CITY PLANNING COMMISSION

September 21, 2016 / Calendar No. 22 C 160351 ZMQ

IN THE MATTER OF an application submitted by Gleitman Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 31a:

1. changing from an R4-1 District to an R5 District property bounded by a line 55 feet southeasterly of Highland Court, Watjean Court, Fernside Place, and Seagirt Boulevard; and

2. establishing within the proposed R5 District a C1-3 District bounded by a line 55 feet southeasterly of Highland Court, a line 100 feet northeasterly of Seagirt Boulevard, Fernside Place, and Seagirt Boulevard;

Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

This application for an amendment of the Zoning Map was filed by Gleitman Realty Associates on August 24, 2015 to facilitate the construction of a one-story commercial building and a five-story residential building in the Far Rockaway neighborhood of Queens, Community District 14.

RELATED ACTIONS

In addition to the application amendment of the Zoning Map (C 160351 ZMQ), which is the subject of this report, the City Planning Commission is also reviewing the following application, which is being considered concurrently with this application:

C 160033 ZMQ An amendment of the Zoning Map establishing within an existing R5 District a C1-3 District

BACKGROUND

This application for an amendment of the Zoning Map would facilitate the construction of a five-story, multi-family residential building and a single-story commercial building on property

bounded by Watjean Court, Fernside Place and Seagirt Boulevard in Far Rockaway, Queens Community District 14. The project area (Block 15784, Lot 1) is coterminous with the rezoning area.

The applicant controls the vacant, irregularly-shaped lot, whose area totals approximately 30,216 square feet, with approximately 169 feet of frontage on Watjean Court, approximately 153 feet of frontage on Fernside Place and approximately 170 feet of frontage on Seagirt Boulevard. The lot is currently enclosed by a chain-link fence.

Seagirt Boulevard is a major vehicular corridor, served by local bus lines, that is the primary east-west arterial between the Nassau Expressway and the Rockaway Freeway and Beach Channel Drive. The project area is located approximately one mile west of the Nassau County border, and it is located approximately one-quarter mile southeast of the Beach 25th Street station served by the A transit line. It is located approximately 1,200 feet north of the Rockaway Beach and Boardwalk. The surrounding area is predominantly zoned R4-1 to the north, west and southwest and R5 to the east. An R3A district is located across Seagirt Boulevard, and it encompasses several blocks containing typical, single-story "Rockaway beachside bungalows." The rest of the surrounding area is developed with low- to medium-density residential uses, local retail and various community facility uses. Nearby retail uses include a laundromat located across the street of the development site along Seagirt Boulevard, as well as an eating and drinking establishment and retail store slightly further south along Seagirt Avenue.

In order to facilitate the construction of the proposed residential and commercial development, the applicant proposes to change an existing R4-1 district to an R5 district and establish a C1-3 commercial overlay within a 100-foot deep section of the proposed R5 zoning district along its Seagirt Boulevard frontage. This Zoning Map change would allow commercial use on the southern portion of the property including local retail, general commercial, and local service uses in Use Groups 5 and 6. The C1-3 district has a maximum commercial floor area ratio (FAR) of 1.0 and the proposed R5 district has a maximum residential FAR of 1.25 and a maximum community facility FAR of 2.0. The existing R4-1 district has a maximum residential FAR of

0.75 (or 0.9 including a 20 percent floor area allowance for attic space). The R5 district has a maximum building height of 40 feet, with a maximum permitted building perimeter wall of 30 feet, and the existing R4-1 district allows a 35-foot maximum building height and a 21-foot maximum perimeter wall. The R4-1 district requires one parking space per dwelling unit, while in R5 districts, the minimum requirement is parking space for 85 percent of dwelling units. Accessory parking for commercial uses within a C1-3 district is generally required to be provided at a rate of 1 space per 400 square feet of commercial floor area.

