of Commerce in 2013.

The coastal zone management program consistency review process is described in federal regulations at 15 Code of Federal Regulations (CFR) 930: Federal Consistency with Approved CMPs, as amended, as well as in the WRP. Consistency review is required for any project that:

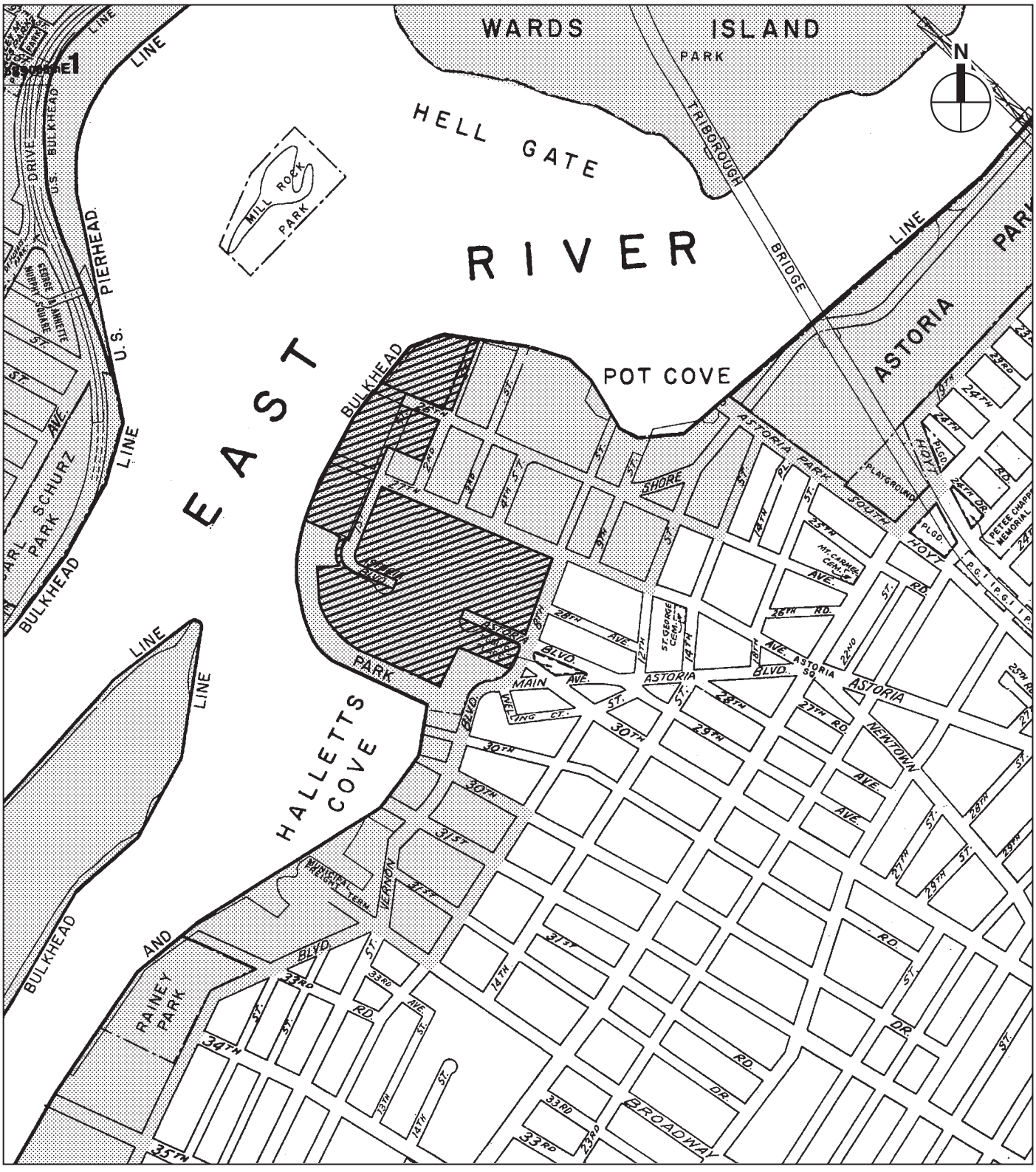
- Is in, or is expected to affect the resources or land or water uses of, the New York coastal zone; and
- Requires a state- or federally listed permit, is federally, state, or locally funded, or is a direct activity of a federal, state, or local agency.

The city's policy is to review a project's consistency with the WRP policies, if it is within the Coastal Zone and requires a local discretionary review. These WRP policies are consistent with the state's CMP; both promote a balance of economic development and preservation and revitalization of the coastal zone; protect fish and wildlife, open space and scenic areas, and public access to the shoreline; and minimize adverse changes to ecological systems and erosion and flood hazards.

In its present state, the project site, which is currently underutilized, is contrary to the goals of the New York State CMP and the New York City WRP policies.

Section F "Probable Impacts of the Proposed Project," reviews the New York City coastal zone policies and assesses the consistency of the proposed project with these policies. In accordance with federal regulations found at 15 CFR Part 930, the project is also reviewed for its consistency with New York State's CMP.

11.14.12



Project Site

Coastal Zone Boundary

HALLETTS POINT

Coastal Zone Boundary

Figure 3-3

PLANYC (2011)

Released by the city in April 2007 and updated in April 2011, this 128-point plan was prepared to create an environmentally sustainable city over the next two decades. PlaNYC focuses on the many facets of New York's environment—its transportation network, housing stock, land and park system, energy network, water supply, and air quality—and sets a course to achieve 10 goals to create a more sustainable New York by the year 2030. Specific goals of the plan include:

1. Create enough housing for almost a million more people, and find ways to make housing more affordable;
2. Ensure that every New Yorker lives within a 10-minute walk of a park;
3. Clean up all contaminated land in New York City;
4. Improve the quality of waterways to increase recreational opportunities and restore ecological integrity;
5. Ensure a reliable and high quality source of water;
6. Expand sustainable transportation choices and ensure the reliability and high quality of the city's transportation network;
7. Provide cleaner, more reliable power and reduce energy consumption;
8. Achieve the cleanest air quality of any big city in America;
9. Divert 75 percent of solid waste from landfills; and
10. Reduce New York City's greenhouse gas emissions by more than 30 percent by 2030.

