



CITY PLANNING COMMISSION

November 3, 2003/Calendar No. 3

C 030510 ZMQ

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a:

1. eliminating from an existing R6 District a C2-4 District which was previously established on a street system pursuant to mapping application (C 900151 MMQ) but which was never certified and filed, bounded by:
 - a. Beach 73rd Street, the southerly street line of Beach 70th Street and its westerly and easterly prolongations, the southerly boundary line of a park, the westerly street line of Beach 67th Street, a line 100 feet northerly of Oceanview Boulevard, the southerly prolongation of Beach 57th Street, Arverne Boulevard, Beach 56th Street, Oceanview Boulevard, Beach 56th Place, a line 200 feet southerly of Oceanview Boulevard, Beach 59th Street, a line 100 feet southerly of Oceanview Boulevard, a line midway between Beach 61st Street and Beach 62nd Street, Breakers Avenue, Beach 62nd Street, a line perpendicular to the westerly street line of Beach 62nd Street and passing through the point of Curvature at the cul-de-sac, a line 100 feet westerly of Beach 62nd Street, a line 100 feet southerly of Oceanview Boulevard, Beach 65th Street, the northerly street line of Heron Park North and its easterly and westerly prolongations, a line 100 feet easterly of Beach 69th Street, a line perpendicular to the westerly street line of Beach 69th Street and passing through the point of curvature at the cul-de-sac, a line 100 feet westerly of Beach 69th Street, a line 100 feet southerly and easterly of Oceanview Boulevard, a line 520 feet southerly of Rockaway Beach Boulevard and its easterly prolongation, a line 100 feet westerly of Oceanview Boulevard, Rockaway Beach Boulevard, a line 100 feet westerly of Beach 73rd Street, and the southerly boundary line of a park and its easterly prolongation;
 - b. Arverne Boulevard, Beach 54th Street, a line 100 feet northerly of Oceanview Boulevard, Beach 47th Street, Oceanview Boulevard, and Beach 56th Street; and
 - c. a line 100 feet northerly of Oceanview Boulevard, Beach 38th Street, Rockaway Beach Boulevard and its northeasterly centerline prolongation, Seagirt Boulevard, Beach 32nd Street, the westerly centerline prolongation of Seagirt Avenue, Beach 35th Street, the northerly boundary line of a park, a line 100 feet westerly of Beach 35th Street, a line 100 feet southerly of Oceanview Boulevard, Beach 38th Street (Duke Kahanamoku Way), a line 175 feet southerly of Oceanview Boulevard, a line 100 feet easterly of Beach 41st Street, the southerly street line of Beach 41st Street and its easterly and westerly prolongation, a line 100 feet westerly of Beach 41st Street, a line 100 feet

southerly of Oceanview Boulevard, a line 150 feet easterly of Beach 47th Street, a line 180 feet southerly of Oceanview Boulevard, and Beach 47th Street;

2. changing from an R6 District to a C4-4 District property bounded by Shore Front Parkway, Beach 35th Street, the easterly centerline prolongation of Beach Channel Drive, Seagirt Boulevard, Beach 32nd Street, a line 100 feet southerly of Shore Front Parkway, the southerly centerline prolongation of B. 36th Street, Rockaway Beach, and Beach 44th Street and its southerly centerline prolongation; and
3. changing from an M1-1 District to an R6 District property bounded by a line 100 feet southerly of Beach Channel Drive, Beach 73rd Street, the southerly boundary of a former park and its easterly and westerly prolongation, and Beach 77th Street; and
4. establishing within an existing R6 District a C2-4 District bounded by:
 - a. a line 100 feet northerly of Rockaway Beach Boulevard, Beach 79th Street, Rockaway Beach Boulevard, and Beach 80th Street;
 - b. the southerly street line of Beach 70th Street and its easterly and westerly prolongations, the southerly boundary line of a park, Beach 67th Street, a line 540 feet southerly of Beach Channel Drive, Beach 66th Street, a line 75 feet northerly of Rockaway Beach Boulevard, the southerly centerline prolongation of Beach 57th Street, Arverne Boulevard, Beach 54th Street, a line 85 feet northerly of Shore Front Parkway, Beach 38th Street, Rockaway Beach Boulevard and its northeasterly centerline prolongation, Beach 35th Street, Shore Front Parkway, Rockaway Beach Boulevard, and Beach 73rd Street;
 - c. Rockaway Beach Boulevard, Beach 67th Street, Beach Front Road, and Beach 69th Street;
 - d. Rockaway Beach Boulevard, Beach 56th Place, a line 200 feet southerly of Rockaway Beach Boulevard, and Beach 59th Street; and
 - e. a line 100 feet southerly of Shore Front Parkway, Beach 34th Street, New Street, a line 100 feet easterly of Beach 35th Street, Ocean Front Road, the southerly centerline prolongation of Beach 36th Street, a line 100 feet northerly of Ocean Front Road, and a line 100 feet westerly of Beach 35th Street;

Community District 14, Borough of Queens, as shown on a diagram (for illustrative purposes only) dated June 16, 2003.

