



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, NY 10007

**TECHNICAL MEMORANDUM 002**

**DOWNTOWN FAR ROCKAWAY REDEVELOPMENT PROJECT**

**CEQR No. 16DME010Q**

ULURP Nos.: C170243(A) ZMQ, N170244(A) ZRQ, N170245 HGQ,  
C170246 HUQ, C170247 HDQ, C170248 PPQ

**August 31, 2017**

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**A. INTRODUCTION**

This memorandum considers whether modifications made by the New York City Council to the Proposed Actions for the Downtown Far Rockaway Redevelopment Project (the “City Council Modifications”) and project-related commitments made by the City during City Council review (the “City Commitments”) would have the potential to cause any significant adverse environmental impacts not previously identified in the project’s Final Environmental Impact Statement (FEIS). Following this introduction, **Section B** describes the City Council Modifications and City Commitments, and **Section C** assesses for relevant technical areas those modifications and commitments that would have the potential to alter FEIS findings.

As set forth below, this memorandum concludes that the City Council Modifications and City Commitments would not result in any new or different significant adverse impacts not already identified in the FEIS; however, the City Commitment that 100 percent of housing developed on public land be affordable would worsen the significant adverse impact identified in the FEIS related to publicly funded child care centers.

**BACKGROUND**

The City of New York, acting through the New York City (NYC) Economic Development Corporation (EDC), the New York City Department of Housing Preservation and Development (HPD), and the New York City Department of Citywide Administrative Services (DCAS), is proposing a series of land use actions (C170243 ZMQ, N170244 ZRQ, N170245 HGQ, C170246 HUQ, C170247 HDQ, and C170248 PPQ), including zoning map amendments, zoning text amendments, disposition and acquisition of property, and the designation and approval of an Urban

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Renewal Area (URA) and Plan (URP) to implement recommendations of a comprehensive plan to redevelop and revitalize the Downtown Far Rockaway neighborhood of Queens, Community District 14. Known as the Downtown Far Rockaway Redevelopment Project, the Proposed Actions are intended to transform underutilized sites with mixed-use, transit-oriented development, and unlock the potential for development throughout Downtown Far Rockaway. The Proposed Actions would allow new residential uses in locations where zoning does not permit them today, and a mix of residential, commercial and community facility uses at moderate densities that would enliven the downtown setting and the public realm. New commercial and community facility spaces would occupy the ground floor and lower floors of new mixed-use buildings. The Proposed Actions would concentrate density outside of the existing flood zones and near mass transit, while blending new development into the existing neighborhood fabric.

The Office of the Deputy Mayor for Housing and Economic Development (ODMHED), serving as lead agency for the Downtown Far Rockaway Redevelopment Project, oversaw the preparation of a Draft Environmental Impact Statement (DEIS) in conformance with 2014 *City Environmental Quality Review (CEQR) Technical Manual* guidelines. ODMHED conducted a coordinated review of the Proposed Actions with Involved Agencies, which include the NYC Departments of City Planning (DCP), HPD, and DCAS. In addition, several agencies have participated in the environmental review as Interested Agencies under CEQR, including the NYC Department of Transportation (DOT), the NYC Department of Sanitation (DSNY), the NYC Department of Environmental Protection (DEP), NYC Transit (NYCT), and the Metropolitan Transit Authority (MTA). The DEIS for the Proposed Actions was accepted as complete on January 27, 2017. The corresponding Uniform Land Use Review Procedure (ULURP) application was certified on January 30, 2017.

During public review of the DEIS, the City of New York prepared and filed an amended ULURP application (referred to hereafter as the “A-Application”)<sup>1</sup> that addressed issues raised just before or shortly after issuance of the DEIS. The A-Application consisted of a series of modifications to the Proposed Actions that required additional environmental analysis, which was the focus of a technical memorandum (Technical Memorandum 001). The modifications included zoning text amendments and zoning map amendments crafted in response to public feedback on the application, to allow for additional development projects that meet the purpose and need for the Proposed Actions, and to ensure successful site planning on a complex and irregular site within the URA. Technical Memorandum 001, which was submitted for public review on April 26, 2017, concluded that the Proposed Actions with the modifications described in the A-Application would not result in any new or different significant adverse impacts that were not already identified in the DEIS; however, it was identified that the modifications would worsen certain significant adverse impacts identified in the DEIS related to publicly funded child care centers, open space, traffic, transit, and construction noise.

A public hearing on the DEIS and Technical Memorandum 001 was held on May 24, 2017. Written comments on the DEIS and Technical Memorandum 001 were requested and were received by the Lead Agency until June 5, 2017. A Final Environmental Impact Statement (FEIS) that incorporated responses to the public comments received on the DEIS and Technical Memorandum 001 was then prepared, and was accepted as complete by ODMHED on June 29,

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<sup>1</sup> Specifically the amended zoning text and zoning map modified the ULURP application C170243 ZMQ and N170244 ZRQ, but did not modify N170245 HGQ, C170246 HUQ, C170247 HDQ, or C170248 PPQ.

2017. On July 10, 2017 the NYC Planning Commission (CPC) approved the Proposed Actions, based on the analyses of the FEIS, which appended Technical Memorandum 001.

This technical memorandum (Technical Memorandum 002) assesses whether the proposed City Council Modifications and City Commitments would have the potential to cause any significant adverse environmental impacts not previously identified in the analyses of the FEIS, including the appended Technical Memorandum 001.

## **B. DESCRIPTION OF THE CITY COUNCIL MODIFICATIONS AND CITY COMMITMENTS**

This section describes each of the City Council Modifications and City Commitments under consideration, and for each provides a screening assessment to determine whether the modification or commitment could result in changes to the Reasonable Worst-Case Development Scenario (RWCDS) assumed for the FEIS, which in turn could have the potential to result in new or different significant adverse impacts not already identified in the FEIS. **Section C** provides an assessment of the City Council Modifications and/or City Commitments that were found to warrant additional assessment under CEQR. **Appendix 1** presents the zoning text changes associated with the City Council Modifications.

### **1. Remove the disposition of Block 15534, Lot 70 from the disposition application (C 170248 PPQ).**

- The application for the disposition of two City-owned properties, the DOT/MTA Disposition Site and the DSNY Disposition Site (Block 15705, Lots 59 and 69, and Block 15534, Lot 70, respectively), was filed by DCAS on January 26, 2017. DCAS intended to dispose of the properties to the NYC Land Development Corporation, which would then dispose of the property to EDC. EDC could then sell or lease the properties to a developer (or multiple developers) following a competitive Request for Proposals (RFP) process for development pursuant to zoning. This City Council Modification would remove the disposition of the DSNY Disposition Site, Block 15534, Lot 70 from the disposition application; this modification would not affect the proposed disposition of the DOT/MTA Disposition Site, Block 15705, Lots 59 and 69.
- With the City Council Modification, the DSNY Disposition Site, Block 15534, Lot 70, would remain in City ownership. It is expected that the site would be transferred to NYC Department of Parks and Recreation (NYC Parks) jurisdiction for a future open space as described below. This modification would reduce the amount of development assumed under the FEIS RWCDS for the Proposed Actions by 8,000 gsf of residential use (8 dwelling units [DUs]). This is a minor reduction in overall density and population generated by the Proposed Actions, and would add publicly accessible open space within Downtown Far Rockaway that is designed for an urban area, drawing from the local population. Therefore, the modification would not have the potential to result in any new or different significant adverse environmental impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted. As compared to the FEIS open space analysis findings, the additional publicly accessible open space would marginally improve the residential and worker open space ratios in

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the future with the Proposed Actions.<sup>2</sup> However, there would continue to be a significant adverse open space impact within the ½-mile residential study area for total, active, and passive open space ratios (i.e., the additional open space that could result from this City Council Modification would not fully mitigate the significant adverse open space impact identified in the FEIS).

### **2. Modification to Zoning Resolution (ZR) Section 23-153 (for Quality Housing buildings) and ZR Section 23-154 (Inclusionary Housing).**

- This modification would narrow the applicability for applying R6/MIH wide street floor area and lot coverage provisions to R6 districts within the proposed MIH Program Area proposed in the Downtown Far Rockaway Project Area. The CPC-approved text would have allowed R6/MIH wide street FAR and lot coverage provisions to apply to future MIH/R6 rezonings without the need for further amendment of ZR Sections 23-153 and 23-154. This modification would not change how the R6/MIH wide street FAR and lot coverage provisions would apply within Downtown Far Rockaway; would not result in any change to the amount of floor area that could be developed with the Proposed Actions; and would not result in any change to the RWCDS, including building massing or the amounts and levels of affordability. Therefore, this modification would not have the potential to result in any new or different environmental impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted.

### **3. Modification to ZR Section 136-06 (Private streets and publicly accessible open spaces), and ZR Sections 136-313, 136-315, and 136-316 relating to the minimum and maximum base height, maximum building height and horizontal dimension for tall buildings, and maximum length of buildings, respectively.**

- The modification to ZR Section 136-06 would clarify that buildings situated along new private streets and publicly accessible open spaces are subject to the requirements of paragraph (a) of Section 136-313 (Minimum and maximum base height).
- The modification to ZR Section 136-313 would clarify the conditions where different minimum and maximum base heights apply. The CPC-approved regulations would be unchanged.
- The modification to ZR Section 136-315 would clarify how the maximum length of buildings is measured above a height of 125 feet. There would be no change to the dimensions that determine maximum building length.
- The modification to ZR Section 136-316 would clarify how the maximum length of buildings is measured above a height of 95 feet. There would be no change to the dimensions that determine the maximum building length.

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<sup>2</sup> This future open space would not materially alter the total open space ratios presented in the FEIS. Assuming the future open space provided active recreational opportunities (e.g., a playground), with the Proposed Actions and City Council Modification by 2032 the active open space ratio in the ½-mile residential study area would be approximately 0.41 acres per 1,000 residents, as compared to approximately 0.40 acres per 1,000 residents for the FEIS RWCDS. If the future open space offered only passive recreational opportunities, it would not materially alter the passive ratios presented for the FEIS RWCDS.

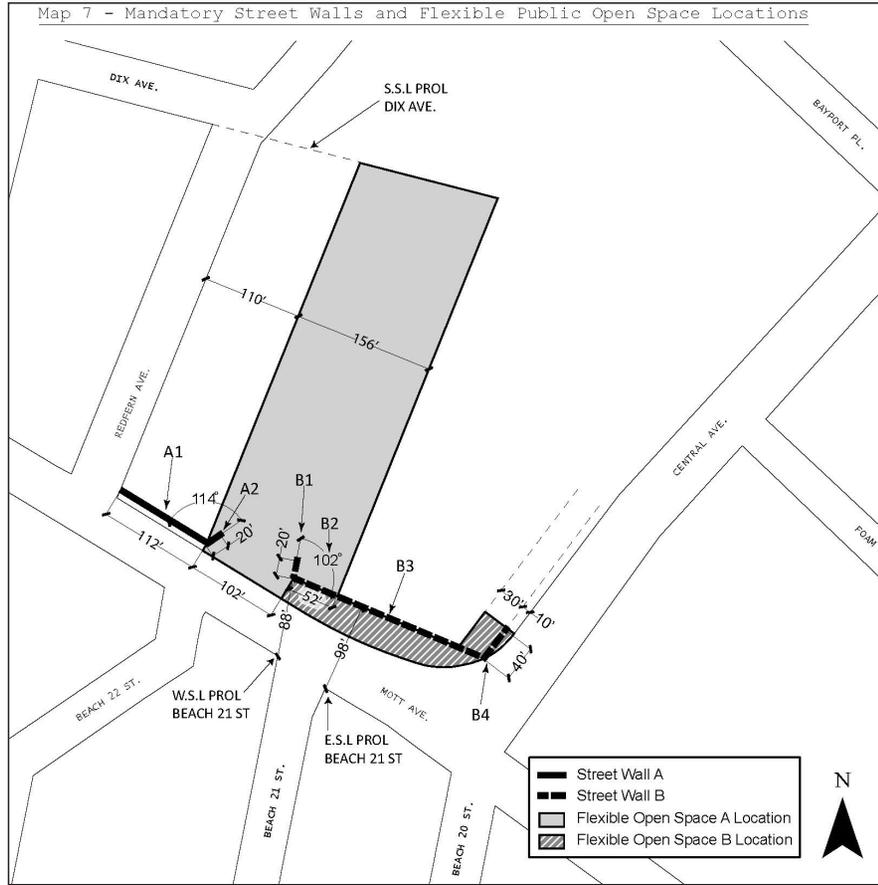
- These modifications clarify the applicability of minimum and maximum base heights and how the maximum length of buildings are measured in the zoning text, and would not result in any change to the amount of floor area that could be developed with the Proposed Actions. The modifications would not result in any change to the RWCDS, including the distribution of bulk within Subdistrict A. Therefore, these modifications would not have the potential to result in any new or different environmental impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted.

**4. Modification to ZR Section 136-324(b), publicly accessible open space requirements, and modification to Map 7, Mandatory Street Walls and Flexible Public Open Space Locations.**

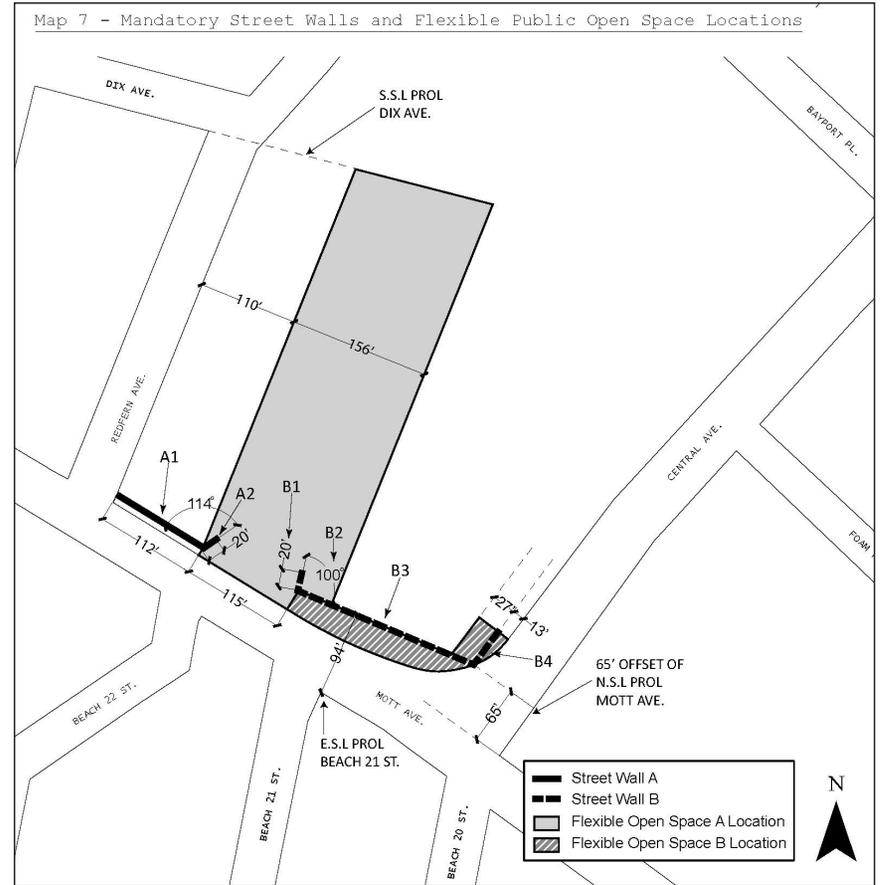
- The modification to ZR Section 136-324(b) would make the hours of access provisions of ZR Section 37-727 applicable. ZR Section 37-727 specifies that publicly accessible open spaces are accessible 24 hours a day. The CPC-approved text did not specify hours of access.
- The modification to ZR Section 136-324(b)(5) would increase the requirement for litter receptacles from one per 10,000 square feet of publicly accessible open space to one per 5,000 square feet of publicly accessible open space. Under the Proposed Actions with this modification, the proposed 30,000-square-foot publicly accessible plaza space in the Downtown Far Rockaway Urban Renewal Area (DFRURA) would have a total of six litter receptacles, as compared to three litter receptacles without this modification.
- The modification to ZR Section 136-324(b)(6) would align the requirements for information on signage for new publicly accessible open spaces with these requirements for privately owned public spaces (POPS). This information includes the listing of amenities and contact information for ownership.
- The modification to Map 7, “Mandatory Street Walls and Flexible Public Open Space Locations” would make minor adjustments to the dimensions that establish the location of Street Wall B (see **Figure 1**). The minimum distance between Street Wall B and Mott Avenue was generally decreased by 4 feet (from 88 feet to 84 feet), while the minimum width of the mouth of the open space was increased by 13 feet (from 102 feet to 115 feet). The modification would not affect the minimum size requirements for publicly accessible open spaces.
- These modifications would not result in any change to the size of the public plaza under the RWCDS, nor would it alter the general nature of the open space in terms of providing passive recreational opportunities. Therefore, these modifications would not have the potential to result in any new or different environmental impacts not previously identified in the analyses of the FEIS, and no further assessment of these modifications is warranted.

**5. Add the Deep Affordability Option within the proposed MIH program area in Downtown Far Rockaway.**

- When new housing capacity is approved through land use actions, CPC and the City Council can choose to impose either one or both of the following two basic options: Option 1 requires that 25 percent of all DUs be affordable and made available to households that, on average, earn a maximum of 60 percent of the Area Median Income



Proposed Map 7 (in FEIS)



Map 7 as Modified by City Council

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(AMI); and Option 2 requires that 30 percent of all DUs be affordable and made available to households that, on average, earn a maximum of 80 percent of the AMI. The City Council added the “Deep Affordability Option” to Option 1 and Option 2 within the proposed MIH program area in Downtown Far Rockaway. The Deep Affordability Option requires that 20 percent of all DUs be affordable to households that, on average, earn a maximum of 40 percent of the AMI.

- This modification provides additional options regarding the levels of affordability that would be achieved with the Proposed Actions under MIH, but would not result in a change to FEIS RWCDs assumptions with respect to affordable housing. Under CEQR, the amount and levels of affordability factor into the socioeconomic conditions analysis, as well as the analysis of child care centers. For these analyses, the FEIS considered all of the possible MIH options described above, and selected for conservative analysis purposes Option 2. Specific to socioeconomic conditions, relative to the MIH Option 1 and the Deep Affordability Option now under consideration, MIH Option 2 would result in a higher overall average income for the project-generated population. Therefore Option 2 has greater potential to introduce a population with higher incomes relative to the existing population, which in turn could alter the socioeconomic character of the area in a manner that could result in increased rents and indirect residential displacement. Specific to the analysis of child care demand, Option 2 would provide more affordable housing available to households earning a maximum of 80 percent of the AMI, which is the CEQR AMI threshold for households that generate children eligible for publicly funded child care services. Based on *CEQR Technical Manual* methodology, relative to MIH Option 2, MIH Option 1 and the Deep Affordability Option would result in less demand for publicly funded child care services. Therefore, this modification would not have the potential to result in any new or different adverse impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted.

