September 25, 2019 / Calendar No. 25 N 190364 ZRQ

IN THE MATTER OF an application submitted by Peninsula Rockaway Limited Partnership, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the use provisions of Article VII, Chapter 4 and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 14.

This application (N 190364 ZRQ) for a zoning text amendment was filed by Peninsula Rockaway Limited Partnership on April 16, 2019. The proposed text amendment, in conjunction with related applications, would facilitate a new mixed-use development with affordable housing, commercial, and community facility uses within a large-scale general development (LSGD), on property generally bounded by Beach 50th Street, Beach Channel Drive, Beach 53rd Street, and Rockaway Beach Boulevard (Block 15843, Lot 1, Block 15842, Lot 1 and p/o Lot 100, and Block 15857, Lot 1 and p/o Lot 7) in the Edgemere neighborhood of Queens, Community District 14.

RELATED ACTIONS

In addition to the zoning text amendment (N 190364 ZRQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

C 190325 ZMQ Zoning map amendment to eliminate from an R5 district a C1-2 district, change an R5 district to a C4-4 district, and change a C8-1 district to a C4-3A district.

C 190251 MMQ City Map Amendment to re-establish a portion of former Beach 52nd Street to connect from Rockaway Beach Boulevard to Shore Front Parkway.

C 190366 ZSQ Special permit to provide relief from regulations governing yard requirements, street wall location, maximum base height, maximum building height and number of stories.

C 190375 ZSQ Special permit to modify surface area requirements for signage.

BACKGROUND

A full background discussion and description of this application appears in the report for the related special permit action (C 190366 ZSQ).

ENVIRONMENTAL REVIEW

This application (N 190364 ZRQ), in conjunction with the related actions (C 190251 MMQ, C 190325 ZMQ, C 190366 ZSQ, and C 190375 ZSQ), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 18DCP124Q. The lead agency is the City Planning Commission.

A summary of the environmental review appears in the report for the related special permit (C 190366 ZSQ).

PUBLIC REVIEW

This application (N 190364 ZRQ) was duly referred to Queens Community Board 14 and the Queens Borough President in accordance with procedures for non-ULURP matters, along with the related applications for a City Map amendment (C 190251 MMQ), zoning map amendment (C 190325 ZMQ), and special permits (C 190366 ZSQ and C 190375 ZSQ), which were certified as complete by the Department of City Planning on May 6, 2019 in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Queens Community Board 14 held a public hearing on this application (N 190364 ZRQ) on June 25, 2019 and on that date, by a vote of 28 in favor, five opposed and one abstention, recommended disapproval of the application with conditions. A summary of the Community Board 14 conditions appears in the report for the related special permit (C 190366 ZSQ).

Borough President Recommendation

The Queens Borough President held a public hearing on the application (N 190364 ZRQ) on July 11, 2019, and on August 8, 2019 issued a recommendation to approve the application with conditions. A summary of the Queens Borough President conditions appears in the report for the related special permit (C 190366 ZSQ).

City Planning Commission Public Hearing

On July 31, 2019 (Calendar No. 17), the Commission scheduled August 14, 2019 for a public hearing on this application (N 190364 ZRQ). The hearing was duly held on August 14, 2019 (Calendar No. 46). There were several appearances, as described in the report for the related special permit (C 190366 ZSQ).

Waterfront Revitalization Program Consistency Review

This application (N 190364 ZRQ) and the related applications for the City Map amendment (C 190251 MMQ), zoning map amendment (C 190325 ZMQ), and special permits (C 190366 ZSQ and C 190375 ZSQ), were reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP) as amended, approved by the New York City Council on October 30, 2013 and by the New York Statement Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 *et seq*.). The designated WRP number is 18-070.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 190364 ZRQ), in conjunction with the related applications for a City Map amendment (C 190251 MMQ), zoning map amendment (C 190325 ZMQ), and special permits (C 190366 ZSQ and C 190375 ZSQ), is appropriate. A full consideration and analysis of the issues and the reasons for approving this application appear in the report for the related special permit (C 190366 ZSQ).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on September 13, 2019, with respect to this application (CEQR No. 18DCP124Q), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 190366 ZSQ, those project components related to environment and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in the related report (C 190366 ZSQ), the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is further amended as follows:

Matter underlined is new, to be added;
Matter strikethrough is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

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Article VII
ADMINISTRATION

Chapter 4
Special Permits by the City Planning Commission

*** * ***

74-74
Large-Scale General Development

*** * ***

74-744
Modification of use regulations

(a) #Use# modifications
(1) Waterfront and related #commercial uses#

*** * ***

(2) Automotive sales and service #uses#

*** * ***

(3) Retail establishments

*** * ***

(4) #Physical culture or health establishments#

For a #large-scale general development# located within an #MIH site#, in a C4 District within Queens Community District 14, #physical culture or health establishments# shall be permitted as-of-right. The special permit provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply.

