**THE COUNCIL OF THE CITY OF NEW YORK**

**RESOLUTION NO. 272**

**..Title**

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 220232 ZMQ, a Zoning Map amendment (L.U. No. 67).**

**..Body**

**By Council Members Salamanca and Louis**

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Sections 197‑c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a, by eliminating from within an existing R4 District a C1-2 District; eliminating from within an existing R4 District, a C2-2 District; eliminating from within an existing R5 District a C1-2; changing from an R4 District to an R3A District; changing from an R4-1 District to an R3A District; changing from an R4 District to an R4-1 District; changing from an R4 District to an R6A District; changing from an R5 District to an R6A District; changing from a C8-1 District to an R6A District; changing from a C3 District to an C3A District; establishing within an existing R4 District a C2-4 District; establishing within a proposed R6A District a C2-4 District; and establishing a Special Coastal Risk District (CR), which in conjunction with the related actions would facilitate a long-term land-use, development, and neighborhood strategy responding to the area’s flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District 14 (ULURP No. C 220232 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 20, 2022 its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 220233 ZRQ (L.U. No. 68), a zoning text amendment to establish an MIH Area and Special Coastal Risk District (CR-5); C 220235 PPQ (L.U. No. 69), a disposition of city-owned property; C 220236 HAQ (L.U. No. 70), an Urban Development Action Area (UDAA) designation, project approval (UDAAP) and disposition of city-owned property; and C 220237 HUQ (L.U. No. 71), an amendment to the Edgemere Urban Renewal Plan (URP);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197‑d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 7, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued December 18th, 2020 (CEQR No. 21HPD009Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 29, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-655) on the project site. The original application as analyzed in the FEIS identified significant adverse impacts related to community facilities (early childhood programs), open space (active recreation), transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations, and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 19, “Mitigation” and Chapter 20, “Alternatives” of the FEIS. The Council has also considered the Technical Memorandum dated [\_\_\_\_\_\_\_\_\_\_].

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220232 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter double struck out is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council

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 Nos. 30c and 31a:

1. eliminating from within an existing R4 District a C1-2 District bounded by:

a. a line 100 feet northerly of Beach Channel Drive, Beach 43rd Street, a line 100 feet southerly of Beach Channel Drive, and Beach 44th Street; and

b. a line 150 feet northerly of Beach Channel Drive, Beach 37th Street, Beach Channel Drive, and Beach 38th Street;

2. eliminating from within an existing R4 District, a C2-2 District bounded by Beach Channel Drive, Beach 39th Street, a line 150 feet southerly of Beach Channel Drive, and Beach 40th Street;

3 eliminating from within an existing R5 District a C1-2 bounded by Beach Channel Drive, Beach 49th Street, a line 275 feet northerly of Rockaway Beach Boulevard, and Beach 50th Street;

4.3. changing from an R4 District to an R3A District property bounded by Norton Avenue, the centerline of former Norton Avenue, a line 100 feet easterly of Beach 43rd Street, a line 335 feet northerly of Beach Channel Drive, a line 125 feet westerly of Beach 43rd Street, Edgemere Drive, Beach 44th Street, a line 180 feet southerly of Norton Avenue, and Beach 45th Street, Norton Avenue, , the northeasterly prolongation of a line 40 feet southeasterly of the northwestern streetline of Norton Avenue, and Beach 45th Street;

5.4. changing from an R4-1 District to an R3A District property bounded by the U.S. Pierhead and Bulkhead Line, the U.S Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, Norton Avenue, Beach 45th Street, a line 40 feet southeasterly of the northwesterly street line of Norton Avenue and its northeasterly prolongation, and the northerly centerline prolongation of Beach 47th Street;

6.5. changing from an R4 District to an R4-1 District property bounded by a line 40 feet southeasterly of the northwesterly street line of Norton Avenue, Norton Avenue, Beach 45th Street, a line 180 feet southerly of Norton Avenue, Beach 44th Street, Edgemere Drive, a line 125 feet westerly of Beach 43rd Street, a line 335 feet northerly of Beach Channel Drive, a line 100 feet easterly of Beach 43rd Street, a line 120 feet northerly of Beach Channel Drive, and Beach 49th Street;

7.6. changing from an R4 District to an R6A District property bounded by Rockaway Beach Boulevard, Beach 38th Street, a line 85 feet northerly of Shorefront Parkway, and the centerline of former Beach 43rd Street;

8. changing from an R5 District to an R6A District property bounded by Beach Channel Drive, Beach 49th Street, a line 275 Feet northerly of Rockaway Beach Boulevard and Beach 50th Street;

9. changing from a C8-1 District to an R6A District property bounded by a line 275 Feet northerly of Rockaway Beach Boulevard, Beach 49th Street, Rockaway Beach Boulevard, and Beach 50th Street;

10.7. changing from a C3 District to an C3A District property bounded by the southerly, southeasterly and easterly boundary line of a Park, the U.S. Pierhead and Bulkhead Line, the northerly centerline prolongation of Beach 47th Street, a line 40 feet southeasterly of the northwesterly street line of Norton Avenue, and the southeasterly prolongation of the centerline of former Almeda Avenue;

11.8. establishing within an existing R4 District a C2-4 District bounded by a line 100 feet northerly of Beach Channel Drive, Beach 43rd Street, a line 100 feet southerly of Beach Channel Drive, and Beach 44th Street;

12.9. establishing within a proposed R6A District a C2-4 District bounded by:

a. Beach Channel Drive, Beach 49th Street Rockaway Beach Boulevard, Beach 50th Street; and

b. Rockaway Beach Boulevard, Beach 38th Street, a line 85 northerly of Shore Front Parkway, and the centerline of former Beach 43rd Street;

13.10. establishing a Special Coastal Risk District (CR) bounded by the U.S. Pierhead and Bulkhead Line, the U.S Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, a line 100 feet easterly of Beach 43rd Street, a line 120 feet northerly of Beach Channel Drive, Beach 49th Street, the southeasterly prolongation of the centerline of former Alameda Avenue, and the southerly, southeasterly and easterly boundary line of a Park;

Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

Adopted.

Office of the City Clerk, }

The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022, on file in this office.

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City Clerk, Clerk of The Council