The proposed zoning actions would facilitate the construction of a five-story, multi-family residential building fronting on Watjean Court and a one-story commercial building fronting on Seagirt Boulevard. The residential building would contain approximately 31,469 square feet of floor area, including 27 dwelling units and off-street accessory parking for 29 vehicles. The retail building would contain approximately 5,629 square feet of floor area and off-street accessory parking for 14 vehicles. Access to the residential building would be provided by a curb cut approximately 18 feet in width on Watjean Court, and access to the commercial building would be provided by a curb cut approximately 24 feet in width on Seagirt Boulevard.

On March 22, 2016, the City Council adopted the Mandatory Inclusionary Housing (MIH) zoning text amendment which would apply to rezoning requests involving medium- and high-density districts, i.e. starting at R6B districts and districts with densities above this threshold. Since this application requests an R5 district, MIH zoning provisions will not apply.

In addition to the proposed development at this location, the applicant has also filed an application (C 160033 ZMQ) for an amendment of the Zoning Map establishing within an existing R5 District a C1-3 District bounded by Heyson Road, Seagirt Boulevard and Beach 13th Street. The application for an amendment of the Zoning Map was filed to facilitate the construction of a one-story commercial building. The project area (Block 15620, Lots 1 and 11) is coterminous with the rezoning area and is located approximately 3,000 feet east of the property that is subject of this report.

ENVIRONMENTAL REVIEW

This application (C 160351 ZMQ), in conjunction with the related action (C 160033 ZMQ) for a Zoning Map amendment, 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 16DCP133Q. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed actions a Negative Declaration was issued on May 23, 2016.

UNIFORM LAND USE REVIEW

On May 23, 2016, this application (C 160351 ZMQ), in conjunction with the related action (C 160033 ZMQ) for a Zoning Map amendment, was certified as complete by the Department of City Planning, and was duly referred to Queens Community Board 14 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 14 held a public hearing on this application (C 160351 ZMQ), in conjunction with the related application (C 160033 ZMQ), on June 14, 2016, and on that date, by a vote of 31 in favor, 3 opposed, and 4 abstaining, adopted a resolution recommending approval of this application (C 160351 ZMQ). The Community Board held a continued hearing on July 6, 2016, and on that date, by a vote of 24 in favor, 5 opposed, and 2 abstaining, adopted a resolution recommending approval of the related application (C 160351 ZMQ).

BOROUGH PRESIDENT RECOMMENDATION

This application (C 160351 ZMQ) was considered by the Queens Borough President, who issued a recommendation to approve the application on September 1, 2016.

CITY PLANNING COMMISSION PUBLIC HEARING

On August 10, 2016 (Calendar No. 11), the City Planning Commission scheduled August 24, 2016 for a public hearing on this application (C 160351 ZMQ), in conjunction with the related action (C 160033 ZMQ) for a Zoning Map amendment. The hearing was duly held on August 24, 2016 (Calendar No. 19). There was one speaker in favor of the application and none opposed. The speaker, the applicant's representative, summarized the proposed rezoning and the development that would be facilitated by the rezoning. He explained how access to the residential portion of the development would be provided by a curb cut located on Watjean Court and access to the commercial portion would be located on Seagirt Boulevard. He stated that this would limit most traffic generated by the commercial use from passing by existing residential uses to the north. He also stated, that although the applicant has not secured tenants for the site, the applicant will maintain contact with the community about potential tenants. The representative noted that the applicant has received letters in support of the proposed project from the local civic association and the local assembly member.

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

WATERFRONT REVITALIZATION PROGRAM

This application (C 160351 ZMQ), in conjunction with the related action (C 160033 ZMQ) for a Zoning Map amendment, was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981. (New York state Executive Law, Section 910 *et seq*.) The designated WRP number is 15-011.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the grant of the proposed Zoning Map amendment (C 160351 ZMQ), in conjunction with the related action (C 160033 ZMQ) for a Zoning Map amendment, is appropriate.

The Commission believes this rezoning proposal, to change an existing R4-1 district to an R5 district and establish a C1-3 commercial overlay within the southern portion of the proposed R5 district, would provide additional retail and residential opportunities, which would complement existing land use patterns. Also, Seagirt Boulevard is a heavily used street which the Commission believes is conducive to commercial uses.

