



IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 31a:

1. Changing from a C4-4 District to an M1-4/R6 District property bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road; and
2. Establishing a Special Mixed Use District (MX-21) bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of the intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road;

Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated September 14, 2020

This application (C 210070 ZMQ) for a zoning map amendment was filed by the New York City Department of Housing Preservation and Development (HPD) on August 11, 2020. The proposed zoning map amendment, in conjunction with the related actions (N 210071 ZRQ and N 210069 HNQ), would facilitate a new-mixed use development with residential, commercial, community facility, and open space uses on property generally bounded by Rockaway Freeway, Rockaway Beach and Boardwalk, Beach 32nd Street and Beach 56th Place in the Arverne neighborhood of Queens, Community District 14.

RELATED ACTIONS

In addition to the zoning map amendment (C 210070 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications:

N 210071 ZRQ Zoning text amendment to establish a Special Mixed Use District (MX-21)

N 210069 HNQ Designation of an Urban Development Action Area and Urban Development Action Area Project

BACKGROUND

HPD proposes a zoning map amendment, zoning text amendment, designation of an Urban Development Action Area (UDAA), and Urban Development Action Area Project (UDAAP) to facilitate the development of a new mixed-use community within the Arverne Urban Renewal Area (URA) in Arverne, Queens. The proposal would facilitate the construction of approximately 1,650 residential units, 252,000 square feet of commercial floor area, 22,000 square feet of community facility space, 3.3 acres of open space, a 15-acre dune preserve, and a 35-acre nature preserve.

The project area is located within the Arverne URA (CP-20524), which was divided into three sections upon its establishment in 1968: the western portion, between Beach 82nd Street to Beach 62nd Street; the central portion, between Beach 62nd Street to Beach 44th Street; and the eastern portion, between Beach 44th Street to Beach 32nd Street.

The project area, coterminous with the UDAA area, has a total area of approximately 116.5 acres and is predominantly vacant and unimproved City-owned land comprising 40 tax lots, generally bounded by Rockaway Freeway and Edgemere Avenue to the north, Rockaway Beach and Boardwalk to the south, Beach 32nd Street to the east, and Beach 56th Place to the west. It is comprised of a majority of the central and eastern portions of the URA and would be located on Block 15859, Lot 1; Block 15860, Lot 1; Block 15861, Lots 1, 47; Block 15862, Lot 1; Block 15863, Lot 1; Block 15864, Lot 1; Block 15865, Lot 1; Block 15866, Lot 1; Block 15867, Lot 1; Block 15868, Lot 1; Block 15869, Lot 1; Block 15870, Lots 60, 71; Block 15871, Lot 1; Block 15873, Lot 1; Block 15874, Lots 8, 41; Block 15875, Lot 1; Block 15876, Lot 1; Block 15947, Lot 1; Block 15948, Lot 1; Block 15877, Lot 1; Block 15878, Lot 1; Block 15879, Lot 1; Block 15880, Lot 1; Block 15881, Lot 1; Block 15882, Lot 1; Block 15883, Lot

1; Block 15884, Lot 1; Block 15885, Lot 1; Block 15886, Lot 1; Block 15887, Lot 1; Block 15888, Lot 1; Block 15919, Lot 1; Block 15921, Lots 1, 112; Block 15922, Lots 1, 101; and Block 15923, Lot 1. The UDAA area does not include the property improved with Public School 106 (Block 15861, Lot 35).

The UDAA area would contain a designated nature preserve and a development site. The nature preserve would consist of an approximately 35-acre vacant oceanfront site, which makes up the majority of the central portion of the Arverne URA and is generally bounded by Rockaway Freeway to the north, Rockaway Beach and Boardwalk to the south, Beach 44th Street to the east, and Beach 56th Place to the west (Block 15877, Lot 1; Block 15878, Lot 1; Block 15879, Lot 1; Block 15880, Lot 1; Block 15881, Lot 1; Block 15882, Lot 1; Block 15883, Lot 1; Block 15884, Lot 1; Block 15885, Lot 1; Block 15886, Lot 1; Block 15887, Lot 1; Block 15888, Lot 1; Block 15919, Lot 1; Block 15921, Lots 1, 112; Block 15922, Lots 1, 101; and Block 15923, Lot 1).

The development site would be located within the eastern portion of the Arverne URA, an approximately 81.5-acre area generally bounded by Rockaway Freeway to the north, Rockaway Beach and the Boardwalk to the south, Beach 32nd Street to the east, and Beach 44th Street to the west (Block 15859, Lot 1; Block 15860, Lot 1; Block 15861, Lots 1, 47; Block 15862, Lot 1; Block 15863, Lot 1; Block 15864, Lot 1; Block 15865, Lot 1; Block 15866, Lot 1; Block 15867, Lot 1; Block 15868, Lot 1; Block 15869, Lot 1; Block 15870, Lots 60, 71; Block 15871, Lot 1; Block 15873, Lot 1; Block 15874, Lots 8, 41; Block 15875, Lot 1; Block 15876, Lot 1; Block 15947, Lot 1; and Block 15948, Lot 1).

The surrounding area is characterized by a mix of uses including one-, two- and multifamily residential buildings, community facilities, transportation and semi-industrial uses, and open space. There is a high concentration of public and publicly-subsidized housing, including the recently-approved Edgemere Commons (C 190366 ZSQ), a large scale development located along Beach Channel Drive between Beach 50th Street and Beach 53rd Street with 2,050 affordable dwelling units. Recent construction of mid-rise multifamily residences ranging from seven to eight stories include Beach Green Dunes I, where construction was completed in the

Fall of 2017 and located at 44-19 Rockaway Beach Boulevard, and Beach Green Dunes II, where construction was completed in late 2019 and located at 45-19 Rockaway Beach Boulevard. Both Beach Green Dunes I and II are HPD-sponsored, 100 percent affordable housing developments that comprise 101 units and 127 units, respectively. Further east is the seven-story Beach Channel Senior Residences located at 34-11 Beach Channel Drive constructed in 2018, which comprises 154 senior affordable housing units. Notable community facilities in the area include a nursing home, public library, and fire station. South of the project area is Rockaway Beach and Boardwalk.

The zoning districts mapped within the surrounding area include R4 and R5 low-density residential districts, an R6 medium-density residential district, C1-2 and C2-2 commercial overlays, C4-3A and C4-4 medium-density mixed residential and commercial districts, and C8-1 automotive/semi-industrial district.

The area is well-served by public transportation. The development site is adjacent to the elevated A train on Rockaway Freeway, with stops at Beach 36th Street/Edgemere directly north of the development site, and Beach 44th Street/Frank Avenue stations directly north of the nature preserve. The area is also served by two bus lines, including the QM17 and Q22. Additionally, the NYC Ferry Shuttle stops located at Beach 35th, Beach 41st and Beach 54th streets along Beach Channel Drive provide access to the ferry landing located at Beach 108th Street with service to Sunset Park, Brooklyn and Lower Manhattan.

The Arverne URA was originally established in 1968 (CP-20524) to remove structurally substandard buildings for the development of new low- and moderate-income housing. The City of New York acquired most of the land within the URA for redevelopment and intended to develop the western, central, and eastern sections in separate phases. Housing development within the central portion of the URA was completed in the 1970s and included Ocean Village, a 1,092-unit residential development financed by New York State Urban Development Corporation, and Seaview Towers, two buildings containing 460 dwelling units. In 1978, three two-family residences were built across from Ocean Village through financing from a United States Department of Housing and Urban Development program.

In 1987, the Department of City Planning (DCP) completed a feasibility study alongside HPD, and in, 1988, issued a Request for Proposal (RFP) for a new mixed-use development that would consist of approximately 10,000 residential units, 380,000 square feet of commercial space, 274,000 square feet of community facility space, two new elementary schools, and seven new parks. An amendment to the Arverne Urban Renewal Plan (URP) was approved in 1990 (C 90015 MMQ, C 900162 ZMQ, C 900163A ZSQ, C 900215 HUQ, C 900216 HDQ, C 900242 PSQ, C 900243 PSQ, C 900268 PSQ, C 900269 ZSQ, and C 900299 HDQ) by the Board of Estimate that limited the type of commercial development to C1 and C2 uses and to three percent of the total floor area. The amendment also limited residential development within the URA to 7,500 dwelling units and 23 new disposition sites. The first amended URP was intended to facilitate the development scenario selected in the 1988 RFP, which differed from the 1968 URP. Following the adoption of the 1990 amendment, the City Council approved the development of Water's Edge Phase I and II, an affordable homeownership development, in the western portion of the URA in 1999.

A second amendment to the Arverne URP was approved in 2003 (C 030509 HUQ) and was intended to facilitate the development of Arverne by the Sea, a 78-acre mixed use development, in the western portion of the URA, as well as a new Arverne East development within the eastern portion. The second amendment included substantial changes to the first amended URP by reducing the residential development to 3,900 dwelling units, increasing commercial square footage to 770,000 square feet, providing one new public school, and mapping a significant part of the central portion of the URA as parkland intended as a nature preserve for environmentally sensitive areas. In conjunction with the second amendment of the URP, HPD received UDAA designation and UDAAP approval for the Arverne by the Sea development and approval for the disposition of 123 City-owned parcels within the western and eastern portions of the URA. The second amendment of the URP remains in effect until 2043.

Following the approval of the second amendment, the City issued an RFP for the eastern portion of the URA and designated a development team in 2006. The City Council approved a

UDAAP amendment in 2008 to facilitate the proposal selected, which called for 1,650 dwelling units, of which 20 percent were intended to be affordable, up to 500,000 square feet of commercial space including an approximately 100,000-square-foot hotel, and 3.3 acres of recreation and open space. Construction of the project stalled following the 2008 housing market crash and again in 2012 after Hurricane Sandy.

The nature preserve is entirely mapped as parkland and is located within the central portion of the Arverne URA. It is bounded by Rockaway Freeway and Edgemere Avenue to the north, Rockaway Beach and Boardwalk to the south, Beach 44th Street to the east, and Beach 56th Place to the west.

The development site is bounded by Rockaway Freeway and Edgemere Avenue to the north, Rockaway Beach and Boardwalk to the south, Beach 32nd Street to the east, and Beach 44th Street to the west. The area west of Beach 35th Street is zoned C4-4, and the remaining portion of the development site is mapped within an R6 zoning district with a C2-4 commercial overlay along the east side of the Beach 35th Street. R6 districts are medium-density residential zoning districts that allow for all housing types with a maximum residential FAR of 2.43 and community facility FAR of 4.8. Residential development under the optional Quality Housing Program allows for a maximum FAR of 2.2 on narrow streets and 3.0 on wide streets.

C4-4 districts are commercial zoning districts typically mapped in dense areas and have an R7-2 residential district equivalent. C4-4 zoning districts allow for all housing types, community facilities, and most retail uses. No manufacturing uses are permitted within the C4-4 zoning district. The maximum permitted FAR is 3.4 for commercial uses, 4.8 for residential uses, and 6.5 for community facilities. Within the Arverne URP, residential development within the C4-4 zoning district is limited to the bulk requirements of the R6 zoning district.

