ATTACHMENT 11B: APPLICANT'S STATEMENT OF FINDINGS

PENINSULA REDEVELOPMENT

51-15 BEACH CHANNEL DRIVE, ROCKAWAY, NEW YORK
April 16, 2019

SPECIAL PERMIT PURSUANT TO ZR § 74-743

74-743 Special provisions for bulk modification

* * * *

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

The overall design and proposed massing for the Development Site will achieve a better site plan and a better relationship among buildings and open areas within the boundaries of the proposed Large-Scale General Development ("LSGD") and within the surrounding Edgemere neighborhood. To achieve a better overall site plan, the proposed LSGD requests modification of the applicable provisions of the ZR related to side yard, rear yard equivalent, maximum base height and maximum building height and maximum number of stories as described in detail in LR Item 3: Project Description. Absent the waivers requested by this special permit, the Development Site would be subject to the underlying C4-4 non-contextual district bulk regulations on Zoning Lot 1, which allows height factor buildings that are generally taller in height and set back from the street line leaving the streets devoid of activity and disconnecting the built environment from the pedestrian experience at the street level. The requested bulk modifications would transform the 9.34-acre vacant and underutilized site (formerly Peninsula Hospital main campus site) with a project design that creates approximately 2,200 new affordable and moderate income housing, a new open street and publicly accessible open space network which activates street levels with pedestrian-friendly streetscape designs, and a new retail and community facility development that would benefit the greater Far Rockaway community and the City as a whole.

The overall design of the Proposed Development implements urban design principles to create a strong sense of place that is unique to the neighborhood. The design is primarily driven by creating a new 122,000-square-foot open street and publicly accessible open space network connecting the existing roadways and linking the site to the immediate surrounding neighborhood, otherwise prohibited by the existing superblock condition. The applicant proposes two 60-foot-wide private open streets: Peninsula Way, a two-way street running east and west connecting Beach 50th Street to Beach 53rd Street, and Beach 52nd Street, a two-way street running north and south connecting Beach Channel Drive to Rockaway Beach Boulevard as well as down to the Boardwalk. These newly created private streets not only provide pedestrian and vehicular accesses but also include streetscape designs integrated with sustainable landscape features and amenities that would enhance the overall pedestrian experience and provide ample light and air within the Proposed Development. Concurrent with the proposed LSGD application, the applicant requested a City Map change to establish a portion of Beach 52nd Street between Rockaway Beach Boulevard and Shore Front Parkway to provide for a continuous connection. The area is City-owned and comprises approximately 5,345 square feet of area.

The LSGD's open space network is intended to provide a rich pedestrian experience for both new residents and visitors to both the retail and community facility spaces. A highlight of the open space network is the Pedestrian Plaza, a publicly accessible open space that is approximately 23,000 square feet provided on former Beach 51st Street that includes a children's play area. The

proposed children's play area is designed with rubber play surface with a mound, timber steppers, and timber balances beams, that provides a fun and safe alternative to a traditional playground. Within the streetscape of the open space network, meandering planters integrated with seating/benches are placed throughout the Development Site. These planters are formed in a way to provide unobstructed pedestrian circulation while also providing small pockets of intimate and social gathering spaces. Additionally, the placement of such planters and tree pits is carefully engineered and designed to serve as bio-swales to collect, retain and filter on- and off-site drainage for sustainable stormwater management.

Furthermore, the creation of the new Peninsula Way and Beach 52nd Street connections allows the existing superblock to be subdivided into quadrants that would be more appropriate in size and form in relation to the surrounding context. While the C4-4 non-contextual district allows for the benefits of building taller buildings, the overall massing of the proposed buildings within the LSGD is intended to complement the existing neighborhood character by utilizing the optional Quality Housing regulations. Such regulations would be more appropriate producing predictable building forms and establishing strong street wall presence to enhance the overall urban design quality of the neighborhood.

The size of each parcel helps to produce a contextual building form and the placement of each parcel determines the type of uses that would be more appropriate based on its location, access to nearby streets and proximity to existing uses. The plan provides for varying mixture of building heights and widths, reflecting the ebb and flow of the Rockaway Beach. The tallest heights are placed on the southwest portion of the LSGD (Blocks A, C, and E) not only to take advantage of the view towards Rockaway Beach but also to establish a presence as the focal point of *Peninsula Redevelopment*. From there, building heights step down creating a cascading wave-like effect that would gradually blend in with the existing neighborhood character.

