



November 16, 2016 / Calendar No. 4

C 170031 ZMQ

IN THE MATTER OF an application submitted by Idlelots LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 19b by establishing within an existing R3-1 District a C2-2 District bounded by 227th Street, a line 100 feet northeasterly of 145th Road, a line 120 feet southeasterly of 227th Street and 145th Road, Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated August 22, 2016.

This application for an amendment to the Zoning Map was filed by Idlelots LLC on July 26, 2016 to facilitate a public parking lot with approximately 27 spaces in the Brookville neighborhood of Queens, Community District 13.

BACKGROUND

This application for an amendment to the Zoning Map will facilitate a public parking lot with approximately 27 spaces located at the northeast intersection of 227th Street and 145th Road in Brookville, Queens, Community District 13. The area to be rezoned is comprised of Lots 1 and 36 on Tax Block 13484. Lot 1, a corner lot, is approximately 10,000 square feet in area, with approximately 100 feet of frontage along 227th Street and approximately 100 feet of frontage along 145th Road. Lot 36, adjacent to Lot 1, is an interior lot approximately 2,000 square feet in area, with approximately 20 feet of frontage along 145th Road and a lot depth of approximately 100 feet.

Block 13484, Lots 1 and 36 are located within an R3-1 zoning district established when the City Planning Commission approved the Brookville Rezoning (C 040446 ZMQ), a rezoning initiative affecting all or portions of more than 85 blocks. The rezoning was undertaken to maintain the prevailing one- and two-family character of Brookville and ensure that new residential development more closely reflects the predominant context and scale of the area's housing development patterns. The City Council adopted the Brookville Rezoning on September 28,

2004. R3-1 districts limit development to detached and semi-detached one- and two-family residences with a maximum residential FAR of 0.5.

Affiliates of the applicant own buildings just south of the parking lot, between 226th and 227th streets (Block 13474 and 13475) within an existing M1-1 zoning district, which contain air-cargo logistics and warehouse uses. The applicant acquired the project area (Block 13484, Lots 1 and 36) in August 2014 with the intent of using the property as parking for the nearby logistics facilities. In September 2015, the applicant made improvements to the then-vacant property by installing sidewalks along 145th Road and 227th Street and adding an approximately 27-foot-wide curb cut on 145th Road. The applicant cleaned and regraded the project area, installed a drainage system consisting of a catch-basin and drywells, and paved and striped the project area for parking purposes, complete with security fencing along the perimeter.

On October 9, 2015, the applicant filed an application (C 160070 ZMQ) to rezone the project area from an R3-1 district to an M1-1 district to facilitate the use of the project area as a parking lot accessory to the logistics facilities. The applicant subsequently revised the application to drop the M1-1 zoning and instead seek a C2-2 zoning district within the existing R3-1 district to establish a public parking lot, rather than an accessory parking lot. After the filing, Department of City Planning staff discovered that the applicant was using the property for accessory parking, a non-conforming use, and notified the Department of Buildings. The applicant withdrew the application (C 160070 ZMQ) on June 23, 2016, prior to a vote by the City Planning Commission (CPC), to clarify the legality of the use of the property, and closed and padlocked the parking lot.

The current rezoning application (C 170031 ZMQ) seeks to establish, within the existing R3-1 zoning district, a C2-2 commercial overlay district, which allows public parking lots as-of-right. The parking lot would be attended, and it would provide off-street parking for the local community, which includes residential and retail uses, as well as the air-cargo logistics facilities located on the south side of 145th Road, immediately across from the project area. It would be accessed by an existing approximately 27-foot-wide curb cut on 145th Road.

Measured from the intersection of the 227th Street and 145th Road street lines, the C2-2 district would extend southeasterly along 145th Road 120 feet and northeasterly along 227th Street 100 feet, encompassing both Lots 1 and 36. C2-2 districts allow local retail and general commercial uses as well as local service uses in Use Groups 5 through 9 and Use Group 14. The C2-2 district permits a maximum commercial floor area ratio (FAR) of 1.0 within the R3-1 district. Accessory parking for commercial uses within the C2-2 district is required to be provided at a rate of one space per 300 square feet of commercial floor area for general service uses.

