CITY PLANNING COMMISSION

July 25, 2022 / Calendar No. 2 N 220197 ZRQ

IN THE MATTER OF an application submitted by Astoria Owners LLC pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

This application for a zoning text amendment (N 220197 ZRQ) was filed by Astoria Owners LLC on November 9, 2021. This application, in conjunction with the related actions, would facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26th Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1.

RELATED ACTIONS

In addition to the special permit (N 220197 ZRQ) that is the subject of this report, implementation of the land use actions associated with the proposed development also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

C 220196 ZMQ	Zoning map amendment to rezone an M1-1 zoning district to a R7-3/C2-4 zoning district
C 220198 ZSQ	Waterfront special permit to modify bulk requirements
N 220353 ZAQ	Waterfront authorization to modify requirements pertaining to the location and minimum dimension of elements within the WPAA)
N 220200 ZAQ	Waterfront authorization to modify requirements pertaining to location and minimum and maximum dimensions of elements within the WPAA and requirements regulating materiality, lighting, and vehicle access
N 220202 ZAQ	Waterfront authorization to allow phased development of the WPAA

C 220206 MMQ City Map change to demap a segment of Third Street north of 26th Avenue.

BACKGROUND

A full background discussion and description of this project appears in the report for the related zoning map amendment (C 220196 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 220197 ZRQ), in conjunction with the related applications (C 220196 ZMQ, C 220198 ZSQ, N2203053 ZAQ, N 220200 ZAQ, N220202 ZAQ, and C 220206 MMQ), were 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 lead is the City Planning Commission. The designated CEQR number is 21DCP128Q.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS) dated July 14, 2022, appears in the report on the related application for a zoning map amendment (C 220196 ZMQ).

WATERFRONT REVITALIZATION PROGRAM

This application (N 220197 ZRQ) was 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 State 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 19-227. This action was determined to be consistent with the

policies of the New York City Waterfront Revitalization Program.

PUBLIC REVIEW

On March 28, 2022, this application (N 220197 ZRQ), and related applications for zoning authorizations (N 2203053 ZAQ, N 220200 ZAQ, and N 220202 ZAQ) were referred for information and review in accordance with the procedures for non-ULURP matters, along with the related applications for a zoning map amendment, special permit and City Map change (C 220196 ZMQ, C 220198 ZSQ, , and C 220206 MMQ), were certified as complete by DCP and were duly referred to Community Board 1 and the Queens Borough President 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 1 held a public hearing on April 19, 2022 on this application (N 220197 ZRQ), in conjunction with the related applications, and, on April 27, 2022, adopted two resolutions recommending approval:

1) By a vote of 19 in favor, 14 opposed, and two abstaining, the board adopted a resolution recommending approval of the zoning map amendment (C 220196 ZMQ), special permit (C 220198 ZSQ), zoning text amendment (N 220197 ZRQ), authorizations (N 220353 ZAQ, N 220200 ZAQ, and N 220202 ZAQ); and
2) By a vote of 31 in favor, two opposed, and two abstaining, the board adopted a resolution recommending approval of the City Map change (C 220206 MMQ).

Borough President Recommendation

The Queens Borough President held a public hearing on April 28, 2022 on this application (N 220197 ZRQ) and the related actions, and, on May 23, 2022, issued a recommendation to approve the application..

A summary of the Borough President's recommendation and conditions appears in the report for the related zoning map amendment (C 220196 ZMQ).

City Planning Commission Public Hearing

On May 25, 2022 (Calendar No. 6), the CPC scheduled June 8, 2022 for a public hearing on this application (N 220197 ZRQ), in conjunction with the related applications. The hearing was duly held on June 8, 2022 (Calendar No. 28).

There were three speakers in favor and none in opposition, as described in the report for the related zoning map amendment (C 220196 ZMQ), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 220197 ZRQ), in conjunction with the related actions (C 220196 ZMQ, C 220198 ZSQ, N2203053 ZAQ, N 220200 ZAQ, N220202 ZAQ, and C 220206 MMQ), is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related zoning map amendment (C 220196 ZMQ).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on July 14, 2022, with respect to this application (CEQR No. 21DCP128Q), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulation, have been met and that:

1. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action, with the modifications set forth and analyzed in the Technical Memorandum dated July 22, 2022, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. 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 220168 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 City Planning Commission, in its capacity as the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 201 of the New York City Charter that based on the environmental determination and consideration and findings described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

