



IN THE MATTER OF an application submitted by Gleitman Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 31a, establishing within an existing R5 District a C1-3 District bounded by Heyson Road, Seagirt Boulevard, and Beach 13th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

This application for an amendment of the Zoning Map was filed by Gleitman Realty Associates on August 24, 2015 to facilitate the construction of a one-story commercial building in the Far Rockaway neighborhood of Queens, Community District 14.

RELATED ACTIONS

In addition to the application amendment of the Zoning Map (C 160033 ZMQ), which is the subject of this report, the City Planning Commission is also reviewing the following application, which is being considered concurrently with this application:

C 160351 ZMQ An amendment of the Zoning Map changing from an R4-1 District to an R5 District, and to establish within the proposed R5 District a C1-3 District

BACKGROUND

The application for an amendment to the Zoning Map would facilitate the construction of a single-story retail development on vacant property bounded by Heyson Road, Seagirt Boulevard and Beach 13th Street in Far Rockaway, Queens Community District 14. The project area is a vacant, triangular parcel located on the north side of Seagirt Boulevard, on a block generally bounded by Heyson Road, Seagirt Boulevard and Beach 13th Street in Far Rockaway. The applicant controls both tax lots (Block 15620, Lots 1 and 11), which total approximately 17,373

square feet in area, with approximately 296 feet of frontage on Heyson Road, approximately 326 feet of frontage on Seagirt Boulevard and approximately 107 feet of frontage on Beach 13th Street. The two vacant lots are enclosed by a chain-link fence.

The applicant is proposing to establish a C1-3 commercial district overlay within the existing R5 zoning district in order to facilitate the construction of a one-story commercial building containing local retail, general commercial, and local service uses in Use Groups 5 and 6. The proposed 6,394-square-foot, one-story commercial building will have a floor area ratio (FAR) of 0.37. The structure is proposed to occupy the western portion of the project site near Beach 13th Street. An accessory surface parking lot comprised of 16 parking spaces would occupy most of the remaining portion of the project site, with vehicular access from Seagirt Boulevard occurring midway between Beach 12th and Beach 13th Streets through a 22-foot-wide curb cut. The easternmost portion of the project site would be improved with trees and landscaping.

The C1-3 district permits a maximum commercial FAR of 1.0; the existing R5 district permits a maximum residential FAR of 1.25 and a maximum community facility FAR of 2.0. The maximum base height and building height of 30 and 40 feet, respectively, remain unchanged for residential buildings. The maximum building height for commercial buildings is governed by a sky exposure plane beginning 30 feet above the street line and rising at a slope of 1 to 1 over the zoning lot. Accessory parking for commercial uses within a C1-3 district is generally required to be provided at a rate of 1 space per 400 square feet of commercial floor area.

Seagirt Boulevard is a major vehicular corridor, served by local bus lines, that is the primary east-west arterial between the Nassau Expressway and the Rockaway Freeway and Beach Channel Drive. The proposed rezoning area is located approximately one half-mile west of the Nassau County border and located immediately north of Rockaway Beach and the recently renovated boardwalk and playgrounds.

The surrounding area is zoned primarily R5, with the block immediately west of the project area zoned R4A, and nearby developments generally consist of low- to medium-density residential

uses and various community facility uses, including Bais Yaakov Ateres Miriam, a private school located across from the rezoning area on the northern side of Heyson Road.

In addition to the proposed development at this location, the applicant has also filed an application (C 160351 ZMQ) for an amendment of the Zoning Map changing from an R4-1 District to an R5 District property bounded by a line 55 feet southeasterly of Highland Court, Watjean Court, Fernside Place and Seagirt Boulevard; and to establish within the proposed R5 District a C1-3 District bounded by a line 55 feet southeasterly of Highland Court, a line 100 feet northeasterly of Seagirt Boulevard, Fernside Place and Seagirt Boulevard. The application for an amendment of the Zoning Map was filed to facilitate the construction of a one-story commercial building and a five-story residential building. The project area (Block 15784, Lot 1) is coterminous with the rezoning area and is located approximately 3,000 feet west of the property that is subject of this report.

ENVIRONMENTAL REVIEW

This application (C 160033 ZMQ), in conjunction with the related action (C 160351 ZMQ) for a Zoning Map amendment, 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 of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 16DCP133Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on May 23, 2016.

UNIFORM LAND USE REVIEW

On May 23, 2016, this application (C 160033 ZMQ), in conjunction with the related action (C 160351 ZMQ) for a Zoning Map amendment, was certified as complete by the Department of City Planning, and was duly referred to Queens Community Board 14 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 14 held a public hearing on this application (C 160033 ZMQ), in conjunction with the related application C 160351 ZMQ), on June 14, 2016, and on that date, by a vote of 31 in favor, 3 opposed, and 4 abstaining, adopted a resolution recommending approval of the related application (C 160351 ZMQ), but decided to continue the hearing. The Community Board held the continued hearing on July 6, 2016, and on that date, by a vote of 24 in favor, 5 opposed, and 2 abstaining, adopted a resolution recommending approval of this application (C 160033 ZMQ).