East of the project area, Block 13484 is developed with a two-family residence with frontage on 145th Road and a single-family residence with frontage on 145th Road and 228th Street. To the north, the remainder of the block contains a decommissioned, DEP-owned above-ground water storage tank located on an approximately 48,000 square-foot lot.

The surrounding area is characterized primarily by detached one- and two-family residential buildings in the R3-1 district, except for the commercial logistics and warehouse uses located within a two-block M1-1 zoning district located on all or portions of Blocks 13474 and 13475, which are bounded by 145th Road, 228th Street, 146th Avenue, and 226th Street. These blocks include the logistics and warehouse facilities owned by affiliates of the applicant. Immediately east of the project area, a C1-3 commercial overlay district is mapped within the R3-1 district along the east side of 228th Street on a portion of Block 13485; uses along this block front include a delicatessen and a house of worship.

ENVIRONMENTAL REVIEW

This application (C 170031 ZMQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) Rules and Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR Number is 17DCP023Q. The lead is the City Planning Commission (CPC).

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on August 22, 2016.

UNIFORM LAND USE REVIEW

The application (C 170031 ZMQ) was certified as complete by the Department of City Planning on August 22, 2016 and was duly referred to Queens Community Board 13 and the Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 13 did not hold a public hearing on this application (C 170031 ZMQ). On September 1, 2016, the board submitted a recommendation stating, “On April 18th, 2016, under ULURP #C 160070 ZMQ Community Board 13 voted to approve the application, 32 in favor, 0 against, and 0 abstaining. This is the same application without changes. We confirm our vote of April 18th, 2016.”

Borough President Recommendation

The Queens Borough President did not hold a public hearing on this application (C 170031 ZMQ). On September 12, 2016, as revised on October 4, 2016, the Borough President submitted a recommendation stating, “The certified application to rezone the applicant’s property to allow development and operation of a public parking lot is identical to ULURP #160070 ZMQ that was withdrawn earlier this year. Both CB 13 and I held public hearings and recommended approval of that proposal to rezone the applicant’s site for redevelopment with public parking.”

City Planning Commission Public Hearing

On October 5, 2016 (Calendar No. 1), the City Planning Commission scheduled October 19, 2016 for a public hearing on the application (C 170031 ZMQ). The hearing was duly held on October 19, 2016 (Calendar No. 12). There were two speakers in favor of the application and none opposed.

The applicant's attorney, speaking in favor of the application, explained that the intended use of the proposed parking lot is to provide off-street public parking for surrounding uses, including the logistics facilities in the adjacent M1-1 district, as well as the retail uses and house of worship on 228th Street. She further explained that the lot would be attended and operated from 8:00 AM to 7:00 PM, Monday through Friday.

A representative from the proposed Greater JFK Industrial Business Improvement District (IBID), also speaking in favor of the application, explained the value of off-airport air-cargo and logistics uses. He stated that the applicant, Idlelots LLC, and the applicant's affiliates have been good neighbors to the surrounding residential community and that the off-street parking spaces will improve the quality of life in the neighborhood.

There were no other speakers, and the hearing was closed.

Following the public hearing, the applicant's attorney submitted additional testimony stating that after further evaluation, the applicant determined that it would benefit the neighborhood to open the lot on weekends as well for use by congregants of the local house of worship, patrons of the local commercial stores, and residents within the neighborhood.

Waterfront Revitalization Program Consistency Review

This application (C 170031 ZMQ) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP) as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 16-141.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application (C 170031 ZMQ) for an amendment of the Zoning Map is appropriate.

The applicant proposes a Zoning Map amendment changing from an R3-1 district to an R3-1/C2-2 district. The proposed amendment would facilitate a public surface parking lot of approximately 27 spaces on Block 13484, Lots 1 and 36.

