Astoria Cove
4-05, 4-34, 4-55, 4-57, 8-01, and 8-51 26th Avenue
Tax Block 906, Lots 1 and 5; Tax Block 907, Lots 1 and 8;
Tax Block 908, Lot 12; Tax Block 909 Lot 35
Borough of Queens, City of New York

June 23, 2014

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1. Introduction

The applicant, 2030 Astoria Developers, LLC, proposes a series of land use actions necessary to facilitate development of Astoria Cove, a Large-Scale General Development at the property located at 4-05, 4-34, 4-55, 4-57, 8-01, and 8-51 26th Avenue (Tax Block 906, Lots 1 and 5; Tax Block 907, Lots 1 and 8; Tax Block 908, Lot 12; and Tax Block 909, Lot 35), in the Astoria neighborhood of Queens Community District 1 (the "Development Site"). The actions are as follows:

1. Zoning Map Amendment to Zoning Map 9a to rezone the portion of the Development Site in the M1-1 District to R7-3 with a C2-4 overlay; rezone the portion of the Development Site in the R6 District to R7A with a C2-4 overlay; and rezone the portion of the Development Site and within the Project Area in the R6 District to R6B.

2. Zoning Text Amendment to make applicable the portion of the Project Area zoned R7-3, R7-A and R6-B to an inclusionary Housing Designated Area pursuant to Zoning Resolution Section 23-952 and Appendix F;

3. Large-Scale General Development special permits (i) pursuant to Zoning Resolution Section 74-743(a)(1) to allow for the distribution of floor area from the waterfront zoning lot to the upland zoning lot that comprise the Large-Scale General Development; (ii) pursuant to Zoning Resolution Section 74-743(a)(2) to authorize reduction in distance between Buildings 2 and 3; and waiver of court requirements for Buildings 1, 2 and 3; and (iii) pursuant to Zoning Resolution Section 74-743(a)(6) to waive minimum distance between Building 5's windows and western lot line; and extend the special permits' vesting term to 10 years under Zoning Resolution Section 11-42(c).

4. Waterfront special permit pursuant to Zoning Resolution Section 62-836 requesting modifications to yard, height and setback, tower footprint size, and maximum width of walls facing shoreline.

5. Authorization pursuant to ZR Section 62-822(a) to allow modification of the area and minimum dimensions of waterfront public access areas and visual corridor requirements under Zoning Resolution Section 62-50;

6. Authorization pursuant to ZR Section 62-822(b) to allow modification of the requirements of Zoning Resolution Section 62-60;

7. Authorization pursuant to ZR Section 62-822(c) to permit the phased development of the waterfront public access area, as modified by the above-referenced authorizations; and

8. Certification by the Chairperson of the City Planning Commission pursuant to Zoning Resolution Section 62-811 pertaining to the provision of waterfront public access areas and visual corridors, as modified by the above-referenced Authorizations.

In addition, there is a related concurrent application (130384 MMQ) for City Map amendments involving (a) the establishment of 4th Street between 26th Avenue to the proposed

waterfront esplanade; and (b) the elimination, discontinuance and closing of a portion of 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead Line.

Other actions necessary to facilitate the Proposed Development that are not part of this application include: permits from the New York State Department of Environmental Conservation and United States Army Corps of Engineers relative to two new storm water outfalls to be located at the ends of 4th Street and 9th Street; State Pollutant Discharge Elimination System (SPDES) permit from the New York State Department of Environmental Conservation to allow stormwater discharge during the construction period because the Development Site is greater than one acre; permits from the New York State Department of Environmental Conservation and United States Army Corps of Engineers to allow development of the portion of the proposed waterfront esplanade that is within a wetlands adjacent area; approval from New York City Department of Environmental Protection in connection with drainage plan amendment and water main connections; and permits from the New York City Department of Buildings.

2. Background

On April 28, 2010 (under ULURP Nos. 100200 ZRQ and 100199 ZMQ), the City Planning Commission approved the "Astoria Rezoning," which involved a proposal by the Department of City Planning concerning the comprehensive and contextual rezoning of 238 blocks in the Astoria neighborhood of Queens Community Board 1. The Astoria Rezoning was approved by the City Council on May 25, 2010. The Astoria Rezoning did not include the Project Area. The area affected by the Astoria Rezoning generally is bounded by 20th Avenue to the north; Steinway Street to the east; Broadway to the south; and Vernon Boulevard, 8th Street, 14th Street, and the East River to the west. The Astoria Rezoning was intended to encourage new mixed-used, moderate-density development along some of the rezoned area's wider streets, commercial corridors and at sites close to transit hubs. The neighborhood's main shopping streets include Astoria Boulevard, Steinway Street, Broadway, 21st Street, and 31st Street. In addition, the Inclusionary Housing Program was applied in key locations to provide incentives for the construction or preservation of affordable housing units in portions of the rezoned area.

Within the vicinity of the Project Area, a series of land use actions were approved more recently by the City Planning Commission on August 21, 2013 and by the City Council on October 10, 2013, for a project known as "Halletts Point" (under ULURP Nos. 130068 MMQ; 090487 ZAQ; 090485 ZRQ; 090484 ZMQ; and 130244 ZSQ). The Halletts Point project generally is bounded by 26th Avenue, 8th Street, 30th Avenue and the East River. Halletts Point involves a proposed mixed-use residential, commercial and community facility development of block portions comprising 9.66 acres at the western and southern portions of Astoria's Halletts Point peninsula. More specifically, Halletts Point involves the proposed construction of 11 residential/commercial buildings ranging in height from 11 to 31 stories. The total project encompasses approximately 2.7 million square feet, containing nearly 2.2 million square feet of residential floor area (approximately 2,644 dwelling units); approximately 68,000 square feet of ground floor retail space; and accessory parking. At its conclusion, the project will create a shoreline connection along the East River between Halletts Point Playground and Whitey Ford Field. The land use actions approved for the Halletts Point project do not affect the Project Area.

The Halletts Point project included a series of text amendments (N 090485 ZRQ) that facilitate Astoria Cove's project design. The first applicable text amendment involves the inclusion of the Development Site as eligible for the City's FRESH program (Zoning Resolution Sections 63-02, 63-25, and Appendix B). The FRESH program provides zoning incentives to property owners and grocery store operators in neighborhoods within New York City that are currently underserved by grocery stores. Before the text amendment extending the FRESH program to the Halletts Point vicinity, in Queens County, the FRESH program was only available in Queens Community District 12.

The second applicable zoning text amendment approved as part of the Halletts Point project, which affects the Astoria Cove project, amends certain provisions of the Inclusion Housing Program zoning text. These amendments apply to the Development Site through amendment to Zoning Resolution Section 23-952 that modified the base and bonus FAR

provisions for the proposed R7-3 district. With respect to the Astoria Cove project, the portion of the Development Site north of 26th Avenue is proposed to be rezoned from M1-1 to R7-3 with a C2-4 commercial overlay. The Halletts Point amendments to Section 23-952 and Appendix F affect the base and bonus FAR structure for Astoria Cove's proposed R7-3 district.

Lastly, as part of the Halletts Point approvals the provisions of Zoning Resolution Section 62-454 were modified to exempt from the definition of "floor area" those accessory parking areas that are located less than 33 feet above the base plane in an approved Large-Scale General Development within the Halletts Point peninsula in Queens Community District 1. Before this text amendment, only accessory parking located less than 23 feet above the height of the base plane was waived from floor area calculations. Similar to Halletts Point, due to the Development Site's high water table, flood prone waterfront location, and narrow site conditions along the waterfront, additional height is needed in order to provide the necessary space for accessory parking.

3. Description of the Surrounding Area and Project Area

A. Location of the Project Area

The Project Area is located in the Pot Cove section of the Halletts Peninsula in the Astoria neighborhood of Queens Community District 1. The Halletts Point Peninsula juts into the East River across from the northern end of Roosevelt Island. The Project Area encompasses Tax Block 906, Lots 1 and 5, and Tax Block 907 Lots 1 and 8, which are situated between 26th Avenue and the East River, as well as Tax Block 908, Lot 12, 33, 34, 35, 36, 38, 138, and 139, and Tax Block 909, Lot 35, and portions of Lots 9 and 13, which are located between 26th and 27th Avenues, together with portions of the bed of demapped 8th Street between 27th Avenue and the East River waterfront, and lands underwater within the East River. The Project Area is bounded generally by 27th Avenue to the south, 4th Street to the west, the East River to the north and 9th Street to the east.

B. Existing Land Uses in Surrounding Area

The area within a radius of approximately 600 feet of the Project Area (the "Surrounding Area") is characterized by a variety of uses, densities, and building typologies. The Surrounding Area to the west and southwest of the Project Area, like the Project Area itself, is zoned M1-1 north of 26th Avenue and R6 south of 26th Avenue. The land uses in the Surrounding Area to the west and southwest of the Project Area primarily consist of manufacturing and vacant land with some one- and two-family homes, multi-family housing, mixed-use development and institutional use. The portion of the Surrounding Area north of 26th Avenue is developed with industrial and warehouse buildings that range in height from one to two stories. The part of the Surrounding Area south of 26th Avenue is developed primarily with industrial and commercial buildings that are one-story in height.