PLAN NYCHA: A ROADMAP FOR PRESERVATION

Facing obstacles to public housing preservation, including aging buildings, reduced funding and higher costs, and in light of greater demand, NYCHA has developed this plan to preserve public housing in the city.

Plan NYCHA was developed collaboratively with NYCHA employees, public housing residents and resident leadership, and community advocates. While the intent is for Plan NYCHA to continuously evolve, it has 10 core goals for NYCHA and its stakeholders over the next five years and beyond:

1. Preserve the public and affordable housing asset (such as by pursuing creative public-private funding solutions);
2. Develop new mixed-use, mixed-income housing and resources;
3. Ensure financial stability;
4. Expedite maintenance and repairs;
5. Strengthen the frontline (e.g. improve efficiency and productivity);
6. Improve safety and security;
7. Optimize apartment usage and ensure rental equity;
8. Connect residents and communities to critical services;

9. Excel in customer service; and
10. Create a high-performing NYCHA (i.e., one with high efficiency and empowered employees).

NYC NEW HOUSING MARKETPLACE PLAN (2010)

By early 2010, the Department of Housing Preservation and Development (HPD) financed 100,000 units through the New Housing Marketplace Plan, including 12,500 units in Fiscal Year 2009, despite the economic downturn and resulting challenges in the housing market. With the help of many other public and private partners, HPD anticipates creating or preserving 165,000 affordable homes for low-, moderate-, and middle-income New Yorkers. At the plan's inception in 2003, the plan established four key goals:

1. Finding new land for affordable housing, including underutilized land that would benefit from changes to zoning;
2. Creating incentives to develop housing for new populations in the form of financing and floor area bonus provisions under the Inclusionary Housing Program;
3. Harnessing the private market to create affordable housing; and
4. Preserving government assisted affordable housing.

HPD has also partnered with NYCHA to produce more than 1,600 units of affordable housing on underused NYCHA land, while providing income to the public housing agency through purchase prices.

AIRPORT CLEAR ZONES

The project is subject to U.S. Department of Housing and Urban Development (HUD) policy as described in 24 CFR 51, Subpart D (Airport Clear Zones). HUD policy as described in 24 CFR 51, Subpart D, is that assistance for construction or major rehabilitation of any real property located on a clear zone site is prohibited for a project to be frequently used or occupied by people. For properties located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway, the airport operator should make a finding stating whether or not the property is located within a runway clear zone for civil airports or a clear zone or accident potential zone at a military airfield. The project site is not located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway.

E. THE FUTURE WITHOUT THE PROPOSED PROJECT

This section considers land use, zoning, and public policy conditions without the proposed project for 2022, the future analysis year (the No Build condition). The conditions described below form the No Build condition, which is the baseline condition in the study area against which the proposed project's incremental changes will be measured.

LAND USE

PROJECT SITE

In the future without the proposed project, it is anticipated that the project site will continue to be occupied by existing uses. The WF and Eastern Parcels will remain underutilized sites

occupied by vacant land and building and manufacturing and storage uses. No new residential or retail uses will be introduced on the project site and no publicly accessible open space will be created.

STUDY AREA

In the No Build condition, the study area is expected to experience an ongoing trend toward the development of new residential, retail, and community facility uses and publicly accessible open space in place of underutilized industrial uses and vacant land. In total, nearly 1,400 new housing units are anticipated in the ¼-mile study area by the proposed project's 2022 Build year (see Table 2-1 in Chapter 2, "Analytical Framework").

Several No Build projects are anticipated in the study area by the 2022 Build year. Many of these projects will introduce residential and retail uses, most notably, the proposed Astoria Cove project, which is assumed to be partially complete by 2022. This is a proposal that will require discretionary land use approvals; however, because it is located in close proximity to the project site, the portion that is assumed to be completed by the 2022 Build year has been incorporated into the future without the proposed project for conservative impact analysis. Astoria Cove, if approved, will transform five lots (totaling approximately 8.4 acres) on the northeastern portion of the Halletts Point peninsula, on either side of 26th Avenue, into a mixed-use, predominantly residential waterfront development. At partial build-out in 2022, Astoria Cove is expected to add more than 1,000 residential units (including both market-rate and affordable units), local retail (including a supermarket), parking, and publicly accessible open space to the study area. The Astoria Cove project site currently encompasses two mapped but unbuilt segments of 8th Street (to the north and south of 26th Avenue), as well as an unimproved portion of 26th Avenue west of 9th Street. Both street segments are expected to be built and improved under the No Build condition. The local retail would be located along all vehicular streets within the Astoria Cove project site and is expected to include a supermarket.

In addition, future development pursuant to the 2010 Astoria Rezoning is expected to introduce new residential/retail uses on two sites located on 31st Drive and 31st Avenue between Vernon Boulevard and 12th Street in the southern portion of the study area. Approximately 189 new housing units and 16,000 square feet of retail will be created on these two sites combined.

Several smaller residential projects are also anticipated in the study area in the future without the proposed project, including 28 units on 2nd Street between 26th and 27th Avenues, 8 units on 12th Street between 26th and 27th Avenues, 5 units at the northwest corner of Astoria Boulevard and Blackwell Lane, and another 4 units on 12th Street between Welling Court and 30th Road.

ZONING

PROJECT SITE

There are no notable changes to zoning or public policy anticipated on the project site under the No Build condition.

STUDY AREA

Within the study area, the Astoria Cove project will be facilitated by a zoning map and text amendments, a large-scale residential development authorization, and several special permits. The Astoria Cove project includes an amendment of the city's zoning map to rezone the site

from the existing M1-1 (north of 26th Avenue) and R6 (south of 26th Avenue) to R6B, R7-3, and R7A, with a C2-4 commercial overlay. A portion of the R6 district will remain. The proposed zoning districts will allow residential uses in the entire rezoning area, which are prohibited under the existing M1-1 zoning on the northern portion of the Astoria Cove site. The project will also allow a wider range of commercial uses through the mapping of a commercial overlay. This project requires discretionary actions and is therefore subject to environmental and public review.