The proposed zoning change will facilitate the development of a five-story residential building fronting Watjean Court and a one-story retail building fronting Seagirt Boulevard. The approximately 31,469-square-foot residential building will contain 27 dwelling units and off-street accessory parking for 29 vehicles. The separate, approximately 5,629-square-foot commercial building, will include off-street accessory parking for 14 vehicles. The applicant has stated his intention to maintain a dialogue with the community about their selection of a commercial tenant.

The Commission also believes that the proposed zoning map amendment, in conjunction with the related action (C 160033 ZMQ) for a Zoning Map amendment, is consistent with the goals of the 2008 Rockaway Neighborhoods rezoning (C 080371 ZMQ) as it would reinforce Seagirt Boulevard as an active commercial corridor by supporting the development of a currently vacant site.

The Commission also acknowledges receipt of letters of support for the rezoning from the local New York State Assemblymember and a local civic group that represents the surrounding area.

The Commission notes that the applicant has concurrently proposed a related amendment (C 160033 ZMQ) of the Zoning Map establishing within an existing R5 District a C1-3 District for a property located approximately 3,000 feet to the east. The related action is required to facilitate the construction of a one-story commercial building.

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, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; 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 described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section No. 31a:

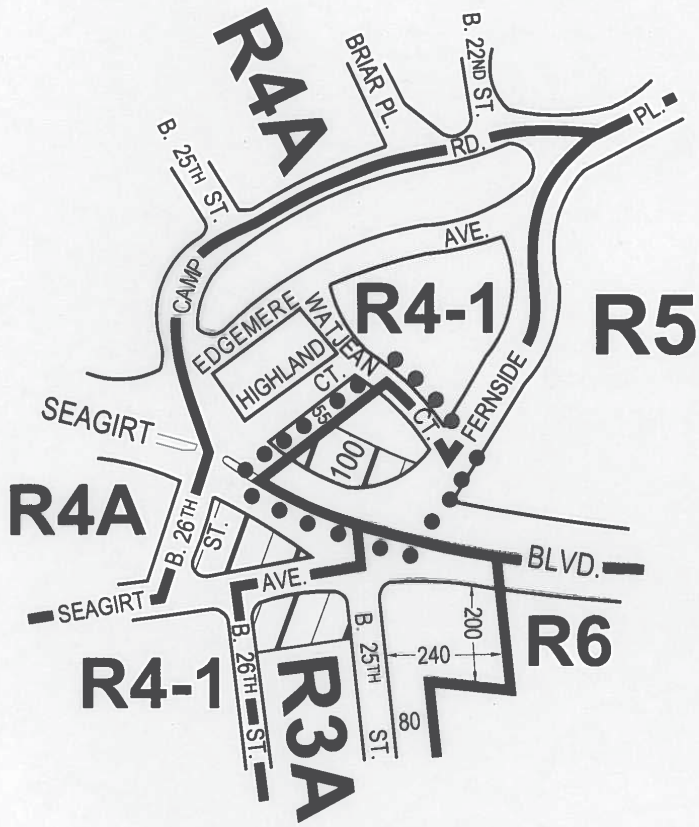
1. changing from an R4-1 District to an R5 District property bounded by a line 55 feet southeasterly of Highland Court, Watjean Court, Fernside Place, and Seagirt Boulevard; and

2. establishing within the proposed R5 District a C1-3 District bounded by a line 55 feet southeasterly of Highland Court, a line 100 feet northerly of Seagirt Boulevard, Fernside Place, and Seagirt Boulevard;

Borough of Queens, Community District 14, as shown on the diagram (for illustrative purposes only) dated May 23, 2016.

The above resolution (C 160351 ZMQ), duly adopted, by the City Planning Commission on September 21, 2016 (Calendar No. 22), 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
KENNETH J. KNUCKLES, Esq., Vice Chairman
RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISSA ORTIZ, Commissioners



CITY PLANNING COMMISSION

CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

31a

BOROUGH OF

QUEENS

New York, Certification Date
MAY 23, 2016

J. Miraglia, Director
Technical Review Division

SCALE IN FEET

300 0 300

NOTE:

Indicates Zoning District Boundary.

