



CITY PLANNING COMMISSION

July 21, 2014 / Calendar No. 1

C 140111 ZMQ

IN THE MATTER OF an application submitted by 176 Woodward Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R5B District property bounded by Flushing Avenue, a line 225 feet northeasterly of Onderdonk Avenue, a line 220 feet northwesterly of Troutman Street, Woodward Avenue, a line 95 feet northwesterly of Troutman Street, a line 100 feet northeasterly of Onderdonk Avenue;
2. changing from an M1-1 District to an R6B District property bounded by a line 95 feet northwesterly of Troutman Street, Woodward Avenue, Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet northeasterly of Onderdonk Avenue; and
3. establishing within the proposed R6B District a C1-3 District bounded by Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet southwesterly of Woodward Avenue;

Borough of Queens, Community District 5 as shown on a diagram (for illustrative purposes only) dated February 18, 2014, and subject to the conditions of CEQR Declaration E-336.

This application for an amendment to the Zoning Map was filed by 176 Woodward Owner, LLC, on October 2, 2014, to rezone portions of three blocks from M1-1 to R5B, R6B and R6B/C1-3 located in Ridgewood, Queens, Community District 5. The rezoning is intended to bring existing residential uses into conformance and to facilitate the construction of a four-story, mixed-use building and a four-story residential building. The project area is generally bounded by Woodward Avenue, Starr Street, Onderdonk Avenue, and Flushing Avenue.

BACKGROUND

176 Woodward Owner, LLC seeks approval of a Zoning Map amendment to change the zoning on portions of three blocks from M1-1 to R5B, R6B and R6B/C1-3. These blocks are located in the western portion of Ridgewood, Queens, and are two blocks from the borough's Brooklyn

border. The rezoning area is generally bounded by Woodward Avenue, Starr Street, Onderdonk Avenue, and Flushing Avenue.

The area immediately to the east of the rezoning area along Starr Street is residentially developed with primarily two- and three-story rowhouses and zoned R5B. Linden Hill Cemetery is located just to the northeast of the rezoning area and Starr Playground is located to the southeast of it. Areas to the west and north of the proposed rezoning area are predominately developed with low-rise light manufacturing and commercial buildings, as well as open storage uses. These areas, as well as the proposed rezoning area, are zoned M1-1. In M1-1 districts, only light manufacturing and commercial uses are allowed at a maximum floor area ratio (FAR) of 1.0. Certain community facilities are allowed at a maximum FAR of 2.4. Building height is regulated by the sky exposure plane, which begins above a base building height of 30 feet or two stories, whichever is less. Parking requirements vary by use.

The proposed rezoning area contains 57 lots. Of these, 49 lots are occupied by residential uses, including two-story rowhouses along Charlotte Street in the western portion of the rezoning area, where an R5B district is proposed, and three-story, multi-family buildings along Troutman Street and Woodward Avenue, where an R6B district is proposed. Two more lots contain mixed residential and commercial uses, and one lot is currently vacant. Non-residential, business uses are present on five lots. Light manufacturing uses (a cabinet manufacturer) occupy one lot, and vehicle and open storage uses occupy four lots, including the applicant's property. These are comparatively larger parcels and occupy 29 percent of the total rezoning area.

The applicant's property is located in two parcels to the north and south of Woodward Avenue. Site 1 is located to the south (Block 3395, Lot 16) and Site 2 is located to the north (Block 3377, Lot 84). Site 1 has a lot area of 45,010 square feet and Site 2 has a lot area of 5,505 square feet. Site 1 fronts on Troutman Street to the west, Woodward Avenue to the north, and Starr Street to the east. Site 2 fronts on Woodward Avenue to the south and Starr Street to the east. The topography of Site 1 is highly irregular. The highest point on the site is at the corner of Woodward Avenue and Starr Street, from there the grade slopes downward to the south and west. The most significant change is along Woodward Avenue where the grade slopes downward

12 feet from Starr Street to Troutman Street. Site 1 had previously been occupied by a bakery until the building was destroyed by fire in the late 1980's. Since the fire, Site 1 has been used as vehicle and open storage, as well as by a stone building materials supplier who occupies a small portion of the property. Similarly, Site 2 is currently used for vehicle and open storage.

The entire three-block proposed rezoning area was previously included within the boundaries of the Maspeth Industrial Business Zone (IBZ), which had an eastern border running along the adjacent portion of Starr Street. As part of the citywide process of modifying the IBZ boundaries it was determined that the subject properties in this proposed rezoning were neither appropriate nor viable sites for industrial uses. On September 13, 2013 the IBZ Boundary Commission voted to remove the subject properties from the Maspeth IBZ.

The applicant proposes to rezone portions of three blocks from M1-1 to R5B and R6B and to establish a C1-3 commercial overlay within a section of the proposed R6B district along Woodward Avenue block fronts. The rezoning is intended to bring existing residential uses into conformance and to facilitate the construction of a four-story mixed-use building on Site 1 and a four-story residential building on Site 2.