Moreover, the Proposed Development works cohesively with the uses proposed within the LSGD as well as responds to nearby existing streets, uses, and amenities. Currently, this area of the Edgemere neighborhood is underserved with retail and medical office space, and there is no central location for existing residents to do shopping and take care of their health. Retail uses and residential uses would be distributed across all development parcels and community facility spaces programmed for medical uses anticipated to be located on Block E. On the first quadrant of Zoning Lot 1 is Block A with a 17- to 19-story mixed residential and commercial building. With frontage on Beach Channel Drive, Block A is a prominent location for an anchor supermarket, which is a much needed resource in the Edgemere neighborhood. On the second quadrant is Block B with a 15- to 18-story mixed residential and commercial building. With frontage on Beach Channel Drive, Block B is an ideal location for a fitness center for the residents of the Proposed Development and a beneficial service to the surrounding neighborhood. On the third quadrant is Block C with a 14- to 19-story mixed residential and commercial building. Based on its location and proximity to existing uses and the waterfront, this parcel can accommodate the most density and serve as one of the focal points of the *Peninsula Redevelopment*. On the fourth quadrant are Blocks D and E, with 12- to 14-story mixed residential and commercial building and 14- to 19-story residential and community facility building, respectively. Block D would serve as a transitioning parcel between Blocks C and E both of which contains the tallest building heights within the Proposed Development. Block D will contain the new senior housing units. East of Block D is Block E programmed for medical uses bringing back some of the resources and amenities this site once provided as a former Peninsula Hospital main campus to the immediate and larger Rockaway community. Lastly, Zoning Lot 2 contains Building F1 with an 8-story residential building. The property includes a street widening portion along Beach 52nd Street, which will be provided and designed as part of the proposed LSGD.

The proposed massing within the LSGD complements the open street and open space network and is intended to activate the street with street walls located at or near the street line to enliven ground level activity with active ground floor frontages. The street walls mimic the undulating building heights and also introduce various recesses and articulation that break up the street walls. Such architectural features coupled with the streetscape design is intended to lead pedestrians into the intersection of Peninsula Way and Beach 52nd Street and to the Pedestrian Plaza as well as orient the pedestrian towards Rockaway Beach Boardwalk.

For the reasons explained above, the waivers requested by this special permit would result in a site plan that would have a better relationship among buildings and open areas within the

Proposed Development, to adjacent streets, surrounding developments, and adjacent open areas than compared to what could be built pursuant to the underlying zoning district. The design of the Proposed Development would also inform future developments within the Surrounding Area to implement similar urban design principles enhancing pedestrian activity and increasing the City's effort to create a more sustainable, resilient Rockaway neighborhood. Thus, the overall LSGD plan would benefit the occupants of the LSGD, the neighborhood, and the City as a whole.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

The requested bulk waivers of the side yard, rear yard equivalent and height and requirements would facilitate a site plan that is sensitive to the surrounding context in terms of scale, and would not unduly increase the bulk in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of the proposed buildings or surrounding area.

As mentioned above and discussed in LR Item 3: Project Description, the overall site plan of the proposed LSGD is primarily driven by creating an open street and open space network connecting the existing roadways and linking the site to the immediate surrounding neighborhood that is otherwise prohibited by the existing superblock. This publicly accessible open street and open space network will create two new private streets with sustainable streetscape design features: Peninsula Way, a two-way private street running east and west connecting Beach 50th Street to Beach 53rd Street; and Beach 52nd Street, a two-way private street running north and south connecting Beach Channel Drive to Rockaway Beach Boulevard as well as all the way down to Shore Front Parkway by the related City Map change application. Such newly proposed network not only provides pedestrian and vehicular accessway but also breaks up the existing superblock into development parcels that are more appropriate in size and form in relation to the surrounding context and provide ample light and air within the Proposed Development.

The requested height and setback waivers would facilitate the creation of a site plan that responds to the neighborhood built form with a contextual building envelope while allowing the proposed massing to also serve as a “focal point” that prominently signifies a sense of place in this particular area. The plan provides for varying mixture of building heights and widths, reflecting the ebb and flow of the Rockaway Beach. This undulating heights were carefully designed and placed throughout the LSGD also to provide ample light and air within the Proposed Development and minimize any shadow impacts resulting from the proposed buildings. The tallest heights are placed on the south portion of the LSGD (Blocks A, C, and E) not only to take advantage of the view towards Rockaway Beach but also to establish a presence as the focal point of *Peninsula Redevelopment*. From there, building heights step down creating a cascading wave-like effect that would gradually blend in with the existing neighborhood character. Moreover, the Draft Environmental Impact Statement ("DEIS") found no significant adverse shadow impact resulting from the proposed buildings in the LSGD.