No other zoning changes affecting the study area are expected by the proposed project's 2022 Build year.

PUBLIC POLICY

PROJECT SITE

In the No Build condition, the goals of the public policies relating to the project site will not be met. The waterfront and general development policies of the city including PlaNYC, the *Comprehensive Waterfront Plan*, etc., will not be supported by the project site remaining in an underutilized condition.

As noted above, DCP has proposed revisions to the WRP in order to advance the long-term goals laid out in the Comprehensive Waterfront Plan. The proposed changes are intended to enhance sustainability and climate resilience planning through the incorporation of climate change considerations. The proposed revisions to the WRP are also intended to promote various ecological objectives, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. Following referral by the City Planning Commission (CPC) in March 2012, the revisions to the WRP are undergoing public review following the New York City Charter Section 197-a process for community input and adoption. Following all local approvals, NYSDOS and the United States Department of Commerce must also approve the proposed revisions. Completion of the approvals process is anticipated in 2013.

STUDY AREA

No other changes to public policies affecting the study area are expected by the proposed project's 2022 Build year.

F. PROBABLE IMPACTS OF THE PROPOSED PROJECT

This section describes the land use, zoning, and public policy conditions that would result from the completion of the proposed project by 2022 (the Build condition), and evaluates the potential for the proposed project to result in significant adverse impacts.

LAND USE

PROJECT SITE

On the Eastern and WF Parcels, the proposed project would include residential, retail, and parking uses in low- to mid-rise bases and residential uses in high-rise towers. Ground-floor retail would line portions of 1st Street and the demapped portion of 27th Avenue leading to the

waterfront. An approximately 30,000-gross-square-foot retail space (designed for a supermarket use) would be located on the ground floor of Building 1.

Buildings 6 and 7 on the NYCHA Parcel would contain four new mid-rise buildings with residential and retail uses and surface parking. Local retail uses would be located along 27th Avenue and parking lots would be provided at the rear of the buildings. Affordable housing would be developed within Buildings 1, 5, 6, and 7.

Building 8 would be a high-rise building containing residential and retail uses and garage parking. Local retail uses would be located on Astoria Boulevard at the intersection of 1st Street. Building 8 is expected to be developed as part of a future RFP by NYCHA.

The proposed project would also include approximately 2.35 acres of publicly accessible open space, including a waterfront esplanade along the East River and upland connections to 1st Street. The proposed waterfront esplanade would provide public access to the waterfront along the WF Parcel and would connect the neighborhood to the water's edge. Upland connections to 1st Street would be created at 26th and 27th Avenue and along Hallet's Cove Playground and would provide visual and physical access to the waterfront. At 27th Avenue, the proposed esplanade would include a public plaza with seating and retail uses. The proposed esplanade would provide a cohesive transition from Hallet's Cove Playground south of the site to Whitey Ford Field north of the site.

As part of the proposed project, a new connecting street segment between existing mapped portions of Astoria Boulevard would be created on the NYCHA parcel. Between 1st Street and 8th Street, Astoria Boulevard would be two-directional with one lane in either direction. Parking may be added along some segments of the street, depending on required street widths and the location of existing mature trees.

The proposed project would have a positive effect on land use by creating a vibrant, new mixed-use development with public waterfront access and open space on a site that is currently vacant and would otherwise be occupied by industrial and vacant uses with no public open space or waterfront access. The new housing, retail, and open space would bring activity to the site and would serve both residents of the proposed project's buildings and the larger community. In addition, the proposed retail in Buildings 6, 7, and 8 would enliven 27th Avenue and Astoria Boulevard by providing existing and future residents with convenient access to commercial uses. The new connecting street segment between existing mapped portions of Astoria Boulevard on the NYCHA Parcel is intended to improve circulation in the area and provide a better connection with the surrounding community, particularly with the future development of Building 8 along Astoria Boulevard.

STUDY AREA

While the proposed project would substantially change the land use conditions on the project site, the proposed development would be compatible with land uses in the broader study area and would be consistent with the study area's and the city's trend toward the transformation of underutilized industrial parcels on the waterfront to higher-density mixed use development. Overall, the proposed project would not result in any significant adverse impacts to land use. Moreover, the area's existing open space and community facility assets would support the proposed residential and retail uses. The proposed project would have a positive effect on land use by creating a vibrant new mixed-use development with public waterfront access and open space on a site that is currently vacant and would otherwise be occupied by industrial and vacant

uses with no public open space or waterfront access. The new housing, retail, and open space would bring activity to the site and would serve both residents of the proposed project's buildings and the larger community.

ZONING

PROJECT SITE

As described in Chapter 1, "Project Description," the proposed project would require the following zoning actions:

Zoning Map Changes

- Rezoning of Eastern and WF Parcels from an M1-1 District to R7-3/C1-4 District;
- Establish a C1-4 District within an existing R6 District on p/o the Astoria Houses Campus—NYCHA would be the co-applicant for this rezoning action, which would facilitate the proposed project's development of Buildings 6, 7, and 8;
- Establish an R6 District on the Parks Parcel;
- Rezoning of parcel bounded by edge of Whitey Ford Field, centerline of 2nd Street, East River, and 26th Avenue from R6 to M1-1;
- Rezoning a former portion of 26th Avenue between 1st Street and the US Bulkhead and Pierhead line from an R6 District to an R7-3/C1-4 District; and
- Rezoning a portion of 26th Avenue between 1st Street and 2nd Street from an R6 District to an R7-3 District.