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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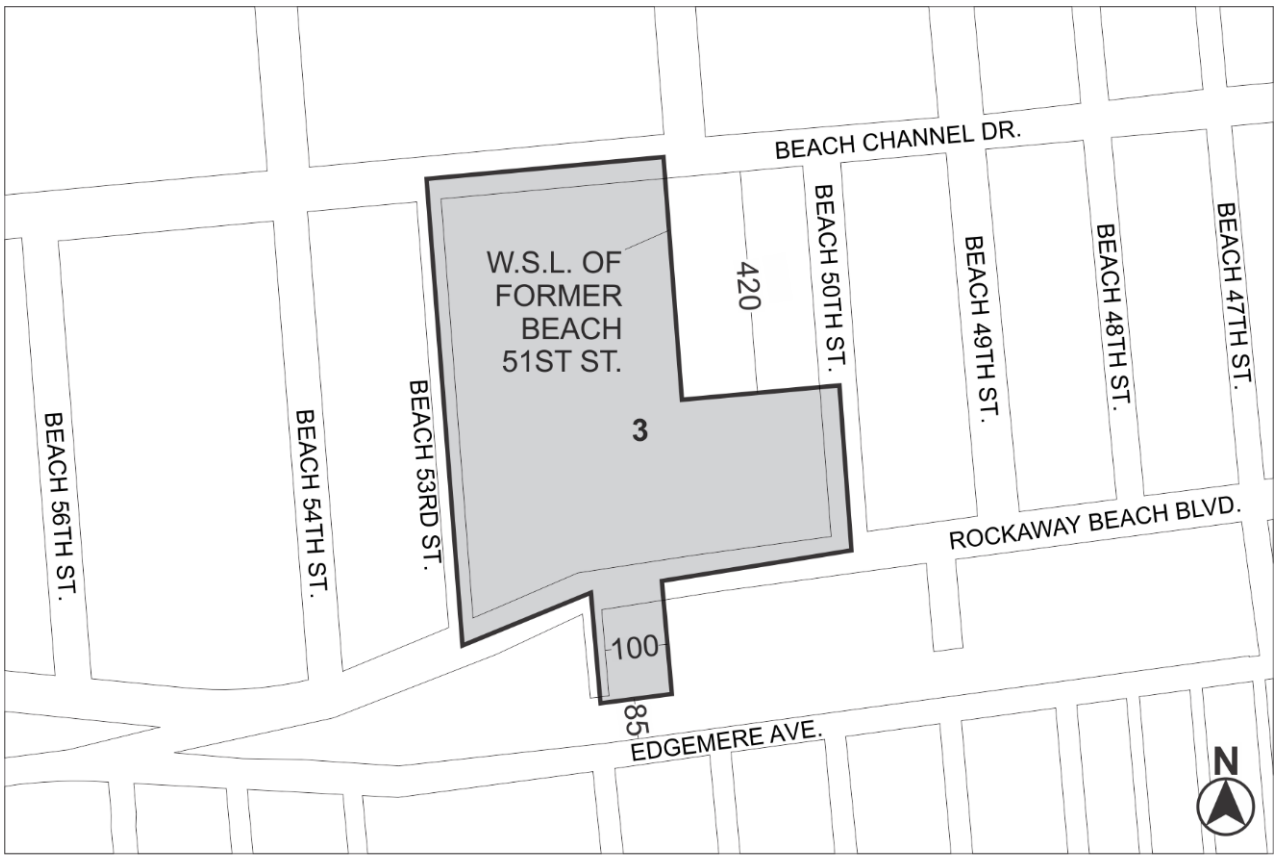
Queens

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QUEENS Community District 14

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Map 3 – [date of adoption]



Mandatory Inclusionary Housing Area *(see Section 23-154(d)(3))*

Area **3** — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 14, Queens

* * *

The above resolution (N 190364 ZRQ), duly adopted by the City Planning Commission on September 25, 2019 (Calendar No. 25) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*
KENNETH J. KNUCKLES, Esq., *Vice-Chairman*
DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, MICHELLE de la UZ, JOSEPH I. DOUEK, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD *Commissioners*