



March 6, 2024/ Calendar No. 18

C 230126 ZMQ

IN THE MATTER OF an application submitted by 30-11 12th Street Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

1. changing from an R4-1 District to an R6A District property bounded by a line perpendicular to the southerly street line of Welling Court distant 100 feet westerly from the point of intersection of the southerly street line of Welling Court and the northwesterly street line of 12th Street as measured along the southerly streetline of Welling Court, Welling Court, 12th Street, a line 200 feet southwesterly of 30th Avenue and its northwesterly prolongation, and a line midway between Welling Court and 12th Street;
2. changing from an R5B District to an R6A District property bounded by 12th Street, a line 150 feet southwesterly of 30th Avenue, a line 100 feet northwesterly of 14th Street, and a line 200 feet southwesterly of 30th Avenue;
3. changing from an R6B District to an R6A District property bounded by 12th Street, 30th Avenue, a line 100 feet northwesterly of 14th Street, and a line 150 feet southwesterly of 30th Avenue;
4. establishing within the proposed R6A District a C2-3 District on property bounded by a line perpendicular to the southerly street line of Welling Court distant 100 feet westerly from the point of intersection of the southerly street line of Welling Court and the northwesterly street line of 12th Street as measured along the southerly streetline of Welling Court, Welling Court, 30th Avenue, a line 100 feet northwesterly of 14th Street, a line 150 feet southwesterly of 30th Avenue and its northwesterly prolongation, and a line midway between Welling Court and 12th Street;

as shown on a diagram (for illustrative purposes only) dated October 16, 2023, and subject to the conditions of CEQR Declaration E-733.

C 230126 ZMQ

This application for a zoning map amendment was filed by 30-11 12th Street Realty LLC on November 1, 2022, and, in conjunction with a related application for a zoning text amendment (N 230127 ZRQ), would facilitate the development of a new eight-story mixed-use building with 86 dwelling units, of which 26 would be permanently income-restricted, with ground-floor retail at 30-11 12th Street in the Astoria neighborhood of Queens, Community District 1.

RELATED ACTION

In addition to the zoning map amendment (C 230126 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 230127 ZRQ	Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.
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BACKGROUND

The applicant requests a zoning map amendment and a zoning text amendment to change an R4-1, R5B, and R6B zoning districts to an R6A/C2-3 zoning district, as well as a zoning text amendment to designate an MIH area coterminous with the project area. The actions would facilitate the development of a new eight-story, 62,761-square-foot mixed-use building, consisting of 58,172 square feet of residential floor area, 4,589 square feet of ground-floor retail, and 41 accessory parking spaces in the Astoria neighborhood of Queens, Community District 1. The proposed building would have a floor area ratio (FAR) of 3.6 and would include 86 dwelling units, 26 of which would be permanently income-restricted.

The project area is located in the Astoria neighborhood of Community District 1, Queens and consists of portions of two blocks on the southern side of a five-way intersection. The project area

is bounded by Welling Court and 30th Avenue to the north, a line 100 feet west of 14th Street to the east, a line 200 feet south of 30th Avenue to the south, a line 100 feet west of the intersection of Welling Court and 30th Avenue to the west, and a line along the central property line of Block 506 to the southwest. 30th Avenue is a wide street with 80 feet in width, Welling Court is a narrow street that is 50 feet in width, 14th Street is a wide street that is 75 feet in width, and 30th Road is a narrow street that is 60 feet in width.

The development site, which is owned by the applicant, Block 515, Lot 19, is an irregular corner lot and totals 12,742 square feet in area located along 30th Avenue and along 12th Street. The site is currently vacant and was formerly improved with a one- and three-story factory and office building and has four curb cuts - three along 12th Street and one along 30th Avenue.

The remainder of the project area is characterized by a mix of commercial and residential buildings not owned by the applicant and includes several non-conforming commercial buildings, one of which is currently vacant, vacant land, and several multi-family apartment buildings.

Block 506, Lot 1 is a corner lot totaling approximately 6,600 square feet and has 115 feet of frontage on Welling Court and 110 feet of frontage on 12th Street. Lot 1 is improved with a non-conforming one-story commercial building containing auto-related uses. Lot 3 totals approximately 1,500 square feet and is currently vacant. Lots 5 and 6 total approximately 2,400 square feet each and are improved with two-story residential buildings with two units in each building; both of which were built in 2013. Lot 67 totals approximately 3,700 square feet and is improved with a two-story residential building with two units, built in 1925.

