



## CITY PLANNING COMMISSION

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April 21, 2021/Calendar No. 9

C 200282 ZMQ

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**IN THE MATTER OF** an application submitted by MEDREP Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an existing C4-4A District to a C4-4D District property bounded by 30<sup>th</sup> Street, Newtown Avenue, 31<sup>st</sup> Street, a line 210 feet northeasterly of 30<sup>th</sup> Avenue, a line 100 feet northwesterly of 31<sup>st</sup> Street, and a line 285 feet northeasterly of 30<sup>th</sup> Avenue, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-593.

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This application for a zoning map amendment was filed on March 3, 2020 by MEDREP Associates, LLC to change a C4-4A zoning district to a C4-4D zoning district, in conjunction with the related application for a zoning text amendment (N 200283 ZRQ) to designate a Mandatory Inclusionary Housing (MIH) area. Together, these actions would facilitate the construction of an 11-story mixed-use building containing 104 residential units, ground floor commercial space, and community facility space in the cellar at 30-02 Newtown Avenue in the Astoria neighborhood of Queens, Community District 1.

### RELATED ACTIONS

In addition to the zoning map amendment (C 200282 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

**N 200283 ZRQ**      Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area

### BACKGROUND

The applicant requests a zoning map amendment to change a C4-4A zoning district to a C4-4D zoning district and a zoning text amendment to designate a new MIH area coterminous with the project area. The project area encompasses an entire blockfront of Newtown Avenue between 31<sup>st</sup> Street to the east and 30<sup>th</sup> Street to the west and includes four tax lots on Block 595 (Lots 19, 26 and 27 and a portion of Lot 10). The project area consists of one development site owned by

the applicant that comprises three of the affected tax lots (Block 595, Lots 19, 26 and 27), as well as one lot (Block 595, Lot 10) that is not owned by the applicant and is not expected to induce development as a result of the proposed actions. Existing uses within the project area include a wholesale tire distributor and an auto service shop. Uses on the subject block, outside of the project area, include eating and drinking establishments, retail, and an office building.

The project area comprises an entire blockfront on Newtown Avenue between 30<sup>th</sup> and 31<sup>st</sup> streets, with 220 feet of frontage on Newtown Avenue, 61 feet of frontage on 31<sup>st</sup> Street, and 76 feet of frontage on 30<sup>th</sup> Street. The development site has a lot area of 15,825 square feet and is improved with a two-story commercial building containing approximately 27,000 square feet of floor area and a floor area ratio (FAR) of 1.7 FAR. The ground floor includes a wholesale tire distributor and service shop, and the second-story contains offices. The tire shop closed in May 2020 due to the economic effects of the COVID-19 pandemic, but the applicant intends to relocate their operations and employees to another location in Queens. Two existing 15-foot curb cuts on Newtown Avenue provide vehicular access to the tire shop. The project area also contains a 296-square-foot portion of Block 595, Lot 10, a non-applicant-owned site with frontage on 30<sup>th</sup> Street. Lot 10 is improved with a 55,836-square-foot three-story office building, owned by Verizon.

The project area is located at the nexus of two major corridors – Newtown Avenue and 31<sup>st</sup> Street – and is surrounded by a mix of residential, commercial, and community facility uses. Commercial uses are concentrated along 31<sup>st</sup> Street, a wide street and well-established commercial corridor that fronts the project area to the east. The prevailing built form on 31<sup>st</sup> Street includes two- to three-story residential buildings with ground-floor retail and four- to seven-story multifamily apartment buildings. Newtown Avenue, fronting the north side of the project area, has become a diverse and burgeoning area of new development and commercial activity in recent years, and is characterized by six- to seven-story prewar apartment buildings with ground-floor retail, recently developed five- to six-story residential buildings, and one- to two story low-rise commercial uses. Pistilli Towers, a 75,000-square-foot, 120-foot-tall office and retail complex constructed in 2011, is located one block southeast of the project area on Newtown Avenue. Mid-blocks in the surrounding area typically contain one- and two-family rowhouses and three- to seven-story multifamily elevator buildings.