C2-4 commercial districts are mapped within residential districts and serve local retail and services. Commercial overlays mapped in R6 zoning districts have a maximum commercial FAR of 2.0.

A portion of the development site would be rezoned. The rezoning area would consist of a portion of Lot 1 of Block 15868 and a portion of Lot 1 of Block 15862. The rezoning area consists of 60,000 square feet and is roughly bounded by Beach 35th Street to the east, Ocean Front Road to the south, a line 150 feet west of the centerline of Beach 35th Street to the west, and 400 feet north of the centerline of Ocean Front Road to the north.

The proposed mixed use development would provide residential, community facility, and open space resources on the eastern portion of the URA and a 35-acre nature preserve within the central portion. The proposed development would contain a total of approximately 2,200,000 square feet of floor area, including approximately 1,920,000 square feet of residential floor area; approximately 252,000 square feet of commercial floor area, including a 5,000 square-foot tap house/restaurant and 60,000-square-foot hotel; approximately 10,000 square feet of manufacturing floor area; and approximately 22,000 square feet of community facility floor area. The proposed development would contain a total of approximately 1,650 dwelling units, including approximately 1,320 affordable units and 330 market-rate units, approximately 3.3 acres of privately-owned recreation and open space, approximately 15 acres of public open space in the form of a dune preserve, and approximately 1,750 parking spaces.

The development site would be transected by Beach 35th Street and Beach 38th Street, which would extend south from Rockaway Freeway and terminate at Ocean Front Road. A portion of Beach 34th Street also transverses the development site south of Edgemere Avenue and terminates at Seagirt Avenue, an east/west street running parallel to Edgemere Avenue between Beach 34th Street and Beach 35th Street. The developer would construct two privately-owned and maintained streets extending Seagirt Avenue from Beach 32nd Street to Beach 34th Street, as well as from Beach 35th Street to Beach 38th Street. The developer would also construct a private street that would function as an extension of Lewmay Road between Beach 32nd Street and Beach 35th Street.

The proposed development would seek to create a transit-oriented mixed-use neighborhood with multi-family apartment buildings concentrated nearest to the Beach 36th Street/Edgemere subway station, with higher densities concentrated near transit corridors, stepping down in height

and density to the waterfront. The development would feature a mix of uses and building types, including attached and semi-detached single-family residences, one- and two-family townhomes, multi-family residential buildings with ground floor commercial use, and standalone commercial and community facility buildings. The commercial development would primarily be located along a pedestrian corridor west of Beach 35th Street traversing the site from Edgemere Avenue to the Boardwalk. The pedestrian corridor would provide a connection between the Beach 36th Street/ Edgemere A train station and the proposed hotel and microbrewery. The remaining commercial development would be located at the intersection of Edgemere Avenue and Beach 35th Street. Building heights would range from one to 11 stories with a maximum height of approximately 110 feet.

The nature preserve would be under the jurisdiction of the New York City Department of Parks and Recreation (Parks Department) and publicly accessible via a trail network. The area would be designed to enhance and protect the maritime ecology, while providing a direct connection between the street and the Boardwalk. Approximately four acres of existing impervious surfaces would be removed and replaced with natural beach sand and native plantings. Non-native, disturbed or poor-quality habitats would be restored to naturalistic conditions. North/south paths would provide connections between Edgemere Avenue and the Boardwalk, while east/west pathways would serve as trails through the nature preserve. East of the nature preserve, across from Beach 44th Street, would be an accessory multipurpose building consisting of restrooms, park ranger locker rooms, community space and a surface parking lot. The creation of the nature preserve was included for mitigation as part of the 2003 Environmental Impact Statement (EIS) (02HPD004Q) attached to the second URP amendment.

An approximately 15-acre dune preserve would divide the southern boundary of the development site and the Boardwalk to the south between Beach 32nd Street and Beach 44th Street, providing a buffer between the development and the coast. North of the dune preserve would be dune gardens, intended to incorporate habitat-based native plantings and low-impact pathways.

The project area is within the one percent annual chance floodplain with a base flood elevation of 10 feet. The development site would be raised to an elevation of 16 feet, exceeding the design

flood elevation by four feet. The development would harvest rainwater for irrigation and all storm water would be managed on site. The development would require new or upgraded infrastructure including approximately 400,000 cubic yards of fill to raise roads and the development footprint, between three and eight feet depending on the location.

The applicant seeks a UDAA designation and UDAAP approval for 40 tax lots comprising the development site and nature preserve. Land uses within the UDAAP are intended to be residential, commercial, and community facility use. Neither the 2003 nor 2008 UDAA designations and UDAAP approvals contained the nature preserve. The proposed action would include the facilitation, funding, disposition, and development of the nature preserve by the development team.

In order to facilitate the proposed development, the applicant seeks a zoning map amendment and zoning text amendment. The zoning map amendment would change the rezoning area from a C4-4 zoning district to an M1-4 manufacturing district paired with an R6 residence district as part of Special Mixed Use District (MX-21). The new MX district would be mapped over an area approximately 150 feet by 400 feet along the southernmost portion of the western streetline of Beach 35th Street. The proposed M1-4/R6 zoning allows for all housing types with a maximum residential FAR of 2.2 on narrow streets and 3.0 on wide streets, under the Quality Housing Program. On waterfront blocks, the maximum residential FAR is 2.43. The maximum community facility FAR is 4.8. Commercial and manufacturing uses would be permitted with a maximum FAR of 2.0, with no off-street parking requirement. Within MX-21, most light industrial uses would be permitted as-of-right, while others would be subject to restrictions, and heavy industrial uses would be excluded altogether, except for small breweries. Through a land disposition agreement, HPD would restrict manufacturing uses to only permit brewery use.

The zoning map amendment would facilitate the development of a proposed brewery consistent with the economic development objectives of the URP. The microbrewery would consist of 10,000 square feet for manufacturing use and 5,000 square feet for taproom/restaurant use.

The proposed zoning text amendment would modify Zoning Resolution Section 123-90 to add MX-21 to the list of Special Mixed-Use Districts mapped throughout the city. No changes to the standard rules for mixed use districts are proposed.

In a letter to Queens Community Board 14 dated November 20, 2020, the development team responded to concerns raised by the Community Board during public review, including those related to the widening of Edgemere Avenue, siting a new public school, request for a community district wide traffic study, Community Board preference for residential units and local businesses, direct pathways to the Boardwalk through the nature preserve, lighting, increased parking, additional seasonal Parks Department staff, homeownership opportunities, job and building services commitments, and establishment of a community advisory board.

In a letter to Queens Borough President dated December 21, 2020, the development team responded to concerns raised by the Borough President during public review, including those related to local hiring, community facility space, hotel use, and the establishment of a community advisory board. The development team shared that a community center would be sited on Edgemere Avenue between Beach 34th Street and Beach 35th Street. The development team recognized that once the land sited for hotel use had been disposed of to the developer, the developer would prohibit future shelter use for homeless services. The development team committed to continued community engagement, including hosting quarterly meetings beginning with the first meeting scheduled for February 24, 2021.

In a letter to Queens Borough President, HPD responded to concerns raised by the Borough President during public review including those related to unit and affordability breakdown, open space programming, widening of Edgemere Avenue, new school siting, healthcare facility, and beach access. HPD would commit an additional \$2 million of funding to design the widening of Edgemere Avenue between Beach 38th Street and Beach 62nd Street.

On January 5, 2021, the applicant filed a revised land use application to include the roadbeds of previously demapped streets within the UDAA and UDAAP. The revisions consist of the previously-mapped streets located between Edgemere Avenue (also known as Shore Front

Parkway) to the north and the northerly line of Rockaway Beach to the south: Beach 56th Street; Beach 55th Street; Beach 54th Street; Beach 52nd Street; Beach 51st Street; Beach 50th Street; Beach 49th Street; Beach 48th Street; Beach 48th Way; Beach 47th Street; Beach 47th Way; Beach 46th Place; Beach 46th Way; Beach 46th Street; Beach 45th Street; Beach 43rd Street; Beach 42nd Street; Beach 41st Street; Beach 40th Street; Beach 39th Street; Beach 38th Street (between Sprayview Avenue/Ocean Front Road and Rockaway Beach); Beach 37th Street; Beach 36th Street; Beach 34th Street (demapped portion), and Beach 33rd Street. The revisions would also include the existing mapped roadbed of Beach 44th Street; Beach 38th Street (between Edgemere Avenue and Sprayview Avenue/Ocean Front Road), Beach 35th Street; Beach 34th Street (mapped portion between Edgemere Avenue and Rockaway Beach); entirety of Beach 34th Street (between Seagirt Boulevard and Edgemere Avenue); Sprayview Avenue/Ocean Front Road (between Beach 32nd and Beach 38th Streets), and Edgemere Avenue between Beach 32nd Street and Beach 56th Place.

ENVIRONMENTAL REVIEW

This application (C 210070 ZMQ) 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is HPD, the designated CEQR number is 20HPD081Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on August 27, 2020.

WATERFRONT REVITALIZATION PROGRAM

This application (C 210070 ZMQ) was reviewed by the Department of City Planning 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 20-069. This action was determined to be consistent with the policies of the WRP.

UNIFORM LAND USE REVIEW

This application (C 210070 ZMQ) was certified as complete by DCP on September 14, 2020, and duly referred to Queens Community Board 14 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 210071 ZRQ) and UDAA and UDAAP (N 210069 HNQ), which were referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Queens Community Board 14 held a public hearing on this application (C 210070 ZMQ) and the related actions for a zoning text amendment (N 210071 ZRQ) and UDAA and UDAAP (N 210069 HNQ) on November 17, 2020 and on November 22, 2020, by a vote of 26 in favor, none opposed and none abstaining, recommended disapproval of the application with the following conditions:

- “1. Rockaway Beach Blvd/Edgemere Avenue from Beach 62nd Street to Seagirt Boulevard-
The City shall fund a minimum of \$2 million for a study and design for a capital project in this fiscal year to widen to two travel lanes in each direction with turning lanes at access points to the Rockaway Freeway at all open intersections with traffic lights. Parking lanes should be installed at wider sections of the roadway where possible. The city shall also fund no less than \$45 million in the next fiscal year of the construction of the new roadway.
2. That a location for a new elementary school be identified and money for design to be put in the budget by end of FY2021. Additionally one of the two previously identified school sites be a trade school.
3. That a District-wide traffic EIS be conducted to study the negative impact in our community of nearly 8,000 new residents and an estimated 4,000 new cars on all our roadways in Community Board #14. Part of Study must be conducted during the months of July-August when traffic is at a peak.