### **6. Restrictions on the use of the Authorization to Modify Bulk Regulations (as per ZR Section 136-52).**

- This modification would restrict the use of the Authorization solely to buildings containing only income-restricted units, affordable independent residences for seniors or other government assisted dwelling units. City Council eliminated the use of this provision for any modifications to height and setback provisions. The CPC-approved text would have allowed this authorization provision to modify most height and setback regulations, with the exception of maximum building height and length regulations within Sub-District A of the proposed Downtown Far Rockaway District. In addition, the City Council limited that extent of certain modifications: the minimum distance between buildings shall not be less than 40 feet, and the minimum distance between legally required windows and walls or lot lines shall not be less than 20 feet. The modification would also eliminate requiring a finding that any proposed modification would not cause traffic congestion in the area.
- This modification would narrow the potential use of the Authorization. The potential changes in bulk that were analyzed in Technical Memorandum 001 and the FEIS would not be allowed with this modification, and there are no opportunities under the RWCDs to propose bulk modifications through the use of the more limited authorization. Therefore, this City Council Modification would not have the potential to result in any

new or different significant adverse impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted.

**7. Clarification to zoning text change in ZR Section 136-314 relating to the maximum building height at locations at and near certain intersections of Redfern Avenue and private streets if such intersections are located within 300 feet of Mott Avenue.**

- This modification, illustrated in **Figure 2**, would reduce the applicable area of special building height rules at locations at and near certain intersections of Redfern Avenue and private streets if such intersections are located within 300 feet of Mott Avenue. The CPC approved text established a 65-foot maximum building height at locations within 75 feet of intersections between Redfern Avenue and private streets. With the proposed modification, when such intersections are located within 300 feet of Mott Avenue, the 65-foot height limit would be required only within 25 feet of Redfern Avenue. After this distance, the maximum building height (of 125 feet or 12 stories) shown on Map 5 would apply.
- This modification is a clarification to zoning text that would not result in any change to the RWCDS, including the worst-case assumptions with respect to building heights and massing. Therefore, this modification would not have the potential to result in any new or different environmental impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted.

**8. Map 6 – Publicly Accessible Private Streets**

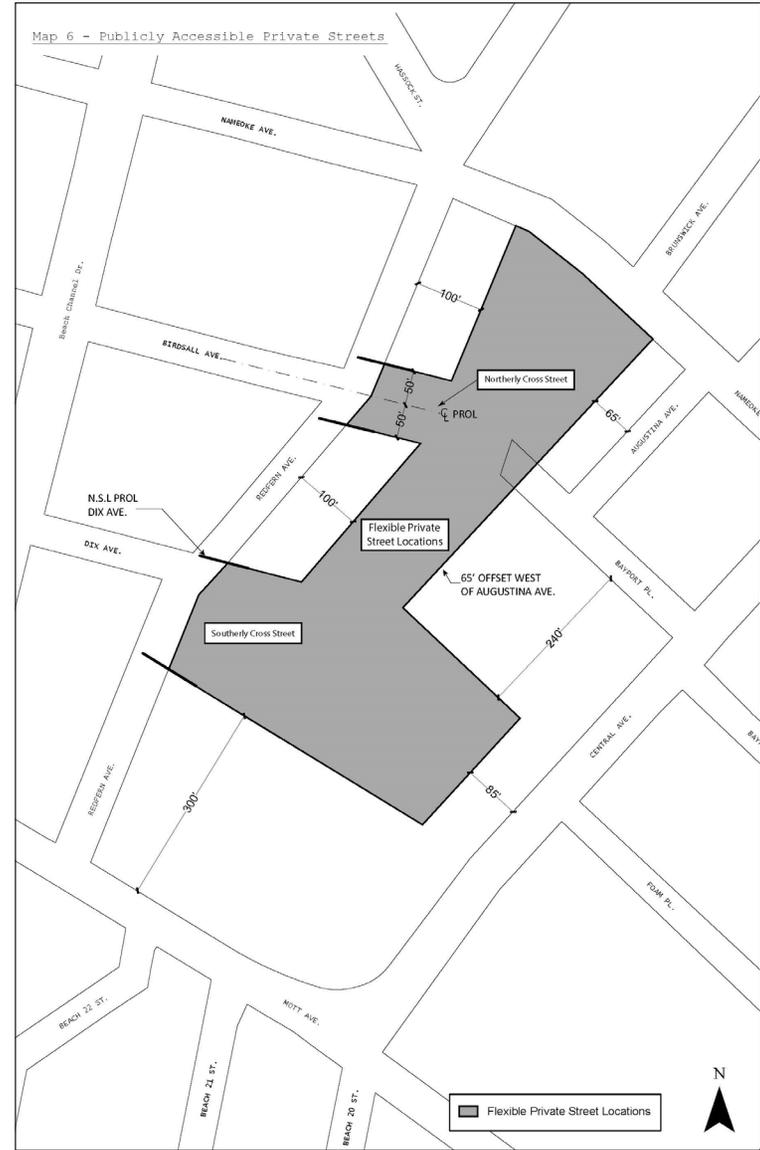
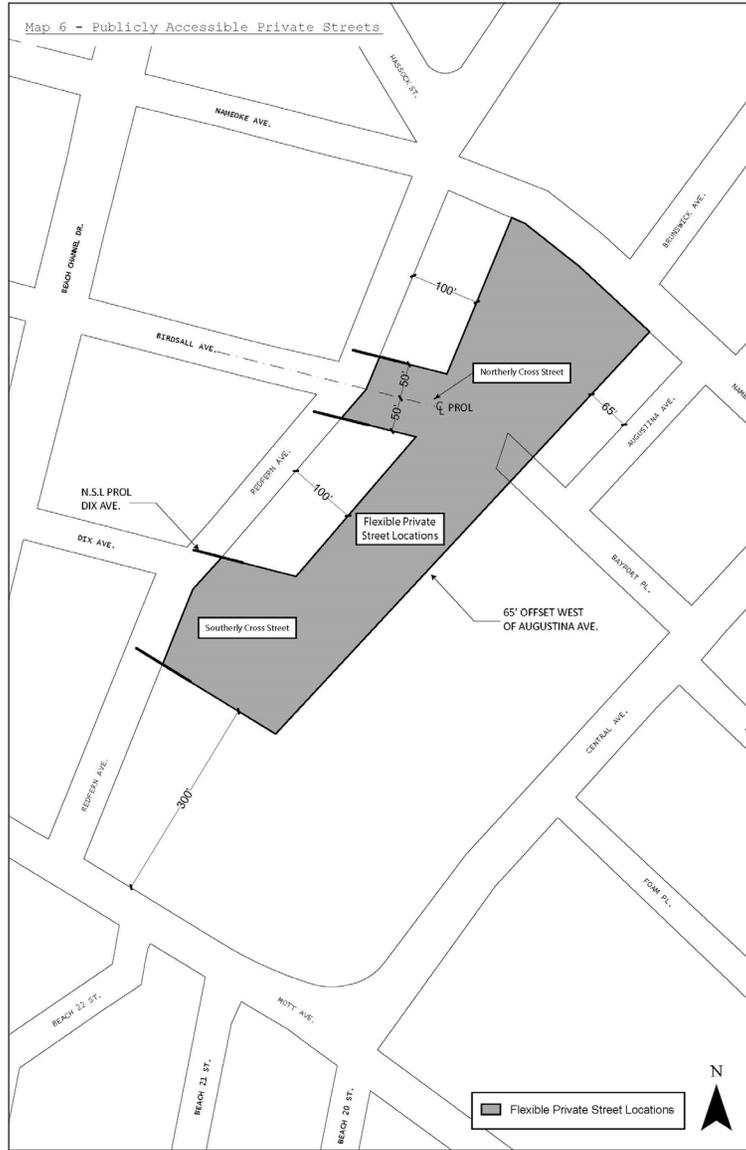
- As shown in **Figure 3**, this modification would adjust the flexible location for private streets on Map 6 to include an area to the east of the area for the central street. This modification would clarify that a new street could be located to the east of the central, north-south street as assumed within the FEIS analyses. Therefore, this modification would not have the potential to result in any new or different significant adverse impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted.

Additionally, ODMHED issued a Points of Agreement (POA) Memo (see **Appendix 2**) that outlined a number of commitments related to the project that inform the environmental review.

The POA commits that 100 percent of housing developed on public land be affordable. This would commit the City to financing the development of 100 percent affordable housing on the existing public site (the DOT/MTA Disposition Site, Block 15705, Lot 69 and Part of Lot 59), and future public sites within the proposed rezoning area, which for purposes of the FEIS RWCDS is assumed to include the DFRURA in its entirety.

- This City Commitment would increase the amount of affordable DUs under the RWCDS. Similar to the City Council Modification relating to specification of the Deep Affordability Option under MIH (discussed above), specific to potential effects on socioeconomic conditions, this City Commitment would result in lower overall average income for project-generated households as compared to the \$70,000 amount projected in the FEIS. Therefore, as compared to the FEIS RWCDS, the Proposed Actions with this additional commitment would introduce a population that is even more closely aligned with the current average household income within the study area (estimated to be \$57,480), and therefore would have less potential to alter the socioeconomic character of the area in manner that could result in increased rents and indirect





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residential displacement. However, unlike the proposed modification relating to MIH Options, this additional commitment would result in a change in the RWCDS assumption with respect to the amount of units that could be developed at or below 80 percent AMI, which could increase the demand for publicly funded day care services. Section C, below, considers that manner in which this could affect the child care impact already identified in the FEIS.

The POA also commits to implementation of the Redfern Playground mitigation measures identified in the FEIS. With this City Commitment, NYCHA, in coordination with NYC Parks, would reconstruct and expand by approximately 50,000 square feet the existing Redfern Playground. This would enhance and add publicly accessible open space within Downtown Far Rockaway that is designed for an urban area, drawing from the local population. Therefore, the modification would not have the potential to result in any new or different significant adverse environmental impacts not previously identified in the analyses of the FEIS, and no further assessment of this modification is warranted. As compared to the FEIS open space analysis findings, the additional publicly accessible open space would improve the residential and worker open space ratios in the future with the Proposed Actions. However, there would continue to be a significant adverse open space impact within the ½-mile residential study area for total, active, and passive open space ratios (i.e., the additional open space that could result from this City Council Modification would not fully mitigate the significant adverse open space impact identified in the FEIS).<sup>3</sup>

The POA also commits to funding and advancing design of a new public open space on Block 15534, Lot 70 that would provide additional active and passive Open Space in the Far Rockaway neighborhood that was not identified in the FEIS. As described in the POA, NYC Parks will engage the community in a design process to determine the final programming of the space, which could include court amenities, play and/or water features, a comfort station, landscaping, seating, and/or other park amenities.

Overall, the determination as to whether the City Council Modifications and City Commitments could result in new or different significant adverse impacts is limited to the potential effects on child care services of the City Commitment that 100 percent of housing developed on public land be affordable; this issue area is addressed in Section C, below.

### **C. ENVIRONMENTAL ANALYSES OF CITY COMMITMENT**

This section presents revised analyses based on the potential changes to the FEIS RWCDS resulting from the City Commitment that 100 percent of housing developed on public land be

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<sup>3</sup> With the Proposed Actions and this City Commitment, the 50,000-square-foot expansion of publicly accessible open space would improve the total open space ratio as compared to the FEIS RWCDS. With the Proposed Actions and this City Commitment, by 2032 the total open space ratio would be approximately 1.17 acres per 1,000 residents, as compared to approximately 1.15 acres per 1,000 residents for the FEIS RWCDS. Assuming the future open space provided active recreational opportunities (e.g., a playground), with the Proposed Actions and this City Commitment, by 2032 the active open space ratio in the ½-mile residential study area would be approximately 0.42 acres per 1,000 residents, as compared to 0.40 acres per 1,000 residents for the FEIS RWCDS. If the future open space offered only passive recreational opportunities, by 2032 the passive open space ratio in the ½-mile residential study area would be approximately 0.77 acres per 1,000 residents, as compared to 0.75 acres per 1,000 residents for the FEIS RWCDS. These calculations conservatively exclude the future open space at DSNY Disposition Site (Block 15534, Lot 70).

affordable, and considers whether this commitment would result in any new or different significant adverse environmental impacts not already identified in the FEIS. The analysis finds that the City Commitment would not result in any new or different significant adverse impacts not already identified in the FEIS. While the City Commitment would not lead to new or different significant adverse impacts, it would worsen the significant adverse impact identified in the FEIS related to publicly funded child care centers.

## **PROBABLE IMPACTS OF THE CITY COMMITMENT**

### *CHILD CARE SERVICES*

The FEIS analysis estimated that by 2032 the RWCDS would result in the development of 1,580 affordable DUs, and it was conservatively assumed that all of these DUs would be eligible for publicly funded child care programs (i.e., they would be affordable to households earning at or below 80 percent of the Area Median Income [AMI]). Based on these FEIS RWCDS assumptions, the Proposed Actions would result in an estimated 222 additional children under the age of six who would be eligible for publicly funded child care programs. As shown in **Table 1**, with the addition of these children, under the FEIS RWCDS child care facilities in the study area would operate at 150 percent utilization, with a deficit of 192 slots, resulting in a significant adverse impact on child care facilities.<sup>4</sup>

The City Commitment that 100 percent of housing developed on public land be affordable would result in as many as 2,445 affordable DUs, and up to 333 children under the age of six who would be eligible for publicly funded child care programs. Of the total affordable DUs, it is expected that approximately 1,154 DUs would be affordable for families earning less than 60 percent of the AMI, resulting in 162 children eligible for public child care programs. Another 1,221 DUs are expected to be affordable for families earning less than 80 percent of the AMI, resulting in 171 children eligible for public child care programs. The remaining 70 affordable DUs are expected to be affordable for families earning less than 130 percent of the AMI, and would not generate children eligible for public child care programs based on *CEQR Technical Manual* methodology. The affordable DUs associated with the Proposed Actions would be split between the DOT/MTA Disposition site, Projected Development Sites and the Proposed DFRURA. Below is a breakdown of the affordable units by site, AMI levels, and the associated number of children under the age of six assumed to be eligible for publicly funded child care programs with the City Commitment.

#### *DOT/MTA Disposition Site*

As outlined in the POA, the City Commitment that 100 percent of housing developed on public land to be affordable is expected to specify that the affordable DUs on the DOT/MTA Disposition Site would be developed under HPD's "Mix and Match" term sheet. As a result, approximately 106 DUs would be affordable to households earning less than 60 percent AMI (and per the POA, 35 of these 106 DUs would be affordable to households earning 30 percent of

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<sup>4</sup> This revised analysis uses the latest information available (June 2017 data) on study area enrollment and capacity from the NYC Administration for Children's Services. As compared to the June 2016 data used in the FEIS, the June 2017 data indicates a decrease in overall study area enrollment (from 373 to 343 children) and an equal amount of capacity, resulting in a reduction in utilization rates in the No Action Condition and FEIS With-Action Condition.

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the AMI). These 106 DUs on the DOT/MTA Disposition site would generate approximately 15 children under the age of six who would be eligible for publicly funded child care programs. The remaining 70 DUs on the DOT/MTA Disposition site would be affordable to those earning less than 110 percent of the AMI<sup>5</sup>; based on *CEQR Technical Manual* methodology, these families would not have incomes that would qualify their children for publicly funded child care programs.

### *Projected Development Sites*

The City Commitment that 100 percent of housing developed on public land be affordable would have no effect on the FEIS RWCDS assumption with respect to Projected Development Sites, as the Projected Development Sites are all privately owned. As described in the FEIS, approximately 522 DUs of the total 1,200 total DUs generated by the Projected Development Sites would be affordable. It is assumed these DUs would be affordable to household earning less than 80 percent of the AMI. The affordable DUs on the Projected Development Sites would result in 73 children under the age of six who would be eligible for publicly funded child care programs.

### *Proposed DFRURA*

Under the City Commitment, 100 percent of the Proposed DFRURA site's 1,747 DUs would be affordable. While the term sheet specifying levels of affordability has not yet been determined, as described in the POA, levels of affordability could be based on HPD's Extremely Low and Low Income Affordability (ELLA) Program funds, under which 70 percent of the DUs would be affordable to families earning less than 60 percent AMI. Levels of affordability also could be based on the "Mix and Match" term sheet. For purposes of a conservative analysis it is assumed that all DUs associated with the Proposed DFRURA would be affordable through HPD's ELLA Program funds to families earning at or below 80 percent of the AMI. Based on this assumption, the 1,747 affordable DUs on the Proposed DFRURA site would result in 245 children under the age of six who would be eligible for publicly funded child care programs.

Applying these assumptions to the CEQR child care analysis, which considers all households earning at or below 80 percent AMI as eligible for publicly funded day care, under the RWCDS the City Commitment would result in a total of 2,445 affordable DUs, of which as many as 2,375 DUs (106 DUs on the DOT/MTA Disposition Site, 522 on the Projected Development Sites and 1,747 DUs within the DFRURA) could be affordable to households earning at or below 80 percent AMI, generating 15, 73, and 245 children under the age of six, respectively. Therefore, the Proposed Actions with this City Council Modification would result in an estimated total of 333 children under the age of six who would be eligible for publicly funded child care programs (222 children as described in the FEIS and an additional 111 children resulting from the Proposed Modification).

With the new Child Care data release in June 2017, the existing study area has an enrollment of 343 children (88.9 percent enrollment) compared to a capacity of 386 slots. The No Action Condition would introduce approximately 90 affordable units or 13 children to the study area. As a result, in the No Action Condition the study area would have a total enrollment of 356 (92.2 percent enrollment), compared to a capacity of 386 slots (see **Table 1**).

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<sup>5</sup> The 110 percent AMI cap is a stipulation of the POA, whereas the "Mix and Match" term sheet allows for the provision of affordable DUs at up to 130 percent AMI.

**Table 1**

**FEIS RWCDS vs. RWCDS with City Commitment:  
Estimated Public Child Care Facility Enrollment, Capacity, and Utilization**

	Enrollment	Capacity	Available Slots	Utilization Rate	Percentage Point Change in Utilization (Compared to No Action Condition)
<b>No Action Condition</b>	356	386	30	92%	N/A
<b>FEIS With-Action Condition (RWCDS)</b>	578	386	-192	150%	58%
<b>With-Action Condition with City Council Modifications</b>	689	386	-303	178%	86%
<b>Source:</b>	New York City Administration for Children’s Services (ACS) June 2017.				
<b>Note:</b>	This revised analysis uses the latest information available on study area enrollment and capacity from the NYC Administration for Children’s Services. As compared to the June 2016 data used in the FEIS, the June 2017 data indicates a decrease in overall study area enrollment (from 373 to 343 children) and an equal amount of capacity, resulting in a reduction in utilization rates in the No Action Condition and FEIS With-Action Condition.				

