



February 7, 2024 / Calendar No. 25

C 240068 PCQ

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 24-02 49th Avenue (Block 71, p/o Lot 7501, also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle storage, Borough of Queens, Community District 2.

The application for a site selection and acquisition was filed on September 8, 2023, by the New York City Department of Environmental Protection (DEP) and the New York City Department of Citywide Administrative Services (DCAS) to facilitate the relocation of four existing laboratories to a partially vacant 464,138-square-foot, seven-story building located at 24-02 49th Avenue and locate 23 DEP fleet parking spaces on the ground floor of 25-20 Borden Avenue, in the Long Island City neighborhood of Community District 2, Queens.

BACKGROUND

The applicants seek a site selection and acquisition of an approximately 157,110 square feet space within an existing seven-story mixed use building at 24-02 49th Avenue (Block 71, Lot 7501) for laboratory use and an approximately 23,775 square feet space within an existing one-story warehouse building at 25-20 Borden Avenue (Block 68, Lot 55) for fleet parking use. The proposed site would allow for the relocation and consolidation of existing laboratory facilities to a modern and efficient laboratory space. One of the existing DEP laboratory facilities is located at 96-05 Horace Harding Expressway in DEP's headquarters at Lefrak City Plaza in Corona, Queens. DEP began to operate in Lefrak City Plaza in 1990. The existing laboratory facility has been in service for 33 years and is facing efficiency issues that limit operations, such as HVAC failures, leaky roof, poor temperature regulation, unreliable power supply, and more. The other laboratories are located at the Wards Island Wastewater Resource Recovery Facility (WRRF) in Manhattan, and the Newtown Creek WRRF in Brooklyn, and face similar efficiency issues. Following relocation of the current laboratories, the existing laboratories would be repurposed

for non-laboratory use (e.g., office space) by DEP at their headquarters office. The two WRRF's facilities are city owned; at Wards Island the labs are in trailers and the use of these trailers would be discontinued, at Newtown Creek one laboratory would remain at the facility, and this laboratory would have more space to operate. The proposed project would be in close proximity to the applicants' headquarters in Corona, Queens, and would allow staff to easily travel between these facilities to conduct facility operations, if needed.

The building with the proposed space to be selected by the applicants is located on Block 71 (Lot 7501), bounded by 49th Avenue (80 feet wide) to the north, 25th Street to the east (60 feet wide), 50th Avenue to the south (60 feet wide), and Sunnyside Yards to the west. The project site is on Block 71 (Lot 7501) and is developed with a seven-story building containing offices used by the New York City Housing Authority (NYCHA) on the third and fourth floors and vacancy on the fifth and sixth floors, the remaining part of Block 71 is developed with a six-story commercial building (Lot 1) containing local retail uses on the ground floor and offices on the remaining upper floors; a railroad right-of-way used by the City of New York and AMTRAK (Lots 39 and 9); a two-story building (Lot 21) containing light industrial and manufacturing uses, including a landscape architect business; a surface parking lot (Lot 22). The building with the proposed space to be selected for the allocation of fleet vehicle parking is located on Block 68 (Lot 55) bounded by Borden Avenue (80 feet wide) to the north and is otherwise surrounded by Newtown Creek. Block 68 is developed with a one story public facility building, used as a shelter for homeless individuals (Lot 2), a two-story industrial and manufacturing warehouse building containing a building materials supplier (Lot 21), a five-story commercial building that is under development (Lot 38), and lastly, four -one story- connected warehouse buildings containing a parking facility, a safety equipment supplier, and buildings materials supplier (Lot 38).

The area surrounding the two blocks is characterized by industrial, transportation, commercial office, public facilities, and institutional uses. The built form includes a mix of low-scale light industrial/manufacturing buildings ranging from one to five floors, commercial and office buildings ranging from one to nine floors. The southern portion of Block 71 is adjacent to the Queens Midtown Expressway which connects Queens to Manhattan. Major transportation thoroughfares, include 49th Avenue and Skillman Avenue to the north, and 21st Street to the

west. Additionally, the project site is well served by public transportation and include the no. 7 subway line, with the Hunters Point Avenue station located on the subject block. The G subway line is serviced by the 21st Street station, which is located approximately one block northwest. The E and M subway lines are serviced by the Court Square–23rd Street station located on 44th Drive, which is approximately four blocks north of the project area. The Hunters Point Avenue station, which is located across the street from the project area, services the Long Island Railroad (LIRR). The surrounding area also includes several bus lines, such as the Q67 which provides service between Middle Village and Long Island City, the B32 which provides service between Williamsburg and Long Island City, and the B62 which provides service between downtown Brooklyn and Long Island City.

Block 71 is mapped with an M1-4 zoning district, which allows for a range of light industrial uses, offices, laboratories, and other commercial uses. The maximum floor area ratio (FAR) for commercial and industrial uses in an M1-4 district is 2.0. No parking is required, and height is governed by a sky-exposure plane. Block 68 is mapped with an M3-2 zoning district, which allows for heavy industrial uses, open uses and high intensity manufacturing uses with few limitations. Parking, parking garages, and vehicle storage is permitted. The maximum FAR is 2.0 and no parking is required.

