



CITY PLANNING COMMISSION

June 11, 2014/Calendar No. 8

N 140274 ZRQ

IN THE MATTER OF an application submitted by Hunters Point 49 LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to enlarge the Special Long Island City Mixed Use District and to modify certain provisions related to sidewalk cafes and to expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District, in Community District 2, Borough of Queens.

This application for zoning text amendments to expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District (LIC District) and to allow unenclosed sidewalk cafes along 49th Avenue between 11th Street and 21st Street in Hunter's Point, Queens was filed by Hunters Point 49 LLC.

RELATED ACTIONS

In addition to the application for changes to the zoning text which is the subject of this report (N 140274 ZRQ), 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 140275 ZMQ application for changes to the zoning map from M1-4 to M1-4/R7X and to establish the LIC District on Block 61, Lot 50 and portions of lots 5 and 55 and a portion of Lot 1, block 72.

BACKGROUND

Hunters Point 49 LLC requests an amendment of the Zoning Resolution to enlarge the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District (LIC District) and to allow unenclosed sidewalk cafes along 49th Avenue between 11th Street and 21st Street in Hunter's Point, Queens.

A full background discussion and project description appears in the report on the related application for zoning map amendments (C 140275 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 140274 ZRQ), in conjunction with the related action (C 140275 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 14DCP066Q. The lead is the City Planning Commission.

A summary of the environmental review appears in the report on the related application for zoning map amendments (C 140275 ZMQ).

PUBLIC REVIEW

On February 18, 2014, this text change application (N 140274 ZRQ) was duly referred to Community Board 2 and the Borough President, in accordance with the procedure for referring non-ULURP matters.

Community Board Public Hearing

Community Board 2 held a public hearing on this application (N 140274 ZRQ) on March 19, 2014.

A summary of the vote and recommendation of Community Board 2 appears in the report on the related application for zoning map amendments (C 140275 ZMQ).

Borough President Recommendation

This application (N 140274 ZRQ) was considered by the Borough President, who issued on May 2, 2014 a recommendation approving the application.

City Planning Commission Public Hearing

On April 23, 2014 (Cal. No. 10), the City Planning Commission scheduled May 7, 2014 for a public hearing on this application (N 140274 ZRQ). The hearing was duly held on May 7, 2014

(Cal. No. 22) in conjunction with the hearing for the related action (C 140275 ZMQ). There were two appearances, as described in the report on the related application for zoning map amendments (C 140275 ZMQ), and the hearing was closed.

CONSIDERATION

The Commission believes that this text amendment to the Zoning Resolution is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appears in the report on the related application for zoning map amendments (C 140275 ZMQ).

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 Section 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 modified, is further amended as follows:

Matter Underlined is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicate where unchanged text appears in the Zoning Resolution