As mentioned above, the Proposed Actions with the City Commitment would introduce approximately 2,445 affordable DUs, resulting in 333 children under the age of six eligible for publicly funded child care programs. In the With Action Condition, the study area would enroll 689 students (approximately 178 percent), compared to a capacity of 386 slots. The Proposed Project would result in an approximately 86 percentage point increase of the utilization rate (from 92 percent to 178 percent), and the study area would have a deficit of 303 slots (see **Table 1**). Similar to the Proposed Actions analyzed in the FEIS, this City Commitment would result in a significant adverse impact on child care facilities, and would grow the estimated deficit by approximately 50 percent (111 slots) as compared to the deficit estimated for the RWCDS in the FEIS.

As described in the FEIS, several factors could limit the number of children in need of publicly funded child care slots in NYC Administration for Children’s Services (ACS) contracted child care facilities. The projected increase in demand for child care slots could be offset by private day care facilities and day care centers outside of the study area, which were not included in the quantitative analysis; some parents may choose day care providers that are closer to their workplace rather than their home. Additionally, the City’s new universal Pre-Kindergarten (“Pre-K”) program has greatly expanded the number of free Pre-K seats available for 4-5-year-olds, which seats are not accounted for in the analysis. Families might choose to enroll their children in Pre-K rather than in daycare, reducing the demand for child care seats.

Possible mitigation measures for the significant adverse child care impact identified in the FEIS were developed in consultation with ACS and included the provision of additional suitable location(s) for a child care center within a reasonable distance, funding, and making program improvements to support additional day care facility capacity. While funding and program improvements were not deemed feasible measures, it was identified that increased demand for child care slots could be met through expanded capacity. HPD is expected to subsidize the development of a significant number of new mixed-use buildings in the Proposed DFRURA, and developers of Projected Development Sites may also seek HPD subsidies. The Proposed DFRURA and Projected Development Sites would allow for non-residential ground floor uses in any new development, thus expanding the amount of available commercial and community facility space in the neighborhood. These spaces could be occupied by retail or community facility uses such as day care facilities. HPD will encourage the inclusion of community facilities, including day care providers, in any Request for Proposals for sites within the DFRURA as well as any developments receiving HPD subsidy. Outside of City-controlled and

## **Downtown Far Rockaway Redevelopment Project**

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City-subsidized development sites, the ability to expand capacity is limited because the City cannot mandate the provision of day care facilities on private sites. ACS will monitor the demand and need for additional publicly funded day care services in the area and identify the appropriate measures to meet demand for additional slots. While new development subsidized by HPD may occur in the near future and would potentially offset or at least partially mitigate the identified significant adverse impact by providing day care facilities, there are no known development plans or funding commitments for such developments at this point in time. Therefore, similar to the Proposed Actions considered in the FEIS, the Proposed Actions with the City Commitment would result in an unavoidable significant adverse impact on day care facilities.

### *OPEN SPACE IMPROVEMENTS*

As described above, under the City Commitments funding would be provided to improve existing, and create new public open space resources in Downtown Far Rockaway. The Redfern Playground improvement would improve and make available to the public the Redfern Houses Recreation space. That space is currently programed as a mix of playground and passive recreation space for Redfern Houses and would continue to offer similar resources after improvements are made. This public open space improvement would not change future transportation patterns in the area as the space is currently used as open space for residents of Redfern Houses, which it would continue to serve, and would not act as a regional draw bringing populations through the transportation study area. Block 15534, Lot 70 (DSNY Disposition Site) would be rebuilt as a new public open space with a mix of active and passive elements. Similarly, this resource would act as a small local park serving the adjacent residential neighborhood and would not draw regional users to the site. The transportation patterns would not be significantly different from the residential uses originally projected for the site; rather, the residential traffic patterns analyzed in the FEIS are more conservative. These two open space improvements would be designed with community input to avoid conflict with adjacent existing uses and to anticipate the future land uses and densities of the Proposed Project, particularly regarding Noise and Traffic adjacent to the open space improvements. Therefore, these open space improvement measures would not result in significant adverse impacts in any of the analysis areas addressed in the FEIS.

### **CONCLUSION**

As described above, the City Council Modifications and City Commitments would not result in any new or different significant adverse environmental impacts that were not previously identified in the FEIS; however, impacts previously identified in the FEIS related to the provision of daycare services may be worsened due to the City Commitment that 100 percent of housing developed on public land be affordable.



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Hilary Semel  
Assistant to the Mayor

August 31, 2017  
Date

## **Appendix 1**

# **Zoning Text Changes Associated with City Council Modifications**

**THE COUNCIL OF THE CITY OF NEW YORK**  
**RESOLUTION NO. \_\_\_\_\_**

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 170244(A) ZRQ, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Far Rockaway District) to establish the Special Downtown Far Rockaway District and establish a Mandatory Inclusionary Housing area, within Community District 14, Borough of Queens (L.U. No. 722).**

**By Council Members Greenfield and Richards**

WHEREAS, the City Planning Commission filed with the Council on July 10, 2017 its decision dated July 10, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Economic Development Corporation, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Far Rockaway District) to establish the Special Downtown Far Rockaway District and establish a Mandatory Inclusionary Housing area. This amendment in conjunction with the related actions would facilitate the Downtown Far Rockaway Development Plan (hereafter the "development plan"), a comprehensive planning, zoning, and redevelopment strategy aimed at supporting Downtown Far Rockaway's growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses on vacant and underutilized sites near mass transit resources and along the area's primary corridors, (Application No. N 170244(A) ZRQ), Community District 14, Borough of Queens (the "Application");

WHEREAS, the Application is related to applications C 170243 (A) ZMQ (L.U. No. 721), a zoning map amendment, as modified; N 170245 HGQ (L.U. No. 723), designation of the Downtown Far Rockaway Urban Renewal Area; C 170246 HUQ (L.U. No. 724), Downtown Far Rockaway Urban Renewal Plan; C 170247 HDQ (L.U. No. 725), disposition of City-owned property within the Downtown Far Rockaway Urban Renewal Area; and C 170248 PPQ (L.U. No. 726), disposition of City-owned property;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on July 27, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on June 29, 2017 (CEQR No. 16DME010Q), which identified significant adverse impacts with respect to hazardous materials, air quality and noise which would be avoided through the placement of (E) designations (E-415) and the Technical Memoranda dated April 26, 2017, and \_\_\_\_\_, 2017, (the "Technical Memoranda");

**RESOLVED:**

Having considered the FEIS and the Technical Memoranda 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; and
- (4) The Decision, together with the FEIS and the Technical Memorandum, 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, N 170244(A) ZRQ, incorporated by reference herein, the Council approves the Decision with the following modifications:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10 or 81-613;

Matter in double ~~strikeout~~ is old, deleted by the City Council;

Matter in double underline is new, added by the City Council;

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

**Article I: GENERAL PROVISIONS**

**Chapter 1 - Title, Establishment of Controls and Interpretation of Regulations**

\* \* \*

**11-122**  
**Districts established**

\* \* \*

Special Purpose Districts

\* \* \*

Establishment of the Special Downtown Brooklyn District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 1, the #Special Downtown Brooklyn District# is hereby established.

Establishment of the Special Downtown Far Rockaway District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 6, the #Special Downtown Far Rockaway District# is hereby established.

Establishment of the Special Downtown Jamaica District

\* \* \*

**Chapter 2 – Construction of Language and Definitions**

\* \* \*

**12-10**  
**DEFINITIONS**

\* \* \*

Special Downtown Brooklyn District

The “Special Downtown Brooklyn District” is a Special Purpose District designated by the letters “DB” in which special regulations set forth in Article X, Chapter 1, apply.

Special Downtown Far Rockaway District

The “Special Downtown Far Rockaway District” is a Special Purpose District designated by the letters “DFR” in which special regulations set forth in Article XIII, Chapter 6, apply.

Special Downtown Jamaica District

\* \* \*

**Chapter 4 – Sidewalk Café Regulations**

\* \* \*

**14-44**

**Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

\* \* \*

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
<u>Downtown Far Rockaway District</u>	<u>No</u>	<u>Yes</u>
Downtown Jamaica District	No	Yes
Forest Hills District <sup>1</sup>	No	Yes
Long Island City Mixed Use District <sup>2</sup>	No	Yes
Southern Hunters Point District	No	Yes
Willets Point District	No	Yes

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<sup>1</sup> #Sidewalk cafes# are not allowed on Austin Street

<sup>2</sup> See Appendix A in Article XI, Chapter 7

\* \* \*

## Article II: RESIDENCE DISTRICT REGULATIONS

### Chapter 3 – Residential Bulk Regulations in Residence Districts

\* \* \*

#### 23-011 Quality Housing Program

\* \* \*

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

\* \* \*

(2) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

\* \* \*

#Special Downtown Brooklyn District#;

#Special Downtown Far Rockaway District#;

#Special Downtown Jamaica District#;

\* \* \*

#### 23-03 Street Tree Planting in Residence Districts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

- (a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#, except as provided in paragraphs (b) and (c) of this Section;
- (b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

\* \* \*

#Special Downtown Brooklyn District#;

#Special Downtown Far Rockaway District#;

#Special Downtown Jamaica District#;

\* \* \*

**23-10**  
**OPEN SPACE AND FLOOR AREA REGULATIONS**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\* \* \*

**23-15**  
**Open Space and Floor Area Regulations in R6 through R10 Districts**

R6 R7 R8 R9 R10

\* \* \*

**23-153**  
**For Quality Housing buildings**

R6 R7 R8 R9 R10

In the districts indicated, for #Quality Housing buildings#, the maximum #floor area ratio# and maximum #residential lot coverage# for #interior lots# or #through lots# shall be as set forth in the table in this Section. The maximum #residential lot coverage# for a #corner lot# shall be 100 percent.

MAXIMUM LOT COVERAGE AND FLOOR AREA RATIO  
 FOR QUALITY HOUSING BUILDINGS

District	Maximum #Lot Coverage# for an #Interior Lot# or #Through Lot# (in percent)	Maximum #Floor Area Ratio#
R6	60	2.20
R6 <sup>2</sup>	60	2.43
R6 <sup>1,3</sup> R6A		
R7B	65	3.00
R6B	60	2.00
R7	65	3.44
R7 <sup>1</sup> R7A	65	4.00
	* * *	
R8 <sup>1</sup>	70	7.20
	* * *	
---		

<sup>1</sup> for #zoning lots#, or portions thereof, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#

<sup>2</sup> for #zoning lots# in an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#

<sup>3</sup> ~~the maximum #lot coverage# for #zoning lots# in Mandatory Inclusionary Housing Program Area 1, as of May 24, 2017, in an R6 District without a letter suffix in Community District 9 in the Borough of the Bronx, utilizing the height and setback provisions of paragraph (e) of Section 23-664~~

for #zoning lots# in an R6 District without a letter suffix the maximum #lot coverage# for any #MIH development# utilizing the height and setback provisions of paragraph (c) of Section 23-664 in: Mandatory Inclusionary Housing Program Area 1, as of May 24, 2017 in Community District 9 in the Borough of the Bronx and in Mandatory Inclusionary Housing Program Area 2, as of [date of adoption], in Community District 14 in the Borough of Queens.

**23-154  
Inclusionary Housing**

\* \* \*

(d) Special #floor area# provisions for #zoning lots# in #Mandatory Inclusionary Housing areas#

For #zoning lots# in #Mandatory Inclusionary Housing areas#, the following provisions shall apply:

\* \* \*

(2) Maximum #floor area ratio#

The maximum #floor area ratio# for the applicable zoning district in #Inclusionary Housing designated areas# set forth in paragraph (b) of this Section shall apply to any #MIH development#, except:

~~However, in an R7-3 or R7X District, the maximum #floor area ratio# for any #MIH development# shall be 6.0; and in Mandatory Inclusionary Housing Program Area 1, as of May 24, 2017, in in Community District 9 in the Borough of the Bronx, it shall be 3.6.~~

(i) in an R6 District without a letter suffix the maximum #floor area ratio# for any #MIH development# shall be 3.6 in the following areas:

(aa) Mandatory Inclusionary Housing Program Area 1, as of May 24, 2017, in Community District 9 in the Borough of the Bronx; and

(bb) Mandatory Inclusionary Housing Program Area 2, as of [date of adoption], in Community District 14 in the Borough of Queens.

(ii) in an R7-1 District the maximum #floor area ratio# for any #MIH development# shall be 4.6;

(iii) in an R7-3 or R7X District, the maximum #floor area ratio# for any #MIH development# shall be 6.0.

In addition, in R6, R7-1, R7-2, R8 and R9 Districts without a letter suffix, where the basic height and setback requirements are utilized pursuant to paragraph (c) of Section 23-952, the maximum #floor area ratio# shall be determined in accordance with the provisions of Section 23-151 (Basic regulations for R6 through R9 Districts).

For any #development#, #enlargement# or #conversion# from non-#residential# to #residential use# that is subject to the provisions of paragraph (d)(4) of this Section, the maximum #floor area ratio# for the applicable district outside of #Inclusionary Housing designated areas# or #Mandatory Inclusionary Housing areas# shall apply.

\* \* \*

### 33-03 Street Tree Planting in Commercial Districts

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

(a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#, except as provided in paragraphs (b) and (c) of this Section;

(b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

\* \* \*

#Special Downtown Brooklyn District#;

#Special Downtown Far Rockaway District#;

#Special Downtown Jamaica District#;

\* \* \*

**Article XIII - Special Purpose Districts**

**Chapter 6**  
**Special Downtown Far Rockaway District**

**136-00**  
**GENERAL PURPOSES**

The “Special Downtown Far Rockaway District” established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Downtown Far Rockaway community. These general goals include, among others, the following specific purposes:

- (a) strengthen the commercial core of Downtown Far Rockaway by improving the working and living environments;
- (b) support the development of vacant and underutilized parcels in Downtown Far Rockaway with a mix of residential, commercial and community facility uses;
- (c) encourage the design of new buildings to blend into the existing neighborhood fabric by providing a transition in height between the downtown commercial core and the lower-scale residential communities;
- (d) establish a center to the downtown with lively new gathering and civic spaces along Mott Avenue that complement and strengthen the existing neighborhood;
- (e) encourage the development of affordable housing;
- (f) expand the retail, entertainment and commercial character of areas around transit nodes to enhance the area’s role as a local transportation hub;
- (g) integrate new roadways into an improved pedestrian and vehicular network with key north-south and east-west connections;
- (h) ensure the provision of adequate accessory parking that reflects both the automobile ownership patterns of the neighborhood and public transit access;

- (i) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities; and
- (j) promote the most desirable use of land and building development and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

**136-01**  
**General Provisions**

The regulations of this Chapter shall apply within the #Special Downtown Far Rockaway District#. The regulations of all other chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

**136-02**  
**Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

Open Space A

“Open Space A” shall be a publicly accessible open space designed and constructed pursuant to the provisions of Section 136-324 (Publicly accessible open space requirements) and located within the area designated as “Flexible Open Space A Location” on Map 7 (Mandatory Street Walls and Public Open Spaces) in the Appendix to this Chapter.

Open Space B

“Open Space B” shall be a publicly accessible open space designed and constructed pursuant to the provisions of Section 136-324 (Publicly accessible open space requirements) and located within the area designated as “Flexible Open Space B Location” on Map 7 (Mandatory Street Walls and Public Open Spaces) in the Appendix to this Chapter.

**136-03**  
**District Plan and Maps**

The regulations of this Chapter implement the #Special Downtown Far Rockaway District# Plan.

The District Plan includes the following maps in the Appendix to this Chapter:

- Map 1 - Special Downtown Far Rockaway District and Subdistrict
- Map 2 - Commercial Core
- Map 3 - Ground Floor Use and Transparency Requirements
- Map 4 - Maximum Building Height
- Map 5 - Maximum Building Height Within Subdistrict A
- Map 6 - Publicly Accessible Private Streets
- Map 7 - Mandatory Street Walls and Public Open Spaces
- Map 8 - Sidewalk Widening

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

**136-04**  
**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, Subdistrict A is established. The location of the Subdistrict is shown on Map 1 in the Appendix to this Chapter.

**136-05**  
**Applicability of District Regulations**

**136-051**  
**Applicability of the Quality Housing Program**

R6 R7-1

In the districts indicated, and in C2 Commercial Districts mapped within such districts, any #building# containing #residences#, #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations that is constructed in accordance with the #bulk# regulations of this Chapter shall be considered a #Quality Housing building#, and shall comply with the provisions of Article II, Chapter 8 (The Quality Housing Program) of this Resolution.

**136-052**  
**Applicability of the Mandatory Inclusionary Housing Program**

R6 R7-1

In the districts indicated, and in C2 Commercial Districts mapped within such districts, the regulations for a #Mandatory Inclusionary Housing area# shall apply. The locations of such #Mandatory Inclusionary Housing areas# are shown on the maps in Appendix F of this Resolution.

### **136-06**

#### **Private Streets and Publicly Accessible Open Spaces**

Except as otherwise provided herein, private streets that are provided in accordance with the provisions of this Chapter within the locations shown on Map 6 (Publicly Accessible Private Streets) in Appendix A of this Chapter, and publicly accessible open spaces that are provided in accordance with the provisions of this Chapter within the locations shown on Map 7 (Mandatory Street Walls and Public Open Spaces) in Appendix A of this Chapter shall be considered #streets# for the purposes of establishing the #use#, #bulk# and parking regulations of this Resolution. However, for the purposes of #floor area# regulations, such private streets and publicly accessible open spaces shall be considered part of a #zoning lot#. Furthermore, for the purpose of determining minimum and maximum base heights and minimum setback depth pursuant to paragraph (a) of Section 136-313 (Minimum and maximum base height), private streets and publicly accessible open spaces shall be distinguished from #streets#.

### **136-10**

#### **SPECIAL USE REGULATIONS**

The #use# regulations of the underlying district shall apply except as modified in this Section, inclusive.

### **136-11**

#### **Location Within Buildings**

Within locations shown on Map 2 (Commercial Core) in the Appendix to this Chapter, the provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall not apply. In lieu thereof, the provisions of Section 32-422 (Location of floors occupied by commercial uses) shall apply.

### **136-12**

#### **Use Groups 10A and 12 in C2 Districts**

Within locations shown on Map 2 (Commercial Core) in the Appendix to this Chapter, the provisions of Sections 32-19 (Use Group 10) and 32-21 (Use Group 12) shall be modified to allow Use Groups 10A and 12 in C2 Districts.