Zoning Text Amendments

- Text amendment to ZR §63-02(a)(4), 63-25(d), and Appendices A, B, and C to make Queens Community District 1 shown on Map 1 in Appendix B, eligible for the Food Retail Expansion to Support Health (FRESH) Program;
- Text amendment to ZR §62-454 to exempt accessory parking located no more than 33' above the height of the base plane from the definition of floor area;
- Text amendment to ZR §23-952, §62-322, and Appendix F to apply the Inclusionary Housing program to the WF and Eastern Parcel;
- Text amendment to ZR §23-952 to add R7-3 base and maximum FARs;
- Text amendment to modify ZR §62-132 to allow lot lines coincident with the boundary of a mapped Public Park in Queens Community District 1 to be treated as a wide street line for the purposes of applying §23-86 (minimum distance between legally required windows and walls or lot lines); and
- Text amendment to modify ZR §74-742 to permit a Large Scale General Development (LSGD) special permit to be applied for even if a portion of the LSGD is owned by the City or State of New York or is located within the bed of 26th Avenue, between 1st Street and the bulkhead line.
- Text amendment to modify ZR §74-743 to authorize CPC to permit floor area distribution from a zoning lot containing public housing buildings on the Halletts Point peninsula if unused floor area on a separate parcel containing light industrial buildings to be demolished

can be transferred to another zoning lot within a large scale general development and such distribution contributes to better site planning of a waterfront public access area and the development of affordable housing units.

The text of the proposed zoning text amendments is provided in **Appendix A**.

LSGD Bulk Modification Special Permits

- ZR §74-743(a) Special Permit to
  - allow floor area from the Waterfront Zoning Lot to be distributed to the Eastern Zoning Lot;
  - allow lot coverage from the Eastern Zoning Lot to be used on the Waterfront Zoning Lot;
  - waive the ZR §23-532 through-lot rear yard equivalent;
  - waive the height & setback provisions of ZR §62-341(c)(1) and (2);
  - waive the tower footprint size limitation provision of §62-341(c)(4);
  - waive the maximum width of walls facing shoreline provision of §62-341(c)(5); and
  - allow a phased construction program for Development, pursuant to ZR §11-42(c).

Waterfront Special Permits

- ZR §62-836 Special Permit to waive the Shore Public Walkway initial setback distance provisions of 62-341(a), the height & setback provisions of §62-341(c)(1) and (2), the 30 percent floor area coverage provision of §62-341(c)(3), the tower footprint size limitation provision of §62-341(c)(4), the maximum width of walls facing shoreline provision of §62-341(c)(5), and the minimum distance between buildings on the same zoning lot requirements of §23-711.

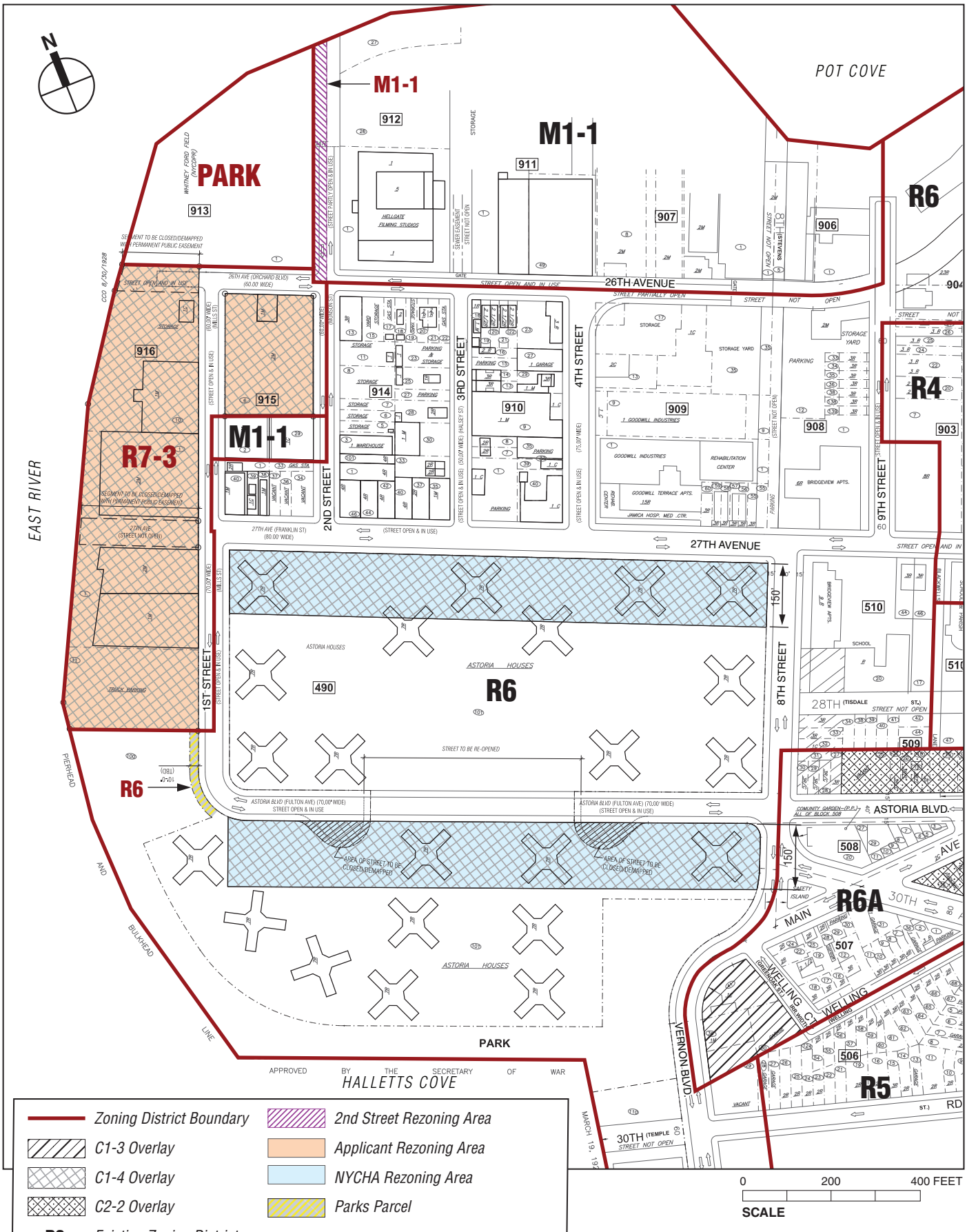
Waterfront Authorizations and Certifications

- ZR §62-822(a) Authorization to modify the requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors—NYCHA would be the co-applicant for this authorization;
- ZR §62-822(b) Authorization to modify requirements within a waterfront public access areas—NYCHA would be the co-applicant for this authorization;
- ZR §62-822(c) Authorization for phased development of waterfront public access areas; and
- ZR §62-811(b) Certification by the Chairperson of the CPC for compliance with the requirements for waterfront public access and visual corridors—NYCHA would be the co-applicant for this certification.