The requested yard waivers would also facilitate the creation of a site plan that establishes a strong sense of place that is developed with active street walls. Complementing the open street and open space network, the proposed massing within the LSGD is intended to activate the street with street walls located at or near the street line to enliven street level activity with active ground floor frontages. The street walls mimic the undulating building heights and also introduce various recesses and articulation that break up the street walls. Such architectural features coupled with the streetscape design lead pedestrians into the intersection of Peninsula Way and Beach 52nd Street and to the Pedestrian Corridor as well as the Rockaway Beach Boardwalk. Since the design of the proposed massing focuses on maintaining a strong street wall presence, a portion of building on Block B containing parking is placed closer to the zoning lot line where a side yard is required along the R5 district boundary line. This building placement near the eastern lot line provides for an adequate retail and residential lobby depth by having parking wrap around the building. Additionally, due to the superblock condition, the area of the rear yard equivalent that is generally midway between two through lot lines does not coincide with the newly created open street and open space network, which provides more than the minimum 60-foot depth. Instead, portion of buildings on Blocks A and B encroach within the rear yard

equivalent area. Absence of a complying side yard and rear yard equivalent would have little or no impact on new residents, users of the building and to nearby community. The proposed massing is designed with varying heights and widths and also provides more than the requisite distance between buildings and building to lot lines as well as larger inner court areas. These were sensible design choices intended to maximize access to light and air for each development and minimize any shadow impact to the surrounding area.

Therefore, the LSGD will not unduly increase the bulk of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of buildings in the block or nearby blocks or of people using the public streets.

(3) where a #zoning lot# of a #large-scale general development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;

Not applicable.

(4) considering the size of the proposed #large-scale general development#, the #streets# providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;

As part of the LSGD, comprehensive network and access improvements are proposed. The proposed new open street network will facilitate improved pedestrian and vehicular circulation throughout the proposed new development and create new connections for the community within this Edgemere section of the Rockaways.

The concurrent city map change application would reestablish the street connection at the intersection of Beach 52nd Street and Shore Front Parkway providing greater access and movement throughout the LSGD and this part of the peninsula. The opening of the intersection at Beach 52nd Street and Rockaway Freeway provides more direct access to Shore Front Parkway from the Proposed Development through the newly proposed privately owned, publicly accessible street network mapping Beach 52nd Street through the development. Currently, the only two roadways providing access to Shore Front Parkway are Beach 54th Street and Beach 47th Street so this will provide a new direct connection down to this major thoroughfare from the development. Additionally, the new street connection will connect Beach 52nd Street all the way through the site from Beach Channel Drive all the way to Shore Front Parkway. It is intended that this new street connection will be limited to a right turn into Beach 52nd Street from Shore Front Parkway and a right-turn out of the Proposed Development from Beach 52nd Street to Shore Front Parkway. The concurrent city map change action will have benefits on traffic and circulation throughout the surrounding area by reducing conflicting right-turning vehicles at the intersection of Rockaway Beach Boulevard and Beach 52nd Street and reducing conflicting left-turning vehicles at the intersection of Rockaway Beach Boulevard and Beach 54th Street.

The Proposed Action is expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours, as well as in the Saturday midday peak hour. The Proposed Action is also expected to generate 50 or more vehicles per hour during each of the peak hours through one or more intersection. As described in the traffic impact analysis in the DEIS, the Proposed Project would result in impacts at 22 signalized intersections and five unsignalized intersections during one or more analyzed peak hours. However, through implementation of proper mitigation measures, the project will alleviate potential traffic impacts created by the project. There would also be impacts on pedestrian facilities at four sidewalk locations, two crosswalk locations and one corner location due to the Proposed Action. Mitigation measures for traffic such as signal timing changes, modifications to curbside parking regulations, lane geometry changes, and signalization of unsignalized intersections would mitigate or partially mitigate several of the significant adverse traffic impacts. Mitigation measures for pedestrian facilities include widening crosswalks. With these measures in place, the street and highway network will be adequate to handle the traffic generated by the Proposed Development.

For these reasons, the streets providing access to the Project Site, in conjunction with the proposed mitigation measures, will be adequate to handle the resulting traffic.

