

Queens Borough President Recommendation

APPLICATION: ULURP #190517 ZMQ

COMMUNITY BOARD: Q01

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Vlacich LLC pursuant to Sections 17-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 9a and 9c by:

1. establishing within an R5 District a C1-2 District bounded by 42nd Street, a line 150 feet northeasterly of 28th Avenue, 43rd Street, a line 100 feet northeasterly of 28th Avenue, a line midway between 42nd Street and 43rd Street, and a line 125 feet northeasterly of 28th Avenue;
2. changing from an R5 District to an R6A District property bounded by 41st Street, a line 100 feet northeasterly of 28th Avenue, 42nd Street, a line 125 feet northeasterly of 28th Avenue, a line midway between 42nd Street and 43rd Street, a line 100 feet northeasterly of 28th Avenue, 43rd Street; and 28th Avenue;
3. establishing within the proposed R6A District a C1-2 District bounded by 42nd Street, a line 125 feet northeasterly of 28th Avenue, a line midway between 42nd Street and 43rd Street, a line 100 feet northeasterly of 28th Avenue, 43rd Street; and 28th Avenue (Related ULURP #190518 ZRQ);

PUBLIC HEARING

A Public Hearing was held by the Queens Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, November 12, 2020 at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were no other speakers. The hearing was closed.

CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- The applicant is proposing a zoning map amendment affecting Block 685 (Lots 1, 3, 5, 7 and p/o 10) and Block 701 (Lots 1, 3, 5, 6, 8, 108 and p/o 9) that would rezone the existing R5 and R5/C1-2 Districts to R6A and R6A/C1-2 Districts. The existing C1-2 overlay mapped to a depth of 150 feet would also be reduced to 125 feet and 100 feet;
- The applicant has filed another application (ULURP #190518 ZRQ) concurrently under review that proposes amendment of Appendix F of the NYC Zoning Resolution establishing and mapping the area to be rezoned as a Mandatory Inclusionary Housing (MIH) Area;
- The proposed development site (Block 701 Lots 5, 6, 8, 108 & p/o 9) 42-01 28th Avenue is located on the western corner of Block 701 on the corner of 28th Avenue and 42nd Street. The original proposal was for an 8-story, 51,463 SF mixed use building with 54 residential units including 16 permanently affordable units pursuant to Mandatory Inclusionary Housing requirements, with a base height of 45 feet and then with setbacks (10 feet along 28th Avenue and 15 feet along 42nd Street) before rising to a height of 85 feet, and provision of 66 parking spaces. This proposal provided 21 studios, 16 one-bedroom and 17 two-bedroom units. The 16 affordable units were to be offered under MIH Option 2 (30% @ 80% AMI). The new building would also have 6920 SF of replacement space for the restaurant that currently exists on the site and 66 parking spaces;
- Based on feedback received at meetings with the Community Board 1 (CB 1) Land Use Committee, the applicant revised the project according to suggested changes. The revised project would be a 6-story, 44,568 SF mixed-use building requiring no setbacks, 51 units of housing including 13 permanently affordable units with MIH Option 1 (25% @ 60% AMI). The proposed sizes of the apartments has also been revised with 5 studio units, 23 one-bedroom and 23 two-bedroom units at the suggestion of the CB 1 Land Use Committee. The 6920 sf ground floor restaurant space and 66 parking spaces are unchanged. Of the proposed 66 parking spaces, 19 are required by zoning and the remaining 47 spaces are in addition to the number of required parking spaces. The revised project was submitted to CB 1 in a letter dated October 16, 2020;
- The development site has been occupied by the applicant's restaurant (Block 701, Lot 6) on the ground floor within a 2-story mixed use building since 1973, the restaurant's accessory surface parking lot (Block 701 p/o Lots 5 and 9) and one-story residential buildings (Lots 8 and 108). The eastern portion of the block (Lots 1 and 3) are not included in the construction plan and are developed respectively with a five-story and four-story apartment building. The buildings between 41st and 42nd Street on 28th Avenue are overbuilt and do not comply with the existing zoning – the proposed rezoning would bring these buildings into better compliance;

- Development within a 600-foot radius around the rezoning area is characterized by residential uses on the midblocks in one-, two-, and multi-family residences. Steinway Street and 28th Avenue are developed with mixed-use and commercial buildings. Residential and mixed-use buildings range from two to five-stories in height while commercial buildings range from one- to two- stories. To the west of the rezoning area, there are contextual C4-2A (R6A equivalent), R6A, R6B, and R5B Districts established during the 2010 Astoria Rezoning. There is one community facility in the surrounding area, St. Joseph Roman Catholic Church, located on 30th Avenue between 43rd and 44th Street. Overall, the proposed site is well served by public transit such as the Q18, Q101, and the N and W subway lines;
- Community Board 1 (CB 1) approved this application with conditions by a vote of thirty (30) in favor, none (0) against and three (3) abstentions at the monthly meeting held on October 20, 2020. CB 1 noted that though the developer has submitted a letter committing to their recommended revisions, the application has not been formally revised and filed with the City Planning Commission therefore the approval would be conditional. CB 1's conditions were as follows;
 1. The maximum building height should be no more than six-stories; and
 2. The permanently affordable units should be pursuant to MIH Option 1
- At the Borough President's Land Use Public Hearing, the applicants reiterated their commitment to revise the project as suggested by CB 1. There were no other speakers on the application.

RECOMMENDATION

Based on the above considerations, I hereby recommend approval of this application based on the applicant's revision of the project as suggested by Queens Community Board 1.



PRESIDENT, BOROUGH OF QUEENS



DATE