The surrounding area is mapped with an R4-1 zoning district to the west of the project area, an R6A/C2-3 zoning district to the east of the project area, an R6B zoning district to the east of the project area, and an R5B zoning district to the south of the project area. The project area is mapped with R4-1, R5B, and R6B zoning districts. Most of Block 506 is mapped with an R4-1 zoning

district. The area generally bounded by Welling Court to the south, Vernon Boulevard to the west, Astoria Boulevard to the north, and 12th Street to the east is mapped with an R6A district. The broad area along 14th Street generally bounded by Broadway to the south and continuing north of Astoria Boulevard along 18th Street to Astoria Park South to the north is mapped with an R6B/C2-3 zoning district. Several blocks generally bounded by 30th Road to the north, 14th Street to the east, 31st Avenue to the south, and Vernon Boulevard to the west are mapped with an R5B zoning district.

On the narrow streets surrounding the project area, the residential building typology consists of one- to two-family buildings and multi-family walk-up buildings ranging from one to five stories in height. The wide streets are characterized by apartment buildings which range from two to five stories in height with ground floor retail and commercial buildings containing uses such as restaurants, beauty parlors, and laundromats.

Taller buildings in the area include a seven-story apartment building with 30 units built in 2018 located on the northern corner across the intersection of Welling Court and 30th Avenue from the project area. NYCHA Astoria Houses, consisting of 22 six- and seven-story apartment buildings with approximately 1,100 dwelling units, is located approximately two blocks to the northwest of the project area.

21st Street is a 100-foot-wide, prominent mixed-use corridor in this part of Astoria and is located approximately two blocks to the east of the project area, extending from the Ditmars-Steinway neighborhood to the north to Hunters Point to the south. It is largely mapped with R7A/C2-3 and R7X/C2-3 zoning districts; the portion of the corridor north of Hoyt Avenue is mapped with an R5B zoning district, reflecting the lower-scale residential character of Ditmars-Steinway. Along the portion of the corridor near the project area, 21st Street is characterized with a mix of commercial and residential uses with ground-floor retail such as food service, laundromats, and home goods stores that serve the broader Astoria neighborhood. Buildings range in height from one to 14 stories

with ground-floor retail and residential uses located on upper floors. Astoria Boulevard is another prominent corridor, located one block to the north of the project area and spans east to west with a mix of commercial and residential uses. Astoria Boulevard is mapped with an R6A zoning district to the west of 12th Street and an R6B/C2-3 zoning district to the east of 12th Street along both sides of 12th Street. Most buildings range from one to six stories and contain ground-floor retail uses including restaurants, beauty parlors, and small markets, with residential uses on upper floors.

Community facility uses in the area include P.S. 171, an elementary school that serves grades Pre-K through 5, located one block east of the project area. A branch of the Queens Public Library is located approximately two blocks northeast of the project area. The Noguchi Museum is located approximately .5 miles southwest of the project area.

Open spaces in the surrounding area include Van Alst Playground, located directly east of P.S. 171. Two Coves Community Garden, a small triangular park, is located northwest of the project area and occupies the entirety of Block 508. Hallets Cove Playground, a 5.84-acre park, is located two blocks west of the project area along the East River waterfront. Also facing the East River is Socrates Sculpture Park located approximately .25 miles southwest of the project area, and Astoria Park is located approximately .6 miles northeast of the project area.

The project area is well-served by public transit and is located in the Transit Zone. The 30th Avenue station, which services the N and W subway lines, is located approximately a half mile to the east of the project area. Buses in the area include the Q18, which provides service between Astoria and Maspeth via 30th Avenue and the Q102, which provides service between Astoria and Roosevelt Island via 30th Avenue, both of which stop directly in front of the project area. The Astoria stop of the NYC Ferry is located approximately three blocks to the west of the project area. Additionally, many streets have dedicated and shared bicycle lanes including Vernon Boulevard, 8th Street, 12th Street, 27th Avenue, and 31st Street.

The project area was mapped with an R6 zoning district in 1961. In 1989, 43 blocks generally bounded by Astoria Park to the north, 31st Street to the east, Broadway to the south, and Vernon Boulevard to the west were rezoned as part of the West Astoria Rezoning (C 870580 ZMQ) and rezoned the project area from an R6 district to an R5 and current R6B zoning districts. A portion of the project area was rezoned as part of the 2010 Astoria Rezoning (C 100199 ZMQ) from an R5 district to the current R4-1 and R5B zoning districts. As part of the Astoria Rezoning, all or portions of 238 blocks were rezoned generally bounded by 20th Avenue to the north, Steinway Street to the east, Broadway to the south, and Vernon Boulevard, 8th Street, 14th Street, and the East River to the west, with the intention to protect neighborhood character from out-of-scale development, more closely reflect established development patterns, direct opportunities for moderate residential and commercial growth to locations along wide streets and transit resources, and provide incentives for the production of affordable housing.

