



IN THE MATTER OF an application submitted SWDM 57 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 10b & 14a:

1. eliminating from within an existing R6A District a C1-2 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place;
2. establishing within an existing R6B District a C2-4 District bounded by a line perpendicular to the northeasterly street line of 97th Place distant 185 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 97th Place and northwesterly street line of 57th Avenue, a line midway between 97th Place and 98th Street, a line perpendicular to the southwesterly street line of 99th Street distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 98th Street and the northwesterly street line of 57th Avenue, 98th Street, and a line 100 feet northwesterly of 57th Street; and
3. establishing within the existing R6A District a C2-4 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place.

as shown on a diagram (for illustrative purposes only) dated June 6, 2022, and subject to the conditions of CEQR Declaration E-680.

This application for a zoning map amendment was filed on December 8, 2021, by SWDM 57 LLC. The proposed action would facilitate the development of a ground-floor supermarket within a new six-story building at 97-27 57th Avenue in the Corona neighborhood of Queens, Community District 4.

BACKGROUND

The applicant seeks a zoning map amendment to establish a C2-4 commercial overlay within existing R6A/C1-2 and R6B zoning districts. This action would facilitate the development of a supermarket within the ground floor of a new as-of-right six-story building. The new mixed-use building would total approximately 88,400 square feet, including 24,500 square feet of

supermarket space on the ground floor and approximately 82 new dwelling units on floors two through six

The project area includes Block 1906, Lot 1 and part of Lot 43. The development site consists of Lot 1, which is owned by the applicant. It has frontage along the entire block front of 57th Avenue to the south, as well as frontages on 97th Place to the west and 98th Street to the east, all of which are 60-foot-wide narrow streets. The development site is approximately 34,178 square feet, consisting of a 23,984-square-foot single-story supermarket and accessory surface parking lot with 21 spaces, which has been in operation since the 1960s and would be demolished upon approval of the requested action. The parking lot is accessed by curb cuts on 57th Avenue and 98th Street. Lot 43 is non-applicant owned and developed with a three-story multi-family building.

The surrounding area is developed with a mix of residential, commercial, community facility, and manufacturing uses. South of the project area is mapped with an R6 zoning district with the Lefrak City residential complex, which consists of 20 16-story residential buildings that house approximately 15,000 residents in approximately 4,600 units. Lefrak City also includes several supporting commercial and community facility uses, such as day care centers, a branch of the Queens Public Library, another supermarket, and a post office.

At the southwest end of the superblock, a 20-story and six-story office building contain city, state, and federal agencies, including the Department of Environmental Protection's headquarters. The remainder of the Lefrak super block, as well as north, west and east of the project area, is mapped with R6B and R7B districts, which are contextual mid-density residential zoning districts. The area mapped with the R6B zoning district and is comprised of two-story single detached residences and three-story attached residential buildings. East of the project area is mapped with an R7B district and is developed with seven-story multi-family residential buildings. The area north of the project area is mapped with an M1-1 zoning district and consists of a Con Edison facility and light industrial uses, including local contracting and auto-related businesses. C1-2 commercial overlays are mapped along 57th Avenue and 99th Street and consist of small retail establishments that serve the local community.

The project area is located within the Transit Zone and is well-served by public transit. The Woodhaven Boulevard Station and 63rd Avenue – Rego Park Station provide service to the M and R subway lines and are located approximately one half-mile south and southwest of the project area. Multiple bus lines serve the area, including the Q38 bus line, which runs between Corona and Middle Village; the QM10 and QM49 bus lines, both of which run between Rego Park and Midtown Manhattan; the QM11 bus line, which runs between Forest Hills and Downtown Manhattan; the Q72 bus, which runs between Rego Park and LaGuardia Airport; and the Q88 bus, which runs between Elmhurst and Queens Village.

Community facility uses in the surrounding area include a branch of the Queens Public Library, numerous daycares, and post office located in the LeFrak City super block. Additionally, there are several public schools in the area, including P.S. 13, which is located five blocks west of the project area on Junction Boulevard and serves kindergarten through fifth grades. The John F. Kennedy Jr. School is located five blocks southwest of the project area on 94th Street and serves grades nine through 12. The P.S. 211 Elm Tree Elementary school is located two blocks north of the project area and serves pre-kindergarten through fifth grades. P.S. 206 is located south of the Horace Harding Expressway and serves pre-kindergarten through fifth grades.