An R5B district is proposed for a portion of one block that comprises the western section of the rezoning area. The lots along Charlotte Street and Woodward Avenue proposed to be rezoned to R5B all contain residential uses, and they are predominantly developed with two- and three-story attached residential buildings. R5B districts permit all housing types at a maximum FAR of 1.35, limit building height to 33 feet, and allow a 30-foot maximum perimeter wall height. Community facilities have a maximum FAR of 2.0. Detached residences require a minimum lot area of 2,375 square feet and a minimum lot width of 25 feet. Semi-detached and attached residences require a minimum of 1,700 square feet in area and a minimum lot width of 18 feet. A front yard measuring at least 5 feet deep is required, and it must be as deep as an adjacent front yard up to a maximum of 20 feet. Off-street group parking is required for 66 percent of the dwelling units. Front yard parking is prohibited in R5B districts.

An R6B district is proposed for portions of three blocks that comprise the eastern section of the rezoning area. Three-story multi-family apartment buildings predominate in this portion, which also includes the applicant's two intended development sites currently occupied by vehicle and open contractor yard storage uses. R6B districts allow all housing types at a maximum FAR of 2.0, and building heights are limited to 50 feet, with a base height ranging from 30-40 feet and a front setback required for any portion above this height. Community facilities have a maximum FAR of 2.0. Parking must be provided for 50 percent of dwelling units, but this requirement is waived if five or fewer spaces are required.

A C1-3 commercial overlay district with a depth of 100 feet is proposed for both Woodward Avenue block fronts between Troutman and Starr Streets. C1-3 districts permit locally-oriented commercial uses in Use Group 6, which generally serve everyday shopping needs for residents in the immediate neighborhood. Most commercial uses in the proposed C1-3 district would require one accessory parking space per 400 square feet of commercial floor area.

The applicant intends to develop the 45,010 square-foot Site 1 with a three- to four-story mixed-use building. The building would contain 80,198 square feet of residential space, 3,115 square feet of community facility space and 6,707 square feet of commercial floor area along Woodward Avenue. The building would contain 88 dwelling units and below-grade parking for 118 cars. The proposed development on the 5,505 square-foot Site 2 would have four stories and contain eight dwelling units. The applicant has also explored the option of developing Site 2 with a mixed-use building incorporating ground floor retail. Five surface parking spaces would be provided in the rear yard.

ENVIRONMENTAL REVIEW

This application (C 140111 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 14DCP005Q. 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 February 18, 2014. The Negative Declaration included an (E) designation to avoid the potential for significant adverse impacts related to air quality and hazardous materials (E-336).

A Technical Memorandum was prepared and issued on July 18, 2014, which determined that the CPC modifications, as described in the Consideration section below, would not have the potential to result in significant adverse impacts on the environment.

UNIFORM LAND USE REVIEW

The application (C 140111 ZMQ) was certified as complete by the Department of City Planning on February 18, 2014 and was duly referred to Queens Community Board 5 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 5 held a public hearing on the application (C 140111 ZMQ) on March 12, 2014. On April 9, 2014, by a vote of 28 in favor, 11 opposed, and no abstentions, the community board adopted a resolution recommending approval of the application.

Borough President Recommendation

The application (C 140111 ZMQ) was considered by the Queens Borough President, who issued a recommendation approving the application on May 23, 2014 subject to the following conditions:

- That some number of apartments built as a result of this rezoning should be made available at a rate (at approximately 60% of Area Median Income) comparable to current area rents. This would give area neighborhood residents a chance to afford to live in the apartments;
- Another concern raised was that the rezoning would limit economic opportunity and jobs in the area. The proposed C1-3 overlay would only allow local retail or commercial uses

up to Use Group 6. The City Planning Commission and the City Council should explore whether a C2 overlay, which would allow a wider band of Use Groups up to Use Group 9 should be incorporated. This would allow a greater range of potential businesses and jobs that are now currently allowed in the existing M1-1 District and in turn may allow for greater economic and job opportunities.

City Planning Commission Public Hearing

On May 21, 2014 (Calendar No. 1), the City Planning Commission scheduled June 11, 2014 for a public hearing on the application (C 140111 ZMQ). The hearing was duly held on June 11, 2014 (Calendar No. 14). There were eight speakers in favor and six speakers in opposition.

Three of the speakers testifying in favor of the application were representatives of the applicant and the project team. The applicant's representative explained that the proposed zoning change would facilitate development on two sites currently owned by the applicant and bring existing residential uses within the rezoning area into conformance. He continued by stating that the proposed rezoning would eliminate the nuisance effects on the surrounding neighborhood generated by the contractors' yards currently existing on the sites, including dust and particulates, unpleasant exhaust fumes, rodent infestation and truck and pedestrian conflicts.

The applicant's representative stated that the applicant would welcome a modification to the proposal in response to the Borough President's suggestion to replace the currently proposed C1 commercial overlay with a C2 overlay, thereby, allowing for a greater range of commercial uses and job opportunities. He also addressed the accessory parking that is proposed to be provided on the site. He stated that these spaces would be accessory to the residential units. He asserted that the proposal includes more accessory parking spaces than required at the behest of Community Board 5.

In response to inquiries by the Commission, the representative stated that the applicant would be willing to provide 20 percent of the building for permanently affordable units if additional floor area could be made available. He explained that the applicant would welcome a follow-up zoning action by the Department of City Planning that would modify the text of the Zoning

Resolution to allow the proposed development to have an additional 0.4 or 0.5 of residential FAR beyond the currently proposed 2.0 FAR maximum. He contended that the project team felt that the maximum 2.2 FAR available in the few R6B districts where the Inclusionary Housing program currently applies did not allow for the development of enough market rate units on Site 1 to offset the cost of providing permanently affordable housing. He asserted that the additional 0.4 or 0.5 FAR would make the provision of permanently affordable units economically feasible, and that the applicant would be willing to affirm their commitment to providing these units in writing. He continued by stating that the applicant would be willing to provide a written promise that building permits for new construction on the site would not be filed until the City Planning Commission had approved a follow-up action allowing for additional residential FAR.

