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**IN THE MATTER OF** an application submitted by Crescent Street Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b:

1. changing from an M1-2/R5B District to an M1-2/R6A District property bounded by a line midway between Crescent Street and 27<sup>th</sup> Street, a line 100 feet southwesterly of 40<sup>th</sup> Avenue, 27<sup>th</sup> Street, and a line 100 feet northeasterly of 41<sup>st</sup> Avenue; and
2. changing from an M1-2/R5D District to an M1-2/R6A District property bounded by Crescent Street, a line 80 feet southwesterly of 40<sup>th</sup> Avenue, 27<sup>th</sup> Street, a line 100 feet southwesterly of 40<sup>th</sup> Avenue, a line midway between Crescent Street and 27<sup>th</sup> Street, and a line 100 feet northeasterly of 41<sup>st</sup> Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-677.

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This application for a zoning map amendment was filed by Crescent Street Associates, LLC on November 3, 2021. This application, in conjunction with an application for a zoning text amendment (N 220170 ZRQ), would facilitate the development of a seven-story mixed-use building with residential, commercial, and light industrial uses located at 40-25 Crescent Street in the Dutch Kills neighborhood of Queens, Community District 1.

**RELATED ACTION.**

In addition to the zoning map amendment (C 220169 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

**N 220170 ZRQ**      Zoning Text Amendment to enable Mandatory Inclusionary Housing (MIH) provisions within the Special Long Island City Mixed Use District (LIC) (ZR 117-00) and the Dutch Kills Subdistrict (ZR 117-60) and modify Appendix F to establish an MIH area.

## **BACKGROUND**

The applicant seeks a zoning map amendment from M1-2/R5B and M1-2/R5D zoning districts to an M1-2/R6A zoning district and a zoning text amendment to enable MIH provisions within the Special Long Island City Mixed Use District and designate an MIH area coterminous with the project area. These actions would facilitate the development of a new, seven-story mixed-use building totaling 175,655 square feet, including 158,360 square feet of residential floor area with 233 dwelling units including 60 affordable units, and 17,295 square feet of commercial and light manufacturing floor area.

The project area is located in the Dutch Kills neighborhood of Long Island City in Queens, Community District 1 and consists of Block 406, Lots 9, 10, 11, 12, 29, 38 and 40 and parts of Lots 1, 2, 8, 27, 28 and 1001-1004. It is bounded by Crescent Street to the west, a line 100 feet north of and parallel to 41<sup>st</sup> Avenue to the south, 27<sup>th</sup> Street to the east and a line 80 feet south of and parallel to 40<sup>th</sup> Avenue to the north, all of which are narrow streets that provide access in all directions. The development site, which is owned by the applicant, is comprised of Lot 12 and is located mid-block. It contains approximately 45,200 square feet of lot area with approximately 255 feet of frontage on Crescent Street and 200 feet of frontage on 27<sup>th</sup> Street. The development site is improved with single-story office/warehouse buildings which are used for storing and testing water tanks and cooling tower products, office space, and a surface parking lot that was used to park food trucks. The development site has three curb cuts on Crescent Street and two curb cuts on 27<sup>th</sup> Street.

The remainder of the project area is developed with a three-story residential building (Lot 29), a nine-story hotel (Lot 40), and four lots which are used for vehicle storage (Lots 9, 10, 11, and 38). Additionally, the project area includes portions of adjacent lots that are improved with a five-story residential building with ground floor industrial space (Lots 1001-1004), two one- and two-story buildings occupied by a rug-maker (Lots 27 and 28), a three-story mixed-use building (Lot 1), two one-story buildings that are used for auto repair and taxi leasing (Lot 2), and a lot that consists of vehicle storage (Lot 8).

The surrounding area includes a mix of residential, commercial, community facility, and industrial uses. The project area is located two blocks east of the Long Island City Industrial Business Zone (IBZ) and one block north of Queens Plaza North and the Long Island City Business Improvement District. The area west of the project area is mapped with an M1-2/R5D zoning district and is developed with two-story single-family homes and one-to-two-story warehouse buildings, unimproved parcels used for parking, vehicle storage, and auto repair facilities. The areas to the north and east of the project area are mapped with M1-2/R5B and M1-2/R5D zoning districts and are developed with one-to-two story warehouse-style light industrial buildings that are occupied by auto-related uses, two-to-four story residential buildings, and unimproved land used for parking, vehicle repair and materials storage. The area immediately south of the project area, along 41<sup>st</sup> Avenue, is mapped with an M1-2/R6A zoning district and is developed with two-story warehouse-style buildings that are occupied by industrial uses ranging from auto repair to storage, residential buildings ranging from two- to six-stories, open parking areas, and a gas station. The area immediately south of 41<sup>st</sup> Avenue is mapped with an M1-5/R7-3 zoning district and is characterized by a mix of high-rise mixed-use buildings ranging from eight-to-17 stories with ground floor commercial uses, as well as older, lower-scale buildings ranging from one-to-three stories that include commercial uses, a school, and residences. This area also includes unimproved lots and portions of lots used for parking. Further south of the project area and closer to Queens Plaza North, the area is mapped with an M1-5/R9 zoning district and is developed with mixed-use buildings ranging from one to 21 stories in height that contain ground-floor commercial uses with residential units above, as well as one-to-three story industrial and commercial buildings.