The surrounding area is mapped with commercial and residential zoning districts of varying densities. C4 districts, including C4-2A, C4-3 and C4-4A, are located on avenues and wide streets close to transit. C4 districts are medium-density regional commercial districts that permit commercial uses, such as specialty department stores, theaters, and offices, along with local retail, residential and community facility uses. R6A and R6B districts are medium-density contextual residential districts that are typically mapped in the surrounding area on avenues outside of transit hubs and mid-blocks, respectively.

Nearby public facilities include Mount Sinai Queens Hospital, located three blocks southwest of the project area on 30<sup>th</sup> Avenue, and P.S. 17, an elementary school located one block west of the project area. The Park at Athens Square, a one-acre public open space located on the west side of 30<sup>th</sup> Street across from the project area, contains a playground and a small amphitheater where local events and performances are held.

The project area is well served by public transportation and well-connected to major arterial roadways. The 30<sup>th</sup> Avenue subway station, providing service to the N/W trains, is located on the same block approximately 100 feet south of the project area at the intersection of 30<sup>th</sup> Avenue and 31<sup>st</sup> Street. The Q18 and Q102 buses run along 30<sup>th</sup> Avenue, one block southeast of the project area, providing service to Maspeth and Roosevelt Island, respectively. The project area is also located within the Transit Zone, a zoning designation for dense neighborhoods proximate to public transit, within which no off-street parking spaces are required to be built for income-restricted housing units. A Citibike station is located adjacent to the project area on 31<sup>st</sup> Street, and five additional stations are located approximately one-quarter mile from the project area. The project area is located two blocks south of the Interstate 278 and the Grand Central Parkway, which connect the project area to Manhattan and eastern Queens, respectively.

The project area is located within the boundaries of the 2010 Astoria Rezoning (C 100199 ZMQ), which encompassed 238 blocks located north of Broadway, east of Vernon Boulevard and Shore Road, south of 20<sup>th</sup> Avenue, and east of Steinway Street. The rezoning was intended to protect the built context from out-of-scale development, more closely reflect established development patterns, direct opportunities for moderate residential and commercial growth to locations along wide streets and transit resources, and provide incentives for affordable housing.

Upon adoption, the project area was rezoned from an R6 zoning district to a C4-4A zoning district, and an Inclusionary Housing Designated area was established within the C4-4A district to incentivize affordable housing development. Under the Inclusionary Housing Program (IHP), a floor area bonus can be obtained in exchange for providing 20 percent of the total floor area as affordable housing.

The project area is located within a C4-4A zoning district that extends along Newtown Avenue between 30<sup>th</sup> and 32<sup>nd</sup> streets. C4-4A districts are medium-density commercial zoning districts with an R7A equivalent residential district that permit residential, commercial, and community facility uses. The maximum commercial, community facility and residential FAR is 4.0, and the maximum residential FAR under the IHP is 4.6. C4-4A districts permit a maximum base height of 65 feet, above which the building must be set back, and may rise to a maximum height of 95 feet.

The applicant proposes to develop a new 11-story, mixed-use building. The proposed building would be a total of 122,000 square feet (7.19 FAR), including 8,400 square feet of ground floor retail, 2,031 square feet of community facility space in the cellar and 104 residential units, including 26 permanently affordable units pursuant to MIH Option 1, on floors two through 11. A new curb cut on 30<sup>th</sup> Street would provide access to 30 attended parking spaces in the cellar. No parking is required for the affordable units, as the project area is located within a Transit Zone.

The proposed development would rise to a total height of 115 feet at the intersection of Newtown Avenue and 31<sup>st</sup> Street. The building would step down to 66 feet in height, along 30<sup>th</sup> Street. The ground floor would include retail space and a residential lobby along the Newtown Avenue frontage. The applicants are in the process of searching for a local arts or community-based organization to occupy the cellar community facility space.