Open space in the area includes Louis Simeone Park, which is located approximately five blocks east of the project area and features a playground and a community garden. Flushing Meadows-Corona Park is located approximately one mile east of the project area and is an 898-acre regional park that features the Queens Zoo, the Queens Museum, the Billie Jean King National Tennis Center, CitiField, multiple passive and active recreation facilities, and more.

The project area was mapped with an R6 zoning district in 1961. On February 27, 1962, the Board of Standards and Appeals (BSA) granted a variance (Cal. No. 549-61-BZ) to permit the construction of a single-story supermarket for a term of 25 years. After this initial grant, the BSA allowed for modifications to the building (Cal No. 81-74-BZ) and the current term expires on February 27, 2027. On February 7, 1963, a C1-2 commercial overlay was mapped (A-299, A-301) within 100 feet of 57th Avenue. The project area was rezoned to its current R6A/C1-2

(along 57th Avenue) and R6B district (beyond 100 feet from 57th Avenue) as part of the 1989 Elmhurst-Corona Rezoning (C 880920 ZMQ). The area-wide rezoning changed R5, R6 and M1-1 districts to R4, R5, R6A, R6B, R7A and R7B districts to recognize existing development densities, reduce the depth of commercial overlays, and to change certain commercial overlays from C1-2 and C2-2 to C1-2 and C2-3.

R6A zoning districts are contextual zoning districts in which Quality Housing bulk regulations are mandatory. The maximum floor area ratio (FAR) is 3.6 for residential uses with Mandatory Inclusionary Housing (MIH) and 2.0 for community facility uses. It requires a base height of 40 feet to 65 feet (with qualifying ground floor), setbacks of 10 feet from a wide street or 15 feet from a narrow street, and a maximum building height of 75 feet or seven stories. For buildings with MIH units, the maximum building height is 85 feet with a qualifying ground floor. Off-street parking is required for 50 percent of dwelling units and 25 percent of income-restricted units. Commercial uses are limited to the ground floor of mixed-use buildings in a C1-2 overlay and the maximum FAR for commercial uses is 2.0. Parking requirements vary for commercial uses, but parking must be provided at a rate of one space per 200 square feet of floor area for food stores that are larger than 2,000 square feet.

R6B zoning districts are also contextual zoning districts and have a maximum FAR of 2.2 for residential uses with MIH and 2.0 for community facility uses. The minimum base height is 30 to 40 feet, with setbacks of 10 feet from a wide street or 15 feet from a narrow street, before rising to a maximum base height of 55 feet or five stories. Off-street parking is required for 50 percent of dwelling units.

The applicant proposes to replace and expand the ground-floor supermarket within a new six-story mixed-use building. The development would total approximately 88,400 square feet and contain approximately 24,500 square feet of ground floor supermarket space and 62,000 square feet of residential use on floors three through six with 82 dwelling units. There would be a total of 93 parking spaces: 47 accessory residential spaces would be located on the second floor, and 46 commercial spaces would be used by the supermarket's customers in the cellar. The building would rise to a maximum building height of 75 feet at six stories on 57th Avenue, with a 15-foot

setback above the fifth floor. The maximum height of the building would be reduced to two stories along the northern portion of the 97th Place frontage, and between three and four stories at 55 feet along the northern portion of the 98th Street frontage. The development would provide one 24-foot curb cut with access to the loading berth, and one 12-foot curb cut to access residential parking spaces, both of which would be located on 98th Street. One 18-foot curb cut would be provided on 97th Street to provide access to the supermarket's parking spaces.

To facilitate the expansion of the supermarket, the applicant proposes a zoning map amendment to replace the existing commercial overlay and expand the depth of the commercial overlay within the project area. The existing C1-2 overlay is currently mapped to a depth of 100 feet from 57th Avenue. This C1-2 district would be replaced by a C2-4 commercial overlay that would be mapped within both the R6A and R6B zoning districts to a depth of 185 feet along 97th Place and 160 feet along 98th Street. The expanded commercial overlay depth would match the footprint of the development site. C1-2 and C2-4 districts both allow for commercial uses with a maximum FAR of 2.0 when mapped in R6 or higher districts; though C2-4 districts allow slightly more commercial uses than C1-2 districts. Typical C1-2 commercial uses include small neighborhood grocery stores, restaurants and beauty parlors. Typical C2-4 commercial uses include supermarkets, plumbing and electrical shops, small bowling alleys and movie theaters.