Community facility uses in the surrounding area include The Newcomers High School, which is located two blocks east of the project area on 41<sup>st</sup> Avenue and serves grades nine through twelve. The Growing Up Green Charter School, which is located two blocks north-east of the project area on 28<sup>th</sup> Street, serves kindergarten through eighth grades. The Evangel Church and the Evangel Christian School, which serves pre-kindergarten through twelfth grades, are located on the block directly north of the project area. The St. Patrick Roman Catholic Church is located two blocks north-east of the project area on 40<sup>th</sup> Avenue.

Open space in the area includes the Windmill Community Garden, which is located two blocks northeast of the project area, and the Dutch Kills Green and Dutch Kills Playground; all of which are within a half-mile of the project area.

The project area is located within the Transit Zone and is well-served by public transit. The 21<sup>st</sup> Street – Queensbridge subway station, which provides access to the F line, is located four blocks west of the project area. The Queensboro Plaza subway station with access to the 7, N and W subway lines is located approximately two blocks south of the project area. Service to the E, M, G, and 7 subway lines is located at the Queens Plaza subway station, approximately six blocks south-east of the project area. The Q32, Q60, Q101 and Q102 buses, with service to Jackson Heights, Penn Station, Queens Blvd. East Midtown, Astoria, and Roosevelt Island, stop two blocks south from the project area at Queens Plaza North and 27<sup>th</sup> Street. A protected bike lane along Crescent Street runs from north to south connecting northern Astoria to the Queens Plaza network. Citibike stations are located on 41<sup>st</sup> Avenue and 24<sup>th</sup> Street, 41<sup>st</sup> Avenue and 28<sup>th</sup> Street, and Queens Plaza North and Crescent Street.

The surrounding area contains a mix of zoning districts, a large portion of which were mapped in connection with area-wide rezonings sponsored by the Department of City Planning (DCP). In 2001, the Special Long Island City Rezoning (C 000406A ZMQ) rezoned a 34-block area south of the project area in Long Island City as the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District. This rezoning included the Court Square Subdistrict, which is a three-block area that was rezoned in 1986 (N 860683 ZRQ), and the new Special Hunters Point Mixed Use District, which was created in 1981 (N 810538 ZRQ).

The project area was mapped with an M1-3 zoning district in 1961 and was rezoned to an M1-3D zoning district in 1989 (C 860156 ZMQ). In 2008, the Dutch Kills Rezoning (C 080429 ZMQ) rezoned a 40-block area of the Special Long Island City Mixed Use District as a Subdistrict (Dutch Kills Subdistrict). This area is generally bounded by 36<sup>th</sup> Avenue to the north, Northern Boulevard to the east, 41<sup>st</sup> Avenue to the south and 23<sup>rd</sup> Street to the west. The rezoning mapped medium density contextual MX districts over low density manufacturing and M1-3D districts

and was intended to create more predictable buildings scales within existing contexts, expand the mix of permitted uses, and encourage an increase in residential development in the area.

The project area is located at the eastern edge of an M1-5 district and a large M1-3 district that extends north to encompass parts of the Queensbridge and Dutch Kills neighborhoods between 41<sup>st</sup> Avenue to the south, 37<sup>th</sup> Avenue to the north, 24<sup>th</sup> street to the east and Vernon Boulevard to the west. These zoning districts permit up to 5.0 FAR of commercial or manufacturing use and up to 6.5 FAR of limited community facility uses. Building heights in each district are governed by sky exposure plane regulations. Parking generally is not required in M1-5 districts, and parking requirements vary by use in M1-3 districts.

The project area and development site are currently split with an M1-2/R5D zoning district to the west and an M1-2/R5B zoning district to the east. These zoning districts allow for development of up to 3.0 FAR. In the M1-2/R5D zoning district, up to 1.65 FAR may be used for residential uses and up to 2.0 FAR can be used for community facility uses. In the M1-2/R5B zoning district, up to 2.0 FAR may be used for residential uses or community facility uses. In each of these districts, floor area above a base 2.0 FAR can only be used for designated industrial uses. In the M1-2/R5D district, a building cannot exceed a height of 45 feet within 25 feet of a street line. In the M1-2/R5B district, a building cannot exceed a height of 33 feet within 25 feet of a street line. Beyond 25 feet of a street line, a building can rise to a maximum of 60 feet. Parking requirements in each district vary by use.

