



## CITY PLANNING COMMISSION

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August 25, 2010/ Calendar No. 23

C 100145 ZMQ

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IN THE MATTER OF an application submitted by Hour Children, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a and 9b:

- 1 changing from an M-1 District to an R5D District property bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, 37<sup>th</sup> Avenue and 11<sup>th</sup> Street; and
- 2 establishing within a proposed R5D District a C1-3 District bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, a line 100 feet southwesterly of 36<sup>th</sup> Avenue, and 12<sup>th</sup> Street;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only), dated May 10, 2010 and subject to the conditions of CEQR Declaration E-250.

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The application for an amendment of the Zoning Map was filed by Hour Children Inc. on November 5, 2009 to change an M1-1 District to R5D and R5D/ C1-3 districts to facilitate the development of 18 units of permanently affordable housing in Ravenswood, Queens, Community District 1.

### **BACKGROUND**

The applicant, Hour Children Inc., is a Queens-based nonprofit organization that provides services and housing to single women recently released from incarceration and their children.

The organization currently operates five residences, housing approximately 45 families in the Queens communities of Astoria and Elmhurst.

Hour Children is seeking a Zoning Map amendment to change the western portion of Block 351 (Lots 1,3,4,5,6,7,8,9,10,11, 14 and 17) and all of Block 352 (Lots 1 and 35) in western Queens, from an M1-1 District to an R5D District and establish a C1-3 overlay over a portion of the area to be rezoned. The area to be rezoned is generally bounded by 36<sup>th</sup> Avenue, 11<sup>th</sup> Street, 37<sup>th</sup> Avenue and encompasses both sides of 12<sup>th</sup> Street. The entire area is proposed to be rezoned to R5D, and an C1-3 overlay zone is proposed to be established for the portion of Block 351 fronting on the south side of 36<sup>th</sup> Avenue from 12<sup>th</sup> Street to the block's midpoint approximately 100 feet to the east.

The proposed zoning change would facilitate a proposal by Hour Children to develop two- and three- bedroom permanently affordable apartments for women recently released from prison and their children in a new, approximately 26,000 square-foot, four-story building, to be built at 36-11 12<sup>th</sup> Street (Block 351, Lot 14). The proposed development would also include general office space for Hour Children staff and a conference room to be located in the cellar. Lot 14 is currently developed with a two-story building containing a transitional residence for eight families operated by the applicant, a one-story office building, a one-story building containing a furniture thrift store, and a children's playground. To facilitate the new development all of the existing structures on the site, including the existing two-story transitional residence would be demolished to facilitate the new construction. During construction of the project, the eight families currently residing on site will be relocated to another permanently affordable building, also in the Ravenswood area, which Hour Children has recently secured.

Other land uses within the rezoning area consist predominantly of residential or community facility uses. Residential uses consisting of two-story, one- and two-family houses fronting the east side of 12<sup>th</sup> Street and along 37<sup>th</sup> Avenue (Block 351) would be rezoned to R5D, as well as other uses along 12<sup>th</sup> Street, including two single-story warehouses and a private parking lot for construction vehicles. A two-story building containing retail and office uses at the corner of 36<sup>th</sup> Avenue and 12<sup>th</sup> Street would be rezoned to R5D with a C1-3 commercial overlay that would extend to the midpoint of Block 521 approximately 100' east of 12<sup>th</sup> Street. Block 352, also to be rezoned to R5D, consists almost entirely of community facility uses, including a church, a vacant elementary school building, a rectory, and a child care center, as well as a fire station at the corner of 12<sup>th</sup> Street and 37<sup>th</sup> Avenue.

As described above, the proposed Zoning Map amendment would change the zoning from M1-1 to R5D on all of Block 352 and the western half of Block 351, thereby, facilitating the proposed development on the applicant's property, while bringing existing legal non-conforming residential uses into conformance. A C1-3 commercial overlay is proposed to be mapped with a depth of 100 feet along 36<sup>th</sup> Avenue and extend approximately 100 feet east of 12<sup>th</sup> Street to the midpoint of Block 351 in order to reflect existing commercial uses in this block portion.

The blocks located east and west of the proposed rezoning area are zoned M1-1 and developed with a mix of residential, light industrial, institutional and commercial uses. A similar mix of land uses is located in the M1-3 district, south of the rezoning area. An R5 district, located to the north of the rezoning area across 36<sup>th</sup> Avenue, includes the Ravenswood Houses, a NYC

Housing Authority complex situated on 38 acres containing a total of 31 six- and seven-story apartment buildings.