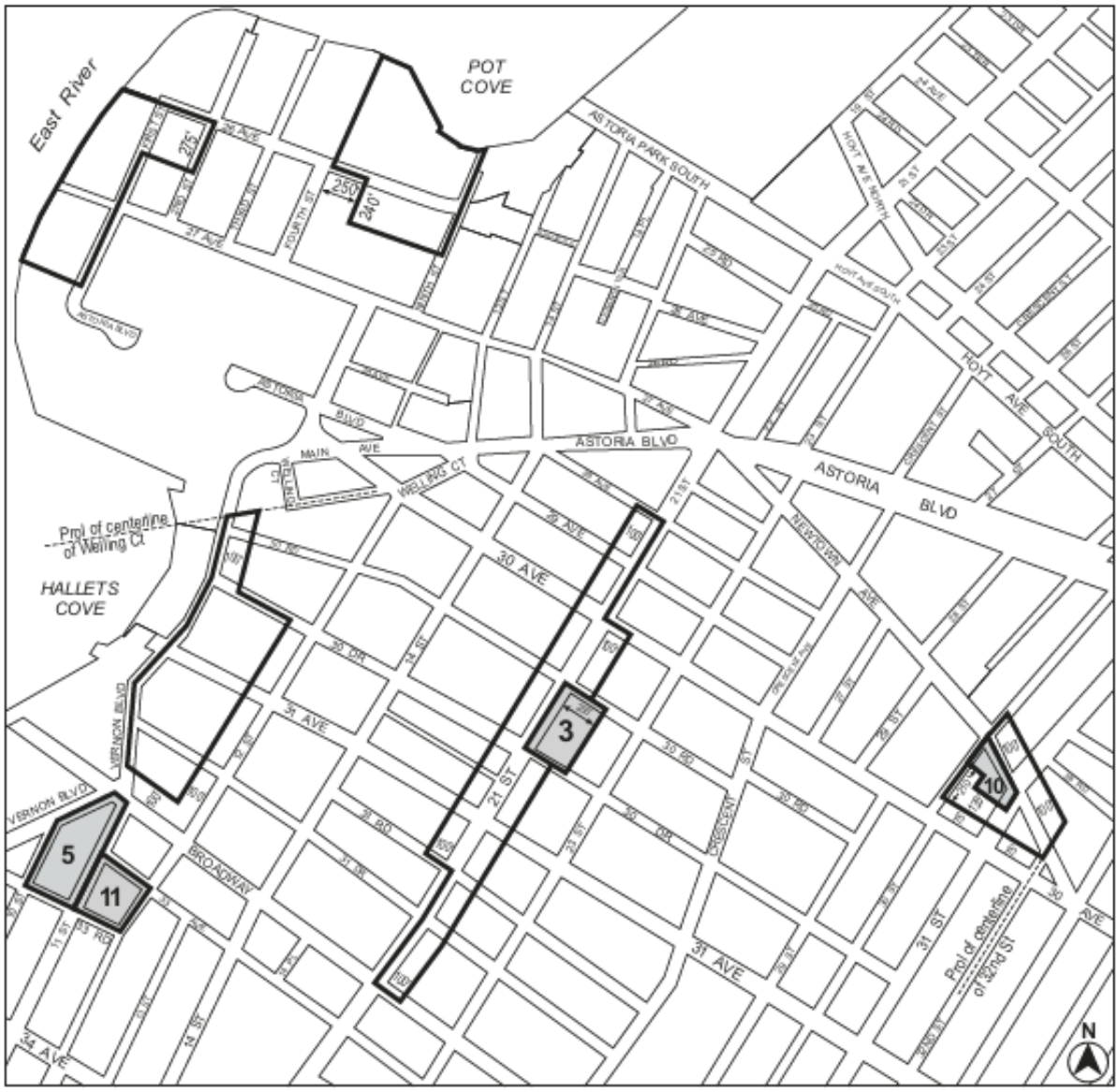
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QUEENS

Queens Community District 1

Map 1 - [date of adoption]