(5) when the Commission has determined that the #large-scale general development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

DEIS will conclude that no additional public facilities are required or the applicant will comply with providing additional facilities that are required. As described in the DEIS, the project would not have any direct land use impacts on the lots in the radius of the Project Area.

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #large-scale general development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

Not applicable.

(7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #large-scale general development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-Scale General Development) with respect to better site planning;

Not Applicable

(8) where the Commission permits portions of #buildings# containing #accessory# parking spaces to be excluded from the calculation of #lot coverage# in accordance with the provisions of paragraph (a)(9) of this Section, the exclusion of #lot coverage# will result in a better site plan and a better relationship among #buildings# and open areas than would be possible without such exclusion and therefore will benefit the residents of the #large-scale general development#;

Not Applicable

(9) where the Commission permits a #floor area# bonus for a #public park# improvement in accordance with the provisions of paragraph (a)(11) of this Section:

(i) the amount of such bonus floor area is appropriate in relation to the size and quality of the proposed public park improvement; and

(ii) such bonus floor area will not unduly increase the bulk of buildings on the zoning lot or unduly obstruct access of light and air to the detriment of the occupants or users of buildings on the block or nearby blocks or of people using the public streets.

Grant of a floor area bonus for a public park improvement in accordance with the provisions of paragraph (a)(11) of this Section shall be conditioned upon adequate assurances for provision of the funding identified by the Commissioner of Parks and Recreation in a letter pursuant to paragraph (a)(11)(ii) of this Section as necessary for completion of the necessary infrastructure, landscape and other work for the public park improvement. The Commissioner of Buildings shall not issue a building permit for the large-scale

development unless the Commissioner of Parks and Recreation shall have certified that the funding has been made or secured in a manner acceptable to such Commissioner;

Not Applicable

(10) a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; and

A draft restrictive declaration will be submitted to the Department of City Planning.

(11) where the Commission permits #floor area# distribution from a #zoning lot# containing existing light industrial #buildings# to be demolished in accordance with the provisions of paragraph (a)(12) of this Section, such #floor area# distribution shall contribute to better site planning of the waterfront public access area and shall facilitate the #development# of affordable housing units within a #large-scale general development#

Not Applicable

Within Manhattan Community District 2, within the former Washington Square Southeast Urban Renewal Area, where the Commission has approved a large-scale general development and a lot line of such large-scale general development coincides with the boundary of a mapped public park, such lot line shall be considered to be a street line of a wide street for the purposes of applying all use and bulk regulations of this Resolution.

In addition, within Manhattan Community District 2, where the Commission has approved a large-scale general development located partially within a C2-7 District, if any open space approved pursuant to paragraph (a)(4) of Section 74-743 is subsequently mapped as a park and transferred to City ownership, the open space requirement approved for such large-scale general development pursuant to paragraph (a)(4) of Section 74-743 shall be reduced by the area of such public park.

Not Applicable

Within Community District 1 in the Borough of Queens, the Commission may prescribe additional conditions to ensure that the purpose of the Inclusionary Housing program as set forth in Section 23-92 (General Provisions) is achieved in a large-scale general development. The Commission may establish procedures resulting in limiting the amount of affordable floor area utilizing public funding that may count toward satisfying the affordable floor area required in paragraph (c)(2) of Section 23-154. Any such procedures established by the Commission shall be set forth in the restrictive declaration required in connection with the grant of a special permit for such large-scale general development.

Not Applicable

For a phased construction program of a multi-#building# complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #large-scale general development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

Not Applicable

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale general development# and to minimize adverse effects on the character of the surrounding area.

ATTACHMENT 11B: APPLICANT'S STATEMENT OF FINDINGS

PENINSULA REDEVELOPMENT

51-15 BEACH CHANNEL DRIVE, ROCKAWAY, NEW YORK
April 16, 2019

SPECIAL PERMIT PURSUANT TO ZR § 74-744

74-744
Modification of use regulations

* * * *

(c) Modification of #sign# regulations

(1) In all #Commercial# or #Manufacturing Districts#, the City Planning Commission may, for #developments# or #enlargements# subject to the provisions of paragraphs (a)(1), (a)(2) or (a)(3) of Section 74-743 (Special provisions for bulk modification), permit the modification of the applicable provisions of 32-64 (Surface Area and Illumination Provisions), 32-65 (Permitted Projection or Height of Signs), 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), 42-53 (Surface Area and Illumination Provisions), 42-54 (Permitted Projection or Height of Signs), 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) and the limitations on the location of #signs# in Sections 32-51 and 42-44 (Limitations on Business Entrances, Show Windows or Signs), provided the Commission finds that such modification will result in a better site plan.