The applicant's attorney concluded his testimony by noting that manufacturing uses had not found the site viable for redevelopment during the past 27 years when the property lacked any structures on it.

At the outset of his testimony, one of the applicants for the rezoning read a letter into the record from a longtime resident of Starr Street addressed to the Chairperson of Queens Community Board 5. The letter expressed the resident's strong support for the proposed rezoning. The resident believed that the new development on the sites owned by the applicant would alleviate the negative effects generated by the current uses on the properties, including dust, exhaust fumes, noise and illicit activities.

The applicant then described the history of the proposal's formulation. He explained that originally a higher density R6A district along with a text amendment to allow for the project to take advantage of the Inclusionary Housing program had been considered, but the lower density R6B district without Inclusionary Housing was sought. The applicant also explained that Site 1 had been used as a contractor's yard for 27 years despite the owner's best efforts to find a manufacturing tenant. He stated that this lack of interest is likely a result of the site's irregular shape and topography, especially the significant grade change between the eastern and western sides. He was then asked by the Commission if he had, or would, consider a mixed-use development that allowed light manufacturing and residential use on Site 1 as suggested by the

Councilmember. The applicant replied by saying that he would not be opposed to a plan that involved a mixture of artisanal production and residential uses. However, he continued by stating that he did not believe that traditional light manufacturing was an economically or physically viable option for Site 1.

The architect for the project then spoke briefly about the design of the building the applicant intends to develop on Site 1. He stated that the apartments in the building would be a mixture of studio, one-bedroom, and two-bedroom units.

There were four other speakers in favor. The manager of the Bushwick Film Festival and resident of Starr Street four blocks south of the rezoning area in neighboring Bushwick Brooklyn stated that she believed that the applicant's intended development would make the neighborhood safer by adding more eyes on the street, encourage the growth of new businesses along Woodward Avenue, and that the community facility space being provided could be a significant resource to local artists. The three other speakers in favor included owners of two properties neighboring the rezoning area and the son of a neighboring property owner. These three speakers expressed their strong support for the application based on their belief that the intended development on Site 1 would significantly improve the quality of life of neighboring residents. The speakers noted that the current conditions on Site 1 have resulted in problems with vermin, noise, commercial truck traffic, commercial vehicle exhaust and illicit activities.

The Councilmember for the 34th City Council District spoke in opposition to the application. He stated that he cannot support the project unless it includes light manufacturing uses on the site and residential units that are permanently affordable at income levels that more closely reflect those of the average the Ridgewood household. The Councilmember noted that there is a growing demand for manufacturing space in New York City and that the employees of these types of companies have higher average wages than those working for retail establishments. He also noted that the proposed development would have market rents that would not be affordable for average residents of Ridgewood, which he cited as having an average annual income of approximately \$51,000 for a family of three living within Zip Code 11385. He closed his remarks by respectfully asking the Commission to vote against the application unless there was a

guarantee that manufacturing uses would be allowed and that a percentage of the new residential units would be made affordable to Ridgewood families.

The Executive Director of the Ridgewood Local Development Corporation (RLDC) spoke in opposition to the proposed rezoning. He stated that although the RLDC supports the general idea of the proposed rezoning, the organization would like the plan to be modified in a way that would allow for manufacturing uses. He presented an alternative rezoning proposal developed by the RLDC that would involve the creation of a Mixed-Use (MX) District, with a special provision mandating that ground floor of new developments be occupied by manufacturing uses. Another suggested component of this MX District would be a requirement that the ground floor manufacturing uses, as well as the residential units on the floors above, be owner occupied, thereby, providing protection from increasing rents. When asked by the Commission about vacancy rates in the manufacturing districts in the vicinity of Ridgewood, he stated that it could be as high as 20 percent in the area in southern Ridgewood known as SOMA (south of Myrtle Avenue). He was then asked to provide the Commission with data on the vacancy rates within the manufacturing districts in the Ridgewood area, as well as a breakdown of the types of current uses, differentiating between manufacturers, warehouses, distributors, and other types of industrial uses.

The President of the Greater Ridgewood Youth Council stated that he was pleased with the overall concept of the development that would be facilitated by the proposed rezoning, but that he could not fully support the project because it did not include an affordable housing component. A housing activist and resident of neighboring Bushwick provided a petition with 95 signatures of area residents expressing their opposition to the proposal. The petition states that this opposition is based upon concerns about the loss of land that could be used for manufacturing, the inability of current Ridgewood residents to afford the housing created by the proposed development, as well as the possibility that such a development could cause the rents in surrounding buildings to increase. A representative of the Ridgewood Tenants Union echoed the concerns described in the petition, with emphasis on her organization's fear that this proposal would cause rents in surrounding buildings to rise. The Executive Director of Churches United

for Fair Housing stated that his organization opposed the proposal because it does not include a permanently affordable housing component and that it could cause secondary displacement.