BOROUGH PRESIDENT RECOMMENDATION

This application (C 160033 ZMQ) was considered by the Queens Borough President, who issued a recommendation on September 1, 2016, to approve the application.

CITY PLANNING COMMISSION PUBLIC HEARING

On August 10, 2016 (Calendar No. 10), the City Planning Commission scheduled August 24, 2016, for a public hearing on this application (C 160033 ZMQ), in conjunction with the related action (C 160351 ZMQ) for a Zoning Map amendment. The hearing was duly held on August 24, 2016 (Calendar No. 18). There was one speaker in favor of the application and none opposed.

The speaker, the applicant's representative, summarized the proposed rezoning and the development that would be facilitated by the rezoning. He explained that after discussions with the owner of the private school located across the street, the proposal will incorporate a shrubbery buffer between the proposed accessory parking lot and the school. He also described how access to the property will be from a curb cut on Seagirt Boulevard, thereby limiting traffic to the north of the development site. He noted that although the applicant has not secured tenants for the site, the applicant will maintain contact with the community about potential tenants. The representative also noted that the applicant has received letters in support of the proposed project from the local civic association and the local assemblyman.

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

WATERFRONT REVITALIZATION PROGRAM

This application (C 160033 ZMQ), in conjunction with the related action (C 160351 ZMQ) for a Zoning Map amendment, 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 15-011.

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

CONSIDERATION

The Commission believes that the grant of the proposed Zoning Map amendment (C 160033 ZMQ), in conjunction with the related action (C 160351 ZMQ) for a Zoning Map amendment, is appropriate.

The proposed zoning change will facilitate the development of a one-story, 6,394-square-foot commercial building, with 16 off-street accessory parking spaces. The rezoning proposal would establish a C1-3 commercial overlay within an existing R5 district on the development site would provide additional retail opportunities, which the Commission believes, would be consistent with the site's location along a major arterial street and that such development would complement existing land use patterns.

The Commission also believes that the proposed zoning map amendment, in conjunction with the related action (C 160351 ZMQ) for a Zoning Map amendment, is consistent with the goals of the 2008 Rockaway Neighborhoods rezoning (C 080371 ZMQ) as it would reinforce Seagirt Boulevard as an active commercial corridor by supporting the redevelopment of a currently vacant site.

The Commission believes that, as Seagirt Boulevard is a heavily used street, it is conducive to commercial uses. The Commission further believes that the irregular shape of the site makes development of as-of-right residential use difficult. The Commission believes that proposed commercial district creates an opportunity to connect separate clusters of commercial activity into one continuous corridor of commercial uses.

The Commission acknowledges the applicant's intention to maintain a dialogue with the community about their selection of a commercial tenant. The Commission also acknowledges receipt of letters of support for the rezoning from the local New York State Assembly member and a local civic group that represents the surrounding area.

The Commission notes that the applicant has concurrently proposed a related amendment (C 160351 ZMQ) of the Zoning Map changing from an R4-1 District to an R5 District, and to establish within the proposed R5 District a C1-3 District for a property located approximately 3,000 feet to the west. The related action is required to facilitate the construction of a one-story commercial building and a five-story residential building.

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, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this 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 the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning

Map, Section No. 31a, establishing within an existing R5 District a C1-3 District bounded by Heyson Road, Seagirt Boulevard, and Beach 13th Street, Borough of Queens, Community District 14, as shown on the diagram (for illustrative purposes only) dated May 23, 2016.

The above resolution (C 160033 ZMQ), duly adopted by the City Planning Commission on September 21, 2016 (Calendar No. 21), 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.