The applicant proposes a new seven-story mixed-use building totaling approximately 175,655 square feet of floor area at 3.86 FAR. The development would contain approximately 11,800 square feet of light manufacturing/industrial use area at 0.26 FAR and approximately 5,500 square feet of local retail use at 0.12 FAR on the ground floor. There would be approximately 158,400 square feet of residential floor area on floors one-to-seven with 233 dwelling units, 60 of which would be permanently affordable pursuant to MIH Option 1. The building would rise to a height of 65 feet on Crescent Street and 27<sup>th</sup> Street before setting back 15 feet and rising to a height of 75 feet.

The proposed commercial uses would have frontage on Crescent Street while the proposed light industrial/manufacturing uses would have frontage on Crescent Street and 27<sup>th</sup> Street, with a loading berth and a new 12-foot-wide curb cut provided on Crescent Street. This loading berth would replace six existing loading berths on the site. The proposed development would reduce the number of curb cuts at the development site from five overall to two 12-foot-wide curb cuts, one on Crescent Street and one on 27<sup>th</sup> Street. A cellar parking facility would provide 88 required accessory residential parking spaces, 18 required commercial accessory parking spaces, and 12 required manufacturing accessory parking spaces, for a total of 118 spaces.

To facilitate this development, the applicant proposes to rezone the project area from the existing M1-2/R5B and M1-2/R5D zoning districts to an M1-2/R6A zoning district. M1-2/R6A zoning districts allow for up to 4.0 FAR of development, up to 3.6 of which can be used for residential use with provision of MIH affordable floor area or for commercial and manufacturing use. Any development beyond 3.6 FAR must be used for commercial and manufacturing use. In M1-2/R6A zoning districts the minimum base height is set at 40 feet and the maximum base height is set at 65 feet with a 15-foot setback required above the maximum base height. The maximum building height permitted in M1-2/R6A zoning districts is 85 feet or eight stories with provision of MIH affordable floor area on site. Parking requirements vary by use with one parking space required for 50 percent of the market-rate dwelling units, one parking space per 1,000 square feet of manufacturing use, and one parking space per 300 square feet of retail floor area.

In addition to the zoning map amendment, the applicant also proposes a zoning text amendment (N 220170 ZRQ) to the Special Long Island City Mixed Use District provisions to enable the designation of MIH areas within the special district. The applicant also proposes to map an MIH area coterminous with the project area with MIH Option 1, which would require 25 percent of residential floor area developed within the project area be affordable at an average 60 percent Area Median Income (“AMI”) resulting in approximately 60 such affordable units in the proposed development.

## **ENVIRONMENTAL REVIEW**

The application (C 220169 ZMQ), in conjunction with the application for the related zoning text amendment (N 220170 ZRQ), was reviewed pursuant to the New York State Environmental Quality Review (SEQRA), and 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. This designated CEQR number is 22DCP065Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on May 6, 2022. It includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-677). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

On May 9, 2022, this application (C 220169 ZMQ) was certified as complete by the Department of City Planning 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 220170 ZRQ), which was referred for information and review in accordance with the procedures for non-Uniform Land Use Review (ULURP) matters.

## **Community Board Public Hearing**

On June 21, 2022, Queens Community Board 1 held a public hearing on this application (C 220169 ZMQ) and, on that date, by a vote of 18 in favor, 16 opposed, none abstaining, and one not voting for cause, adopted a resolution recommending approval of the application.

## **Borough President Recommendation**

On June 30, 2022, the Queens Borough President held a public hearing on this application (C

220169 ZMQ) and on August 8, 2022, the Borough President issued a recommendation approving the application with the following conditions:

- “The Applicant should allocate approximately 10% of the Proposed Development’s affordable units to persons making 30% of the Area Median Income (AMI), which equates to a one-person household making \$28,020 to a four-person household making \$40,020 gross income;
- The Applicant should commit to a minimum 30% hiring goal regarding M/WBE firms and local hiring. The Applicant should report these minimum 30% hiring goals quarterly to my office, Council Member and Community Board;
- The Applicant should commit to knocking on doors of local residents to promote the Proposed Development, its community benefits and partnerships;
- The Applicant should allocate square footage for community facility space and partner with local community-based organizations (CBOs) for office and/or meeting space;
- To the best of their ability, the Applicant should:
  - Implement green roofs throughout the entire Proposed Development’s rooftop;
  - Use sustainable infrastructure and materials in the building’s construction and lifetime, with special considerations to solar panels, HVAC systems, and overall LEED Gold or Silver certification standards;
  - Plant multiple trees along the Proposed Development’s sidewalks to mitigate a heat island effect; and
- The Applicant should redesign the residential courtyard to allow for public access/egress. The public should be able to use the outdoor space at their leisure (within reason of the courtyard’s regulations such as time appropriate uses).”

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

On August 10, 2022 (Calendar No. 11), the City Planning Commission scheduled August 24, 2022, for a public hearing on this application (C 220169 ZMQ) and the related actions for a zoning text amendment (N 220170 ZRQ). The hearing was duly held on August 24, 2022 (Calendar No. 13). Four speakers testified in favor of the application and none in opposition.