The Commission notes that the location of the project area, adjacent to the decommissioned water storage tank and across the street from an existing M1-1 zoning district with logistics uses on Blocks 13474 and 13475, limits development potential for residential purposes. It further notes that although Brookville is served by several bus lines, residents of the neighborhood rely heavily on personal automobiles for their primary mode of transportation. Additionally, within the existing C1-3 commercial district on Block 13485, east of the project area, are local commercial uses with no accessory parking and a house of worship with only a small off-street parking lot.

The Commission believes that the proposed public parking lot would provide off-street public parking during for uses within the immediate vicinity of the project area, including the local commercial uses, the logistics facilities owned by affiliates of the applicant, house of worship congregants, and neighborhood residents.

The Commission acknowledges the applicant's intent to operate the parking lot on weekends in addition to weekdays. It further acknowledges receipt of a letter from the applicant to the house of worship, dated October 21, 2016, offering weekend access for the house of worship congregants, local employees, patrons of the commercial stores, and residents within the area, as well as a response letter from the house of worship dated October 24, 2016 acknowledging this offer. The Commission believes that the operation of the public parking lot will reduce the demand for on-street parking during both weekday and weekend hours, provide economic

support to the local commercial uses, and aid the community by providing additional off-street parking for the house of worship congregants.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, that the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 19b, by establishing within an existing R3-1 district a C2-2 district bounded by 227th Street, a line 100 feet northeasterly of 145th Road, a line 120 feet southeasterly of 227th Street and 145th Road, Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated August 22, 2016.

The above resolution (C 170031 ZMQ), duly adopted by the City Planning Commission on November 16, 2016 (Calendar No. 4), is filed with the Office of the Speaker, City Council, and the Queens Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

KENNETH J. KNUCKLES, Esq., Vice Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,
CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISSA ORTIZ, Commissioners



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Melinda Katz
Borough President

Vicky Morales-Casella
Director of
Community Boards

Bryan J. Block
Chairman

Mark McMillan
District Manager

September 1, 2016

Mr. Carl Weisbrod
Chairperson
City Planning Commission
120 Broadway
New York, NY 10271

Re: 227th Street Rezoning, Queens
ULURP # 170031ZMQ

Dear Chairman Weisbrod:

On April 18th, 2016 under ULURP #C 160070ZMQ Community Board 13 voted to approved the application, 32 in favor, 0 against, and 0 abstaining. This is the same application without changes. We confirm our vote of April 18th, 2016.

Very truly yours,

Mark McMillan
District Manager



MELINDA KATZ
PRESIDENT

(718) 286-3000
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email: info@queensbp.org

CITY OF NEW YORK
OFFICE OF THE
PRESIDENT OF THE BOROUGH OF QUEENS
120-55 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11424-1015

REVISED: October 4, 2016

September 12, 2016

Carl Weisbrod – Chairperson
City Planning Commission
120 Broadway – 31st Floor
New York, NY 10271

re: ULURP# 170031 ZMQ
227th Street Rezoning

Dear Chairperson Weisbrod:

I am writing to you in reference to the ULURP application referenced above which was certified on July 26, 2016. The certified application to rezone the applicant's property to allow development and operation of a public parking lot is identical to ULURP# 160070 ZMQ that was withdrawn earlier this year. Both CB 13 and I held public hearings and recommended approval (see attachment) of that proposal to rezone the applicant's site for redevelopment with public parking.

Community Board 13's (CB 13) letter waiving their hearing on ULURP #170031 ZMQ is recorded by the Department of City Planning as received on September 7, 2016.

Both CB 13 and I remain convinced that the proposed public parking lot would benefit the area. Since the applicant is proposing the identical plan to redevelop the site with public parking, and having previously recommended approval of the previous application I waive my hearing on this application.

Thank you for your consideration.