To facilitate the proposed development, the applicant proposes a zoning map amendment, changing the existing C4-4A zoning district to a C4-4D zoning district. C4-4D districts are commercial zoning districts with an R8A equivalent that allows residential, commercial and community facility buildings. C4-4D zoning districts permit residential development up to 7.2

FAR, 3.4 FAR for commercial uses and 6.5 FAR for community facility uses. The maximum base height is 105 feet, above which the building must be set back and may rise to a maximum height of 145 feet or 14 stories.

The applicant proposes to map both MIH Options 1 and 2, but intends to develop the project pursuant to Option 1 with 26 permanently affordable units. Option 1 requires that at least 25 percent of the residential floor area be reserved for housing units affordable to residents with household incomes averaging 60 percent of the Area Median Income (AMI), including a 10 percent band at 40 percent of the AMI. Option 2 requires that at least 30 percent of residential floor area be reserved for housing units affordable to residents with household incomes at an average of 80 percent of the AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 200282 ZMQ), in conjunction with the application for the related action for a zoning text amendment (N 200283 ZRQ), 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 lead is the City Planning Commission. The designated CEQR number is 20DCP090Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on December 14, 2020. The Negative Declaration included an (E) designation (E-593) to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

This application (C 200282 ZMQ) was certified as complete by the Department of City Planning on December 14, 2020 and duly referred to Queens 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), along with the related application for a zoning text amendment (N 200283 ZRQ), which

was referred in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

On January 19, 2021, Queens Community Board 1 held a public hearing on this application (C 200282 ZMQ) and, on that date, by a vote of 19 in favor, 11 opposed and three not voting for cause, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

The Queens Borough President held a public hearing on this application (C 200282 ZMQ) and the related action for a zoning text amendment (N 200283 ZRQ), and on March 2, 2021 issued a recommendation to approve the application with conditions:

- “1. There should be a goal of 30% for local hiring and use of MWBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% hiring goals has been reached.
2. The applicant should contact the NYC Department of Parks and Recreation to discuss their commitment to maintenance and potential improvements for Athens Square Park or other area park facilities.”

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

On March 3, 2021 (Calendar No. 4), the City Planning Commission scheduled March 17, 2021 for a public hearing on this application (C 200282 ZMQ) and the application for the related action (N 200283 ZRQ). The hearing was duly held on March 17, 2021 (Calendar No. 31). Five speakers testified in favor of the application and none in opposition.

Speakers testifying in favor of the application included three members of the project team. The applicant’s representative presented an overview of the application and the land use rationale for the proposed zoning district and described the proposed development. The applicant’s representative addressed concerns about the 2010 Astoria Rezoning, the design of the proposed development and the future of the existing business on the site.

The applicant, a fifth-generation business owner, spoke in favor of the proposed actions. He stated his family’s over 100-year affiliation with the Astoria neighborhood and their desire to

develop a project that would include community facility and residential uses that would continue to benefit the community for years to come.

The project architect spoke in favor of the application. She described the proposed building, site plan, bulk and façade treatment and stated that the applicant is amenable to revisiting the design of the exterior to create a more uniform appearance for the development.

A member of a local building union spoke in favor of the application and stated that he believed the proposal would bring much-needed new jobs and affordable housing to the area. An Astoria resident also spoke in favor of the proposed actions, stating that the development would benefit neighborhood businesses.

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

## **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 200282 ZMQ), in conjunction with the related application for a zoning text amendment (N 200283 ZRQ), is appropriate.

Together, the requested actions will facilitate the development of an 11-story mixed-use building with 104 residential units, ground floor commercial space and community facility space in the cellar. The project area, located adjacent to transit and active retail corridors, is an opportune location for increased density and development. The density constraints of the current C4-4A zoning discourage development consistent with local and citywide affordable housing goals. This zoning map change will increase the permitted density and height in the project area close to transit and will facilitate housing, including permanently affordable housing, activate the street frontage and create community facility space on an underutilized property.

