



Legislation Details (With Text)

**File #:** Res 1585-2021      **Version:** \*      **Name:** LU 738 - Zoning, Arverne East, Queens (N 210069 HNQ)  
**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Land Use

**On agenda:** 3/25/2021

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. N 210069 HNQ, approving the designation of 40 parcels within the Arverne Urban Renewal Area as an Urban Development Action Area (the “Area”) and approving an Urban Development Action Area Project for the Area, Community District 14, Borough of Queens (Preconsidered L.U. No. 738; N 210069 HNQ).

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

**Indexes:**

**Attachments:** 1. Res. No. 1585, 2. Calendar of the Subcommittee Meetings - February 18 and 23, 2021, 3. Hearing Testimony - Zoning 2/23/21, 4. February 25, 2021 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 2-25-21, 6. Minutes of the Stated Meeting - February 25, 2021, 7. Calendar of the Subcommittee Meeting - March 4, 2021, 8. Calendar of the Subcommittee Meetings - March 16 and 22, 2021, 9. Calendar of the Zoning Subcommittee and Land Use Meetings - March 23, 2021, 10. March 25, 2021 - Stated Meeting Agenda with Links to Files, 11. Hearing Transcript - Stated Meeting 3-25-21, 12. Minutes of the Stated Meeting - March 25, 2021, 13. Committee Report

Date	Ver.	Action By	Action	Result
3/23/2021	*	Committee on Land Use	Approved by Committee	
3/25/2021	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1585**

**Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. N 210069 HNQ, approving the designation of 40 parcels within the Arverne Urban Renewal Area as an Urban Development Action Area (the “Area”) and approving an Urban Development Action Area Project for the Area, Community District 14, Borough of Queens (Preconsidered L.U. No. 738; N 210069 HNQ).**

**By Council Members Salamanca and Moya**

WHEREAS, the City Planning Commission filed with the Council on February 19, 2021 its decision dated February 17, 2021 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) pursuant to Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of 40 parcels within the Arverne Urban Renewal Area generally bounded as an Urban Development Action Area; and

b) Urban Development Action Area Project for such area (the “Project”):

to 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 32<sup>nd</sup> Street and Beach 56<sup>th</sup> Place in the Arverne neighborhood of Queens, Community District 14 (ULURP No. N 210069 HNQ) (the “Application”);

WHEREAS, the Application is related to applications C 210070 ZMQ (Pre. L.U. No. 739), a zoning map amendment from C4-4 to a Special Mixed Use District (MX-21:M1-4/R6) and N 210071 ZRQ (Pre. L.U. No. 740), a zoning text amendment to establish a Special Mixed Use District (MX-21);

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, by letter dated January 5, 2021 and submitted to the Council on March 16, 2021, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on February 23, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued on August 27, 2020 and revised negative declaration issued on February 22, 2021 (CEQR No. 20HPD081Q) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Article 16 of the General Municipal Law of the New York State, based on the environmental determination and the consideration described in the report (N 210069 HNQ) and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

The Council finds that the present status of the Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law.

The Council approves the designation of the Project Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law.

The Council approves the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with Project Summary submitted by HPD, copy of which is attached hereto and made a part hereof.

**PROJECT SUMMARY**

1.	<b>PROGRAM:</b>	<b>New</b>
	Construction Finance Programs	
2.	<b>PROJECT:</b>	Arverne East
3. LOCATION:		
	a. <b>BOROUGH:</b>	Queens
	b. <b>COMMUNITY DISTRICT:</b>	14
	c. <b>COUNCIL DISTRICT:</b>	31
	d. <b>PROJECT AREA:</b>	
		<u>BLOCK</u>
		<u>LOT(S)</u>
		15877
1		
		15878
1		
	15879	1
	15880	1
	15881	1
	15882	1
	15883	1
	15884	1
	15885	1
	15886	1
	15887	1
	15888	1
	15919	1
	15921	1, 112
	15922	1, 101
	15923	1
	15859	1
	15860	1
	15861	1, 47
	15862	1
	15863	1
	15864	1
	15865	1
	15866	1
	15867	1
	15868	1
	15869	1
	60, 71	15870
	15871	1
	15873	1
		15874

8, 41

15875	1
15876	1
15947	1
15948	1

Demapped Roadbed of Beach 56<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 55<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 54<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 52<sup>nd</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 51<sup>st</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 50<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 49<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 48<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 48<sup>th</sup> Way north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 47<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 47<sup>th</sup> Way north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 46<sup>th</sup> Place north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 46<sup>th</sup> Way north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 46<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 45<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Mapped Roadbed of Beach 44<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 43<sup>rd</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 42<sup>nd</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 41<sup>st</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 40<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 39<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 38<sup>th</sup> Street north of Public Beach, south of Sprayview Avenue/Ocean Front Road