* * *

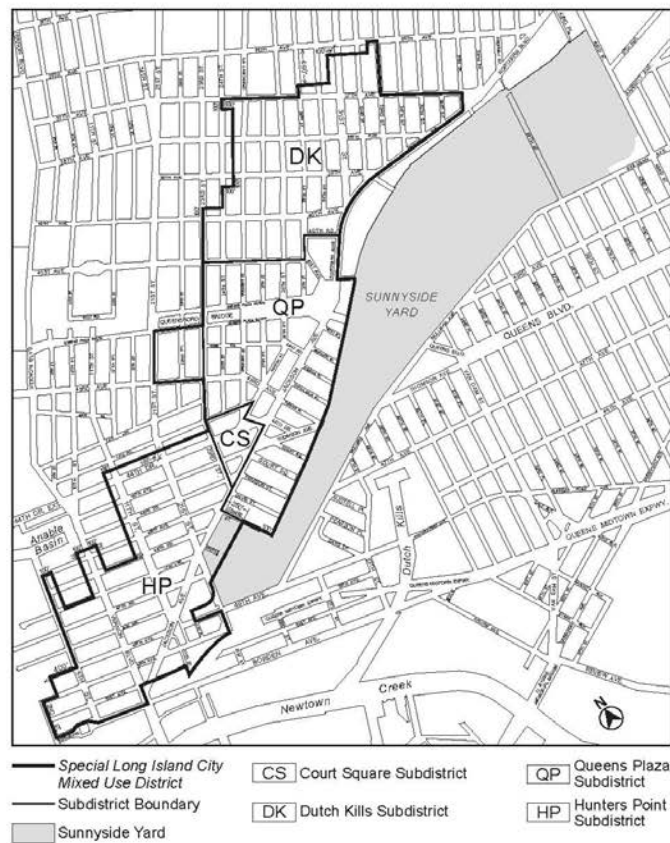
District and Subdistricts

Map to be Deleted

117A 2/2/11

Appendix A

Special Long Island City Mixed Use District and Subdistricts



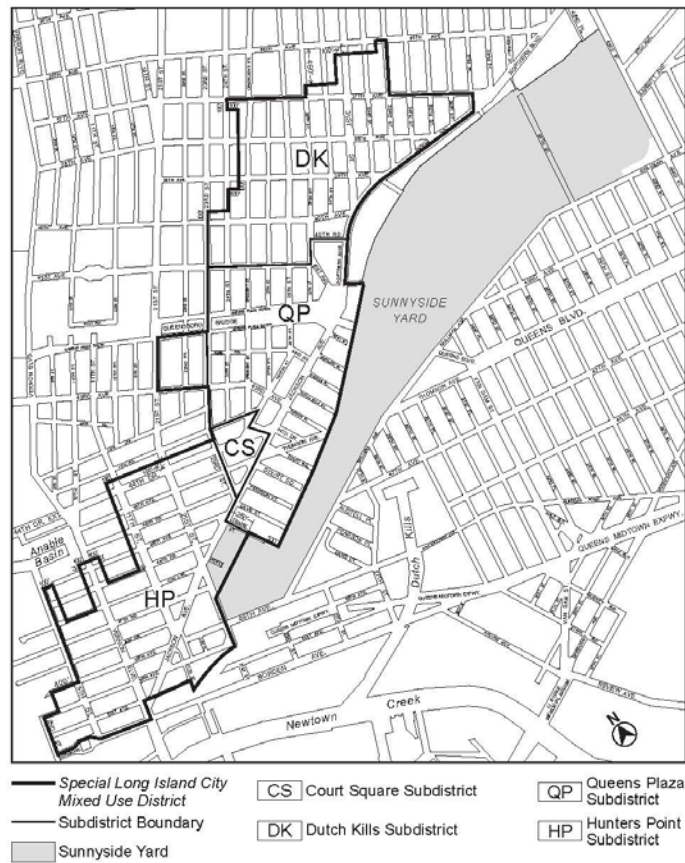
District and Subdistricts

Map to be Added

117A 9/25/13

Appendix A

Special Long Island City Mixed Use District and Subdistricts



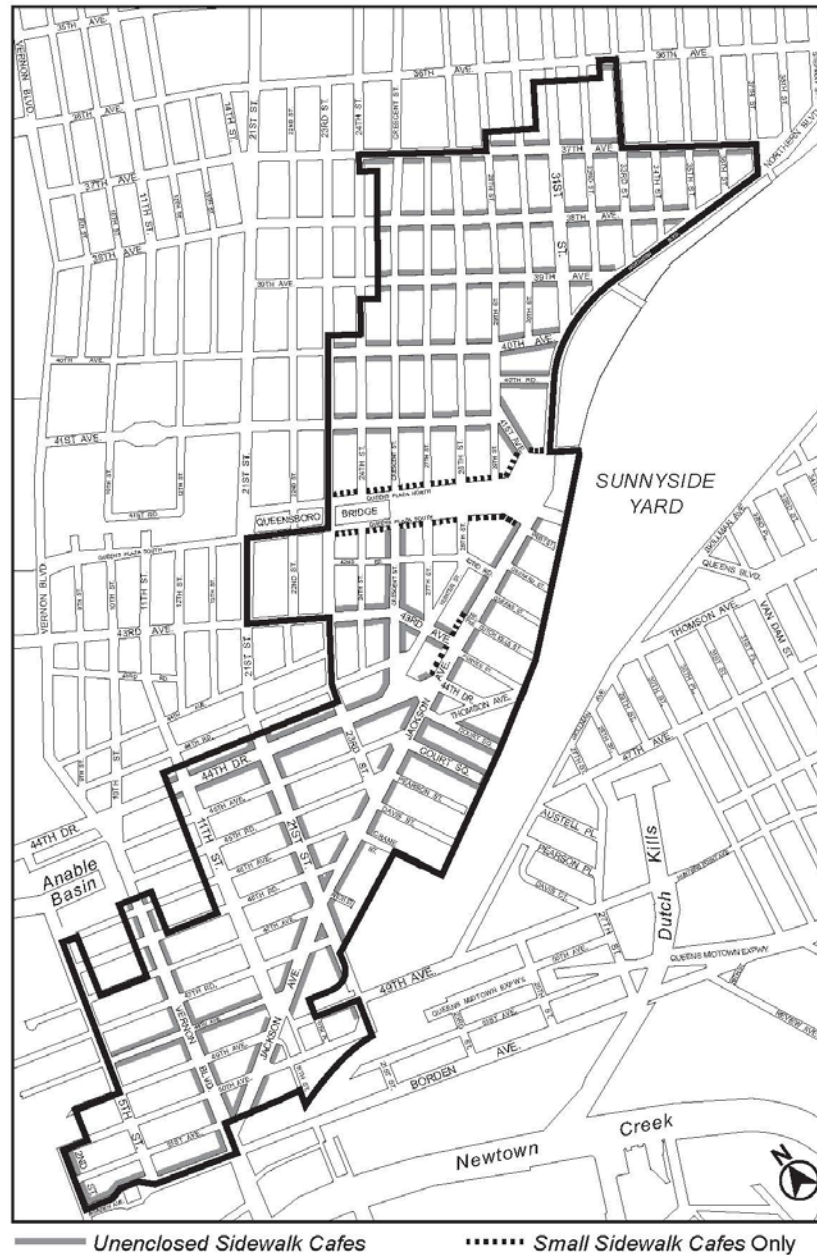
Permitted Sidewalk Café Locations

Map to be Deleted

117A.1 5/22/13

Appendix A

Special Long Island City District Permitted Sidewalk Cafe Locations



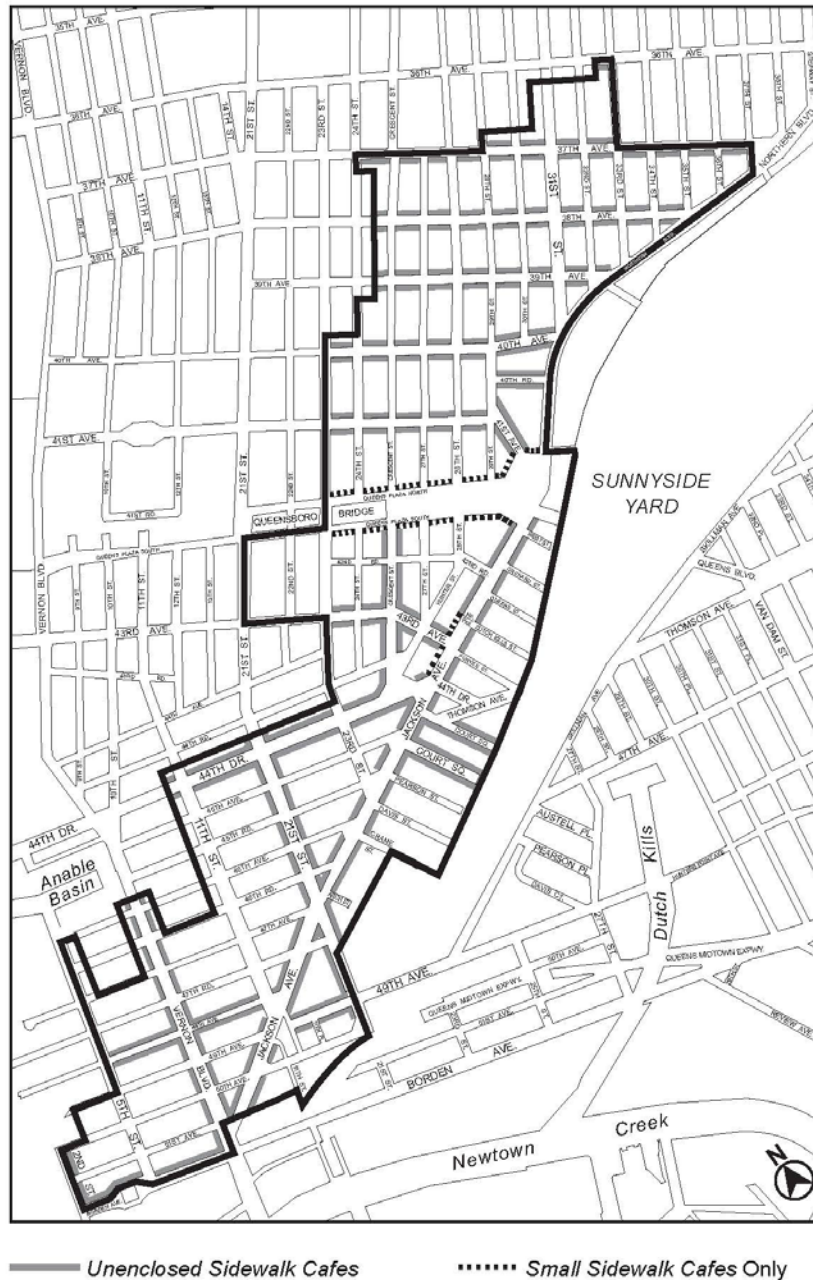
Permitted Sidewalk Café Locations

Map to be Added

117A.1 9/25/13

Appendix A

Special Long Island City District Permitted Sidewalk Café Locations



The above resolution (N 140274 ZRQ), duly adopted by the City Planning Commission on June 11, 2014 (Cal. No. 8), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, *Chairman*

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III, MICHELLE DE LA UZ, MARIA M. DEL TORO, JOSEPH I. DOUEK, RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners*

Application #: **C 140275 ZMQ**

CEQR Number: 14DCP066Q

Project Name: **11-55 49th Avenue**

Borough(s): Queens

Community District Number(s): 2

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 Hunters Point 49 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9b:

- changing from an M1-4 District to an M1-5/R7X District property bounded by the northerly centerline prolongation of 11th Place, a northerly and northwesterly boundary line of the Long Island Rail Road Right-Of-Way, and its northeasterly prolongation, 21st Street, and 49th Avenue; and
- establishing a Special Long Island City District (LIC) bounded by the northerly centerline prolongation of 11th Place, a northerly and northwesterly boundary line of the Long Island Rail Road Right-Of-Way, and its northeasterly prolongation, 21st Street, and 49th Avenue;

Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated February 18, 2014, and subject to the conditions of CEQR Declaration E-335.