ENVIRONMENTAL REVIEW

This application (C 220250 ZMQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 22DCP144Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on June 3, 2022, which includes an (E) designation (E-680) related to air quality and noise to avoid the potential for significant adverse impacts. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 220250 ZMQ) was certified as complete by the Department of City Planning on June 6, 2022, and was duly referred to Queens Community Board 4 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

Queens Community Board 4 held a public hearing on this application (C 220250 ZMQ) on September 13, 2022, and, on that date, by a vote of none in favor, 23 opposed, and two abstaining, adopted a resolution recommending disapproval of the application.

Borough President Recommendation

The Queens Borough President held a public hearing on this application (C 220250ZMQ) on September 29, 2022, and on October 11, 2022, issued a recommendation approving the application with the following conditions:

- “• In addition to the rehiring of current employees, there should be a minimum 30% goal to include MWBE firms, hiring of local residents and working with locally-based organizations and community groups for outreach and job fairs when hiring and contracting for this project. There should be quarterly reporting of these hiring initiatives to the Borough President and Council Member until the hiring goal has been reached;
- In lieu of a mandated affordability program, the Applicant should still reserve 25% of the residential floor area as affordable units to families and individuals earning an average 60% of the Area Median Income (AMI) as a sign of forthright community development;
- With regard to including community facility space, the Applicant and the Queens Public Library system should discuss the possibility of relocating the LeFrak City branch within the Proposed Development to prevent future flood issues and to upgrade services;
- The Applicant should use porous concrete in all outdoor parking areas and add passive natural landscaping along the Development Site for better drainage;

- The applicant should disclose a composting plan when the Proposed Development is completed and update the Borough President and Council Member quarterly on such efforts; and
- The Applicant should explore adding bike racks and electric scooter storage on the supermarket parking lot to accommodate shoppers who may alternative modes of transportation.”

City Planning Commission Public Hearing

On October 11, 2022 (Calendar No. 4), the City Planning Commission scheduled October 26, 2022 for a public hearing on this application (C 220250 ZMQ). The hearing was duly held on October 26, 2022 (Calendar No. 12). Three speakers testified in favor of the application, and none in opposition.

The applicant’s representative, who testified in favor of the application, provided an overview of the application, stating that mapping the C2-4 commercial overlay on the entire property would eliminate the need for a BSA variance to permit the existing supermarket, as it is partially located outside of the C1-2 overlay.

The applicant’s real estate attorney, who also testified in favor of the application, described a range of updates that would be a part of the expanded and modernized supermarket, including a wider range of fresh produce, more energy efficient fixtures, improved waste management systems, and more. The attorney stated that in addition to store capacity, the new building’s enclosed loading berth would increase efficiency by accommodating two trucks at a time instead of one. The attorney also explained that moving the supermarket parking entrance off 57th Avenue would ease congestion and improve pedestrian conditions at the intersection of 98th Street and 57th Avenue. The supermarket parking entrance would be relocated to 97th Place, which would separate supermarket parking from the loading berth, thereby further improving vehicle congestion. The attorney also explained that, in response to Community Board 4’s concerns, the applicant has proposed to increase the number of parking spaces from 25 to 46.

The applicant's architect, who testified in favor of the application, described the proposed building, and surrounding context, and explained that the existing R6A and R6B residential districts would not be affected by the addition of the C2-4 commercial overlay.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 220250 ZMQ), is appropriate.

The Commission believes that the proposed zoning map amendment to establish a C2-4 commercial overlay within the existing R6A and R6B zoning districts is appropriate due to the project area's proximity to transit and the established commercial character of 57th Avenue.

The C2-4 overlay district will facilitate the proposed expansion of a longstanding existing supermarket within a new mixed-use development. The Commission notes that mapping and extending the C2-4 commercial overlay will reduce the supermarket's parking requirement from one space per 200 square feet required in the C1-2 district to one space per 1,000 square feet. This reduction, combined with extending the commercial overlay over the entire property, will allow the supermarket to fill the entire ground floor while placing the parking spaces in the cellar, rather than in a surface parking lot. Commission also notes that by mapping the C2-4 commercial overlay across the entire property, the need to continue the renewal process for the BSA variance will be terminated.