Slightly beyond the Surrounding Area to the west of the Project Area, situated between 2nd Street and the East River, is Astoria Athletic Field, which is the only non-industrial or non-warehouse use along the waterfront north of 26th Avenue.

Somewhat outlying the Surrounding Area and to the south of 27th Avenue, between 1st Street and 8th Street, is Astoria Houses, a 27-acre New York City Housing Authority multi-family housing development, which consists of 22 buildings each rising to a height of six- to seven-stories with a total of 1,103 residential units. The site of Astoria Houses is now part of the Halletts Point Large-Scale General Development that was the subject of recent actions approved by the Planning Commission and City Council (ULURP No. 090484 ZMQ et al).

As detailed above, located to the west of the Project Area and at the western edge of Astoria's Halletts Point peninsula is the Halletts Point project. Under ULURP No. 090484 ZMQ, the Halletts Point project property was rezoned to M1-1, R7-3, R7-3/C1-4, and R6/C1-4. The Surrounding Area to the east of Halletts Point is occupied by low-scale light industrial and residential buildings, warehouse, and open and enclosed storage yards. A recent residential

development in this area is known as the River Point Condominiums, a four-story, 52-unit development on 27th Avenue between 2nd and 3rd Streets.

The Surrounding Area to the south of the Project Area is zoned R6. The existing land uses are predominantly manufacturing as well as some multi-family housing, institutional use and vacant land. The building heights in this part of the Surrounding Area generally range between one and three floors, with the exception the 15-story tower known as the Goodwill Terrace Apartments located at 41-21 27th Avenue (at 4th Street), which has community facility uses on the cellar and ground floor levels and Class A apartments on floors one through fifteen. Goodwill Industries also owns an adjacent building located at the midblock at 26-25 4th Street, which is two floors in height and contains community facility uses where it maintains its headquarters and provides vocational rehabilitation services, youth services, community education, employment training and placement and manufacturing support services.

The zoning in the Surrounding Area to the east of the Project Area is R6 and the area to the southeast is R4. These areas are characterized predominately by one- and two-family homes, multi-family housing, mixed-use development and institutional uses. Adjacent and directly to the east of the Project Area is Shore Towers, a multi-family building, which rises to a height of 23 floors with 414 apartments and a shorefront public walkway. The balance of the Surrounding Area to the east and southeast of the Project Area is improved mainly with residential buildings ranging in height from two to eight stories. Beyond the Surrounding Area to the east and extending along the East River waterfront, from south of the Robert F. Kennedy Bridge to north of the Hell Gate Bridge, is the 65-acre Astoria Park comprised of many active recreational uses including a skate park, tennis courts, ball fields, a track, bandstand, and large public swimming pool.

The Surrounding Area and the greater Astoria neighborhood for the most part is a well defined and developed residential community characterized by a broad mix of housing types, including mid-rise walk-up and elevator apartment building, two- and three-story row houses, one- and two-family homes, and higher density multi-family buildings. Mixed-use buildings and commercial buildings with local retail and service establishments are found throughout the neighborhood. The waterfront portion of the Project Area north of 26th Avenue, together with the Surrounding Area to the west and east of the Project Area along the East River waterfront, was developed with thriving industrial and maritime uses. However, today, like so much of the East River waterfront in the Boroughs of Brooklyn and Queens that has not as yet been redeveloped, the Project Area and Surrounding Area, and especially that portion of the Surrounding Area north of 26 Avenue, presently remain fallow or underutilized.

The Project Area is served by the N and Q subway lines via Astoria's 30th Avenue station, which are located approximately one mile from the Development Site. Bus transportation is provided by New York City Transit's Q18, Q102 and Q103 routes. Both the Q18 and Q102 bus lines carry passengers to the 30th Avenue subway station. Subway service also is provided by the F Line via the 21st Street-Queensbridge Station, which may be reached from the Project Area by the Q103 bus.

C. Existing Zoning Districts Within Project Area

The portion of the Project Area between 26th Avenue and the Pot Cove waterfront, bounded to the west by 4th Street and to the east by 9th Street, is zoned M1-1. The upland portion of the Project Area, bounded by 26th Avenue, 9th Street, 27th Avenue and 4th Street, is zoned R6.

4. Description of the Project Area and Development Site

The Project Area, which is the area affected by the proposed zoning map amendment, consists of approximately 391,830 square feet of lot area encompassing Lots 1 and 5 on Tax Block 906; Lots 1 and 8 on Tax Block 907; Lots 12, 33, 34, 35, 36, 38, 138, and 139 on Tax Block 908; and Lot 35 and portions of Lots 9 and 13 on Tax Block 909. Approximately 292,155 square feet of the Project Area is situated along the East River waterfront on Tax Blocks 906 and 907 north of 26th Avenue and the balance of the lot area consists of upland parcels totaling approximately 99,675 square feet and located to the south between 26th and 27th Avenues on Tax

Blocks 908 and 909. The Project Area also includes the mapped but un-built portions of 8th Street, between 27th Avenue and the waterfront, as well as 26th Avenue west of 9th Street, and land underwater and within the East River.

The portion of the Project Area between 26th Avenue and the Pot Cove waterfront, bounded to the west by 4th Street and to the east by 9th Street, is zoned M1-1. The lots that comprise this portion of the Project Area are improved with seven warehouse and industrial buildings ranging in heights from one- to two-stories with a total floor area among the seven buildings of approximately 194,700 square feet; accessory parking for approximately 100 vehicles; and bus/vehicle storage. Thirteen businesses are located within the Project Area, which include warehouse/ industrial uses, school bus storage, contracting and carpentry.

The upland portion of the Project Area, bounded by 26th Avenue, 9th Street, 27th Avenue and 4th Street, is zoned R6. Lots 33, 34, 35, 36, 38, 138, and 139 on Tax Block 908 (mid-block on 9th Street between 26th and 27th Avenues) are part of the Project Area and proposed to be rezoned, but are not part of the Development Site and not part of the Large-Scale General Development. These seven tax lots are developed with existing three-story attached and semi-detached multiple dwelling buildings that are not under the applicant's control. Portions of Lots 9 and 13 on Tax Block 909 (directly to the west of Tax Block 909, Lot 35) are also part of the Project Area and proposed to be rezoned, but are not part of the Development Site and not part of the Large-Scale General Development. Tax Lots 9 and 13 on Block 909 are developed with existing two-story manufacturing buildings that are not under the applicant's control. The balance of the Project Area's upland lots are vacant.

5. Description of the Proposed Development

The Development Site is within the Project Area and is proposed to be designated a Large-Scale General Development. The Development Site has a current street address of 4-05, 4-34, 4-55, 4-57, 8-01, and 8-51 26th Avenue (Tax Block 906, Lots 1 and 5; Tax Block 907, Lots 1 and 8; Tax Block 908, Lot 12; and Tax Block 909, Lot 35), in the Astoria neighborhood of Queens Community District 1.

In total, the Proposed Development involves the construction of five mixed-use buildings consisting of approximately 1,762,350 square feet of floor area. The residential floor area measures approximately 1,647,684 square feet with about 1,723 dwelling units, which includes nearly 345 affordable dwelling units. The proposed affordable housing component carries forward New York City's policy of ensuring diversity in the creation of housing opportunities.

The proposed residential development of the Development Site will be supported by the construction of approximately 54,099 square feet of retail floor area, including a supermarket. In addition, the Proposed Development features a public elementary school. The public school's proposed floor area will consist of nearly 60,567 sq. ft. and accommodate approximately 456 seats for children in grades K through 5. The Proposed Development also will include accessory parking spaces for approximately 900 vehicles.

Three of the five proposed buildings will be located on the waterfront portion of the Development Site north of 26th Avenue. The three buildings (referred to as "Building 1," "Building 2" and "Building 3") proposed for the waterfront zoning lot will range in height from 26- to 32-stories with floor area totaling approximately 1,566,353 sq. ft. The buildings' massing is designed in such a way as to minimize the visual and physical impact on neighboring properties.

The bulk of Buildings 1, 2 and 3 will be concentrated within five tower segments that are located over three building bases and sculpted to reduce their physical appearance relative to the proposed publicly accessible open space. Each of the three buildings comprising the Waterfront Zoning Lot is to be constructed on three different blocks, each separated by a private or public street. Building 1 is located at the western portion of the Waterfront Zoning Lot; Building 2 at the center of the Waterfront Zoning Lot, between 4th Street and proposed demapped 8th Street; and Building 3 at the eastern portion of the Waterfront Zoning Lot, between proposed demapped 8th Street and 9th Street.