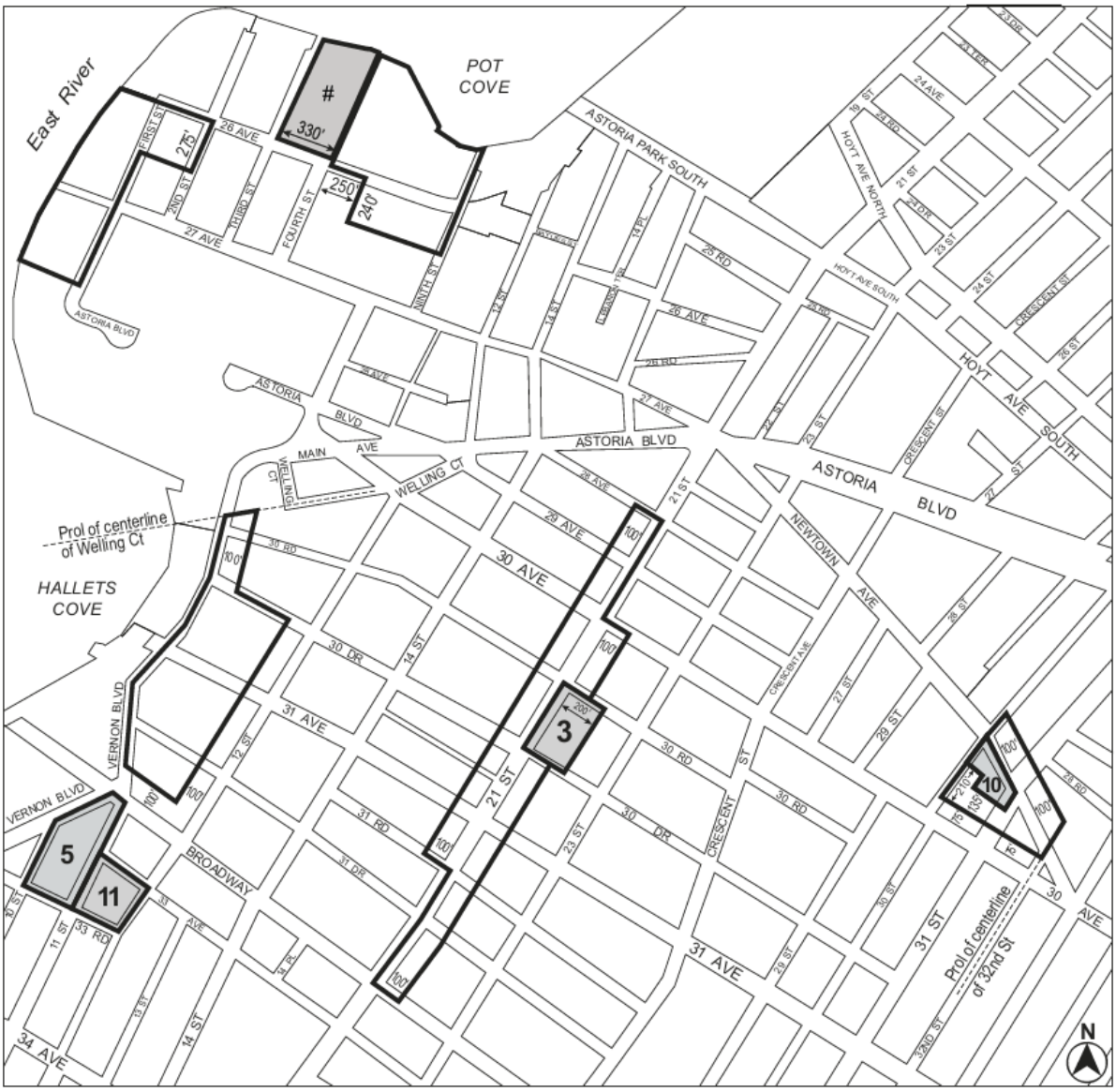
[EXISTING MAP]



Inclusionary Housing designated area

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **3** – 10/31/18 MIH Program Option 1 and Option 2
Area **5** – 10/17/19 MIH Program Option 1
Area **10** – 6/17/21 MIH Program Option 1
Area **11** – 10/21/21 MIH Program Option 1

[PROPOSED MAP]



Inclusionary Housing designated area

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **3** – 10/31/18 MIH Program Option 1 and Option 2
Area **5** – 10/17/19 MIH Program Option 1
Area **10** – 6/17/21 MIH Program Option 1
Area **11** – 10/21/21 MIH Program Option 1
Area # - [date of adoption] MIH Program Option 1

Portion of Community District 1, Queens

* * *

The above resolution (N 220197 ZRQ), duly adopted by the City Planning Commission on July 25, 2022 (Calendar No. 2), 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.

DANIEL R. GARODNICK, Esq., *Chair*
KENNETH J. KNUCKES, Esq., *Vice Chairman*
DAVID J. BURNEY, LEILA BOZORG, ALFRED C. CERULO, III,
JOSEPH DOUEK, RICHARD W. EADDY,
ORLANDO MARIN, RAJ RAMPERSHAD, *Commissioners*

LEAH GOODRIDGE, *Commissioner, VOTING NO*