DESCRIPTION OF PROPOSAL

3-15 26th Avenue, Queens
Block 911, Lot 1
3rd Street north of 26th Avenue
Area between Block 911, Lot 1 and the pierhead and bulkhead line

1. Introduction

Astoria Owners LLC (the "Applicant") proposes a series of land use actions to facilitate the development of a mixed-use three-tower development with a total of 986,137 square feet of floor area, approximately 1,400 dwelling units (350 of which will be permanently affordable), and an approximately 41,604 square foot waterfront esplanade (collectively, the "Proposed Development"), located at 3-15 26th (Block 911, Lot 1,) in the Astoria neighborhood of Queens Community District 1. The project area will consist of Block 911, Lot 1; the portion of 3rd Street, which is proposed to be de-mapped, extending approximately 520.57 feet north from its intersection with 26th Avenue; the area between Block 911, Lot 1 and the pierhead and bulkhead line; and Block 911, Lot 49 (the "Project Area"). The Development Site will consist of the Project Area excluding Block 911, Lot 49 (the "Development Site").

To facilitate the Proposed Development, the following land use actions (collectively, the "Proposed Actions") are required:

A. Zoning Map Amendment to rezone the Project Area from an M1-1 zoning district to an R7-3/C2-4 zoning district.

B. Zoning Text Amendment to modify Appendix F of the Zoning Resolution ("ZR" or "Zoning Resolution") to include the Project Area as a Mandatory Inclusionary Housing Area Option 1.

C. Waterfront special permit to waive height, setback, tower size, and maximum width of walls facing the shoreline regulations for the Proposed Development pursuant to ZR §62-837(a).

D. Waterfront Authorization to modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors pursuant to ZR §62-822(a).

E. Waterfront Authorization to modify requirements within the waterfront public access area pursuant to ZR §62-822(b).

F. Waterfront Authorization for phased development of the waterfront access area pursuant to ZR §62-822(c).

G. Waterfront Certification for waterfront public access area pursuant to ZR §62-811.

The Applicant is also seeking an amendment to the City Map to de-map the portion of 3rd Street extending approximately 520.57 feet north from its intersection with 26th Avenue, in a concurrent application.

2. Background

A. Previous Land Use Approvals in the Surrounding Area

There are two major land use approvals that affect properties in the Surrounding Area (the area approximately 600 feet beyond the edge of the Project Area boundary). These approvals were for the Halletts Point and Astoria Cove developments.

On August 21, 2013, the City Planning Commission ("CPC") approved large-scale special permits, a zoning map amendment, a zoning text amendment, a city map amendment, zoning authorizations, and a waterfront certification, to facilitate an approximately 2.7 million square-foot mixed-use development on the western and southwestern portions of the Halletts Point peninsula.[1] The Halletts Point project will facilitate the construction of 11 buildings ranging in height from 11 to 31 stories, and containing approximately 2.2 million square feet of residential floor area (with approximately 2,644 dwelling units, of which 483 will be permanently affordable pursuant to the voluntary inclusionary housing program); approximately 68,000 square feet of ground floor retail space (including a 30,000 square-foot supermarket); and approximately 1,400 accessory parking spaces. Five of the 11 new buildings will be constructed on the NYCHA Astoria Houses campus on the south end of the Halletts Point Peninsula. A public school and public intermediate school are also proposed on the Astoria Houses campus. The project will include an approximately 2.43-acre public waterfront esplanade along the East River, which will create a shoreline connection along the East River between Halletts Point Playground and Whitey Ford Field. To date, one building with 405 dwelling units and a supermarket, 10 Halletts Point, has been constructed on the northernmost portion of the Halletts Point property, closest to the Project Area.

On September 29, 2014, the CPC approved special permits, a zoning map amendment, a zoning text amendment, a city map amendment, zoning authorizations, and a waterfront certification, to facilitate a new, mixed-use, predominantly residential development on an 8.7-acre site located along the western Astoria waterfront of the Halletts Point peninsula.[2] This project, known as Astoria Cove, is located east and adjacent the Development Site. Astoria Cove will consist of five buildings with a floor area of approximately 1.7 million square feet and approximately 1,723 residential units (335 of which will be affordable pursuant to the voluntary inclusionary housing program). Astoria Cove will also feature an approximately 54,099 square foot ground floor retail space, an elementary school accommodating 456 seats for grades pre-K to 5th, approximately 900 accessory parking spaces, and a publicly accessible waterfront open space esplanade with pedestrian walkway. To date, construction on the Astoria Cove project has not commenced.

B. Other Relevant Studies and Planning Efforts

[1] C 130244 ZSQ; C 130068 MMQ; C 090484 ZMQ; N 090485 ZRQ; C090486 ZSQ; N 090487 ZAQ; N 090488 ZCQ; N 130245 ZAQ; and N 130246 ZAQ.
[2] C 140323(A) ZSQ; C 140322 ZMQ; N 140329(A) ZRQ; C 140324(A) ZSQ; N 140325 ZAQ; N 140326 ZAQ; N 140327 ZAQ; N 140328 ZCQ; and C 130384 MMQ.

On December 1, 1993, the City Planning Commission approved the unrestricted disposition of three city-owned properties (C 930224 PPQ), one of which is located in the Surrounding Area – Block 914, Lot 15 is located one block southwest of the Development Site. The two remaining properties, Block 835, Lot 2 and Block 1021, Lot 15, are located far east of the Development Site, outside of the Surrounding Area.

In 2010, the Queens Astoria neighborhood, located east of the peninsula, was the subject of a 238-block contextual rezoning effort led by the Department of City Planning. The rezoning, which was approved by CPC on April 28, 2010 (C 100199 ZMQ and N 100200 ZRQ), sought to preserve the built character of Astoria's residential blocks, direct moderate residential and mixed-use growth to wide streets and near transit resources, and incentivize affordable housing development through the Inclusionary Housing Program.