The applicant and applicant's representatives, who testified in favor of the application, described the requested zoning map amendment and zoning text amendment and the goals and objectives of the proposed development. The land use attorney and applicant representative described the project area and general proposal, stating that the rezoning would allow the site to be improved with residential uses while providing new ground floor retail to activate the Crescent Street streetscape and retaining the applicant's existing industrial use and existing jobs. The applicant representative also stated that the proposed development would be in line with the existing mixed-use residential, industrial, and commercial context of the area and would align with the Special Long Island City Mixed Use District's and the Dutch Kills Subdistrict's goals of creating more affordable housing and preserving manufacturing uses in the area.

The architect presented a revised illustrative site plan showing changes that address the community's concerns regarding loading and deliveries along Crescent Street. These changes included a loading zone on 27<sup>th</sup> Street for deliveries and residents' use, and a breezeway that connects both residential portions of the development through the central courtyard. The architect described some of the proposed building's details including floor area, the number of market-rate and affordable dwelling units, building height, and parking and loading configurations. Similarly, the architect explained that the project would incorporate several design elements to address environmental impact concerns and will meet or exceed local regulations in the matter. Some of these elements include green roofs, bird-safe glass, and the use of native planting species. The president of the company, who owns the site, stated that the company has operated in the area for a long time, providing jobs to the community. He also explained that the proposed development would create new facilities for their water tank business and would allow them to retain a presence in Long Island City.

The applicant representative explained that the applicant would give serious consideration to including community facility space for a local non-for-profit organization within the development to respond to the community's and Borough President's concerns. Similarly, the land use attorney explained that while it is not customary to provide public access to rear yards for individual buildings, the applicant will take it under advice providing certain level of public

permeability to the courtyard.

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

## **CONSIDERATION**

The Commission believes that this zoning map amendment (C 220169 ZMQ) in conjunction with the application for the related zoning text amendment (N 220170 ZRQ), is appropriate.

The Commission believes that extending the M1-2/R6A district is appropriate based on the surrounding context, land use patterns and conditions. The Commission also believes that, in order to advance a broad equity agenda focused on alleviating housing and job insecurity, the city must continue to identify areas where the creation of new housing and jobs can be developed proximate to public transit and major thoroughfares. These fundamental components exist in the project area.

Together, these actions will facilitate the development of a new seven-story mixed-use development with approximately 230 new homes, 60 of which would be permanently affordable, 5,000 square feet of local retail and 12,000 square feet of light-industrial space. The Commission believes that this proposal will facilitate new mixed-income housing and active ground floor space in a walkable, transit accessible area, while complementing the mixed-use character of Dutch Kills and Long Island City and strengthening the Crescent Street corridor.

The Commission believes the proposal complements the mixed-use goals of the Special District and prior planning efforts. Activating the ground-floor on this section of Crescent Street with a stronger streetwall and local retail will bring more pedestrian activity, promote local jobs and better serve the community. By creating a nearly continuous street wall along each of the development site's frontages and reducing the number of curb cuts and loading berths at the site, the proposed development would improve the pedestrian and cyclist experience along this section of Crescent Street and 27<sup>th</sup> Street. By modernizing their facilities at this location, the Commission hopes that the applicant would be able to retain a presence in Long Island City, as well as retain the existing jobs on the site.

The Commission recognizes the proposed map and zoning text amendment will ensure new developments within the project area contain affordable housing by enabling and establishing Mandatory Inclusionary Housing provisions in the Special LIC Mixed Use District and the Dutch Kills Subdistrict. The Commission believes this aligns with the overall Special District's purpose of supporting the continuing growth of mixed residential, commercial, and industrial neighborhoods by permitting the expansion and development of residential, commercial, and light manufacturing uses, encouraging the development of affordable housing, and promoting and retaining jobs within Long Island City.

## **RESOLUTION**

**RESOLVED**, that the having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on May 6, 2022, with respect to this application (CEQR No. 22DCP065Q), 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 9b:

1. changing from an M1-2/R5B District to an M1-2/R6A District property bounded by a line midway between Crescent Street and 27<sup>th</sup> Street, a line 100 feet southwesterly of 40<sup>th</sup> Avenue, 27<sup>th</sup> Street, and a line 100 feet northeasterly of 41<sup>st</sup> Avenue; and
2. changing from an M1-2/R5D District to an M1-2/R6A District property bounded by Crescent Street, a line 80 feet southwesterly of 40<sup>th</sup> Avenue, 27<sup>th</sup> Street, a line 100 feet southwesterly of 40<sup>th</sup> Avenue, a line midway between Crescent Street and 27<sup>th</sup> Street, and a line 100 feet northeasterly of 41<sup>st</sup> Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-677.

The above resolution (C 220169 ZMQ), duly adopted by the City Planning Commission on September 21, 2022 (Calendar No. 1), 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.

