

December 18, 2020

## POSITIVE DECLARATION

### Project Identification

Resilient Edgemere Initiative Rezoning  
CEQR No. 21HPD009Q  
ULURP Nos. Pending  
SEQRA Classification: Type I

### Lead Agency

New York City – Department of Housing  
Preservation and Development  
100 Gold Street, 7<sup>th</sup> Floor  
New York, NY 10038  
Contact: Rona Reodica  
212-863-8576

### Description and Location of Proposal:

#### Resilient Edgemere Initiative Rezoning

The New York City Department of Housing Preservation and Development (“HPD”) is proposing a series of land use actions (collectively the “Proposed Actions”) to implement recommendations of the Resilient Edgemere Community Initiative, an interagency, community-based effort to align New York City’s Sandy Recovery and rebuilding investments in Edgemere with long-term comprehensive community vision. The Project Area is located in Queens, New York, on the eastern end of Rockaway Peninsula. Encompassing the neighborhood of Edgemere, the Project Area is located in Queens Community District 14 between the Far Rockaway and Bayswater neighborhood to the east, the Arverne East proposed development and Nature Preserve to the south, the Arverne neighborhood to the west, and Jamaica Bay to the north. The Project Area is generally bounded by Beach 35<sup>th</sup> Street to the east, Rockaway Freeway and Rockaway Beach Boulevard to the south, Beach 50<sup>th</sup> Street and Beach 51<sup>st</sup> Street to the west, and Jamaica Bay to the north.

The Proposed Actions are as follows:

- **Zoning Map Amendments.** The Proposed Actions would result in the following zoning map amendments:
  - Proposed R3A (from R4-1, R4) –The proposed zoning change would reduce the allowable density of new development to reduce exposure of new development to coastal risks.
  - Proposed C3A (from C3) –The proposed zoning change would reduce the allowable density of new development in these areas to reduce future exposure to coastal risks.



- Proposed R4-1 (from R4) – The proposed zoning change would reduce the allowable density of new development in these areas to limit future exposure to coastal risks.
- Proposed R6A and R6A/C2-4 (from R4, C4-3A, C8-1, R5/C1-2) – The R6A zoning district is proposed in the mixed-use corridor, with a C2-4 commercial overlay proposed along Rockaway Beach Boulevard to a depth of 100 feet to the interior of the lot.
- Proposed C2-4 overlay (from C1-2) – This commercial overlay is expected to provide significant construction cost savings and better facilitate the potential redevelopment of these vacant and/or abandoned properties.
- Proposed removal of C1-2 and C2-2 commercial overlays – Removal of these overlays will better reflect the existing land uses on these two built-out blocks, bringing the zoning map into consistency with existing conditions.
- **Zoning Text Amendments.** The Proposed Actions would result in the following zoning text amendments:
  - Proposed Edgemere Special Coastal Risk District-1 (CR) – The proposed SCRD-1 would restrict residential development to one-family detached homes and prohibit community facilities with overnight sleeping accommodations.
  - Proposed Edgemere Special Coastal Risk District-2 (CR) – The proposed SCRD-2 would restrict residential development to one- and two-family detached homes and prohibit community facilities with overnight sleeping accommodations. Further, on lots less than 25' wide, residential development would be restricted to one-family detached buildings.
  - Proposed Mandatory Inclusionary Housing (MIH) – This MIH area will add density while providing for permanently affordable housing within the development of the Mixed-Use Corridor sites.
- **Edgemere Urban Renewal Plan Amendments.** The Proposed Actions would result in the following changes to the Edgemere Urban Renewal Plan:
  - Proposed amendment to the Urban Renewal Area – proposed expansion of the Edgemere URA to permit City acquisition of vacant, blighted land for incorporation in the proposed housing and commercial development program.
  - Proposed amendments to the Urban Renewal Plan: proposed land uses – Proposed 'Open Space' land use designation; Proposed 'Commercial/Residential' land use.
  - Proposed amendments to supplementary controls on redevelopment – Proposed removal of additional Height controls; Proposed amendments to Density control to permit up to 1,500 dwelling units in the Area (from 800 units).
  - Extension of Urban Renewal Plan expiration date – extension for a period of 40 years from the date of approval of the third amended plan.
  - Proposed acquisition of real property – Proposed acquisition of real property to facilitate development of affordable housing and neighborhood amenities.
- **Urban Development Action Area Program.** The Proposed Actions would result in the following:
  - Designation of an Urban Development Action Area ("UDAA") and Approval of an Urban Development Action Area Project ("UDAAP")
  - Disposition of City-Owned Property