The three buildings on the Waterfront Zoning Lot will be mixed-use with ground floor commercial uses and market rate and affordable dwelling units on the upper floors.

The affordable dwelling units will consist of 20 percent of the total residential floor area generated by the waterfront zoning lot and the R7A and R6B portions of the upland zoning lot or nearly 345 affordable dwelling units under Zoning Resolution's Inclusionary Housing Program. Building 1 will be 312 feet in height with 31 stories. Building 1 will include approximately 356 parking spaces. Building 2 will measure 320 feet and 32 stories with approximately 242 parking spaces; and Building 3 will measure 262 feet and 26 stories with approximately 230 parking spaces. The top stories of these three waterfront buildings will be setback on all sides by 10 feet and range in height from 1- to 2-stories, introducing a new "step" at the top of each tower. These setbacks together with the design of the Proposed Development's other buildings create a varied, more organic stepping expression to the tops so as to avoid the look of a consistently stepped "ziggurat" condition. The stepping will define the tops of three towers, while creating a pleasing variation.

Two buildings are planned on the Upland Zoning Lot, which is the part of the Development Site south of 26th Avenue. The two buildings (referred to as "Building 4" and "Building 5") will have floor area totaling approximately 196,000 square feet. Building 4, a mixed-use residential and commercial building, will be located west of the proposed Mews and will measure 80 feet and eight-stories. Building 5 to the east of the Mews will measure 90 feet in maximum height, including a six-story residential building and a six-story public elementary school component. Accessory parking will be available within Building 4 and will total approximately 72 parking spaces.

The Proposed Development will proceed pursuant to a construction phasing plan to ensure that the construction of market rate and affordable units, commercial uses, open spaces, and street construction proceed in a methodical fashion. The affordable dwelling units will be located within the project, in accordance with Inclusionary Housing Program requirements. In addition, each phase of Proposed Development, whether within the Upland Zoning Lot or the Waterfront Zoning Lot, will be constructed simultaneously with significant landscape improvements. The proposed phasing plan is designed to ensure that the proposed buildings and adjoining open spaces are concurrently developed and are accessible for neighbors, visitors to the area, and future residents.

With regard to the construction phasing plan, the residential components of Building 4 and Building 5 will be constructed in Large-Scale General Development Phase 1 of the project. In addition to the construction of Building 4 and Building 5, during Large-Scale General Development Phase 1 the applicant will construct the southern portion of the Mews, a proposed public access area. The entirety of 26th Avenue will be constructed in connection with Large Scale Phase 1. Large Scale Phase 2 will consist of Building 3, one of the three buildings on the Waterfront Zoning Lot, and the northern portion of the Mews, which is an upland connection. Large Scale Phase 3 includes the construction of Building 2 and the proposed 4th Street, which will run from 26th Avenue to the waterfront. Lastly, Large Scale Phase 4 consists of Building 1 and the construction of the proposed school building to be located at the southwest corner of 26th Avenue and 9th Street.

The design of the proposed buildings and open space reinforces the importance of integrating the Proposed Development with the Surrounding Area. A fundamental planning and design approach was taken to ensure that the Proposed Development "stepped down" along 26th and 27th Avenues. By massing the buildings, as proposed, and providing an extensive improved street/circulation system, the proposed building footprints are effectively less bulky and more desirable in terms of massing. Most important, the proposed buildings' placement and their orientation increase the public's visual and physical access to the waterfront and publicly accessible open space.

Significantly, in addition to the visual access that is required by the City's waterfront zoning, and to maximize the opportunity for public access to the waterfront, the Proposed Development will afford the public remarkable physical entree to the proposed waterfront public

access area over 4th Street, which is the location of the Development Site's visual corridor. The waterfront esplanade also is accessible from 9th Street at the Development Site's southern edge. The waterfront public access area, which includes the shore public walkway, upland connection, and supplemental public access area measures nearly 55,621 sq. ft. although zoning requires a minimum of 51,228 sq. ft. The applicant will also be constructing an additional 28,225 sq. ft. of publicly accessible open space substantially expanding the public's visual and physical access to the waterfront, which was not previously accessible.

The proposed open space plan maximizes the unique waterfront location and vibrant street life characteristic of the existing Astoria neighborhood. The landscape design features approximately 83,846 sq. ft. of publicly accessible open space that includes an expansive waterfront esplanade, a two-block long pedestrian Mews, and unique streetscape design:

The Crescent -- Waterfront Park/Esplanade

The waterfront esplanade is conceived as a large crescent that emphasizes views and reflects the natural form of the cove. The waterfront design articulates the goals of re-connecting the City to the water, creating continuity of the Queens East River and North Shore Greenway as envisioned by the Vision 2020: New York City Comprehensive Waterfront Plan, and activating the waterfront with new opportunities for the community. The Crescent's programmatic elements include an esplanade, a "Get Down," several overlooks, extensive plantings, passive and active recreational space, and a child's play area.

The bi-level, meandering esplanade focuses on pedestrian movement, accessibility, views, and social interaction. Following the curvature of the existing waterfront and rip-rap, an allée of oak trees lines the esplanade and provides a formal structure to the landscape. Nestled between the two levels and under the trees' canopy are pockets of seating areas and intimate paths as well as generous planting and rockery areas. The planting palette consists of an array of native species that evoke a maritime grassland and shrubland landscape emerging from the rip-rap.

At the terminus of 4th Street, a series of generous seating steps, the Get Down, leads visitors to the water's edge to experience the expansive and unobstructed view of RFK Bridge, Hells Gate Bridge, and Randall's Island. As well as using the steps for seating, the Get Down provides a seating overlook.

At the western end of the esplanade, a child's play environment promotes activity and educational play. Climbing play equipment, water spray, seating areas, and plantings are incorporated to include sustainable design features and environmental awareness as a playful reminder of the riparian edge and history of the area.

In order to maintain continuity and the flow of an active street life, the finish grade at the street and sidewalk along Crescent Drive, a "Copenhagen-inspired" street, is flush from the commercial edge, which includes areas for cafes, seating, and retail, to the upper level of the waterfront esplanade. Material, visual, and textural changes in paving, as well as bollards distinguish the pedestrian and vehicular areas.

The Mews

Following the slope from 27th Avenue to the waterfront, the "Mews" is an intimate pedestrian connection that is bisected by 26th Street. This passageway consists of units pavers with sand swept joints, a series of stairs and planters that mitigate the topography and serve as the additional access points to the proposed terraced townhouses. The proposed planters incorporate seating elements and are designed as rain gardens to capture stormwater. Scattered amongst the planters is a tree species list that includes common alder, and black tupelo to simulate a grove effect along the pathway. Understory plant material includes amelanchiers, dogwoods, and a rain garden palette that includes sedges, wildflowers, shrubs, and irises.

The Streetscape

To maximize access to the waterfront, the Proposed Development provides for the construction of the Mews -- a pedestrian walkway to be located within the portion of unbuilt 8th Street north of 27th Avenue to the waterfront. This portion of 8th Street is proposed to be de-mapped under a related concurrent application; improvement of the currently undeveloped and inaccessible segment of 26th Avenue; and creation of a new diagonal extension of 4th Street from 26th Avenue to the waterfront esplanade, which is proposed to be mapped under a related concurrent application.

The development of proposed demapped 8th Street, along with the proposed diagonal 4th Street that will extend from 26th Avenue to the proposed waterfront esplanade, will create a sensitive street system that seamlessly connects the Development Site with the existing upland residential neighborhood. The C2-4 commercial overlay district proposed to be mapped along 4th Street and Crescent Drive will provide opportunities for the creation of a commercial corridor that connects to the existing neighborhood. In addition to the local retail uses planned along 26th Avenue, which is entirely mapped but presently partially un-built, local retail establishments and restaurants anticipated along the proposed mapped expansion of 4th Street and Crescent Drive, a public access area along the waterfront, will further encourage the public enjoyment of the Proposed Development's waterfront improvements.

Each street is distinguished with its own character in terms of size, scale, program, and opportunities for public access and use. At Crescent Drive, the waterfront with the allée of oaks is grand, sweeping, and an activator of active and passive pedestrian program, whereas the Mews works on a smaller, quieter scale. The tree selection for each street has been designed to reflect the qualities of the particular streetscape. The commercial street of 26th Avenue is lined with sweetgum in linear tree pits that will be incorporated with pigmented sidewalk paving, bike racks and street lights. The honeylocust along the residential 9th Avenue provide dappled shade for the new and existing residences. At the 4th Street corridor, tulip trees along both sides of the street create a visual framing device for the terminus at the waterfront and distinctive canopy along the street.