The Commission appreciates the applicant's efforts to improve the streetscape of the project area, which currently consists of blank street walls and a surface parking lot. The new building would improve the pedestrian experience by introducing street walls that are broken up with glazing and articulation, and by removing a curb cut that is located next to a bus stop on the 57th Avenue frontage. The Commission notes that congestion and pedestrian conditions on 57th Avenue and 98th Street will be improved by relocating the supermarket parking entrance from 57th Avenue to 97th Place.

The Commission recognizes that the existing supermarket is one of few supermarkets serving the dense residential population of LeFrak City and nearby communities. The supermarket has been in operation since the 1960s and would greatly benefit from the proposed upgrades. The Commission notes that the property is currently underutilized and believes that the new mixed-use building reinforces existing land use patterns within the area along the north side of the 57th Avenue corridor. The block east of the project area includes seven-story residential building and the Commission believes that the proposed six-story building furthers the residential continuity of 57th Avenue.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on June 3, 2022, with respect to this application (CEQR No. 22DCP144Q), 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 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 further amended by changing the Zoning Map, Section No. 10b & 14a:

1. eliminating from within an existing R6A District a C1-2 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place;
2. establishing within an existing R6B District a C2-4 District bounded by a line perpendicular to the northeasterly street line of 97th Place distant 185 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 97th Place and northwesterly street line of 57th Avenue, a line midway between 97th Place and 98th Street, a line perpendicular to the southwesterly street line of 99th Street distant

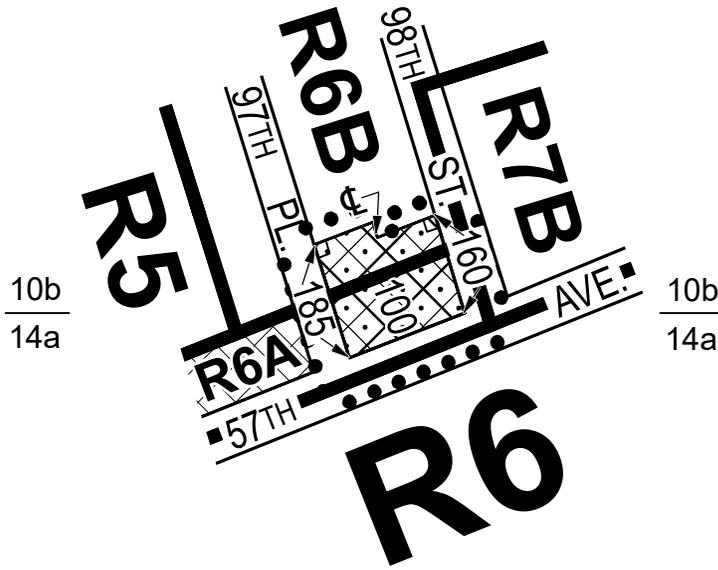
160 northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 98th Street and the northwesterly street line of 57th Avenue, 98th Street, and a line 100 feet northwesterly of 57th Street; and

3. establishing within the existing R6A District a C2-4 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place.

as shown on a diagram (for illustrative purposes only) dated June 6, 2022, and subject to the conditions of CEQR Declaration E-680.

The above resolution (C 202250 ZMQ), duly adopted by the City Planning Commission on November 30, 2022 (Calendar No. 7), is filed with the Office of the Speaker, the 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*
GAIL BENJAMIN, LEILA BOZORG, ALFRED C. CERULLO, III,
ANTHONY CROWELL, JOSEPH DOUEK, DAVID GOLD, Esq.,
LEAH GOODRIDGE, RASMIA KIRMANI-FRYE, ORLANDO MARÍN,
JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners*



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

10b & 14a

BOROUGH OF
BROOKLYN



New York, Certification Date:
 June 06, 2022

S. Lenard
 S. Lenard, Director
 Technical Review Division

SCALE IN FEET



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by eliminating a C1-2 District from within an existing R6A District and by establishing C2-4 Districts within existing R6A and R6B Districts.