Figure 3-4 shows the proposed zoning of the project site.

In addition to the actions listed above, it is anticipated that the authorization application (N090487ZAQ) filed pursuant to ZR §62-822(a) may be amended to allow the waterfront yard elevation to be raised and to modify the level of the visual corridors accordingly. ZR §62-332 (Rear yards and waterfront yards) limits the level of waterfront yards to the elevation of the top of the existing bulkhead, existing stabilized natural shore or mean high water line and ZR §62-512 (Dimensions of visual corridors) requires that the lowest level of a visual corridor be

11.14.12



HALLETTS POINT

Proposed Zoning
Figure 3-4

determined by a plane connecting the intersection of the visual corridor with the street and the shoreline. This modification would be requested to address and plan for project resilience to flooding. The Federal Emergency Management Agency (FEMA) has re-evaluated existing flood elevations and released Advisory Base Flood Elevations (ABFEs) indicating that base flood elevation would likely rise several feet. Accordingly, the base plane of the proposed buildings will likely be raised to a higher elevation to maintain compliance with zoning and construction codes, which are based off of base flood elevation. Therefore, the waterfront yard may need to be raised to maintain connectivity with the higher base plane of the buildings fronting 1st Street and the modification of the above authorization would be required.

In order to facilitate a better site plan and flexibility in the allocation of affordable housing units among the project sites, the proposed project includes the creation of an LSGD Plan that would include the Eastern, WF, and NYCHA Parcels. Other discretionary actions being requested include several mapping action, disposition of public housing property, use of development rights associated with lands underwater, and other potential financing approval for affordable housing.

The proposed zoning districts (other than the rezoning of the 2nd Street Rezoning Area) would allow residential uses in the entire rezoning area, which are prohibited under the existing M1-1 zoning on the western portion of the project site. The proposed rezoning would also allow a wider range of commercial uses through the mapping of a commercial overlay. In addition, the proposed zoning districts on the WF and Eastern Parcels would allow development at a greater FAR than allowed under the current zoning. The zoning changes are necessary to facilitate the development of residential uses on WF and Eastern Parcels and retail uses on the NYCHA Parcel.

The requested special permits, authorizations, and text amendments would provide an incentive for the development of affordable housing on the project site and are intended to provide for better design of the buildings and open space compared with the standard requirements of waterfront zoning. The requested waivers relating to the public open space on the project site would result in a design that the Applicant believes is superior to that which would result from strict adherence to the regulations of waterfront zoning.

As described above, the proposed mix of uses that would result from the proposed project would be compatible with each other and with uses in the surrounding study area. As described in Chapter 2, "Analytical Framework," the proposed zoning text amendments would either apply only to the project site or any future use would likely be limited to few locations and the potential impacts would be assessed and disclosed to the public under and pursuant to a separate environmental review.

STUDY AREA

The proposed zoning actions would be consistent with the zoning in the surrounding study area. The proposed project includes proposed zoning districts that would allow residential uses in an area where residential uses are currently prohibited under the existing M1-1 zoning. The proposed project would also allow a wider range of commercial uses through the mapping of a commercial overlay. The proposed residential and commercial districts on the project site would also be compatible with nearby residential and commercial overlay districts, such as those along 27th Avenue and east of 8th Street. The proposed R7-3 districts on the Eastern and WF Parcels would not conflict with the adjacent M1-1 zoning because M1-1 zones are subject to stringent performance standards relating to noise, vibration, dust, and other conditions. Therefore, in the

Build condition the proposed project would be consistent with zoning in the study area; the proposed project would be part of the trend toward the replacement of manufacturing districts along the waterfront with residential districts and commercial overlays.

Overall, the proposed project would not result in any significant adverse impacts to zoning.

PUBLIC POLICY

By providing for productive use of the project site and reactivating a portion of the waterfront, the proposed project would support the goals and objectives of the *Comprehensive Waterfront Plan* and *PlaNYC*. The proposed project would not include any changes to public policy on the project site or in the study area, and would be consistent with the public policies that currently govern the site and the surrounding area.

The proposed project would be consistent with the city's waterfront goals, as outlined in the *Comprehensive Waterfront Plan*, which are aimed at expanding public access to the waterfront, enlivening the waterfront with an attractive mix of uses integrated with upland communities, and maintaining and reestablishing visual public corridors to the waterfront, for instance. The proposed project would directly support the Plan's goal of expanding public access to the waterfront, by creating new public waterfront open space and connecting to the existing network of waterfront space. The proposed project would also implement the Plan's recommendation for Halletts Point, which supports rezoning and medium-density residential and mixed-use development with continuous waterfront access around the peninsula. Therefore, the proposed project would be consistent with the *Comprehensive Waterfront Plan*.

Consistent with *PlaNYC*, the proposed project would provide much needed affordable and market-rate housing, and would provide the necessary infrastructure improvements and open space to support the new residential and commercial uses. The proposed project would be consistent with the applicable goals of *PlaNYC*, as analyzed below.