The Proposed Development will transform a currently isolated section of the Astoria waterfront and connect it with the existing surrounding neighborhood through a sensitive land use approach involving the reconnection of 26th Avenue between 4th Street and 9th Street; and the Mews from 27th Avenue to the waterfront. These street system changes, in conjunction with the proposed carefully articulated landscape plan, will reinforce the classic street grid system in the Halletts Point Peninsula. Eighth Street will be demapped but will be improved and maintained as the Mews running northerly between Buildings 4 and 5 (on the Upland Zoning Lot) and Buildings 2 and 3 (on the Waterfront Zoning Lot) and will provide a seamless pedestrian transition sensitive to the building streetscape along 27th Avenue from the higher elevation at 27th Avenue toward the waterfront. Careful attention was given to design the transition along the Mews and 4th Street to provide better physical and visual public access to the waterfront, which will be facilitated by the Large-Scale General Development special permits.

The Proposed Development will be accomplished in phases and the applicant anticipates that redevelopment of the entire Development Site will be completed by 2023. The phasing plan will ensure the appropriate development of the respective project components, including the Proposed Development's market rate and affordable housing, commercial uses, school, open space, and street construction. The affordable housing will be located throughout the Proposed Development, in accordance with the requirements of the Inclusionary Housing Program. The proposed phasing plan is designed to guarantee that the proposed buildings and adjoining open space areas are concurrently developed and are accessible for residents, neighbors and visitors to the area.

6. Actions Necessary to Facilitate the Project

A. Zoning Map Amendment to Rezone the Portion of the Project Area in the M1-1 District to R7-3 with a C2-4 Overlay; Rezone a Portion of the Project Area in the R6 District to R7A with a C2-4 Overlay; and Rezone a Portion of the R6 District to R6B

The Proposed Development requires an amendment to Zoning Map 9a to rezone that portion of the Project Area located in the M1-1 district to R7-3 with a C2-4 overlay; a part of the Project Area in the existing R6 district to R7A with a C2-4 overlay and a part of the R6 District to R6B. The proposed zoning map amendment will facilitate the development of mixed residential and local retail uses in the Project Area, which are not permitted by the existing M1-1 and R6 zoning.

The existing M1-1 district, which is located in the part of the Project Area north of 26th Avenue between 4th and 9th Streets, restricts development to low-scale commercial and light industrial uses at a maximum floor area ratio (FAR) of 1.0; certain community facility uses are allowed by special permit at 2.4 FAR; and new residential development is not permitted in M1-1 district. Light industrial uses in M1 districts are subject to performance standards relating to noise, vibration, dust, and other conditions.

The zoning change from M1-1 to R7-3 would permit Use Groups 1 through 4, which include residences and community facilities. The proposed R7-3 zoning, together with the extension of the Zoning Resolution's Inclusionary Housing Program to this part of the Project Area (see proposed zoning text amendment below), will create incentives for the provision of affordable housing. The proposed R7-3 district will allow residential uses to have a base FAR of 3.75 if no affordable housing provided, and set a maximum FAR of 5.0 if affordable housing is provided for 20 percent of the residential floor area. The height of building base portions would be limited to 65 feet, and the maximum base and total heights for the tower portions would be set at, respectively, 185 feet and 225 feet. Parking would be required for 50 percent of the residential units.

The zoning map amendment proposed by the applicant is appropriate and compelling as there has been a significant decline in light industrial and manufacturing activity along the Halletts Point waterfront, which has led to a good part of the waterfront becoming fallow and blighted. In addition, the current zoning in the area potentially creates conflicts between industrial and manufacturing uses and residential developments on the Halletts Point Peninsula and adjacent streets in Astoria. The current M1-1 zoning is not conducive to mixed-use development and the existing use of the Project Area's waterfront properties by warehouses and open storage deprives the neighborhood and the City of the opportunities for the development of sorely needed housing, including affordable housing, local retail development, and waterfront access.

The proposed zoning map changes will also rezone the part of the Project Area south of 26th Avenue, between 4th and 9th Streets, from R6 to an R7A with a C2-4 overlay; and from R6 to R6B. The existing R6 district would permit a variety of building types, ranging from row houses and small multi-family buildings to "tower-in-the-park" developments. In the R6, the maximum FAR for residential uses ranges from 0.78 to 2.43 depending on the amount of open space provided. Building height is not firm, yet based upon sky exposure plane requirements. Parking is required for 70 percent of dwelling units, and waived if five or fewer spaces are required. Development through the optional Quality Housing Program permits a maximum residential FAR of 2.2 for narrow streets and 3.0 for development on wide streets. Maximum building height is 70 feet. Parking is required for 50 percent of dwelling units, and it is waived if five or fewer spaces are required. Development of community facilities is permitted at a maximum 4.8 FAR.

The proposed R7A zoning would extend 100 feet south of 26th Avenue. The proposed R7A zoning, together with the extension of the Zoning Resolution's Inclusionary Housing Program to this part of the Project Area (see proposed zoning text amendment below), will create incentives for the provision of affordable housing. The proposed R7A district will allow residential uses to have a base FAR of 3.45 if no affordable hourly provided, and set a maximum

FAR of 4.6 if affordable housing is provided. Maximum building height is 80 feet with a minimum street wall height of 40 and a maximum street wall height of 65 feet. Lot maximum lot coverage for a corner lot is 80% and 65% for an interior lot portion of a zoning lot. Parking is required for 50 percent of dwelling units.

The proposed R6B zoning, which would be mapped in the portion of the Project Area immediately to the south of the proposed R7A district, permits a maximum residential FAR of 2.0 for residential and community facility uses. The proposed R6B zoning, together with the extension of the Zoning Resolution's Inclusionary Housing Program to this part of the Project Area (see proposed zoning text amendment below), will create further incentives for the provision of affordable housing. The proposed R6B district will allow residential uses to have a base FAR of 2.0 if no affordable housing provided, and set a maximum FAR of 2.2 if affordable housing provided. Maximum building height is 50 feet with a minimum street wall height of 30 feet and a maximum street wall height of 40 feet. Maximum lot coverage for a corner lot is 80% and 60% for an interior lot portion of a zoning lot. Parking is required for 50 percent of dwelling units.

The C2-4 overlay that is proposed for the entire portion of the Project Area to be rezoned to R7-3 and R7A will permit local ground floor commercial uses, such as retail uses and restaurants that are expected to serve the development's residents and the surrounding community. The maximum FAR for commercial only developments is 2.0. In addition, the maximum FAR for community facility uses within the R7-3 is 5.0; and the maximum FAR for community facility uses within the R7A is 4.8.

The proposed R7A/C2-4 and R6B for the upland blocks, as well as R7-3/C2-4 along the waterfront blocks, will permit a wider range of uses that would be more consistent with the mixed-use character of the adjacent Astoria neighborhood and with the other redevelopment waterfront locations, including the Halletts Point project that was recently approved by the City Planning Commission along the western portion of the Halletts Point Peninsula.

With respect to the R7-3 zoning proposed at the waterfront parcels north of 26th Avenue, a maximum density of 5.0 FAR is permitted, but the proposed designation of the Inclusionary Housing Program for this portion of the Development Site will require the provision of affordable housing as 20 percent of the residential floor area in order to achieve this maximum density. Otherwise, the maximum residential FAR will be 3.75. Similar densities are found elsewhere in Astoria, including a portion of the western edge of the Halletts Point Peninsula (R7-3 districts permits 5.0 FAR with Inclusionary Housing); the intersection of Astoria Boulevard and 21st Street (R7X permits 5.0 FAR without Inclusionary Housing); and along portions of the East River waterfront fronting Vernon Boulevard to the south of the Astoria Houses (R7A districts permits 4.6 FAR with Inclusionary Housing).

B. Zoning Text Amendment to Appendix F to Extend the Inclusionary Housing Program to the Development Site

A zoning text amendment is proposed to modify Appendix F of the Zoning Resolution to extend the Inclusionary Housing Program to a portion of the Development Site by making it an Inclusionary Housing Designated Area. The proposed text amendment enables the portion of the Proposed Development proposed to be mapped R7-3/C2-4, R7A/C2-4, and R6B to take advantage of the Inclusionary Housing floor area bonus in return for the development of affordable housing.

The Inclusionary Housing Program has been a valuable tool for creating opportunities for the creation of affordable housing and economic diversity as part of the City's new housing stock. The development of affordable housing at the Development Site will help foster an economically diverse community in this portion of Queens. Under the proposed text amendment redevelopment of the proposed R7-3/C2-4 portion of the site would be allowed using a base FAR of 3.75 that may be increased to a maximum of 5.0; proposed R7A/C2-4 portion of the site would be allowed using a base FAR of 3.45 that may be increased to a maximum of 4.6; and proposed R6B portion of the site would be allowed using the base FAR of 2.0 that may be increased to a maximum of 2.2, if the applicant provides 20 percent of the floor area exclusive

of ground floor non-residential space as housing affordable to low-income households (whose incomes do not exceed 80 percent of the income index set by the U.S. Department of Housing and Urban Development).