The Commission believes that the proposed C4-4D zoning district is appropriate and will facilitate development that reflects the surrounding zoning, land uses, and built forms. The project area, which fronts a wide street, can appropriately accommodate a modest increase in density and the proposed 115-foot-building height is consistent with nearby buildings, such as

Pistilli Towers, one block east of the project area. The Commission is pleased that the building will reflect the surrounding context and that the massing, which will be 11 stories fronting the elevated subway train and a wide street, will step down to six stories at 30<sup>th</sup> Street to transition to the surrounding lower density context. The Commission also notes that the property is at the intersection of two well-established commercial corridors and believes that the proposed actions will facilitate the creation of a cohesive commercial frontage in an active real estate market. The proposed development will also improve streetscape conditions along a commercial corridor that serves as a key location for accommodating mixed-income housing growth.

The project area is within the 2010 Astoria Rezoning boundary, which intended to incentivize affordable housing production through the IHP in select areas on avenues and close to transit. Despite the project area's strategic location, new affordable housing construction has not kept pace with neighborhood and citywide goals. Since the 2010 rezoning, there have been no new developments providing affordable housing pursuant to the IHP in the surrounding area and only three new developments pursuant to the IHP, totaling 45 affordable units, in the 238-block rezoning area. The Commission believes that the proposed zoning map amendment and related MIH text amendment will produce an increase in permanently affordable housing stock that will help address local and citywide affordable housing needs.

The Commission finds that the proposed zoning text amendment (N 200283 ZRQ) to Appendix F to establish a new MIH area is appropriate. The amendment to Appendix F will create a new MIH area coterminous with the project area. The MIH text amendment is also aligned with citywide objectives outlined in *Housing New York* to locate affordable housing proximate to public transit.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on December 14, 2020 with respect to this application (CEQR No. 20DCP090Q), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further



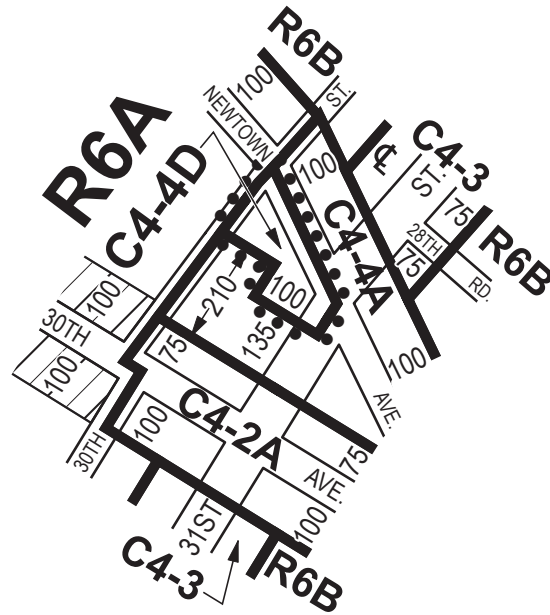
**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9a by changing from an existing C4-4A District to a C4-4D District property bounded by 30<sup>th</sup> Street, Newtown Avenue, 31<sup>st</sup> Street, a line 210 feet northeasterly of 30<sup>th</sup> Avenue, a line 100 feet northwesterly of 31<sup>st</sup> Street, and a line 285 feet northeasterly of 30<sup>th</sup> Avenue, as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-593.

The above resolution (C 200282 ZMQ), duly adopted by the City Planning Commission on April 21, 2021 (Calendar No. 9), 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.