- **Article XI tax exemption** – City capital and tax exemptions pursuant to Article XI of the New York State Private Housing Finance Law
- **Disposition of City-Owned Property** – Proposed Disposition of City-Owned Real Property to a sponsor to be determined by HPD pursuant to its disposition authorities.
- **Mayoral Zoning Override** – HPD may, at a later date, seek a Mayoral Zoning Override to slightly reduce the minimum parking requirement on selected City-owned sites in order to facilitate the development of retail uses on the ground floor.

The Proposed Actions seek to accomplish the following land use and zoning objectives identified in the 2017 Resilient Edgemere Community Plan:

- Protect the neighborhood from flooding;
- Create resilient housing and maintain the neighborhood's low density feel;
- Improve streets and transit; and
- Increase neighborhood amenities.

The Reasonable Worst-Case Development Scenario ("RWCDs") for the Proposed Actions identifies 41 projected development sites. On these sites, the Proposed Actions are expected to result in a net increase of approximately 1,293,800 gross square feet (gsf) of residential floor area (1,201 dwelling units, including 456 affordable units), 142,001 gsf of commercial space, and 387 parking spaces.

The RWCDs does not identify any potential development sites.

The analysis year for the Proposed Action is 2031.

### **Statement of Significant Effect:**

HPD has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

The Proposed Actions may result in significant adverse impacts related to: land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction.



**Supporting Statement:**

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. Land Use, Zoning and Public Policy – The Proposed Actions include a variety of discretionary actions, including zoning map amendments and zoning text amendments, an analysis of land use, zoning and public policy is warranted. In addition, as the Project Area is within the boundaries of the City’s Coastal Zone, an assessment of the Proposed Actions’ consistency with the City’s Coastal Zone, an assessment of the Proposed Actions’ consistency with the City’s Waterfront Revitalization Program (WRP) is warranted.
2. Socioeconomic Conditions – The Proposed Actions would introduce 1,201 residential units as compared to the No-Action Condition, which would exceed the 200-unit threshold established in the CEQR Technical Manual. Therefore, an analysis of indirect residential displacement is warranted.
3. Community Facilities –The project area is located in a developed area that is served by existing police, fire, and healthcare services; as such, the Proposed Actions would not create a neighborhood where none existed before, and no further analysis is warranted for police, fire, and healthcare facilities. The Proposed Actions would result in a substantial increase of residential units and, therefore would have the potential to result in significant adverse impacts relate to public schools, libraries, and child-care and an analysis is warranted.
4. Open Space – The Proposed Actions would introduce new development at a number of Projected Development Sites, would result in the addition of some parcels for future use as open space, and introduce approximately 3,507 additional residents and 474 additional employees. Therefore, an assessment of direct effects on existing area open spaces and of residential open space is warranted.
5. Shadows – The Proposed Actions would permit development of several new buildings of greater than 50 feet in height (up to 85 feet) on certain Projected Development Sites. Therefore, the Proposed Actions may result in significant adverse environmental impacts related to shadows and a preliminary assessment of shadows will be included in the EIS.
6. Historic and Cultural Resources – The EIS will assess the archaeological potential and the degree of disturbance that has occurred on the Projected Development Sites to evaluate their potential to contain archaeological resources. Additionally, the Proposed Actions would result in new development at a number of Projected Development sites. A search of the New York State Office of Parks, Recreation, and Historic Preservation’s (OPRHP) Cultural Resource Information System (CRIS) and LPC online resources identified one S/NR-eligible architectural resource – the St. Gertrude the Good Church Complex Historic District – within 400 feet of a Projected Development Site. Therefore,



an assessment of the Proposed Actions and their potential to result in visual and contextual effects on area architectural resources is warranted.