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

CONSIDERATION

The Commission believes that this application (C 140111 ZMQ) for an amendment of the Zoning Map as modified is appropriate.

The Commission acknowledges the thoughtful testimony that was provided regarding this rezoning proposal about how best to guide new development in a mixed residential and light industrial setting and an emerging housing marketplace. The Commission notes that this application represents an opportunity to remove the burden of non-conformance from properties containing existing residential uses that constitute nearly 90 percent of the lots within the proposed rezoning area, and that it would also facilitate the redevelopment of a site that has been underutilized and problematic for over 20 years. The Commission also notes that numerous speakers advocated for a mixed-use development of the long-unbuilt site with ground floor businesses and upper floor apartments. The Commission believes that the Borough President's recommendation to consider replacing the two C1-3 commercial overlays currently proposed for the northern and southern block fronts of Woodward Avenue between Troutman and Starr Streets with a C2 commercial overlay is a good approach to provide for a wider range of commercial uses and facilitate the opportunity for the development to include non-retail uses that may require workers with more advanced skills and higher wages. Accordingly the Commission will modify the application by replacing the currently proposed C1-3 commercial overlays with C2-3 commercial overlays.

The Commission fully supports growing the City's industrial sector, especially as technology creates new manufacturing paradigms. The Commission believes that the proposed rezoning, as modified, will not negatively affect manufacturing in the Ridgewood area because there are a substantial number of locations in the vicinity which can more readily accommodate foreseeable market demand for the development of such uses in the vicinity of this rezoning. The

Commission notes the Maspeth Industrial Business Zone (IBZ) located just to the north and west of the proposed rezoning covers an area containing M3-1, M2-1, M1-1, and M1-1D manufacturing districts. The Commission further notes that within the Maspeth IBZ there are sites containing similar open uses or vacant low rise buildings that are available for the development of manufacturing uses that do not possess the irregular topography of Site 1, which requires new development to have split levels on the ground floor. The Commission additionally notes that the SOMA IBZ is located roughly a mile to the southeast of the proposed rezoning area containing M1-4 and M1-4D manufacturing districts, and according to testimony provided, the vacancy rate for manufacturing space in this area may be as high as 20 percent. The Commission also acknowledges that changes to the current proposal that would either allow for, or require, manufacturing as a component of any future development within the rezoning area, as requested by the Councilmember and the Executive Director of the Ridgewood LDC, are beyond the scope of changes that can be considered for the current application.

In addressing concerns regarding the affordability of the proposed development's 96 residential units, the Commission first acknowledges that the potential for the new development to affect rents for existing residential units in the surrounding area was considered as part of the environmental analysis conducted for this application. Based on the small scale of the proposed development, the environmental review concluded that it is unlikely that the proposal will generate any significant effect on rental rates that could generate secondary displacement of existing residents in the vicinity of the proposed rezoning.

The Commission, however, believes strongly that permanently affordable housing should be a component of rezonings where existing manufacturing districts are rezoned to medium and high density residential districts when possible. The Commission, therefore, was very pleased to receive correspondence from the applicant on July 3, 2014, describing an agreement with the Department of City Planning (DCP) to provide eight units of permanently affordable housing as part of the currently proposed development, as well as support for a future action that would apply the Inclusionary Housing program to the future development of Site 1. The Commission understands that the applicant will seek a follow-up action that requires them to prepare and submit an application for a zoning text amendment to designate the proposed R6B district or a

portion thereof as subject to a mandatory Inclusionary Housing program, thereby allowing a maximum 2.2 FAR and additional permanently affordable housing units. The Commission expects that the applicant will work closely with City Planning as they commence with this subsequent application. The Commission further notes that the applicant has agreed in their letter to delay the filing of permits for any construction on their property until the follow-up action has completed the public review process. The Commission is satisfied that the applicant has devised a responsive development plan incorporating permanently affordable units for Site 1.

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, 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 further amended by changing the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R5B District property bounded by Flushing Avenue, a line 225 feet northeasterly of Onderdonk Avenue, a line 220 feet northwesterly of Troutman Street, Woodward Avenue, a line 95 feet northwesterly of Troutman Street, a line 100 feet northeasterly of Onderdonk Avenue;
2. changing from an M1-1 District to an R6B District property bounded by a line 95 feet northwesterly of Troutman Street, Woodward Avenue, Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet northeasterly of Onderdonk Avenue; and
3. establishing within the proposed R6B District a C2-3 District bounded by Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet southwesterly of Woodward Avenue;

Borough of Queens, Community District 5 as shown on a diagram (for illustrative purposes only) dated February 18, 2014, modified by the City Planning Commission on July 21, 2014, and subject to the conditions of CEQR Declaration E-336.

