



Legislation Details (With Text)

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**In control:** Committee on Land Use

**On agenda:** 11/14/2019

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**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 190325 ZMQ, a Zoning Map amendment (L.U. No. 550).

**Sponsors:** Rafael Salamanca, Jr., Francisco P. Moya

**Indexes:**

**Attachments:** 1. Resolution, 2. September 25, 2019 - Stated Meeting Agenda with Links to Files, 3. Land Use Calendar - September 30, 2019 and October 4, 2019, 4. Hearing Transcript - Stated Meeting 9-25-19, 5. Hearing Testimony - Zoning 10-3-19, 6. Hearing Transcript - Zoning 10-3-19, 7. Land Use Calendar - Week of November 4, 2019 - November 8, 2019, 8. Land Use Calendar - November 12, 2019, 9. REVISED - Land Use Calendar - November 12, 2019, 10. Hearing Transcript - Zoning 11-4-19, 11. Hearing Transcript - Land Use 11-12-19, 12. November 14, 2019 - Stated Meeting Agenda with Links to Files, 13. Hearing Transcript - Stated Meeting 11-14-19, 14. Minutes of the Stated Meeting - November 14, 2019, 15. City Planning Commission Approval Letter, 16. Committee Report

Date	Ver.	Action By	Action	Result
11/12/2019	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
11/14/2019	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1165**

**Resolution approving the decision of the City Planning Commission on ULURP No. C 190325 ZMQ, a Zoning Map amendment (L.U. No. 550).**

**By Council Members Salamanca and Moya**

WHEREAS, Peninsula Rockaway Limited Partnership, filed an application pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 30c, eliminating from within an existing R5 District a C1-2 District, changing from an R5 District to a C4-4 District, and changing from a C8-1 District to a C4-3A District, which in conjunction with the related actions would facilitate a new mixed-use development with affordable housing, commercial, and community facility uses within a large-scale general development (LSGD), on property generally bounded by Beach 50<sup>th</sup> Street, Beach Channel Drive, Beach 53<sup>rd</sup> Street, and Rockaway Beach Boulevard (Block 15843, Lot 1, Block 15842, Lot 1 and p/o Lot 100, and Block 15857, Lot 1 and p/o Lot 7) in the Edgemere neighborhood of Queens, Community District 14 (ULURP No. C 190325 ZMQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 26, 2019, its decision dated September 25, 2019 (the “Decision”), on the application;

WHEREAS, the Application is related to applications N 190364 ZRQ (L.U. No. 551), a zoning text

amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) Area, as well as allow Physical Cultural Establishment (PCE) as-of-right within the LSGD; C 190366 ZSQ (L.U. No. 552), a special permit to provide relief from regulations governing yard requirements, street wall location, maximum base height, maximum building height and number of stories; C 190375 ZSQ (L.U. No. 553), a special permit to modify surface area requirements for signage; and C 190251 MMQ (L.U. No. 554), a city map amendment to re-establish a portion of former Beach 52<sup>nd</sup> Street to connect from Rockaway Beach Boulevard to Shore Front Parkway;

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 October 3, 2019;

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 on March 16, 2018 (CEQR No. 18DCP124Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on September 13, 2019 which identified significant adverse impacts with respect to community facilities (public schools and childcare), active open space, transportation (traffic, transit bus and pedestrians), mobile air quality, and construction activities related to noise and traffic and potential significant adverse impacts related to hazardous materials, stationary air quality and noise would be avoided through the placement of (E) designations (E-532) on the project site . In addition, the FEIS analyzed the revised application called the Flexibility Alternative as an alternative to the original application, and concluded that the modified application would result in the same or similar impacts as the original application and the identified significant adverse impacts and proposed mitigation measures are included in the Restrictive Declaration attached as Exhibit A to the decision for C 190366 ZSQ .

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, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 190366 ZSQ, those project components related to environment and 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 201 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 190325 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 30c:

1. eliminating from within an existing R5 district a C1-2 district bounded by a line 420 feet southerly of Beach Channel Drive, Beach 50th Street, Rockaway Beach Boulevard, and the easterly street line of former Beach 51st Street;
2. changing from an R5 district to a C4-4 district property bounded by Beach Channel Drive, the westerly street line of former Beach 51st Street, a line 420 feet southerly of Beach Channel Drive, Beach 50th Street, Rockaway Beach Boulevard, and Beach 53rd Street; and
3. changing from a C8-1 district to a C4-3A district property bounded by Rockaway Beach Boulevard, a line 100 feet easterly of Beach 52nd Street, a line 85 feet northerly of Shore Front Parkway, and Beach 52nd Street;

as shown on a diagram (for illustrative purposes only) dated May 6, 2019, and subject to the conditions of CEQR Declaration E-532, Borough of Queens, Community District 14.

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 November 14, 2019, on file in this office.

City Clerk, Clerk of The Council