The application for an amendment to the Zoning Map was filed by The Department of Housing Preservation and Development (HPD) on June 4, 2003 to facilitate the development of the Arverne Urban Renewal Area (URA) which is generally bounded by Rockaway Freeway to the north, Beach 32nd Street to the east, the Boardwalk, Rockaway Beach Boulevard, and Hammels Boulevard on the south, and Beach 74th, Beach 81st and Beach 84th streets to the west in Rockaway, Queens Community District 14.

RELATED ACTIONS

In addition to the amendment of the Zoning Map which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. C 030433 MMQ Amendment to the City Map involving the mapping, demapping and alteration of streets and parks.
2. C 030509 HUQ Second amendment to the Arverne Urban Renewal Plan.
3. C 030511 HAQ UDAAP designation, disposition, and project approval pursuant to Article 16 of the General Municipal Law

BACKGROUND

Currently most of the entire Urban Renewal Area is zoned R6 with C2-4 overlays mapped in portions of the R6 district. The Department of Housing Preservation and Development proposes zoning changes that adapt zoning designations to the new URA development street layout. This rezoning, in conjunction with three other applications (C 030433 MMQ, C 030509 HUQ, and C 030511 HAQ), would facilitate the development of 3,900 residential units and 770,000 square feet of commercial space in Rockaway, Queens Community District 14.

A full background discussion and description of this project appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

ENVIRONMENTAL REVIEW

This application (C 030510 ZMQ), in conjunction with the applications for the related actions (C 030433 MMQ), (C 030509 HUQ) and (C 030511 HAQ), was 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 02HPD004Q. The lead agency is The Department of Housing Preservation and Development.

A summary of the environmental review appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

UNIFORM LAND USE REVIEW

This application (C 030510 ZMQ), in conjunction with the applications for the related actions (C 030433 MMQ), (C 030509 HUQ) and (C 030511 HAQ), was certified as complete by the Department of City Planning on June 16, 2003, and was duly referred to Community Board 14 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 14 held a public hearing on this application on July 29, 2003, and on that date, by a vote of 29 to 5 with 9 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the recommendation of Community Board 14 appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on September 17, 2003. However, the Borough President's recommendation was submitted after the 30-day review period, and was therefore non-complying.

A summary of the Borough President's recommendation appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

City Planning Commission Public Hearing

On September 10, 2003 (Calendar No. 7), the City Planning Commission scheduled September 24, 2003, for a public hearing on this application (C 030510 ZMQ). The hearing was duly held on September 24, 2003 (Calendar No. 13), in conjunction with the public hearings on the applications for the related actions (C 030433 MMQ), (C 030509 HUQ) and (C 030511 HAQ).

There were a number of speakers, as described in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application, in conjunction with the applications for the related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), 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 03-017.

A discussion of WRP Consistency Review appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

CONSIDERATION

The Commission believes that this amendment of the Zoning Map is appropriate.

This application (C 030510 ZMQ) proposes to maintain the majority of the existing R6 zoning district but locations of the C2-4 overlay would change. Currently C2-4 overlays are mapped along the formerly proposed east-west streets and along several north-south streets. The newly proposed placements of the overlay would be more concentrated and would adapt to the newly proposed street plan.

The proposal would change the existing R6 district to a C4-4 district between Shore Front Parkway, Beach 35th Street and Beach 44th Street north of the dunes preserve and would continue eastward to Seagirt Boulevard. Between Beach 34th Street and Beach 35th Street the C4-4 would cover the south side of Shore Front Parkway to a depth of 100 feet. The new commercial zoning districts in the eastern portion are intended to facilitate the development of approximately 500,000 square feet of commercial space. Between Beach 73rd and Beach 77th streets, the boundary between the R6 and M1-1 districts would be moved northward to the project site boundary.