Sincerely,

Melinda Katz
President
Borough of Queens

MK:ip

Queens Borough President Recommendation

APPLICATION: ULURP # C160070 ZMQ

COMMUNITY BOARD: Q13

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Akerman, LLP, pursuant to Sections 197(c) and 201 of the NYC Charter, for a zoning map amendment of Zoning Map No. 19b establishing within an existing R3-1 District a C2-2 District bounded by 227th Street, a line 100 feet northeasterly of 145th Road, a line 120 feet southeasterly of 227th Street, and 145th Road, Block 13484 Lots 1 and 36, Borough of Queens.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on May 12, 2016 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 review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- The applicant is requesting a zoning map amendment to create a C2-2 overlay in the underlying R3-1 district. The Project Area is located at the northeast corner of 227th Street and 145th Road. The proposed overlay would allow a Use Group 8c 25-space public parking facility on the applicant's property;
- The project site is a 1,200 sf rectangular corner property. In 2015, the applicant made site improvements by grading and paving it with asphalt, installation of a drainage system, 8'-high "Forevergreen" chain link fence, and a new sidewalk and curb on 227th Street. The subject site is currently used as a parking lot primarily for tenant air cargo businesses located directly across the street on 145th Road in buildings owned by the applicant;
- The applicant owns three buildings south of the site directly across 145th Road within an M1-1 District. The buildings are rented to tenants in the air freight industry at JFK International Airport. A vacant eyesore industrial building (Block 13475 Lot 16) was demolished and the site redeveloped with a new logistics facility in 2014. The building is currently fully leased and occupied. There are 65 attended parking spaces, 4 handicapped spaces and 4 loading berths provided onsite. Two other buildings (Block 13747 Lots 12 and 4) were also acquired and renovated for warehouse and office uses. There are 85 parking spaces and 13 loading berths provided on these lots. Another property owned by the applicant (Block 13475 Lot 1) is used as an open commercial utility vehicle storage area and logistics facility tenants. The facilities are designed to direct all trucking activities and typical daily operations away from area residences. There are approximately 235 full-time workers employed in the air cargo businesses located in these buildings;
- The surrounding area is characterized by air cargo and manufacturing uses interspersed among low density residences. The remainder of Block 13484 consists of a vacant lot that was formerly a Jamaica Water Supply Company pumping station and two residential buildings fronting on 145th Road located to the east of the Project Area. The block east of the Project Area on the east side of 228th Street is zoned R3-1 with a portion of the block with a C1-3 overlay is improved with one-story commercial buildings. The area west of 227th Street and north of 146th Road is zoned R3-1 and predominantly developed with detached one-and two-family residential buildings;
- The applicant has been working to improve the surrounding area: financed relocation and replacement of 13 defective utility poles; repaired sidewalks on 228th Street; and planted 13 new trees along their properties and 37 trees elsewhere in the neighborhood as directed by the Department of Parks and Recreation;
- CB 13 approved this application by a vote of thirty-two (32) in favor, none (0) against and none (0) abstaining at a community board meeting held on April 18, 2016;
- At the Queens Borough President Land Use Public Hearing, a letter of support from Councilmember Richards was submitted. The letter states that the proposed parking lot would help ensure that sufficient on-street parking spaces remain available to area residents and local businesses, and that the applicant has proven to be a good neighbor, civic-minded and eager to help their neighbors and local institutions.