**DANIEL R. GARODNICK, Esq.,** *Chair*

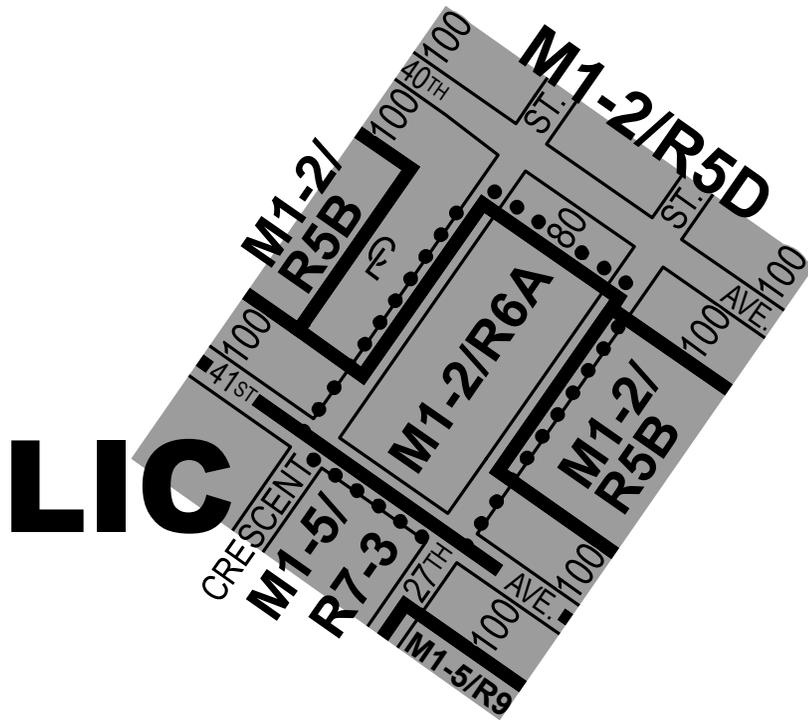
**KENNETH J. KNUCKLES, Esq.,** *Vice-Chairman*

**LEILA BOZORG, DAVID J. BURNEY, ALFRED C. CERULLO, III, JOSEPH I.**

**DOUEK, RICHARD W. EADDY, DAVID GOLD, RASMIA KIRMANI-FRYE,**

**ORLANDO MARIN, JUAN CAMILO OSORIO, RAJ RAMPERSHAD,** *Commissioners*

**LEAH GOODRIDGE,** *Commissioner, ABSTAINING*



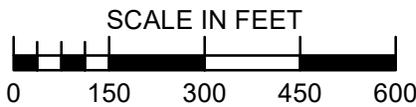
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**9b**  
 BOROUGH OF  
**QUEENS**



New York, Certification Date:  
 May 09, 2022

*S. Lenard*  
 S. Lenard, Director  
 Technical Review Division



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing M1-2/R5B and M1-2/R5D Districts to an M1-2/R6A District.
- Indicates a Special Long Island City Mixed Use District (**LIC**).



**City of New York**  
**Community Board #1, Queens**  
 The Pistilli Grand Manor  
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Donovan Richards  
*Borough President, Queens*  
 Maricela Cano  
*Director, Community Boards*  
 Marie Tomiali  
*Chairperson*  
 Florence Koulouris  
*District Manager*

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*Sergeant-at-Arms*

June 27, 2022

Daniel Garodnick  
 Chair  
 New York City Planning Commission  
 120 Broadway, 31<sup>st</sup> Floor  
 New York, New York 10271

RE: 40-25 Crescent Street Rezoning  
 C 220169 ZMQ and N 220170 ZRQ

**COMMITTEES & CHAIRPERSONS**

*Airport*  
 RoseMarie Poveromo  
*Community & Economic Development*  
 Mackenzi Farquer  
*Consumer Affairs*  
 Dino Panagoulas  
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 Stella Nicolaou  
*Environmental/Sanitation*  
 Antonella Di Saverio  
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 Judy Trilivas  
 Daniel Aliberti  
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*Land Use & Zoning*  
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 Elizabeth Erion  
*Legal, Legislative, Parliamentary*  
  
*Office-Staff/Budget/PR*  
 Marie Tomiali  
*Parks/Recreation/Cultural*  
 Katie Ellman  
 Kathleen Warnock  
*Public Safety*  
 Ann Bruno  
 Antonio Meloni  
*Transportation*  
 Mitchell Waxman

Dear Chair Garodnick:

Queens Community Board 1 (CB1Q) held a duly advertised public hearing at its full board meeting on June 21, 2022. After a favorable report from the Land Use and Zoning Committee and testimony from the public, the Board voted 18 in favor, 16 opposed, 0 abstentions and 1 not voting for cause on a motion to recommend approval of referenced applications. The actions would rezone properties in the Dutch Kills neighborhood of CD1Q to M1-2/R6A and designate the project area as an MIH area on ZR Appendix F.