- **Create enough housing for almost a million more people, and find ways to make housing more affordable.** The proposed project includes the creation of 2,644 new housing units on an underutilized site, including 483 affordable units on the Eastern and WF Parcels and on the NYCHA Astoria Houses Campus. In addition, the proposed disposition of the land for Buildings 6 and 7 to the Applicant and the anticipated future disposition of the land for Building 8 would provide revenue to support NYCHA's mission of maintaining and providing affordable housing. The proposed new housing would support the city's goal of providing additional capacity for residential development, especially affordable housing. To support the new housing, the proposed project would introduce new retail amenities to an underutilized site in an already walkable neighborhood. The project would provide retail options for the growing residential and worker populations in the area, and would encourage pedestrian traffic by connecting to existing walkways.
- **Ensure that every New Yorker lives within a 10-minute walk of a park.** The proposed project would create publicly accessible open space including a waterfront esplanade and upland connections to 1st Street on the site of underutilized industrial property, vacant land, and vacant buildings. It would activate the streetscape by enlivening a vacant and underutilized site with new residential and retail uses, new open space, and landscaping. The waterfront esplanade would run the length of the site's waterfront, connecting on the south to Hallet's Cove Playground and on the north to Whitey Ford Field, thereby creating a network of green corridors. In addition, the proposed project would support ecological

connectivity by adding 2.35 acres of partially vegetated waterfront open space, and providing an enhanced visual and physical connection to the waterfront.

- **Cleanup all contaminated land in New York City.** The proposed project includes measures to clean up potential hazardous material concerns at all of the building sites and the connecting street segment location. The proposed project would also promote green space on remediated, formerly vacant and underutilized land.
- **Expand sustainable transportation choices and ensure the reliability and high quality of the city's transportation network.** The proposed project would include a number of street improvements. Portions of 26th and 27th Avenues would be demapped and transformed into pedestrian waterfront access corridors. A new connecting street segment between existing mapped portions of Astoria Boulevard is proposed on the NYCHA parcel. The proposed project would also include an important transit amenity—a bus layover facility along 2nd Street adjacent to Building 1 for the Q18, Q102, and Q103 bus routes, and potentially other routes in the future.

The proposed actions would also be consistent with the city's *New Housing Marketplace Plan* and *Plan NYCHA* by helping to facilitate HPD and NYCHA's goals of developing new mixed-use, mixed-income housing on underutilized land; ensuring financial stability; and connecting residents to critical services. The proposed actions would facilitate the development of 240 market-rate units and 3,000 square feet of retail in Building 8 on the Astoria Houses Campus. Building 8 would not be developed by the Applicant; rather, it is expected that this application would facilitate a future disposition action by NYCHA with the development entity and building program subject to a future RFP by NYCHA. The proposed project would therefore help NYCHA to reposition its assets to generate much needed revenue for operations of its affordable housing mandate at the Astoria Houses Campus. The proposed project also includes the creation of publicly accessible open space that may be used by residents of the NYCHA Astoria Houses Campus.

In addition, the project was reviewed for its compliance with HUD policy as described in 24 CFR 51, Subpart D (Airport Clear Zones). The proposed project is not located in an Airport Clear Zone; therefore, this policy does not apply.

In accordance with the city's WRP and the federal CZM Act, the proposed project was reviewed for its consistency with the city's WRP policies. A consistency assessment of the city's WRP is provided below, in Section G.

Overall, the proposed project would not result in any significant adverse impacts on land use, zoning, or public policy.

G. WATERFRONT REVITALIZATION PROGRAM

The project site is located within the city's designated Coastal Zone Boundary. Therefore, in accordance with the guidelines of the 2012 *CEQR Technical Manual*, a preliminary evaluation of the proposed project's consistency with WRP policies was undertaken (see **Appendix E** for the WRP Coastal Assessment Form [CAF]). As noted above, the WRP is currently under revision with expected adoption in mid-2013. This evaluation is based on the current WRP policies.

As determined by the CAF, the proposed project requires detailed assessment for WRP policies, policies 1, 1.1, 1.2, 2, 2.3, 3.2, 4.2, 5.1, 5.3, 6, 7.2, 7.3, 8, 8.4, 8.5, and 9.1. The consistency assessment is provided below for all questions that were answered "yes" in the CAF.

In addition, because the proposed project requires a federal approval from HUD that is subject to review under the National Environmental Policy Act (NEPA), an assessment of the proposed project's consistency with WRP policies on the Federal Consistency Assessment Form is also provided in **Appendix E**.

CONSISTENCY OF PROPOSED PROJECT WITH THE WATERFRONT REVITALIZATION PROGRAM POLICIES

New York City's WRP includes 10 principal policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. For each policy and sub-policy question that was answered "yes" in the CAF, this analysis includes a discussion of the policy's applicability to the proposed project and the proposed project's consistency with the respective policy.

Policy 1: Support and facilitate commercial and residential development in areas well-suited to such development.

The proposed project would result in a large-scale housing development with affordable units, ground-floor retail space, and a publicly accessible waterfront esplanade and open space. The proposed project is intended to transform a largely underused waterfront area into a new, enlivened mixed-use development. The proposed new housing would support the City's plans to provide additional capacity for residential development, especially affordable housing. The proposed neighborhood retail would provide amenities that are currently lacking in the area and which would serve the existing residential population in addition to the project-generated population, including the proposed supermarket. The proposed project would also establish a publicly accessible waterfront esplanade with upland connections and a connection to Hallet's Cove Playground south of the site and Whitey Ford Field north of the site. The proposed open space would provide benefits for the Astoria community, the Borough of Queens, and the City as a whole.

These uses would be compatible with the surrounding mixed-use neighborhood. Moreover, these uses would be compatible with other trends in the area that include new residential, cultural, retail, and commercial development in place of former industrial and manufacturing uses. The proposed project would provide retail services, infrastructure, and open space that support the proposed and neighboring residential areas. Therefore, the proposed project would be consistent with this policy.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

See response to Policy 1, above.

Policy 1.2: Encourage non-industrial development that enlivens the waterfront and attracts the public.

See response to Policy 1, above.

Policy 2: Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.