Indicates a C1-2 District

Indicates a C2-4 District



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 97-27 57th Ave. Commercial Overlay	
Applicant: Jay Segal	Applicant's Primary Contact: Jay Segal
Application # C220250ZMQ	Borough:
CEQR Number: 22DCP144Q	Validated Community Districts: Q04

Docket Description:
 IN THE MATTER OF an application submitted by SWDM 57 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10b & 14a:

1. eliminating from within an existing R6A District a C1-2 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place;
2. establishing within an existing R6B District a C2-4 District bounded by a line perpendicular to the northeasterly street line of 97th Place distant 185 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 97th Place and the northwesterly street line of 57th Avenue, a line midway between 97th Place and 98th Street, a line perpendicular to the southwesterly street line of 98th Street distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 98th Street and the northwesterly street line of 57th Avenue, 98th Street, and a line 100 feet northwesterly of 57th Street; and
2. establishing within the existing R6A District a C2-4 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place;

Borough of Queens, Community District 4, as shown on a diagram (for illustrative purposes only) dated June 6, 2022, and subject to the conditions of CEQR Declaration E-680.

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

RECOMMENDATION: Unfavorable			
# In Favor: 0	# Against: 23	# Abstaining: 2	Total members appointed to the board: 25
Date of Vote: 9/13/2022 4:00 AM		Vote Location: 51-11 108 Street, Corona, NY	

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

Date of Public Hearing:	
Was a quorum present? No	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	

CONSIDERATION: 1. On June 28, 2022, the ULURP & Zoning Committee submitted a list of questions to the applicant regarding the proposal. A response dated September 6, 2022 of approximately 150 pages was returned a few days before Community Board 4's September 13, 2022 Public Hearing. The applicant did not respond in a timely manner.

2. Traffic congestion challenges were brought up. According to the applicant's report, it was stated this was not a problem, however, there is a tremendous amount of traffic in that area with people living in that area and deliveries by Amazon and other delivery services to the surrounding apartment buildings. Also noted, 98 Street is a bus route where the bus turns. Deliveries to residents in the proposed building would come in on 98 Street exacerbating the already heavy traffic congestion.

3. The parking garage for the new residence would be located on 98 Street where cars would enter and exit the parking garage continually adding to more overcrowding and congestion. 98 Street is a one-way and cars would continually block the street, noting the suggested 46 parking spaces would block and overflow to 97 Street.

4. The supermarket would not be ready for two years or more.

5. The building height is not in height compliance with the rezoning, the application proposes a building height of 75' to 100'.

6. Accordingly, the NYS Affordable Housing 421 Program has expired. The owner did not offer any options for other affordable housing programs. In addition, the 421-a Tax Program, according to the AMI, is not acceptable to Community



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Board 4's area. Furthermore, only a small number of apartments would be affordable.

7. Most importantly, the application is not pursuant to the city mandate. It is a personal application for rezoning and would set the standard to entertain every applicant's personal interest.

Recommendation submitted by

QN CB4

Date: 9/14/2022 8:26 PM

Queens Borough President Recommendation

APPLICATION: ULURP #220250 ZMQ

COMMUNITY BOARD: Q04

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by SWDM 57 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10b & 14a:

1. eliminating from within an existing R6A District a C1-2 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place;
2. establishing within an existing R6B District a C2-4 District bounded by a line perpendicular to the northeasterly street line of 97th Place distant 185 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 97th Place and the northwesterly street line of 57th Avenue, a line midway between 97th Place and 98th Street, a line perpendicular to the southwesterly street line of 98th Street distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 98th Street and the northwesterly street line of 57th Avenue, 98th Street, and a line 100 feet northwesterly of 57th Street; and
3. establishing within the existing R6A District a C2-4 District bounded by a line 100 feet northwesterly of 57th Avenue, 98th Street, 57th Avenue, and 97th Place;

Borough of Queens, Community District 4, as shown on a diagram (for illustrative purposes only) dated June 6, 2022, and subject to the conditions of CEQR Declaration E-680.