7. Urban Design and Visual Resources – The Proposed Actions would permit development of several new buildings with a proposed height of up to 85 feet on certain Projected Development Sites, which are currently occupied by vacant or under-utilized lots, resulting in a physical change to the streetscape that will change the pedestrian experience. Therefore, an assessment of urban design and visual resources will be provided in the EIS.
8. Natural Resources – The majority of the Projected Development Sites are vacant/underdeveloped land that may support vegetated habitats and associated wildlife. Moreover, the Project Area is located within the Jamaica Bay Watershed and includes tidal wetlands and vegetated shoreline habitats along Conch Basin and Grass Hassock Channel. Therefore, an assessment of natural resources is warranted.
9. Hazardous Materials – The hazardous materials assessment will determine which, if any, of the Project Development Sites may have been adversely affected by present or historical uses at or adjacent to the sites.
10. Water and Sewer Infrastructure – The Proposed Actions are not expected to result in a water demand of more than one million gallons per day (gpd) compared to No-Action conditions. However, as the Project Area is located on the Rockaway Peninsula, an analysis of water supply is warranted. A preliminary assessment of the Proposed Actions' effects on wastewater and stormwater infrastructure is warranted as the RWCDs for the Proposed Actions would result in the incremental development of more than 50 residential units or 100,000 square feet of commercial use, which is the *CEQR Technical Manual* threshold for analysis in R4 districts that are located in separately sewerred areas.
11. Solid Waste and Sanitation Services – As the Proposed Actions are not expected to result in a net increase of more than 50 tons per week, compared to No-Action conditions, an assessment of solid waste and sanitation services is not warranted, and further analysis will not be undertaken.
12. Energy – The Proposed Actions would not affect the transmission or generation of energy. Based on factors provided in Table 15-1 of the *CEQR Technical Manual*, the RWCDs is expected to consume approximately 1,888,864,666 BTUs per year. Therefore, no further analysis is warranted.
13. Transportation – The Proposed Actions are expected to exceed certain transportation-related thresholds, and therefore, detailed analyses of the Proposed Actions' potential to result in significant adverse impacts will be provided in the EIS.
14. Air Quality – The Proposed Actions would result in incremental vehicular trips that potentially exceed the *CEQR Technical Manual* CO-based screening threshold, therefore an analysis of mobile sources is warranted. As the Proposed Actions would introduce



new development at the Projected Development Sites, an assessment of stationary sources is warranted, as well as an industrial source analysis and evaluation of other large or major emissions sources in the Project Area.

15. Greenhouse Gas Emissions and Climate Change – The Proposed Actions would result in a development that exceeds the *CEQR Technical Manual* threshold of 350,000 square feet or greater, an assessment will be provided in the EIS. Additionally, because the Project Area is located within the current 100- and 500-year flood zone, a climate change assessment is warranted.
16. Noise – The Proposed Actions would result in additional vehicle trips and introduce new sensitive receptors in the vicinity of heavily trafficked roadways as well as an elevated subway line, and an assessment of noise will be provided in the EIS.
17. Public Health – Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, an assessment of public health will be provided in the EIS.
18. Neighborhood Character – The Proposed Actions have the potential to result in moderate effects in some of the technical areas (ie: land use, zoning, and public policy; socioeconomic conditions; open space; etc.) and because there is the potential for significant adverse effect, a neighborhood character analysis is warranted.
19. Construction – The Proposed Actions would result in new development at the Projected Development Sites, and the EIS assumes an approximately 10-year build out. Therefore, an assessment of construction is warranted.
20. The Draft Environmental Impact Statement (DEIS) to be prepared in connection with the Proposed Actions will identify and describe any other potential effects on the environment.

### **Public Scoping:**

HPD hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Tuesday, January 19, 2021 at 4:00 PM. In support of the City's efforts to contain the spread of COVID-19, HPD will hold the public scoping meeting remotely through video conferencing. The meeting will be live streamed and accessible from New York City's online remote meeting portal—NYC Engage: <https://www1.nyc.gov/site/nycengage/events>.



**Resilient Edgemere Initiative Rezoning**

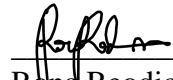
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Written comments will be accepted by the lead agency through Friday, January 29, 2021.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Taylor Goldman at [goldmant@hpd.nyc.gov](mailto:goldmant@hpd.nyc.gov).



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Rona Reodica, Assistant Commissioner  
Building and Land Development Services  
New York City Department Housing Preservation and Development

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December 18, 2020

Date