The proposed project would not involve industrial or water-dependent uses. However, there are no water-dependent uses on the project site currently and, as discussed above, the proposed project is in keeping with recent trends toward mixed-use development in formerly industrial and manufacturing areas along the waterfront. The project would also include a public waterfront walkway in accordance with the City's waterfront zoning regulations, which would increase the public's access to the waterfront. Therefore, the proposed project would be consistent with this policy.

Policy 2.3: Provide infrastructure improvements necessary to support working waterfront uses.

The project site does not contain working waterfront uses. The waterfront portion of the project site currently includes underutilized commercial and industrial uses (construction and telecommunications storage uses on the WF Parcel and an electronic/ink toner business on the Eastern Parcel) and vacant buildings. Therefore, this policy does not apply.

However, while the project site is currently served by city infrastructure, the proposed project would include improvements to stormwater and sanitary sewer infrastructure to support the new development. Currently, there are two stormwater outfalls located adjacent to the project site: a 36-inch storm sewer and outfall on 27th Avenue and a 48-inch outfall at 26th Street. The proposed project would include construction of four new stormwater outfalls for the proposed development sites to enable direct discharge of stormwater flows to the East River. These outfalls would require authorization from the New York State Department of Environmental Conservation (NYSDEC). Runoff from the waterfront portion of the project site would be treated for quality prior to discharge to the East River. It is expected that new sanitary sewers (in 27th Avenue and 1st Street) would be provided to convey additional wastewater flows generated from the project and, consistent with New York City Department of Environmental Protection (DEP) policy, potable water distribution lines located within the streets fronting the development sites constructed prior to 1945 may be reconstructed to current DEP design standards.

Policy 3: Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation centers.

Policy 3.2 Minimize conflicts between recreational, commercial, and oceangoing freight vessels.

The proposed project would not include new facilities for recreational boating and would not, therefore, have the potential to result in conflicts between recreational, commercial, and oceangoing freight vessels. Therefore, the proposed project would be consistent with this policy.

Policy 4: Protect and restore the quality and function of ecological systems within the New York City coastal area.

Policy 4.2: Protect and restore tidal and freshwater wetlands

The proposed project would not result in adverse impacts to NYSDEC tidal wetlands. Construction activities for the proposed project that would occur within areas regulated as NYSDEC tidal wetlands or NYSDEC tidal wetland adjacent areas (defined as landward

areas between the mean high water line and the beginning of man-made structures or asphalt surfaces) include stabilization and repair of shoreline armoring, maintenance of two existing DEP outfalls, construction of four new stormwater outfalls, and construction of a boardwalk esplanade. Shoreline stabilization would comprise replacement of existing riprap and debris in some areas with granite riprap for improved scour protection. These shoreline stabilization activities would not result in a net increase in fill below mean high water (MHW) and spring high water (SHW) or a change in the shoreline configuration that would result in loss of NYSDEC littoral zone tidal wetlands. Any resuspension of bottom sediment resulting from the shoreline stabilization and repair would be minimal and temporary, and would be confined to the immediate vicinity of the work and would not result in significant or long-term adverse impacts to littoral zone tidal wetlands, water quality, or aquatic biota. The four new stormwater outfalls would be constructed above the SHW elevation, within the riprap revetment and would not have the potential to adversely affect NYSDEC littoral zone tidal wetlands or aquatic resources. Maintenance and minor repair of two existing DEP outfalls would consist of clearing of debris and obstructive vegetation growth, and augmentation of deficient riprap. The proposed boardwalk esplanade would not extend over the MHW or SHW elevation and would not require in any construction activity within NYSDEC littoral zone tidal wetlands.

Operation of the proposed project would not result in significant adverse impacts to NYSDEC-designated littoral zone wetlands within the East River. Implementation of the Stormwater Pollution Prevention Plan (SWPPP) developed for the project site would minimize potential impacts to existing NYSDEC-designated littoral zone tidal wetlands, water quality, and aquatic biota. The new stormwater outfalls would convey runoff from the WF Parcel to the East River following treatment for quality, reducing the potential impacts to NYSDEC littoral zone tidal wetlands and aquatic resources due to the discharge of runoff from the project site. Runoff from the WF Parcel currently enters the East River untreated as undirected sheet flow off impervious surface. Therefore, the proposed project would be consistent with this policy.

Policy 5: Protect and improve water quality in the New York City coastal area.

Policy 5.1: Manage direct or indirect discharges to waterbodies.

The proposed project would improve the management and treatment of stormwater entering the East River from the project site. Stormwater management measures implemented within the WF Parcel would improve the quality of stormwater discharged to the East River, reducing potential impacts to NYSDEC littoral zone tidal wetlands and aquatic resources due to the discharge of runoff from this parcel, which is currently discharged untreated. Stormwater management measures implemented within the NYCHA and Eastern Parcels would regulate the rate at which runoff is discharged to the DEP storm sewer and then to the East River through the existing outfalls. The proposed project would result in a net increase in pervious surface coverage in the project site, thereby reducing runoff and potentially improving water quality along the shoreline. Therefore, the proposed project would be consistent with this policy.

Policy 5.3: Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.

The proposed shoreline stabilization within the project site would comprise replacement of existing riprap and debris in some areas with granite riprap for improved scour protection.

This would not result in a net increase in fill below MHW and SHW or a change in the shoreline configuration that would result in loss of NYSDEC littoral zone tidal wetlands or aquatic habitat. The proposed four new stormwater outfalls would be constructed above SHW. The shoreline stabilization activities and outfall construction would not adversely affect water quality of the East River. Earth disturbing activities adjacent to the East River would comply with NYSDEC's technical standard for erosion and sediment control, presented in "New York Standards and Specifications for Erosion and Sediment Control." Implementation of erosion and sediment control measures, would minimize potential impacts on the East River associated with discharge of stormwater runoff during land-disturbing activities resulting from construction of the proposed project. Therefore, the proposed project would be consistent with this policy.