3. Description of the Surrounding Area

A. Land Uses and Built Form

The Surrounding Area is characterized by a variety of land uses, including industrial and manufacturing uses, commercial uses, low- and medium density residential uses, and proposed high-density residential developments including Halletts Point and Astoria Cove.

The Halletts Point Peninsula is home to several sites that are currently undergoing significant change in use and form. Immediately to the east of the Project Area lies Astoria Cove, which is currently improved with several warehouse buildings and vacant industrial buildings. The Halletts Point development, which is located three blocks south and southwest of the Project Area, is currently improved with 10 Halletts Point – residential building with 405 dwelling units and a supermarket. The remainder of the Halletts Point site is vacant.

Directly west of the Project Area, across 3rd street, is a large two-story Use Group 16 warehouse and distribution center for airport enterprise technology, which occupies an entire block. Further west is the 3.6-acre Whitey Ford Field Department of Parks and Recreation park which is located at the end of 26th Avenue adjacent to the East River waterfront. Whitey Ford Field is a Department of Parks and Recreation facility containing a baseball field, bleachers, and an open lawn area.

The blocks south of the Project Area, across 26th Avenue, generally include one- and two-story light industrial buildings (including, among other things, a masonry plant and air conditioning service stations), warehouses, open and enclosed storage yards. The blocks south of the Project Area also include a number of low-scale residential uses including: one- and two-family residences directly south of the Project Area on 26th Avenue between 3rd Street and 4th Street, and several other one- and two-family residences dispersed throughout; four three-story multifamily walkups at the southeast corner of 26th Avenue and 2nd Street; and seven four-story multifamily on the northeast corner of 27th Avenue and 2nd Street.

There are a number of medium-density residential uses in the Surrounding Area. One block directly south of the Project Area, across 26th Avenue, is a new seven-story mixed-use residential and commercial development. The Goodwill Terrace Apartments, a 15-story residential tower, is located one block south

of the Project Area on the northeast corner of 27th Avenue and 4th Street. Further south is NYCHA's Astoria Houses complex – a 27-acre campus containing twenty-two six- and seven-story residential buildings, with approximately 1,103 residential units, parking lots, basketball courts and playgrounds, walkways and green space. To the east of the Project Area, just outside the Surrounding Area, is Shore Towers – a 23-story residential condominium located off of 12th Street between 26th Avenue and Astoria Park South.

The Project Area and Surrounding Area is located on a portion of the 2.5 miles of green waterfront, which includes a mix of existing and planned waterfront greenspace that runs from Rainey Park—an 8.9-acre park in Ravenwood—up through Astoria Park—which, at 65.7 acres, is the largest park in Astoria. This green waterfront passes through Socrates Sculpture Park (an 8.9-acre open studio and exhibition space), Goodwill Park (0.4 acres of recreational facilities), Astoria Houses Esplanade (running along the East River on the southwest side of the peninsula), Astoria Houses Playground (1.3 acres that abuts Astoria Houses), the approved and not yet constructed Halletts Point peninsula esplanade, Whitey Ford Field (a 3.6-acre professional quality baseball park), the approved and not yet constructed Astoria Cove Esplanade, the Shore Tower Esplanade and Astoria Park.

B. Zoning

The areas south and southeast of the Project Area are predominantly characterized by R6 districts with pockets of R6/C1-3 and R6/C1-4 overlays. R6 districts allow for residential (Use Groups 1 and 2) and community facility (Use Groups 3 and 4) uses. C1-3 and C1-4 districts allow retail and service uses (Use Group 6). Residential buildings may be developed under height factor regulations or pursuant to the Quality Housing Program. Regardless, when paired with C1-3 or C1-4 districts, R6 districts permit a maximum commercial floor area ratio ("FAR") of 2.0. Under height factor regulations, R6 districts permit a maximum FAR ranging from 0.78 to 2.43 and a maximum community facility FAR of 4.80. Buildings may rise to a height of 60 feet before being required to set back 20 feet from a narrow street (a street less than 75 feet in width) and 15 feet on a wide street (a street with a width of 75 feet or greater). Above 60 feet, the maximum building height is governed by a sky exposure plane of 2.7 to 1.0 on a narrow street and 5.6 to 1.0 on a wide street. Under the Quality Housing Program, R6 districts permit a residential FAR of 3.0 where the zoning lot is located within 100 feet of a wide street and an FAR of 2.2 where the site is located beyond 100 feet of a wide street. On a wide street, R6 districts have a minimum base height of 40 feet and maximum base height of 65 feet, at which point buildings must set back 10 feet. The maximum permitted building height is 70 feet or 75 feet/7-stories with a qualifying ground floor. Beyond 100 feet of a wide street, the minimum base height is 30 feet, the maximum base height is 45 feet, at which point building must set back 15 feet from a narrow street. The maximum permitted building height is 55 feet. Under height factor regulations, parking spaces are required for 70 percent of dwelling units. Under the Quality Housing Program, parking spaces are required for 50 percent of dwelling units. Parking requirements for community facility uses vary depending on use. In C1-3 districts, one parking space is required per 400 square feet of retail or service floor area. In C1-4 districts, one parking space is required per 1,000 square feet of retail or service floor area.

The block immediately to the west of the Project Area is designated M1-1. M1-1 districts allow commercial and light manufacturing uses (Use Groups 6-14, and 16 and 17) at a 1.0 FAR and limited community facility uses (doctors' offices and house of worship) at a 2.4 FAR. Buildings must set back 20

feet from a narrow street and 15 feet from a wide street at a height of two-stories or 30 feet, whichever is less. Above this base height, building heights are controlled by a sky exposure plane of one to one. Generally, for retail uses and office uses, one parking space is required per 300 square feet of floor area. For manufacturing or semi-industrial uses, one parking space is required per 1,000 square feet of floor area or one space is required per three employees, whichever will require a larger number of spaces. Generally, for retail use, one parking space is required per 300 square feet of floor area.

The Halletts Point and Astoria Cove projects are both located in R7-3 districts within Inclusionary Housing designated areas ("IHDA"). R7-3 districts permit residential (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4). R7-3 districts in IHDAs are permitted a base FAR of 3.75 if no affordable housing is provided and a maximum FAR of 5.0 if affordable housing is provided for 20 percent of the residential floor area. Within 100 feet of a wide street, the minimum base height is 40 feet, the maximum base height is 65 feet, and the maximum building height is 75 feet. A 15-foot setback is required from narrow streets and a 10-foot setback is required from wide streets at the maximum base height. Parking spaces are required for 50 percent of dwelling units. Halletts Point is also located within a C1-4 overlay which, as described above, allows retail and service uses, a maximum commercial FAR of 2.0, and requires one parking space per 1,000 square feet of retail or service floor area. Astoria Cove is located within a C2-4 overlay which allows hotel uses (Use Group 5) in certain situations, and retail and service uses (Use Groups 6, 7, 8, and 9). The maximum permitted commercial floor area in a C2-4 district is 2.0 and one parking space per 1,000 square feet of retail or service floor area.

C. Transportation

Block 911 is bounded by two streets—3rd Street to the west and 26th Avenue to the south. 3rd Street is a 50-foot-wide mapped street, which is owned by the Applicant and connects 26th Avenue to the waterfront. 26th Avenue is a two-way, 60-foot-wide street that runs across the peninsula from 9th Street to the water's edge.

The Surrounding Area is located approximately one-mile west of both the Astoria Boulevard and 30th Street MTA subway stations which are serviced by the N and W trains. MTA Bus transportation along 27th Avenue is served by the Q18, Q19, Q102 and Q103 routes with service to Astoria, Maspeth, Flushing, Roosevelt Island, and Hunters Point, respectively. The closest bus stop to the Development Site is located at 27th Avenue and 4th Street and is only a four-minute walk from the Development Site.

In addition to bus and train transportation, the Astoria Ferry has a stop located at the southern tip of the Halletts Point Peninsula (an approximately eight-minute walk from the Development Site). The Astoria Ferry route has stops at Astoria, Roosevelt Island, Long Island City, East 34th Street, Brooklyn Navy Yard and Wall Street/Pier 11.

One Citibike dock, with approximately 18-bicycles, is located at the corner of 27th Avenue and 3rd Street, at the northern portion of the Astoria Houses campus.

4. Description of the Project Area

The Project Area includes land that will be subject to the zoning map amendment action in this application. The Project Area is located in the northeast portion of the Halletts Point Peninsula, along the East River in western Astoria, Queens, Community District 1. The Project Area consists of the entirety of Block 911 in Queens, which includes 3rd Street (a 50-foot wide mapped street that the Applicant owns and is proposing to remove from the City Map in a concurrent application); the Development Site; and Block 911, Lot 49 which is not owned by the Applicant. The Project Area fronts on 26th Avenue to the south for 204.03 feet, Block 912 for 600 feet, the East River to the north for 324.76 feet, the Astoria Cove site to the east for 621.27 feet. The Project Area is located in an M1-1 zoning district within Flood Zone AE, which means there is a 1% annual chance of flooding. The Project Area has a base flood elevation of 14 feet (the "Base Flood Elevation") and an elective design flood elevation of 17 feet.

The Project Area has a total lot area of approximately 198,975 square feet, including the Development Site which has a lot area of 164,392 square feet, and Lot 49 which has a lot area of approximately 34,583 square feet. Lot 49 has approximately 151 feet of frontage along 26th Avenue. Lot 49 is currently improved with a two-story, approximately 28,000 square foot (approximately 0.80 FAR) Use Group 16D warehouse building which is used to store furniture.

5. Description of the Development Site

The Development Site is located in the northeast portion of the Halletts Point Peninsula in western Astoria, Queens, Community District 1. The L-shaped Development Site is currently vacant, has a lot area of 164,392 square feet, and is bound by 26th Avenue to the south (a 60-foot wide narrow street), the East River to the north, Block 912 to the west, and the Astoria Cove site to the east. The Development Site's zoning lot will include 3rd Street once it is removed from the City Map (in a concurrent application), per actions pursuant to this application. The Develop Site will also include the area between Block 911, Lot 1 and the pierhead and bulkhead line

The Development Site has a 100-year history of heavy industrial operations including as a: steel processing facility, foundry, iron aggregate supplier, gas purifier, and most recently a lumber yard. The Development Site has been vacant since 2018. In 2018, the Development Site was voluntarily entered into the Brownfield Cleanup Program. Extensive remediation work was conducted to address the presence of various volatile organic compounds in the site's soil and ground water. This contamination was likely caused by the presence of historic fill and the site's history of heavy industrial uses. On December 24, 2019, after months of remediation work, the Development Site received a Certification of Completion from the New York State Department of Environmental Conservation ("DEC"). As part of the site cleanup, and as a way to improve resiliency in the surrounding community, the Applicant intends to use clean-fill to elevate the Development Site by approximately eight- to nine-feet, such that it will be approximately three feet above the Base Flood Elevation. This will ensure that the Development Site is flood resilient.

6. Description of the Proposed Development

The Development Site is located within the Project Area in the Astoria neighborhood of Queens Community District 1. The Proposed Development will be a mixed use, predominantly residential, development consisting of a single building with three building-segments containing a total of 986,137

square feet of floor area (6.00 FAR), comprised of 962,842 square feet of residential floor area (5.86 FAR); 1,787 square feet of commercial floor area (0.01 FAR); 21,508 square feet of community facility floor area (0.13 FAR); 525 accessory parking spaces; and 41,604 square feet of publicly accessible open space (approximately one acre). The Proposed Development will be constructed in three phases. When fully built, the Proposed Development will include approximately 1,400 dwelling units, approximately 350 of which will be constructed pursuant to Option 1 under the Mandatory Inclusionary Housing Program.

A. Building Segments 1-3

The Proposed Development will consist of three building segments of varying heights and sizes that have been designed to allow maximum light and air to pass through the Development Site and enhance the pedestrian experience. The Proposed Development will include a mixture of slab and point towers with maximum building heights increasing as the development approaches the waterfront (the maximum building height will be 350 feet in Segment 3), and lower heights adjacent to 26th Avenue and the surrounding neighborhood (the maximum building height will be 238 feet in Segment 1). Non-residential uses will be concentrated along 26th Avenue to provide amenities and neighborhood retail to the surrounding area.

Segment 1 will be located along the full length of the Development Site's 26th Avenue frontage and extend across 3rd Street for 166 feet, 4 inches. Segment 1 will be a 23-story, 238-foot-tall mixed-use building-portion with a total of approximately 249,560 square feet of floor area (1.52 FAR) consisting of 231,322 square feet of residential floor area (1.41 FAR, and approximately 299 dwelling units comprised of approximately 75 MIH units), 1,787 square feet of commercial floor area (0.01 FAR), and 16,451 square feet of community facility floor area (0.10 FAR). The commercial space will be located on the ground floor of Segment 1 at the northeast intersection of 26th Avenue and 3rd Street. Community facility space will be provided on the second floor of Segment 1. Access to the community facility space will be provided through a lobby located on Segment 1's easternmost frontage on 26th Avenue. One proposed community facility tenant is Zone 126, an innovative, community-based nonprofit whose mission is to connect the local community and schools in a shared vision for addressing educational issues in schools, and end generational poverty. Another proposed community facility tenant is Urban Upbound, an organization that provides underserved youth and adults with tools and resources needed to achieve economic prosperity and self-sufficiency. Urban Upbound intends to occupy space in Segment 1 so they can operate their Urban Upbound Worker Cooperative Program, which will work with local entrepreneurs to incubate, train, and collaborate with local worker-owned businesses. Residential dwelling units will be provided on the third through twenty-third floors. Segment 1 will have a total of 299 dwelling units. A residential lobby will be provided on 3rd Street, approximately 150 feet from 26th Avenue. A residential entrance will also be provided midway on the Development Site's 26th Avenue frontage. Given the limited amount of commercial floor area proposed, the required commercial parking spaces will be waived on an as-of-right basis, pursuant to ZR § 36-232 (Waiver of Requirements for Spaces Below Minimum Number in Districts with Very Low Parking Requirements). A 51.50-foot lay-by-lane will be located 115 feet north from the intersection of 26th Avenue and 3rd Street, in front of the residential entrance to Segment 1 on 3rd Street.

Segment 2 will be located along, and have 198 feet 8 inches of frontage on, 3rd Street. Segment 2 will be north of, and coincident with, Segment 1. Segment 2 will be an approximately 31-story, 318-foot-tall

mixed-use building-portion with a total of approximately 310,787 square feet of floor area (1.89 FAR), consisting of 305,730 square feet of residential floor area (1.89 FAR, and approximately 510 dwelling units comprised of approximately 128 MIH units), and 5,507 square feet of community facility floor area (0.03 FAR). Segment 2 will include a total of 490 dwelling units. The residential lobby will be provided on the interior of the Development Site approximately 364 feet, 9 inches from 26th Avenue. The dwelling units on the ground floor will be townhome-style units with garden stoops and entrances directly on 3rd Street. A community facility space will be located on the ground and second floors of the building. Currently, the proposed tenant is Theradynamics, a physical therapy establishment that focuses on one-on-one treatment intervention. The remainder of Segment 2 will be residential. The eastern prolongation of Segment 2 will provide recreation and amenity space for the entire Development Site. Given the limited amount of community facility floor area proposed in Segments 1 and 2, fewer than 40 parking spaces will be required and, therefore, such spaces may be waived as-of-right pursuant to ZR 36-232.

Segment 3 will be located at the end of 3rd Street along the Development Site's waterfront esplanade, facing the East River. Segment 3 will be north of, and coincident with, Segment 2. Segment 3 will be a 34-story, 350-foot-tall residential building-portion with a total of approximately 426,690 square feet of residential floor area (2.60 FAR, and approximately 591 dwelling units comprised of approximately 148 MIH units). A residential lobby will be provided at the west-end of the building off the 3rd Street turnaround. The eastern portion of the building will be used as an approximately 7,105 square foot lounge area with views of the East River. The upper floors will be occupied by residential dwelling units.

B. Accessory Parking Garage

The Proposed Development will feature a 525-space accessory self-park three-story, cellar, and mezzanine parking garage. The parking garage will be constructed in the interior of the Development Site behind and under portions of the Segments 1-3. The parking garage will be accessed by a 25-foot curb cut on 26th Avenue between the community facility lobby and commercial space in Segment 1. The garage will also be accessible from the round-about and entrance between Segment 2 and Segment 3 on 3rd Street. The parking garage will include 525 accessory bicycle parking spaces.

C. Open Space

The Proposed Development will include an expansive waterfront esplanade with a unique design motif inspired by the shape of oyster shells. The waterfront design will fulfill the goals of reconnecting the City to the water and creating continuity between waterfront areas as envisioned by the Vision 2020: New York City Comprehensive Waterfront Plan. The waterfront esplanade will also serve to activate the waterfront with new opportunities for the surrounding community. Once completed, and with the exception of the zoning lot located directly to the east and west, the Development Site's waterfront esplanade will connect an almost 2.5 mile stretch of greenspace along the waterfront which will extend from Astoria Park to the northeast all the way to Rainey Park to the southwest. In addition, the waterfront esplanade will provide compelling views to the Robert F. Kennedy and Hell Gate bridges, Randall's Island, and Manhattan and the Bronx.

The Proposed Development will include approximately 41,604 square feet (approximately one acre) of publicly accessible open space, which will include a waterfront esplanade that will run along the entire

length of the Development Site, coincident with the East River, and provide multi-layered active and passive recreation space. Access to the waterfront will begin at the intersection of 26th Avenue and 3rd Street. The Applicant proposes to improve 3rd Street to be a two-way 50-foot wide, publicly accessible, unmapped street. Two pedestrian sidewalks will flank the roadway ("Upland Connection Type-2"). The sidewalks will be between 13.5 feet and 14.5 feet wide and include bench seating and planting strips that will collect stormwater runoff. 3rd Street will terminate with a 70-foot-wide roundabout that abuts an upland connection transition area and one of the waterfront esplanade's two supplemental access areas. The transition between the turnaround and the transition area is seamless as they both will contain the same paving throughout. The areas will be separated by boulder bollards and will not contain a curb cut. An approximately 854.35 square foot area, where ethe turnaround is coterminous and extends under Segment 2, will be designated as a Publicly Accessible Area.

The waterfront esplanade will have a supplemental public access area that will be split into two areas. The first area will be connected to the roundabout and proposed upland connection and have an area of 10,800.64 square feet. It will include four oyster-shaped rain gardens that will be designed to collect and retain excess rainwater. Each rain garden will include a built-in organic waved shape that will contribute to the unique design of the waterfront area. The rain gardens will be separated by varying open social spaces that will be approximately six-feet wide. Pedestrian seating, along with accessible companion seating, will be provided along portions of the perimeter of the rain gardens. The second area will be located adjacent to the Astoria Cove waterfront and have an area of 2,796.25 square feet. It will include a portion a portion of a terraced and turfed seating area that will face the water.

Closer to the water, the Development Site will include a 14,197.50 square foot shore public walkway that will connect directly to the approved shore public walkway at Astoria Cove. A portion of the oyster rain gardens will be included in the short public walkway as well as two terraced and turfed seating areas along the waterfront. One seating area will be located at the west-end of the Development Site while the other seating area will be located at the east-end of the Development Site, adjacent to the Astoria Cove waterfront. Five fitness/exercise stations with rubber safety surfaces will be provided in the shore public walkway. Four will be located at the east end of the shore public walkway, adjacent to Astoria Cove, and one will be located at the west end of the shore public walkway, just north of the turnaround.

The Proposed Development will introduce a diverse planting palette including street and canopy trees along 3rd Street. The supplemental public access area and shore public walkway will include a variety of mid-slope (seaward) plantings, a meadow plant mix, and rain garden plant mixes which will diversify the waterfront area.

D. Phasing

The Proposed Development will proceed pursuant to a three-phased construction phasing plan to ensure that the development of Segments 1-3, the proposed garage, 3rd Street, and the waterfront esplanade are constructed safely and logically. The public will have access to the waterfront from 3rd Street during all construction phases. Additionally, parking access will be available on-site during all construction phases.

Phase One of the Proposed Development will include the construction of Segment 1 and a small portion of the proposed accessory garage. Phase One will also include the development of all of 3rd Street as well as the westernmost proposed terraced and turfed seating area along the Development Site's waterfront. Approximately one-third of the proposed supplemental public access area will be provided, including one of the four proposed oyster rain gardens. A construction staging area, and a temporary parking area for 64 spaces, will be located at the northeast corner of the Development Site.

Phase Two will include the construction of Segment 2 and approximately 80 percent of the accessory parking spaces in the majority of the remainder of the proposed parking garage. Approximately one-third of the proposed supplemental public access area will be provided, including one additional oyster rain garden. In addition, a portion of the shore public walkway will be provided along the East River waterfront and in front of Segment 3.

Phase Three will include the construction of Segment 3 and the remainder of the accessory parking garage. The remaining one-third of the proposed supplemental public access area will be provided, including the remaining two rain gardens and the remainder of the shore public walkway including the easternmost terrace and turfed seating area along the waterfront.

7. Actions Necessary to Facilitate the Project

The following actions are necessary to facilitate the Proposed Development[3]:

A. Zoning Map Amendment to rezone Development Site and Block 911, Lot 49 from an M1-1 zoning district to an R7-3/C2-4 zoning district.

B. Zoning Text Amendment to modify Appendix F of the Zoning Resolution ("ZR" or "Zoning Resolution") to include the Project Area as a Mandatory Inclusionary Housing Area Option 1.

C. Waterfront special permit to waive height, setback, tower size, and maximum width of walls facing the shoreline regulations for the Proposed Development pursuant to ZR §62-837(a).

D. Waterfront Authorization to modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors pursuant to ZR §62-822(a).

E. Waterfront Authorization to modify requirements within the waterfront public access area pursuant to ZR §62-822(b).

F. Waterfront Authorization for phased development of the waterfront access area pursuant to ZR §62-822(c).

[3] While no Large-Scale General Development special permits are being sought, the Proposed Development will be classified as a Large-Scale General Development so that, pursuant to ZR 62-454, floor space used for the proposed 525 off-street parking spaces, which will be provided not more 33 feet above the base plane, will not be counted as floor area.

G. Waterfront Certification for waterfront public access area pursuant to ZR §62-811.

The Applicant is also seeking an amendment to the City Map to de-map the portion of 3rd Street extending approximately 520.57 feet north from its intersection with 26th Avenue, in a concurrent application.

The Proposed Actions are appropriate. They will facilitate the construction of a mixed-use development, which will include 350 permanently affordable housing units, on an underutilized site. The Proposed Development, and the zoning map amendment will be consistent with the context of the surrounding area. In addition to permitting new residential and community facility uses, the proposed zoning map amendment will also map a commercial overlay over the Project Area, which will provide space for job creating businesses. The Proposed Actions will also facilitate the creation of an approximately 41,604 square foot waterfront esplanade, which will be publicly accessible and provide previously unavailable access to the waterfront.

<u>Zoning Map Amendment to rezone Block 911, Lots 1 and 49 from an M1-1 zoning district to an R7-3/C2-4 zoning district.</u>

The Proposed Development requires an amendment to Zoning Map 9a to rezone the Project Area, which is currently located in an M1-1 district, to an R7-3 district with a C2-4 overlay.

The proposed zoning map amendment will permit a wider range of uses and density that will be more consistent with the character of the adjacent Astoria neighborhood and with other nearby waterfront redevelopments, including Halletts Point and Astoria Cove. The existing M1-1 district restricts development to low-scale commercial and light industrial uses at a maximum FAR of 1.0. Limited community facility uses, such as health facilities, are allowed at 2.4 FAR. M1-1 use and bulk regulations are not consistent with the character of the surrounding area. In recent years, there has been a decline in light industrial and manufacturing activity along the Halletts Point waterfront. In its place, the predominant use on the Halletts Point Peninsula has become mixed-use residential and commercial. The Astoria Houses NYCHA campus, on the south side of the peninsula, contains 22-residential buildings and occupies approximately half of the lot area on the peninsula. The Astoria neighborhood directly east of the Halletts Point peninsula, is predominantly residential. In addition, two large-scale mixed residential and commercial developments – Halletts Point and Astoria Cove – have been approved along the Halletts Point waterfront and propose to bring approximately four million square feet of mixed residential, commercial, and community facility floor area to the peninsula. These buildings will be similar in density to the Proposed Development as the upland portions of Halletts Point will have a total FAR of approximately 7.15 (after transferring floor area from the waterfront parcel), and Astoria Cove will have a total FAR of approximately 4.70. These buildings will also be similar in height to the Proposed Development as Halletts Point which will rise to 31-stories and 304 feet and Astoria Cove will rise to 32-stories and 320 feet. The proposed rezoning to R7-3/C2-4 will complement the residential character of the Surrounding Area.

The proposed R7-3 and C2-4 overlay will be consistent with recent rezonings in the Halletts Point Peninsula. The proposed rezoning is identical to the zoning districts approved by CPC as part of the next-door Astoria Cove rezoning, and nearly identical to the R7-3 with C1-4 overlay approved for the Halletts Point rezoning. The proposed R7-3 district will allow residential and community facility uses at 6.0 FAR. The maximum base and maximum building heights in R7-3 districts is 65 and 185 respectively. Parking would be required for 50 percent of the market rate units. The C2-4 overlay that is proposed for the Project Area will permit local ground floor commercial uses, such as retail uses and restaurants, that are expected to serve the development's residents as well as the surrounding community. The C2-4 overlay will also activate the streetscape and ground floors of the Proposed Development and provide services, amenities, and jobs to the residents of the peninsula, including NYCHA residents.

The Proposed Development will further the goals of the Mayor's Housing New York Plan – a ten-year affordable housing plan which seeks to build and preserve approximately 200,000 affordable housing units in New York City by 2026. The Proposed Development will provide 350 permanently affordable housing units pursuant to MIH Option 1. These dwelling units will be subject to a regulatory agreement with HPD which will require that these units remain permanently affordable.

Zoning Text Amendment to modify Appendix F of the Zoning Resolution to include the Project Area as a Mandatory Inclusionary Housing Area Option 1.

The Applicant seeks to amend the boundaries of the Mandatory Inclusionary Housing Designated Areas map in Appendix F of the Zoning Resolution, under Zoning Map 9a, Queens Community District 1, to designate the Project Area as MIH Option 1. Under ZR 23-154(d)(3), MIH Option 1 requires that 25 percent of the residential floor area in the Proposed Development be affordable to households earning a weighted average of up to 60 percent of AMI or less. Of the 25 percent, 10 percent shall be affordable within an income band at 40 percent of AMI. No more than three income bands may be included, and no income band may exceed 130 percent of AMI.

Waterfront special permit to waive height, setback, tower size, and maximum width of walls facing the shoreline regulations for the Proposed Development pursuant to ZR §62-837(a).

The Proposed Development will be subject to the height and setback requirements applicable to waterfront blocks. Pursuant to ZR 62-341(c), buildings fronting on a narrow street may rise to a maximum base height of 65 feet before a 15-foot setback is required from the street line and a setback of 30 feet is required from a shore public walkway. Buildings may not exceed a maximum building height of 185 feet. Each residential story of a building located entirely above the maximum base height of 65 feet may not exceed a gross area of 8,100 square feet or larger. For purposes of height and setback regulations, 3rd Street, as an upland connection, will be considered a narrow street.

The following height and setback waivers will foster a better site plan comprised of slab and point towers that will break-up and articulate the proposed building mass, and concentrate height towards the waterfront rather than 26th Avenue and the surrounding neighborhood:

- Segment 1:

  - Segment 1 will require waivers of maximum base height regulations on 3rd Street. At a height of 65 feet, Segment 1 will set back five feet from 3rd Street up to a height of 200 feet. Segment 1 will then set back 10 feet from 3rd Street for the remainder of the building height.
  - Segment 1 will require a waiver of maximum building height regulations, as the maximum building height will be 238 feet.
  - Segment 1 will require a waiver of maximum tower size regulations, as floors six through twenty-three, above the maximum base height, will have a gross area in excess of 8,100 square feet.
- Segment 2:
  - Segment 2 will require waivers of maximum base height regulations on 3rd Street. At a height of 65 feet, Segment 2 will set back nine feet from 3rd Street up to a height of 318 feet. Segment 2 will then set back at least 19 feet from 3rd Street for the remainder of the building height (and therefore will not require a waiver).
  - Segment 2 will require a waiver of maximum building height regulations, as the maximum building height will be 318 feet.
  - Segment 2 will require a waiver of maximum tower size regulations, as floors six through thirty-one, above the maximum base height, will have a gross area in excess of 8,100 square feet.
- Segment 3:
  - Segment 3 will require waivers of maximum base height regulations in connection with the shore public walkway. At a height of 65 feet, Segment 3 will not set back the required 30-feet from the shore public walkway up to a height of approximately 350 feet.
  - Segment 3 will require a waiver of maximum building height regulations, as the maximum building height will be 350 feet.
  - Segment 3 will require a waiver of maximum tower size regulations, as floors seven through thirty-four, above the maximum base height, will have a gross area in excess of 8,100 square feet.
  - Segment 3 will require a waiver of regulations which limit the maximum width of walls facing the shoreline to 100 feet. The proposed width of walls facing the shoreline will be 275.50 feet.