PUBLIC HEARING

A Public Hearing was held by the Queens Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, September 29, 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 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 requesting a zoning map amendment to establish a C2-4 Overlay in an existing R6A/R6B split-zoned District, and to eliminate the current C1-2 Overlay. The area to be rezoned (Block 1906, Lot 1 and p/o Lots 11 and 43) is generally bounded by 57th Avenue to the south, 98th Street to the east, a line approximately 185 feet in depth from 57th Street to the north, and 97th Place to the west. The proposed rezoning would facilitate an enlargement of a current supermarket as well as bring the supermarket use into compliance;
- The Applicant is proposing to add approximately 8,606 sf to the existing supermarket (which is currently 23,894 sf) and build 62,000 sf of residential floor area, totaling 88,400-sf within a new, 6-story mixed-use building. The supermarket would have an enlarged sales floor of 22,000 sf, up from 16,953 sf in the existing development, and a 3000-sf cellar area for back-of-house space. The number of supermarket parking spaces would more than double, from 21 to 46. To mitigate traffic, the supermarket loading dock would be moved to 97th Place instead of 57th Street. Both loading and waste would be enclosed to improve odor and vermin conditions. The Applicant proposes approximately 82 dwelling units and 47 residential parking spaces with the possibility of affordable housing, pending available state subsidy programs;
- The Development Site (Block 1906, Lot 1) is an approximately 34,178-sf, irregularly-shaped lot currently improved with a one-story supermarket originally built in the 1960s. The split-zoning districts make this site somewhat unique: the Development Site has approximately 20,000 sf of its area in an R6A/C1-2 zoning district and approximately 14,000 sf of its area in an R6B zoning district, which allows for a total FAR of 3.0. In 1989, the Development Site was rezoned from R6 to R6A (with a coterminous C1-2 overlay) and R6B. Because the C1-2 overlay did not extend over the R6B District, the supermarket has required a use variance since it was first constructed;
- Zoning in the 600-ft surrounding area also includes R5, M1-1, R6, and R7B, and the predominant land uses include multifamily residential buildings, ground-floor commercial retail, public institutions and light industrial (ConEdison facility). Notably, the LeFrak City residential development superblock is located to the south, which contains two churches, a mosque, a New York Public Library, a post office, a food distribution center, and day care facilities. The area is well served by public transit based on the four (4) bus lines that stop along 57th Avenue and the Site's half-mile proximity to the Woodhaven Boulevard M/R subway station;

- At a public hearing held on September 27, 2022, Community Board 4 (CB4) voted to unanimously oppose the application by a vote of zero (0) in favor, twenty-three (23) opposed and two (2) abstentions. CB4 raised issues concerning traffic congestions because of the potential residential parking garage on 98th Street, and the lack of affordable housing included with the proposal. The Applicant responded to the traffic concerns and stated there would overall fewer residential trips than supermarket trips based on their environmental review data;
- At the Borough President's Land Use Public Hearing, the Deputy Borough President asked questions related to community facility space, local and MWBE hiring, relocating current employees. The Applicant responded to the community facility question and stated that the Council Member is interested in adding such space as well. The Applicant responded to the local hiring goals question and stated they hope to use the Industrial & Commercial Abatement Program (ICAP) with the new redevelopment. The Applicant also stated that current employees would be relocated to other nearby stores during construction, and be given first priority to be rehired when the new store opens. A question was raised about composting organic waste on or off-site, to which the Applicant responded they will discuss the possibility of implementing a process with the store manager.

RECOMMENDATION

Based on the above consideration, I hereby recommend the approval of this application with conditions:

- In addition to the rehiring of current employees, there should be a minimum 30% goal to include MWBE firms, hiring of local residents and working with locally-based organizations and community groups for outreach and job fairs when hiring and contracting for this project. There should be quarterly reporting of these hiring initiatives to the Borough President and Council Member until the hiring goal has been reached;
- In lieu of a mandated affordability program, the Applicant should still reserve 25% of the residential floor area as affordable units to families and individuals earning an average 60% of the Area Median Income (AMI) as a sign of forthright community development;
- With regard to including community facility space, the Applicant and the Queens Public Library system should discuss the possibility of relocating the LeFrak City branch within the Proposed Development to prevent future flood issues and to upgrade services;
- The Applicant should use porous concrete in all outdoor parking areas and add passive natural landscaping along the Development Site for better drainage;
- The Applicant should disclose a composting plan when the Proposed Development is completed and update the Borough President and Council Member quarterly on such efforts; and
- The Applicant should explore adding bike racks and electric scooter storage on the supermarket parking lot to accommodate shoppers who may alternative modes of transportation.



PRESIDENT, BOROUGH OF QUEENS

10/11/2022

DATE