The Halletts Point Rezoning (C 090484 ZMQ), located approximately one block west of the project area and effective in 2013, changed an M1-1 district to a R7-3/C1-4 district and mapped C1-4 commercial overlays in existing R6 districts to facilitate a mixed-use large-scale general development with seven buildings. The Astoria Cove Rezoning (C 140322 ZMQ), located approximately three blocks north of the project area and effective in 2014, rezoned a portion of an M1-1 district to an R7-3 district with a C2-4 commercial overlay, a portion of an R6 district to an R7A district with a C2-4 commercial overlay, and a portion of an R6 district to an R6B district to facilitate the development of a mixed-use, large-scale general development with five buildings ranging from 12- to 32-stories containing approximately 1,729,700 total square feet including approximately 1,689 dwelling units, approximately 55,000 square feet of commercial floor area, and approximately 61,000 square feet of community facility floor area. The Halletts North Rezoning (C 220196 ZMQ), located approximately five blocks northwest of the project area, effective in 2021, rezoned an M1-1 zoning district to an R7-3/C2-4 zoning district to facilitate a mixed-use, large-scale general development with three buildings containing approximately 986,100 square feet including approximately 1,340 dwelling units, approximately 1,800 square feet of commercial floor area, and approximately 21,500 square feet of community facility floor area.

The applicant proposes to construct a new eight-story residential building with ground floor commercial space on the development site. The building would contain a total of 62,800 square feet with an FAR of 3.6, consisting of 58,200 square feet of residential floor area with 86 dwelling units and 4,600 square feet of ground-floor commercial space. 26 dwelling units would be permanently income-restricted pursuant to MIH Option 1. A new 12-foot curb cut on 12th Street would provide access to 41 parking spaces on the ground floor of the new building. Access to commercial uses would be provided on 12th Street, and access to the residential lobby would also be provided on 12th Street. The building would rise to a base height of 43 feet at the fourth floor with a 15-foot setback mid-block before rising to a maximum building height of 85 feet at eight floors.

To facilitate this development, the applicant requests a zoning map amendment to change the existing R4-1, R5B, and R6B zoning districts to an R6A/C2-3 zoning district. This action would also add a C2-3 commercial overlay at a depth of 150 feet on Block 515 and p/o Block 506. The proposed R6A zoning district is a contextual district with a maximum residential FAR of 3.6 with MIH. Quality Housing regulations are mandatory in this district and produce buildings that are more compatible with older, prewar buildings that have high lot coverage and street walls set at or near the street line. Above a maximum base height of 60 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet. Off-street parking is required for 50 percent of a building's dwelling units or can be waived if five or fewer spaces are required. The proposed C2 zoning district would allow local retail uses to serve local needs such as grocery stores, restaurants, and home maintenance and repair. For retail uses, one parking space is required for every 400 square feet of retail space, with requirements varying for other commercial uses.

The applicant also proposes a zoning text amendment (N 230127 ZRQ) to designate the project area as an MIH area mapped with Options 1 and 2. Option 1 requires that at least 25 percent of residential floor area be reserved for housing units affordable to residents with household incomes averaging 60 percent of the Area Median Income (AMI), including a 10 percent band at 40 percent

of the AMI, with no units targeted for households with incomes exceeding 130 percent of the AMI. Option 2 requires that 30 percent of residential floor area within the project area be affordable at an average of 80 percent of the AMI. Option 1 would result in 22 income-restricted units and Option 2 would result in 26 income-restricted units.

ENVIRONMENTAL REVIEW

This application (C 230126 ZMQ), in conjunction with the related application for a zoning text amendment (N 230127 ZRQ), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 23DCP026Q.

After a study of the potential environmental impacts of the proposed actions in the Environmental Assessment Statement, a Negative Declaration was issued on October 16, 2023. The Negative Declaration includes an (E) designation (E-733) related to hazardous materials and air quality. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 230126 ZMQ) was certified as complete by the Department of City Planning on October 16, 2023 and was duly referred to 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 application for a zoning text amendment (N 230127 ZRQ), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 1 held a public hearing on this application (C 230126 ZMQ) on November 1,

2023, and on that day, by a vote of 24 in favor, seven opposed, and none abstaining, adopted a resolution recommending approval of the application without conditions.

Borough President Recommendation

This application (C 230126 ZMQ) was considered by the Queens Borough President, who held a hearing on November 30, 2023, and on December 21, 2023, issued a recommendation to approve the application with the following conditions:

- “The Applicant team should utilize MIH Option 1 (25% of residential floor area set aside for families and individuals making an averaged 60% Area Median Income) with the Proposed Development. Despite the Applicant’s statement that other developments in the area are mapped as having MIH Option 1, it is imperative to offer the deepest affordability to working- and middle-class residents in the Astoria neighborhood when only a percentage of each development is set-aside as affordable;
- There should be a minimum 30% goal to include M/WBE 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; and
- The Applicant team should follow through on CB1’s comments at the November 21, 2023 hearing to the best of their ability.”