4. That in all residential phases, a Community Board #14 resident preference of a minimum of 50% of all units
5. That in all commercial/retail space within the scope of Arverne East, a Community Board #14 preference of 30% be allotted to CB14 residents and/or business to locate in the area.
6. That all north/south access roads in the Nature Preserve from Edgemere Ave to the boardwalk have safe street lighting and that solar lighting be installed along narrow 5-foot pathways within the Nature preserve to address security concerns.
7. That the city fund additional Seasonal Parks Department personnel to patrol and maintain the new Nature Preserve.
8. That a minimum of 50% of all construction jobs in all phases, be allotted to Community Board #14 residents. And that 25% of CB14 jobs be allotted to CB14 residents who reside in 11691, 11692
9. That the development team shall hire a minimum of 50% of Community Board #14 residents for all non-construction positions such as but not limited to maintenance and security positions after each phase of project is complete and occupied.
10. The board has a strong preference for home ownership instead of rental and that homeownership of all income levels shall be increased to 80% of all phases of the project.
11. The board requests that the City and the Development Team increase the parking to a minimum of 200 spots for customer/visitor parking within the commercial areas within the project.
12. That a Community Advisory Board (CAB) be created that will consist of Community Board Members and a representative from each of the surrounding neighborhoods/civics. The CAB is to meet for the first time- first quarter 2021, that the CAB form/agree to a CAB which will address, job training, employment opportunities and college scholarships among other pressing issues. It is requested that the CAB can be signed before ground breaking.
13. That the City and The development shall design, fund, and construct active recreation opportunities within or directly adjacent to Nature preserve to include children's park with water feature, tables, benches, barbeque, and or active sports tennis, basketball court, skate park.

14. That all north/south access roads in the Nature Preserve from Edgemere Ave to the Boardwalk have safe street lighting. That solar lighting be installed along narrow 5-6 foot pathways within the Nature preserve to address security concerns.
15. That the City and development team provide a bridge, ramp and or Pathway's thru the plover area between Beach 43- 48 Streets so community can access the ocean/water during the months of April-October
16. That a legal restriction shall be placed in a Land disposition agreement and on Deed to land- That the proposed hotel be prohibited to be leased and or sold to the CITY of New York and or any not/non for profit for any use at any time
17. That in the identified commercial are within the Arverne East site that a supermarket, drug store, fresh produce market, bank, restaurants and the like be located
18. That L&M agree in writing that they commit to maintain all the properties they own and or manage within the Edgemere/Arverne communities including Beach Green Dunes I and II and properties with the Arverne East site.”

Borough President Recommendation

The Queens Borough President held a public hearing on the application (C 210070 ZMQ) and the related actions for a zoning text amendment (N 210071 ZRQ) and UDAA and UDAAP (N 210069 HNQ) on December 17, 2020 and on December 23, 2020 issued a recommendation to approve the application with the following conditions:

- “1. Community participatory visioning sessions for the Nature Preserve should be convened as early as possible in January 2021 to begin providing more detailed information about the proposed operation and maintenance programs, and to receive input from the most affected neighboring communities about their recreational, access and security needs. The input and feedback received during these sessions should be featured in the final designs and build out of the Nature Preserve;
2. A detailed plan for improved access to the beach from Beach 32nd to Beach 59th Streets must be provided. An increase of DPR staffing and lifeguards for the underserved east end of Rockaway Beach must be provided for the 2021 swimming season and beyond. To help increase the numbers of lifeguards available for assignment to the beach there

should DPR coordinated recruitment and local lifeguard training programs available to Rockaway residents;

3. New park space within the Arverne/Edgemere community must be identified designed, built and opened to provide formal spaces to provide much needed new passive and active recreational opportunities for the community;
4. New concession opportunities on the boardwalk must be created with a focus on local providers of food and beverages, clothing, accessories or other goods that reflect the culture of Rockaway. These businesses are necessary to attract and cater to the growing number of visitors to the beach and area in general. Such concession opportunities would also help the economy of the Rockaway while creating much needed jobs. The Department of Cultural Affairs should be consulted about how they could assist with programming nearby;
5. Commitments to local hiring for all construction and non-construction workers on this project must include a 30% goal for MWBE businesses and firms local area residents, and union labor. All workers should earn prevailing wages with benefits. The Rockaway Brewery Company is intended as the anchor of the new retail corridor must also meet these goals. Locally based community organizations must be consulted and involved with job notifications, hiring fairs and outreach. All hiring entities must provide regular quarterly reporting on hiring documenting attainment of community hiring goals;
6. There must be deed restrictions and language in the disposition documents exactly specifying the exact allowable use of hotel site;
7. Edgemere Avenue should be widened to accommodate existing traffic and any vehicular traffic that will be added by the large scale projects that are planned for the area. Maintaining safe free flow of traffic in this area is critical because the geography of the peninsula and the elevated track of the A Train severely impedes circulation in the area. The widened roadway should also provide protected bike lanes for cyclists. There is an estimate that \$45 million dollars will be required for the widening. Funds must be committed in the capital budget for this project;
8. In 2016, the Department of Transportation engaged the community in the ‘Access to Opportunity’ working sessions to identify sustainable and environmentally sound goals and strategies that make travel more efficient and improve the quality of life in the

Rockaways. Funding should be committed to implement the goals and strategies of that initiative;

9. A school was included in the original Arverne Plan and the dire need for quality educational facilities has not changed. Along with new schools, the Department of Education should commit \$20 million funding for investment in upgrading the technology and equipment in the existing and any new schools;
10. The closure of hospitals and health care facilities in the Rockaways has created a situation that often requires residents to leave the peninsula for primary and critical health care and services. With the new large scale developments occurring in the area there will be thousands of new residents and children. A new city Health and Hospitals Corporation facility should be sited in the area to reverse the disinvestment of health facilities in the area;
11. In addition to the need for new health care and trauma facilities there is a great need for children's and senior care services and generally community programs for residents in the area. Community centers are needed immediately to service the existing and future residents of Arverne and Edgemere. There should be a minimum of 50,000 SF space allocated for a community center use in the project. Such space could be used for counseling and job preparedness training, a business incubator, performance space or arts and cultural programs;
12. HPD has stated that there will home ownership available for the market rate units. The importance of home ownership to provide households with a chance to invest in their futures while building capital is documented. There should also be home ownership opportunities for the affordable units which would be invaluable in allowing the owners to invest in their futures and build capital;
13. All construction must be done using the most energy efficient, state-of-the art sustainable materials and construction techniques to assure that the Arverne East development is environmentally responsible to help combat climate change. Some of these might include solar voltaic panels, geothermal heating and cooling, and charging stations for vehicles
14. A community land trust should be created in this area that would provide opportunities for the local community to be more involved with identifying what is needed in their

neighborhood. Local input would allow the public and private sectors a better understanding

15. A Request For Expressions of Interest should be released inviting ideas for how to best utilize the former Edgemere Landfill located nearby. Possible uses of the site could be green infrastructure such as a solar farm or other innovative uses might be identified through this process;
16. In the last decade or more there has been a steady growth of residential and business investment in the Rockaways. With more new large scale developments in the pipeline and a growing cultural and recreational community it is time for an assessment of this growth to identify what is needed to sustain and enhance this growth;
17. There are also much needed transportation service improvements that must be made to provide Rockaway residents with reduced and better travel times. Express service on the A Train is needed to reduce commute times especially for those riding to the last stop on the line. Q52 bus service should be extended to Beach 32nd Street. The Rockaway Ferry service should be extended to Beach 54th Street. All of these together would give Rockaway commuters greater travel options and reduced travel time;
18. A Community Advisory Board (CAB) with representatives from Community Board 14, local community and civic organizations, relevant government agencies and elected officials to meet with the development team on a quarterly basis for the duration of the project. These CAB meetings would provide an opportunity for all stakeholders to share information, get construction updates and general announcements or to address any issues that may arise.”

City Planning Commission Public Hearing

On December 16, 2021 (Calendar No. 8), the Commission scheduled January 6, 2021 for a public hearing on this application (C 210070 ZMQ) and the related actions for a zoning text amendment (N 210071 ZRQ) and UDAA and UDAAP (N 210069 HNQ). The hearing was duly held on January 6, 2021 (Calendar No. 29). There were 43 speakers in favor of the application and five in opposition.

Speakers in favor included the applicant team, residents of Queens Community District 14, NYC Audubon, Rockaway Brewery Company, Rockaway Development and Revitalization Corporation, Rockaway Women for Progress, Rockaway Residents for Responsible Development, Far Rockaway/Arverne Nonprofit Coalition (FRANC), and CAMBA.

Those speaking in favor of the project highlighted the need for affordable housing and homeownership opportunities for the existing neighborhood residents and families. Several speakers spoke in favor of the proposed project because it would support local businesses and pointed to existing programming by the local brewery such as the Maker's Market for local vendors and the Rockaway Food Initiative in response to the Covid-19 pandemic. Speakers in support also highlighted the proposed street improvements within the development and the need for commercial development in the neighborhood, pointing to a lack of services and retail uses in Arverne. Those in favor also pointed to the need for open space in the neighborhood.

Speakers in opposition included residents of Queens Community District 14 and Edgemere Coalition Community Garden.

Those speaking in opposition to the project expressed concerns that a new EIS had not been conducted for the proposed project, stating that conditions within the area have changed due to increased development and Hurricane Sandy. They also pointed to a lack of resources such as hospitals and schools. Speakers in opposition also noted concerns regarding the need for infrastructure improvements, additional homeownership opportunities and evacuation plans. They expressed concerns about private development on public land, and the concentration of affordable housing in the neighborhood and Rockaway Peninsula as a whole.

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

Following the public hearing, HPD submitted additional testimony describing the environmental review process, stating that the proposed Arverne East project had been developed pursuant to previous approvals from 2003 and 2008. An Environmental Assessment Statement (EAS) to analyze the incremental change between the previously-approved project and the proposed

actions was completed. HPD also stated that a school seat analysis was not required in accordance to CEQR guidelines.

HPD submitted additional testimony explaining the long-term resiliency projections for the site, stating the Arvene East site is not expected to experience daily tidal flooding by the 2050s, and noted that several coastal defense projects in the area would reinforce the shoreline.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 210070 ZMQ), in conjunction with the related applications for a zoning text amendment (N 210071 ZRQ) and UDAAP (N 210069 HNQ), is appropriate.

In conjunction with prior approvals, the proposed actions will facilitate the development of approximately 1,650 residential units, 252,000 square feet of commercial floor area, 22,000 square feet of community facility space, 3.3 acres of open space, a 15-acre dune preserve, and a 35-acre nature preserve.

The proposed development is consistent with one of the City's policy objectives for promoting the development of affordable housing across the city, particularly in areas well served by transit. The Commission notes that the development is a transit oriented mixed use development with multifamily apartment buildings concentrated near the Beach 36th Street/Edgemere subway station with typology and density reducing closer to the waterfront. Further, the Commission supports the development of new affordable housing in a neighborhood with a significant need for income-restricted units.

The proposed nature preserve will be publicly accessible, providing a network of trails and open green space for future residents and visitors. Approximately four acres of existing impervious surfaces will be removed and replaced with natural beach sand and native plantings, restoring the coastal plants to preserve the existing natural ecology. The creation of the nature preserve was included for mitigation as part of the 2003 Environmental Impact Statement (EIS) (02HPD004Q) attached to the second URP amendment.

The proposed Special Mixed Use District MX-21 (M1-4/R6) is appropriate due to the adjacent R6 zoning district to the east and proximity to mass transit resources, including the elevated A train. The R6 zoning district aligns with the Arverne URP, which limits bulk within the existing C4-4 zoning district to R6 bulk requirements. When paired together, M1-4 and R6 districts form a special mixed use district, where most light industrial uses will be permitted as-of-right, while others are subject to restrictions, and heavy industrial uses are excluded altogether, except for small breweries. Through a land disposition agreement, HPD will restrict manufacturing uses to only permit brewery use. The proposed MX-21 district would permit breweries up to 10,000 square feet.