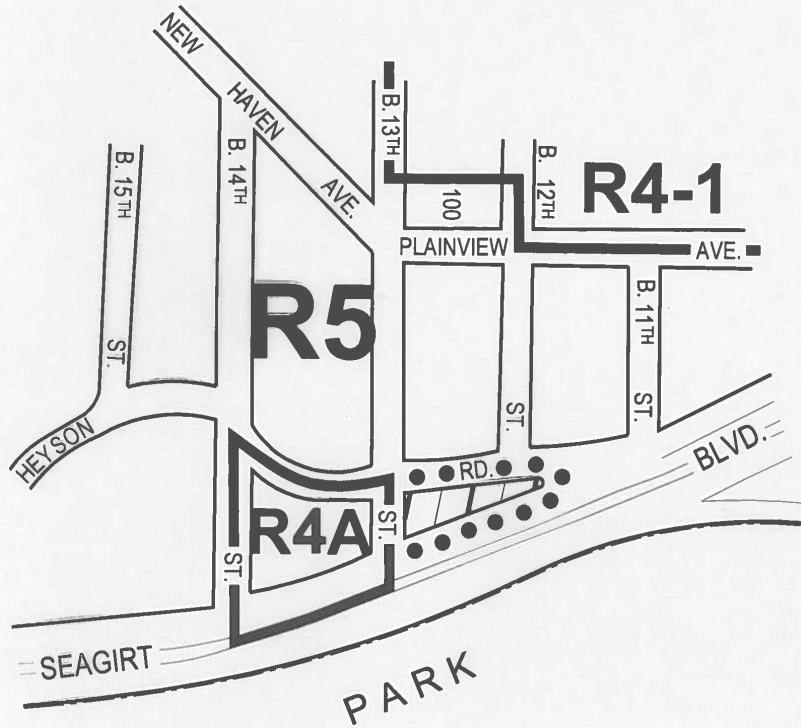
CARL WEISBROD, Chairman

KENNETH J. KNUCKLES, Esq., Vice Chairman

RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,

JOSEPH I. DOUEK, CHERYL COHEN EFFRON, HOPE KNIGHT,

ANNA HAYES LEVIN, ORLANDO MARIN, LARISSA ORTIZ, Commissioners



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

31a

BOROUGH OF
QUEENS



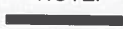


New York, Certification Date
MAY 23, 2016

J. Miraglia
 J. Miraglia, Director
 Technical Review Division

SCALE IN FEET



NOTE:

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by establishing within an existing R5 District a C1-3 District.
-  Indicates a C1-3 District.

Application #: **C 160033 ZMQ**

Project Name: **Seagirt Boulevard Rezoning**

CEQR Number: 16DCP133Q

Borough(s): **Queens**

Community District Number(s): 14

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100002SQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by Gleitman Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 31a, by establishing within an existing R5 District a C1-3 District bounded by Heyson Road, Seagirt Boulevard, and Beach 13th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

Applicant(s): Gleitman Realty Associates 124 Cedarhurst Avenue Cedarhurst, NY 11516		Applicant's Representative: Paul Proulx Holland & Knight 31 West 52nd Street New York, NY 10019
Recommendation submitted by: Queens Community Board 14		
Date of public hearing: <u>July 16 2016</u>	Location: <u>Bayswater Jewish Center 2355 Hylan Ave</u>	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>	
Date of Vote: <u>July 6 2016</u>	Location: <u>Bayswater Jewish Center</u>	
RECOMMENDATION		
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting		
# In Favor: <u>24</u> # Against: <u>5</u> # Abstaining: <u>2</u> Total members appointed to the board: <u>49</u>		
Name of CB/BB officer completing this form	Title	Date
<u>Jonathan Gasby</u>	<u>Dist mgr</u>	<u>7/7/16</u>

Queens Borough President Recommendation

APPLICATION: ULURP #160033 ZMQ

COMMUNITY BOARD: Q14

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Gleitman Realty Associates, pursuant to Sections 197c and 201 of the NYC Charter, for an amendment of the Zoning Map no. 31a by establishing within an existing R5 District a C1-3 district bounded by Heyson Road, Seagirt Boulevard, and Beach 13th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, August 18, 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.

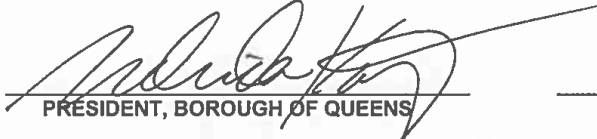
CONSIDERATION

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

- o The applicant is proposing a zoning map amendment that would add an C1-3 commercial overlay to an existing R5 district. The proposed rezoning would allow development of the site with retail space;
- o The proposed development would be an one-story retail building with sixteen (16) offstreet parking spaces. The proposed building would be 6,394 sf.;
- o The site is a 17,373 sf triangular lot bounded by Beach 13th Street, Heyson Road and Seagirt Boulevard. The site is currently vacant and unimproved. The areas directly north of the site are developed with low density residential buildings. There are low to medium rise multiple dwelling buildings in the area.;
- o Community Board 14 (CB14) approved this application by a vote of twenty-four (24) in favor with five (5) against and two (2) abstaining at a public hearing held on July 7, 2016. CB 14 had held a hearing on this application on June 14, 2016 but tabled the vote due to concerns that were raised. The concerns raised at the June meeting were about potentially inappropriate retail tenants (liquor stores, night clubs...) of the proposed building and negative impacts on the community. Subsequently, the applicants responded to the concerns that were raised and gave assurances that they would not lease to businesses that would be detrimental to the local community. The applicants also offered to have a regular dialogue with the community regarding potential retail uses prior to leasing the space.;
- o At the Borough President's Land Use Public Hearing, the applicant reiterated the commitment to lease the property in consultation with area residents to assure that the proposed use would not negatively impact the community. It was also pointed out that the owners of this site were long term residents with a stake in the area and that they owned other well run properties in this neighborhood.

RECOMMENDATION

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



PRESIDENT, BOROUGH OF QUEENS

9/1/16

DATE