**Background – Actions and Project Description**

- A Zoning Map amendment to rezone to an M1-2/R6A district midblock properties that are generally bounded by Crescent Street to the west, 41st Avenue to the south, 27th Street to the east and 40th Avenue to the north; and
- A Zoning Text Amendment to amend Appendix F of the Zoning Resolution to map the Project Area for Mandatory Inclusionary Housing (“MIH”) Option 1 and Option 2.

The applicant, Crescent Street Associates (affiliate of the Rosenwach Group), proposes to extend an existing M1-2/R6A zoning district northward from 41st Avenue to a line 80 feet south of 40th Avenue on Block 406. The rezoning area would encompass all or portions of 12 tax lots in the Dutch Kills subdistrict of the Special LIC Mixed-Use District that are currently zoned M1-2/R5B and M1-2/R5D. The rezoning applications as filed would facilitate construction of two seven-story (75’), mixed-use buildings on a through-lot located midblock. The buildings would total approximately 175,600 SF (3.88 FAR) with frontage on Crescent and 27th streets, both narrow side streets, and provide 233 residential dwelling units (173 market rate and 60 affordable units pursuant to MIH Option 1). Ground floor retail and light industrial spaces are proposed along Crescent Street with the industrial floor area to be occupied by the owner for its existing water tank business. Parking in a cellar garage will accommodate required 118 spaces accessory to the residential and commercial/manufacturing uses and accessed from 27th Street. Loading/unloading will be accessed from Crescent Street.

**Community Review**

The Land Use and Zoning Committee reviewed the applications on March 3, April 6, and June 1, 2022, after they were certified on May 16<sup>th</sup>. The committee voted to recommend approval of the applications based on the applicant’s revisions to the plans and responses to some committee comments:

- o Vehicular access to the site from Crescent Street would be redesigned for off-street access for the commercial/manufacturing uses with residential drop-off and deliveries directed to 27<sup>th</sup> Street;

**BOARD MEMBERS (cont.)**

Helene Abiola  
 George Alexiou  
 Louise Bordley  
 Irak Dahir Cehonski  
 Jean Marie D’Alleva  
 Tenzin Dechen  
 Dean O. Feratovic  
 Adam Fisher-Cox  
 Tyrone Gardner  
 Shahenaz Hamde  
 Helen Ho  
 Vanessa Jones-Hall  
 Amr Kotb  
 Cristina Lastres  
 Diana Limongi  
 Chelsea Lopez  
 Huge Ma  
 Jeffrey Martin  
 Sam Massol  
 Amin Mehedi  
 Andreas Migias  
 Doreen Mohammed  
 Eric Mouchette  
 Juliet Payabyab  
 Brian Romero  
 Andre Stith  
 Rod Townsend  
 Corinne Wood-Haynes  
 Rosemary Yelton

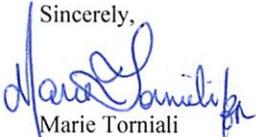
- The building is still in design but would increase number of 2- and 3-bedroom units from 19% to 40% of total units;
- Sustainability features will comply with requirements; additionally, building materials will be examined to increase sustainability: use of green fenestration materials, possible solar roofing, electrical charging stations under discussion;
- Deeper levels of affordability were requested.

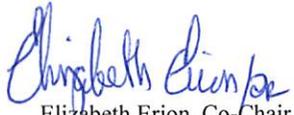
At Community Board 1's public hearing on June 21<sup>st</sup>, CB1Q members had no specific questions or comments regarding the zoning change or the proposed development. Their comments related to the affordability aspects of the project and an issue with relocating a food vendors' vehicle storage area to a near-by site after the applicant resolved a rent payment dispute with the vendors' representative. Board members' issues and Applicant's responses follow:

- The applicant was not selecting lower income tiers under Option 1; (Applicant's response: lower income bands depend on discussions with HPD and the Council representative that are not yet underway. Option 1 with 10% of MIH units at 40% AMI and 25% with incomes not higher than 130% AMI.)
- The projected MIH rents are not affordable for most local area residents; (Response: rents are calculated using the HPD formula.)
- Tenant selection should give preference to area residents, not just a general 50% preference for the whole CB1 district; (Response: will request HPD give local preference.)
- Increase the total number of the project's MIH units and lower the income bands to 30% AMI or less; (Response: different income bands with possible set-aside for a deeply affordable income tier could be discussed with HPD, along with increasing 1- and 2-bedroom units from 19% to 40%.)

The Board heard testimony from 3 speakers from the general public who supported the rezoning. There were no speakers in opposition. A representative of the Dutch Kills Civic Association (DKCA) testified that the community needed the rezoning to bring residents, jobs and industry into their community. The only concern of the DKCA was loading and unloading activities that could congest traffic flow on Crescent Street, a major feeder street to the Queensborough Bridge. A local area resident indicated the proposed zoning matched the context of the neighborhood, would upgrade the streetscape, is close to mass transit and will bring affordable units and environmental benefits. A resident of Queensbridge Houses, who owns Queensbridge Cleaning Corp., spoke about the project's retail and manufacturing jobs being beneficial to minority businesses and youth employment.