### **136-13** **Ground Floor Use Regulations**

The special ground floor #use# provisions of this Section shall apply to any portion of a #building#:

- (a) fronting on a designated #street#, as shown on Map 3 (Ground Floor Use and Transparency Requirements); or
- (b) located within 175 feet of Mott Avenue and fronting on #Open Space A#.

#Uses# within #stories# on the ground floor or with a floor level within five feet of the level of the adjoining sidewalk, shall be limited to non-#residential uses#. A #building's street# frontage shall be allocated exclusively to such #uses#, except for Type 1 lobby space, entrances and exits to #accessory# off-street parking facilities, and entryways or entrances to subway stations in accordance with Section 37-33 (Maximum Width of Certain Uses). Such non-#residential uses# shall comply with the minimum depth provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses).

### **136-14** **Transparency and Parking Wrap Requirements**

The provisions of this Section shall apply to #buildings developed# or #enlarged# after [date of adoption], where the ground floor of such #development# or #enlarged# portion of the #building# fronts upon designated #streets# as shown on Map 3 (Ground Floor Use and Transparency Requirements) in the Appendix to this Chapter. These provisions shall also apply to the frontage of #buildings# located along #Open Space A#. The ground floor #street wall# of such #building# or portion thereof shall be glazed in accordance with Section 37-34 (Minimum Transparency Requirements).

The provisions of Section 37-35 (Parking Wrap and Screening Requirements) shall apply along designated #streets# as shown on Map 3 and along #Open Space A#. In addition, the screening requirements of paragraph (b) of Section 37-35 shall apply along intersecting #streets# within 50 feet of designated #streets#, and along intersecting #streets# or private streets within 50 feet of #Open Space A#.

**136-15**  
**Special Use Regulations Within Subdistrict A**

The following additional special #use# provisions of this Section, inclusive, shall apply within Subdistrict A, as shown on Map 1 (Special Downtown Far Rockaway District and Subdistrict) in the Appendix to this Chapter.

**136-151**  
**Modification of Supplemental Use Provisions**

For #mixed buildings#, the underlying provisions of Section 32-421 (Limitation on floors occupied by non-residential uses) shall not apply. In lieu thereof, Use Groups 6, 7, 8, 9 or 14, other than offices listed in Use Group 6B, shall not be located above the level of the second #story# ceiling. Offices shall be permitted above the level of the second #story#, provided that where any floor space allocated to such offices is located on the same #story# as a #dwelling unit#, no access exists between such #uses#, and further provided that no floor space allocated to such offices is located directly over #dwelling units#.

**136-152**  
**Location of entrances**

(a) Non-#residential# entrances

Within Subdistrict A, on designated #streets#, as shown on Map 3 (Ground Floor Use and Transparency Requirements) in the Appendix to this Chapter, the requirements of this paragraph (a) shall apply to any #building or other structure# fronting on such #streets#. These provisions shall also apply to the frontage of #buildings# along #Open Space A#. Access to each ground floor #commercial# or #community facility# establishment shall be provided directly from a #street# or from #Open Space A#.

(b) #Residential# entrances

Eighty percent of all ground floor #dwelling units# with frontage only on Redfern Avenue shall have a #primary entrance# directly accessible from Redfern Avenue.

**136-20**  
**SPECIAL BULK REGULATIONS**

The #bulk# regulations of the underlying district shall apply except as modified in this Section, inclusive.

**136-21**  
**Lot Coverage**

The #residential# portion of a #building# shall comply with the maximum #lot coverage# provisions of the underlying district applicable to #Quality Housing buildings#.

**136-22**  
**Height and Setback Regulations**

For #residential buildings#, #mixed buildings# and #commercial buildings#, the height and setback regulations of the underlying district shall be modified by the regulations of this Section, inclusive. The provisions of Section 23-952 (Height and setback in Mandatory Inclusionary Housing areas) and Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall not apply within the #Special Downtown Far Rockaway District#.

All heights shall be measured from the #base plane#.

**136-221**  
**Street wall location**

In C2 Districts, the #street wall# location regulations of the underlying district shall apply except as modified in this Section.

- (a) In C2 Districts mapped within R6 and R7-1 Districts, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in Section 136-222 (Minimum and maximum base height), or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than ten feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#. For #zoning lots# bounded by more than one #street line#, these #street wall# location requirements shall be mandatory on only one #street line#.
- (b) In C2 Districts mapped within R5 Districts, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to a height of 30 feet, or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street

line#, provided that any such recesses deeper than ten feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#. For #zoning lots# bounded by more than one #street line#, these #street wall# location requirements shall be mandatory on only one #street line#.

- (c) Below a height of 15 feet or the height of the second #story# floor, whichever is lower, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except recesses that do not exceed a depth of 12 inches.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 (Street wall location) shall be permitted to project or recess beyond the #street wall# locations established in paragraphs (a) and (b) of this Section.

Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet, without regard to the #street wall# location requirements of this Section.

**136-222**  
**Minimum and maximum base height**

R6 R7-1

In the districts indicated, and in C2 Commercial Districts mapped within such districts, the minimum and maximum heights before setback of a #street wall# required pursuant to Section 136-221 (Street wall location), shall be as set forth in the following table:

<u>District</u>	<u>Minimum Base Height (feet)</u>	<u>Maximum Base Height (feet)</u>
<u>R6</u>	<u>30</u>	<u>55</u>
<u>R7-1</u>	<u>40</u>	<u>55</u>

At a height not lower than the minimum base height nor higher than the maximum base height specified for the applicable district in this Section, a setback with a depth of at least ten feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

**136-223**  
**Maximum building height**

R6 R7-1

In the districts indicated, and in C2 Commercial Districts mapped within such districts, the height of a #building or other structure# shall not exceed the maximum height or the maximum number of #stories#, whichever is less, as shown for such location on Map 4 (Maximum Building Height) in the Appendix to this Chapter.

**136-30**  
**SPECIAL REGULATIONS WITHIN SUBDISTRICT A**

The regulations of this Section, inclusive, shall apply within the area labeled “Subdistrict A”, as shown on Map 1 (Special Downtown Far Rockaway District and Subdistrict) in the Appendix to this Chapter. The regulations of the #Special Downtown Far Rockaway District# shall apply, except as modified by the regulations of this Section, inclusive.

**136-31**  
**Special Height and Setback Regulations Within Subdistrict A**

**136-311**  
**Street wall location**

The provisions of Section 136-221 (Street wall location) shall apply within Subdistrict A, except as provided in this Section.

- (a) For portions of #buildings# or #building segments# with frontage on Redfern Avenue located between the prolongation of the northerly #street line# of Dix Avenue and a line 150 feet south of and parallel to Nameoke Street, the street wall location rules of Section 136-221 shall not apply. In lieu thereof, paragraph (b) of Section 23-661 (Street wall location) shall apply.
- (b) For “Street Wall A” and “Street Wall B”, as shown on Map 7 (Mandatory Street Walls and Public Open Spaces) in the Appendix to this Chapter, the provisions of Section 136-231 (Street wall location) shall not apply. In lieu thereof, the provisions of this Section shall apply.
  - (1) “Street Wall A”  
#Buildings# on the west side of #Open Space A# shall have a #street wall# located along the required sidewalk widening on Mott Avenue, shown as a line designated “A1” on Map 7, except that #street wall# articulation set forth in

paragraph (e) of Section 35-651 (Street wall location) shall be permitted. Beyond 112 feet of Redfern Avenue, the #street wall# shall be located no closer to Central Avenue than the line designated “A2” as shown on Map 7.

(2) “Street Wall B”

#Street walls# fronting #Open Space A# shall be located no closer to Redfern Avenue than as shown as a line designated “B1” on Map 7. The #street walls# of #buildings# on the east side of #Open Space A# with frontage on Mott Avenue shall be located no closer to Mott Avenue than as shown as lines designated “B2” and “B3” on Map 7 for. Portions of #street walls# with frontage on Mott Avenue, located so that a line drawn perpendicular to the line designated “B3” intersects such #street walls#, shall be located no further than 30 feet from “B3.” #Street walls# fronting Central Avenue shall be located no closer to Central Avenue than as shown for the line designated “B4” on Map 7, and shall be located no further than 30 feet from “B4.”

(c) For #blocks# with a dimension of less than 100 feet between #streets# or private streets that are parallel or do not intersect, the provisions of Section 136-221 shall be modified to require a minimum of 40 percent of the #aggregate width of street walls# to be located within eight feet of the #street line# and to extend to at least the minimum base height specified in Section 136-222 (Minimum and maximum base height), or the height of the #building#, whichever is less.

All #street walls# governed by this Section shall extend to the minimum base height specified in Section 136-313 (Minimum and maximum base height), or the height of the #building#, whichever is less.

**136-312**  
**Street wall recesses**

For each #building# within Subdistrict A, where the #aggregate width of street walls# is greater than 90 feet, a minimum of 20 percent of the surface area of #street walls# below the maximum base height and above the level of the first #story# shall be recessed beyond three feet of the #street line#. Portions of #street lines# with no #street walls# may be counted towards the recess requirements of this Section. No portion of such minimum recessed area shall be located within 30 feet of the intersection of two #street lines#. However, such minimum recessed area shall be permitted within 30 feet of Redfern Avenue, except at the intersection of Redfern Avenue and Mott Avenue.

**136-313**

**Minimum and maximum base height**

Within Subdistrict A, the provisions of Section 136-222 (Minimum and maximum base height) shall not apply. In lieu thereof, for #residential buildings#, #mixed buildings# and #commercial buildings#, the provisions of this Section shall apply. The #street wall# height and setback regulations of the underlying district shall apply except as modified in this Section.

(a) The minimum and maximum heights before setback of a #street wall# required pursuant to Section 136-221 (Street wall location), shall be as set forth in the following table:

<u>Condition</u>	<u>Minimum Base Height (feet)</u>	<u>Maximum Base Height (feet)</u>	<u>Minimum Setback Depth (feet)</u>
<del>Fronting on Redfern Avenue and greater than 75 feet from an intersecting #street#</del>	<del>30</del>	<del>45</del>	<del>10</del>
Fronting on, or within 100 feet of, a #street#, other than a private street or publicly accessible open space	<del>40</del> *40 <sup>1</sup>	65	10
Fronting on a private street or a publicly accessible open space and beyond 100 feet of a #street# that is not a private street or publicly accessible open space	<del>40</del> 40 <sup>1</sup>	85	7
<del>* Within 300 feet of Mott Avenue, the minimum base height shall be 20 feet.</del> Fronting on Redfern Avenue	30 <sup>1</sup>	45 <sup>2</sup>	10

<sup>1</sup> Within 300 feet of Mott Avenue, the minimum base height shall be 20 feet.

<sup>2</sup> The maximum base height for the portion of a building subject to the 65 foot or six story maximum height provisions of 136-314 shall be 65 feet,

(b) Dormers

The provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts) shall be modified to allow dormers as a permitted obstruction within the required front setback distance above a maximum base height, as follows:

- (1) Within 75 feet of intersecting #streets#, dormers shall be permitted without limitation on width.
- (2) Where dormers are provided pursuant to paragraph (b)(1) of this Section, and such dormers exceed the maximum width permitted pursuant to paragraph (c) of Section 23-621, for any portion of a #building# with an #aggregate width of street walls# greater than 75 feet, a setback shall be provided above the maximum base height between such dormer and any other dormer for a width of at least 20 feet, or the remaining width of such #street wall#, as applicable.
- (3) Beyond 75 feet of intersecting #streets#, the provisions of paragraph (c) of Section 23-621 shall apply. The width of any dormers provided pursuant to the provisions of paragraph (b)(1) of this Section shall be included in the aggregate width of all dormers.

However, the provisions of this paragraph (b) shall not apply to portions of #buildings# with frontage on Redfern Avenue, except that these provisions shall apply to portions of #buildings# with frontage on both Redfern Avenue and Mott Avenue.

### **136-314** **Maximum building height**

The height of a #building or other structure# shall not exceed the maximum building height or the maximum number of #stories#, whichever is less, as shown on Map 5 (Maximum Building Height Within Subdistrict A) in the Appendix to this Chapter. However, within 75 feet of the intersection of the southerly cross street with Redfern Avenue, and within 75 feet of the intersection of the northerly cross street with Redfern Avenue, the maximum height for #buildings or other structures# shall be ~~not exceed maximum height~~ of six #stories# or 65 feet, whichever is less. Any such 65 foot or six story maximum building height limit falling within 300 feet of Mott Avenue shall only extend to a depth of 25 feet off of Redfern Avenue, after which the maximum building height and maximum number of stories shown on Map 5 shall apply.

### **136-315** **Maximum building height and horizontal dimension for tall buildings**

Within the area labeled “Tower Location Area” on Map 5 (Maximum Building Height Within Subdistrict A) in the Appendix to this Chapter, the height of a #building# may exceed the height limits specified in Section 136-314 (Maximum building height) only as set forth in this Section. Any portion of a #building# above a height of 125 feet shall hereinafter be referred to as a “tower.”

- (a) Towers shall be located within portions of #zoning lots# bounded by intersecting #street lines# and lines parallel to and 200 feet from each intersecting #street line#.
- (b) Towers shall be separated from one another by a minimum distance of 60 feet, measured in all horizontal directions.
- (c) The outermost walls of each #story# of a #building# located entirely above a height of 125 feet shall be measured in plan view and inscribed within a rectangle. The maximum length of ~~two sides~~ of such rectangle shall be 170 feet. The maximum length of ~~the two sides~~ any other side of such rectangle shall be 100 feet. For the purposes of this Section, #abutting# portions of #buildings# above a height of 125 feet shall be considered a single tower.
- (d) To permit portions of a #building# to rise from grade to a tower portion without setback, the setback provisions of Section 136-313 (Minimum and maximum base height) shall not apply to any portion of a #building# located within 100 feet of intersecting #street lines#.
- (e) The maximum height of a tower shall be 155 feet or 15 #stories#, whichever is lower.
- (f) No more than two towers shall be permitted within Subdistrict A.

**136-316**  
**Maximum length of buildings**

The outermost walls of each #story# of a #building# located entirely above a height of 95 feet shall be measured in plan view and inscribed within a rectangle. The maximum length of any side of such rectangle shall be 170 feet. For the purposes of this Section, #abutting# portions of #buildings# ~~on~~ above a ~~single #zoning lot#~~ height of 95 feet shall be considered a single #building#.

**136-32**  
**Streets and public open spaces**

**136-321**  
**Certification**

The requirements of this Section shall apply to #zoning lots# containing #developments# or #enlargements# within the current or former Downtown Far Rockaway Urban Renewal Area. No building permit shall be issued for any #development# or #enlargement# until the Chairperson of the City Planning Commission certifies to the Department of Buildings that such #development# or #enlargement# complies with the provisions of this Section.

The Chairperson shall certify that:

(a) all publicly accessible open spaces adjacent to the proposed #development# or #enlargement# comply with the provisions of Section 136-324 (Publicly accessible open space requirements);

(b) the location of private streets adjacent to the proposed #development# or #enlargement# complies with the provisions of Section 136-323 (Private streets); and

(c) for any portion of Subdistrict A outside the area of the proposed #development# or #enlargement# for which a certification pursuant to this Section has not been obtained, the applicant has submitted sufficient documentation showing that the #development# or #enlargement# that is the subject of this certification, and any associated private streets and publicly accessible open spaces required to be constructed in conjunction with such #development# or #enlargement#, shall not preclude such undeveloped portions of Subdistrict A from complying with the provisions of Sections 136-323 and 136-324 under future certifications pursuant to this Section.

All required private streets and publicly accessible open spaces, once certified in accordance with the provisions of this Section, shall be duly recorded in the form of a signed declaration of restrictions, including provisions for the maintenance and operation of such private streets and publicly accessible open spaces, indexed against the property, binding the owners, successors and assigns to provide and maintain such private streets and publicly accessible open spaces in accordance with the plans certified by the Chairperson. Such declaration, or any maintenance and operation agreement with the City or its designee executed in connection therewith, shall require that adequate security be provided to ensure that the private streets and public access areas are maintained in accordance with the declaration and any related maintenance and operation agreement and are closed only at authorized times. The filing of such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

In addition, the private streets and publicly accessible open spaces integral to the #development# or #enlargement# of a #building#, as indicated in the plans certified by the Chairperson, shall be recorded on the certificate of occupancy for such #building# by the Department of Buildings. The recording information of the declaration of restrictions shall be included on the certificate of occupancy for any #building#, or portion thereof, issued after the recording date.

The property owner shall be responsible for the construction and maintenance of all required private streets and publicly accessible open spaces on the #zoning lot#. No temporary or final certificate of occupancy shall be issued for any #building# adjacent to such private street or publicly accessible open space until all required improvements are completed, except as set forth in a phasing plan that has been incorporated in a signed and duly recorded declaration of restrictions, and that has provided for interim improvements and access where these do not present conflicts with construction, staging, or public safety.

### **136-322** **Sidewalk widening**

For #buildings developed# or #enlarged# after [date of adoption], where the #development# or horizontal #enlargement# fronts upon designated #streets# as shown on Map 8 (Sidewalk Widening) in the Appendix to this Chapter, the provisions of this Section shall apply.

A sidewalk widening is a continuous, paved open area along the #street line# of a #zoning lot#, located within the #zoning lot#. A sidewalk widening shall be provided along #streets# as shown on Map 8, to the extent necessary, so that a minimum sidewalk width of 13 feet or 18 feet, as applicable, is achieved, including portions within and beyond the #zoning lot#. Such depth shall be measured perpendicular to the #street line#. Sidewalk widenings shall be improved as sidewalks to Department of Transportation standards, at the same level as the adjoining public sidewalk and shall be directly accessible to the public at all times. No #enlargement# shall be permitted to decrease the depth of such sidewalk widening to less than such minimum required depth.

Lighting shall be provided with a minimum level of illumination of not less than two horizontal foot candles throughout the entire mandatory sidewalk widening. Lighting fixtures installed by the Department of Transportation within the #street# adjacent to such sidewalk widening shall be included in the calculation of the required level of illumination.

Where a continuous sidewalk widening is provided on the #zoning lot#, along the entire #block# frontage of a #street#, the boundary of the sidewalk widening within the #zoning lot# shall be considered to be the #street line# for the purposes of Sections 136-22 (Height and Setback Regulations) and 136-31 (Special Height and Setback Regulations Within Subdistrict A).

### **136-323** **Private streets**

In Subdistrict A, private streets shall be accessible to the public at all times, except when required to be closed for repairs, and for no more than one day each year in order to preserve the

private ownership of such area. Private streets shall have a minimum width of 60 feet. Private streets shall be constructed to Department of Transportation standards for public #streets#. Sidewalks shall have a minimum clear path of seven feet on each side of such private streets along their entire length. Such private streets shall be located as shown on Map 6 (Publicly Accessible Private Streets) in the Appendix to this Chapter. One street tree shall be planted for every 25 feet of curb length of each private street. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the private street.