The zoning map amendment will facilitate the development of a proposed brewery, consistent with the economic development objectives of the URP. The microbrewery will consist of 10,000 square feet of manufacturing use and 5,000 square feet for accessory taproom/restaurant use.

The Commission recognizes that the proposed Arverne East project was created pursuant to previous approvals from 2003 and 2008. HPD completed an EAS to analyze the incremental change between the previously-approved project and the proposed actions. The analysis in the EAS was based on the incremental difference between the as-of-right no action development scenario from the previous approvals and the proposed with-action development proposal. The underlying existing R6 zoning district will remain the same and the density within the district will not increase. Due to proposed actions not generating additional residents, a school seat analysis was not triggered. The Commission notes the conclusions of the EAS that the proposed actions would not result in significant adverse impacts.

Several members of the Commission raised concerns regarding placing affordable homeownership opportunities within floodprone areas. The Arverne East site is not expected to experience daily tidal flooding by the 2050s and several coastal defense projects in the area will reinforce the Rockaway Peninsula's shoreline. The proposed project will be elevated four feet above the required design flood elevation. The development will harvest rainwater for irrigation and all storm water will be managed on site. The development will require new or upgraded

infrastructure including approximately 400,000 cubic yards of fill to raise roads and the development footprint, between three and eight feet depending on the location. The proposed 15-acre dune preserve will provide coastal defense to the proposed development.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on August 28, 2020 with respect to this application (CEQR No. 20HPD081Q), the City Planning Commission finds that the action described herein will have no significant impact on the quality of the environment; 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 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 hereby amended by changing the Zoning Map, Section No. 31a,

1. changing from a C4-4 District to an M1-4/R6 District property bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road; and
2. establishing a Special Mixed Use District (MX-21) bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of the intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated September 14, 2020.

The above resolution (C 210070 ZMQ), duly adopted by the City Planning Commission on February 17, 2021 (Calendar No. 13) 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.

MARISA LAGO, *Chair*

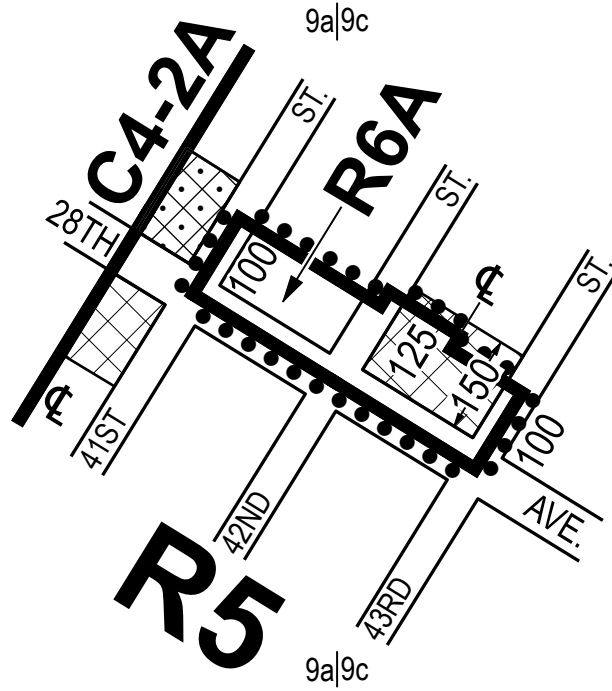
KENNETH J. KNUCKLES, Esq., *Vice-Chairman*

DAVID J. BURNEY, FAIA; ALLEN P. CAPPELLI, Esq.,

ALFRED C. CERULLO, III, JOSEPH I. DOUEK,

RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD *Commissioners*

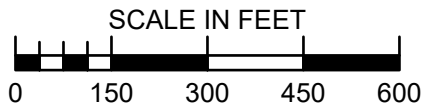


CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
9a & 9c
 BOROUGH OF
QUEENS



New York, Certification Date:
 September 14, 2020

S. Lenard, Director
 Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is rezoned by changing an existing R5 District to an R6A District.
- Indicates a C1-2 District
- Indicates a C2-2 District



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Arverne East	
Applicant: HPD	Applicant's Primary Contact: HPD
Application # 210070ZMQ	Borough:
CEQR Number:	Validated Community Districts: Q14

Docket Description:

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 31a:

- changing from a C4-4 District to an M1-4/R6 District property bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road; and
 - establishing a Special Mixed Use District (MX-21) bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road;
- Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated September 14, 2020.

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Conditional Unfavorable			
# In Favor: 18	# Against: 7	# Abstaining: 0	Total members appointed to the board: 42
Date of Vote: 11/23/2020 12:00 AM		Vote Location: zoom	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 11/17/2020 7:00 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	zoom meeting

CONSIDERATION: See attached narrative with 18 conditions-3pages

Recommendation submitted by	QN CB14	Date: 11/23/2020 12:22 PM
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Arverne East Actions- N200069-HNQ-UDAAP-Nature Preserve

Board to vote with conditions-zoom meeting 11/22/2020-Vote

Community board held discussion and Public hearing on 11/17/2020-27 speakers

Community board 14 voted – 26 Yes- 1-No- on 11/22/2020

Conditions for motion: NO with conditions

1. Rockaway Beach Blvd/Edgemere Ave from Beach 62 to Seagirt Blvd –The City shall fund a minimum of \$2 Million for a study and design for a capital project in this fiscal year to widen to two travel lanes in each direction with turning lanes at access points to the rockaway freeway at all open intersections with traffic lights. Parking lanes should be installed at wider sections of the roadway where possible, The city shall fund no less than \$45 million in next fiscal year for the construction of new roadway.
2. That a location for a new elementary school be identified and money for design to be put in budget by the end of FY2021. And that one of two the two previously identified school sites be a trade school.
3. That a District wide Traffic EIS be conducted to study the negative impact in our community of nearly 8,000 new residential units and an estimated 4,000 new cars on all our roadways in Community Board #14. Part of Study should be conducted in the months of July –August when traffic is at a peak
4. That in all residential phases, a Community Board# 14 resident preference of a minimum of 50% of all units
5. That in all commercial/retail space within the scope of Arverne east a community board preference of 30% be allotted to CB14 residents and or business to locate in area.
- 6.. That the onsite parking lot for those visiting the Nature Preserve be increased by 100% and that measures be taken to prevent the Nature Preserve parking from being used for other purposes such as commuter parking or overnight parking.
7. That the city fund additional Seasonal Parks Department personnel to patrol and maintain the new Nature Preserve.
8. That a minimum of 50 % of all construction jobs in all phases, be allotted to Community Board# 14 residents. And that 25% of CB14 jobs allotted to CB14 residents who reside in 11691, 11692
9. That the development team shall hire a minimum of 50% of Community Board #14 residents for all non-construction positions such as but not limited to maintenance and security positions after each phase of project is complete and occupied.

10. The board has a strong preference for home ownership instead of rental and that-homeownership of all income levels shall be increased to 80 % of the all phases of the project.

11. The board requests that the City and the Development Team increase the parking to a minimum of 200 spots for customer/visitor parking within the commercial areas within the project.

12. That a Community Advisory Board (CAB) be created that will consist of Community Board Members and a representative from each of the surrounding neighborhoods/civics. The CAB is to meet for the first time- first quarter 2021, that the CAB to form/agree to a CBA which will address, job training, employment opportunities and college scholarships among other pressing issues. It is requested that CBA can be signed before ground breaking.

13. That the City and The development shall design, fund and construct active recreation opportunities within or directly adjacent to Nature preserve- to include children's park with water feature , tables, benches, barbeque, and or active sports tennis, basketball court, skate park.

14. That all North/south access roads in Nature preserve from Edgemere ave to the Boardwalk have safe street lighting. That solar lighting be installed along narrow 5-6 foot pathways within the Nature preserve to address security concerns.

15. That the City and development team provide a bridge, ramp and or Pathway's thru the plover area between Beach 43-48 Streets so community can access the ocean/water during months of April-October.

16. That a legal restriction shall be placed in Land disposition agreement and on Deed to land -That the proposed hotel be prohibited to be leased and or sold to the CITY of New York and or any not/non for profit for any use at any time.

17. That in the identified commercial are within the Arverne East site that a super market, drug store, fresh produce market, bank, restaurants and the like be located

18. That L&M agree in writing that they commit to maintain all the properties they own and or manage within the Edgemere /Arverne communities including Beach Green Dunes I and II and properties within the Arverne East site.

****It should be noted that the Board liked many elements of the Nature preserve and the Arverne east project but we feel our many concerns MUST be addressed and satisfied first before the project go forward.**



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Arverne East	
Applicant: HPD	Applicant's Primary Contact: HPD
Application # 210071ZRQ	Borough:
CEQR Number:	Validated Community Districts: Q14

Docket Description:

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Conditional Unfavorable			
# In Favor: 18	# Against: 7	# Abstaining: 0	Total members appointed to the board: 42
Date of Vote: 11/23/2020 12:00 AM		Vote Location: zoom	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 11/17/2020 7:00 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	zoom meeting

CONSIDERATION: see attached narrative with 18 conditions 3 pages		
Recommendation submitted by	QN CB14	Date: 11/23/2020 12:22 PM

Community Board 14 Queens

Arverne East ULURP Actions – ULURP# N210070ZMQ-N210071 ZRQ-Special Manufacturing District-MX21

At the monthly meeting of Community Board #14Q held on Tuesday – November 17, 2020 after Board discussion and Public Hearing - with 27 speakers, a motion was made by Michael Tubridy on 11/17/2020 to oppose the ULURP action for the Special Manufacturing District-MX21 unless certain conditions were met by NYC Agencies and the Developer.

Motion was tabled so that the conditions that were discussed during the November 17, 2020 meeting could be complied. A follow-up meeting would be held prior to November 23, 2020 .

At the Follow-up meeting of Community Board#14Q held on Sunday – November 22, 2020 the Board, after discussion of the conditions, a vote on the motion to oppose the ULURP for the Special Manufacturing District-MX21 unless the following eighteen (18) conditions were met was taken. The motion was carried by a vote of 18 Yes and 7 No.

Conditions for motion ULURP # N210070 ZMQ-N210071 ZRQ Special Manufacturing District MX-21 :

1. Rockaway Beach Blvd/Edgemere Ave from Beach 62 to Seagirt Blvd –The City shall fund a minimum of \$2 Million for a study and design for a capital project in this fiscal year to widen to two travel lanes in each direction with turning lanes at access points to the rockaway freeway at all open intersections with traffic lights. Parking lanes should be installed at wider sections of the roadway where possible. The city shall also fund no less than \$45 million in next fiscal year for the construction of new roadway.
2. That a location for a new elementary school be identified and money for design to be put in the budget by the end of FY2021. Additionally one of the two previously identified school sites be designed for a Trade School.
3. That a District-wide Traffic EIS be conducted to study the negative impact in our community of nearly 8,000 new residential units and an estimated 4,000 new cars on all our roadways in Community Board #14. Part of Study must be conducted during the months of July –August when traffic is at a peak.