The applicant intends to seek New York City Housing Preservation and Development (HPD) approval of an Affordable Housing Plan pursuant to the Inclusionary Housing Program and potential financing from City and/or State agencies including HPD, the New York City Housing Development Corporation, and/or New York State Homes and Community Renewal for affordable housing construction.

C. Special Permit: Large-Scale General Development Special Permits

The Proposed Development requires Large-Scale General Development (the "LSGD") special permits pursuant to Zoning Resolution Section 74-743(a)(1) to allow for the distribution of floor area between the two zoning lots that comprise the Project Area; (2) Zoning Resolution Section 74-743(a)(2) to authorize a reduction in the distance between buildings as required by Zoning Resolution Section 23-711; and waiver of inner court requirements for Buildings 1, 2 and 3, contrary to Zoning Resolution Section 23-851; and (3) Zoning Resolution Section 74-743(a)(6) to waive the minimum distance between legally required windows and walls or lot lines as required pursuant to Zoning Resolution Section 23-861.

The special permits will allow the applicant to achieve the best possible site plan within the overall underlying density and bulk controls that otherwise would not be permitted by the underlying bulk regulations. The LSGD will facilitate greater flexibility for the purpose of securing better site planning within the development as it relates to existing development in the Surrounding Area; new commercial opportunities, which are lacking in this area of Astoria; and an enhanced landscaped open space plan, including expanding the public's physical and visual access to the waterfront with unobstructed views of the waterfront, the Triborough Bridge and Hells Gate Bridge. To ensure that the project is developed as a unit, a Large-Scale General Development restrictive declaration will be executed and recorded by the Applicant.

Each phase of Proposed Development, whether within the Upland Zoning Lot or the Waterfront Zoning Lot, will be constructed simultaneously with significant landscape improvements. The proposed phasing plan is designed to ensure that the proposed buildings and adjoining open spaces are concurrently developed and are accessible for neighbors, visitors to the area, and future residents.

As discussed above, the Proposed Development will proceed pursuant to a construction phasing plan to ensure that the construction proceeds in a systematic fashion. With regard to the phasing plan, the residential components of Buildings 4 and 5 will be constructed in Large-Scale General Development Phase 1 of the project. In addition, in connection with Large-Scale General Development Phase 1, the applicant will construct the southern portion of the Mews, a public access area, to measure approximately 16,751 sq. ft. Moreover, the entirety of 26th Avenue will be constructed in connection with Large Scale Phase 1. Buildings 4 and 5 will include approximately 138 dwelling units, 72 parking spaces and approximately 3,000 sq. ft. of commerical floor area. It is anticipated that the existing structures located on the Waterfront Zoning Lot will remain during the construction of Large-Scale General Development Phase 1.

Large-Scale General Development Phase 2 will consist of Building 3, the easternmost building on the Waterfront Zoning Lot, as well as the northern portion of the Mews, which will serve as an upland connection. Large-Scale General Development Phase 2, which is also referred to as Waterfront Phase 1, will consist of 23,920 sq. ft. of waterfront public access area and a total of 24,699 sq. ft. of public access area (including the public access area to be constructed for Large-Scale General Development Phase 1). Building 3 will include approximately 344 dwelling units, 230 parking spaces and approximately 11,000 sq. ft. of commerical floor area. The northeast corner of Building 3, along a portion of the building's north and east façades, incorporates a protective canopy or alternate mitigation, to reduce or minimize the potential pedestrian wind conditions. It is anticipated that the existing structures located on the Large-Scale General Development Phases 3 and 4 will remain during the construction of Large-Scale General Development Phase 2.

Large-Scale General Development Phase 3, which is also referred to as Waterfront Phase 2, includes the construction of Building 2 and proposed 4th Street, which will run from 26th Avenue to the waterfront. At the conclusion of Large-Scale General Development Phase 3, the Development Site will include a total of 32,975 sq. ft. of waterfront public access area and 28,225 sq. ft. of public access area. Building 2 will include approximately 568 dwelling units, 242 parking spaces and 15,500 sq. ft. of commerical floor area. It is anticipated that the existing structures located on the Large-Scale General Development Phases 4 will be demolished in connection with construction of Large-Scale General Development Phase 3.

Lastly, Large Scale Phase 4 consists of Building 1 and the construction of the proposed school building to be located at the southwest corner of 26th Avenue and 9th Street. At the conclusion of Large-Scale General Development Phase 4, the Development Site will include a total of 55,621 sq. ft. of waterfront public access area and 28,225 sq. ft. of public access area. Building 1 will include approximately 673 dwelling units, 356 parking spaces and 25,000 sq. ft. of commerical floor area. In addition, the school building to serve kindergarten through fifth grades will measure nearly 60,567 sq. ft.

In addition, due to the project's complexity, the Proposed Development may not be substantially completed in accordance with the provisions of Zoning Resolution Section 11-42(a). As such, the applicant is also requesting to extend the term of the special permits for 10 years pursuant to Zoning Resolution Section 11-42(c) to allow for the longer time period that may be required for the proposed multi-building phased construction program.

Zoning Resolution Section 74-743(a)(1)

Pursuant to Zoning Resolution Section 74-743(a)(1), which permits the distribution of floor area within a LSGD without regard to zoning lot lines, the applicant proposes to distribute floor area between the two zoning lots that comprise the Project Area -- the waterfront zoning lot located north of 26th Avenue (Tax Block 907, Lots 1 and 8, and Tax Block 906, Lots 1 and 5) (the "Waterfront Zoning Lot") and the non-waterfront zoning lot south of 26th Avenue (Tax Block 908, Lot 12 and Tax Block 909, Lot 35) (the "Upland Zoning Lot") .

With respect to the distribution of floor area, under the proposed zoning, a maximum of 1,465,600 sq. ft. of floor area is permitted on the Waterfront Zoning Lot (in accordance with Zoning Resolution Section 23-952); and a maximum of 296,750 sq. ft. of floor area is permitted on the Upland Zoning Lot (in accordance with Zoning Resolution Section 23-145). Under the proposed 74-743(a)(1) special permit, 100,753 sq. ft. is proposed to be distributed from the Upland Zoning Lot to the Waterfront Zoning Lot. As such, 1,566,353 sq. ft. of floor area will remain on the Waterfront Zoning Lot; and 195,997 sq. ft. of floor area will remain on the Upland Zoning Lot.

Strict adherence to the applicable floor area regulations would likely necessitate an increase in the size of the footprints of Building 4 and Building 5 on the Upland Zoning Lot to accommodate the Proposed Development's floor area potential, thus effectively compelling the development of bulkier buildings with resultant undesirable massing. The improvement of the Development Site without the special permit also will diminish the public's visual access to the waterfront and severely limit the amount of publicly accessible open space, which currently represents 53% of the Upland Zoning Lot, although zoning permits maximum lot coverage of 60-70% depending on the portion of the Upland Zoning Lot.

This special permit also will facilitate the proposed mapping actions that create further opportunities for development of the proposed publicly accessible open spaces. As detailed in the application drawings, the Proposed Development includes the mapping of 4th Street between 26th Avenue and 27th Avenue; the creation of the Mews, which provides a pedestrian access connection between 27th Avenue and the waterfront; the establishment of a waterfront public access area that is larger than required by zoning; and creation of Crescent Drive, a vehicular street and public access area that links proposed 4th Street through the waterfront esplanade to 9th Street.

Zoning Resolution Section 74-743(a)(2)

Pursuant to Zoning Resolution Section 74-743(a)(2), the special permit will authorize a modest reduction in the distance between Building 2 and Building 3, which are both located on the Waterfront Zoning Lot. Zoning Resolution Section 23-711 provides for a minimum 60 feet distance between buildings when building heights measure above a base plane of 50 feet. The base height of Building 2 measures 60 feet and Building 3 measures 62 feet. The waiver seeks to authorize a 10 feet encroachment (five feet for each respective building) within the 60 feet wide required distance. These waivers are necessitated by importance of providing as large an opportunity to increase the waterfront public access area and to enhance the amount of publicly accessible streets connecting the upland neighborhood to the waterfront. The waiver will allow Buildings 2 and 3 located on the Waterfront Zoning Lot to be massed more efficiently above large floor-plates for essential local retail ground floor uses, including a supermarket; and for facilitating the design of shorter buildings with sensitive urban design features to maximize light and air as the project moves upland.