RECOMMENDATION

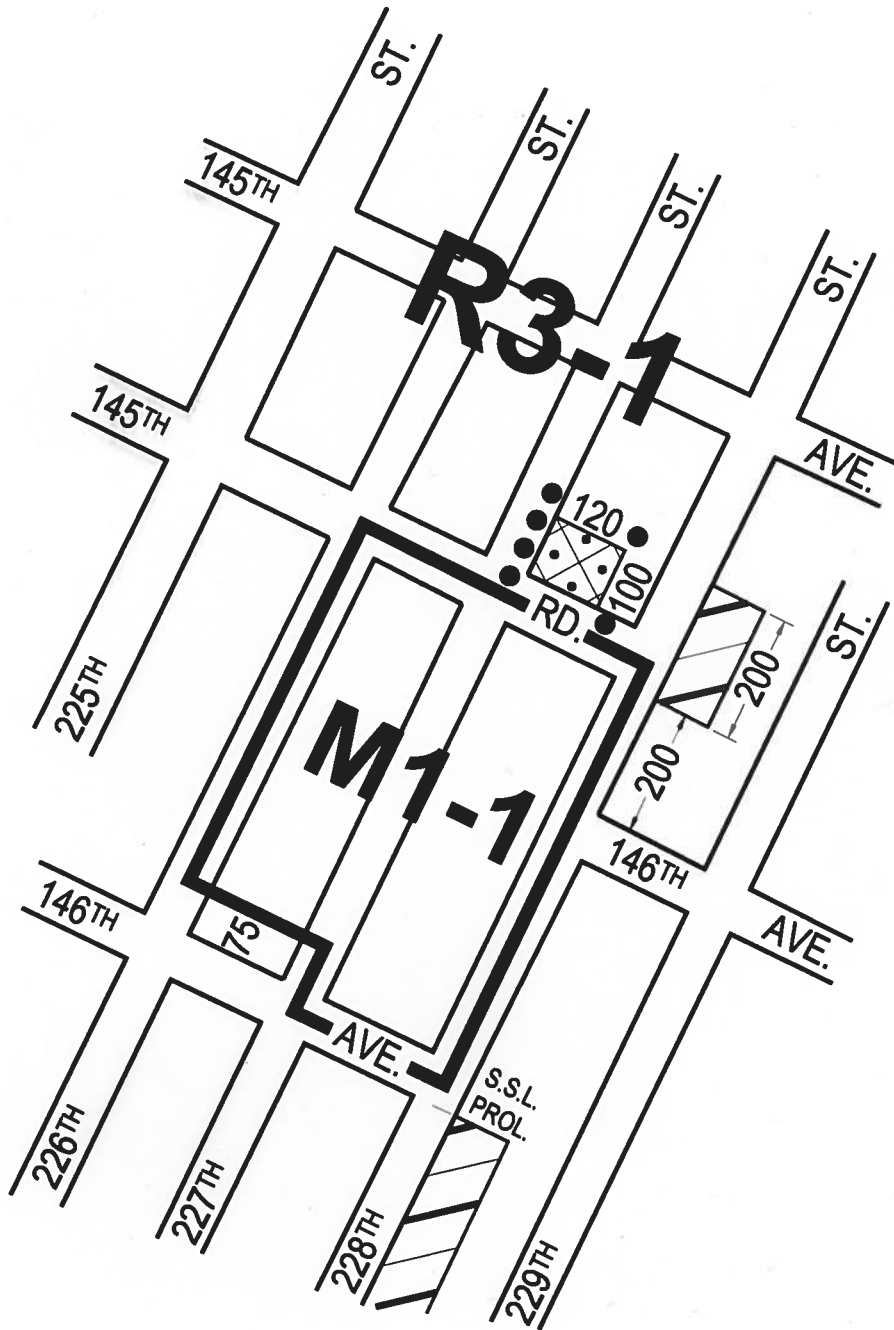
Based on the above consideration, I hereby recommend approval of this application.



PRESIDENT, BOROUGH OF QUEENS

5/23/16

DATE

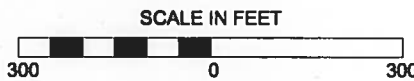


CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
19b





BOROUGH OF
QUEENS

Kenny Ramnarine
 Kenny Ramnarine, Deputy Director
 Technical Review Division

New York, Certification Date
 AUGUST 22, 2016



NOTE:

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by establishing a C2-2 District within an existing R3-1 District.
-  Indicates a C1-3 District.
-  Indicates a C2-2 District.