4. That in all residential phases, a **Community Board# 14 resident preference** of a minimum of 50% of all units
5. That in all **commercial/retail space** within the scope of Arverne East, a Community Board #14 preference of 30% be allotted to CB14 residents and/or existing Rockaway business to locate in area.
6. That all **north/south access roads** in the Nature Preserve from Edgemere Ave to the boardwalk have safe street lighting and that solar lighting be installed along narrow 5-foot pathways within the Nature preserve to address security concerns.
7. That the **on-site parking** lot for those visiting the Nature Preserve be increased by 400% and 2- hours parking meters be installed.
8. That the city fund additional **Seasonal Parks Department** personnel to patrol and maintain the new Nature Preserve.
9. That a minimum of 50 % of all **construction jobs** in all phases, be allotted to Community Board# 14 residents with 25% of those jobs being earmarked for residents living in the 11691 and 11692 zip codes.
10. That the development team shall hire a minimum of 50% of Community Board #14 residents for all **non-construction positions** such as but not limited to maintenance and security positions after each phase of project is complete and occupied, with 25% of those jobs being earmarked for residents living in the 11691 and 11692 zip codes.
11. The board has a strong preference for **home ownership** instead of rental and that homeownership of all income levels shall be increased to 80 % of the all phases of the project.
12. The board requests that the City and the Development Team **increase the parking** to a minimum of 200 spots for customer/visitor parking within the commercial areas within the project.
13. That a **Community Advisory Board (CAB)** be created that will consist of Community Board Members and a representative from each of the surrounding neighborhoods/civics. The CAB will convene its first meeting in the first quarter of 2021. In addition, the CAB will formulate a CBA agreement, which includes, but not limited to job training, employment opportunities and college scholarships. It is requested that CBA be signed prior to ground breaking of the Nature Preserve.
14. That the City and Developer shall design, fund and construct **active recreation** opportunities within or directly adjacent to the Nature Preserve which shall include a children's playground with a water feature, picnic tables/benches, barbeque area and active sports areas such as tennis, basketball court, skate park and a dog run.
15. That the Nature Preserve **building's community space** be increased from 500 sf to 2,500 sf.
16. That the City and Development team construct a bridge, ramp and/or Pathway through **the piping** plover protected area between Beach 38 and 48 Streets to ensure that the community can access the beach/ocean during the piping plover nesting season (April-October).

17. That a **legal restriction** shall be placed in Land disposition agreement and on Deed of the proposed **hotel** prohibiting it from being leased and/or sold to the CITY of New York, and/or any not/non-for-profit organization/entity, for any use at any time.
18. That L&M agrees in writing that they commit to **maintain all the properties** they own and/or manage within the Edgemere /Arverne communities including Beach Green Dunes I and II and properties within the Arverne East site.

****It should be noted that the Board liked many elements of the Nature Preserve and the Arverne East Project but has many concerns that MUST be addressed and satisfied before the project go forward.****

Queens Borough President Recommendation

APPLICATION: ULURP #210071 ZRQ

COMMUNITY BOARD: Q14

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to Section 123-90 of the NYC Zoning Resolution to add MX-21 to the list of Special Mixed Use Districts mapped throughout the City. (Related ULURPs #210069 HNQ, #210070 ZMQ)

PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 17, 2020 at 10:30 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 four (4) speakers in favor and two (2) speakers against. The hearing was closed.

CONSIDERATION

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

- This application was for a zoning text amendment to create Mixed Use District MX-21 M1-4/R. The new district would be mapped on the northwest corner of the intersection of Beach 35th Street and Ocean Front Road. The MX-21 District would be mapped along a 370 foot portion of Beach 35th Street to a depth of 120 feet west of Beach 35th Street;
- There were two applications (ULURP #210069 HNQ and ULURP #210070 ZMQ) filed concurrently with this application. ULURP #210069 HNQ proposes an amendment to the Urban Development Action Area (UDAA) and the Urban Development Action Area Plan (UDAAP) and ULURP #210070 ZMQ is a zoning map amendment changing a portion of an existing C4-4 District to the Mixed Use District MX-21: M1-4/R6. These actions are to add the Nature Preserve to the UDAA and UDAAP. The zoning map amendment is to allow the proposed microbrewery that would not be allowed as-of-right in the existing C4-4 District;
- The entire site is 116.5 acres including the 35 acre Nature Preserve and 81.5 acre development area. The Nature Preserve includes environmentally sensitive areas including habitats of endangered species, most notably piping plovers, dune preserve areas and would also function as a natural storm surge barrier. The Nature Preserve would be operated and maintained by the NYC Department of Parks & Recreation;
- Arverne East is the part of the larger Arverne Urban Renewal Area created and adopted in 1968. Most of the land had been acquired by the City in the 1970s. The Arverne Development Plan has been amended and revised over the years in 1990 and 2003. The last revision in 2003 largely reflects the development plan under consideration now. The Urban Development Action Area Plan was amended in 2003 and 2008, however, the Nature Preserve was not included in those amendments;
- HPD and the selected development team are proposing to develop Arverne East with a mixed-use development that would include a total of 1650 housing units of which 1320 units would be affordable to formerly homeless, low, moderate and middle income households, and 330 market rate units. Arverne East would also have 300,000 SF of non-residential space including a 10-15,000 SF microbrewery, a 60,000 SF boutique hotel and 300,000 SF of community facility space;
- The proposed microbrewery is to be developed to anchor a new retail corridor on Beach 35th Street. It would be operated by Rockaway Brewery Company that started out in the Rockaways until the need for larger facilities led them to Long Island City. The Rockaway Brewery Company has continued operating a taproom at Beach 72nd Street on the peninsula in addition to the Long Island City taproom. The proposed microbrewery on Beach 35th Street would return the brewing operation to the Rockaways and a new taproom that would be staffed with local community residents. The operators of Rockaway Brewery Company has committed to continue hosting community oriented arts and cultural gatherings/activities that were programmed at their Beach 72nd Street location. The Rockaway Brewery Company has also committed to continued participation in non-brewery related community building support programs;
- Community Board 14 (CB 14) conditionally disapproved this application by a vote of twenty-six (26) against with one (1) in favor and none (0) abstaining at a virtual public meeting held on November 22, 2020. CB 14 stated that while there were elements of the Arverne East proposal that were favorable, there was an overwhelming list of needs that must be addressed first. The following is a summary of those conditions:
 1. widening Edgemere Avenue from Beach 62nd Street to Seagirt Boulevard to two (2) traveling lanes with turning lanes at access points to the Rockaway Freeway with traffic lights. A minimum of \$2 million for design in this fiscal year and \$45 million for construction should be funded in the next fiscal year capital budget;

2. a site for a new elementary school must be identified and funded by the end of FY 2021. A trade school should be located onto one of the two previously identified school sites;
 3. a district wide traffic EIS should be conducted to consider the negative impacts of nearly 8,000 new residents and an estimated 4,000 additional cars on the CB 14 roadways. The peak period from July to August must be included in the data collection;
 4. in each phase of residential development there should be a 50% set aside of all units for CB 14 residents
 5. 30% of all commercial/retail spaces should be allocated for Arverne East area residents and businesses
 6. all north/south access roads between Edgemere Avenue to the Boardwalk should have safe street lighting. Solar powered lighting should be used for the walkways within the Nature Preserve to address security concerns
 7. 400% increase of parking provided for the Nature Preserve and 2-hour meters should be installed;
 8. increased City funding for additional seasonal Parks Department personnel to patrol and maintain the Nature Preserve;
 9. a minimum of 50% of all construction jobs for CB 14 residents. 25% of those jobs should be for residents of the 11691 and 11692 Zip Code areas;
 10. a minimum of 50% of non-construction jobs for CB 14 residents as each phase of the project is completed with 25% of jobs for residents of the 11691 and 11692 zip codes;
 11. CB 14 has a preference for home ownership instead of rentals, home ownership for all levels of should be increased to 80% of all phases of the project;
 12. the City and development team should increase parking in the commercial areas to at least 200 customer/visitor parking spaces
 13. a Community Advisory Board (CAB) should be created consisting of Community Board members, and a representative from each of the surrounding neighborhoods/civic groups. The CAB should meet in the first quarter of 2021 to formulate and agree on a Community Benefits Agreement (CBA) which will address but not limited to job training, employment opportunities and college scholarships. The CBA should be signed before groundbreaking for the Nature Preserve;
 14. The City and development team should design, fund and construct active recreation within or directly adjacent to the Nature Preserve that would include a children's park with water features, picnic tables/benches, barbeque area, and or active sports such as tennis, basketball, skate park and a dog run;
 15. The Nature Preserve should be increased from 500 SF to 2,500 SF;
 16. A bridge, ramp or a pathway through the plover area between Beach 43rd to 48th Streets to giving the community access to the ocean/water from April to October should be constructed by the City and the developer;
 17. There should be a legal restriction placed in the terms of disposition and on the deed prohibiting use of the proposed hotel by lease or sale to New York City or any not for/non-profit organization for any use at any time;
 18. L & M should agree in writing to maintain all of the properties owned or managed within the Edgemere/Arverne communities including Beach Green dunes I and II and properties within the Arverne East site.
- In a meeting subsequent to the December 17, 2020 Land Use Public Hearing, there was a discussion of the questions raised by the Borough President during the public hearing. HPD and the development team responded to the questions in letters on December 23, 2020. In summary the letters address the following concerns raised by the Borough President. HPD identified the affordability levels of the first approximately 500 units of housing in the first two residential buildings 221 units up to 50% AMI, 102 units between 50% to 80% AMI and 197 units between 80% to 100% AMI. Over approximately 10 acres of open space in the project have not yet been programmed. The developers are committed to working with the community on programming active and passive uses for that space. DPR is continuing to work on programming undeveloped land near the Boardwalk between Beach 26th to Beach 28th Streets. DPR is committed to increasing the numbers of lifeguards and staffing for the Arverne/Edgemere portions of the beach for 2021 season. DPR will continue to monitor the piping plover nesting areas and impacts on beach access and will continue contact with the U.S. Fish and Wildlife Service to provide much access as possible. HPD has committed to continuing to seek out funding to widen Edgemere Avenue between Beach 38th to Beach 62nd Streets that will be designed with \$2 million that has been allocated. The School Construction Authority is committed to provide schools on a site within the Arverne/Edgemere community or a Department of Education site on Beach 39th Street based on capacity need projections. HPD is working on identifying opportunities to locate health care facilities in the area including City financed facilities for the project area. The development team's letter committed to 20% to 30% community hiring goals during construction and working with SEIU 32BJ to provide 50% of building service jobs to local residents. Within the proposed 22,000 SF of community facility space the developers identified a location on Edgemere Avenue between Beach 34th and Beach 35th Streets for a standalone community center. They would engage the community in visioning sessions to determine the programming for the building. With regard to the proposed hotel that has not been designed or have an operator the development team has committed to use of the site only for a hotel. Finally, the development team committed to continued quarterly engagement with the community to discuss the project with the first meeting scheduled for February 24, 2021. Outreach for the meetings will include input from Community Board 14 and community based organizations.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval with the following conditions:

- Community participatory visioning sessions for the Nature Preserve should be convened as early as possible in January 2021 to begin providing more detailed information about the proposed operation and maintenance programs, and to receive input from the most affected neighboring communities about their recreational, access and security needs. The input and feedback received during these sessions should be featured in the final designs and build out of the Nature Preserve;

- A detailed plan for improved access to the beach from Beach 32nd to Beach 59th Streets must be provided. An increase of DPR staffing and lifeguards for the underserved east end of Rockaway Beach must be provided for the 2021 swimming season and beyond. To help increase the numbers of lifeguards available for assignment to the beach there should be DPR coordinated recruitment and local lifeguard training programs available to Rockaway residents;
- New park space within the Arverne/Edgemere community must be identified, designed, built and opened to provide formal spaces to provide much needed new passive and active recreational opportunities for the community;
- New concession opportunities on the boardwalk must be created with a focus on local providers of food and beverages, clothing, accessories or other goods that reflect the culture of Rockaway. These businesses are necessary to attract and cater to the growing number of visitors to the beach and area in general. Such concession opportunities would also help the economy of the Rockaway while creating much needed jobs. The Department of Cultural Affairs should be consulted about how they could assist with programming nearby;
- Commitments to local hiring for all construction and non-construction workers on this project must include a 30% goal for MWBE businesses and firms local area residents, and union labor. All workers should earn prevailing wages with benefits. The Rockaway Brewery Company is intended as the anchor of the new retail corridor must also meet these goals. Locally based community organizations must be consulted and involved with job notifications, hiring fairs and outreach. All hiring entities must provide regular quarterly reporting on hiring documenting attainment of community hiring goals;
- There must be deed restrictions and language in the disposition documents exactly specifying the exact allowable use of hotel site;
- Edgemere Avenue should be widened to accommodate existing traffic and any vehicular traffic that will be added by the large scale projects that are planned for the area. Maintaining safe free flow of traffic in this area is critical because the geography of the peninsula and the elevated track of the A Train severely impedes circulation in the area. The widened roadway should also provide protected bike lanes for cyclists. There is an estimate that \$45 million dollars will be required for the widening. Funds must be committed in the capital budget for this project;
- In 2016, the Department of Transportation engaged the community in the 'Access to Opportunity' working sessions to identify sustainable and environmentally sound goals and strategies that make travel more efficient and improve the quality of life in the Rockaways. Funding should be committed to implement the goals and strategies of that initiative;
- A school was included in the original Arverne Plan and the dire need for quality educational facilities has not changed. Along with new schools, the Department of Education should commit \$20 million funding for investment in upgrading the technology and equipment in the existing and any new schools;
- The closure of hospitals and health care facilities in the Rockaways has created a situation that often requires residents to leave the peninsula for primary and critical health care and services. With the new large scale developments occurring in the area there will be thousands of new residents and children. A new city Health and Hospitals Corporation facility should be sited in the area to reverse the disinvestment of health facilities in the area;
- In addition to the need for new health care and trauma facilities there is a great need for children's and senior care services and generally community programs for residents in the area. Community centers are needed immediately to service the existing and future residents of Arverne and Edgemere. There should be a minimum of 50,000 SF space allocated for a community center use in the project. Such space could be used for counseling and job preparedness training, a business incubator, performance space or arts and cultural programs;
- HPD has stated that there will be home ownership available for the market rate units. The importance of home ownership to provide households with a chance to invest in their futures while building capital is documented. There should also be home ownership opportunities for the affordable units which would be invaluable in allowing the owners to invest in their futures and build capital;
- All construction must be done using the most energy efficient, state-of-the-art sustainable materials and construction techniques to assure that the Arverne East development is environmentally responsible to help combat climate change. Some of these might include solar voltaic panels, geothermal heating and cooling, and charging stations for vehicles
- A community land trust should be created in this area that would provide opportunities for the local community to be more involved with identifying what is needed in their neighborhood. Local input would allow the public and private sectors a better understanding
- A Request For Expressions of Interest should be released inviting ideas for how to best utilize the former Edgemere Landfill located nearby. Possible uses of the site could be green infrastructure such as a solar farm or other innovative uses might be identified through this process;
- In the last decade or more there has been a steady growth of residential and business investment in the Rockaways. With more new large scale developments in the pipeline and a growing cultural and recreational community it is time for an assessment of this growth to identify what is needed to sustain and enhance this growth;

- There are also much needed transportation service improvements that must be made to provide Rockaway residents with reduced and better travel times. Express service on the A Train is needed to reduce commute times especially for those riding to the last stop on the line. Q52 bus service should be extended to Beach 32nd Street. The Rockaway Ferry service should be extended to Beach 54th Street. All of these together would give Rockaway commuters greater travel options and reduced travel time;
- A Community Advisory Board (CAB) with representatives from Community Board 14, local community and civic organizations, relevant government agencies and elected officials to meet with the development team on a quarterly basis for the duration of the project. These CAB meetings would provide an opportunity for all stakeholders to share information, get construction updates and general announcements or to address any issues that may arise.



PRESIDENT, BOROUGH OF QUEENS

December 23, 2020

DATE

Queens Borough President Recommendation

APPLICATION: ULURP #210070 ZMQ

COMMUNITY BOARD: Q14

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by an application submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 31a:

1. changing from a C4-4 District to an M1-4/R6 District property bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road; and
2. establishing a Special Mixed Use District (MX-21) bounded by a line 120 feet westerly of Beach 35th Street, a line perpendicular to the westerly street line of Beach 35th Street distant 370 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Ocean Front Road and the westerly street line of Beach 35th Street, Beach 35th Street, and Ocean Front Road;

Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated September 14, 2020. (Related ULURPs #210069 HNQ, #210071 ZRQ)

PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 17, 2020 at 10:30 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 four (4) speakers in favor and two (2) speakers against. The hearing was closed.

CONSIDERATION

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

- This application was for a zoning map amendment for a portion of an existing C4-4 District to the Mixed Use District MX-21 M1-4/R6 MX-21. The area to be rezoned is the northwest corner of the intersection of Beach 35th Street and Ocean Front Road. The MX-21 District would be mapped along a 370 feet portion of Beach 35th Street to a depth of 120 feet west of Beach 35th Street;
- There were two applications (ULURP #210069 HNQ and ULURP #210071 ZRQ) filed concurrently with this application. ULURP #210069 HNQ proposes an amendment to the Urban Development Action Area (UDAA) and the Urban Development Action Area Plan (UDAAP) and ULURP #210071 ZRQ is a zoning text amendment that creates Mixed Use District MX-21: M1-4/R6. These actions are to add the Nature Preserve to the UDAA and UDAAP. The zoning text amendment is to allow the proposed microbrewery that would not be allowed as-of-right in the existing C4-4 District;
- The entire site is 116.5 acres including the 35 acre Nature Preserve and 81.5 acre development area. The Nature Preserve includes environmentally sensitive areas including habitats of endangered species, most notably piping plovers, dune preserve areas and would also function as a natural storm surge barrier. The Nature Preserve would be operated and maintained by the NYC Department of Parks & Recreation (DPR);
- Arverne East is the part of the larger Arverne Urban Renewal Area created and adopted in 1968. Most of the land had been acquired by the City in the 1970s. The Arverne Development Plan has been amended and revised over the years in 1990 and 2003. The last revision in 2003 largely reflects the development plan under consideration now. The Urban Development Action Area Plan was amended in 2003 and 2008, however, the Nature Preserve was not included in those amendments;
- HPD and the selected development team are proposing to develop Arverne East with a mixed-use development that would include a total of 1650 housing units of which 1320 units would be affordable to formerly homeless, low, moderate and middle income households, and 330 market rate units. Arverne East would also have 300,000 SF of non-residential space including a 10-15,000 SF microbrewery, a 60,000 SF boutique hotel and 300,000 SF of community facility space;
- The proposed microbrewery is to be developed to anchor a new retail corridor on Beach 35th Street. It would be operated by Rockaway Brewery Company that started out in the Rockaways until the need for larger facilities lead them to Long Island City. The Rockaway Brewery Company has continued operating a taproom at Beach 72nd Street on the peninsula in addition to the Long Island City taproom. The proposed microbrewery on Beach 35th Street would return the brewing operation to the Rockaways and a new taproom that would be staffed with local community residents. The operators of Rockaway Brewery Company has committed to continue hosting community oriented arts and cultural gatherings/activities that were programmed at their Beach 72nd Street location. The Rockaway Brewery Company has also committed to continued participation in non-brewery related community building support programs;

- Community Board 14 (CB 14) conditionally disapproved this application by a vote of twenty-six (26) against with one (1) in favor and none (0) abstaining at a virtual public meeting held on November 22, 2020. CB 14 stated that while there were elements of the Arverne East proposal that were favorable, there was an overwhelming lists of needs that must be addressed first. The following is a summary of those conditions:
 1. widening Edgemere Avenue from Beach 62nd Street to Seagirt Boulevard to two (2) traveling lanes with turning lanes at access points to the Rockaway Freeway with traffic lights. A minimum of \$2 million for design in this fiscal year and \$45 million for construction should be funded in the next fiscal year capital budget;
 2. a site for a new elementary school must be identified and funded by the end of FY 2021. A trade school should be located onto one of the two previously identified school sites;
 3. a district wide traffic EIS should be conducted to consider the negative impacts of nearly 8,000 new residents and an estimated 4,000 additional cars on the CB 14 roadways. The peak period from July to August must be included in the data collection;
 4. in each phase of residential development there should be a 50% set aside of all units for CB 14 residents
 5. 30% of all commercial/retail spaces should be allocated for Arverne East area residents and businesses
 6. all north/south access roads between Edgemere Avenue to the Boardwalk should have safe street lighting. Solar powered lighting should be used for the walkways within the Nature Preserve to address security concerns
 7. 400% increase of parking provided for the Nature Preserve and 2-hour meters should be installed;
 8. increased City funding for additional seasonal Parks Department personnel to patrol and maintain the Nature Preserve;
 9. a minimum of 50% of all construction jobs for CB 14 residents. 25% of those jobs should be for residents of the 11691 and 11692 Zip Code areas;
 10. a minimum of 50% of non-construction jobs for CB 14 residents as each phase of the project is completed with 25% of jobs for residents of the 11691 and 11692 zip codes;
 11. CB 14 has a preference for home ownership instead of rentals, home ownership for all levels of should be increased to 80% of all phases of the project;
 12. the City and development team should increase parking in the commercial areas to at least 200 customer/visitor parking spaces
 13. a Community Advisory Board (CAB) should be created consisting of Community Board members, and a representative from each of the surrounding neighborhoods/civic groups. The CAB should meet in the first quarter of 2021 to formulate and agree on a Community Benefits Agreement (CBA) which will address but not limited to job training, employment opportunities and college scholarships. The CBA should be signed before groundbreaking for the Nature Preserve;
 14. The City and development team should design, fund and construct active recreation within or directly adjacent to the Nature Preserve that would include a children's park with water features, picnic tables/benches, barbeque area, and or active sports such as tennis, basketball, skate park and a dog run;
 15. The Nature Preserve should be increased from 500 SF to 2,500 SF;
 16. A bridge, ramp or a pathway through the plover area between Beach 43rd to 48th Streets to giving the community access to the ocean/water from April to October should be constructed by the City and the developer;
 17. There should be a legal restriction placed in the terms of disposition and on the deed prohibiting use of the proposed hotel by lease or sale to New York City or any not for/non-profit organization for any use at any time;
 18. L & M should agree in writing to maintain all of the properties owned or managed within the Edgemere/Arverne communities including Beach Green dunes I and II and properties within the Arverne East site.