The above resolution (C 140111 ZMQ), duly adopted by the City Planning Commission on July 21, 2014 (Calendar No. 1), 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*

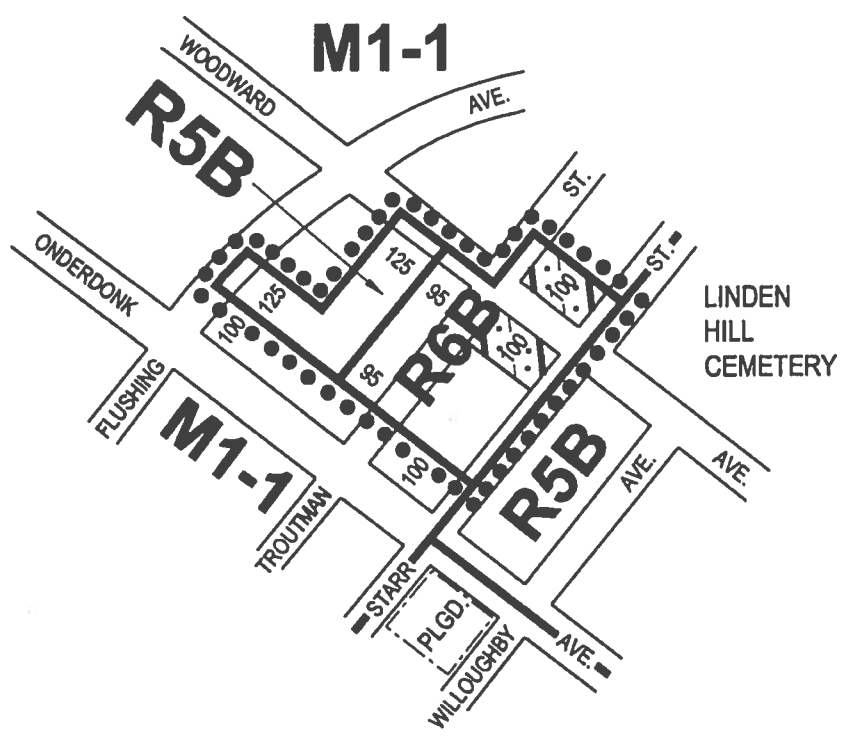
KENNETH J. KNUCKLES, *Esq., Vice-Chairman*

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, *P.E.*,

ALFRED C. CERULLO, III,

MARIA M. DEL TORO, JOSEPH I. DOUEK, RICHARD W. EADDY,

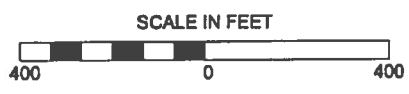
ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners*




CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
13b
BOROUGH OF
QUEENS

New York, Certification Date
FEBRUARY 18, 2014
Modified by CPC
July 21, 2014

J. Miraglia
J. Miraglia, Director
Technical Review Division



- NOTE:
- Indicates Zoning District Boundary.
 - The area enclosed by the dotted line is proposed to be rezoned by changing an M1-1 District to R5B and R6B Districts and by establishing C2-3 Districts within the proposed R6B District.
 -  Indicates a C2-3 District.

Queens Borough President Recommendation

APPLICATION: ULURP 140111ZMQ

COMMUNITY BOARD: Q05

DOCKET DESCRIPTION

IN THE MATTER of an application submitted by Akerman LLP on behalf of 176 Woodward Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R5B District property bounded by Flushing Avenue, a line 225 feet northeasterly of Onderdonk Avenue, a line 220 feet northwesterly of Troutman Street, Woodward Avenue, a line 95 feet northwesterly of Troutman Street, a line 100 feet northeasterly of Onderdonk Avenue;
2. changing from an M1-1 District to an R6B District property bounded by a line 95 feet northwesterly of Troutman Street, Woodward Avenue, Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet northeasterly of Onderdonk Avenue; and
3. establishing within the proposed R6B District a C1-3 District bounded by Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet southwesterly of Woodward Avenue;

Borough of Queens, Community District 5, as shown on a diagram (for illustrative purpose only) dated February 18, 2014 and subject to the conditions of CEQR Declaration E-336.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on April 24, 2014 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 three (4) speakers in favor and three (3) speakers against the application. 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 change an existing M1-1 District to R6B, R5B and R6B/C3-1 Districts. Portions of Blocks 3377, 3394 and 3395 would be rezoned. An R5B District is proposed for a flag shaped portion of Block 3394, currently developed with homes, generally between Flushing Avenue and Woodward Avenue. An R6B District is proposed for the remaining portion of Block 3394, Block 3395 and a portion of Block 3377 from Troutman Street to Starr Street. The proposed R6B area is also currently developed with a number of residences. A C1-3 overlay is proposed to a depth of 100 feet on either side of Woodward Avenue between Troutman and Starr Streets. The applicant's properties are identified as Development Site 1 (Block 3395 Lot 16) and Development Site 2 (Block 3377 Lot 84). The rezoning area is larger than the proposed development sites because the area is currently developed with two- to three-story residential buildings in an M1-1 district. The rezoning would allow new residential development on the applicant's properties, and rationalize several existing legal non-conforming residential buildings in other parts of the proposed rezoning area. The rezoning would remove non-conformance from the existing residential properties and allow as-of-right unrestricted use of the property for residential purposes;
- Site 1 is a 45,010 sf vacant lot and currently used for storage of motor vehicles and as a contractor's yard. This lot occupies approximately one-half of Block 3395 with frontages on Troutman Street, Woodward Avenue and Starr Street. Site 2 (portion of block 3377) is a 5,505 sf vacant lot also used as a contractor's yard. These lots have been functioning as open storage for vehicles and materials next door to the surrounding homes for over 25 years;
- The applicant is proposing a four-story mixed use building on Development Site 1 (northwest corner of Woodward Avenue & Starr Street), and a four-story residential building on Development Site 2 (northeast corner of Woodward Avenue & Starr Street). The proposed building on Site 1 would be 82,198 sf (FAR 2) including a 3,155 sf community facility, 6,707 sf of commercial space and 88 rent stabilized residential units. A total of 118 accessory parking spaces will be provided: 107 parking spaces will be provided in the cellar and 1st floor levels with