**MARISA LAGO**, *Chair*

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

**DAVID BURNEY, ALLEN P. CAPPELLI ESQ., ALFRED C. CERULLO III, JOSEPH I. DOUEK, RICHARD EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD**, *Commissioners*



CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**9a**  
 BOROUGH OF  
**QUEENS**



New York, Certification Date:  
 December 14, 2020

S. Lenard, Director  
 Technical Review Division



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is rezoned by changing an existing C4-4A District to a C4-4D District.
- Indicates a C1-3 District



# City of New York Community Board #1, Queens

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Donovan Richards  
*Borough President, Queens*  
Maricela Cano  
*Director, Community Boards*  
Marie Tomiali  
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Florence Koulouris  
*District Manager*

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January 28, 2021

Honorable Marisa Lago  
Chair  
City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

### COMMITTEES & CHAIRPERSONS

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RE: a) C 200282 ZMQ Rezone four tax lots on the south side of Newtown Avenue between 30<sup>th</sup> and 31<sup>st</sup> streets (Block 595, Lots 19, 26, 27) from C4-4A to C4-4D and  
b) N 200283 ZRQ Amend Appendix F of the Zoning Resolution to establish the Project Area as a Mandatory Inclusionary Housing Area under the Mandatory Inclusionary Housing Program, Option 1 and Option 2.

Dear Chair Lago,

On January 19, 2021 Community Board 1 Queens (CB1Q) held a duly advertised virtual public hearing on the referenced applications. With a quorum present, the Board voted by roll call 19 in favor, 11 against and 3 not voting for cause, to recommend approval based upon the Land Use and Zoning Committee Report to Community Board 1. That report recommended approval of application C200282ZMQ to rezone property at 30-02 Newtown Avenue and application N200283ZRY to establish the project area as an MIH Area under Option 1 of the Mandatory Inclusionary Housing Program.

### Project Description

The applications, submitted by MEDREP LLP, and certified by the City Planning Commission on December 14, 2020, will facilitate construction of one mixed-use building if approved. As presented, the building would rise to 11 stories along 31<sup>st</sup> Street and 6 stories along 30<sup>th</sup> Street, providing 101,392 SF of residential floor area at 7.12 FAR for 104 dwelling units, 8,400 SF of ground floor commercial uses along 31<sup>st</sup> Street, a 5,730 SF community facility space (intended as a 99-seat theater) located on the ground and cellar levels and a 30-space underground garage. Landscaped rooftops with sitting areas will be provided for tenants. The applicant proposes to provide 26 permanently affordable units (25% of residential floor area) under MIH Option 1.

### Committee Review

The applications were reviewed and discussed at two Land Use Committee meetings: the first on July 1, 2020 and after certification on January 4, 2021. Among the issues raised at those meetings were changing the proposed apartment mix to increase 1- and 2-bedroom apartments, affordability levels, the higher building height in relation to the surrounding development and neighborhood context, noise

### BOARD MEMBERS (cont.)

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Mackenzi Farquer  
Dean O. Feratovic  
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Pauline Jannelli  
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Nancy Konipol  
Jerry Kril  
Hannah Lupien  
Jeffrey Martin  
Amin Mehedi  
Stella Nicolaou  
Norma Nieves-Blas  
Mary O'Hara  
Dino Panagoulis  
Juliet Payabyab  
Yawne Robinson  
Rodolfo Sarchese  
Dominic Stiller

attenuation, the future of the existing tire business, types of future ground floor uses, electric charging stations in the garage, the applicant's search for a theater tenant or a different non-profit community facility use, an off-street vehicular delivery area and the impact of additional residents on Athens Square Park.

In a January 15, 2021 email to the CBIQ office, the applicant's representative indicated they previously had a letter of intent with Astoria Performing Arts Center (APAC) to occupy the theater space, but APAC opted to lease a different site. They described their efforts to search for a suitable tenant to occupy the community facility space and provided information regarding the proposed unit mix and average unit size, the number of units and projected income limits and rents by AMI and apartment size, a description of the attended parking operation for residents and a statement that that they will consider installing electric charging stations and explore the option to adopt Athens Square Park.

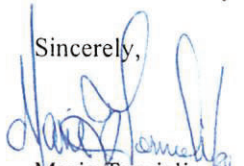
#### CBIQ Public Hearing

Prior to the Board's virtual public hearing on January 19, 2021, the CBIQ office received three emails from district residents. One supported the rezoning action, citing positive benefits to the community with affordable housing, reducing impacts on the environment and its proximity to mass transit. Two emails were opposed, citing the building height as out of character with surrounding development and the proposed rents were not affordable, that area rents would increase with the new development and parking will increase local traffic congestion.