- In a meeting subsequent to the December 17, 2020 Land Use Public Hearing, there was a discussion of the questions raised by the Borough President during the public hearing. HPD and the development team responded to the questions in letters on December 23, 2020. In summary the letters address the following concerns raised by the Borough President. HPD identified the affordability levels of the first approximately 500 units of housing in the first two residential buildings 221 units up to 50% AMI, 102 units between 50% to 80% AMI and 197 units between 80% to 100% AMI. Over approximately 10 acres of open space in the project have not yet been programmed. The developers are committed to working with the community on programming active and passive uses for that space. DPR is continuing to work on programming undeveloped land near the Boardwalk between Beach 26th to Beach 28th Streets. DPR is committed to increasing the numbers of lifeguards and staffing for the Arverne/Edgemere portions of the beach for 2021 season. DPR will continue to monitor the piping plover nesting areas and impacts on beach access and will continue contact with the U.S. Fish and Wildlife Service to provide much access as possible. HPD has committed to continuing to seek out funding to widen Edgemere Avenue between Beach 38th to Beach 62nd Streets that will be designed with \$2 million that has been allocated. The School Construction Authority is committed to provide schools on a site within the Arverne/Edgemere community or a Department of Education site on Beach 39th Street based on capacity need projections. HPD is working on identifying opportunities to locate health care facilities in the area including City financed facilities for the project area. The development team's letter committed to 20% to 30% community hiring goals during construction and working with SEIU 32BJ to provide 50% of building service jobs to local residents. Within the proposed 22,000 SF of community facility space the developers identified a location on Edgemere Avenue between Beach 34th and Beach 35th Streets for a standalone community center. They would engage the community in visioning sessions to determine the programming for the building. With regard to the proposed hotel that has not been designed or have an operator the development team has committed to use of the site only for a hotel. Finally, the development team committed to continued quarterly engagement with the community to discuss the project with the first meeting scheduled for February 24, 2021. Outreach for the meetings will include input from Community Board 14 and community based organizations.

RECOMMENDATION

Based on the above consideration I hereby recommend approval with the following conditions:

- Community participatory visioning sessions for the Nature Preserve should be convened as early as possible in January 2021 to begin providing more detailed information about the proposed operation and maintenance programs, and to receive input from the most affected neighboring communities about their recreational, access and security needs. The input and feedback received during these sessions should be featured in the final designs and build out of the Nature Preserve;
- A detailed plan for improved access to the beach from Beach 32nd to Beach 59th Streets must be provided. An increase of DPR staffing and lifeguards for the underserved east end of Rockaway Beach must be provided for the 2021 swimming season and beyond. To help increase the numbers of lifeguards available for assignment to the beach there should DPR coordinated recruitment and local lifeguard training programs available to Rockaway residents;
- New park space within the Arverne/Edgemere community must be identified designed, built and opened to provide formal spaces to provide much needed new passive and active recreational opportunities for the community;
- New concession opportunities on the boardwalk must be created with a focus on local providers of food and beverages, clothing, accessories or other goods that reflect the culture of Rockaway. These businesses are necessary to attract and cater to the growing number of visitors to the beach and area in general. Such concession opportunities would also help the economy of the Rockaway while creating much needed jobs. The Department of Cultural Affairs should be consulted about how they could assist with programming nearby;
- Commitments to local hiring for all construction and non-construction workers on this project must include a 30% goal for MWBE businesses and firms local area residents, and union labor. All workers should earn prevailing wages with benefits. The Rockaway Brewery Company is intended as the anchor of the new retail corridor must also meet these goals. Locally based community organizations must be consulted and involved with job notifications, hiring fairs and outreach. All hiring entities must provide regular quarterly reporting on hiring documenting attainment of community hiring goals;
- There must be deed restrictions and language in the disposition documents exactly specifying the exact allowable use of hotel site;
- Edgemere Avenue should be widened to accommodate existing traffic and any vehicular traffic that will be added by the large scale projects that are planned for the area. Maintaining safe free flow of traffic in this area is critical because the geography of the peninsula and the elevated track of the A Train severely impedes circulation in the area. The widened roadway should also provide protected bike lanes for cyclists. There is an estimate that \$45 million dollars will be required for the widening. Funds must be committed in the capital budget for this project;
- In 2016, the Department of Transportation engaged the community in the '*Access to Opportunity*' working sessions to identify sustainable and environmentally sound goals and strategies that make travel more efficient and improve the quality of life in the Rockaways. Funding should be committed to implement the goals and strategies of that initiative;
- A school was included in the original Arverne Plan and the dire need for quality educational facilities has not changed. Along with new schools, the Department of Education should commit \$20 million funding for investment in upgrading the technology and equipment in the existing and any new schools;
- The closure of hospitals and health care facilities in the Rockaways has created a situation that often requires residents to leave the peninsula for primary and critical health care and services. With the new large scale developments occurring in the area there will be thousands of new residents and children. A new city Health and Hospitals Corporation facility should be sited in the area to reverse the disinvestment of health facilities in the area;
- In addition to the need for new health care and trauma facilities there is a great need for children's and senior care services and generally community programs for residents in the area. Community centers are needed immediately to service the existing and future residents of Arverne and Edgemere. There should be a minimum of 50,000 SF space allocated for a community center use in the project. Such space could be used for counseling and job preparedness training, a business incubator, performance space or arts and cultural programs;
- HPD has stated that there will home ownership available for the market rate units. The importance of home ownership to provide households with a chance to invest in their futures while building capital is documented. There should also be home ownership opportunities for the affordable units which would be invaluable in allowing the owners to invest in their futures and build capital;
- All construction must be done using the most energy efficient, state-of the art sustainable materials and construction techniques to assure that the Arverne East development is environmentally responsible to help combat climate change. Some of these might include solar voltaic panels, geothermal heating and cooling, and charging stations for vehicles

- A community land trust should be created in this area that would provide opportunities for the local community to be more involved with identifying what is needed in their neighborhood. Local input would allow the public and private sectors a better understanding
- A Request For Expressions of Interest should be released inviting ideas for how to best utilize the former Edgemere Landfill located nearby. Possible uses of the site could be green infrastructure such as a solar farm or other innovative uses might be identified through this process;
- In the last decade or more there has been a steady growth of residential and business investment in the Rockaways. With more new large scale developments in the pipeline and a growing cultural and recreational community it is time for an assessment of this growth to identify what is needed to sustain and enhance this growth;
- There are also much needed transportation service improvements that must be made to provide Rockaway residents with reduced and better travel times. Express service on the A Train is needed to reduce commute times especially for those riding to the last stop on the line. Q52 bus service should be extended to Beach 32nd Street. The Rockaway Ferry service should be extended to Beach 54th Street. All of these together would give Rockaway commuters greater travel options and reduced travel time;
- A Community Advisory Board (CAB) with representatives from Community Board 14, local community and civic organizations, relevant government agencies and elected officials to meet with the development team on a quarterly basis for the duration of the project. These CAB meetings would provide an opportunity for all stakeholders to share information, get construction updates and general announcements or to address any issues that may arise.



PRESIDENT, BOROUGH OF QUEENS

December 23, 2020

DATE

Queens Borough President Recommendation

APPLICATION: ULURP #210069 HNQ

COMMUNITY BOARD: Q14

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (“HPD”) for the designation of an Urban Development Action Area (“UDAA”) and approval of an Urban Development Action Area Project (“UDAAP”) to facilitate the development of a new mixed-use development with approximately 1,650 dwelling units, non-residential space, open space, parking (“Proposed Development”) and a 35-acre nature preserve (“Nature Preserve”) (collectively, “Proposed Project”) within the Arverne Urban Renewal Area (“URA”) in the Arverne neighborhood of Queens Community District 14. The Proposed Project will be bounded by Rockaway Freeway to the north, Rockaway Beach and Boardwalk to the south, Beach 32nd Street to the east, and Beach 56th Place to the west. It is comprised of a majority of the Central and Eastern Portions of the URA and will be located on Block 15859, Lot 1; Block 15860, Lot 1; Block 15861, Lots 1, 47; Block 15862, Lot 1; Block 15863, Lot 1; Block 15864, Lot 1; Block 15865, Lot 1; Block 15866, Lot 1; Block 15867, Lot 1; Block 15868, Lot 1; Block 15869, Lot 1; Block 15870, Lots 60, 71; Block 15871, Lot 1; Block 15873, Lot 1; Block 15874, Lots 8, 41; Block 15875, Lot 1; Block 15876, Lot 1; Block 15947, Lot 1; and Block 15948, Lot1) and the majority of the Central Portion of the URA (Block 15877, Lot 1; Block 15878, Lot 1; Block 15879, Lot 1; Block 15880, Lot 1; Block 15881, Lot 1; Block 15882, Lot 1; Block 15883, Lot 1; Block 15884, Lot 1; Block 15885, Lot 1; Block 15886, Lot 1; Block 15887, Lot 1; Block 15888, Lot 1; Block 15919, Lot 1; Block 15921, Lots 1, 112; Block 15922, Lots 1, 101; and Block 15923, Lot 1 (“Project Area”). The Project Area does not include the Western Portion of the URA.

(Related ULURPs #210070 ZMQ, #210071 ZRQ).

PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 17, 2020 at 10:30 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 four (4) speakers in favor and two (2) speakers against. The hearing was closed.