The private street network shall be established as follows.

(a) A central street shall connect #Open Space A# with Nameoke Ave. as shown on Map 6 (Publicly Accessible Private Streets). However, if the centerline of the new street is not within five feet of the extended centerline of Brunswick Avenue, then the easterly curb of the new street shall be greater than 50 feet from the extended line of the westerly curb of Brunswick Avenue.

(b) A southerly cross street shall connect Redfern Avenue with the central street, intersecting Redfern Avenue within the 170-foot wide area shown on Map 6. However, if the centerline of the new street is not within five feet of the extended centerline of Dix Avenue, then the northerly curb of the new street shall be greater than 50 feet from the extended line of the southerly curb of Dix Avenue.

(c) A northerly cross street shall connect Birdsall Avenue with Bayport Place, intersecting Redfern Avenue so that the centerline of the new street is within five feet of the extended centerline of Birdsall Avenue and within five feet of the centerline of Bayport Place.

### **136-324**

#### **Publicly accessible open space requirements**

Publicly accessible open spaces shall be provided within the areas designated “Flexible Open Space A Location” and “Flexible Open Space B Location”, as applicable, as shown on Map 7 (Mandatory Street Walls and Public Open Spaces) in the Appendix to this Chapter. #Open Space A# shall contain a minimum of 23,000 square feet, and #Open Space B# shall contain a minimum of 7,000 square feet.

(a) A portion of the required publicly accessible open space located within #Open Space A# shall have a minimum width of 80 feet within 55 feet of Mott Avenue. #Open Space A# shall extend from Mott Avenue to the nearest private street required pursuant to Section 136-323 (Private streets), and shall maintain a minimum width of 60 feet.

(b) Publicly accessible open spaces shall comply with the provisions of Sections 37-725 (Steps), 37-726 (Permitted obstructions), 37-727 (Hours of access) 37-728 (Standards of accessibility for persons with disabilities), 37-73 (Kiosks and Open Air Cafes), 37-74 (Amenities) and 37-75 (Signs), except for the following modifications:

(1) Section 37-73 (Kiosks and Open Air Cafes) shall be modified as follows:

(i) Paragraph (a) of Section 37-73 shall be modified to permit a kiosk to occupy an area no greater than 400 square feet within #Open Space A#, provided that such kiosk has a maximum width, measured along the same axis as the minimum width of #Open Space A# pursuant to paragraph (a) of this Section, of 20 feet, and provided further that any canopies, awnings or other sun control devices extending from such kiosk shall be limited to a distance of five feet from such kiosk;

(ii) Paragraph (b) of Section 37-73 shall be modified to limit the aggregate area of open air cafes to no more than 40 percent of the publicly accessible open space, to allow open air cafes to occupy up to 50 percent of #street# frontage along Mott Avenue, and to eliminate the requirement that open air cafes be located along the edge of the publicly accessible open space; and

(iii) Paragraphs (c) and (d) of Section 37-73 shall not apply to the certification of open air cafes in the Special District, and the filing of plans for open air cafes in the Borough Office of the City Register shall not be required;

(2) Section 37-741 (Seating) shall be modified as follows:

(i) the requirement for a minimum of one linear foot of required seating for every two linear feet of #street# frontage within 15 feet of the #street line# shall not apply;

(ii) the requirement of one linear foot of seating for each 30 square feet of #public plaza# area shall be modified to one linear foot of seating for each 60 square feet of publicly accessible open space; and

(iii) seating for open air cafes may count toward the seating requirement, in the category of moveable seating, provided that 50 percent of the linear seating capacity is provided through other seating types;

(3) For #Open Space A#, Section 37-742 (Planting and trees) shall be modified to require that at least 15 percent of the area of the publicly accessible open space shall be comprised of planting beds with a minimum dimension of two feet, exclusive of any bounding walls. For #Open Space B#, Section 37-742 (Planting and trees) shall be modified to eliminate the requirement for such planting beds;

(4) Section 37-743 (Lighting) shall be modified to provide that for publicly accessible open spaces fronting on Mott Avenue, the lighting fixtures installed by the Department of Transportation within the #street# shall be included in the calculation of the required level of illumination;

(5) Section 37-744 (Litter receptacles) shall be modified to require a minimum of one litter receptacle per ~~10,000~~ 5,000 square feet of publicly accessible open space;

(6) Entry plaques for publicly accessible open spaces shall be provided as described in paragraph (a) of Section 37-751 (Public space signage systems), except that the number of such plaques shall be provided so that one such plaque is located at each point of entry from a #street# to such publicly accessible open space. ~~Plaques pursuant to paragraphs (b) and (c) of Section 37-751 shall not be required; and~~

(7) Section 37-753 (Accessory signs) shall be modified as follows:

(i) paragraphs (a), (c) and (d) shall not apply;

(ii) paragraph (b) shall be modified to permit non-#illuminated# or #illuminated# accessory signs#, and the permitted #surface area# of such #signs# shall be as permitted by the underlying district, as if the publicly accessible open space was a #street#; and

(iii) paragraph (e) shall be modified to permit any number of #accessory signs# within the publicly accessible open space, subject to the remaining provisions of such paragraph (e).

## **136-40** **SPECIAL OFF-STREET PARKING REGULATIONS**

### **136-41** **Parking Regulations**

The off-street parking regulations shall be modified, as follows:

(a) The regulations of Section 25-027 (Applicability of regulations in Community District 14, Queens) shall not apply. In lieu thereof, the regulations of the applicable underlying district shall apply, as modified by the provisions of this Section.

(b) In a C2 Commercial District mapped within an R7-1 District, the regulations of Section 25-251 (Income-restricted housing units) shall be modified to require an #accessory# off-street parking requirement of 25 percent per #income-restricted housing unit#.

(c) For #commercial uses# in Parking Requirement Categories PRC-A, PRC-B, PRC-B1 and PRC-C, the provisions of Section 36-21 (General Provisions) shall be modified to require #accessory# off-street parking spaces at a rate of one parking space per 750 square feet of #floor area#.

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the provisions of Sections 25-31 (General Provisions) and 36-21 shall be modified to require #accessory# off-street parking spaces at a rate of one parking space per 750 square feet of #floor area#.

(d) Within Subdistrict A, parking spaces provided on private streets shall count towards the number of #accessory# off-street parking spaces required by the provisions of Sections 36-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES) and 36-30 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS). For such parking spaces located within private streets, the provisions of Section 28-40 (PARKING FOR QUALITY HOUSING) shall not apply.

## **136-50** **AUTHORIZATIONS**

### **136-51** **Authorization to Modify Provisions for Publicly Accessible Open Spaces and Private Streets**

The City Planning Commission may authorize modification of the provisions of Sections 136-323 (Private streets) and 136-324 (Publicly accessible open space requirements), provided that the Commission shall find that:

(a) the usefulness and attractiveness of the publicly accessible open space will be improved by the proposed design and layout;

(b) such modification to private street provisions will result in a private street network that will ensure pedestrian and vehicular mobility and safety and will be well integrated with the surrounding #streets#; and

(c) such modification will result in a superior urban design relationship with surrounding #buildings# and open areas, including #streets# and private streets.

The Commission may prescribe appropriate conditions and controls to enhance the relationship of such publicly accessible open spaces and private streets to surrounding #buildings# and open areas.

### **136-52**

#### **Authorization to Modify Bulk Regulations for Income-Restricted Housing Units**

~~The For #developments# or #enlargements# containing only #income-restricted housing units#, #affordable independent residences for seniors#, or other government-assisted #dwelling units#, the City Planning Commission may authorize modifications of height and setback regulations:~~

- ~~(a) #yard# regulations, and~~
- ~~(b) regulations governing the minimum required distance between #buildings# on the same #zoning lot#, provided that no waiver shall authorize a minimum distance of less than 40 feet, and~~
- ~~(c) regulations governing the minimum required distance between #legally required windows# and walls or #lot lines#, provided that no waiver shall authorize a minimum of less than 20 feet between #legally required windows# and walls or #lot lines#;~~

~~provided that the maximum building heights established in Sections 136-314 (Maximum building height), 136-315 (Maximum building height and horizontal dimension for tall buildings) shall not be modified.~~

The Commission shall find that such modifications:

- (a) will aid in achieving the general purposes and intent of this Chapter as set forth in Section 136-00 (GENERAL PURPOSES);
- (b) will provide a better distribution of #bulk# on the #zoning lot#, resulting in a superior site plan, in which the #buildings# subject to this authorization and any associated open areas will relate harmoniously with one another and with adjacent #buildings# and open areas; and
- (c) will not unduly increase the #bulk# of any #building# or unduly obstruct access of adequate light and air to the detriment of the occupants or users of #buildings# on the #block# or nearby #blocks#, or of people using the public #streets# and other public spaces; and
- ~~(d) will not create traffic congestion in the surrounding area.~~

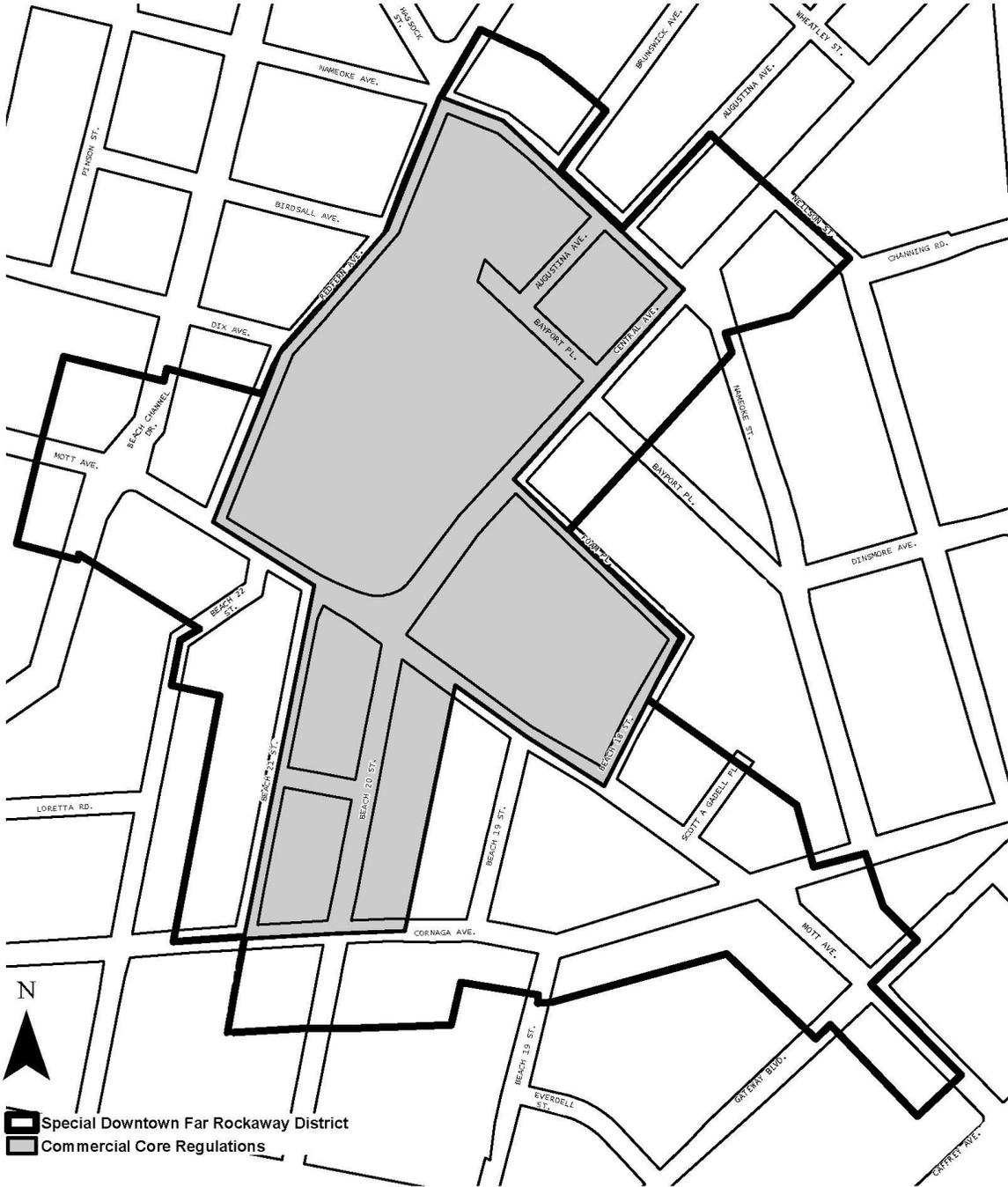
The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**Appendix**

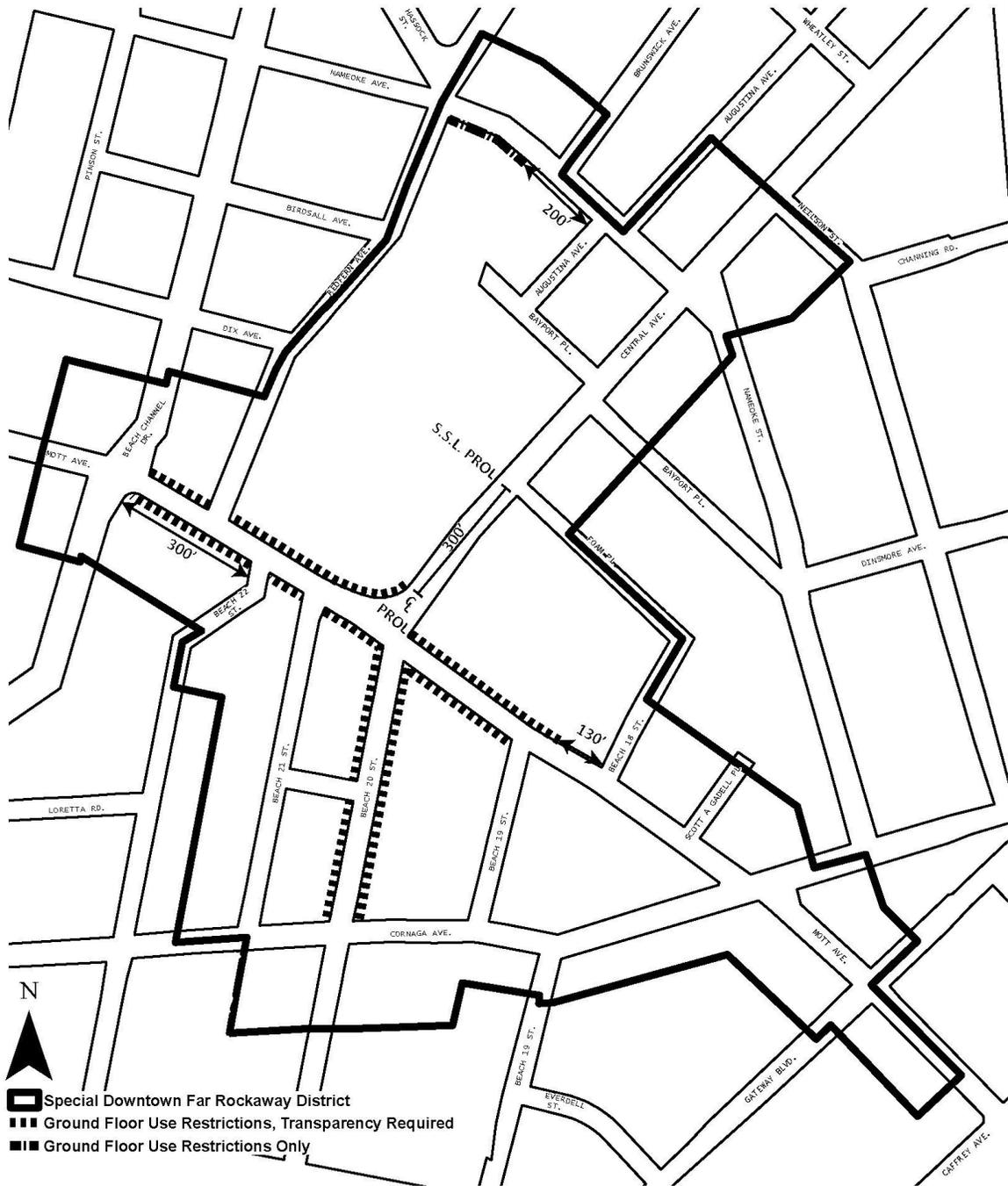
**Special Downtown Far Rockaway District Maps**