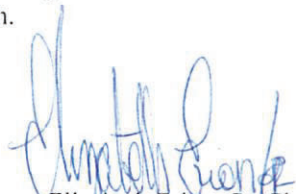
At the hearing, the owners and their representatives gave an overview of the zoning and text amendment actions. They responded to statements and questions from Board members about parking, local traffic congestion, the surrounding built context, possible uses for the community facility space. Regarding the affordable units, there was discussion about the number of units, projected rents and the process to select tenants for the affordable units.

There were seven speakers from the general public: one in favor and six opposed to the proposed development. Supporting comments for the project related to adjacent transit that supports higher density housing that would eventually decrease area rentals because of increased supply. Those opposed cited the need to maintain the physical character of the neighborhood, a fear of rising rents in the area and that proposed number of affordable units were too few and their projected rents too high.

Sincerely,



Marie Torniali  
Chairperson



Elizabeth Erion, Co-Chair  
Land Use and Zoning Committee

cc: Honorable Donovan Richards, Queens Borough President  
Honorable Michael Gianaris  
Honorable Jessica Ramos  
Honorable Zohran Mamdani  
Honorable Catherine Nolan  
Honorable Brian Barnwell  
Honorable Costa Constantinides  
Honorable Jimmy Van Bramer  
Mr. Irving Poy, Director, Land Use, BPQ  
Mr. John Young, Director, Queens Office DCP  
Ms. Joy Chen, Planner, DCP  
Ms. Hallah Saleh, Planner, DCP  
Mr. Steve Sinacori, Akerman LLP  
Mr. Frank St. Jacques, Akerman LLP  
Mr. Perry Vallone, Constantinople & Vallone Consulting LLC  
Ms. Lauren George, Constantinople & Vallone Consulting LLC

# Queens Borough President Recommendation

APPLICATION: ULURP #200282 ZMQ

COMMUNITY BOARD: Q01

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by M E D R E P Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an existing C4-4A District to a C4-4D District property bounded by 30th Street, Newtown Avenue, 31st Street, a line 210 feet northeasterly of 30th Avenue, a line 100 feet northwesterly of 31st Street, and a line 285 feet northeasterly of 30th Avenue, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-593. (Related ULURP #200283 ZRQ);

## PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on [www.queensbp.org](http://www.queensbp.org) on Thursday, February 4, 2021 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:

- o This application proposes a zoning map amendment to change Block 595 Lots 19, 26, 27, and p/o Lot 10 from a C4-4A District to a C4-4D District. The proposed actions would facilitate the development of an 11-story mixed use building at 30-02 Newtown Avenue;
- o Another application (ULURP #200283 ZRQ) concurrently filed with this application proposes a zoning text amendment to Appendix F to establish and map the rezoning area as a Mandatory Inclusionary Housing Area (MIH);
- o The proposed development is an 11-story, 138,470 GSF mixed-use (residential, commercial, community facility) building. The building would reach a maximum height of 115 feet on 31<sup>st</sup> Street facing the elevated subway track before dropping down to 65 feet closer to 30<sup>th</sup> Street and Newtown Avenue closer to the lower density residential buildings. There would be 8400 SF of ground floor retail space as well as 5,696 SF of community facility space in portions of the cellar and ground floor that would include a 99-seat box theater. The applicant team is currently in talks to identify a tenant for the community facility space. The development would also contain 30 accessory parking spaces in a below-grade garage, accessible via a new curb cut and ramp on 30<sup>th</sup> Street. There would be a total of 104 dwelling units including 26 affordable under MIH Option 1 (25% of units @ 60% AMI). The development is projected to be built and fully operational by 2024;
- o The area to be rezoned (Block 595 Lots 19, 26, 27, p/o 10) is an irregular zoning lot located on the southern block front of Newtown Avenue between 30<sup>th</sup> and 31<sup>st</sup> Street. The 15,556 SF site has a depth varying between 81 and 92 feet from Newtown Avenue. Lots 19, 26, and 27 are owned by the applicant while approximately 269 SF of Lot 10 included in this application are owned and utilized by Verizon. The rezoning area is currently mapped as a C4-4A District. The proposed zoning map change is to a C4-4D District. Both the existing C4-4A (4.0 to 4.6 FAR, 65 feet max building height, 50% parking requirement) and proposed C4-4D Districts (7.20 FAR, 105 feet max building height, 40% parking requirement) are contextual zoning districts that allow regional commercial uses and residential uses;
- o The site is currently developed with 3 two-story commercial, auto repair buildings occupied by Finkelstein Inc., a tire repair and wholesale business. The Finkelstein family has operated their business at 30-02 Newtown Avenue since 1919 and are relocating their headquarters. However, they intend to stay in western Queens since the majority of their current employees (~30) are local or are used to commuting to this part of the borough;
- o The surrounding area primarily consists of residential (one-family detached to larger multi-family apartment buildings) and commercial uses. Newtown Avenue, 31<sup>st</sup> Street, and 30<sup>th</sup> Avenue serve as the area's commercial corridors and are lined with both commercial buildings and mixed-use residential, commercial buildings with ground floor retail uses. The development site, located in a transit zone, is well-served by mass transit including the elevated N and W subway lines running north-south along 31<sup>st</sup> Street and the Q102 and Q18 buses running along 30<sup>th</sup> Avenue;
- o Community Board 1 (CB 1) approved the application with nineteen (19) in favor, eleven (11) opposed, and three (3) abstaining at their monthly meeting held on January 19, 2021. During discussion of the item, concerns were raised similar to those brought up during the January 4, 2021 meeting of CB 1's Land Use Committee which recommended approval by a vote of seven (7) in favor, none (0) against, and two (2)

**QUEENS BOROUGH PRESIDENT RECOMMENDATION**

**ULURP #200282 ZMQ**

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abstaining. Concerns included: setting up delivery drop-off zones, flexible rent cost of community space, the ratio of MIH units to market-rate units, the proposed building height in comparison to surrounding heights;

- o At the Borough President's Land Use Public Hearing, the Borough President asked questions regarding the potential creation of a delivery drop off zone, open green space, and local hiring. The applicant responded that they would reach out to the Department of Transportation to explore the feasibility creating a delivery drop off zone. On February 16, 2021, the applicant submitted a letter to the Borough President committing to local and MWBE hiring goals for the project; they affirmed they would work with the office as well as non-profit organizations such as Urban Upbound to find skilled candidates from western Queens. They also stated that aside from a green roof included in the proposal, the applicant would commit to exploring ways to support the stewardship of nearby Athens Square (also a request from Community Board 1) and meet with both the Parks Department and community parks advocates to discuss maintenance plans and potential improvements.

**RECOMMENDATION**

There is clearly need for more affordable housing in New York City and particularly for seniors. Based on the above consideration, I hereby recommend approval of this application with the following condition:

- There should be a goal of 30% for local hiring and use of MWBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% hiring goal has been reached;
- The applicant should contact the NYC Department of Parks and Recreation to discuss their commitment to maintenance and potential improvements for Athens Square Park or other area park facilities.

