



## CITY PLANNING COMMISSION

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May 11, 2011/Calendar No. 19

C 110031 ZSQ

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**IN THE MATTER OF** an application submitted by HANAC, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-511 of the Zoning Resolution to allow an unattended public parking garage with a maximum capacity of 59 spaces on portions of the ground floor and cellar of an existing mixed use development on property located at 25-03 29<sup>th</sup> Street (Block 839, Lot 1), in R6, R6/C1-3\* and R6A/C1-3 Districts, Borough of Queens, Community District 1.

\*Note: a portion of the property is proposed to be rezoned by establishing a C1-3 District within an existing R6 District under a concurrent related application C 110166 ZMQ.

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This application (C 110031 ZSQ) for a special permit was filed by HANAC, Inc. on July 27, 2010 to allow for the construction of a 59-space unattended public parking garage to be located at 25-03 29<sup>th</sup> Street in Astoria, Queens.

### **RELATED ACTION**

In addition to the Special Permit which is the subject of this report (C 110031 ZSQ), implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 110166 ZMQ      Zoning change to establish a C1-3 District within an existing R6 zoning district

### **BACKGROUND**

The applicant, HANAC, Inc., requests a special permit pursuant to Section 74-511 to allow an unattended public parking garage with a maximum of 59 spaces on the cellar and ground floor levels in a C1-3 district.

A full background discussion and project description appears in the report on the related application for a zoning map amendment (C 110166 ZMQ).

## **ENVIRONMENTAL REVIEW**

This application (C 110031 ZSQ), in conjunction with the application for the related action (C110166 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 of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 06HPD005Q. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on July 30, 2010.

## **UNIFORM LAND USE REVIEW**

This application (C 110031 ZSQ), in conjunction with the application for the related action (C110166 ZMQ) was certified as complete by the Department of City Planning on January 24, 2011, and was duly referred to Community Board 1 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 1 held a public hearing on February 15, 2011 on this application (C 110031 ZSQ), and on that date by a vote of 28 to 0 with 2 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the recommendation of Community Board 1 appears in the report on the related application for a zoning map amendment (C 110166 ZMQ).

### **Borough President Recommendation**

The application was considered by the Borough President who issued a recommendation on March 14, 2011 approving the application.

### **City Planning Commission Public Hearing**

On March 30, 2011 (Calendar No. 5), the City Planning Commission scheduled April 13, 2011, for a public hearing on this application (C 110031 ZSQ). The hearing was duly held on April 13, 2011 (Calendar No. 15) in conjunction with the public hearing on the application for the related action (C 110166 ZMQ).

There were 2 speakers as described in the report on the related application for a zoning map amendment (C 110166 ZMQ), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the grant of this special permit (C 110031 ZSQ) is appropriate.

A full consideration of the issues and the reasons for approving this application appears in the report on the related application for a zoning map amendment (C 110166 ZMQ).

### **FINDINGS**

The City Planning Commission hereby makes the following findings pursuant to Section 74-511 of the Zoning Resolution:

- (a) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;
- (b) that such use has adequate reservoir space at the vehicular entrance to accommodate a minimum of 10 automobiles or 20 percent of the spaces so provided, whichever amount is less;
- (c) not applicable; and
- (d) 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**, that the City Planning Commission, pursuant to Section 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 HANAC Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-511 of the Zoning Resolution to allow an unattended public parking garage with a maximum capacity of 59 spaces on portions of the ground floor and cellar of an existing mixed use development on property located at 25-03 29<sup>th</sup> Street (Block 839, Lot 1), in R6, R6/C1-3\* and R6A/C1-3 Districts, Borough of Queens, Community District 1, is approved subject to the following terms and conditions:

1. The property that is the subject of this application (C110031 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plan(s), prepared by SLCE Architects, filed with this application and incorporated in this resolution:

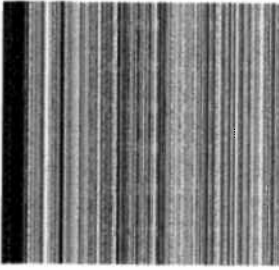
<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
A2	Plot Plan	12/22/2010
A7	Cellar Floor Plan	12/22/2010
A8	First Floor Plan	12/22/2010

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 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 110031 ZSQ), duly adopted by the City Planning Commission on May 11, 2011 (Calendar No. 19), 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.

**AMANDA M. BURDEN, FAICP, Chair**  
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**RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,**  
**SHIRLEY A. MCRAE, Commissioners**



# City of New York Community Board #1, Queens

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February 18, 2011

## RECOMMENDATION

RE: #C 110031 ZSQ – IN THE MATTER OF an application submitted by HANAC, Inc pursuant to Sec. 197-c & 201 of the NYC Charter for the grant of a special permit pursuant to Sec. 74-55 of the Zoning Resolution to allow an unattended public parking garage with a maximum capacity of 59 spaces on portions of the ground floor and cellar of an existing mixed use development on property located at 25-03 29 St. (Bl. 839, Lot 1) in R6, R6/C1-3 & R6A/C1-3\* Districts, Borough of Queens, CD 1

\*A portion of the property is proposed to be rezoned by establishing a C1-3 District within an existing R6 District under a concurrent related application C110166ZMQ

## Recommendation

Community Board 1 held a public hearing at our February 15, 2011 full Board meeting. Following our hearing a motion was made and passed by a vote of 30 in Favor, 0 Against, 1 Abstentions and 1 Abstention for cause to **approve** the application with the stipulation that the parking garage is built in strict adherence to Sec. 74-511, Articles a, b, c and d as per the NYC Zoning Resolution.

## BOARD MEMBERS (cont.)

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Marie Torniali  
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Mannie Wilson  
John P. Ziedonis

# Queens Borough President Recommendation

APPLICATION: ULURP #110031 ZSQ

COMMUNITY BOARD: Q01

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by HANAC, Inc, pursuant to Section 74-511 of the NYC Zoning Resolution, for a Special Permit to facilitate development of a Public Garage with rooftop parking in an R6 District located at 25-03 29th Street, Block 839, Lot 1, Zoning Map 9A, Astoria, Borough of Queens. (Related application ULURP #110166 ZMQ)

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, February 24, 2011, 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 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 requesting a special permit to allow public parking. In a related application the applicant is also proposing to map an C1-3 overlay in an existing R6 district. These applications would facilitate the development and operation of a public parking garage that would accommodate fifty nine (59) public parking spaces.;
- o The site was formerly a NYC Department of Transportation operated 134 space municipal parking lot. In 2006, the ULURP application for the disposal of the public parking lot to HANAC for the development of a mixed use senior housing project was approved. Community Board 1 approved the disposition with a condition that the number of public parking spaces should be increased to 59 spaces.;
- o The senior housing was completed in July 2009 and has been occupied since January 2010. The proposed garage will also provide space for 15 required accessory parking spaces for the senior housing.;
- o Community Board 1 (CB 1) conditionally approved this application by a vote of twenty eight (28) in favor with none (0) against and two (2) abstentions. CB 1's conditions are summarized as follows: None of the parking shall be used for "Car Share" businesses; no more than the proposed 26 senior housing parking spaces; the entire 41 first floor parking spaces should for short term parking; the lower level should have twenty three (23) short term and ten (10) long term parking spaces; the garage should be built with a foundation and framing to accommodate a second floor in the future; the 29<sup>th</sup> Street façade should be finished with brick veneer and wrought iron railing/fencing.

## RECOMMENDATION

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

  
PRESIDENT, BOROUGH OF QUEENS

3/14/11  
DATE