● ● ● ● The area enclosed by the dotted line is proposed to be rezoned by changing an R4-1 District to an R5 District and by establishing a C1-3 District within the proposed R5 District.

Indicates a C1-3 District.

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

NYCPLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: **C 160351 ZMQ**	Project Name: **Seagirt Boulevard Rezoning**
CEQR Number: 16DCP133Q	Borough(s): Queens Community District Number(s): 14

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. 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, 120 Broadway, 31st Floor, New York, NY 10271
   - **FAX**: to (212) 720-3488 and note "Attention of the Calendar Office"
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 Gleitman Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 31a:

1. changing from an R4-1 District to an R5 District property bounded by a line 55 feet southeasterly of Highland Court, Watjean Court, Fernside Place, and Seagirt Boulevard; and

2. establishing within the proposed R5 District a C1-3 District bounded by a line 55 feet southeasterly of Highland Court, a line 100 feet northeasterly of Seagirt Boulevard, Fernside Place, and Seagirt Boulevard;

Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

Applicant(s):	Applicant's Representative:
Gleitman Realty Associates 124 Cedarhurst Avenue Cedarhurst, NY 11516	Paul Proulx Holland & Knight 31 West 52nd Street New York, NY 10019

Recommendation submitted by:
Queens Community Board 14

Date of public hearing: JUNE 14 2016 **Location:** Knights of Columbus HALL 333 Beach 90 STREET

Was a quorum present? YES [X] 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: 6/14/16 **Location:** SAME

RECOMMENDATION

- [X] Approve
- [ ] Approve With Modifications/Conditions
- [ ] Disapprove
- [ ] Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

 # In Favor: 31 **# Against:** 3 **# Abstaining:** 4 **Total members appointed to the board:** 49

Name of CB/BB officer completing this form	*Title*	*Date*
Jonathan Gaska	District mg	6/15/16

Queens Borough President Recommendation

APPLICATION: ULURP #160351 ZMQ **COMMUNITY BOARD: Q14**

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Gleitman Realty Associates, pursuant to Sections 197c and 201 of the NYC Charter for an amendment of the zoning Map, Section no. 31a:

1. changing from an R4-1 District to an R5 District property bounded by a line 55 feet southeasterly of Highland Court, Watjean Court, Fernside Place, and Seagirt Boulevard: and

2. establishing within the proposed R5 District a C1-3 District bounded by a line 55 feet southeasterly of Highland Court, a line 100 feet northeasterly of Seagirt Boulevard, Fernside Place, and Seagirt Boulevard;

Borough of Queens, Queens Community District 14, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, August 18, 2016, 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 rezoning from R4-1 to R5 with an C1-3 commercial overlay to facilitate a mixed use residential and commercial development;

- The proposed residential redevelopment would be in a 31,850 sf building with its frontage on Watjean Court. The five-story building would provide approximately 27 apartments and 29 offstreet parking spaces proposed on the site. The commercial portion of the site fronting on Seagirt Boulevard would be developed with a one-story 5,629 sf retail building with 13 offstreet parking spaces.

- The irregular site to be rezoned is the eastern portion of a block in a R4-1 District bounded by Watjean Court, Fernside Place and Seagirt Boulevard. The western portion of this block is developed with low-rise one- and two-family homes. The eastern portion of the block which is to be rezoned for development is currently vacant. The surrounding area to the west of the rezoning site is mostly developed with low-rise housing and the areas to the east are developed with a number of six-story apartment buildings;

- Community Board 14 (CB 14) approved this application by a vote of thirty-one (31) in favor with three (3) opposed and four (4) abstaining at a public hearing held on June 14, 2016.

RECOMMENDATION

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

PRESIDENT, BOROUGH OF QUEENS 9/1/16 **DATE**