In addition, in accordance with Zoning Resolution Section 74-743(a)(2), the special permit will authorize non-complying courtyards for Buildings 1, 2 and 3. Zoning Resolution Section 23-851 requires a minimum dimension of 30 feet within inner courts. Building 1's inner court is proposed to measure at various depths between 7'-00" and 280'-5". Building 2's inner court is proposed to measure at various depths between 7'-6" and 72'-00". Lastly, Building 3's inner court is proposed to measure at various depths between 18'-4" and 51'-2". The proposed waiver of the minimum court dimensions will allow Buildings 1, 2 and 3 to be massed more efficiently within the Waterfront Zoning Lot. Portions of these buildings will have double-loaded corridors, which require consistent building widths. Double-loaded corridors with the unusual site geometries, as is the case within the Waterfront Zoning Lot, will result in residual inner court spaces that neck down to acute reentrant corners (rather than clean 90 degree angles). This modest waiver will facilitate more sensitive building design on those parcels that comprise the Waterfront Zoning Lot.

Zoning Resolution Section 74-743(a)(6)

Pursuant to Zoning Resolution Section 74-743(a)(6), the proposed special permit also will allow for a waiver of the minimum distance between legally required windows and walls or lot lines. Zoning Resolution Section 23-861 requires a minimum of 30 feet between windows and a lot line. A five-foot sliver of the southwestern portion of Building 5, located on the Upland Zoning Lot, is within 30 feet of western property line. A waiver of this limitation will permit the development of Building 5 with a contextual street wall and decrease the overall height of Building 5 to provide for a slightly natural decrease in building height as the development moves upland.

D. Special Permit: Special Regulations Applying in the Waterfront Area

The applicant also requests a special permit pursuant to Zoning Resolution Section 62-836, which allows modifications in connection with height and setback, floor area coverage, tower footprint size, maximum width of walls facing shoreline, rear yard equivalent and minimum distance between buildings on the same zoning lot. Specifically, the applicant proposes waivers of the following sections of the Zoning Resolution:

Zoning Resolution Sections 62-341(a)(2) and 62-341(d)(2)(i) Regarding Initial Setback Distance

- Building 1's initial setback distance is proposed to measure 10 feet along 4th Street, whereas a minimum of 15 feet required along narrow streets; and proposed setback along shore public walkway ranges from 15 to 30 feet, whereas minimum of 30 feet required along shore public walkway;
- Building 2's initial setback distance is proposed to measure 10 feet along 4th Street, proposed demapped portion of 8th Street, and 26th Avenue, whereas minimum of 15 feet required along narrow streets;

- Building 3's initial setback distance is proposed to measure 10 feet along proposed demapped portion of 8th Street, 9th Street and 26th Avenue, whereas minimum of 15 feet required along narrow streets;
- Building 4's initial setback distance is proposed to measure 10 feet along 26th Avenue, whereas minimum of 15 feet required along narrow streets; and
- Building 5's initial setback distance is proposed to measure 10 feet along 26th Avenue and 9th Street, whereas minimum of 15 feet required along narrow streets.

Zoning Resolution Sections 62-341(c)(1) and 62-341(d)(2) Regarding Minimum and Maximum Base Heights

- Building 1's base height along 4th Street measures 102 feet, whereas maximum base height of 65 feet permitted;
- Building 2's base height along 4th Street measures 100 feet; 80 feet along 26th Avenue and proposed demapped portion of 8th Street, whereas maximum base height of 65 feet permitted;
- Building 3's base height along proposed demapped portion of 8th Street and 26th Avenue measures 82 feet; and 82 feet and 102 feet along different portions of 9th Street, whereas maximum base height of 65 feet permitted;
- Building 4's base height along 26th Avenue measures 80 feet, whereas maximum base height of 65 feet permitted; and
- School's base height along 26th Avenue and 9th Street measures 90 feet, whereas maximum base height of 65 feet permitted.

Zoning Resolution Sections 62-341(c)(2) and 62-341(d)(1) Regarding Maximum Building Heights

- Building 1's maximum building height measures 312 feet, whereas maximum building height of 185 feet permitted;
- Building 2's maximum building height measures 320 feet, whereas maximum building height of 185 feet permitted;
- Building 3's maximum building height measures 262 feet, whereas maximum building height of 185 feet permitted;
- Portion of Building 4's maximum building height measures 80 feet, whereas maximum building height of 50 feet permitted;
- Portion of Building 5's maximum building height measures 60 feet, whereas maximum building height of 50 feet permitted; and
- The school building's maximum building height measures 90 feet, whereas maximum building height at that portion is permitted to measure maximum of 80 feet.

Zoning Resolution Section 62-341(c)(4) Regarding Maximum Residential Tower Size

- Building 1's residential tower size measures 12,279 sq. ft., whereas maximum permitted residential tower size to measure 8,100 sq. ft.;
- Building 2's residential tower size measures 11,063 sq. ft., whereas maximum permitted residential tower size to measure 8,100 sq. ft.;
- Building 3's residential tower size measures 9,106 sq. ft., whereas maximum permitted residential tower size to measure 8,100 sq. ft.;
- Building 4's residential tower size measures 14,695 sq. ft., whereas maximum permitted residential tower size to measure 8,100 sq. ft.; and
- Building 5's residential tower size measures 11,852 sq. ft., whereas maximum permitted residential tower size to measure 8,100 sq. ft.

Zoning Resolution Section 62-341(c)(5) Regarding Maximum Width of Walls Facing Shoreline

- Building 1's width of walls facing shoreline measures 357'-5", whereas maximum permitted width of wall entirely above maximum base height facing shoreline to measure 100'-00";
- Building 2's width of walls facing shoreline measures 237'-8", whereas maximum permitted width of wall entirely above maximum base height facing shoreline to measure 100'-00"; and
- Building 3's width of walls facing shoreline measures 222'-6", whereas maximum permitted width of wall entirely above maximum base height facing shoreline to measure 100'-00"; and
- School's width of walls facing shoreline measures 176'-10", whereas maximum permitted width of wall entirely above maximum base height facing shoreline to measure 100'-00".

Zoning Resolution Section 23-47 Regarding Rear Yards

- Building 4 encroaches within a portion of a required rear yard; and
- Building 5 encroaches within a portion of a required rear yard.

The proposed bulk modifications significantly enhance the relationship between the Proposed Development and the Surrounding Area, including adjacent open space areas and the East River shoreline, in part, by facilitating a decrease in the project's overall lot coverage. This facilitates and increases opportunities for additional light, air and enhanced waterfront views.

Without the proposed special permit modifications, the Proposed Development would include shorter, bulkier and undesirable larger building footprints, which would constrain the development of the proposed waterfront open space network. The maximum lot coverage permitted on the Upland Zoning Lot ranges from 60-70% depending on the zoning district; and 70% on the Waterfront Zoning Lot. The Proposed Development's lot coverage within the Upland Zoning Lot measures 53% and 47% in the Waterfront Zoning Lot. In addition, the site plan made possible by the proposed special permit enables the Proposed Development to respect important planning principles concerning the development of taller buildings on waterfront sites with varied building heights.

Most importantly, the proposed special permit allows for the improvement of the Project Area with extraordinarily enhanced visual and physical access to the waterfront by the public, with an open space plan that includes 55,621 sq. ft. of waterfront public access area and an additional 28,225 sq. ft. of public access area, which is nearly 60% more than required by the applicable waterfront bulk regulations.

E. Authorizations

Authorizations under the Special Regulations Applying in the Waterfront Areas (Zoning Resolution Article VI, Chapter 2) are sought to allow modifications (1) pursuant to Zoning Resolution Section 62-822(a) in connection with requirements for area and minimum dimensions of waterfront public access areas and visual corridors; (2) pursuant to Zoning Resolution Section 62-822(b) regarding design requirements within a waterfront public access area; and (3) pursuant to Zoning Resolution Section 62-822(c) for the phased development of waterfront public access areas.

(1) Authorization Pursuant to Zoning Resolution Section 62-822(a)

An Authorization is proposed, pursuant to Zoning Resolution Section 62-822(a), to modify the requirements of Zoning Resolution Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas), specifically relating to:

(i) Zoning Resolution Section 62-571(a) to modify the required supplemental public access area width-to-depth ratio requirement; and

(ii) Zoning Resolution Section 62-571(b) to modify the minimum supplemental public access area width requirement.

Nonetheless, as detailed below, the Proposed Development provides substantially more in terms of publicly accessible open space than provided by the applicable zoning bulk requirements.

With respect to Zoning Resolution Section 62-571(a), authorization is needed to modify the requirement that the proposed supplemental public access area have a width-to-depth of 1:1 or a maximum 3:1 in order to facilitate active uses in the area. Proposed Supplemental Public Access Area 1 measures 8,149 sq. ft. yet measures 325'-00" in length by 7'-11" to 57'-00" in width reflecting the long and narrow shape of the shoreline's topography. In addition, authorization is also needed to modify Zoning Resolution Section 62-571(b), which requires that if a supplemental public access area is provided as an expanded shore public walkway, its minimum width must measure 10 feet along the shore public walkway.

