



IN THE MATTER OF an application submitted by the by the Department of Housing Preservation and Development (HPD) pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York to amend Article XII, Chapter 3 (Special Mixed Use District) to establish Special Mixed Use District 21.

This application (N 210071 ZRQ) for a zoning text amendment was filed by the New York City Department of Housing Preservation and Development (HPD) on August 11, 2020. The proposed zoning text amendment, in conjunction with the related actions (C 210070 ZMQ 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 text amendment (N 210071 ZRQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications:

- | | |
|---------------------|---|
| C 210070 ZMQ | Zoning map amendment from C4-4 to a Special Mixed Use District (MX-21:M1-4/R6) |
| N 210069 HNQ | Designation of an Urban Development Action Area and Urban Development Action Area Project |

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 210070 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 210071 ZRQ) 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 the Department of Housing Preservation and Development. The designated CEQR number is 20HPD081Q.

A summary of the environmental review appears in the report for the related zoning map amendment (C 210070 ZMQ).

WATERFRONT REVITALIZATION PROGRAM

This application (N 210071 ZRQ) 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 (N 210071 ZRQ), along with the related application for a UDAA and UDAAP (N 210069 HNQ), was duly referred to Queens Community Board 14 and the Queens Borough President on September 14, 2020, in accordance with the procedures for non-ULURP matters, as well as the related application for a zoning map amendment (C 210070 ZMQ), which was certified as complete by the Department of city Planning in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Queens Community Board 14 held a public hearing on this application (N 210071 ZRQ) and the related actions for a zoning map amendment (C 210070 ZMQ) 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 conditions. A summary of the vote and recommendation appears in the report for the related zoning map amendment (C 210070 ZMQ).

Borough President Recommendation

The Queens Borough President held a public hearing on the application (N 210071 ZRQ) and the related actions for a zoning map amendment (C 210070 ZMQ) and UDAA and UDAAP (N 210069 HNQ) on December 17, 2020 and on December 23, 2020 issued a recommendation to approve the application with conditions. A summary of the vote and recommendation appears in the report for the related zoning map amendment (C 210070 ZMQ).

City Planning Commission Public Hearing

On December 16, 2020 (Calendar No. 9), the Commission scheduled January 6, 2021 for a public hearing on this application (N 210071 ZRQ) and the related actions for a zoning map amendment (C 210070 ZMQ) and UDAA and UDAAP (N 210069 HNQ). The hearing was duly held on January 6, 2021 (Calendar No. 30). There were 43 speakers in favor of the application and five in opposition. A summary of the public hearing appears in the report for the related zoning map amendment (C 210070 ZMQ).

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 210071 ZRQ), in conjunction with the related application for a zoning map amendment and UDAAP, is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related zoning map amendment action (C 210070 ZMQ).

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 Section 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 as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within ## is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

Article XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

123-00

GENERAL PURPOSES

The "Special Mixed Use District" regulations established in this Chapter of the Resolution are designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to encourage investment in mixed residential and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner ensuring the health and safety of people using the area;
- (b) to promote the opportunity for workers to live in the vicinity of their work;
- (c) to create new opportunities for mixed use neighborhoods;
- (d) to recognize and enhance the vitality and character of existing and potential mixed use neighborhoods;
- (e) and to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings and thereby protect City tax revenues.

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123-90

SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 18: (10/17/19)

Mott Haven, The Bronx

The #Special Mixed Use District# - 18 is established in Mott Haven in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 20: (5/8/19)

Crown Heights West, Brooklyn

The #Special Mixed Use District# - 20 is established in Crown Heights West in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 21: [date of adoption]

Arverne, Queens

The #Special Mixed Use District# - 21 is established in Arverne in Queens as indicated on the #zoning maps#.

The above resolution (N 210071 ZRQ), duly adopted by the City Planning Commission on February 17, 2021 (Calendar No. 14) 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*