11 spaces located in at grade open parking lot at south end of Site 1 and accessed from Troutman Street. The residential entrances to the building are located on Troutman Street and Starr Street. Retail stores and the proposed community facility would be located on the ground floor along Woodward Avenue and Starr Street. The proposed maximum building height is 40'. The proposed building on Site 2 will have a total floor area of 11,000 sf (FAR 2) with 8 dwelling units. Five (5) surface parking spaces will be provided in the rear yard. The proposed units will include studios and 1 to 2 bedrooms and the estimated rents are: \$1000-\$1200 for studios (400-500 sf), \$1400 for 1-bedroom units (600-650 sf) and \$1800 for 2-bedroom units (850-950 sf);

- The rezoning area is located entirely within an M1-1 district. The surrounding areas to the north, west and south are zoned M1-1. The area to the east of the rezoning area is zoned R4 and R5B districts. The surrounding area is developed with a mix of residential and industrial uses. The Linden Hill Cemetery is located diagonally across the intersection of Woodward Street and Starr Street from Site 1. The areas north, west and south of the rezoning area are improved with commercial/industrial uses and the areas to the southeast are predominantly developed with two- to three-story residential buildings;
- CB 5 approved this application by a vote of twenty-eight (28) in favor with eleven (11) against and none (0) abstaining at a community board meeting held on April 9, 2014;
- A petition in favor of the application, signed by eight (8) area residents, was submitted at the Borough President's Land Use Public Hearing. There were four (4) speakers in favor stating that the proposed development will improve and stabilize the area by reducing noise, dirt and illegal activities in the area. The representative for the affected Councilmember and two (2) other speakers spoke against the proposal stating that the project would set a bad precedent that might encourage owners of other industrially zoned properties to rezone their properties for redevelopment with residential uses thereby reducing the inventory of land available for manufacturing uses and the jobs they provide. They also objected to the lack of affordable housing offered in the project and that current neighborhood residents would not be able to afford to live in the new housing.

RECOMMENDATION

The overall objectives of the proposed rezoning to rationalize several existing legal non-conforming homes located in the existing M1-1 District and to allow redevelopment of two sizable underutilized lots next to the homes would be an improvement in this particular part of Ridgewood. The mapping of the R5B and R6B Districts would allow the affected homeowners to more easily undertake repairs, renovations and secure financing if needed.

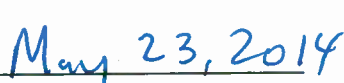
The applicant has proposed rent stabilized housing as part of this project. Rent stabilization does offer a more predictable rent and future increases. However, even at rent stabilized rates some of this housing will be still out of reach for current local residents of that part of Ridgewood.

Based on the above consideration, I hereby recommend approval of this application with the following condition:

- That some number of the apartments built as a result of this rezoning should be made available at a rate (at approximately 60% of Area Median Income) comparable to current area rents. This would give area neighborhood residents a chance to afford to live in the apartments;
- Another concern raised was that the rezoning would limit economic opportunity and jobs in the area. The proposed C1-3 overlay would only allow local retail or commercial uses up to Use Group 6. The City Planning Commission and the City Council should explore whether a C2 overlay, which would allow a wider band of Use Groups up to Use Group 9 should be incorporated. This would allow a greater range of potential businesses and jobs that are now currently allowed in the existing M1-1 District and in turn may allow for greater economic and job opportunities.



PRESIDENT, BOROUGH OF QUEENS



DATE

Application #: **C 140111 ZMQ**

CEQR Number: 14DCP087Q

Project Name: **Woodward Avenue Rezoning**

Borough(s): Queens

Community District Number(s): 5

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 #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 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 176 Woodward Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 13b:

- changing from an M1-I District to an R5B District property bounded by Flushing Avenue, a line 225 feet northeasterly of Onderdonk Avenue, a line 220 feet northwesterly of Troutman Street, Woodward Avenue, a line 95 feet northwesterly of Troutman Street, a line 100 feet northeasterly of Onderdonk Avenue;
- changing from an M1-I District to an R6B District property bounded by a line 95 feet northwesterly of Troutman Street, Woodward Avenue, Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet northeasterly of Onderdonk Avenue; and
- establishing within the proposed R6B District a C1-3 District bounded by Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet southwesterly of Woodward Avenue;

Borough of Queens, Community District 5, as shown on a diagram (for illustrative purposes only) dated February 18, 2014, and subject to the conditions of CEQR Declaration E-336

Applicant(s): 176 Woodward Owner, LLC 176 Woodward Avenue Ridgewood, N.Y. 11385		Applicant's Representative: Steven Sinacori Akerman Senterfitt LLP 666 Fifth Avenue, 19th Flr New York, NY 10103	
Recommendation submitted by: Queens Community Board 5			
Date of public hearing: March 12, 2014		Location: Christ The King High School 68-02 Metropolitan Av., 11379	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote: April 9, 2014		Location: 68-02 Metropolitan Avenue Middle Village, NY 11379	
RECOMMENDATION <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove </div> <div style="width: 45%;"> <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove With Modifications/Conditions </div> </div>			
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>			
Voting # In Favor: 28 # Against: 11 # Abstaining: -0- Total members appointed to the board: 44			
Name of CB/BB officer completing this form Gary Giordano <i>Gary Giordano</i>		Title District Manager	
		Date 4-23-2014	