Map 2 - Commercial Core

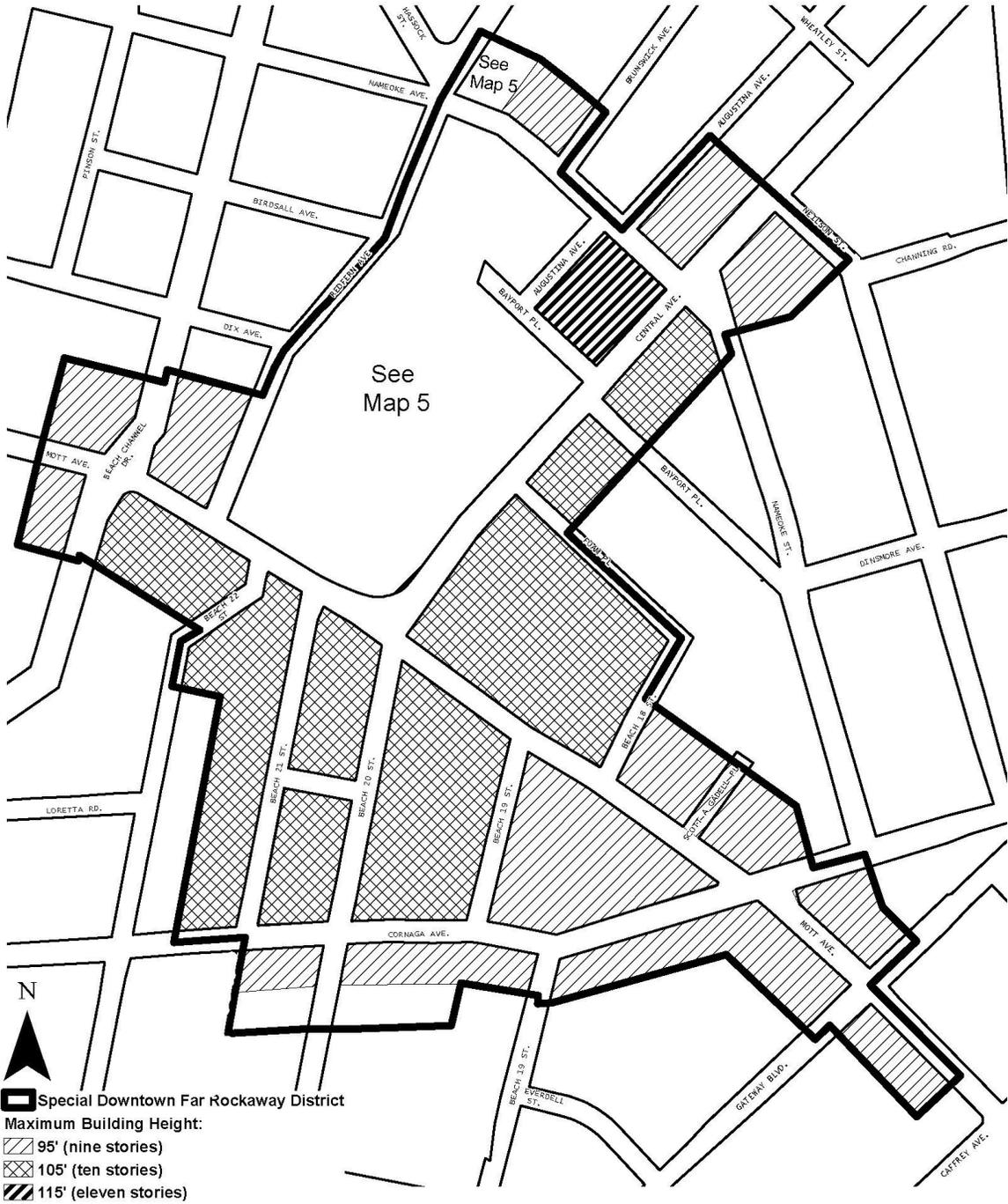


Map 3 - Ground Floor Use and Transparency Requirements



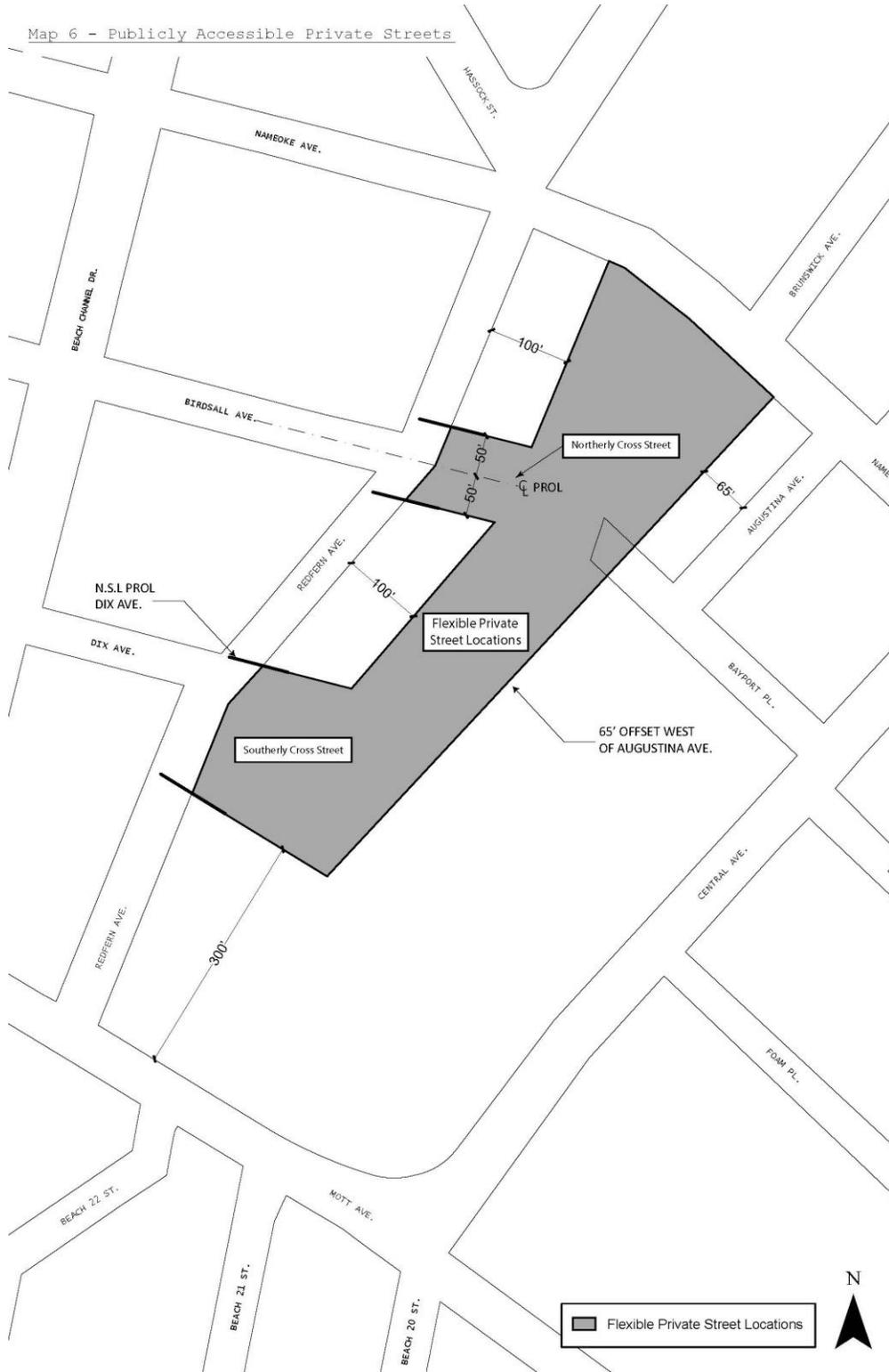


Map 4 - Maximum Building Height

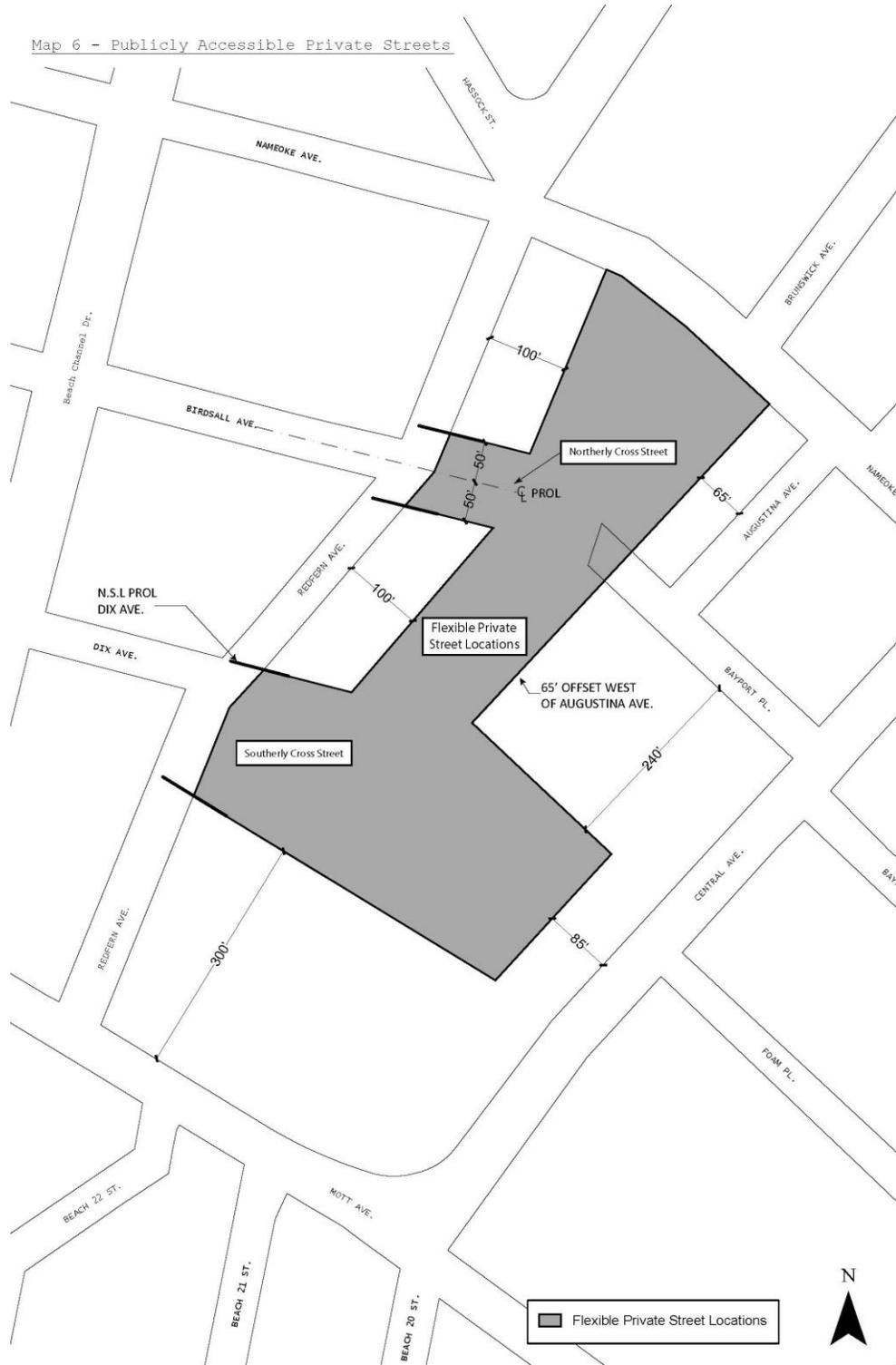




[Proposed Map 6]

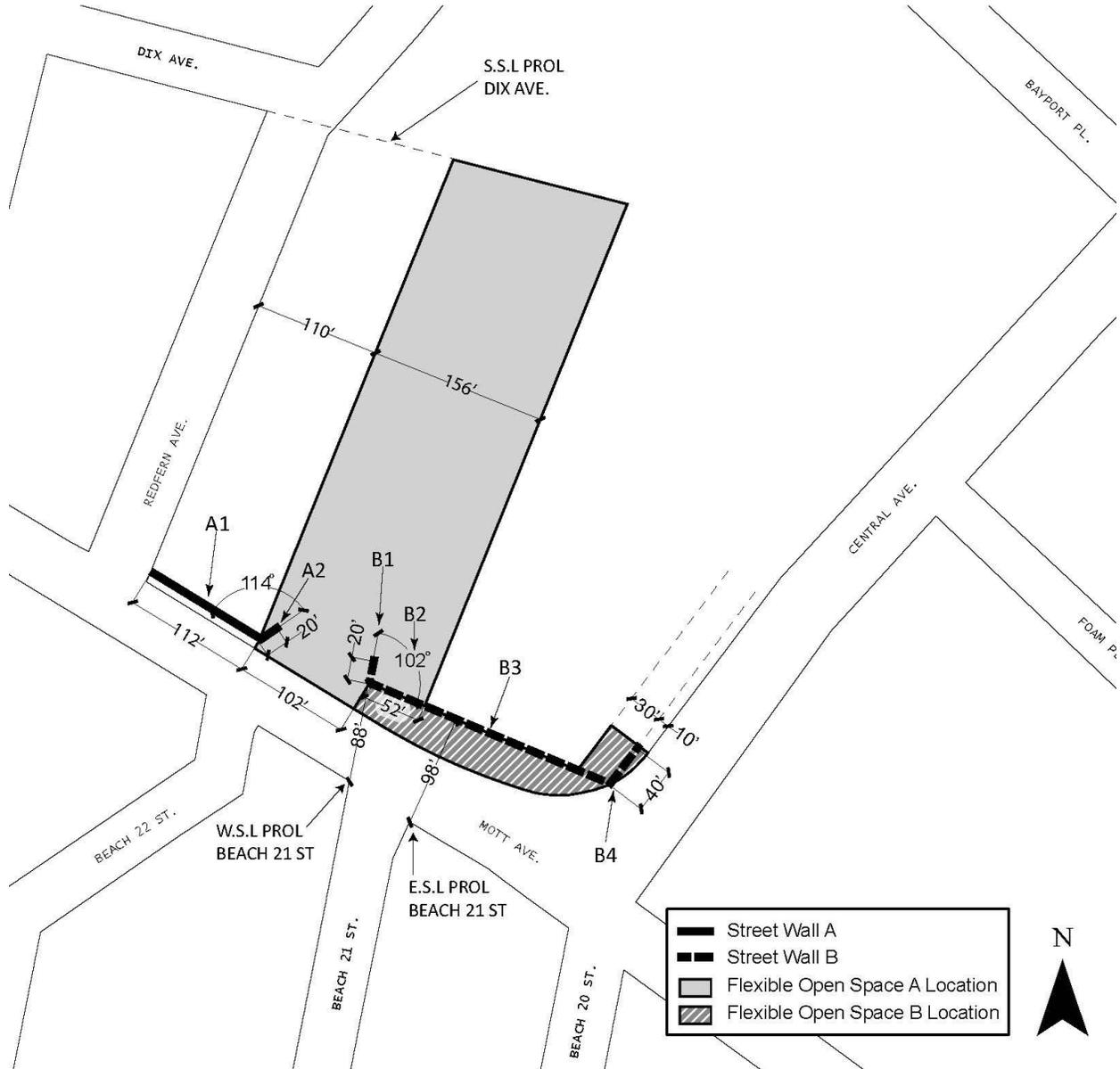


[Map 6 as Modified by City Council]



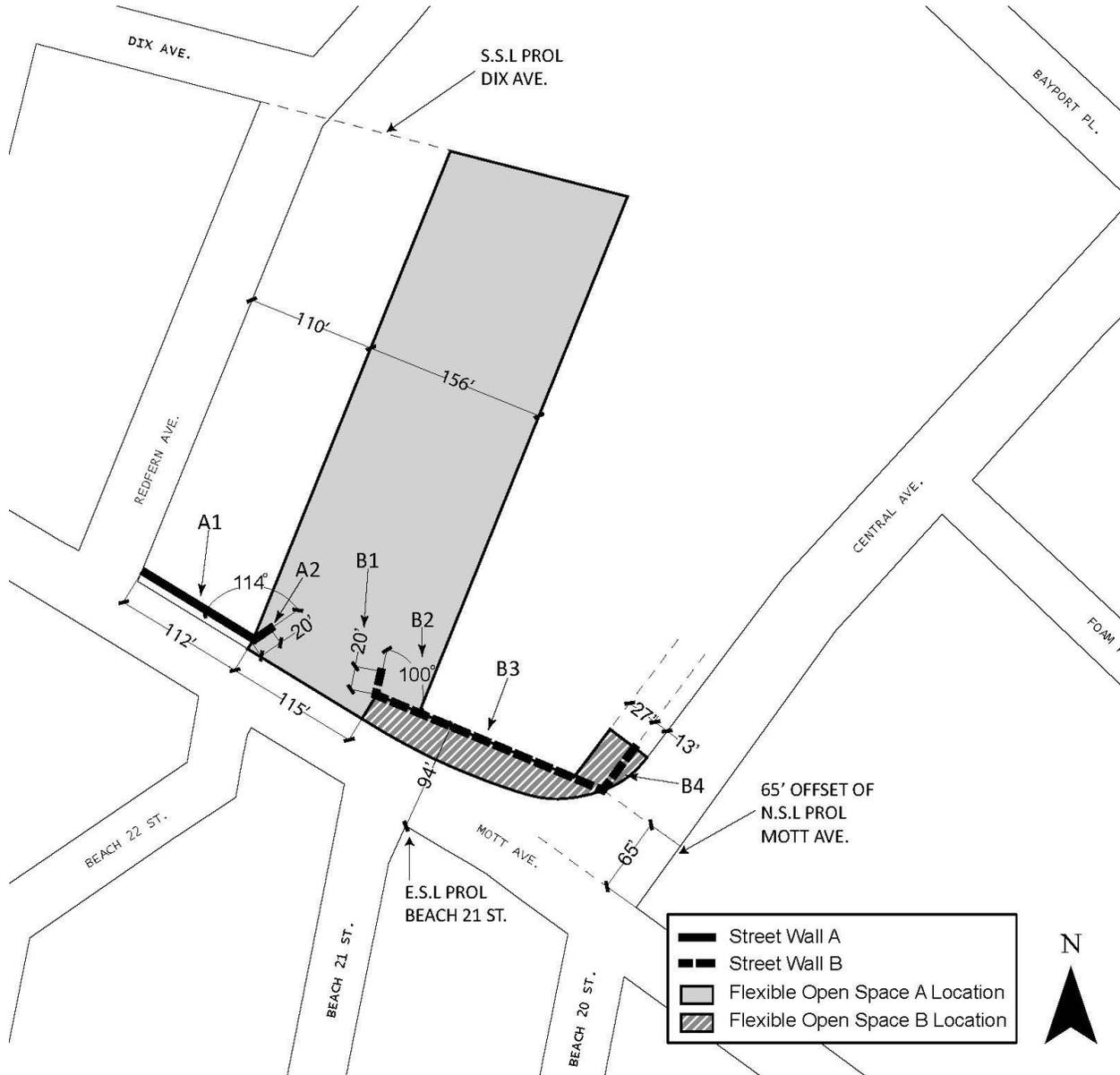
[Proposed Map 7]

Map 7 - Mandatory Street Walls and Flexible Public Open Space Locations

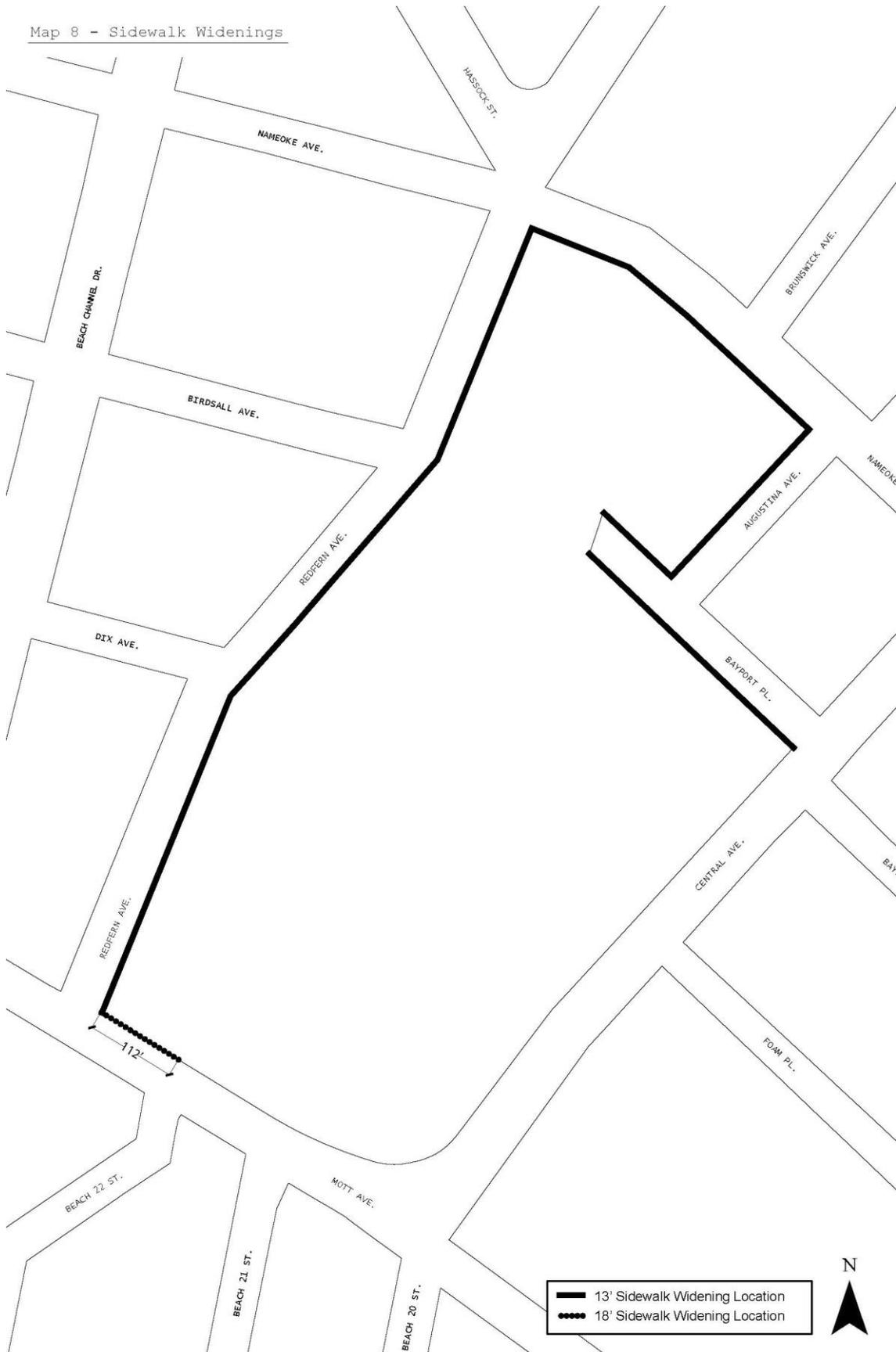


[Map 7 as Modified by City Council]

Map 7 - Mandatory Street Walls and Flexible Public Open Space Locations



Map 8 - Sidewalk Widening



\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**Queens**

\* \* \*

**Queens Community District 14**

In portions of the #Special Downtown Far Rockaway District# and in the R6, R6A, and R7-1 Districts within the areas shown on the following Maps 1 and 2:

\* \* \*



Portion of Community District 14, Queens

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 \_\_\_\_\_, 2017, on file in this office.