Policy 6: Minimize loss of life, structures, and natural resources caused by flooding and erosion.

The project site is located within three flood zones of the East River. Specific areas of the project site that are within the 100-year floodplain (Zone AE) include the WF Parcel, Eastern Parcel, and the western and southern extents of the NYCHA Parcel that is closest to the East River. The site of Building 8 within the NYCHA Parcel is within the 100-year floodplain. The remainder of the NYCHA Parcel (roughly west of 4th Street) has portions that are within the 500-year floodplain (defined as a moderate risk area) (Zone X Shaded) and outside of either 100-year or 500-year floodplain zones (defined as a low risk area) (Zone X Unshaded). The sites of Buildings 6 and 7 within the NYCHA Parcel are partly within the 500-year floodplain.

The East River is a tidal strait connecting Long Island Sound to New York Bay, and the flood elevation is controlled by the tidal conditions within the New York Bay, Long Island Sound, and the Atlantic Ocean. Because the floodplain within and adjacent to the project site is affected by coastal flooding, rather than local or fluvial flooding, the construction and operation of the proposed project would not exacerbate flooding conditions on or near the project site. Coastal floodplains are influenced by astronomic tide and meteorological forces (e.g., northeasters and hurricanes) and not by fluvial flooding (e.g., rivers and streams overflowing their banks), and as such are not affected by the placement of obstructions (e.g., buildings) within the floodplain.

The design and construction of the buildings within the project site would comply with New York City Building Code requirements for construction within the 100-year floodplain for the applicable building category. The finished floor elevations for the residential townhouse structures proposed for the WF Parcel along the East River would be about 3 feet above the current 100- year flood elevation. The remaining residential units within the Eastern and WF Parcels would be within the towers above the low- to mid-rise bases that would be used for parking facilities on the interior and retail use on the exterior. These residential units would be well above the 100- and 500-year flood elevations.

The finished floor elevations for the ground floor retail use on the 27th Avenue plaza and 1st Street would be about 2 inches above the 100-year flood elevation. The slab of the below-grade parking level for the Eastern and WF Parcels and the mechanical-electrical-plumbing spaces for the five buildings that would be constructed within these parcels would be below the 100-year flood elevations, and the basement structures would be designed in accordance with Appendix G of the New York City Building Code. Therefore, the proposed project would minimize the potential for public and private losses due to flood damage, and reduce the exposure of public utilities to flood hazards and would be consistent with this policy.

Policy 7: Minimize environmental degradation from solid waste and hazardous substances.

Policy 7.2: Prevent and remediate discharge of petroleum products.

To reduce the potential for human or environmental exposure to known or unexpectedly encountered contamination during and following construction of the proposed project, a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared for implementation during proposed construction and submitted to DEP for review and approval. If petroleum storage tanks are encountered during project site redevelopment, these tanks would be properly closed and removed, along with any contaminated soil, in accordance with the applicable regulations, including NYSDEC spill reporting and registration requirements. Therefore, the proposed project would be consistent with this policy.

Policy 7.3: Transport solid waste and hazardous substances and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.

Demolition of existing structures within the project site and disposal of demolition material would be conducted in accordance with applicable regulatory requirements relating to asbestos, lead-based paint, and polychlorinated biphenyl (PCB)-containing components. Therefore, the proposed project would be consistent with this policy.

Policy 8: Provide public access to and along New York City's coastal waters.

The proposed project includes the provision of a publicly accessible waterfront open space and esplanade, and upland connections to 1st Street. The waterfront esplanade would run the length of the site's waterfront, connecting on the south to Hallet's Cove Playground and on the north to Whitey Ford Field. The waterfront esplanade would include landscaping and seating along the waterfront. The upland connections are intended to provide view corridors and public access from 1st Street to the esplanade and East River. As each site along the waterfront is built out, the associated public open space required under the Zoning Resolution would be completed at the same time as the buildings. Upon completion, the proposed project would create approximately 2.35 acres of publicly accessible waterfront open space. The proposed waterfront esplanade would be designed to provide a cohesive transition between the project site and Whitey Ford Field to the north and the Hallet's Cove Playground to the south. The project site also includes Whitey Ford Field and a portion of Hallet's Cove Playground. As discussed in Chapter 1, "Project Description," no development associated with the proposed project would occur in these areas, and they would continue to function as public open space. Therefore, the proposed project would be consistent with this policy.

Policy 8.4: Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.

See response to Policy 8, above.

Policy 8.5: Preserve the public interest in and use of lands and waters held in public trust by the state and city.

As noted in Chapter 1, "Project Description," the project site includes the publicly-owned Whitey Ford Field, a portion of Hallet's Cove Playground, and portions of the NYCHA Astoria Houses Campus. Although the proposed project involves the jurisdictional transfer of a 10-foot-wide strip of parkland of Hallet's Cove Playground from DPR to NYCHA, an equivalent sized portion of the demapped 26th Avenue along Whitey Ford Field would be transferred to DPR

under the proposed project and thus there would be no net reduction in parkland. In addition, the proposed project would establish Whitey Ford Field as mapped public parkland. In the case of both Whitey Ford Field and Hallet's Cove Playground, the proposed project would not be expected to change the use of the public open space. The proposed disposition of the land on the NYCHA Astoria Houses Campus for Buildings 6 and 7 to the Applicant and the anticipated future disposition of the land for Building 8 is intended to provide revenue to support NYCHA's mission. Therefore, the proposed project would be consistent with this policy.

Policy 9: Protect scenic resources that contribute to the visual quality of the New York City coastal area.

Policy 9.1: Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.

The proposed project includes the provision of a publicly accessible waterfront open space and esplanade and upland connections to 1st street, which are intended to provide view corridors and public access from 1st Street to the esplanade and East River. Significant adverse effects to visual resources would not occur as a result of the proposed project, and in some cases the project would be beneficial to visual resources, as it would replace vacant and underutilized industrial uses along the waterfront with an enlivened, mixed-use development. Therefore, the proposed project would be consistent with this policy. ✷