The unique crescent shape of the Project Area cove, as compared to a more typical linear shoreline, challenges a compliant design of the supplemental public access area. Strict compliance with Section 62-571 is limited, moreover, by the desire to include diverse active and passive recreation features in its design. The proposed shore public walkway meets the 40-foot wide minimum width requirements of Zoning Resolution Section 62-53. However, the need to follow the natural geometry of the cove westerly from the shore public walkway while allowing for usable building footprints creates unusual boundaries for the supplemental public access area.

As noted above, the Proposed Development provides substantially more in terms of publicly accessible open space than required by zoning. In accordance with Zoning Resolution Section 62-57(c), the waterfront public access area is required to measure a minimum of 51,228 sq. ft. The Proposed Development includes a shore public walkway consisting of 30,534 square feet; upland connection measuring 15,091 sq. ft.; and a supplemental public access area measuring 9,996 square feet, which total 55,621 sq. ft. Notwithstanding the modest waiver needed relative to the dimensions of the supplemental public access area, the Proposed Development includes an additional 28,225 sq. ft. of publicly accessible open area.

(2) Authorization Pursuant to Zoning Resolution Section 62-822(b)

An Authorization is requested to modify the requirements of Zoning Resolution Section 62-60 (Design Requirements for Waterfront Public Access Areas). Specifically, the proposed waivers relate to the following design requirements:

Zoning Resolution Section 62-62(a)(2)

Zoning Resolution Section 62-62(a)(2) provides that at least one circulation path with a minimum clear width of 6 feet must be provided throughout the supplemental public access area. The Proposed Development includes more than one continuous circulation path. However, the paths are not located continuously within the areas categorized as supplemental public access areas due to the narrow depth, as permitted by the related authorizations described above. The narrow depth of the public access area with the inclusion of the diverse active and passive recreation features prohibit the continuous path within the SPAA 1. In addition, the areas categorized as SPAA 2 and SPAA 3 will consist of plantings.

Although the circulation paths do not run continuously within the supplemental public access areas, it is important to note that sufficient circulation is provided within the Proposed Development. The boundaries of the supplemental public access areas are formed based upon the natural geometry of the cove. As such, the boundary lines of the supplemental public access area are not symmetrical and the resultant boundaries cut through the supplemental public access area and "carve out" a portion of Crescent Drive thereby eliminating the continuous circulation path within the supplemental public access area.

Zoning Resolution Sections 62-62(c)(1)

Zoning Resolution Section 62-62(c)(1) requires that 50% of the area of the shore public walkway and supplemental public access area be planted. In accordance with Section 62-62 (c)(1), 20,265 sq. ft. of the area of the shore public walkway and supplemental public access area is required to be planted. Due to the narrowness of the site and circulation requirements, the Proposed Development will provide 16,961.3 sq. ft. or 41.8% of plantings.

To highlight the role of the planted spaces within the project, the applicant also focused on creating a sequence of unique waterfront experiences through the provision of two public walkways (Upper and Lower Esplanade) at differing heights and a series of smaller pathways that run alongside and through the various waterfront planting areas. The walkways and pathways define pedestrian movement, accessibility, views and social interaction. These planted areas follow the curvature of the existing waterfront and rip-rap and include an allee of oak trees, shaded seating pockets and intimate paths as well as generous planting and rockery areas. The planting palette consists of an array of native species that evoke a maritime grassland and shrubland landscape emerging from the rip-rap.

The Proposed Development also introduces a diverse planting palette, including urban edge plantings and riparian zone plantings, to facilitate the project's natural transition from the upland portion of the site to the water's edge, as well as various rain garden-planting mixes within the Mews. The planting requirements imposed by Article VI would prohibit the inclusion of Crescent Drive, which is predominately cobblestone paving. In addition, to help diversify the active recreational areas, children's playground equipment is introduced into the western portion of the public access area.

Zoning Resolution Section 62-62(d)

Zoning Resolution Section 62-62(d) requires four bicycle parking spaces within the shore public walkway and supplemental public access area. In addition, if the combined area of the shore public walkway and the supplemental public access area exceeds 8,000 sq. ft., two additional parking spaces are required for every 2,000 sq. ft. of area constituting the shore public walkway and supplemental public access area. Therefore, a minimum of 37 bicycle parking spaces are required within the waterfront public access area.

The project will include 40 bicycle parking spaces adjacent to the shore public walkway in a publicly accessible area. Moreover, an additional 20 parking spaces will be provided on 4th Street and eight additional along 9th Street. The narrow depth of the public access area with the inclusion of the various waterfront esplanade features prohibits the inclusion of the required bicycle parking spaces within the shore public walkway and supplemental public access area. In addition, the inclusion of these bicycle parking spaces as prescribed by zoning will obstruct access to the public entry areas. By relocating the bicycle parking spaces, entry access points to the waterfront public access area will be more inviting. Nonetheless, one of the primary goals of the Proposed Development is to bring community members and the public to the waterfront. As such, 68 bicycle parking spaces will be provided. The relocation of the bicycle parking spaces will result in a greater amount of bicycle parking spaces and authorize parking closer to retail opportunity areas instead of the narrower waterfront public access area.

Zoning Resolution Sections 62-64(a), 62-64(b), 62-64(c), and 62-64(e)

An Authorization is requested to modify the requirements of the upland connection relative to circulation, paving, planting and trash receptacles. Zoning Resolution Section 62-64(a) requires that the upland connection provide a minimum clearance width of 12 feet linking the open street with the shore public walkway. Proposed Upland Connection 1 and Upland Connection 2 do not comply. Upland Connection 1's width ranges from 9'-3" to 13'-00", which, at certain locations is more than required by zoning. In addition, Upland Connection 2's clearance width ranges from 9'-8" to 15'-00" in width, which, at certain locations is also more than required. Zoning Resolution Section 62-64(b) provides that at least 40%, but not more than 65% of the entry area of a "Type 1" upland connection may be paved, whereas the entry area of

Upland Connection 1 is 100% paved and the entry area of Upland Connection 2 is 87% paved. In addition, Zoning Resolution Section 62-64(c) mandates that the "Type 1" upland connection have a minimum area of 40% planted in accordance with Section 62-655. Proposed Upland Connection 1 is not planted and Upland Connection 2 consists of 4,292 sq. ft. or 31% of the area is planted. Lastly, Zoning Resolution Section 62-64(e) requires the placement of one trash receptacle within 15 feet of a street and one trash receptacle at the intersection of the shore public walkway and supplemental public access area. The Proposed Development includes six trash receptacles, which is more than required by zoning. The trash receptacles are proposed to be located within the upland connection, but not at the intersection of Upland Connection 1 and the shore public walkway and supplemental public access area, as it would be in conflict with the required circulation path.

Upland Connection 1, the upland connection at the intersection of 4th Street and the shore public walkway, is not a typical upland connection. As noted above, the waterfront public access area does not have the ideal configuration for a conventional lawn space. Pavers are proposed to line the northern and southern sides of the upland connection signaling to pedestrians the location of the cross walk and to warn drivers turning south onto Crescent Drive. The same material used for the treatment of the 4th Street sidewalks extends into Upland Connection 1 and continues the sequence toward the Get-Down steps. The unplanted upland connection also visually distinguishes the special Get-Down feature from the balance of the planted waterfront public access area.

The waivers requested relative to the upland connections facilitate the creation of the distinctive features within the proposed open space plan. Following the slope from 27th Avenue to the waterfront, the Mews is an intimate pedestrian connection that is bisected by 26th Street. This passageway consists of units pavers with sand swept joints, a series of stairs and planters that mitigate the topography and serve as the entries to proposed terraced townhouses. The planters incorporate seating elements and are designed as rain gardens to capture stormwater. Scattered amongst the planters are trees, such as the common alder and black tupelo, to simulate a grove effect along the pathway. Understory plant materials include amelanchiers, dogwoods, and a rain garden palette, such as sedges, wildflowers, shrubs, and irises.

Zoning Resolution Sections 62-652(e)(1) and 62-652(f)

Zoning Resolution Section 62-652(e)(1) permits design feature seating to total 25% of the required linear seating within the waterfront public access area. The Proposed Development includes nearly 301 linear feet of seating within the waterfront public access area, whereas no more than 150 linear feet are permitted. As referenced on the proposed seating plans, the total required seating is 600.8 linear feet; whereas the proposed seating totals 806.9 linear feet (655.7 linear feet within the waterfront public access area and 151.2 linear feet within the upland connection). The seating plans provides for an additional 284.15 linear feet of seating within the public access area and along the streetscape.

Zoning Resolution Section 62-652(f) requires a minimum of 2 sq. ft. of tables for every 3 linear feet of social seating, yet no more than 150 sq. ft. of tables may be provided. Although Zoning Resolution Section 62-652(f) states that no more than 150 sq. ft. of tables are to be provided, the Proposed Development includes 42 sq. ft. of tables within the waterfront public access area.