The existing M1-1 zoning district is a low density, manufacturing district that allows light industrial and commercial uses at a maximum floor area ratio (FAR) of 1.0, and a limited range of community facility uses at a maximum FAR of 2.4. Residential uses are not allowed in M1-1 districts. Building height is regulated by the sky exposure plane.

The proposed R5D district is a general residence district that allows all types of residential development and community facilities at a maximum FAR of 2.0. It has a building height limit of 40 feet. Off-street parking is required for 66% of all dwelling units, and it may only be located within a building or to the side or rear of it.

## **ENVIRONMENTAL REVIEW**

This application (C 100145 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 10DCP014Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action (C 100145 ZMQ), a Negative Declaration was issued. The Negative Declaration included an (E) designation (E-250), which would be mapped as part of the proposed action, to avoid any potential significant adverse impacts related to hazardous materials on Block 351, Lots 1, 6, 7, 8, 10 and 11 and Block 352, Lot 1. The text of the (E) designation is as follows:

### **Task 1**

**The fee owner of the lots restricted by this (E) designation will be required to prepare a scope of work for soil and groundwater sampling and testing to determine whether contamination exists and, if so, the extent of the contamination and the nature and extent of required remediation. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. The scope of work will be submitted to DEP for review and approval prior to implementation, to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.**

**No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sampling sites should be selected to adequately characterize the type and extent of any contamination and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for the choice of sampling sites, sampling procedures, and tests to be performed will be provided by DEP upon request.**

### **Task 2**

**A written report with findings and summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After reviewing the test results, DEP will determine whether the results indicate that remediation is necessary.**

**If DEP determines that no remediation is necessary, the agency will give written notice.**

**If DEP determines that remediation is necessary, a proposed remediation plan will be prepared and submitted to DEP for its review and approval. The fee owner of the lots restricted by the (E) designation must perform such remediation as determined by DEP to be necessary. After completing the remediation, the fee owner should**

**provide DEP with proof that the work has been completed satisfactorily. Once DEP determines that the required remediation has indeed been completed satisfactorily, the agency will give written notice.**

**A DEP-approved construction-related health and safety plan (HASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. The HASP must be submitted to DEP for review and approval prior to implementation.**

With the implementation of the above referenced (E) designation, no significant adverse impacts to hazardous materials would occur.

## **UNIFORM LAND USE REVIEW**

This application (C 100145 ZMQ) was certified as complete by the Department of City Planning on May 10, 2010, and was duly referred to Community Board 1 and the 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 June 15, 2010 on this application (C 100145 ZMQ) and on that date, by a vote of 31 in favor, 0 opposed, 1 abstention adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (C 100145 ZMQ) was considered by the Borough President who issued a recommendation on June 24, 2010, approving this application.

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

On July 14, 2010 (Calendar No. 25), the City Planning Commission scheduled July 28, 2010, for a public hearing on this application (C 100145 ZMQ). The hearing was duly held on July 28, 2010 (Calendar No. 18). There were five speakers in favor of this application and no speakers in opposition.

Speakers in favor included the applicant's attorney, who described the proposed development and its goal in meeting Hour Children's mission of providing affordable housing and essential social services to women transitioning back into the community from prison and reuniting with their children. The applicant's architect described the project's overall site plan, pointing out that the proposed building scale and form fit within the existing context and that the building would be well-integrated with amenities, such as a landscaped children's play area and sitting areas for residents on portions of the rooftop. Two current residents in other Hour Children homes also spoke in favor of the proposed application, stating the applicant's programs provided them with a home and the counseling and support to start a new life after prison. An owner of the house adjoining the project site also spoke in favor of the proposed development.

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

## **CONSIDERATION**

The Commission believes that this proposed amendment of the Zoning Map (C 100145 ZMQ) is appropriate.

The Commission notes that the proposed Zoning Map amendment would facilitate the construction of a four-story building with approximately 18 units of permanently affordable housing on a site located on the east side of 12<sup>th</sup> Street between 36<sup>th</sup> and 37<sup>th</sup> Avenues in Ravenswood, Queens. The Commission notes that the rezoning area is characterized by predominantly residential and community facility uses and believes the proposed R5D district would better reflect this land use pattern. In addition to bringing existing community facility and residential uses into conformance, the Commission believes the proposed zoning change will allow new development that would be consistent with surrounding built contexts in the area. The Commission also notes that the proposed C1-3 overlay district for the portion of Block 351 fronting on the south side of 36<sup>th</sup> Avenue from 12<sup>th</sup> Street to the block's midpoint will reflect existing retail uses on this frontage.