.....  
City Clerk, Clerk of The Council

## **Appendix 2**

### **Points of Agreement (POA) Memo**



OFFICE OF THE MAYOR  
THE CITY OF NEW YORK

ALICIA K. GLEN  
DEPUTY MAYOR FOR HOUSING AND  
ECONOMIC DEVELOPMENT

August 21, 2017

The Honorable Donovan Richards  
New York City Council  
City Hall  
New York, NY 10007

Dear Council Member Richards,

Since releasing the *Downtown Far Rockaway Roadmap for Action* in August of 2016, we have worked with you to advance comprehensive neighborhood strategies to ensure the revitalization of this unique area. Just in the past year, we have invested in storefront improvements, worked with local businesses to implement resilient wireless mesh networks, completed the final phase of the Rockaway boardwalk, and released an RFP for the redevelopment of a key City-owned site. Of utmost importance to the implementation of the *Roadmap for Action* are land use actions that set the stage for the revitalization of the area. Through the rezoning, the establishment of a special zoning district, the creation of an Urban Renewal Area, and the disposition of City-owned properties, we are updating decades-old zoning and addressing long-underutilized properties that have held back Downtown Far Rockaway for far too long.

The unprecedented interagency effort to prepare and execute the *Roadmap for Action* has included close consultation with your office, as well as the Working Group, several public forums, briefings and presentations to the Community Board and committees, and countless one-on-one discussions with stakeholders. As community engagement has always been at the heart of this initiative, the input from these efforts has been invaluable and is reflected throughout the plan's strategies and proposals.

Throughout the development of this plan, a number of issues and needs have been raised by you and echoed by the Far Rockaway community. As indication of the Administration's commitment to implement this far-reaching plan, and in order to marry the land use actions with discrete investments in capital projects and programs in the area, the Administration has prepared a set of strategies that will be deployed in the coming years. Attached in Exhibit A are commitments that are specifically designed to encourage economic development, provide and protect affordable housing, improve transportation, create additional open space, and strengthen community resources.

Thanks to your leadership and dedication, the City is on the cusp of turning the page for Downtown Far Rockaway and putting the area on a positive trajectory—to the benefit of residents, businesses, and beyond. We thank you for your effective advocacy on behalf of the community, and we look forward to a continued partnership with you to achieve our common goals.

Sincerely,

Alicia K. Glen

Exhibit A

## **Downtown Far Rockaway Neighborhood Strategies**

Building on the goals outlined in the *Downtown Far Rockaway Roadmap for Action* and in coordination with the land use actions proposed under the *Downtown Far Rockaway Redevelopment Project*, the City will advance the following additional strategies in reflection of the Administration's valued partnership with the Council Member and a holistic commitment to supporting the long-deferred vision of a revitalized Downtown Far Rockaway.

The *Downtown Far Rockaway Redevelopment Project* focuses on land use and zoning, economic development, housing, transportation, public space, community services and culture, all of which are conceived to work together to improve the quality of life for Downtown Far Rockaway residents and unlock opportunity. The strategies below reflect over \$126million in new City funding for various projects.

### **ECONOMIC DEVELOPMENT**

#### ***Promote local hiring and job opportunities for area residents***

SBS prepares and connects qualified jobseekers to employers with job opportunities in New York City. The Rockaway Workforce1 Center in Arverne provides recruitment expertise, industry knowledge, and skill-building workshops to connect these candidates to job opportunities. SBS will host monthly meetings at the Rockaway Workforce1 Center with community partners, including Rockaway Development & Revitalization Corporation (RDRC) and Ocean Bay Community Development Corporation, to connect Far Rockaway residents with workforce opportunities. Building on existing services, SBS will enhance outreach to the local community including quarterly recruiting events with various community partners such as faith based organization, the Queens Public Library, and other groups.

At the Rockaway Workforce1 Career Center, Rockaway residents will be able to connect to the City's newly expanded HireNYC program. As one of the largest targeted hiring programs in the nation, HireNYC will allow the City to leverage its economic development investments to connect more New Yorkers to jobs while helping local businesses find the talent they need. HireNYC now requires contractors, subcontractors, and developers with a City contract worth at least \$1 million or a housing project that receives at least \$2 million in HPD subsidy to post open positions through the Workforce1 system and consider qualified candidates, making it easier for local jobseekers to connect to good job opportunities.

**Timeline:** Commencing Fall 2017

#### ***Support area M/WBEs***

To ensure that the City's procurement reflects the diversity of our city and business owners, SBS certifies, promotes, and fosters the growth of the City's M/WBEs. SBS will work with the Council Member to host M/WBE certification events in the district. In addition, it will provide a number of capacity building services to M/WBE business owners in Downtown Far Rockaway. These include certifying firms with contract financing assistance, business courses, one-on-one technical assistance, networking and educational events, assistance with obtaining bonds, and access to City and private sector contracting opportunities. Residents of Far Rockaway can access these opportunities by calling the Certification Helpline or visiting any one of the seven NYC Business Solutions Centers, including the NYC Small Business Support Center located in Jamaica.

**Timeline:** Commencing Fall 2017

***Support existing businesses through free legal services and other business outreach efforts***

SBS offers commercial lease education workshops across the boroughs to teach New York City entrepreneurs about the components of a commercial lease and the implications of signing one. SBS also connects businesses to commercial lease consultations with pro bono lawyers who will review their lease and answer their questions and concerns one-on-one, and is in the process of further expanding legal services to serve more businesses, like those facing commercial tenant harassment from landlords.

In Downtown Far Rockaway, SBS will conduct door-to-door engagement with business owners and provide neighborhood-specific services to meet business needs through Chamber-on-the-Go and expanded Workforce 1 services. SBS will roll out additional entrepreneurship education programs for immigrant and women-owned businesses, including Women Entrepreneurs NYC (WENYC) workshops on credit, funding, and leadership, in addition to one-on-one financial counseling and mentorship sessions. SBS will continue to monitor needs and provide appropriate entrepreneurship resources in coordination with community partners such as the Queens Public Library.

Finally, SBS will work with business owners in Downtown Far Rockaway to coordinate consultation visits from our Compliance Advisors, who educate business owners on how to avoid the most commonly issued City violations.

**Timeline:** Programs will start in Fall 2017

**Budget:** \$50,000 for new neighborhood-specific programming

***Complete Commercial District Needs Assessment, including BID feasibility study***

SBS will conduct a Commercial District Needs Assessment (CDNA) to look at the existing storefront business landscape in the neighborhood, including the retail vacancy rate, retail mix, retail leakage, physical conditions, and unique character of the commercial corridors and local businesses. The CDNA serves as a tool to identify the area's strengths, challenges, and opportunities for local neighborhood revitalization. The CDNA also includes community-driven findings and recommendations for possible merchant organizing, the feasibility of BID formation, public programming, and district marketing.

**Timeline:** Commencing Fall 2017 through Summer 2018

**Budget:** \$100,000

***Launch Business Incubation Services in Far Rockaway***

SBS will work with the Council Member's Office and Workforce1 Center to encourage local business owners and aspiring entrepreneurs to apply and participate in the full suite of FastTrac NewVenture and FastTrac Growth Venture business incubation workshops in Downtown Far Rockaway at dedicated spaces including the Workforce1 Center and local community organizations such as the Queens Public Library. These are free, 10-session, 40-hour courses for aspiring entrepreneurs and business owners to refine their business models, create effective financial management tools, devise marketing plans, make strategic investments, and drive sales. These courses are led by experienced facilitators, business experts, and successful entrepreneurs, thereby serving as resources and role models for business owners in the community.

**Timeline:** Programs will start Fall 2017

**Budget:** \$50,000

***Explore potential business incubation space in Far Rockaway to support area businesses***

Downtown Far Rockaway is home to many aspiring entrepreneurs who are looking to grow their businesses and may need space. Working through SBS and/or NYCEDC, the City will assess the current business

landscape and identify the space and programming that would be most appropriate and relevant to area businesses. In spring 2018, the City will report back to the Council Member on a suggested course of action, which could include additional resources for existing programs, the release an RFEI seeking proposals from operators, or other strategies.

**Timeline:** Report to Council Member on potential recommendations by end of Q1 2018

***Support the opportunity to bring LinkNYC to Downtown Far Rockaway***

LinkNYC is a first-of-its-kind communications network that will replace pay phones across the five boroughs with new structures called Links. Each Link provides superfast, free public Wi-Fi, phone calls, device charging and a tablet for access to city services, maps and directions. In order to allow for future installation of Links in Downtown Far Rockaway, the LinkNYC franchisee will coordinate with DOT-DDC and will install the required subsurface infrastructure within the DOT-DDC capital reconstruction project.

**Timeline:** Conduit installation to commence in 2019

***Continue implementation of RISE:NYC program in Far Rockaway***

RISE:NYC is a business recovery and resiliency program, launched in the aftermath of Hurricane Sandy, that helps small businesses adapt to and mitigate the impacts of climate change. With support through RISE:NYC, a company named New America is currently working in partnership with the Rockaway Development and Revitalization Corporation (“RDRC”) to install resilient mesh wireless networks for Sandy-impacted small businesses and to train the local workforce in its deployment. Implementation of this project is underway, and the City estimates that approximately 15 businesses will participate in the program.

**Timeline:** Fall 2017 – ongoing

***Support for Cultural Activities in Far Rockaway***

The Department of Cultural Affairs will grant \$50,000 to the Queens Council for the Arts for the following initiatives in Downtown Far Rockaway: 1) Regrant Program, which enables the Council to support small organizations for various cultural events (e.g. local dance/music/visual arts groups); 2) Professional Development for Artists and Arts Organizations, which funds individuals and groups to build capacity; and 3) High School Portfolio Preparation Program, which helps students to create art portfolios to apply to specialized high schools. The Queens Council will work with the Councilmember to determine how best to use these funds in the district.

**Timeline:** Fall 2017 – 2018

**Budget:** \$50,000

**HOUSING**

The City of New York, acting through the Department of Housing Preservation and Development (HPD) and the New York City Economic Development Corporation (EDC), is working to address the range of needs and priorities of the Downtown Far Rockaway neighborhood. The City proposed to undertake the following housing goals, strategies, and actions.

**Develop New Affordable Housing**

The City is working to invest in Downtown Far Rockaway by encouraging the development of housing, and ensuring that a substantial portion of the new housing built is affordable.

***Develop 100% affordable housing on public land***

The City commits to financing the development of 100% affordable housing on the existing public site (known as the Beach 21<sup>st</sup> Street site at Block 15705, Lot 69 and Part of Lot 59), and future public sites within the rezoning area. The Beach 21<sup>st</sup> Street site would facilitate the development of approximately 150-200 units of affordable housing in accordance with HPD term sheets. Although responses are still being reviewed, the City expects to finance the development of this site under the Mix and Match term sheet, under which the City commits to financing 20% of the total number of units affordable to families earning 30% AMI, and no units will be offered for households earning above 110% of AMI. The City commits to including a retail and/or community facility component within the ground floor of development on the Beach 21<sup>st</sup> Street site. The City commits to providing an update to the Council Member on the selection process in fall 2017.

Additionally, HPD will continue to prioritize planning and development efforts for investments in new affordable housing on publicly-owned land in the adjacent Edgemere and Arverne East neighborhoods.  
Timeline: Fall 2017

***HPD will provide support to community land trusts to create new permanently affordable homeownership opportunities***

HPD recently announced an award of \$500,000 from Enterprise Community Partners to the Interboro CLT, a partnership of the Center for NYC Neighborhoods, the Urban Homesteading Assistance Board (UHAB), the Mutual Housing Association of New York (MHANY), and Habitat for Humanity that intends to create a land trust in nearby Edgemere. Over the next 24 months, the grant will fund operations and start-up support while the Interboro CLT works to identify sites for acquisition in Edgemere and elsewhere.  
Timeline: 2017 – 2019

***Establish an Urban Renewal Area to enable mixed-use development***

In order to ensure that development moves forward in Downtown Far Rockaway after years of false-starts, the City will establish an Urban Renewal Area (“URA”). The City projects that approximately 1,700 units of housing can be developed in this URA. While there are several scenarios under which development in the URA may proceed, it is the City’s goal to facilitate a compelling mixed-use, mixed-income, phased 100% affordable development. Under the HPD’s existing ELLA term sheet, for instance, 70% of those units would be affordable to families earning less than 60% AMI, and under Mix and Match 40-60% of units would be affordable to households earning less than 60% AMI with the remainder of units affordable to those earning less than 130% AMI. Both ELLA and Mix and Match term sheets require inclusion of between 20-40% of units targeted to extremely low and very low income households. Should the Mix and Match term sheet be used on the first phase of a development within the URA, HPD commits to financing units affordable to families earning 30% AMI in addition to requiring 10% of units be reserved for formerly homeless families. As described elsewhere in this document, the City intends to reserve space within the URA for various desired uses such as a potential school, potential community facility use, and potential business incubator space.  
Timeline: 2017 – ongoing

***Continue to offer financing to incentivize the development of affordable housing on privately owned sites in Downtown Far Rockaway***

In June 2017, HPD released updated ELLA and Mix and Match programs to allow for deeper affordability and greater flexibility in affordability levels that buildings can serve. Because rents in Downtown Far Rockaway do not currently support the creation of 100% market rate housing, we expect owners of private sites seeking to engage in residential development to approach the City for financing. When approached by private owners, the City will utilize its term sheets to incentivize the maximum number of affordable units

at a range of income levels, including extremely-low, low and moderate income households. Doing so will complement the overall strategy of the neighborhood rezoning to promote economic revitalization and quality housing affordable to a mix of incomes.

**Timeline:** 2017 – ongoing

***Encourage green infrastructure in all new developments on City-owned sites***

HPD will require all new construction and substantial rehabilitation projects in the rezoning area that are receiving funding from HPD to comply with the Enterprise Green Communities Criteria. These criteria provide proven, cost-effective standards for creating healthy and energy-efficient homes.

**Timeline:** 2017 – ongoing

**Increase Access to Affordable Housing**

HPD has worked with community partners to better understand the needs of affordable housing applicants in Far Rockaway and has made improvements to the overall application process.

***Make it easier for residents to understand, prepare for, and complete the affordable housing application process through the Housing Ambassadors program.***

In order to build the capacity of current Far Rockaway Housing Ambassador partners Margert Community Corporation and Ocean Bay CDC, HPD will offer a Housing Ambassador training in Far Rockaway in 2018 order to make it easier for local organization staff and community leaders to attend and thereby assist Far Rockaway residents with the affordable housing application process.

**Timeline:** Fall 2018

***HPD will expand requirements for developers to advertise open housing lotteries on construction sites and notify interested applicants.***

Developers will be required to post contact information on construction sites for interested applicants, in addition to posting information online on *Housing Connect*.

***Dedicate rental assistance to help move homeless families out of shelter and into stable, affordable housing***

The City's Rental Assistance programs were created to help homeless families and individuals move from temporary, emergency shelter back to the community as quickly as possible by paying a portion of their rent. The Human Resources Administration ("HRA") will dedicate City rental assistance resources to help 200 homeless families and individuals from Far Rockaway (zip codes 11692, 11691) who are currently living in shelters move back into the neighborhood if they so choose.

**Timeline:** Starting Fall 2017

**Budget:** 200 rental assistance vouchers

**Preserve Existing Affordable Housing**

The Administration is deeply committed to the preservation of existing affordable housing in Downtown Far Rockaway. We will utilize several strategies to ensure that affordability is maintained, and that the physical and financial health of existing affordable properties is maintained or improved.

***Keep existing homes affordable by continuing to offer loans and tax incentives to building owners***

Building on recent successes—with 2,854 units in the Council Member's district preserved between 2014 and 2017—HPD will continue to seek opportunities to preserve and invest in existing affordable housing through its various programs.

**Timeline:** 2017 – ongoing

***Implement an extensive outreach strategy to promote programs that could help homeowners and multifamily property owners make repairs and preserve affordability for existing tenants***

HPD's Neighborhood Education and Outreach Unit hosts landlord and homeowner resource fairs. HPD commits to hold its next resource fair in spring 2018. Multifamily buildings in Far Rockaway are included in citywide and boroughwide mailings and robocalls to share information on HPD's loan and tax incentive programs. HPD will begin work in fall 2017 with CNYCN and their partners to conduct outreach to homeowners to provide financial and legal counseling and prevent foreclosures.