The requested special permit pursuant to ZR Section 74-744(c)(1) would allow signs that exceed the surface area requirement of the applicable district signage regulations set forth in ZR Section 32-64 (Surface Area and Illumination Provisions). The proposed surface area waiver works in conjunction with the LSGD bulk waivers in order to develop a better overall site plan that creates a strong sense of place and existence to activate street life and enhance pedestrian experience within the Proposed Development and the immediate surrounding neighborhood.

There are numerous site constraints that necessitate the flexibility in size of certain signs proposed within the Proposed Development. While Zoning Lot 1 of the proposed LSGD is being rezoned to a C4-4 district applying C4 signage rules, pursuant to ZR Section 32-67, C1 district signage regulations are made applicable within 100 feet of the street line of any street which adjoins a residential district. Directly across Beach Channel Drive is currently zoned R4. Consequently, within 100 feet of Beach Channel Drive, the proposed signs must conform with C1 signage regulations relating to size, height, projection, and location requirements as set forth in ZR Sections 32-62 through 32-68, inclusive. In general, C1 signage rules allow a total surface area of three times the street frontage but not to the exceed 50 square feet per retail establishment for illuminated, non-flashing signs or 150 square feet per retail establishment for non-illuminated signs. Signs are permitted up to a height of 25 feet.

As shown on the Zoning Lot Site Plan, Block B's massing is designed to provide a strong street wall presence at the street line of Beach Channel Drive with ground floor retail uses lined up along street frontages in order to activate street life and enhance pedestrian experience within the Proposed Development and the immediate surrounding neighborhood. The proposed signs for each retail establishment fronting on and within 100 feet of Beach Channel Drive would conform with the requisite height, projection, and location requirements of C1 signage rules. In fact, such proposed signs would comply entirely with C4 district signage rules. However, because Zoning Lot 1 is located across the street from an existing R4 residence district, such signs, which otherwise comply with C4 signage rules, are further limited in its size at this location. These signs would have a maximum surface area of 175 square feet, exceeding the maximum allowable surface area of 50 square feet for illuminated, non-flashing signs permitted on

the ground level or 150 square feet for non-illuminated signs permitted up to a height of 25 feet.

Additionally, ZR Sections 32-62 through 32-65, inclusive, provide signage requirements applicable in C4 districts. In general, C4 signage rules permit a total surface area of up to five times the street frontage but not to exceed 500 square feet for each retail establishment for illuminated non-flashing and non-illuminated signs, and up to a maximum height of 40 feet. Most of the proposed signs within the Proposed Development comply with the C4 signage rules relating to size, height, projection, and location requirements, except for the anchor supermarket sign that is located fronting towards and along Beach Channel Drive. The proposed LSGD incorporated into its program an anchor supermarket as an amenity primarily because of the expressed need by the community. Based on the overall site plan, the most optimal location for the operation of a supermarket is along Beach Channel Drive. With that, the proposed supermarket would be incorporated as part of Block A and would be located within the one-story base which fronts along Beach Channel Drive. The anchor supermarket sign would have a total surface area of 1,000 square feet. It would comply with the C4 district signage rules relating to height, projection, and location requirements but would exceed the total maximum allowable surface area of 500 square feet.

The requested waivers located within 100 feet of Beach Channel Drive and the anchor supermarket sign would allow for signs to be located at the entrances of each retail establishment, thereby establishing a sense of existence of retail uses within the Proposed Development. Retail and community facility uses are scarce within the surrounding area and it poses challenges and uncertainties among prospective tenants who have expressed the need for flexibility in signage to enhance marketability of these spaces. Absent the requested waivers, complying signs would not provide for adequate visibility of retail establishments. These retail establishments together with its signs would better attract visitors and the community to the site and ensure the viability of retail development at this location. It would also activate ground floor uses and enhance the overall safety of the area by placing eyes on the street. Moreover, while most of the signs proposed within the Proposed Development comply with the underlying applicable signage regulations, signs along Beach Channel Drive need the requested waivers primarily due to existing site constraints. Beach Channel Drive is a major east-west corridor on the Rockaway Peninsula and it is an 85-foot wide street. Thus, the proposed sizes of the signs would not affect the existing character and would not impact existing buildings and its residents across Beach Channel Drive.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the development.