City Planning Commission Public Hearing

On January 24, 2024 (Calendar No. 6), the City Planning Commission scheduled February 7, 2024, for a public hearing on this application (C 230126 ZMQ) and the related application for a zoning text amendment (N 230127 ZRQ). The hearing was duly held on February 7, 2024 (Calendar No.

29). One speaker testified in favor of the application and none in opposition.

The applicant's representative testified in favor of the application. He stated that the applicant seeks a contextual rezoning and zoning text amendment to map MIH Options 1 and 2 for portions of blocks along 30th Avenue, Wellington Court, and 30th Road and he noted that the development site is located on the southern corner of 31st Avenue and 12th Street. He described the surrounding area as having residential buildings ranging from two to six stories in height, concentrations of mixed-use buildings on the wider east-west avenues, and good access to transit. He shared that the proposed development includes a 62,761-square-foot, 3.6 FAR building with residential and commercial uses, and 41 parking spaces. He said there would be a total of 86 dwelling units and 26 of the units would be affordable. He concluded that the requested actions would increase the density while maintaining the residential character of the neighborhood, bring existing commercial uses into conformity, and provide permanently income-restricted housing to the area.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 230126 ZMQ), in conjunction with the related application for a zoning text amendment (N 230127 ZRQ), is appropriate.

Together, these actions will help facilitate the applicant's proposal to develop a new eight-story, 62,761-square-foot building consisting of 86 dwelling units, 26 of which would be permanently income-restricted, and 4,589 square feet of ground-floor retail.

The Commission believes that mapping a new R6A/C2-3 district is appropriate given the surrounding context, land use patterns and conditions. The Commission believes that, in order to advance a broad equity agenda focused on alleviating housing and job insecurity, the city needs to continue to identify areas where the creation of new housing and jobs can be developed near public

transit and major thoroughfares. These fundamental components exist in and around the project area.

The current R4-1, R5B and R6B zoning districts constrain new development through lack of adequate density, limitations on allowable uses and high parking requirements. Extending the existing R6A zoning district south of 30th Avenue will facilitate much needed housing in this section of Astoria and reduce parking requirements in an area well-served by public transit.

The commercial overlay would support local retail that serves the needs of a residential neighborhood. The proposed ground floor retail would also support a more vibrant corner at this intersection, which is in close proximity to well-established commercial corridors such as Astoria Boulevard and 21st Street. The overlay would also bring non-conforming commercial uses within the project area into conformance.

The proposed zoning text amendment to designate the project area as an MIH Area is also appropriate. The designation is consistent with the city's goal to promote the development of affordable housing, as outlined in the Mayor's *Housing Our Neighbors: A Blueprint for Housing and Homelessness*. This project will help address the growing need for more housing in Queens and the broader city, including the creation of affordable housing near transit, schools, and playgrounds.

Although outside the purview of land use review, the Commission acknowledges the Borough President's request to utilize MIH Option 1 which would ensure income-restricted housing is available to families and local residents. The Commission also notes the Borough President's conditions to hire M/WBE firms and working with local organizations which is also outside the purview of land use review.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on October 16, 2023 with respect to this application (CEQR No. 23DCP026Q), 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 Nos. 9a and 9b:

1. changing from an R4-1 District to an R6A District property bounded by a line perpendicular to the southerly street line of Welling Court distant 100 feet westerly from the point of intersection of the southerly street line of Welling Court and the northwesterly street line of 12th Street as measured along the southerly streetline of Welling Court, Welling Court, 12th Street, a line 200 feet southwesterly of 30th Avenue and it's northwesterly prolongation, and a line midway between Welling Court and 12th Street;
2. changing from an R5B District to an R6A District property bounded by 12th Street, a line 150 feet southwesterly of 30th Avenue, a line 100 feet northwesterly of 14th Street, and a line 200 feet southwesterly of 30th Avenue;
3. changing from an R6B District to an R6A District property bounded by 12th Street, 30th Avenue, a line 100 feet northwesterly of 14th Street, and a line 150 feet southwesterly of 30th Avenue;
4. establishing within the proposed R6A District a C2-3 District on property bounded by a line perpendicular to the southerly street line of Welling Court distant 100 feet westerly from the point of intersection of the southerly street line of Welling Court and the northwesterly street line of 12th Street as measured along the southerly streetline of Welling Court, Welling Court, 30th Avenue, a line 100 feet northwesterly of 14th Street, a line 150 feet southwesterly of 30th Avenue and its northwesterly prolongation, and a line midway between Welling Court and 12th Street;

as shown on a diagram (for illustrative purposes only) dated October 16, 2023, and subject to the conditions of CEQR Declaration E-733.

The above resolution (C 230126 ZMQ), duly adopted by the City Planning Commission on March 6, 2024, (Calendar No. 18), 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*

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JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners*