CITY PLANNING COMMISSION

July 25, 2022 / Calendar No. 1 C 220196 ZMQ

IN THE MATTER OF an application submitted by Astoria Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a:

1. changing from an M1-1 District to an R7-3 District property bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue; and

2. establishing within the proposed R7-3 District a C2-4 District bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671.

This application for a zoning map amendment was filed by Astoria Owners LLC on November 9, 2021 to change an M1-1 zoning district to an R7-3/C2-4 zoning district. 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 zoning map amendment (C 220196 ZMQ) 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:

N 220197 ZRQ	Zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area
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

The applicant proposes a zoning map amendment to rezone the entire project area from an M1-1 zoning district to an R7-3/C2-4 zoning district, as well as a zoning text amendment to map MIH Option 1, a waterfront special permit to modify bulk regulations on waterfront blocks, zoning authorizations to modify grade change, planting, screening buffer, fence, and tree pit requirements of the WPAA, and a City Map amendment to demap Third Street. Together, the actions would facilitate a mixed-use development with three building segments containing approximately 1,340 dwelling units, 335 of which would be permanently affordable, as well as 1,700 square feet of commercial floor area, 21,500 square feet of community facility floor area and approximately one acre of publicly accessible open space at 3-15 26th Avenue.

The project area (Block 911) is comprised of the development site (Lot 1), as well as another lot that is not owned by the applicant (Lot 49). The project area is located on the northern portion of the Halletts Point Peninsula, along the East River waterfront, in western Astoria. The surrounding area includes a mix of residential, commercial, light industrial, and open spaces. The area directly east of the project area includes the Astoria Cove development site, which was the subject of prior land use approvals in 2014 (C 140323(A) ZSQ, et al.) and is currently improved with warehouses and vacant industrial buildings. The Astoria Cove approved actions included a large-scale general development (LSGD) plan, zoning map amendment, zoning text amendment, City Map amendment, and zoning authorizations for an 8.7-acre area along the northeast portion of the

Halletts Point peninsula, directly east of the project area. The actions were intended to facilitate 1.7 million square feet of development across five buildings ranging in height from 12 to 32 stories. If built, the development would consist of approximately 1,723 dwelling units, including 345 permanently affordable units, 54,000 square feet of retail, a public elementary school, and a publicly accessible waterfront esplanade containing 55,600 square feet. To date, construction on the Astoria Cove development has not commenced.

The area to the northeast of the project area, beyond the Astoria Cove development, contains a 23-story residential waterfront tower known as the Shore Towers condominium and the 65-acre Astoria Park. The area directly south of the project area is characterized by a mix of one- and two-story light industrial warehouses, open storage yards, and low-rise one- and two-family residential uses. The New York City Housing Authority Astoria Houses, consisting of 1,103 units across 22 six- and seven-story buildings on a 27-acre campus, encompasses the southern half of the Halletts Point peninsula. Directly west of the project area is a large two-story warehouse and distribution center for airport enterprise technology that abuts the 3.6-acre Whitey Ford Field Park.

The western edge of the Halletts Point peninsula includes the Halletts Point development site, which was also subject of prior land use approvals in 2013 (C 130244 ZSQ, et al.). The Halletts Point approved actions included a LSGD plan, zoning map amendment, zoning text amendment, City Map amendment, and zoning authorizations affecting a 34-acre area along the western and southern portion of the Halletts Point peninsula, directly southwest of the project area. If the proposed development is constructed in its entirety, it would contain 2.7 million square feet of development across 11 buildings ranging in height from 11 to 31 stories. The development would consist of approximately 2,644 dwelling units, including 483 permanently affordable units, 68,000 square feet of retail space, two public schools for elementary and intermediate students, and a 2.43-acre waterfront esplanade. Thus far, one building has been constructed called 10 Halletts Point, a 405-unit residential building with a FRESH supermarket located two blocks west of the project area.

The Halletts Point peninsula is predominantly mapped with non-contextual residential zoning districts. R6 zoning districts encompass much of the Peninsula south of 26th Avenue, including the Astoria Houses Campus. R7-3 zoning districts are mapped to the east and southwest, on the future Astoria Cove and Halletts Point development sites. Commercial overlays are mapped along 26th Avenue to the east and west of the project area and one block south extending the length of 27th Avenue on the peninsula. The project area is within a two-block M1-1 district that encompasses the airport enterprise technology warehouse to the west. M1-1 zoning districts allow for a maximum floor area ratio of 1.0 for commercial and light manufacturing uses and 2.4 for limited community facility uses. Buildings in M1-1 districts may have a maximum streetwall height of two-stories or 30 feet, whichever is less, before setting back and continuing to rise pursuant to a sky exposure plane. Parking in M1-1 zoning districts varies by use.

Nearby public facilities and institutions include the Astoria Houses Community Center, Urban Upbound Jobs Plus, and Astoria Blue Feather early learning center, which are located approximately 0.3 miles to the south of the project area. The St. Margaret Mary and Roman Catholic Church and Holy Protection Greek Orthodox church are located 0.3 miles to the east of the project area.

The project area is well-served by open space and is within a 2.5-mile stretch of existing or planned open space along the East River waterfront that extends from the nine-acre Rainey Park, located approximately one mile to the south, to the 65-acre Astoria Park, located approximately 0.3 miles to the north. Public open space on the Halletts Point Peninsula includes Whitey Ford Field, a 3.6-acre waterfront baseball park, one block west of the project area on 26th Avenue, and Halletts Cove Playground, a 5.8-acre playground and waterfront esplanade that extends across the southern portion of the peninsula. Approximately nine acres of open space is also planned for the Halletts Point and Astoria Cove esplanades combined.

The surrounding area is served by several modes of public transit. The Q18, Q19, and Q102, and Q103 run along 27th Avenue with service to Astoria, Maspeth, Flushing, Roosevelt Island, and Hunters Point, respectively. The Astoria Boulevard and 30th Street subway stations, which provide access to the N and W lines, are located approximately one mile east and southeast of the project area, respectively. The Astoria stop of the NYC Ferry is approximately 0.4 miles south of the project area, with service to Long Island City, East 34th Street, and Wall Street. A CitiBike station is located on 27th Avenue and 3rd Street, approximately one block south of the project area.

The project area consists of the entirety of Block 911, which includes two contiguous tax lots (Lot 1 and 49); Third Street, a mapped street that the applicant owns and is proposing to remove from the City Map; and the area between Lot 49 and the bulkhead line. The project area contains a total lot area of approximately 198,975 square feet. Lot 49 has an area of approximately 34,583 square feet and is currently improved with a two-story, approximately 28,000-square foot (0.80 FAR) warehouse used to store furniture.

The project area is located within Flood Zone AE, which has a one percent annual chance of flooding and must comply with flood-resistant construction standards of the NYC Building Code. The project area has a base flood elevation of 14 feet and a design flood elevation of 17 feet.

The development site is a 164,392-square-foot, L-shaped waterfront lot with frontage on 26th Avenue, the East River waterfront, the Astoria Cove Site, and Block 912. The development site has been vacant since 2018, when it entered the NYS Department of Environmental Conservation's Brownfield Cleanup Program, to remediate contaminated soil and groundwater. Prior to that, it had a 100-year history of heavy industrial operations including a steel processing facility, foundry, iron aggregate supplier, gas purifier, and, most recently, a lumber yard.

The applicant proposes to develop a new a mixed-use building with three building segments that would contain a total of 986,137 square feet of floor area (6.00 FAR), including approximately

1,340 dwelling units, 1,787 square feet of commercial floor area, 21,508 square feet of community facility floor area, 525 accessory parking spaces, and 41,604 square feet of publicly accessible open space. The proposed development would include 335 permanently affordable units pursuant to Option 1 under the MIH Program.

The building would be comprised of three segments: Segment 1, Segment 2, and Segment 3. Segment 1 would front 26th Avenue and extend 166-feet-deep along Third Street, Segment 2 would be located along and have approximately 198 feet of frontage on Third Street, and Segment 3 would be located at the end of Third Street along the development site's waterfront esplanade, facing the East River. The proposed development would reach a maximum height of 350 feet fronting the East River in Segment 3 and step down to a maximum building segment height of 238 feet in Segment 1, fronting 26th Avenue. Non-residential uses would be in the base of the building, concentrated along 26th Avenue, to provide amenities and retail to the surrounding area.

Due to the project area's location within the Flood Zone AE, the proposed development would be elevated approximately eight- to nine-feet, such that it would be approximately three feet above the base flood elevation.

Segment 1 would be a new 23-story mixed-use building containing 249,560 square feet of floor area (1.52 FAR), including approximately 231,322 square feet of residential floor area, 1,787 square feet of commercial floor area, and 16,451 square feet of community facility floor area. At a height of 191 feet, it would set back five feet from Third Street up to a maximum height of 230 feet. Because of the amount of proposed commercial floor area, the required commercial parking spaces would be waived on an as-of-right basis, pursuant to ZR Section 36-232. A 51.5-foot loading zone would be located 115 feet north from the intersection of 26th Avenue and Third Street, in front of the residential entrance to Segment 1 on Third Street.

Segment 1 would have active uses located on the first and second floor at the intersection of 26th

Avenue and 3rd Street. Retail space would be located on the ground floor of Segment 1 and community facility space would be provided on the second story. The community facility space would be tenanted by Zone 126, a 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 would occupy space in Segment 1 for their Urban Upbound Worker Cooperative Program, which will work with local entrepreneurs to incubate, train, and collaborate with local worker-owned businesses.

Segment 2 would be a new 31-story mixed-use building containing 310,787 square feet of floor area (1.89 FAR), including approximately 305,730 square feet of residential floor area and 5,507 square feet of community facility floor area. Segment 2 would rise to a maximum height of 299 feet. At a height of 88 feet, Segment 2 would set back five feet from Third Street for the remainder of the building height. 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.

The building base of Segment 2 would consist of a mix of residential and non-residential uses. Community facility space, including a physical therapy tenant, would be located on the first and second floors of the northern portion of Segment 2. Townhome-style residential units with garden stoops and entrances directly on Third Street would be in the southern portion of Segment 2. Entertainment and amenity uses for the entire development site will occupy the interior portion of Segment 2.

Segment 3 would be a new 34-story mixed-use building containing approximately 426,690 square feet of residential floor area. The Segment 3 tower would rise to a maximum height of 335 feet with no setbacks facing the East River waterfront. The eastern portion of the building's ground

floor would be occupied by a 7,105-square-foot lounge for building residents.

The proposed development would contain a 525-space accessory self-park parking garage in the cellar through third floor of the interior portions of Segments 1 through 3. The parking garage would be accessed by a 25-foot curb cut on 26th Avenue between Segment 1's community facility lobby and commercial space or an entrance on Third Street between Segments 2 and 3. The parking garage would include 525 accessory bicycle parking spaces.

The proposed development would contain 47,766 square feet (approximately one acre) of publicly accessible areas that would be equivalent to 20 percent of the development site's lot area being constructed in each phase. The publicly accessible areas would consist of a waterfront esplanade that runs along the entire length of the development site fronting the East River and would be accessed by a Type 2 upland connection (UC) and turnaround that extends along Third Street to an entrance on 26th Avenue. The publicly accessible areas would include 15,593 square feet of shore public walkway (SPW); 11,313 square feet of Type 2 UC; 15,990 square feet of supplemental public access areas (SPAA); 3,392 square feet of UC transition area; and 1,478 square feet of public access area (PAA).

The SPW would include rain gardens, terraced and turfed seating areas along the waterfront, and a 1,400-square-foot overlook with moveable seating. Five fitness stations would also be included, four of which would be on the east end of the SPW, adjacent to Astoria Cove, and one of which will be located on the west end, just north of the vehicle turnaround.

The Type 2 UC, coterminous with Third Street, would include a two-way, 50-foot-wide unmapped street for pedestrian and vehicular use. Two pedestrian sidewalks, ranging in width between 13.5 feet and 14.5 feet, would flank the roadway and include bench seating and planting strips that would collect stormwater runoff. Third Street would terminate with a 70-foot-wide roundabout that abuts the UC transition area and a supplemental public access. The Type 2 UC would be separated

by boulder bollards from the remainder of the WPAA.

The SPAA would be split into two areas. The first SPAA, a 12,534-square foot-area connected to the proposed UC, would include four rain gardens with pedestrian seating and companion seating along the perimeters, and open social spaces. The second SPAA, a 3,457-square-foot area adjacent to the Astoria Cove waterfront, would include a terraced and turfed seating areas facing the water.

The proposed development would proceed pursuant to a three-phased construction plan in which the public would have access to the waterfront from Third Street during all construction phases. Phase one would include the construction of Segment 1 and a small portion of the proposed accessory garage. It would also include the development of all of 3rd Street and the westernmost proposed terraced and turfed seating area along the waterfront. Approximately one-third of the proposed SPAA would be provided, including one of the 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 would include the construction of Segment 2 and approximately 80 percent of the accessory parking spaces. Approximately one-third of the proposed SPAA will be provided, including one additional rain garden, as well as a portion of the SPW along the East River waterfront in front of Segment 3.

Phase three would include the construction of Segment 3 and the remainder of the accessory parking garage. The remaining one-third of the proposed SPAA would be provided, including the remaining two rain gardens and the remainder of the SPW including the easternmost terrace and turfed seating area along the waterfront.

In order to facilitate the proposed project, the applicant requests a zoning map amendment, zoning text amendment, special permit, authorizations, and City Map amendment.

Zoning Map Amendment – C 220196 ZMQ

The applicant proposes a zoning map amendment to rezone the entire project area from an M1 zoning district to an R7-3/ C2-4 zoning district, which would permit residential, commercial, and community facility uses. R7- 3 zoning districts permit new medium-density residential and community facility development with a maximum FAR of 6.0 in an MIH Area. R7- 3 zoning districts permit a maximum base height 65 feet, with a maximum building height of 185 feet in MIH areas. Off-street parking is required for 50 percent of the building's dwelling units, with an exemption for income-restricted units within the Transit Zone. C2-4 commercial overlays permit a maximum FAR of 2.0, and typically encourage local commercial uses, such as retail and restaurants.

Zoning Text Amendment – N 220197 ZRQ

The applicant proposes to establish a new MIH area in Queens, Community District 1 in Appendix F of the Zoning Resolution. Pursuant to the MIH program, the applicant proposes to map MIH Option 1. Option 1 requires affordable housing to be provided equivalent to 25 percent of the residential floor area developed at an average of 60 percent Area Median Income (AMI) with 10 percent at 40 percent AMI.

Waterfront Special Permit pursuant to ZR Section 62-837(a) – C 220198 ZSQ

The proposed development is subject to the height and setback requirements applicable to waterfront blocks. Pursuant to ZR Section 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 SPW. A maximum building height of 185 feet is permitted. Each residential story of a building located entirely above the maximum base height of 65 feet may not exceed an area of 8,100 square feet. For purposes of height and setback regulations, the UC conterminous with Third Street would be considered a narrow street.

The applicant seeks modifications to these bulk regulations to address project-specific design modifications at each of the three building segments. Segment 1 would require waivers to modify maximum height and floorplate regulations. The base of Segment 1 would be set back five feet from Third Street before it would rise to a height of 191 feet. The building would then have a five-foot setback before it would rise to a maximum height of 230 feet. The portion of the base of the building above 65 feet requires a waiver, as well as the portion of the tower above 185 feet. Additionally, a waiver is required to modify the floor plate size for the sixth through 23rd stories of Segment 1 to permit floorplates up to 19,093 square feet, which is greater than the maximum allowable floor area of 8,100 square feet on floors above the typical 65-foot base height.

Segment 2 would also require waivers to modify maximum height and floor plate regulations. The base of Segment 2 would be set back 10 feet from Third Street before it would rise to a height of 191 feet, at which the building would have a five-foot setback before it would rise to a maximum height of 299 feet. The portion of the base of the building above 65 feet requires a waiver, as well as the portion of the tower above 185 feet. Additionally, a waiver is required to modify the floor plate size for the sixth through 31st stories of Segment 1 to permit floorplates up to 27,457 square feet.

Segment 3 would require waivers to modify maximum height and floor plate regulations and regulations pertaining to the maximum length of building walls facing the shoreline. Segment 3 contains a tower with a sheer wall facing the SPW that would not have the required 30-foot setback at a height of 65 ft. The tower would also rise to a maximum height of 335 feet, which is greater than the permitted 185 feet in an R7-3 district. The floor plates of the seventh through 34th floors of Segment 3 would contain a maximum of 41,339 square feet of floor area, which exceeds the maximum 8,100-square-foot area for floors located above the typical 65-foot base height. Additionally, Segment 3 would contain walls facing the shoreline that have a length of 276 feet. A waiver is required for walls facing the shoreline that contain more than 100 feet in length.

Waterfront authorization pursuant to ZR Section 62-822(a) – N 220353 ZAQ

WPAA regulations require a minimum 40-foot SPW on typical sites and a minimum 30-foot SPW on certain constrained sites, and on larger sites SPAAs that ensure that 20 percent of the lot is devoted to waterfront public access. WPAA requirements apply to waterfront zoning lots throughout the city on waterbodies greater than 100 feet wide and the Gowanus Canal and Bronx River.

Authorizations pursuant to 62-822(a) would modify WPAA requirements to waive certain location, area and minimum dimension requirements.

ZR Section 62-512

The lowest level of the visual corridor is required to be at the street level where the curb is located. The applicant proposes to increase this level to 17 feet to comply with flood zone regulations.

ZR Section 62-561

A pedestrian walkway with a minimum depth of 13 feet is required on either side of the roadbed in a Type 2 UC. The pedestrian walkway on either side of the vehicularized UC would comply with the minimum walkway width of 13 feet, except for a portion of the walkway in front of Segment 1 that would be nine feet wide at the vehicular drop off. At a vehicular turnaround, the minimum required pedestrian walkway depth is 10 feet abutting the turnaround. The pedestrian walkway abutting the proposed turnaround would narrow from the required 10 feet to one-and-a-half feet for a portion of the vehicular drop off. A transition area is required at the termination of the UC equal in width to the UC and with a depth of 40 feet that extends to the SPW. The UC transition area would have a width of 49 feet, one foot less than the 50-foot width of the UC, and a depth of 24 feet that extends to the SPW.

ZR 62-571(a)

A SPAA that is not connected to a UC is required to have a minimum area of 1,875 square feet

with a minimum width to depth ratio of 3:1. One of the two proposed SPAAs is not connected to the UC and would have an area of 10,801 square feet, but with a depth ratio of 1.88:1.

Waterfront authorization pursuant to ZR Section 62-822(b) – N 220200 ZAQ

The applicant seeks an authorization pursuant to ZR Section 62-822(b) to modify WPAA requirements.

ZR Section 62-513

Shade trees are allowed as permitted obstructions within visual corridors if they are planted beyond 15 feet of the centerline of the visual corridor. Shade trees would be planted in the visual corridor at a measurement of 13.5 feet from the centerline of the visual corridor.

ZR Section 62-61(e)

Vehicular access is prohibited within the WPAA except for emergency and maintenance vehicular access. Vehicular access would be allowed within the UC to facilitate access to the parking garage and two drop off locations within the UC.

ZR Section 62-61(e)

When vehicular access is allowed within a UC, a paved border is required with a minimum depth of one foot and the border must be a distinct color from the paving of the adjoining paved surface. Bollards are also required along the border. The applicant proposes that boulders be used to articulate the border of the UC without a paved border.

ZR Section 62-62(c)(1)

Where a SPAA is required and would have an area greater than 1,875 square feet, a lawn is required that composes 25% of the planted area of the SPAA. The lawn would compose 18% percent of the size of the planted area within the SPAA.

ZR Section 62-62(c)(2)

A screening buffer with a minimum width of 10 feet is required within the SPAA and SPW along the upland boundary where the WPAA abuts non-publicly-accessible areas of the zoning lot. The applicant proposes that the screening buffer width be reduced from a minimum of 10 feet to eight feet, eight inches for one of two screening buffers that would be provided.

ZR Section 62-62(d)

Bicycle racks located with the UC transition are required to be located within 14 feet, 9 inches of the SPW. Bicycle racks would be provided at a location 44.5 feet from the shoreline, in the UC transition area at the terminus of Third Street.

ZR Section 62-64(a)

A Type 2 UC is required to have a pedestrian path with a minimum clear width of eight feet linking a public street, park, or place to the SPW. When a turnaround is provided, the entire required area shall be provided as a circulation path. The minimum clear path along Third Street would be eight feet but the circulation path in the turnaround would be seven feet due to the placement of boulders.

ZR Section 62-64(b)

Roadbed paving materials of a private driveway leading to a vehicular turnaround are allowed to extend into the turnaround provided that the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The proposed roadbed and turnaround would have the same paving material even though the turnaround is wider than the roadbed.

ZR Section 62-64(c)

A continuous tree pit must be provided within a Type 2 UC along the curb of a private driveway. Portions of the pit may be paved with permeable paving to allow for required amenities such as benches or bicycle racks. The continuous tree pit would be interrupted with a paved area for vehicular drop-off within the UC.

ZR Section 62-64(c)

A minimum of 40 percent of the transition area is required to be planted. The transition area is proposed to be approximately 32 percent planted.

ZR Section 62-651(b)

Bollards are limited to 30 inches in height and shall be between six inches to 15 inches in width. While the proposed boulder bollards will vary in size, they are proposed to have a minimum of 36 inches high and an average width of approximately 36 inches.

ZR Section 62-653

Non-walkable areas are required to be lit with a low level of light. The applicant would provide a lower level of light than is required at the water's edge and at the edges of the building segments that would receive light spilling out from the building.

ZR Section 62-653

Controls to reduce the impact of glare from lighting in the WPAA are required to prevent too much light from radiating upwards and creating a nuisance for residents in upper floors of buildings. A greater level of glare would be allowed for lighting fixtures located under tree canopies to allow lighting to illuminate the tree canopy while the canopy limits penetration of light into upper floors of buildings.

ZR Section 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 Section 62-656(b)(3)

In the SPW and SPAA, concrete slabs may have a maximum dimension of two feet in any one direction. The proposed concrete slabs would have a maximum dimension of 14 feet.

Waterfront authorization pursuant to ZR Section 62-822(c) - N 220202 ZAQ

Pursuant to ZR Section 62-822, the CPC may authorize a phasing plan to implement WPAA improvements on zoning lots undergoing partial development. To grant such authorization, an applicant must demonstrate that the amount of WPAA developed in each phase is proportionate to the lot area being developed in each phase. Pursuant to ZR Section 62-57(c), 20 percent of the lot area on the development site must be a WPAA and 20 percent of the lot area must be developed as a WPAA in each phase of development. The proposed development would proceed pursuant to a three-phased construction phasing plan.

Approximately 66,326 square feet of lot area would be developed in Phase One of the proposed development, which generates a 13,265- square-foot WPAA requirement. The applicant would provide a 21,856-square-foot WPAA that will extend along the entirety of 3rd Street and include portions of the SPAA and the SPW.

Approximately 43,775 square feet of lot area would be developed in Phase Two of the proposed development, which generates an 8,755-square-foot WPAA requirement. The applicant would provide an 9,456-square-foot WPAA, that will include two rain gardens and a portion of the SPW.

Approximately 54,291 square feet of lot area will be developed in Phase Three of the proposed development, generating a 10,858-square-foot WPAA requirement. The applicant would provide a 14,976-square-foot WPAA, which would connect to the Astoria Cove SPW and include a seating area at the easternmost portion of the development site.

The applicant is also requesting a Certification from the Chairperson of the CPC pursuant to ZR Section 62-811 that, except for waivers granted pursuant to the authorization, the design of the

proposed WPAAs complies with the applicable requirements set forth in ZR Section 62-50, General Requirements for Visual Corridors and Waterfront Public Access Areas, and 62-60 Design Requirements for Waterfront Public Access Areas.

Amendment to the City Map – C 220206 MMQ

The applicant is seeking an amendment to the City Map to de-map the portion of Third Street extending approximately 526 feet north from its intersection with 26th Avenue. Third Street is a 50-foot-wide narrow street that is privately owned by the applicant that was never improved nor open to the public. De-mapping Third Street would allow it to become a Type 2 UC that would provide access to the waterfront esplanade. While Third Street would be removed from the City Map, its design and function as a driveway and Type 2 UC would be required through stipulations in the Restrictive Declaration.

ENVIRONMENTAL REVIEW

This application (C 220196 ZMQ), in conjunction with the related applications (N 220197 ZRQ, C 220198 ZSQ, N 220353 ZAQ, N 220200 ZAQ, N 220202 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 21DCP138Q.

It was determined the proposed actions may have a significant effect on the environment, and that an Environmental Impact Statement (EIS) would be required. A positive declaration was issued on February 19, 2021, and subsequently distributed, published, and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued February 19, 2021. A public scoping meeting was held on March 22, 2021, and the Final Scope of Work was issued on March 25, 2022.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on March 25, 2022. Pursuant to SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS on June 8, 2022 in conjunction with the public hearing on the related Uniform Land Use Review Procedure (ULURP) items (C 220196 ZMQ, N 220197 ZRQ, C 220198 ZRQ, N 220353 ZAQ, N 220200 ZAQ, N 220202 ZAQ, and C 220206 MMQ).

A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public review process was completed, and a Notice of Completion of the FEIS was issued on July 14, 2022. Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designation (E-671) on Projected Development Sites 1 and 2 (Block 911, Lot 1 and 49, respectively), as specified in Chapters 9 "Hazardous Materials", 12 "Air Quality" and 14 "Noise", respectively of the FEIS. Other commitments made related to the environmental review will be codified in a Restrictive Declaration.

The FEIS determined that the proposed actions could have significant adverse impacts with respect to community facilities (elementary schools and early childhood programs), open space, transportation (transit, traffic, pedestrians, and noise), noise, and construction (transportation and noise). The identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 18, "Mitigation". To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

A Technical Memorandum was issued on July 22, 2022 in connection with this application (C 220196 ZMQ) and the related applications, which assesses potential modifications to the proposed actions. The Technical Memorandum concludes that the application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on July 14, 2022.

WATERFRONT REVITALIZATION PROGRAM

This application (C 220196 ZMQ) 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.

UNIFORM LAND USE REVIEW

On March 28, 2022, this application (C 220196 ZMQ), and related applications (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), along with the related actions for a zoning text amendment (N 220197 ZRQ) and zoning authorizations (N 220353 ZAQ, N 220200 ZAQ, N 220202 ZAQ), which was referred for information and review on March 28, 2022 in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Queens Community Board 1 held a public hearing on April 19, 2022 on this application (C 220196 ZMQ), in conjunction with the related applications for a zoning text amendment (N 220197 ZRQ), special permit (C 220198 ZSQ), authorizations (N2203053 ZAQ, N 220200 ZAQ, N220202 ZAQ), and City Map change (C 220206 MMQ) on April 19, 2022. On April 27, 2022, the community board 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), zoning text

amendment (N 190297 ZRQ), special permit (C 190298 ZSQ), and authorizations (N 220200 ZAQ, N 220353 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 (C 220196 ZMQ) and the related actions (N 220197 ZRQ, C 220198 ZSQ, N 220353 ZAQ, N 220200 ZAQ, N 220202 ZAQ, and C 220206 MMQ). The Borough President adopted a favorable recommendation of the application on May 23, 2022, subject to the following conditions:

"1. Labor: There should be a goal of 30% for local hiring and use of M/WBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% hiring goal has been reached to the Borough President, Council Member and Community Board;

2. Community Engagement: The Applicant should commit to knocking on doors of local residents to promote the Proposed Development, its community benefits and partnerships;

3. Partnerships: The Applicant should continue to partner with Urban Upbound and other local community-based organizations to host job fairs at Ravenswood, Queensbridge and Astoria Houses NYCHA Developments to bring awareness of upcoming job opportunities;

4. Residential Affordability: The Applicant should simultaneously commit to exploring deeper levels of AMI affordability such as 30% AMI, as well as expanding the minimum percentage of affordable units;

5. Public Access: The Applicant should ensure that the route to the Waterfront Public Access Area has easy-to-read signage and wayfinding in the surrounding neighborhood and streets written in multiple languages as dictated by Census demographic data, and

should ensure that the Waterfront Public Access Area and connections have appropriate maintenance and security to promote a safe quality of life;

6. Open Space Improvements: In addition to the Waterfront Public Access Area, the Applicant should make reasonable improvements to Triboro Park and Astoria Houses as they relate to the Project's EIS;
7. Construction: The Applicant should collaborate their designs and construction timelines with the surrounding Astoria Cove and Halletts Point developments to not overwhelm the area;
8. Renewable Energy: The Applicant should commit to 50%-100% geothermal energy usage;
9. Multi-modal Transportation: The Applicant should continue working with the NYC Department of Transportation and New York City Transit to incorporate appropriate bike lanes and bus networks to and from the Proposed Development site; and
10. Community Concerns: The Applicant should incorporate CB1's conditions to the best of their ability, wherever possible."

City Planning Commission Public Hearing

On May 25, 2022 (Calendar No. 5), the CPC scheduled June 8, 2022 for a public hearing on this application (C 220196 ZMQ), in conjunction with the related applications for a zoning text amendment (N 220197 ZRQ), special permit (C 220198 ZSQ), authorizations (N 220353 ZAQ, N 220200 ZAQ, N 220202 ZAQ), and City Map change (C 220206 MMQ). The hearing was duly held on June 8, 2022 (Calendar No. 27). There were three speakers in favor and none in opposition.

Speakers testifying in favor of the application included two members of the project team. An attorney representing the applicant provided an overview of the programming of the proposed development, the history of the project, and the requested actions. He stated that the proposed

development would provide new public access to the waterfront and enhancements to coastal resiliency on Halletts Point peninsula. He remarked that, per MIH Option 1, approximately 335 residential units would be permanently affordable and that the proposed community facility space would be occupied by two non-profit organizations that serve the local neighborhood, Urban Upbound and Zone 126, as well as a health care provider. He described the history of the project, including the applicant's cleanup of the former Brownfield site and community engagement with residents at Astoria Houses.

The project architect described the design of the proposed development and affirmed the applicant's engagement with local community organizations. He stated that the proposed development would create a connection among nearly two miles of publicly accessible waterfront and that the proposed development includes flood resiliency measures beyond standard requirements to account for future resiliency needs. He described the design of the proposed development, highlighting the maximum building envelope and describing proposed building facade articulation including terraces, balconies, and windows. He also explained that a setback would be located on the corner of 26th Avenue and Third Street to complement the proposed ground floor retail, that Third Street would be a 60-foot-wide planted connection between 26th Avenue and the waterfront, and that a series of walkways and a waterfront overlook would be located along the shoreline. Additionally, he shared potential significant impacts that could result from construction of the proposed development for which mitigation measures were in progress on at the time of the public hearing.

Other speakers testifying in favor of the application included two representatives of Urban Upbound, also speaking on behalf of the Astoria Baptist Church and Zone 126. They affirmed the applicant's engagement with residents of Astoria Houses and other community members and expressed the need for more affordable housing, jobs, and community space on Halletts Point peninsula. They elaborated that the applicant contributed to emergency relief efforts for residents of Astoria Houses during the Covid-19 pandemic and stated that the new community facility space,

provided at no cost, would alleviate chronic problems with flooding and aging infrastructure in Urban Upbound's current space. Additionally, they explained that Urban Upbound's plans to use the space for business incubation programming and that Zone 126 would use the space to assist students living in public housing to graduate high school and go to college through tutoring and after-school programs.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 220196 ZMQ), in conjunction with the related actions (N 220197 ZRQ, C 220198 ZSQ, N 220353 ZAQ, N 220200 ZAQ, N 220202 ZAQ, and C 220206 MMQ), as modified herein, are appropriate.

The Commission recognizes the importance of this project to the Astoria community, the Borough of Queens and the City. The project area is currently vacant, has a history of contamination and is situated in between sites proposed to be redeveloped with SPWs. Removing barriers to redevelopment of this key piece of the peninsula would help advance the broader vision of a mixed-use neighborhood with permanently affordable housing ringed by new, resilient and active waterfront open spaces.

The Commission recognizes that, as proposed, the Halletts North development will revitalize a former brownfield with an inaccessible waterfront along the coast of Western Queens with a mixed-use development that will contain approximately 1,340 residential units, at least 335 of which would be permanently affordable residences pursuant to MIH Option 1, as well as 1,800 square feet of ground floor retail space, 525 accessory parking spaces and 525 bicycle parking spaces. The proposed development will create an approximately one-acre new publicly accessible waterfront open space. The Commission is pleased that the proposed development will expand

housing and recreational opportunities as well as provide space for community organizations to service the needs of current and future residents in this portion of the growing neighborhood of Astoria.

The Commission is pleased that the project's waterfront esplanade will provide a key shoreline connection that will attract new users to this portion of the East River to enjoy the site's compelling views to the Robert F. Kennedy (Triborough) and Hell Gate bridges, Randall's Island, Manhattan and the Bronx and partake of the variety of proposed amenities, including adult fitness equipment, numerous seating areas, a unique circulation plan, and a waterfront overlook with additional seating and space for events.

The Commission notes that the requested applications would rezone the site to permit the proposed project density and modify bulk and waterfront public access regulations to facilitate the proposed building and open space program, as well as modify zoning regulations to apply the MIH program to the site in a manner that advances the administration's plan to expand affordable housing opportunities. The Commission believes the proposed rezoning and zoning text amendments would facilitate a well-conceived transformative development that would improve the site with a plan that is superior to that which would be permitted by existing zoning. The Commission further believes the proposed actions would facilitate a development that would revitalize a long-neglected area in a manner that would strengthen housing opportunities and waterfront public access in this portion of Astoria Queens.

The Commission believes that the proposed zoning map amendment (C 220196 ZMQ) to change an M1-1 zoning district to a R7-3/C2-4 zoning district is appropriate. The current zoning district's high parking requirements, low allowable densities and limited flexibility in allowable uses have inhibited redevelopment or enlargements of underutilized and contaminated sites. The proposed zoning map changes would permit a wider range of uses that would be more consistent with the mixed-use character of the broader Astoria neighborhood. The R7-3/C2-4 district is in alignment

with other large-scale waterfront rezonings on the peninsula that, if built, will also contain a mix of predominantly residential uses with neighborhood-serving retail and community facility uses. The Commission recognizes that the R7-3 zoning district would allow for a substantial increase in residential density and believes that this increase is appropriate on a waterfront site in proximity to a vibrant mixed-use neighborhood with access to transit and open space, in conjunction with the open space that will be facilitated by the proposed actions.

The proposed zoning text amendment (N 220197 ZRQ) is appropriate. The zoning text amendment will establish a new MIH area, coterminous with the rezoning area, to facilitate approximately 335 new permanently affordable housing units. The new affordable units, among a total of approximately 1,340 new housing units, will support the citywide need to increase supply of housing, as outlined in the objectives of *Housing Our Neighbors,* especially in proximity to neighborhoods with strong access to amenities like open space.

The proposed zoning authorizations (N 220353 ZAQ, N 220200 ZAQ, and N 220202 ZAQ) are appropriate. As part of the authorization, the applicant requests modification of certain dimensional, area and design requirements for the WPAA to overcome site-planning constraints. These constraints include the applicant's site-specific programming of public amenities that seek to provide a diverse experience and activating key components of the SPW and Third Street. The Commission recognizes that the design of the WPAA and the Third Street UC are well complemented to provide a unique public amenity that connects the upland to the waterfront and diversifies the waterfront edge. The Commission recognizes the close collaboration of the applicant with the Department in designing a thoughtful WPAA that responds to community goals and principles, including the overlook condition.

The Commission recognizes how the applicant's proposal will support the broader goal of providing for a future continuous esplanade as sites along the waterfront get developed over time. The Commission believes that the proposed waterfront design is of high quality and provides users

with an exciting and varied experience on the waterfront. The requested waterfront authorizations will create a superior WPAA.

The Commission notes that the authorization and the Restrictive Declaration, attached here as Exhibit A, set forth a phasing plan which would ensure that the amount of open space in each phase is proportional to the amount of development proposed for that phase. The Commission also believes that they both provide for functional and accessible open space at each interim phase.

The Commission believes that the proposed City Map change (C 220206 MMQ) is appropriate. The proposed demapping of Third Street between 26th Avenue to the edge of the proposed waterfront esplanade will provide public access to the waterfront and enhance vehicular and pedestrian circulation on this portion of the Halletts Point peninsula. The Commission notes that by proposing the elimination of the mapped street, it is not affecting the existing condition of the street as it is mapped but unbuilt today.

The special permit to modify bulk regulations on waterfront blocks (C 220198 ZSQ), as modified herein, is appropriate. The Commission notes that this special permit will allow for modifications of requirements regarding building setback distance, base and building height, tower size, and maximum width of walls facing the shoreline. The Commission received feedback during public review around the waterfront open space design and overall urban design and bulk of the proposed development. The Commission believes that, in order to advance a broad equity agenda focused on alleviating housing and job insecurity, the city must continue to identify areas where the creation of new housing, jobs and open space can be developed. The Commission believes that the critical objective to house New Yorkers should and can be achieved while reconciling important urban design considerations, encouraging a vibrant streetscape and public realm. Therefore, the Commission believes that the bulk controls, as modified herein, will help ensure that the project, as constructed, will result in a better site plan and relationship to the surrounding neighborhood. The Commission recognizes that the irregular shape and dimensions of the proposed development site

pose unique challenges. The Commission believes that the proposed bulk modifications are appropriate to facilitate development, but that the proposed waivers for maximum heights and minimum setbacks can be further modified to provide sufficient access to light and air to the ground level for the proposed WPAA and sites located adjacent to the project area. The Commission hereby modifies the bulk controls as follows.

The northernmost 25-foot portion of Segment 1 that currently rises to 200 feet would be lowered to a height of 65 feet, at which it would have a five-foot setback before rising to the maximum height of 237 feet. The portion of building Segment 2 fronting the upland connection south of the relocated motor court would be lowered from a height of 318 feet to a height of 65 feet, at which it would have a 6.75-foot setback and then rise to the maximum height of 318 feet. The western portion of Segment 3 that rises to a height of 100.5 shall be reduce at the WPAA frontage to a height of 65 feet, at which it would have a 4.5-foot setback before rising to a maximum height of 100.5 feet. The portion of Segment 3 that rises to a height of 350 feet would be relocated away from the shore public walkway to a distance of not less than 15 feet. Additionally, the distance between the towers on Segment 1 and Segment 2 (rising to 238 and 318 feet, respectively) would be 65 feet and the distance between towers on Segment 2 and Segment 3 (rising to 318 and 350 feet, respectively) would be 78 feet. Additionally, within the WPAA, the Type 2 UC would terminate in a vehicle turnaround that has a northern edge no further than 347 feet, 8 inches north of the southern edge of the development site.

The Commission believes that all the requested zoning and City Map changes and the special permit and authorizations, modified herein, are appropriate. The Commission believes the project has great potential to provide much needed and significant improvements to Halletts Point peninsula. The Commission believes the applicant's goal to transform an underutilized and inaccessible waterfront site with new market-rate and affordable housing into the fabric of the surrounding neighborhood will support the revitalization of the entire peninsula.

The Commission appreciates the thoughtful recommendations on the proposed actions submitted by Queens Community Board 1 and the Queens Borough President. The Commission values the close collaboration that the community board, borough president and others have had with the Department on the Peninsula. There were several common themes that the Commission heard in these recommendations, including planning for the broader Peninsula community, transportation options to and from the subway, wayfinding between the upland and new waterfront open space, sustainable building design and deeper affordability. While outside the scope of the proposed project, the Commission supports many of these thoughtful recommendations, including broad support for integrated, holistic planning and notes the commitments and mitigations made during the prior 2013 and 2014 approvals. The Commission also encourages the applicant to consider sustainable building systems that would make their building and the neighborhood overall more resilient. The Commission also notes the borough president's request for deeper affordability for residential units, continued partnership with local community organizations as well as community engagement to promote each of these aspects of the project. The Commission also acknowledges concerns raised about skilled labor and local hiring issues raised by the borough president. The Commission notes that labor issues are outside of the ULURP scope and therefore cannot be considered in the pending land use review process.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on July 14, 2022, and Technical Memorandum issued on July 22, 2022, with respect to this application (CEQR No. 21DCP138Q), 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 200 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 by changing the Zoning Map, Section No.9a:

1. changing from an M1-1 District to an R7-3 District property bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue; and

2. establishing within the proposed R7-3 District a C2-4 District bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671.

The above resolution (C 220196 ZMQ), duly adopted by the City Planning Commission on July 25, 2022 (Calendar No. 1), 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*

City of New York
Community Board #1, Queens

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Andre Stith
Rod Townsend
Rosemary Yelton

April 25, 2022

Honorable Daniel Garodnick
Chair
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

RE: **Hallett's North Development, 3-15 26th Avenue**

C 220196 ZMQ	Zoning Map Amendment to rezone from an M1-1 zoning district to an R7-3/C2-4 zoning district
N 220197 ZRQ	MIH Zoning Text Amendment to Appendix F
C 220198 ZSQ	Waterfront Special Permit to waive height, setback, tower size, and maximum width of walls facing the shoreline
N220353 ZAQ, N 220200 ZAQ, N 220202 ZAQ	Authorizations to modify requirements for Waterfront Public Access Area
N 220199 ZAQ	Certification for Waterfront Public Access Area
N 220164 LDQ	Legal Documents for Notices of Certification and Restriction
C 220206 MMQ	Amendment to the City Map to de-map a portion of 3rd Street north from its intersection with 26th Avenue.

Dear Chair Garodnick:

At its April 19, 2022 public hearing, Queens Community Board 1 (CB1Q) voted on two motions related to the proposed Hallett's North development. The first motion (C 220206 MMQ), to approve an amendment to the City Map to de-map a portion of 3rd Street, **passed** with 31 voting in favor, 2 opposed, and 2 not voting for cause. The second motion, to approve the remaining eight referenced actions, **passed** with 19 voting in favor, 14 opposed, and 2 not voting for cause. As part of the motion, but not conditions for approval, the Board strongly encouraged three additions to the development that would benefit the community, mitigate some of the impacts on open space and energy and enhance the waterfront experience:

- Provide a much-needed comfort station in Whitey Ford Field;
- Include an on-site accessory power generator that preferably uses geothermal energy and
- Continue to pursue approvals for the proposed walkway extension over the water along Third St.

Proposed Development

If approved, these actions will facilitate development of three mixed-use towers with a total of 1,400 dwelling units including 350 permanently affordable units under MIH Option 1 and a waterfront esplanade along Pot Cove on the north side of the Hallett's Point Peninsula. Components of the development include:

- Approximately 1,130,462 gsf of residential floor area;
- Approximately 1,887gsf of local retail space;
- Approximately 22,638 gsf of community facility space;
- Approximately 525 accessory parking spaces;
- Approximately 41,363sf (0.95acres) of publicly accessible open space (waterfront esplanade)

Committee Review and Comments

The Land Use and Zoning Committee met with the Applicant four times: January 4, 2021; March 24, 2021; December 21, 2021, and April 6, 2022 providing feedback on the proposed development. The committee was concerned about: the insufficient number of family sized units; the higher income tiers selected for the affordable units that did not represent the local Area Median Income; the development's massing; the need for local retail space in the area; on-site resilience and sustainability features; obstructed views from Third Street north toward Pot Cove and the inability of pedestrians to somehow connect with the water.

The project team reconfigured the first level of a building along Third Street to allow uninterrupted views north towards the waterfront public access area and is currently seeking agency approvals for a grated deck structure to extend out over the water to visually connect with the cove area. The Applicant revised the apartment mix and increased two- and three-bedroom affordable units from 350 to approximately 390 units (315 two-bedroom and 75 three-bedroom units). The project team agreed to study the feasibility of using geothermal energy resources to increase the project's sustainability. The committee also suggested locating a dog run onsite or nearby.

A deeply affordable income tier is still needed for the development. The projected rents and income tiers for the project still exceed the current AMI of area residents ($22,000), making many of them ineligible to apply for an MIH unit. No change was made to place local retail uses along the Pot Cove waterfront. The committee believed it would promote activity and diminish the appearance that area being a private open space for the project's residents. The team determined that the area was not well-situated to sustain viable retail activities but would, instead, have "active edges" with lobbies, a public outdoor dining area and community facility spaces.

On April 6, 2022 the Committee passed a motion to recommend approval with 6 in favor and 1 opposed. The motion also included recommendations to mitigate the DEIS impacts.

CB1Q Public Hearing
On April 19, 2022, the Astoria Owners LLC project team presented their proposal to the Board, after which the Land Use and Zoning Committee delivered its report and recommendation, noting the concerns raised during review and the project team's willingness to consider suggested changes. Though some important changes are still under discussion, the committee believes that the Applicant is acting in good faith to address our concerns.

In response to Board members' questions on project impacts, the team discussed the DEIS and significant adverse impacts to community facilities (elementary schools, publicly funded early childhood programs), active open space, transportation (traffic, transit, pedestrians), and construction (traffic and noise). The project team stated that they are required to mitigate adverse impacts and have proposed mitigations that are under review by the proper agencies which include prioritizing public transportation options over a private shuttle service, funding a new comfort station at nearby Whitey Ford Field, and a new dog run. Board members commended the revisions made to the development but were concerned about the project's affordability. The Applicant's response was that there were a high number of permanently affordable units within a mix of income ranges and that it would be difficult to build more affordable units without City financing.

Thirteen members of the public spoke in support of the project, including area residents, representatives from local non-profit organizations Urban Upbound and Zone 126. The testimony in support noted the large affordable housing component, the large number of units for families and the increase in community facility space. A member of Local 32BJ spoke of the union jobs and future employment generated by the development.

Three members of the public spoke against the development citing the potential increases to rents in the surrounding area, the high AMI proposed within the affordable income tiers, and the high volumes of traffic that will be increased on 27th Avenue.

The Board and its committees look forward to the continued coordination with the Hallett's North project team as we work to ensure our community and project priorities are fulfilled.

Sincerely,

Marie Tomlali
Chairperson

Elizabeth Erion
Co-Chairs, Land Use and Zoning Committee

Gerald Caliendo

cc: Honorable Donovan Richards
Honorable Michael Gianaris
Honorable Jessica Ramos
Honorable Jessica Gonzalez-Rojas
Honorable Zohran K. Mamdani
Honorable Catherine Nolan
Honorable Brian Barnwell
Honorable Tiffany Cabán
Honorable Julie Won
Frank B. Perez, New York City Council, District 22
Vicky Garvey, Acting Director, Land Use, BPQ
Alexis Wheeler, Director, Queens Office DCP
Joy Resor, Queens Office DCP
Perry Vallone, Constantinople & Vallone Consulting LLC
Jordan Press, Constantinople & Vallone Consulting LLC
Yanni Trittas, Constantinople & Vallone Consulting LLC

Queens Borough President Recommendation

APPLICATIONS: ULURP #220196 ZMQ **COMMUNITY BOARD: Q01**
ULURP #N220197 ZRQ
ULURP #220198 ZSQ
ULURP #N220200 ZAQ
ULURP #N220202 ZAQ
ULURP #N220353 ZAQ

DOCKET DESCRIPTIONS

ULURP #220196 ZMQ – IN THE MATTER OF an application submitted by Herrick Feinstein LLP on behalf of Astoria Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a:

1. changing from an M1-1 District to an R7-3 District property bounded by the northwesterly streetline of the former 3rd Street*, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street*, and 26th Avenue; and
2. establishing within the proposed R7-3 District a C2-4 District bounded by the northwesterly streetline of the former 3rd Street*, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street*, and 26th Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671. (Related ULURPs # N220164 LDQ, N220197 ZRQ, 220198 ZSQ, N220199 ZCQ, N220200 ZAQ, N220202 ZAQ, 220206 MMQ, N220353 ZAQ)

ULURP #N220197 ZRQ – IN THE MATTER OF an application submitted by Herrick Feinstein LLP on behalf of Astoria Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") area, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated December 27, 2021. (Related ULURPs # N220164 LDQ, 220196 ZMQ, 220198 ZSQ, N220199 ZCQ, N220200 ZAQ, N220202 ZAQ, 220206 MMQ, N220353 ZAQ)

ULURP #220198 ZSQ – IN THE MATTER OF an application submitted by Herrick Feinstein LLP on behalf of Astoria Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-837(a) of the Zoning Resolution to modify the height and setback, the maximum residential tower size and the maximum width of walls facing the shoreline requirements of Section 62-34 (Height and Setback Regulations on Waterfront Blocks), in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the westerly streetline of the former 3rd Street*, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street*, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lot 1, and the demapped portion of 3rd Street*, in an R7-3/C2-4** District. (Related ULURPs # N220164 LDQ, 220196 ZMQ, N220197 ZRQ, N220199 ZCQ, N220200 ZAQ, N220202 ZAQ, 220206 MMQ, N220353 ZAQ)

ULURP #N220200 ZAQ – IN THE MATTER OF an application submitted by Herrick Feinstein LLP on behalf of Astoria Owners LLC pursuant to Sections 197-c and 199 of the New York City Charter for a Waterfront Authorization to modify requirements within the waterfront public access area pursuant to Zoning Resolution Section 62-822(b), Borough of Queens, Community District 1. (Related ULURPs # N220164 LDQ, 220196 ZMQ, N220197 ZRQ, 220198 ZSQ, N220199 ZCQ, N220202 ZAQ, 220206 MMQ, N220353 ZAQ).

ULURP #N220202 ZAQ – IN THE MATTER OF an application submitted by Herrick Feinstein LLP on behalf of Astoria Owners LLC pursuant to Sections 197-c and 199 of the New York City Charter for Waterfront Authorization to modify requirements within the waterfront public access area pursuant to Zoning Resolution Section 62-822(c), Borough of Queens, Community District 1. (Related ULURPs # N220164 LDQ, 220196 ZMQ, N220197 ZRQ, 220198 ZSQ, N220199 ZCQ, N220200 ZAQ, 220206 MMQ, N220353 ZAQ).

ULURP #N220353 ZAQ – IN THE MATTER OF an application submitted by Herrick Feinstein LLP on behalf of Astoria Owners LLC pursuant to Sections 197-c and 199 of the New York City Charter for Waterfront Authorization to modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors pursuant to Zoning Resolution Section 62-822(a), Borough of Queens, Community District 1. (Related ULURPs # N220164 LDQ, 220196 ZMQ, N220197 ZRQ, 220198 ZSQ, N220199 ZCQ, N220200 ZAQ, N220202 ZAQ, 220206 MMQ).

PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, April 28, 2022 at 11:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were three (3) speakers. The hearing was closed.

CONSIDERATION

Subsequent to a review of the applications and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- The lead application proposes a Zoning Map Amendment to change an area generally bounded by the Pierhead and Bulkhead line of the East River to the north, currently-mapped 3rd Street to the west, 26th Avenue to the south, and Block 907 to the east (Block 911, Lots 1 and 49) from an M1-1 District to an R7-3/C2-4 District. The proposed actions would facilitate the development of a mixed-use, three-tower development within the Project Area;

- Other applications (N220197 ZRQ, 220198 ZSQ, N220199 ZCQ, N220200 ZAQ, N220202 ZAQ, 220206 MMQ, N220353 ZAQ) concurrently filed with the lead application propose multiple land use actions related to the multi-tower development. A Zoning Text Amendment to Appendix F of the Zoning Resolution proposes to establish and map the Rezoning Area as a Mandatory Inclusionary Housing (MIH) Area; a Waterfront Special Permit to waive height, setback, size and maximum width of walls facing the shoreline proposes increased density and height toward the water's edge; three Waterfront Authorizations to modify requirements for location, area and minimum dimensions of public access and visual corridors proposes waterfront usage and views, and a City Map Change proposes the de-mapping of 3rd Street for pedestrian and light vehicle usage abutting the Proposed Development;

- The Proposed Development is a multi-story, 986,137 SF (6.00 FAR) mostly residential mixed-use building with approximately 1400 dwelling units including 350 affordable units under MIH Option 1 (25% of 60% AMI). Building heights would increase as they approach the waterfront with non-residential uses concentrated along 26th Avenue. There would be 1,787 SF of commercial use and 21,508 SF of community facility use. There would be a 3-story, 525-vehicular space accessory self-park, cellar and mezzanine garage behind and underneath portions of Segments 1 to 3. The garage would also hold 525 bicycle spaces. Clean fill would be used to elevate the site by 8 to 9 feet so that it sits 3 feet above base flood elevation;

- The three-tower development features three Building Segments. Building Segment 1 (S1) would be located along 26th Avenue and would be developed as a 249,560 SF (1.52 FAR) 23-story, 238 foot tall mixed-use building. It would include 1787 SF of commercial use on the ground floor and 16,451 SF of community facility use on the second floor intended for Urban Upbound's job incubator space in partnership with Zone 126. Building Segment 2 (S2) would be located along 3rd Street and north of S1. It would be developed with a 310,787 SF (1.89 FAR) 31-story, 318 foot tall mixed-use building. It would include 5507 SF of community facility space located on the ground and 2nd floor intended for Theradynamics, a physical therapy provider. Building Segment 3 (S3) would be located at the end of 3rd Street along the waterfront esplanade, north of S2. It would be developed with a 426,690 SF (2.6 FAR), 34-story 350 foot tall residential building. The eastern portion of the building will be used as ~7105 SF lounge area with East River views;

- The Applicant Team would explore the opportunity for geothermal energy on site. They also would work on restriping and adding new bike lanes around the site as well as collaborate with local organizations to create new bike storage. The Applicant is currently discussing plans with the MTA to provide a shuttle bus from the Development Site to 30th Avenue Station. They will also pursue LEED Silver;

- There would also be 41,604 SF of publicly accessible open space. With the exception of the zoning lot directly west of the Development Site, the proposed waterfront esplanade would connect 2.5 miles of green space from Astoria Park to the northeast to Rainey Park to the southwest. Access to the waterfront would begin at the intersection of 26th Avenue and 3rd Street. A 14,197 SF shore public walkway will connect directly to the approved shore public walkway at Astoria Cove. It would include four rain gardens, terraced/turfed seating areas facing the water, and five fitness stations;

- The Rezoning Area consists of Block 911, which includes part of currently-mapped 3rd Street, Lot 1, and non-Applicant controlled Lot 49. It is currently mapped as an M1-1 District within Flood Zone AE (1% annual flooding). The Development Site (Block 911, Lot 1) is a 198,975 SF L-shaped site bounded by 26th Avenue to the south, East River to the north, Block 912 to the west, the Astoria Cove site to the east and currently sits vacant. Due to the site's history of heavy industrial operations, the team voluntarily entered the Brownfield Cleanup Program in 2018 and received Certification of Completion in December 2019;

- The Proposed Development and Rezoning Area are located on the northeastern portion of Halletts Point in western Astoria. The surrounding area is characterized by industrial, manufacturing, commercial, low- and medium density residential uses. There is also proposed high-density residential development such as the Astoria Cove project immediately east, currently with warehouses and vacant industrial buildings. Directly west across 3rd Street is a large 2-story distribution center for airport enterprise tech. The Halletts Point development is located three blocks southwest. The blocks south of the project across 26th Avenue include 1- and 2-story light industrial buildings, warehouses, open and enclosed storage yards, 1- and 2-family residences, and several 3- and 4-story multi-family walkups. Located further south is NYCHA Astoria Houses. There are three new schools proposed for the peninsula. The development is located approximately one mile west of both Astoria Boulevard and 30th Street subway stations. 27th Avenue is served by the Q18, Q19, Q102, and Q103. The Astoria Ferry stop is an eight minute walk away. A

CitiBike dock is located on the corner of 27th Avenue and 3rd Street;

- Community Board 1 (CB 1) held a monthly meeting on April 19, 2022. CB approved the 3rd Street de-mapping with thirty-one (31) in favor, two (2) against, and two (2) abstaining and the rest of the ULURP package with nineteen (19) in favor, fourteen (14) against, and two (2) abstaining. The conditions were as followed: Provide a comfort station at Whitey Ford Park to mitigate DEIS open space impact; Explore feasibility of onsite generation of geothermal energy; Pursue feasibility of constructing an overlook to provide interaction with water and cove. Concerns revolved around deepening the affordability of the MIH Units, questions about whether tenants in nearby NYCHA housing would be able to afford to live within project, and water access programming for the public. Leading up to the full board meeting, the Applicant increased the number of 2-bedrooms from 175 to 315 and 3-bedrooms from 35 to 75 due to prior requests from CB 1;

- At the Borough President's Land Use Public Hearing, the Borough President requested more affordable units at 30% AMI and for a goal of 30% MWBE/ local hiring to be reached. Although the Applicant Team has committed to LEED Silver, pursuing LEED Gold was suggested. The Borough President discussed exploring opportunities with this office and the local Council Member to invest in surrounding open space. According to the Applicant Team, the City requested improvements to Triboro Bridge Playground. However, the Borough President stated prioritizing investments for open space around Astoria Houses. The Applicant Team also stated they were currently in talks with the NYC Parks Department to turn over their green space to them for maintenance. A 32BJ SEIU representative spoke on the Applicant's commitment to prevailing wage building service jobs. They estimated 22 building service workers would be permanently staffed at the project site.

RECOMMENDATION

The Applicant has worked with the community board and local stakeholders to propose a mixed-use development proposal that fits with the residential, commercial and industrial character of the surrounding neighborhood. The Proposed Development would facilitate local economic development and job placement as well as affordable housing needs. Based on the above consideration, I hereby recommend approval of this application with the following conditions:

- There should be a goal of 30% for local hiring and use of M/WBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% hiring goal has been reached to the Borough President, Council Member and Community Board;
- The Applicant should commit to knocking on doors of local residents to promote the Proposed Development, its community benefits and partnerships;
- The Applicant should continue to partner with Urban Upbound and other local community-based organizations to host job fairs at Ravenswood, Queensbridge and Astoria Houses NYCHA Developments to bring awareness of upcoming job opportunities;
- The Applicant should simultaneously commit to exploring deeper levels of AMI affordability such as 30% AMI, as well as expanding the minimum percentage of affordable units;
- The Applicant should ensure that the route to the Waterfront Public Access Area has easy-to-read signage and wayfinding in the surrounding neighborhood and streets written in multiple languages as dictated by Census demographic data, and should ensure that the Waterfront Public Access Area and connections have appropriate maintenance and security to promote a safe quality of life;
- In addition to the Waterfront Public Access Area, the Applicant should make reasonable improvements to Triboro Park and Astoria Houses as they relate to the Project's EIS;
- The Applicant should collaborate their designs and construction timelines with the surrounding Astoria Cove and Halletts Point developments to not overwhelm the area;
- The Applicant should commit to 50%-100% geothermal energy usage;
- The Applicant should continue working with the NYC Department of Transportation and New York City Transit to incorporate appropriate bike lanes and bus networks to and from the Proposed Development site; and
- The Applicant should incorporate CB1's conditions to the best of their ability, wherever possible.

PRESIDENT, BOROUGH OF QUEENS

05/23/2022
DATE