<u>Waterfront Authorization to modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors pursuant to ZR §62-822(a).</u>

While the Proposed Development will comply with and, in many cases, exceed the waterfront requirements in Article VI, Chapter 2 of the Zoning Resolution, an authorization will be required to waive certain location, area and minimum dimensions requirements for waterfront public access areas and visual corridors. These waivers will allow for a superior design that promotes a unique design motif, resiliency, and a planted upland connection that will allow pedestrian as well as vehicular access to the waterfront.

- ZR 62-512: Requires that the lowest level of a visual corridor be determined by establishing a plane connecting two points along the street line from which the visual corridor emanates at the curb, with the two points where the street lines intersect the

shoreline. The lowest level of the visual corridor will be 17-feet above in order to comply with flood zone regulations.

- ZR 62-561: Requires that the minimum width of two pedestrian walkways be 13 feet for each walkway, and where a private driveway terminates in a vehicular turnaround, the minimum width of the upland connection abutting such turnaround shall be 10 feet. The two proposed pedestrian walkways will be 13 feet, 6 inches on the west side of 3rd Street and 14 feet, 6 inches on the east side of 3rd Street. The pedestrian walkway abutting the proposed turnaround will be 10 feet, except for a small portion of the vehicular drop off area in front of Segment 1, along the south side sidewalk, which will narrow to 1.5 feet. This section also requires that the transition area between the upland connection type 2 and the shore public walkway be equal to the combined width of the upland connection and the roadbed, and that such transition area extend 40 feet from the termination of the roadbed in the direction of the shore public walkway. The width of the upland connection and roadbed is 50 feet, but the transition area will be 49 feet. In addition, the transition area will extend from the termination of the upland connection to the shore public walkway for a width of between 24 feet, 2 inches to 45 feet, 11 inches.

- ZR 62-571(a): When a supplemental public access area is located at the intersection of a shore public walkway and an upland connection or street, the minimum area shall be 750 square feet with a minimum width to depth ratio of 1:1 and a maximum width to depth ratio of 3:1. When a supplemental public access area is not connected to an upland connection, the minimum area shall be 1,875 square feet with a minimum width to depth ratio of 3:1. The supplemental public access area is split into two areas. The first is connected to an upland connection, has an area of 10,800.64 square feet, and a width to depth ratio of 1.88:1.0, and therefore complies. The second area is not connected to an upland connection, has a complying area of 2,796.25 square feet, but a non-complying width to depth ratio of 1.29:1.0.

<u>Waterfront Authorization to modify requirements within the waterfront public access area pursuant to ZR §62-822(b).</u>

While the Proposed Development will comply with and, in many cases, exceed the waterfront requirements in Article VI, Chapter 2 of the Zoning Resolution, an authorization will be required to waive certain waterfront public access area requirements. These waivers will allow for a superior design that promotes a unique design motif, resiliency, and a planted upland connection that will allow pedestrian as well as vehicular access to the waterfront.

- ZR 62-513: Allows shade trees as permitted obstructions in visual corridors when planted beyond 15 feet of the center line of the visual corridor. The shade trees on the east side of 3rd Street are 13 feet, 6 inches from the centerline of the visual corridor and shade trees on the west side of 3rd Street are 14 feet, 6 inches from the centerline of the visual corridor.

- ZR 62-61(e): Vehicular access is prohibited with the waterfront public access area except for emergency and maintenance vehicular access. Parking areas, drop offs, driveways, loading berths, and trash storage facilities are not permitted within, or allowed to be access or served through a waterfront public access area, except for vehicular access required for development on a pier or floating structure. Vehicular access and residential drop-off are proposed in the upland connection.

- ZR 62-61(e): Such vehicular access, as described above, shall have bollards installed and a minimum 12-inch paved border along the driveway boundaries and shall have a color distinct form the paving of the adjoining paved surface. The upland connection will have boulders in place of bollards. No paving border is proposed.

- 62-62(c)(1): Where a supplemental public access area is required and greater than 1,875 square feet, at least 25% of the required planting area of the shore public walkway and supplemental public access area shall be provided as lawn. The required supplemental public access area will be greater than 1,875 square feet, but 17.53% of the required planting area of the shore public walkway and supplemental public access area will be provided as lawn.

- ZR 62-62(c)(2): a screening buffer with a minimum width of 10 feet shall be provided within the shore public walkway/supplemental public access area, running along the entire upland boundary of such area where it abuts non-publicly accessible areas of the zoning lot. Two screening buffers with a width ranging from eight feet, eight inches to eighteen feet, eight inches will be provided.

- ZR 62-62(d): Bicycle racks shall be adjacent to a circulation path and at least 20 feet from the shoreline. Bicycle racks may be located in public sidewalks adjacent to the zoning lot. Bicycle racks will be provided 44 feet, 6 inches from the shoreline, in the upland connection transition area at the terminus of 3rd Street.