The variation of seating and table requirements within the shore public walkway and supplemental public access area are required because of the Waterfront Zoning Lot's shallow dimensions. The dimensions of proposed 4th Street and the Mews, combined with minimum seat and bench spacing requirements, together create further impediments in compliance with Zoning Resolution Sections 62-652(e)(1) and 62-652(f). The inclusion of the "Get Down," which consists of a series of generous seating steps at the terminus of 4th Street, triggers the modification for an increase to the linear seating count. This important design feature will lead visitors to the water's edge to experience the expansive and unobstructed view of RFK Bridge, Hells Gate Bridge, and Randall's Island, in addition to providing a location for seating. It is also important to note that although the minimum table count and seating requirements are proposed

to be modified within the waterfront public access area, the Proposed Development is able to afford the public additional seating and table locations within the Mews, varied opportunities within the different levels of the esplanade -- the Upper Crescent Walk and the Lower Crescent Esplanade, as well as the recreational and dining opportunities proposed to be included and accessory to the eating or drinking establishments along 4th Street and Crescent Drive.

(3) Authorization Pursuant to Zoning Resolution Section 62-822(c)

An Authorization is required for the phasing of construction of the Proposed Development, which may be granted to implement the development's waterfront public access area improvements on zoning lots undergoing partial development. The Proposed Development's waterfront public access area will be built in three phases. Construction is anticipated to proceed as follows:

- Proposed Waterfront Phase 1 includes the construction of Building 3 at eastern portion of the Waterfront Zoning Lot. Waterfront Phase 1 will include the construction of 23,920 sq. ft. (15,659 sq. ft. required) of the waterfront public access area. The waterfront public access area developed in this phase represents 43% of the lot area of the phased lot area.

- Proposed Waterfront Phase 2 includes the construction of Building 2 between demapped 8th Street and proposed 4th Street on the Waterfront Zoning Lot. Waterfront Phase 2 will include the construction of 9,055 sq. ft. (14,767 sq. ft. required) of the waterfront public access area. The waterfront public access area developed in this phase represents. 59% (cumulative) of the phased lot area.

- Proposed Waterfront Phase 3 includes the construction of Building 1 at the westernmost portion of the Waterfront Zoning Lot. Waterfront Phase 3 will include the construction of 22,646 sq. ft. (20,801 sq. ft. required) of the waterfront public access area. At the conclusion of Waterfront Phase 3, a total of 55,621 sq. ft. of waterfront public access area and 28,225 sq. ft. of public access area will be developed.

The table below provides a breakdown of the total developed lot area, waterfront public access area, and public access area to be developed relative to each phase of construction of the Proposed Development.

	LARGE SCALE PHASE 1	LARGE SCALE PHASE 2 (Waterfront Phase 1)	LARGE SCALE PHASE 3 (Waterfront Phase 2)	LARGE SCALE PHASE 4 (Waterfront Phase 3)
BUILDING BY NUMBER	4 & 5 (excl. school)	3	2	1 & School
FLOOR AREA TO BE DEVELOPED FOR EACH RESPECTIVE PHASE	135,430 sq. ft.	339,624 sq. ft.	558,466 sq. ft.	668,262 sq. ft (Building 1) & 60,567 sq. ft. (School) Total = 728,830 sq. ft.
TOTAL AREA (Cumulative)	135,430sq. ft.	475,054 sq. ft.	1,033,520 sq. ft.	1,762,350 sq. ft.
TOTAL WPAA (Cumulative)	0	23,920 sq. ft.	32,975 sq. ft. (23,920 + 9,055)	55,621 sq. ft. (23,920 + 9,055 + 22,646)
TOTAL PAA (Cumulative)	16,751 sq. ft.	24,699 sq. ft. (16,751 + 7,948)	28,225 sq. ft. (16,751 + 7,948 + 3,526)	28,225 sq. ft.

F. Certification of Chairperson of the City Planning Commission

A certification by the Chairperson of the City Planning Commission is required pursuant to Zoning Resolution Section 62-811(b) pertaining to the provision of waterfront public access area and visual corridors, as modified by the aforementioned authorizations. Pursuant to Zoning Resolution Section 62-811(d), no excavation or building permit shall be issued for any development on a waterfront block until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Business Services, as applicable, that a site plan has been submitted showing compliance with the provisions of Section 62-50 pertaining

to the general requirements for visual corridors and waterfront public access areas and Section 62- 60 concerning design requirements for waterfront public access areas, and an acceptable restrictive declaration is executed and filed.

The Proposed Development includes two visual corridors along 4th Street and 9th Street. The proposed visual corridors measure 60 feet in width and comply with the 50-foot minimum dimension requirement for the prolongation of the mapped upland portion of the respective streets (Zoning Resolution Section 62-512). The proposed visual corridors fully comply with all the requirements of Zoning Resolution Section 62-50, as modified by the Authorization requested pursuant to Zoning Resolution Section 62-822(b). In order to maximize publics' access to the waterfront, the area within 4th Street that comprises one of the project's visual corridors will be mapped and constructed to provide physical public access during all hours between 26th Avenue and the waterfront esplanade. Thus, the visual corridor will not only provide greenery and public viewing of the East River from 26th Avenue, but it will also enhance the community's access to the waterfront. The architectural drawings submitted as part of this application show compliance with the provisions of Zoning Resolution Sections 62-50 and 62-60, as modified by the Authorization requested pursuant to Zoning Resolution Section 62-822(b).

In addition, Drawing Sheet Numbers L-100.00 through L-520.00 and LT-100 through LT-202 submitted as part of this application clearly illustrate that the waterfront public access area complies with the provisions of Zoning Resolution Sections 62-50 and 62-60, as modified by the Authorizations requested pursuant to Zoning Resolution Sections 62-822(a) and 62-822(b). The proposed waterfront public access area has been designed to connect the neighborhood to the waterfront and to enhance views of the Manhattan skyline, Randall's Island, the Robert F. Kennedy Bridge and Hell Gate Bridge.

G. Additional Necessary Actions That Are Not Part of This Application

As part of a related application (130384 MMQ), a series of City Map amendments are required to facilitate the Proposed Development's site plan and maximizing access to the proposed waterfront esplanade. The proposed City Map amendments will establish a new segment of 4th Street, extending diagonally from 26th Avenue to the proposed waterfront esplanade; eliminate, discontinue and close a portion of 8th Street from 27th Avenue to the waterfront; and establish a public access easement within the proposed waterfront public access area between 4th Street and 9th Street.

In addition to the actions delineated above that require the approval of the City Planning Commission and certification by the Chairperson, there are actions required by other agencies to facilitate the Proposed Development and not part of this application. They include permits from the New York State Department of Environmental Conservation and United States Army Corps of Engineers relative to two new stormwater outfalls located at the end of 4th Street and 9th Street to enable direct discharge of stormwater flows into the East River. A State Pollutant Discharge Elimination System (SPDES) permit from the New York State Department of Environmental Conservation will be necessary for stormwater discharges during the construction period because the Project Area is greater than one acre. In addition, approval of the New York State Department of Environmental Conservation is required to allow development of the portion of the proposed waterfront esplanade that is within the wetlands adjacent area regulated by the agency. The project will also require approvals and permits from the New York City Department of Environmental Protection and the New York City Department of Buildings.

6. Conclusion

The Project Area, like other waterfront sites and adjacent upland areas along the East River shoreline, has fallen victim over time to the contraction in manufacturing and warehousing and today the Project Area is sorely underutilized and deteriorated. At the same time, the population growth in recent years in neighborhoods like Astoria has created an unmet need for both market rate and affordable housing for New York City families as well as commercial opportunities necessary to support the much desired housing development.

The Proposed Development will consist of approximately 1.7 million sq. ft. of residential, commercial and community facility floor area, which allocates 20% of its waterfront residential floor area for affordable housing and nearly 54,000 sq. ft. of commercial floor area for local retail uses, including a supermarket that will measure nearly 25,000 sq. ft. The Proposed Development also includes ample accessory parking for residents and visitors, as well as a public elementary school for grades kindergarten through 5 to serve the needs of the local community. The redesign of the roadway network within the Project Area will substantially improve the Project Area and be of great benefit to the existing Astoria neighborhood. These exciting project features are highlighted by the development of an expansive and lavishly designed publicly accessible waterfront esplanade featuring accommodations for active and passive recreation, measuring approximately 84,000 sq. ft., which is more than required by zoning. The proposed open space plan significantly advances the City's Comprehensive Waterfront Plan and promotes the Queens River and North Shore Greenway Master Plan strategy for enhanced public waterfront access.

The reclamation of the Project Area in the manner proposed by the applicant will enable the transformation of the Development Site from an underutilized and deteriorated portion of the Halletts Point peninsula into a resilient and vibrant extension of the existing Astoria neighborhood. The Astoria Cove project will only be possible by the proposed zoning actions. These actions will connect the existing Astoria neighborhood with a waterfront; create opportunities for market rate and affordable multi-family housing; and economic development for the neighborhood, the Borough of Queens, and the City.