Sincerely,

  
Marie Torniali  
Chairperson

  
Elizabeth Erion, Co-Chair  
Land Use and Zoning Committee

  
Gerald Caliando, Co-Chair

cc: Honorable Donovan Richards  
Honorable Michael Gianaris  
Honorable Jessica Ramos  
Honorable Jessica Gonzalez-Rojas  
Honorable Zohran K. Mamdani  
Honorable Catherine Nolan  
Honorable Brian Barnwell  
Honorable Tiffany Cabán  
Honorable Julie Won  
Frank B. Perez, New York City Council, District 22  
Vicky Garvey, Acting Director, Land Use, BPQ  
Alexis Wheeler, Director, Queens Office DCP  
Joy Resor, Queens Office DCP  
Daniel G. Egers, Greenberg Traurig, LLP

# Queens Borough President Recommendation

**APPLICATIONS: ULURP #220169 ZMQ  
ULURP #N220170 ZRQ**

**COMMUNITY BOARD: Q01**

## DOCKET DESCRIPTION

**ULURP #220169 ZMQ** – IN THE MATTER OF an application submitted by Crescent Street Associates, LLC an application submitted by Crescent Street Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b:

1. changing from an M1-2/R5B District to an M1-2/R6A District property bounded by a line midway between Crescent Street and 27th Street, a line 100 feet southwesterly of 40th Avenue, 27th Street, and a line 100 feet northeasterly of 41st Avenue; and
2. changing from an M1-2/R5D District to an M1-2/R6A District property bounded by Crescent Street, a line 80 feet southwesterly of 40th Avenue, 27th Street, a line 100 feet southwesterly of 40th Avenue, a line midway between Crescent Street and 27th Street, and a line 100 feet northeasterly of 41st Avenue.

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-677. (Related ULURP #N220170 ZRQ)

**ULURP #N220170 ZRQ** – IN THE MATTER OF an application submitted by Crescent Street Associates, LLC an application submitted by Crescent Street Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for 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 May 9, 2022, and subject to the conditions of CEQR Declaration E-677. (Related ULURP #220169 ZMQ)

## PUBLIC HEARING

A Public Hearing was held by the Queens Borough President via Zoom webinar and livestreamed on [www.queensbp.org](http://www.queensbp.org) on Thursday, June 30, 2022 at 9:30 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 five (5) 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 is proposing to rezone an existing M1-2/R5B District to a M1-2/R6A District. The area to be rezoned (Block 406, Lots 9-12, 29, 38 and 40 and parts of Lots 1, 2, 8, 27, 28 and 1001-1004) is bounded by 40<sup>th</sup> Avenue to the east, 27<sup>th</sup> Street to the south, and 41<sup>st</sup> Avenue to the south. The proposed rezoning would facilitate construction of a new mixed-use development with affordable housing;
- The Applicant is proposing to develop a seven-story, 175,600 square-foot (SF) mixed-use building (3.88 FAR) on Lot 12 (the “Development Site”). With a base height of 65 feet, the proposed building would be comprised of three segments: 11,785 sf for manufacturing uses (water tank, cooling tower storage and testing operations), 5,510 sf for ground-floor local commercial retail, and approximately 158,305 sf for residential use. The proposed building would also provide approximately 233 dwelling units, of which 60 units would be affordable for low- to moderate-income households under MIH Option 1 (25% of residential floor area to be made affordable at an averaged 60% AMI). The three segments would form an interior courtyard for building residents adjacent to Lots 11 and 38, and the Development would include 118 vehicle parking spaces: 88 residential, 18 commercial, and 12 manufacturing;
- The Development Site is a 45,200-SF, mid-block lot with 255 feet of frontage on Crescent Street and 200 feet of frontage on 27<sup>th</sup> Street, and is improved with four one-story buildings: Orkin Exterminator Services office space, a storage facility for water testing and cooling tower products, and a parking lot. The Applicant is the current owner of the Development Site. Part of the lot was allocated to food vendor vehicle storage until recently – the vendor’s representative had a rent dispute with the Applicant, and subsequently the vendors relocated to another storage location a few blocks away from the Development Site;
- The surrounding blocks within a 600-foot radius of the Rezoning Area and Proposed Development are primarily zoned M1-2/R5B, M1-2/R5D, and M1-2/R6A. The surrounding uses range from mid-rise apartment buildings, public facilities, commercial and office buildings to light manufacturing. In terms of transit, the Development Site is served by the N, W, 7 and F subway lines (at Queensboro Plaza and 21<sup>st</sup> Street-Queensbridge stations respectively), and the Q69 and Q102 bus lines along 21<sup>st</sup> and 31<sup>st</sup> Streets. NYCHA-Queensbridge Houses, Queensbridge Park, and P.S. 166 Annex are all located just outside the 600-foot radius of the Rezoning Area;