The Commission further notes that the proposed rezoning and development has strong support from Community Board 1 and the Queens Borough President, as well as residents in the immediate neighborhood. The Commission applauds the efforts of Hour Children's Inc. which provides affordable housing, job training and a wide-range of supportive services for women as



they reunite with their children and transition back into the community. The Commission believes that the proposed rezoning is appropriate in scale to the surrounding context and is needed to redevelop the site because the use is not allowed as-of-right. The Commission is pleased that the proposed actions would help provide an opportunity for more women to have the means for a successful transition to more productive lives.

## **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 consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, is further amended by changing the Zoning Map, Section Nos. 9a and 9b:

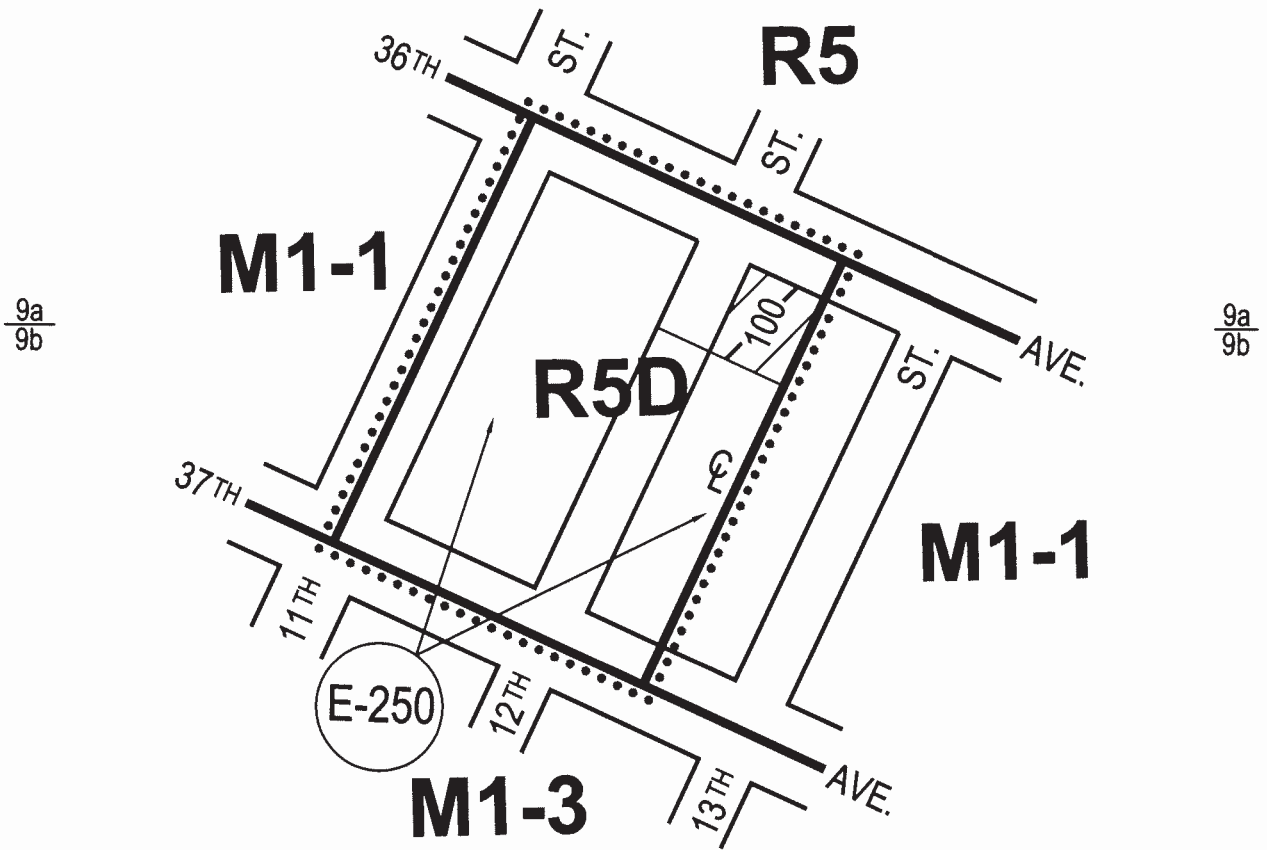
1. changing from an M1-1 District to an R5D District property bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, 37<sup>th</sup> Avenue and 11<sup>th</sup> Street; and
2. establishing within a proposed R5D District a C1-3 District bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, a line 100 feet southwesterly of 36<sup>th</sup> Avenue, and 12<sup>th</sup> Street;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 10, 2010 and subject to the conditions of CEQR Declaration E-250.

The above resolution (C 100145 ZMQ), duly adopted by the City Planning Commission on August 25, 2010 (Calendar No. 23, 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.