Applicant(s): Hunters Point 49 LLC 15 Verbena Avenue Floral Park, NY 11001	Applicant's Representative: Steven Sinacori Akerman Senterfitt LLP 666 Fifth Avenue, 20th Flr New York, NY 10103
Recommendation submitted by: Queens Community Board 2	
Date of public hearing: 3/19/14 Location: 1-50 51 st Avenue Audubon	
Was a quorum present? YES ☒ NO ☐ A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 4/3/14 Location: 43-31 39 th Street, Sunnyside	
RECOMMENDATION ☒ Approve <i>with stipulations attached</i> ☐ Disapprove ☐ Approve With Modifications/Conditions ☐ Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.	
Voting # In Favor: 31 # Against: 1 # Abstaining: 1 Total members appointed to the board: 49 <i>Chairman present and not voting</i>	
Name of CB/BB officer completing this form Deborah Marshall Kline	Title District Manager Date 4/4/14



Melinda Katz
Queens Borough President

Community Board No. 2

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Joseph Conley
Chairman

Debra Markell Kleinert
District Manager

COMMUNITY /BOROUGH BOARD RECOMMENDATION

APPLICATION # C 140275 ZMQ

CEQR Number: 14DCP066Q

Project Name: 11-55 49th AVENUE

Borough: Queens

Community District Number: 2

With a quorum present, a motion was made and seconded to not oppose the zoning map and text change with the following CB 2 stipulations:

1. Provide 20% affordable housing.
2. Move artist studio space to higher floor.
3. Preference to CB 2 Residents.
4. Work with NYC Department of Transportation to request traffic signage, traffic calming, crosswalks.

The vote was 31 in favor of the motion; 1 opposed and 1 abstention with the Chairman of Community Board 2 present and not voting.

Queens Borough President Recommendation

APPLICATION: ULURP #140274 ZRQ

COMMUNITY BOARD: Q02

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Hunters Point LLC, pursuant to Sections 200 and 201 of the NYC Charter, to amend Section 117-00, Appendix A of the NYC Zoning Resolution to include the proposed rezoning area of a related application to allow unenclosed sidewalk cafes on 49th Avenue between 11th Street and 21st Street, Block 61, Lots 50, 55 and 7501 & Block 62, Lot 19, 28, 30 and 7501, Zoning Map 9b, Long Island City, Borough of Queens. (Related Application ULURP #140275 ZMQ)

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, 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 no other speakers. The hearing was closed.

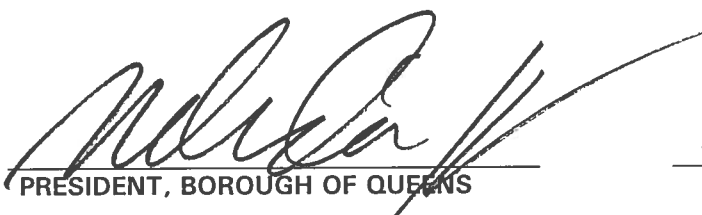
CONSIDERATION

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

- The applicant is proposing a zoning text change that would allow unenclosed sidewalk cafes on 49th Avenue between 11th Place and 21st Street in the Special Long Island City District. The sidewalk cafes are proposed as part of a mixed-use development that the applicant is proposing;
- The proposed development is a 173,715 sf building in a stepped eight- to ten-story structure. The proposed building would be occupied by 6,085 sf of ground floor retail space, 141,826 sf of residential space with 140 apartments that includes 28 (20%) affordable units, between 1500 to 3000 sf of working artist space, a sidewalk café and 100 below grade accessory parking spaces;
- The applicant's site is Block 61 Lot 55 is bounded directly to the north by an open rail yard which is included in the proposed rezoning area. The applicant's development site is currently used for open storage of approximately 100 vehicles. The areas to the east and south are occupied by industrial uses. To the west there are a mix of commercial and residential buildings;
- Community Board 2 approved this application with conditions by a vote of thirty-one (31) in favor with one (1) opposed and one (1) abstention at a public hearing held on April 3, 2014. The conditions of approval were as follows: provision of 20% affordable housing; artist space should be moved to a higher floor; housing preference for Community Board 2 residents and work with the NYC Department of Transportation on pedestrian safety which may include new signage, traffic calming measures or crosswalks.

RECOMMENDATION

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



PRESIDENT, BOROUGH OF QUEENS

5/2/14

DATE