Community Board No. 5

Borough of Queens
Ridgewood, Maspeth, Middle Village and Glendale
61-23 Myrtle Avenue • Glendale, NY 11385
(718) 366-1834
Fax (718) 417-5799
E-mail: qnscb5@nyc.rr.com



Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

RESOLUTION / RECOMMENDATION

re: Application #: C 140111 ZMQ
Project Name: Woodward Avenue Rezoning

The Zoning and Land Use Review Committee reports the following
IN THE MATTER OF an application submitted by 176 Woodward Avenue
Owner, LLC pursuant to Sections 197-c and 201 of the New York City
Charter for the amendment of the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R5B District property bounded by Flushing Avenue, a line 225 feet northeasterly of Onderdonk Avenue, a line 220 feet northwesterly of Troutman Street, Woodward Avenue, a line 95 feet northwesterly of Troutman Street, a line 100 feet northeasterly of Onderdonk Avenue; and,
2. changing from an M1-1 District to an R6B District property bounded by a line 95 feet northwesterly of Troutman Street, Woodward Ave., Troutman Street, a line 100 feet northeasterly of Woodward Ave., Starr Street, and a line 100 feet northeasterly of Onderdonk Ave.: and,
3. establishing within the proposed R6B District a C1-3 District a C1-3 District bounded by Troutman Street, a line 100 feet northeasterly of Woodward Avenue, Starr Street, and a line 100 feet southwesterly of Woodward Avenue in Ridgewood, Queens.

WHEREAS, Community Board 5, Queens conducted a Public Hearing for this application on March 12, 2014. Steven Sinacori of Akerman Senterfitt LLP presented the application at the hearing, stating that this proposed rezoning would affect both sides of Woodward Avenue, between Starr Street and Troutman Street, in Ridgewood, Queens. He explained that the proposed rezoning includes:

- Block 3395; Lot 16 (Development Site 1), Lots 12-15 & 39-44
- Block 3394; Lots 20-24, 28, 37-46, 48-57 and 76-91
- Block 3377; Lots 84 (Development Site 2), 1, 86, 90 and 92

Mr. Sinacori said that the applicant for this proposed rezoning owns 50,515 sq. ft. of this area, which includes Project Development Site 1 on Block 3395 (45,010 square feet), and Project Development Site 2 on Block 3377 (5,505 square feet).

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Mr. Sinacori stated that Project Development Site 1 is vacant of buildings, with the exception of a prefabricated aluminum shed, and is used for storage of motor vehicles and as a contractor's yard.

The application states that the total area proposed for rezoning is 175,733 square feet, of which 102,340 SF will be in the proposed R6B District, 40,022 SF is in the proposed R6B/C1-3 District, and 33,371 SF in the proposed R5B District.

Within the application, it states that "if the requested zoning map amendment is granted, the applicant intends to develop a building of 3 to 4 stories. The building will contain 80,198 square feet of residential space; 3,115 sq. ft. of community facility space; and 6,707 sq. ft. of commercial (retail) space. There will be 88 dwelling units in the building (132 permitted) and parking for 118 cars. The maximum height proposed is 40 feet, which is 10 feet less than the maximum height permitted."

In addition, a 4 story building, with 8 dwelling units, is planned at the Woodward Avenue/Starr Street intersection.

Mr. Sinacori said that the majority of the area proposed for rezoning in this application, which is currently zoned M1-1, is developed with 2 to 3 story residential buildings, that range from 2 to 6 families in each building. He stated that the proposed development would help to beautify this area and eliminate the dirt, noise and air pollution that is created by some of the current uses at this location. During his presentation, Mr. Sinacori referred to a map of the area proposed for rezoning which was on display.

Mr. Sinacori introduced David Schwartz, the project developer, to present the proposed building plans. Mr. Schwartz said that the building plans incorporate modern energy efficient standards into the proposed construction. He said that the proposed residential development would include 118 parking spaces, including 107 parking spaces in the cellar/sub-cellar area inside the building. He explained that access to the parking area would be provided from the Troutman Street side of the building. Mr. Schwartz said that approximately 9,405 sq. ft. of common recreational space would be provided on the roof of the proposed building, referring to the architectural renderings of the building as he spoke.

Mr. Schwartz stated that the proposed residential units would include studio apartments and 1 to 3 bedroom units. He estimated that the studio apartments would rent for \$1,000. to \$1,200., one bedroom units would rent for \$1,400. to \$1,600., and two bedroom units would rent for \$1,600. to \$1,800.

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Project Name: Woodward Avenue Rezoning

There were 9 residents of either Ridgewood & Glendale, Queens or Bushwick, Brooklyn who spoke at the Public Hearing of March 12, 2014, conducted by our community board. Eight of the nine residents spoke in favor of the proposed residential development, stating that: this would greatly improve the subject property and help to stabilize that area of Ridgewood, but several of the speakers said that it is important that the proposed rental apartments be affordable. One resident said that he hopes the property owner would give preference in the application process to local residents, and,

WHEREAS, the Zoning and Land Use Review Committee of Community Board 5, Queens met to consider this application on Monday, April 7, 2014. Walter Sanchez, Committee Chairperson, stated that tonight the committee received a petition signed by those in favor of this application, and a letter from a resident of Starr Street in favor of the proposed development.