**AMANDA M. BURDEN, FAICP, Chair**  
**KENNETH J. KNUCKLES, Esq., Vice-Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, MARIA M. DEL TORO, RICHARD W. EADDY,**  
**NATHAN LEVENTHAL, ANNA HAYES LEVIN, SHIRLEY A. MCRAE,**  
**KAREN A. PHILLIPS, Commissioners**

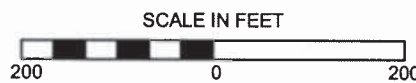






CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAPS  
**9a & 9b**

BOROUGH OF  
**QUEENS**

S. Voyages, R.A. Director  
 Technical Review Division

New York, Certification Date  
 APRIL 26, 2010



- NOTE:**
-  Indicates Zoning District Boundary.
  -  The area enclosed by the dotted line is proposed to be rezoned by changing from an M1-1 District to an R5D District and by establishing a C1-3 District within a proposed R5D District.
  -  Indicates a C1-3 District.
  -  Indicates a City Environmental Quality Review Declaration, refer to C.E.Q.R. sheet.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

# Community/Borough Board Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3356

Application # C 100145 ZMQ  
CEQR # 10DCP014Q  
Community District No. 01 Borough: Queens  
Community District No. 1 Borough: Q  
Project Name: Hour Children Rezoning

## INSTRUCTIONS

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. 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 Hour Children, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No(s). 9a, 9b:

- changing from an M1-1 District to an R5D District property bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, 37<sup>th</sup> Avenue and 11<sup>th</sup> Street; and
- establishing within a proposed R5D District a C1-3 District bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, a line 100 feet southwesterly of 36<sup>th</sup> Avenue, and 12<sup>th</sup> Street;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only), dated May 10, 2010 and subject to the conditions of CEQR Declaration E-250.

## Applicant(s):

Hour Children, Inc.  
36-11 A 12<sup>th</sup> Street  
Long Island City, NY 11101

## Applicant's Representative:

Paul D. Selver, Esq./Marcie Kesner, AICP  
Kramer Levine Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036

Community Board No. 1 Borough: Queens

Community  
Borough Board

Date of public hearing: 6/15/10

Location: ASTORIA WORLD MANDARIN  
25-22 Astoria Blvd.  
Astoria, NY

Was a quorum present? YES  NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: 6/15/10

Location: SAME

## RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

## Voting

In Favor: 31 Against: 0 Abstaining: 1

Total members appointed to the board: 48

Vinicio Donato/plb  
Community/Borough Board Officer

Chairperson  
Title

Date 6/16/10

v.012006w

# Queens Borough President Recommendation

APPLICATION: ULURP #100145 ZMQ

COMMUNITY BOARD: Q01

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Kramer Levin Naftalis & Frankel LLP on behalf of Hour Children, Inc, pursuant to Sections 197-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section No(s) 9a, 9b:

1. changing from an M1-1 District to an R5D district property bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> street and 13<sup>th</sup> Street, 37<sup>th</sup> Avenue and 11<sup>th</sup> Street, and
2. establishing within a proposed R5D district a C1-3 overlay bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, a line 100 feet southwesterly of 36<sup>th</sup> Avenue, and 12<sup>th</sup> Street;

Borough of Queens, Community District 1, as shown, as shown on a diagram (for illustrative purposes only), dated May 10, 2010 and subject to the conditions of CEQR Declaration E-250.

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, June 17, 2010, 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 to rezone an one and a half block area bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> street and 13<sup>th</sup> Street, 37<sup>th</sup> Avenue and 11<sup>th</sup> Street from M1-1 to R-5D and establish an C1-3 commercial overlay on the southeast corner of an intersection at 12<sup>th</sup> Street and 36<sup>th</sup> Avenue;
- The proposed rezoning would facilitate redevelopment of the applicant's site with a replacement facility for a not-for-profit service organization that has been operating from that location for over twenty-four years. The proposed building would be a four-story approximately 20,000 sf building. The building would be occupied by a Use Group 3 supportive residence with eighteen dwelling units, the organization's administrative offices and space for support services. The proposed C1-3 commercial overlay would cover the location of a thrift shop operated by the not-for-profit as part of their occupational training program;
- The proposed rezoning area is currently developed with a mix of uses that are not as-of-right in a manufacturing district. Most of Block 352 (between 11<sup>th</sup> and 12<sup>th</sup> Streets) is developed with community facility uses. The eastern blockfront of 12<sup>th</sup> Street (Block 351) is developed with a mix of residences, manufacturing and a community facility. The proposed rezoning would better reflect these existing and the proposed uses.;
- Community Board 1 approved this application by a vote of thirty-one (31) in favor, none (0) against and one (1) abstention at a public hearing held on June 15, 2010.

## RECOMMENDATION

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

  
PRESIDENT, BOROUGH OF QUEENS

  
DATE