  
\_\_\_\_\_  
PRESIDENT, BOROUGH OF QUEENS

3/2/21  
\_\_\_\_\_  
DATE

# Queens Borough President Recommendation

APPLICATION: ULURP #200283 ZRQ

COMMUNITY BOARD: Q01

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by M E D R E P Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") area, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-593. (Related ULURP #200282 ZMQ);

## PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on [www.queensbp.org](http://www.queensbp.org) on Thursday, February 4, 2021 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:

- This application proposes a zoning text amendment to Appendix F to establish and map the rezoning area as a Mandatory Inclusionary Housing Area (MIH) map amendment. The proposed actions of the related applications would facilitate the development of an 11-story mixed use building at 30-02 Newtown Ave;
- Another application (ULURP #200282 ZMQ) concurrently filed with this application proposes a zoning map amendment to change Block 595 Lots 19, 26, 27, and p/o Lot 10 from a C4-4A District to a C4-4D District;
- The proposed development is an 11-story, 138,470 GSF mixed-use (residential, commercial, community facility) building. The building would reach a maximum height of 115 feet on 31<sup>st</sup> Street facing the elevated subway track before dropping down to 65 feet closer to 30<sup>th</sup> Street and Newtown Avenue closer to the lower density residential buildings. There would be 8400 SF of ground floor retail space as well as 5,696 SF of community facility space in portions of the cellar and ground floor that would include a 99-seat box theater. The applicant team is currently in talks to identify a tenant for the community facility space. The development would also contain 30 accessory parking spaces in a below-grade garage, accessible via a new curb cut and ramp on 30<sup>th</sup> Street. There would be a total of 104 dwelling units including 26 affordable under MIH Option 1 (25% of units @ 60% AMI). The development is projected to be built and fully operational by 2024;
- The area to be rezoned (Block 595 Lots 19, 26, 27, p/o 10) is an irregular zoning lot located on the southern block front of Newtown Avenue between 30<sup>th</sup> and 31<sup>st</sup> Street. The 15,556 SF site has a depth varying between 81 and 92 feet from Newtown Avenue. Lots 19, 26, and 27 are owned by the applicant while approximately 269 SF of Lot 10 included in this application are owned and utilized by Verizon. The rezoning area is currently mapped as a C4-4A District. The proposed zoning map change is to a C4-4D District. Both the existing C4-4A (4.0 to 4.6 FAR, 65 feet max building height, 50% parking requirement) and proposed C4-4D Districts (7.20 FAR, 105 feet max building height, 40% parking requirement) are contextual zoning districts that allow regional commercial uses and residential uses;
- The site is currently developed with 3 two-story commercial, auto repair buildings occupied by Finkelstein Inc., a tire repair and wholesale business. The Finkelstein family has operated their business at 30-02 Newtown Avenue since 1919 and are relocating their headquarters. However, they intend to stay in western Queens since the majority of their current employees (~30) are local or are used to commuting to this part of the borough;
- The surrounding area primarily consists of residential (one-family detached to larger multi-family apartment buildings) and commercial uses. Newtown Avenue, 31<sup>st</sup> Street, and 30<sup>th</sup> Avenue serve as the area's commercial corridors and are lined with both commercial buildings and mixed-use residential, commercial buildings with ground floor retail uses. The development site, located in a transit zone, is well-served by mass transit including the elevated N and W subway lines running north-south along 31<sup>st</sup> Street and the Q102 and Q18 buses running along 30<sup>th</sup> Avenue;
- Community Board 1 (CB 1) approved the application with nineteen (19) in favor, eleven (11) opposed, and three (3) abstaining at their monthly meeting held on January 19, 2021. During discussion of the item, concerns were raised similar to those brought up during the January 4, 2021 meeting of CB 1's Land Use Committee which recommended approval by a vote of seven (7) in favor, none (0) against, and two (2) abstaining. Concerns included: setting up delivery drop-off zones, flexible rent cost of community space, the ratio of MIH units to market-rate units, the proposed building height in comparison to surrounding heights;

**QUEENS BOROUGH PRESIDENT RECOMMENDATION**

**ULURP #200283 ZRQ**

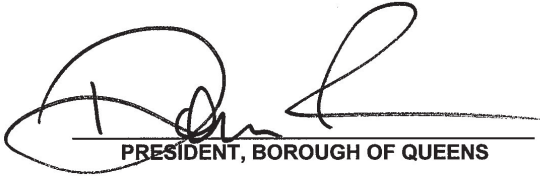
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**RECOMMENDATION**

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