

# Queens Borough President Recommendation

APPLICATION: ULURP #180315 ZMQ

COMMUNITY BOARD: Q01

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Greenberg Traurig LLP on behalf of 23<sup>rd</sup> Avenue Realty, pursuant to Sections 197-c and 201 of the NYC Charter, for an amendment of the Zoning Map, Section No. 9c:

1. establishing within the existing R5B district a C2-3 District bounded by 38<sup>th</sup> Street, a line 150 northeasterly of 23<sup>rd</sup> Avenue, a line midway between 38<sup>th</sup> Street and Steinway Street, and a line 100 feet northeasterly of 23<sup>rd</sup> Avenue; and
2. establishing within the existing R5D district a C2-3 District bounded by 38<sup>th</sup> Street, a line northeasterly of 23<sup>rd</sup> Avenue, a line midway between 38<sup>th</sup> Street and Steinway Street, a line 150 feet northeasterly of 23<sup>rd</sup> Avenue, Steinway Street, and 23<sup>rd</sup> Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated February 11, 2019, and subject to the conditions of CEQR Declaration E-524.

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, April 11, 2019 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.

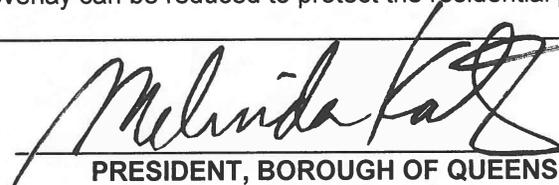
## CONSIDERATION

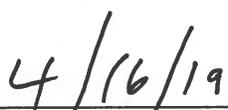
Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- The applicant is proposing to map an C2-3 commercial overlay to a depth of 150 feet on the northern blockfront of 23<sup>rd</sup> Avenue between 38<sup>th</sup> Street and Steinway Street (Block 805, Lots 1, 61, 64 and part of 160) onto existing R5B and R5D Districts;
- The applicant owns Block 805, Lot 1 which is an "L" shaped parcel developed with a loft factory building built in 1912. There is no proposed expansion or enlargement of the existing four-story 48,684 sf building that is occupied by a variety of non-conforming uses in the R5B and R5D Districts. The proposed C2-3 commercial overlay would make some of the existing uses conforming, provide a means to conformity for some of the other existing uses, and make the Board and Standards of Appeals Special Permit (ZR Sec. 73-36) available to legalize two physical culture establishments currently in operation on the site;
- The other lots on Block 805 are developed with a mix of commercial, residential and light industrial uses. This area was studied as a part of the 2010 Astoria Rezoning when it was rezoned from R5 to R5B and R5D. The Department of City Planning (DCP) 2010 Astoria Rezoning was a contextual rezoning intended to protect the neighborhood from out of character development on the midblocks while allowing modest growth on the wide streets;
- Community Board 1 (CB 1) conditionally approved this application by vote of thirty-one (31) in favor with none (0) against or abstaining at a public hearing held on March 19, 2019. The CB 1 condition of approval was that the depth of the commercial overlay should be reduced as filed at 150 feet to 100 feet instead to protect the residential character of the side streets;
- The applicant stated that DCP would be willing to limit the mapping of the commercial overlay at a depth of 150 feet to the applicant's property and 100 feet on the other parcels. The applicant further stated that limiting the overlay to 100 feet on the applicant's property would negate the ability of the some of the existing uses to come into conformity as intended by the application.

## RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application if the depth of commercial overlay can be reduced to protect the residential portion of the block.

  
PRESIDENT, BOROUGH OF QUEENS

  
DATE