- In 2001, the NYC Department of City Planning rezoned a 34-block area (including the Development Site) to become a “Special Long Island City (LIC) Mixed Use District,” which finalized a long-term effort to create a Central Business District in Long Island City and allowed more residential, manufacturing, commercial and office development around transit centers like Court Square and Hunters Point. Later in 2008, the 40-block Dutch Kills Rezoning was designed to encourage more residential density, expand the mix of uses in the area and create more cohesive development. This rezoning would further extend the existing M1-2/R6A District and create a balance of residential, office space and manufacturing uses. The Applicant is required to include Designated Uses in any development over 3.6 FAR – in this application, 0.12 FAR is reserved for manufacturing use (Use Groups 16A and 17A);
- Community Board 1 (CB 1) approved the application by a vote of eighteen (18) in favor and sixteen (16) opposed with one (1) abstention at a meeting on June 21, 2022. The following concerns were discussed:
  - The Applicant should increase the number of 2- and 3-bedroom units from 19% to 40% of the total dwelling units (*Applicant response*: more information about this increase will be made available as discussions with the NYC Department for Housing Preservation and Development (HPD) and the local Council Member progress);
  - The Applicant should include deeper levels of affordability, more affordable units overall, and a more localized tenant selection process for the affordable units (*Applicant response*: more information about housing affordability depth and scale will be made available as discussions with HPD and the local Council Member progress);
  - The Development Site’s vehicular access along Crescent Street should be redesigned for off-street commercial and manufacturing access, and residential vehicular access (for drop-off & deliveries) should be located along 27<sup>th</sup> Street to prevent potential bike lane blockage (*Applicant response*: they confirmed this change in their site plan design);
  - The Applicant will use required sustainable features and materials under Local Law as well as explore other sustainability features not required (e.g., solar roofing, electric vehicle charging stations, etc.) (*Applicant response*: they intend to use required materials and features, and will continue researching optional sustainable measures);
- At the Borough President’s Land Use Public Hearing, the Borough President asked about community benefits and sustainable infrastructure. On the topic of housing affordability, the Applicant reiterated that they will have more information when they are negotiating the regulatory agreement with the NYC Department of Housing Preservation and Development (HPD). The Borough President specifically asked about M/WBE procurement, local and union hiring practices, to which the Applicant responded they had not hired a general contractor yet but will take these suggestions seriously. When asked about green roofs and infrastructure, the Applicant’s environmental consultant proposed a green roof on one of the segments with the possibility of extending it to the entire building roof. The Borough President also asked about the lack of community facility space included in the Development Site, to which the Applicant responded that they were focusing on jobs and local hiring as part of the project, but the Borough President made it clear that community facility space is a priority for local residents. On the topic of the street vendor issue, the Applicant gave a quick synopsis of the issue. The Borough President also asked the Applicant to address the following concerns: lack of trees on the current sidewalk, including a nonsmoking section of the building, and partnering with community-based organization(s);
- During the public testimony portion of the hearing, five (5) speakers testified against this application with the following concerns: real estate speculation and rent increases due to new development; lack of deeply affordable housing for existing residents in Community Board 1; and the lack of public access to the proposed building’s courtyard. The Office of the Queens Borough President did not receive any written testimony on this application.

## RECOMMENDATION

The Applicant has demonstrated a willingness to compromise on some of the Community Board’s requests, and the mixed-use elements of the building are appropriate for this area. However, the Applicant could guarantee more community benefits in relation to their Proposed Development – Queens residents continue to need deeply affordable housing, sustainable buildings, community facility space, local hiring practices, and outdoor spaces.

Based on the above consideration, I hereby recommend approval with the following conditions:

- The Applicant should allocate approximately 10% of the Proposed Development’s affordable units to persons making 30% of the Area Median Income (AMI), which equates to a one-person household making \$28,020 to a four-person household making \$40,020 gross income;
- The Applicant should commit to a minimum 30% hiring goal regarding M/WBE firms and local hiring. The Applicant should report these minimum 30% hiring goals quarterly to my office, Council Member and Community Board;
- The Applicant should commit to knocking on doors of local residents to promote the Proposed Development, its community benefits and partnerships;
- The Applicant should allocate square footage for community facility space and partner with local community-based organizations (CBOs) for office and/or meeting space;

- To the best of their ability, the Applicant should:
  - Implement green roofs throughout the entire Proposed Development's rooftop;
  - Use sustainable infrastructure and materials in the building's construction and lifetime, with special considerations to solar panels, HVAC systems, and overall LEED Gold or Silver certification standards;
  - Plant multiple trees along the Proposed Development's sidewalks to mitigate a heat island effect; and
  
- The Applicant should redesign the residential courtyard to allow for public access/egress. The public should be able to use the outdoor space at their leisure (within reason of the courtyard's regulations such as time appropriate uses).



**PRESIDENT, BOROUGH OF QUEENS**

08/05/2022

**DATE**