A full consideration and analysis of the issues, and reasons for approving this application, appear in the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 24, 2003 with respect to this application (CEQR No. 02HPD004Q), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent possible by incorporating as conditions to the approval those mitigative 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 617.9(c)(3) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed 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 the consideration 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 Nos. 30c and 31a,

1. eliminating from an existing R6 District a C2-4 District which was previously established on a street system pursuant to mapping application (C 900151 MMQ) but which was never certified and filed, bounded by:
 - a. Beach 73rd Street, the southerly street line of Beach 70th Street and its westerly and easterly prolongations, the southerly boundary line of a park, the westerly street line of Beach 67th Street, a line 100 feet northerly of Oceanview Boulevard, the southerly prolongation of Beach 57th Street, Arverne Boulevard, Beach 56th Street, Oceanview Boulevard, Beach 56th Place, a line 200 feet southerly of Oceanview Boulevard, Beach 59th Street, a line 100 feet southerly of Oceanview Boulevard, a line midway between Beach 61st Street and Beach 62nd Street, Breakers Avenue, Beach 62nd Street, a line perpendicular to the westerly street line of Beach 62nd Street and passing through the point of Curvature at the cul-de-sac, a line 100 feet westerly of Beach 62nd Street, a line 100 feet southerly of Oceanview Boulevard, Beach 65th Street, the northerly street line of Heron Park North and its easterly and westerly prolongations, a line 100 feet easterly of Beach 69th Street, a line perpendicular to the westerly street line of Beach 69th Street and passing through the point of curvature at the cul-de-sac, a line 100 feet westerly of Beach 69th Street, a line 100 feet southerly and easterly of Oceanview Boulevard, a line 520 feet southerly of Rockaway Beach Boulevard and its easterly prolongation, a line 100 feet westerly of Oceanview Boulevard, Rockaway Beach Boulevard, a line 100 feet westerly of Beach 73rd Street, and the southerly boundary line of a park and its easterly prolongation;
 - b. Arverne Boulevard, Beach 54th Street, a line 100 feet northerly of Oceanview Boulevard, Beach 47th Street, Oceanview Boulevard, and Beach 56th Street; and
 - c. a line 100 feet northerly of Oceanview Boulevard, Beach 38th Street, Rockaway Beach Boulevard and its northeasterly centerline prolongation, Seagirt Boulevard, Beach 32nd Street, the westerly centerline prolongation of Seagirt Avenue, Beach 35th Street, the

northerly boundary line of a park, a line 100 feet westerly of Beach 35th Street, a line 100 feet southerly of Oceanview Boulevard, Beach 38th Street (Duke Kahanamoku Way), a line 175 feet southerly of Oceanview Boulevard, a line 100 feet easterly of Beach 41st Street, the southerly street line of Beach 41st Street and its easterly and westerly prolongation, a line 100 feet westerly of Beach 41st Street, a line 100 feet southerly of Oceanview Boulevard, a line 150 feet easterly of Beach 47th Street, a line 180 feet southerly of Oceanview Boulevard, and Beach 47th Street;

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3. changing from an M1-1 District to an R6 District property bounded by a line 100 feet southerly of Beach Channel Drive, Beach 73rd Street, the southerly boundary of a former park and its easterly and westerly prolongation, and Beach 77th Street; and
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 - a. a line 100 feet northerly of Rockaway Beach Boulevard, Beach 79th Street, Rockaway Beach Boulevard, and Beach 80th Street;
 - b. the southerly street line of Beach 70th Street and its easterly and westerly prolongations, the southerly boundary line of a park, Beach 67th Street, a line 540 feet southerly of Beach Channel Drive, Beach 66th Street, a line 75 feet northerly of Rockaway Beach Boulevard, the southerly centerline prolongation of Beach 57th Street, Arverne Boulevard, Beach 54th Street, a line 85 feet northerly of Shore Front Parkway, Beach 38th Street, Rockaway Beach Boulevard and its northeasterly centerline prolongation, Beach 35th Street, Shore Front Parkway, Rockaway Beach Boulevard, and Beach 73rd Street;
 - c. Rockaway Beach Boulevard, Beach 67th Street, Beach Front Road, and Beach 69th Street;

- d. Rockaway Beach Boulevard, Beach 56th Place, a line 200 feet southerly of Rockaway Beach Boulevard, and Beach 59th Street; and
- e. a line 100 feet southerly of Shore Front Parkway, Beach 34th Street, New Street, a line 100 feet easterly of Beach 35th Street, Ocean Front Road, the southerly centerline prolongation of Beach 36th Street, a line 100 feet northerly of Ocean Front Road, and a line 100 feet westerly of Beach 35th Street;

Borough of Queens, Community District 14, as shown on a diagram dated June 16, 2003 (C 030510 ZMQ).

The above resolution (C 030510 ZMQ), duly adopted by the City Planning Commission on November 3, 2003 (Calendar No.3), 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.

AMANDA M. BURDEN, AICP., Chair
KENNETH J. KNUCKLES, Esq. Vice Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL,
CHRISTOPHER KUI, JOHN MEROLO, DOLLY WILLIAMS, Commissioners

ANGELA R. CAVALUZZI, R.A., Commissioners, Recused