CONSIDERATION

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

- This application was filed to designate an Urban Action Area and for approval of an Urban Action Area Plan to accommodate the reconfigured project and to include the proposed Nature Preserve;
- Two applications, (ULURP #210070 ZMQ and #210071 ZRQ) were also filed concurrently with this application. ULURP #210070 ZMQ proposes rezoning the existing C4-4 District to an Mixed Use District MX-21: M1-4/R6 and ULURP #210071 ZRQ proposes a zoning text amendment creating the MX-21 District. The proposed zoning change would map a mixed use manufacturing district to allow the proposed microbrewery that is part of the Arverne East development plan. Microbreweries are an industrial use not allowed as-of-right in the existing C4-4 District;
- The entire site is 116.5 acres including the 35 acre Nature Preserve and 81.5 acre development area. The Nature Preserve includes environmentally sensitive areas including habitats of endangered species, most notably piping plovers, dune preserve areas and would also function as a natural storm surge barrier. The Nature Preserve would be operated and maintained by the NYC Department of Parks & Recreation;
- Arverne East is the part of the larger Arverne Urban Renewal Area created and adopted in 1968. Most of the land had been acquired by the City in the 1970s. The Arverne Development Plan has been amended and revised over the years in 1990 and 2003. The last revision in 2003 largely reflects the development plan under consideration now. The Urban Development Action Area Plan was amended in 2003 and 2008, however, the Nature Preserve was not included in those amendments;
- HPD and the selected development team are proposing to develop Arverne East with a mixed-use development that would include a total of 1650 housing units of which 1320 units would be affordable to formerly homeless, low, moderate and middle income households, and 330 market rate units. Arverne East would also have 300,000 SF of non-residential space including a 10-15,000 SF microbrewery, a 60,000 SF boutique hotel and 300,000 SF of community facility space;
- The proposed microbrewery is to be developed to anchor a new retail corridor on Beach 35th Street. It would be operated by Rockaway Brewery Company that started out in the Rockaways until the need for larger facilities led them to Long Island City. The Rockaway Brewery Company has continued operating a taproom at Beach 72nd Street on the peninsula in addition to the Long Island City taproom. The proposed microbrewery on Beach 35th Street would return the brewing operation to the Rockaways and a new taproom that would be staffed with local community residents. The operators of Rockaway Brewery Company has committed to continue hosting community oriented arts and cultural gatherings/activities that

were programmed at their Beach 72nd Street location. The Rockaway Brewery Company has also committed to continued participation in non-brewery related community building support programs;

- Community Board 14 (CB 14) conditionally disapproved this application by a vote of twenty-six (26) against with one (1) in favor and none (0) abstaining at a virtual public meeting held on November 22, 2020. CB 14 stated that while there were elements of the Arverne East proposal that were favorable, there was an overwhelming lists of needs that must be addressed first. The following is a summary of those conditions:
 1. widening Edgemere Avenue from Beach 62nd Street to Seagirt Boulevard to two (2) traveling lanes with turning lanes at access points to the Rockaway Freeway with traffic lights. A minimum of \$2 million for design in this fiscal year and \$45 million should be funded in the next capital budget;
 2. a site for a new elementary school must be identified and funded by the end of FY 2021. A trade school should be located onto one of the two previously identified school sites;
 3. a district wide traffic EIS should be conducted to consider the negative impacts of nearly 8,000 new residents and an estimated 4,000 additional cars on the CB 14 roadways. The peak period from July to August must be included in the data collection;
 4. in each phase of residential development there should be a 50% set aside of all units for CB 14 residents
 5. 30% of commercial/retail spaces should be allocated for Arverne East area residents and businesses
 6. 100% increase of parking provided for the Nature Preserve and the parking should preclude any commuter or overnight parking on the lot;
 7. increased City funding for additional seasonal Parks Department personnel to patrol and maintain the Nature Preserve;
 8. a minimum of 50% of all construction jobs for CB 14 residents. 25% of those jobs for residents of the 11691 and 11692 Zip Code areas;
 9. a minimum of 50% of non-construction jobs for CB 14 residents as each phase of the project is completed;
 10. CB 14 has a preference for home ownership instead of rentals, home ownership for all levels of should be increased to 80% for all phases of development;
 11. The city and development team should increase parking in the commercial areas to at least 200 parking spaces
 12. A Community Advisory Board (CAB) should be created consisting of Community Board members, and a representative from each of the surrounding neighborhoods/civic groups. The CAB should meet in the first quarter of 2021 to formulate and agree on a Community Benefits Agreement (CBA) which will address job training, employment opportunities and college scholarships and other issues. The CBA should be signed before groundbreaking;
 13. The City and development team should design, fund and construct active recreation within or directly near the Nature preserve. Design features should include a children's park with water features, tables, benches, barbeques, and or active sports such as tennis, basketball or a skate park;
 14. All north/south access roads between Edgemere Avenue to the Boardwalk should have safe street lighting. Solar powered lighting should be used for the walkways within the Nature Preserve to address security concerns;
 15. A bridge, ramp or a pathway through the plover area between Beach 43rd to 48th Streets to giving the community access to the ocean/water from April to October should be provided by the City and the developer;
 16. There should be a legal restriction placed in the terms of disposition and on the deed prohibiting use of the proposed hotel by lease or sale to New York City or any not for/non-profit organization for any use at any time;
 17. The commercial area of Arverne East should occupied by a supermarket, drug store, fresh produce market, bank, restaurants or other similar businesses;
 18. L & M should agree in writing to maintain all of the properties owned or managed within the Edgemere/Arverne communities including Beach Green dunes I and II and properties within the Arverne East site.
- In a meeting subsequent to the December 17, 2020 Land Use Public Hearing, there was a discussion of the questions raised by the Borough President during the public hearing. HPD and the development team responded to the questions letters on December 23, 2020. In summary the letter address the following concerns raised by the Borough President. HPD identified the affordability levels of the first approximately 500 units of housing in the first two residential buildings 221 units up to 50% AMI, 102 units between 50% to 80% AMI and 197 units between 80% to 100% AMI. Over approximately 10 acres of open space in the project have not yet been programmed. The developers are committed to working with the community on programming active and passive uses for that space. DPR is continuing to work on programming undeveloped land near the Boardwalk between Beach 26th to Beach 28th Streets. DPR is committed to increasing the numbers of lifeguards and staffing for the Arverne/Edgemere portions of the beach for 2021 season. DPR will continue to monitor the piping plover nesting areas and impacts on beach access and will continue contact with the U.S. Fish and Wildlife Service to provide much access as possible. HPD has committed to continuing to seek out funding to widen Edgemere Avenue between Beach 38th to Beach 62nd Streets that will be designed with \$2 million that has been allocated. The School Construction Authority is committed to provide schools on a site within the Arverne/Edgemere community or a Department of Education site on Beach 39th Street based on capacity need projections. HPD is working on identifying opportunities to locate health care facilities in the area including City financed facilities for the project area. The development team's letter committed to 20% to 30% community hiring goals during construction and working with SEIU 32BJ to provide 50% of building service jobs to local residents. Within the proposed 22,000 SF of community facility space the developers identified a location on Edgemere Avenue between Beach 34th and Beach 35th Streets for a standalone community center. They would engage the community in visioning sessions to determine the programming for the building. With regard to the proposed hotel that has not been designed or have an operator the development team has committed to use of the site only for a hotel. Finally, the development team committed to continued quarterly engagement with the community to discuss the project with the first meeting scheduled for February 24, 2021. Outreach for the meetings will include input from Community Board 14 and community based organizations.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application with the following conditions:

- Community participatory visioning sessions for the Nature Preserve should be convened as early as possible in January 2021 to begin providing more detailed information about the proposed operation and maintenance programs, and to receive input from the most affected neighboring communities about their recreational, access and security needs. The input and feedback received during these sessions should be featured in the final designs and build out of the Nature Preserve;
- A detailed plan for improved access to the beach from Beach 32nd to Beach 59th Streets must be provided. An increase of DPR staffing and lifeguards for the underserved east end of Rockaway Beach must be provided for the 2021 swimming season and beyond. To help increase the numbers of lifeguards available for assignment to the beach there should be DPR coordinated recruitment and local lifeguard training programs available to Rockaway residents;
- New park space within the Arverne/Edgemere community must be identified, designed, built and opened to provide formal spaces to provide much needed new passive and active recreational opportunities for the community;
- New concession opportunities on the boardwalk must be created with a focus on local providers of food and beverages, clothing, accessories or other goods that reflect the culture of Rockaway. These businesses are necessary to attract and cater to the growing number of visitors to the beach and area in general. Such concession opportunities would also help the economy of the Rockaway while creating much needed jobs. The Department of Cultural Affairs should be consulted about how they could assist with programming nearby;
- Commitments to local hiring for all construction and non-construction workers on this project must include a 30% goal for MWBE businesses and firms local area residents, and union labor. All workers should earn prevailing wages with benefits. The Rockaway Brewery Company is intended as the anchor of the new retail corridor must also meet these goals. Locally based community organizations must be consulted and involved with job notifications, hiring fairs and outreach. All hiring entities must provide regular quarterly reporting on hiring documenting attainment of community hiring goals;
- There must be deed restrictions and language in the disposition documents exactly specifying the exact allowable use of hotel site;
- Edgemere Avenue should be widened to accommodate existing traffic and any vehicular traffic that will be added by the large scale projects that are planned for the area. Maintaining safe free flow of traffic in this area is critical because the geography of the peninsula and the elevated track of the A Train severely impedes circulation in the area. The widened roadway should also provide protected bike lanes for cyclists. There is an estimate that \$45 million dollars will be required for the widening. Funds must be committed in the capital budget for this project;
- In 2016, the Department of Transportation engaged the community in the '*Access to Opportunity*' working sessions to identify sustainable and environmentally sound goals and strategies that would make travel more efficient and improve the quality of life in the Rockaways. Funding should be committed to implement the goals and strategies of that initiative;
- A school was included in the original Arverne Plan and the dire need for quality educational facilities has not changed. Along with new schools, the Department of Education should commit \$20 million funding for investment in upgrading the technology and equipment in the existing and any new schools;
- The closure of hospitals and health care facilities in the Rockaways has created a situation that often requires residents to leave the peninsula for primary and critical health care and services. With the new large scale developments occurring in the area there will be thousands of new residents and children. A new city Health and Hospitals Corporation facility should be sited in the area to reverse the disinvestment of health facilities in the area;
- In addition to the need for new health care and trauma facilities there is a great need for children's and senior care services and generally community programs for residents in the area. Community centers are needed immediately to service the existing and future residents of Arverne and Edgemere. There should be a minimum of 50,000 SF space allocated for a community center use in the project. Such space could be used for counseling and job preparedness training, a business incubator, performance space or arts and cultural programs;
- HPD has stated that there will be home ownership available for the market rate units. The importance of home ownership to provide households with a chance to invest in their futures while building capital is documented. There should also be home ownership opportunities for the affordable units which would be invaluable in allowing the owners to invest in their futures and build capital;
- All construction must be done using the most energy efficient, state-of the art sustainable materials and construction techniques to assure that the Arverne East development is environmentally responsible to help combat climate change. Some of these might include solar voltaic panels, geothermal heating and cooling, and charging stations for vehicles

- A community land trust should be created in this area that would provide opportunities for the local community to be more involved with identifying what is needed in their neighborhood. Local input would allow the public and private sectors a better understanding
- A Request For Expressions of Interest should be released inviting ideas for how to best utilize the former Edgemere Landfill located nearby. Possible uses of the site could be green infrastructure such as a solar farm or other innovative uses might be identified through this process;
- In the last decade or more there has been a steady growth of residential and business investment in the Rockaways. With more new large scale developments in the pipeline and a growing cultural and recreational community it is time for an assessment of this growth to identify what is needed to sustain and enhance this growth;
- There are also much needed transportation service improvements that must be made to provide Rockaway residents with reduced and better travel times. Express service on the A Train is needed to reduce commute times especially for those riding to the last stop on the line. Q52 bus service should be extended to Beach 32nd Street. The Rockaway Ferry service should be extended to Beach 54th Street. All of these together would give Rockaway commuters greater travel options and reduced travel time;
- A Community Advisory Board (CAB) with representatives from Community Board 14, local community and civic organizations, relevant government agencies and elected officials to meet with the development team on a quarterly basis for the duration of the project. These CAB meetings would provide an opportunity for all stakeholders to share information, get construction updates and general announcements or to address any issues that may arise.



PRESIDENT, BOROUGH OF QUEENS

December 23, 2020

DATE