Mapped Roadbed of Beach 38<sup>th</sup> Street north of Sprayview Avenue/Ocean Front Road, south of Edgemere Avenue

Demapped Roadbed of Beach 37<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed of Beach 36<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Mapped Roadbed of Beach 35<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Mapped Roadbed portion of Beach 34<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Demapped Roadbed portion of southernly Beach 34<sup>th</sup> Street north of Public Beach, south of Edgemere Avenue

Mapped Roadbed of Beach 34<sup>th</sup> Street north of Edgemere Avenue, south of Seagirt Avenue

Demapped Roadbed of Beach 33<sup>rd</sup> Street north of Public Beach, south of Edgemere Avenue

Mapped Roadbed of Sprayview Avenue/Ocean Front Road between Beach 32<sup>nd</sup> and Beach 38<sup>th</sup> Streets

Mapped Roadbed of Edgemere Avenue between Beach 32<sup>nd</sup> Street and Beach 56<sup>th</sup> Place

e. DISPOSITION AREA:	<u>BLOCK</u>	<u>LOT(S)</u>
	15859	1
	15860	1
	15861	1, 47
	15862	1
	15863	1
	15864	1
	15865	1
	15866	1
	15867	1
	15868	1
	15869	1
	15870	60, 71
	15871	1
	15873	1
	15874	8, 41
	15875	1
	15876	1
	15947	1
	15948	1
Demapped Roadbed of Beach 43 <sup>rd</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 42 <sup>nd</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 41 <sup>st</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 40 <sup>th</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 39 <sup>th</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 38 <sup>th</sup> Street north of Public Beach, south of Sprayview		Avenue/Ocean
Front Road		
Demapped Roadbed of Beach 37 <sup>th</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 36 <sup>th</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed portion of southernly Beach 34 <sup>th</sup> Street north of Public Beach, south of Edgemere Avenue		
Demapped Roadbed of Beach 33 <sup>rd</sup> Street north of Public Beach, south of Edgemere Avenue		

4. **BASIS OF DISPOSITION PRICE:** Phases with affordable housing: Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City's capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
- Phases without affordable housing: Negotiated. May include a purchase money note and mortgage and a credit for any City-approved infrastructure or site improvement costs that are paid by the Sponsor.
5. **TYPE OF PROJECT:** New Construction
6. **APPROXIMATE NUMBER OF BUILDINGS:** 11 multifamily and/or mixed-use buildings  
190 one- and two-family homes

7. **APPROXIMATE NUMBER OF UNITS:** 1,650 including 1,320 affordable units and 330 market rate units
8. **HOUSING TYPE:** Rental and Homeownership
- Approximately 5% of the affordable units may be cooperative homeownership units, with the remaining units to be rental units. All market rate units will be homeownership units.
- If any affordable homeownership unit remains unsold at the end of the marketing period and HPD determines in writing that (i) a sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then Sponsor may operate units as rental housing in accordance with the written instructions of HPD.
9. **ESTIMATE OF INITIAL RENTS/PRICES:** Rents for affordable units will be affordable to households with annual household incomes between 30% and 130% of the area median income (AMI). All affordable rental units will be subject to rent stabilization.
- Sales prices for any affordable homeownership units will be affordable to families with annual household incomes between 80% and 130% of AMI.
10. **INCOME TARGETS:** For affordable rental units, 30% to 165% of AMI
- For any affordable homeownership units, 80% to 130% of AMI
11. **LIENS FOR LAND DEBT/CITY SUBSIDY:** For any affordable homeownership units, each of the Land Debt and the amount of any construction financing provided through loans from the City ("City Subsidy") will be secured by a mortgage on the Disposition Area. Upon conversion to a cooperative, the HDfC cooperative will repay the Land Debt and City Subsidy, if any, attributable to the property by delivering a note and mortgage and/or conditional grant agreement to the City. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a homeownership unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program's restrictions.
12. **PROPOSED FACILITIES:** Approximately 290,000 square feet of commercial, approximately 25,300 square feet of community facility, approximately 10,000 square feet of manufacturing, approximately 3.3 acres of private open space, approximately 35 acres of public open space, improvements to infrastructure and existing streets
13. **PROPOSED CODES/ORDINANCES:** None
14. **ENVIRONMENTAL STATUS:** Negative

Declaration

15. **PROPOSED TIME SCHEDULE:** To be developed in phases. Approximately 10 years from the first closing to the final completion of construction

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 March 25, 2021, on file in this office.

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City Clerk, Clerk of The Council