



CITY PLANNING COMMISSION

January 17, 2006/Calendar No. 5

C 050493 ZSQ

IN THE MATTER OF an application submitted by The Andalex Group pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 200 spaces on portions of the ground floor and cellar of an existing mixed use building located at 45-31 Court Square (Block 82, Lot 1), in an M1-5/R7-3 District, within the Special Long Island City Mixed Use District in the Borough of Queens, Community District 2.

The application for the special permit was filed by The Andalex Group on June 3, 2005 to allow for the construction of a 200-space attended public parking garage to be located on portions of the ground floor and cellar of a building at 45-31 Court Square in Hunter's Point.

BACKGROUND

The Andalex Group requests a special permit pursuant to Sections 13-562 and 74-52 to allow for the construction of a 200-space attended public parking garage to be located on the ground and cellar floors of a former Eagle Electric manufacturing building that is being converted as-of-right to residential and commercial use.

The approximately 77,000 square foot triangularly-shaped site is bounded by Thomson Avenue, the Sunnyside Yards, and Court Square. In addition to the proposed 200-space public parking garage, the full lot coverage building will have 255 condominiums and 19,762 square feet of ground floor commercial space. Land uses across Court Square from the site include the New York State Supreme Court Building, a 680-space municipal parking garage located in between the court building and the Sunnyside Yards, and Court Square Park, an approximately one-acre public park located directly in front of the court building. Citigroup's first office building is located across Jackson Avenue from the site.

The site is zoned M1-5/R7-3 and is located within Area C of the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District. Residential, commercial, community facility, and light manufacturing uses are generally allowed as-of-right. The site is also located within a section of Long Island City that is subject to the parking requirements of Article I Chapter 3 of the Zoning Resolution. These provisions apply in Manhattan south of 96th Street and to the

core, heavily congested area of Long Island City. As per Section 13-31 of the Zoning Resolution, public parking garages are allowed only by special permit within an area generally bounded by 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the Sunnyside Yards, Crane Street, and Jackson Avenue. The proposed garage is located within this area.

The proposed garage would be located on portions of the first floor and cellar and would occupy 42,280 square feet. The 2,575-square foot portion of the first floor would be dedicated to portions of the entrance and exit ramps while the cellar would accommodate the proposed 200 public parking spaces. The garage would provide ten reservoir spaces. The garage would be fully attended and would operate 24 hours a day, seven days a week. An accessory, 1,400 square foot bike room would also be provided within a portion of the ground floor.

Vehicles would enter and exit the garage via an approximately 36-foot wide curb cut along Court Square, approximately 225 feet south of the intersection of Court Square and Thomson Avenue. Court Square, a 60-foot wide street, feeds directly into Thomson Avenue, a 100-foot wide street that continues easterly over the Sunnyside Yards to merge with Queens Boulevard, as well as providing access to the upper deck of the Queensboro Bridge. At its western terminus, Thomson Avenue intersects with Jackson Avenue, a 100-foot wide corridor that connects with Northern Boulevard at its northern terminus and the Long Island Expressway and Queens Midtown Tunnel to the south.

ENVIRONMENTAL REVIEW

This application (C 050493 ZSQ) 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05DCP085Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on September 25, 2006.

UNIFORM LAND USE REVIEW

This application (C 050493 ZSQ) was certified as complete by the Department of City Planning on December September 25, 2006, and was duly referred to Community Board 2 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 2 held a public hearing on this application on November 2, 2006, and on that date, by a vote of 32 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on December 18, 2006.

City Planning Commission Public Hearing

On December 6, 2006 (Calendar No. 1), the City Planning Commission scheduled December 20, 2006, for a public hearing on this application (C 050493 ZSQ). The hearing was duly held on December 20, 2006 (Calendar No. 16) and was continued to January 10, 2007 (Calendar No. 21). On December 20, 2006, there was one speaker in favor of the application.

The applicant's land use counsel briefly described the requested action and the project, including the square footage, location, proposed operations, and surrounding land uses.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of the special permit is appropriate.

The Commission notes that the proposed garage would be located in a neighborhood characterized by industrial, commercial, and residential uses and will provide new public parking spaces in a neighborhood with few public parking garages. Zoning districts mapped on 36 blocks surrounding the site allow for medium- to high-density commercial and residential buildings and although the area is well-served by mass transit, there is limited public parking in the area. The new garage would help to serve future employee parking demand within the area

and also accommodate the demand generated by new residents of the building within which the garage would be located.

The Commission notes that according to the environmental assessment statement completed for this project, the garage would result in 48, 14, and 33 new vehicle trips during the AM, midday, and PM peak hours, respectively, and that these additional vehicles would not unduly inhibit traffic and pedestrian flow nor create or contribute to serious traffic congestion. According to the environmental assessment statement, the proposed project would generate fewer trips than the CEQR Technical Manual's threshold of 50 peak-hour trips, and therefore a quantified analysis was not warranted. The Commission believes that Jackson Avenue and Thomson Avenue, the two streets providing access to the garage, are adequate to handle the traffic generated by the proposed garage due to their 100-foot widths. The Commission further notes that the Court Square municipal garage located across the street from the site is the only other use on the street that would attract pedestrians, further minimizing the potential for conflicts between vehicles and pedestrians.

The Commission notes that the subject site is located in a mixed-use neighborhood, and that the garage itself would be located on a dead-end street with no local streets or residential areas in proximity to it. The Commission further notes that Thomson Avenue and Jackson Avenue would be the primary approach routes to Court Square, and that these 100-foot wide thoroughfares are primarily industrial and commercial in character. The Commission believes that the width of these thoroughfares is adequate to handle the traffic generated by the proposed garage.

In addition, the Commission notes that the garage provides the required ten reservoir spaces.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) of the Zoning Resolution:

- (a) that such use will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located;

- (b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- (c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;
- (d) that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles;
- (e) that the streets providing access to such use will be adequate to handle the traffic generated thereby;
- (f) not applicable; and
- (g) not applicable.

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 and findings described in this report, the application of The Andalex Group for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 200 spaces on portions of the ground floor and cellar of an existing mixed-use building located at 45-31 Court Square (Block 82, Lot 1), in an M1-5/R7-3 District, in the Special Long Island City Mixed Use District, Borough of Queens, Community District 2, is approved subject to the following terms and conditions:

1. The property that is the subject of this application (C 050493 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plan, prepared by Costas Condylis & Partners, LLC, filed with this application and incorporated in this resolution:

| <u>Drawing No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|--------------------|-------------------|--------------------------|
| A-02 | Site Plan | August 16, 2006 |
| A-03 | Cellar Floor Plan | August 16, 2006 |
| A-04 | First Floor Plan | August 16, 2006 |

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the attached restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 050493 ZSQ), duly adopted by the City Planning Commission on January 24, 2007 (Calendar No. 5), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, ESQ., Vice Chairman

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,

CHRISTOPHER KUI, JOHN MEROLO, DOLLY WILLIAMS Commissioners