- 62-64(a): Each type 2 upland connection shall have a pedestrian path with a minimum clear width of eight feet, linking an open street public park, or public place with a shore public walkway. When a turnaround is provided, the entire required area shall be provided as a circulation path. The minimum clear path along 3rd Street is eight feet, but the circulation path in the turnaround will be seven feet due to the placement of boulders.

- ZR 62-64(b): Roadbed paving materials of a private driveway leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The proposed roadbed and turnaround will have the same paving material even though the turnaround is wider than the roadbed.

- ZR 62-64(c): A continuous tree pit must be provided within a type 2 upland connection along the curb of a private driveway. Portions of pit may be paved with permeable paving

to allow for required amenities such as benches or bicycle racks. For the Proposed Development, the continuous tree pit will be interrupted with a paved area for vehicular drop-off within the upland connection.

- ZR 62-64(c): A minimum of 40 percent of the transition area must be planted. The transition area in the Proposed development will be 31.87-percent planted.

- ZR 62-651(b): Bollards shall not exceed 30 inches in height and shall between six inches to fifteen inches in width. While the proposed boulder bollards will vary in size, they are a minimum of 36 inches high and have an average width of approximately 36 inches.

- ZR 62-653: A minimum lighting level of 0.2 horizontal foot candles (lumens per foot) is required in non-walkable areas. A lighting level of 0.1 horizontal foot candles (lumens per foot) will be provided at the water's edge and at the edges of the building segments. These areas will be compensated by building spill-light.

- ZR 62-653: Glare shall be controlled to a semi-cutoff standard (not more than 5-percent of peak foot candle intensity radiating above 90 degrees and 20-percent of peak intensity above 80 degrees). Glare will be 16.5-perecent of peak foot candle intensity radiating above 90 degrees where a Type TA fixture is provided. All TA fixtures will be provided under tree canopies, which will reduce uplight percentage and illuminate tree canopy for a glowing atmospheric appearance.

- ZR 62-655(b)(2): Trees planted at grade must be protected by certain block pavers or hedge planting. The proposed trees planted at grade will be protected by landscape boulders and robust groundcover planting.

- ZR 62-656(b)(3): In the shore public walkway and supplemental public access area, concrete slabs may have a maximum dimension of two feet in any one direction. The proposed concrete slabs will have a maximum dimension of 14-feet.

<u>Waterfront Authorization for phased development of the waterfront access area pursuant to ZR §62-822(c).</u>

Pursuant to ZR 62-822, the City Planning Commission may authorize a phasing plan to implement waterfront public access area improvements on zoning lots undergoing partial development. To grant such authorization, an applicant must demonstrate that the amount of waterfront public access area developed in all phases must be proportionate to the lot area being developed in such phase. Pursuant to ZR 62-57(c), 20 percent of the lot area on the Development Site must be a waterfront public access area. Therefore, the waterfront public access area requirement will be 20 percent of the lot area in each phase of development.

The waterfront public access area provided at each phase of development will comply with ZR 62-822(c). Approximately 68,895 square feet of lot area will be developed in Phase One of the Proposed

Development. This would mean that an 13,779 square foot waterfront public access area must be provided in Phase One. The Applicant will provide an 20,550 square foot waterfront public access area. The waterfront public access area will extend along the entirety of 3rd Street and include portions of the supplemental public access area and the shore public walkway. Approximately 41,099 square feet of lot area will be developed in Phase Two of the Proposed Development. This means that an 8,220 square foot waterfront public access area must be provided in Phase Two. The Applicant is proposing to provide an 8,504 square foot waterfront public access area, which will include two oyster gardens and a portion of the shore public walkway. Approximately 54,398 square feet of lot area will be developed in Phase Three of the Proposed Development. This means that an approximately 10,880 square foot waterfront public access area will be required. The Applicant is proposing to provide an 12,550 square foot waterfront public access area, which will connect to the Astoria Cove shore public walkway and include a turfed and terrace seating area at the easternmost portion of the Development Site.

Waterfront Certification for waterfront public access area pursuant to ZR §62-811.

Pursuant to ZR 62-811, no excavation or building permit may be issued for a development on a waterfront block until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan has been submitted showing compliance with the provisions of ZR 62-50 and ZR 62-60.

The Applicant is requesting CPC Chair certification pursuant to ZR 62-811 to show compliance with ZR 62-50 and ZR 62-60, as modified by the waterfront authorizations requested herewith.

Amendment to the City Map to de-map the portion of 3rd Street north of its intersection from 26th Avenue

The Applicant is seeking an amendment to the City Map to de-map the portion of 3rd Street extending approximately 525.86 feet north from its intersection with 26th Avenue, in a concurrent application.

3rd Street is a 50-foot wide narrow street that is privately owned by the Applicant. Although 3rd Street is located on the City Map, it was never improved nor open to the public for public access. De-mapping 3rd Street will allow for it to be designed as an upland connection type 2, which complements the Proposed Development, provide access to the waterfront esplanade, and includes design features, such as benches, trees, and transition elements, that would not otherwise be allowed if 3rd Street remained a mapped street.

While 3rd Street will be removed from the City Map, its design and function as a driveway and upland connection type 2, will be locked-in through a Restrictive Declaration. In addition, 3rd Street has been reviewed and designed in conjunction with the FDNY to ensure it will comply with fire safety measures.

8. Conclusion

Approval of the requested land use actions will facilitate the Proposed Development – three new building segments ranging in height from 23 to 34 stories and featuring residential, retail and community facility uses in an area of Queens experiencing significant growth. The Proposed Actions will increase residential and commercial density by modifying out-of-date industrial zoning districts to allow for an increase in housing and jobs. Such development will further the goals of the Mayor's Housing New York Plan as 350 permanently affordable housing units will be provided. In addition, the proposed 41,604 square foot waterfront esplanade, which will have a unique design and be opened to the public, will further the goals of reconnecting the City to the water and creating continuity between waterfront areas as envisioned by the Vision 2020: New York City Comprehensive Waterfront Plan.