The committee meeting was attended by more than 15 interested people who were not committee members or members of Community Board 5, Queens. The committee chairperson allowed these guests to speak on the proposed rezoning and residential development during part of the meeting. Kevin Worthington of Council Member Antonio Reynoso's staff attended this meeting.

Ms. Guzman of Starr Street, in Ridgewood, said that she is in favor of the proposed development as it would make the area safer. She stated that there are prostitution problems adjacent to the proposed development site currently, and the property proposed for residential development is now a bit of an eyesore.

A man, whose mother-in-law lives on Starr Street, close to the subject property, said that rodent problems are getting worse in the immediate area, prostitution is a problem in the area, and people are fearful for their safety walking with trucks now coming in and out of the property, which is currently rented to store trucks and other motor vehicles.

Dan Russo, of Starr Street, said that exhaust coming from trucks coming into and out of the subject property emit pollution from diesel engines and that the trucks cause problem dust conditions.

Dora Remines, of Ridgewood, said that she is concerned that the proposed residential development will cause area rent increases.

Ms. Guzman, of Starr Street stated that the projected rents in the proposed residential development are affordable compared to other markets. A Woodward Avenue resident, Trinidad Rafael, also said that he was concerned that the proposed residential development could cause area rents to increase.

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Mr. Paugh said that he has lived on Starr Street for 60 years, and the proposed development should make the area safer and cleaner.

Mr. Solano, who said that he is the director of Churches United for Fair Housing and a representative of Saint Bridgid Church, stated his concern that this proposed development will cause area rents to increase. He said that in the past year rents have risen significantly.

David Schwartz, Project Developer, said that if the proposed zoning change and project are approved the owner would apply for and likely receive a 421a Tax Abatement, and the apartments would be rent stabilized.

Mr. Pergolese of Troutman Street said that 3 room apartments are currently renting for about \$1,150. per month.

The owner of the property proposed for residential development, Mr. Curtain, said that the property he owns across the street, on Starr Street, which is fairly new construction, has rents of \$1,500. for a one bedroom apartment and \$1,700. for a two bedroom apartment.

Another resident emphasized that the proposed zoning change to residential should protect nearby residential properties, which are presently zoned for manufacturing.

Paul Kerzner, a member of Community Board 5, Queens for decades, said that: he would prefer tenant ownership at this site, with manufacturing on the first floor; that he believes this should be made a special M-X District to combine residential development above one or two floors of manufacturing; that this committee has never recommended taking away manufacturing space; and that there is a trend of manufacturing coming back to the U.S.A. from overseas, because the costs gap is narrowing. He stressed that only certain use groups should be allowed for the proposed manufacturing on the first and second floors. Mr. Kerzner distributed copies of a Proposed M-X Designation for all Ridgewood "M" Zones, submitted by Theodore Renz, Executive Director of the Ridgewood Local Development Corp. and by Mr. Kerzner as President of the RLDC.

Mr. Kerzner stated his concern that if this property proposed for residential development is allowed to become completely residential, other property owners with properties zoned for manufacturing will want their properties rezoned residential.

Thomas Smith, Planner in the Queens Office of the Dept. of City Planning, stated that if one manufacturing area is rezoned to residential it doesn't mean that other areas now zoned manufacturing are suitable for a change to residential zoning.

Dan Creighton, Committee Member, said that, in his opinion, we have no right to tell an owner that if they want to develop a property they have to have apartments that are co-ops or condos.

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Theodore Renz, Committee Member, stressed that he sees this as a policy issue; that we need to rebuild manufacturing; that industrial jobs pay much better than say retail jobs; and that people being able to walk to work has many advantages.

Peggy O'Kane, Committee Member, said that she doesn't believe it is reasonable to ask the property owner to change their plans, at this late date, to the extent proposed.

At this April 7, 2014 meeting of the Zoning and Land Use Review Committee of Community Board 5, Queens, Walter Sanchez, Committee Chairperson, then proposed a recommendation that this zoning change be approved, as proposed, stating that many neighbors testified that current conditions at the property proposed for development are not good for the neighborhood; that this development is not only preferred, but necessary for community improvement; that the proposed development will help reduce illegal activity nearby, provide affordable housing and strengthen the community.

The committee vote regarding this recommendation was: 4 in favor, 2 opposed, with -1- member abstaining.

At the regular monthly meeting of Community Board 5, Queens, conducted on Wednesday, April 9, 2014, the members of Community Board 5, Queens voted in favor of the Recommendation of their Zoning and Land Use Review Committee, to recommend approval of this application, to rezone the section of Ridgewood, Queens specified from: an M1-1 District to an R5B District and an R6B District, with a small C1-3 District within the proposed R6B District.

The vote in favor of the application was: 28 in favor, 11 opposed, -0- abstaining, and -0- not voting.

A copy of this Resolution/Recommendation shall be sent to: the City Planning Commission, the N.Y. City Dept. of City Planning, the Hon. Melinda Katz as Borough President of Queens, the Hon. Elizabeth Crowley-City Council Representative, the Hon. Antonio Reynoso-City Council Representative and the Applicant.