**Timeline:** Fall 2017 – Spring 2018

***Support the community's application for the establishment of a Cease and Desist Zone to protect homeowners from unwanted solicitation***

HPD will support the community's preparation of application for the *Cease and Desist Zone* program to the State. HPD can offer guidance and expert testimony through the public process.

**Timeline:** 2017 – ongoing

**Promote Safe and Healthy Housing**

***Launch the Zombie Homes Initiative***

HPD will work closely with the Council Member and the community in launching a new initiative to address the problem of "zombie" properties—which can be defined as vacant and distressed small homes, whose owners have fallen behind on their mortgage payments. Zombie properties lead to lower property values and higher crime rates in the surrounding area. Through the Zombie Homes Initiative, HPD will help enforce a New York State law, the Zombie Property and Foreclosure Prevention Act of 2016, requiring banks to inspect, report, and maintain zombie properties. As a first step, beginning in Fall 2017, HPD will work collaboratively with the community to identify properties believed to be zombie properties so the City can create a database to check against the State's list. Additionally, HPD will begin outreach in Fall 2017 to connect homeowners to available foreclosure prevention resources and counseling.

**Timeline:** 2017 - 2018

***Provide resources to educate and support tenants facing potential harassment***

HPD will work with the Tenant Harassment Prevention Task Force to investigate and take action against landlords who harass tenants. HPD will educate tenants about their rights and resources to prevent displacement through public information campaigns and through coordination with the Council Member's office and the Community Board. Additionally, HPD's Neighborhood Education and Outreach Unit hosts tenant resource fairs, where they provide information about tenants' rights, legal services, rental assistance programs, and the affordable housing application process. HPD commits to hold the next resource fair in spring 2018.

**Timeline:** Spring 2018

***Provide tenant legal services to keep families and individuals stably housed and preserve affordable housing***

Since 2014, the City has increased investment in tenant legal services programs, to help families and individuals remain in their homes and prevent the loss of affordable housing. The City's new Universal Access to Counsel program dedicates \$93 million, on top of the \$62 million already allocated, to ensure free legal representation for low-income tenants (under \$50,000 for a 4-person family) and free legal counseling for those that earn more. The Human Resources Administration will provide tenant legal services in zip codes 11692 and 11691, to prevent unlawful evictions, harassment by unscrupulous landlords and displacement.

**Timeline:** Fall 2017 – ongoing

### **Promote Economic Opportunity**

HPD is committed to leveraging its investments in affordable housing to create local jobs and strengthen small businesses.

#### ***Require HPD RFP respondents to implement a targeted hiring outreach plan***

HPD will require respondents to any HPD RFPs in Downtown Far Rockaway to demonstrate a plan for targeted employment outreach to residents of the Rockaways related to the proposed project(s). Applicants will be required to comply with and report on their outreach.

**Timeline:** Fall 2017 - ongoing

#### ***Require developers, general contractors, and subcontractors on major projects in Downtown Far Rockaway to use HireNYC***

All firms working on HPD and other City projects receiving more than \$1 million in City subsidy (\$2 million from HPD) are required to share job openings in entry- and mid-level construction positions with HireNYC, post at the local Workforce1 Center in Arverne, and interview any qualified candidates.

**Timeline:** Fall 2017 - ongoing

#### ***Expand opportunities for M/WBEs in the affordable housing development industry***

HPD's new M/WBE Build Up Program requires developers of projects where HPD contributes \$2 million or more in subsidy to spend at least a quarter of all HPD-supported costs on certified M/WBE construction, design, or professional service firms. HPD will partner with the Council Member to hold a networking and outreach event for M/WBE and small businesses by the spring of 2018 with the intent of identifying possible opportunities for these businesses to work on HPD-supported affordable housing projects in Downtown Far Rockaway.

**Timeline:** Spring 2018

## **TRANSPORTATION**

#### ***Implement a comprehensive streetscape improvement project in Downtown Far Rockaway, coordinating with district-wide sewer infrastructure upgrades***

DOT's Downtown Far Rockaway Streetscape Reconstruction project will reconstruct Mott Avenue from Redfern Avenue to Beach 17<sup>th</sup> Street, on Beach 21<sup>st</sup> and Beach 20<sup>th</sup> Street from Mott Avenue to Cornaga Avenue, and on Central Avenue from Mott Avenue to Foam Place. Mott Avenue will have expanded sidewalks with new street trees and improved street lighting. This project will also introduce a new DOT public plaza that safely connects pedestrians between the A-train on Beach 22<sup>nd</sup> Street and regional buses on Beach 21<sup>st</sup> Street, along with a new gathering space for residents and visitors. This project will be constructed in conjunction with the installation of DEP storm and sanitary sewer infrastructure, supporting the City's rezoning efforts and strengthening resiliency in the wake of extreme weather events. DOT is also currently exploring an interim project, which will use agency in-house materials (markings, signage, etc.) to enhance safety, mobility and quality of life around the intersection of B. 22<sup>nd</sup> Street. DOT aims to share preliminary designs with the Council Member in spring 2018.

**Timeline:** Construction start in summer 2019

**Budget:** \$77million

#### ***Implement immediate short-term measures to address drainage issues in Arverne***

In acknowledgement of area drainage issues highlighted by the Council Member, the City will take near-term action to address these conditions, even while evaluating long-term solutions. By Fall 2017, DEP will install two to three new storm sewer extensions, pending the results of a feasibility study to determine optimal locations. By Fall 2017, DOT will assess the area streets for potential resurfacing and/or pothole mitigation. The City will continue to monitor the drainage situation in Arverne and will work with the Council Member to advance near-term and long-term plans.

**Timeline:** Fall 2017

***Install new bus shelters in the Downtown Far Rockaway area***

As part of the Downtown Far Rockaway Streetscape Reconstruction project, DOT plans to install two bus shelters and twelve leaning bars at bus stops across the area. DOT plans to create an improved linear bus terminal on Beach 21<sup>st</sup> street with bus shelters, two leaning bars and street trees to improve the passenger waiting experience.

**Timeline:** Construction start in summer 2019

**Budget:** included streetscape and infrastructure project described above

***Pilot car share program in Far Rockaway***

The Eastern Rockaways is a designated pilot neighborhood for DOT's on-street car share parking pilot. In fall 2017, the city will distribute permits for up to 18 designated curbside spaces in the Eastern Rockaways to participating car share providers. As part of the pilot program, DOT will provide incentives for car share companies to offer discounts and conduct outreach to local NYCHA residents and Section 8 recipients.

**Timeline:** 2017 – 2019

***Install real-time bus arrival displays at key bus stops***

DOT will install nine wayfinding totems with real-time bus arrival displays at Q22/Q52/Q53 bus stops in the Rockaways. These totems will provide real-time bus arrival information for both local and SBS routes.

**Timeline:** Fall 2017

**Budget:** \$200,000

***Explore the feasibility of a new ferry landing east of 108<sup>th</sup> Street***

EDC is currently in the process of determining the feasibility of an additional ferry landing east of 108th street. EDC will commit to sharing the results of the feasibility study with the Council Member at its conclusion this fall.

**Timeline:** Fall 2017

***Pilot ferry service shuttle from Downtown Far Rockaway to current Beach 108<sup>th</sup> Street landing***

EDC will work with the Council Member to launch a pilot of weekday shuttle service providing a direct connection from Downtown Far Rockaway to the Beach 108<sup>th</sup> Street landing. This service will operate for three months and will be followed by an evaluation based on ridership and other planning factors.

**Timeline:** Fall 2017

**Budget:** \$80,000

***Advocate for improved MTA bus, subway, and LIRR service***

Building on the March 2017 extension of the Q52 to Beach 54th Street and the upcoming implementation of Select Bus Service on the Q52/Q53 routes this fall, DOT will continue to work with MTA to improve bus service to the Eastern Rockaways and Downtown Far Rockaway. Together with MTA, DOT is evaluating local bus service reliability improvements timed to the Q52/Q53 SBS implementation and considering key Southeast Queens corridors for future SBS upgrades as part of the forthcoming Citywide Transit Plan. The City is also

making efforts to improve the affordability of commuter rail service to city residents. Through its representatives on the MTA Board, the City will continue to advocate for lower Long Island Road fares for trips from the Far Rockaway Station to destinations within the five boroughs and for the expansion of City Ticket to Far Rockaway passengers. The City will also advocate alongside the Council Member for improvements to the Far Rockaway LIRR station, improved subway and bus service, and other service improvements in the area.

**Timeline:**

Q52/Q53 SBS launch – Fall 2017

Citywide Transit Plan with SBS route recommendations – Fall 2017

MTA advocacy on LIRR issues – Ongoing

***Monitor and, as needed, conduct follow-on traffic studies of the Downtown Far Rockaway area and its environs through the capital program.***

DOT completed a comprehensive traffic study of Downtown Far Rockaway in 2014. Under the current DOT capital effort, the traffic analysis was updated in 2016 in coordination with the schematic geometric design for the project. DOT will continue to update the analysis through the capital process to ensure we are accurately addressing current traffic conditions. DOT is willing to investigate specific intersections on a case-by-case basis while the capital project is moving through design.

**Timeline:** Fall 2017 - ongoing

## **COMMUNITY RESOURCES**

***Encourage healthcare uses in new developments on city-owned sites***

EDC and HPD are exploring the possibility of including healthcare uses in the Beach 21<sup>st</sup> Street development site, and will update the Council Member on this project in Fall 2017. Additionally, future HPD RFPs for city-owned sites will give preference to responses that include healthcare facilities.

**Timeline:** Fall 2017 - ongoing

***Expand daycare offerings in Downtown Far Rockaway***

HPD will encourage the inclusion of daycare providers in any RFPs for sites within the DFRURA as well as any developments receiving HPD subsidy. The City will monitor the demand and need for additional publicly funded day care services in the area and identify the appropriate measures to meet demand for additional slots. The City anticipates that additional procurement of center-based daycare seats may be necessary within the redevelopment area to mitigate increased need, and will continue to monitor enrollment and capacity within the rezoning area and address the need as it arises.

**Timeline:** Fall 2017 - ongoing

***Additional commitment of funding to support violence prevention, education, and community support***

Cure Violence is an evidence-based violence prevention program that works with communities that have high levels of gun violence. The City will commit to an additional \$250,000 of Cure Violence funding to support 'Rock Safe Streets', the Sheltering Arms gun violence interruption program in Far Rockaway. Rock Safe Streets works to identify potential incidents of violence and prevent them through mediation and de-escalation. In addition, Rock Safe Streets supports those most affected by violence with therapeutic mental health supportive services. The additional funding will allow Rock Safe Streets to hire a new Education/Employment Specialist, Community Coordinator and Administrative Assistant.

**Timeline:** Fall 2017

**Budget:** \$250,000

***Advance comprehensive renovation of the Downtown Far Rockaway library***

DDC will replace the existing 9,000-sf single-story Queens Public Library branch at the corner of Mott and Central Avenues with a new, two-story, 18,000 sf building designed by Snøhetta Architects. The new library will meet both the current needs of the community and future neighborhood growth, and will serve as an anchor for this key corner in Downtown Far Rockaway. The branch services will include programs for all ages, after-school study hours, story reading and community events.

**Timeline:** construction commencement in Fall 2018

**Budget:** \$30M

***Hold a site within the Urban Renewal Area for a potential elementary school***

While the Downtown Far Rockaway Rezoning would result in new development and demand for public schools, as demonstrated in the FEIS there is capacity in Sub-district 1 of CSD 27 to accommodate existing students as well as new enrollment projected to result from the rezoning. However, the City recognizes the Council Member's concerns about public school capacity, specifically elementary schools. We anticipate that the rezoning will increase the population of the neighborhood over time, and SCA and DOE will continue to monitor school enrollment and capacity in the future as development occurs and will address capacity issues as they arise. To this end, the City will reserve a site in the urban renewal area for a period of 10 years in order to be able to accommodate a new elementary school, to be utilized if SCA and DOE determines a need for one during that 10 year period.

**Timeline:** 2017 – 2027

***Invest in upgrades to existing schools***

The DOE/SCA is happy to work with the community as part of the Downtown Far Rockaway rezoning effort. DOE/SCA is currently advancing over \$130million in capital work to provide necessary improvements to the schools within the Council Member's district. In addition, DOE/SCA is accelerating projects currently in design so that students may benefit from the work on an accelerated timeline. DOE/SCA will continue working closely with the community and use the feedback received to ensure that future upgrades meet the needs of the schools and improve the state of facilities within the district. Additionally, the Administration will fund up to \$10million in other SCA School Improvements, to be selected in consultation with Council Member Richards prior to June 1, 2018.

**Timeline:** FY2019

**Budget:** \$10million in additional projects

***Explore new models at Downtown Far Rockaway Schools***

The Department of Education will meet with the Council Member to explore a Dual Language program for a school in Downtown Far Rockaway for the 2018-2019 school year. DOE will meet with the Council Member to also discuss the potential for new programming and other ways to increase enrollment in schools that are currently significantly under capacity. The Chancellor will also convene a Round Table with Principals to educate and encourage participation in new models and programs such as Dual Language Programs by Downtown Far Rockaway schools.

**Timeline:** Fall 2017

***Review five buildings for potential landmark eligibility***

As requested by the Council Member, the LPC will perform a review of five properties for their historical significance and potential landmark eligibility. The sites include 16-18 Central Avenue, 21-17 Mott Avenue, 19-31 Mott Avenue, 16-17 Central Avenue and 16-12 Mott Avenue.

**Timeline:** 2017 – 2018

***Study potential to establish a weekly farmers market in the Downtown area***

Building on the success of the nearby Rockaway Youth Task Force farm and the Edgemere Farm, the City will conduct outreach to better understand the feasibility and logistics of a market in Downtown Far Rockaway.

**Timeline:** Outreach to commence in Fall 2017

***Upgrades to 101 Police Precinct in the form of asbestos remediation, bathroom renovation, and locker room renovations***

In May 2017 the NYPD completed a bathroom renovation project at the 101 Precinct which also included renovation of locker rooms. There was asbestos remediation within the gym area completed approximately two years ago. Asbestos was abated and the remainder was encapsulated. NYPD has committed to abate the previously encapsulated remainder in the Fall of 2017. The abatement from contract to completion should take 4-6 weeks and will cost approximately \$25,000.

**Timeline:** Fall 2017

**Budget:** \$25,000

***ADA access ramp project at the 101 Police Precinct***

The City will perform upgrades for the 101<sup>st</sup> Precinct including an ADA access ramp project, estimated at \$300,000. Construction is anticipated start in the fall of 2018.

**Timeline:** Fall 2018

**Budget:** \$300,000

**OPEN SPACE**

***Build New Park at Block 15534, Lot 70***

In response to the strong advocacy of the Council Member as echoed by others in the community, the City will withdraw the ULURP application related to the disposition of this site for housing uses, and will instead dedicate significant capital funding and work through the Department of Parks and Recreation (“Parks”) to transform the vacant lot at Block 15534, Lot 70 (corner of Augustina Avenue and Nameoke Avenue) into a new, 14,000-sf park to serve the Downtown Far Rockaway area. Parks will engage the community in a design process to determine the final programming of the space, which could include court amenities, play and/or water features, a comfort station, landscaping, seating, and/or other park amenities.

**Timeline:** Design to start in Summer 2019 and construction completion anticipated Winter 2022.

**Budget:** \$10.3million

***Advance the complete renovation of Bayswater Park***

At 26 acres, Bayswater Park is the largest community park serving Downtown Far Rockaway. It draws people from across the community together for active and passive recreation and it hosts festivals and events. The park will see a full scale renovation and NYC Parks will undertake outreach and hold a public scoping meeting to ask the community what they would like to see in this important neighborhood park. New amenities could include new or improved playing fields and playground, improved entrances and expanded shoreline access, and an enhanced area for performances and festivals.

**Timeline:** Design to start in Fall 2018 and construction completion anticipated Winter 2023

**Budget:** \$59.3million

***Implement Redfern Open Space improvements***

Redfern is an integral open space in the northern portion of the Downtown Far Rockaway area. Looking comprehensively at NYC Parks’ Redfern Playground site and the adjacent NYCHA-owned playground, in close coordination with NYCHA and with community input, Parks will lead efforts to improve and enhance

recreational amenities, creating an attractive open space that serves the growing needs of current and future residents.

**Timeline:** Design to start in Summer 2018 and construction completion anticipated Fall 2021

**Budget:** \$9.3million

***Advance Bridge Creek clean-up efforts***

The Council Member has raised concerns about debris in the area of Bridge Creek, also known as the Seagirt Avenue Wetlands. Parks' Natural Resource Group recently visited the site to assess its condition. While there is indeed unsightly detritus and abandoned property in the area, the wetlands are high quality. Any effort to clean-up this area will be complicated by concerns re: disturbing the wetlands, determining private property issues, securing permits, and determining site access for any necessary equipment. Parks will work with DSNY to assess strategies, understand NYSDEC permitting requirements, and will report back to the Council Member by December 2017 with suggested course of action. DSNY will immediately clean the perimeter of the property, and the City will remove trash from this area by Spring 2018.

**Timeline:** 2017 - 2018

***Add mosquito mitigation in Dubos Point Park and Edgemere Park***

To address concerns regarding mosquitos at Dubos Point Park and Edgemere Park, the NYC Department of Health and Mental Hygiene will install five (5) additional "mosquito magnets" to those already in place at those locations .

**Timeline:** Fall 2017

**Budget:** \$4,000

**IMPLEMENTATION AND ONGOING ENGAGEMENT**

***Reserve \$91million in Capital Funding for implementation of the Downtown Far Rockaway Redevelopment Project***

As a demonstration of the Administration's commitment to realizing the goals of the *Downtown Far Rockaway Roadmap for Action* and the *Downtown Far Rockaway Redevelopment Project*, the City has pledged \$91million in Capital Funding for implementation. These funds are reserved to facilitate activation of key underutilized properties within the rezoning area. The City will provide annual updates to Council Member on the utilization of these pledged funds. If, through the course of implementation of the project or by June 2021, there is a surplus of funds remaining AND it is clear that such funds will not be needed and can be repurposed, the City will work in consultation with the Council Member to reprogram funds for other related projects in the area.

**Timeline:** 2017 - 2021

**Budget:** \$91million

***Quarterly meetings with steering committee***

EDC will commit to quarterly steering committee meetings, whose members will be selected by the Council Member, after the conclusion of ULURP. These meetings will be used to provide project updates and serve as a forum for the City to receive feedback from community stakeholders.

**Timeline:** Steering committee to be formed in coming months with first meeting in fall 2017