The DEP is proposing the relocation of four testing laboratories to be consolidated in 157,110-square-feet of vacant space on the fifth and sixth floors of the existing seven-story building that meets their efficiency and space needs, on Block 71, Lot 7501. The consolidated laboratory facility would acquire three loading docks and nine parking spaces in the loading dock area, located at the rear of the facility along 50th Avenue. The DEP also proposes to locate a fleet parking on the ground floor at 25-20 Borden Avenue, which is two blocks south of the laboratory facility. This parking area would provide 24-hour access for secure vehicle storage and would accommodate 23 parking spaces. Eight of these parking spaces would offer EV charging and two spaces would be reserved as ADA parking spaces in a 23,775-square-foot space on the ground floor of the existing building. In total, the project would have space for 32 fleet parking spaces.

The laboratory facility would be used by the Bureau of Water Supply (BWS), Bureau of Wastewater Treatment (BWT), Bureau of Environmental Compliance (BEC), and the Bureau of Engineering Design and Construction (BEDC). There would be 152 personnel assigned to this facility, and the space would include workstations for employees, freight elevator access, emergency showers, locker rooms, break and lunchrooms, and building security. No new construction or exterior modification would be required; the proposed project would involve the use of existing buildings that would be retrofitted to meet the needs of the laboratory facility operations including HVAC, power, and mechanical infrastructure systems suitable for laboratory work.

ENVIRONMENTAL REVIEW

This application (C 240068 PCQ) 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 agency is the City Planning Commission. The designated CEQR number is 23DEP029Q.

After a study of the potential impacts of the proposed actions in the Environmental Assessment Statement, a Negative Declaration was issued on August 31, 2023.

UNIFORM LAND USE REVIEW

This application (C 240068 PCQ) was certified as complete by the Department of City Planning on September 11, 2023, and duly referred to Queens Community Board 2 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 2 held a public hearing on this application (C 240068 PCQ) on November 2, 2023, and on that date, by a vote of 27 in favor, none opposed, and none abstaining, adopted a resolution recommending approval of the application with the following condition: “That DCAS negotiate green improvements to the building by its Owner, and that such

improvements be negotiated as part of any substantial lease of city space within an existing facility.”

Borough President Recommendation

The Queens Borough President held a public hearing on this application (C 240068 PCQ) on November 30, 2023, and on December 19, 2023, issued a recommendation to approve the application.

City Planning Commission Public Hearing

On December 13, 2023, (Calendar No. 3) the City Planning Commission scheduled January 3, 2024, for a public hearing on this application (C 240068 PCQ). The hearing was duly held on January 3, 2024, (Calendar No. 17). Six speakers testified in favor of the application and none in opposition.

The applicant team, consisting of three representatives from DEP and one representative from DCAS, testified in support of the application. The applicant team provided an overview of the existing conditions and surrounding context, DEP’s mission to enrich the environment and protect New Yorks and how the proposed lab space and requested land use actions supports that mission. A DEP representative explained that the proposed relocation of existing labs, gave an overview of the locations and conditions of existing lab space and overall project details including lease duration. He stated the various laboratories and their functions and that the existing facilities cannot support their current functions due to issues including insufficient space for staff and equipment, insufficient storage space, insufficient electrical power and various aging pieces of infrastructure like HVAC systems and elevators. He further stated how the new space would support the functions of these various laboratories and that the lab space was in the 2023-2024 and 2024-2025 Citywide Statement of Needs. Finally, the representative stated, in response to an earlier question from the Commission, that the existing spaces would be reused for DEP functions including office use and lab space; and that the lab space would be less crowded.

A second representative shared a summary of environmental components of the lab proposal including the Environmentally Preferable Purchasing Program, various Local Laws focused on water and energy efficiency, program specific items like bike storage and EV chargers on-site, Variable Volume Flume hoods and triple glazing of the windows. The first representative went on to describe the parking facility space nearby and how it supports the lab space relocation proposal. He also responded to an earlier question from the Commission regarding resiliency within the flood plain noting that the lab space is on the 5th and 6th floor of the project site building and that the ground floor parking is within the flood plain but consists of mobile uses that could be moved ahead of a known weather event.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application for a site selection and acquisition, is appropriate.

This action would facilitate the relocation and consolidation of four testing laboratories from Corona, Queens, Wards Island and Newtown Creek and support hundreds of personnel in critical divisions within DEP, including the Bureau of Water Supply (BWS), Bureau of Wastewater Treatment (BWT), Bureau of Environmental Compliance (BEC), and the Bureau of Engineering Design and Construction (BEDC). The Commission notes the importance of these facilities in supporting public health and safety for NYC's residents and is pleased to support the efforts for their relocation and consolidation in a space that is currently vacant, is suitable for DEP's use without much alteration, is conveniently located in a transit rich area for staff, and is walking distance to the fleet vehicle storage facility that would accommodate 23 parking spaces for vehicles that are necessary for laboratory operations.

The Commission notes that the need for a new facility was outlined as early as the 2018-2019 Citywide Statement of Needs and updated again in the 2024-2025 Citywide Statement of Needs. The proposed new space meets the siting criteria identified by DEP in the Citywide Statement of

Needs. The site is well located for easy transit and highway access. The proposed square footage would accommodate the necessary staff with proper storage and HVAC systems.

The Commission believes that the site is appropriate and is compatible with the commercial, industrial, public facilities/institutions, and transportation/utility uses that exist in the immediate vicinity of the project site.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on August 31, 2023, with respect to this application (CEQR No. 23DEP029Q), the City Planning Commission finds that the action described herein will have no significant impact on the environment.

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration and findings described in this report, the application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 24-02 49th Avenue (Block 7, p/o Lot 7501) also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle storage, Borough of Queens, Community District 2, is approved.

The above resolution (C 240068 PCQ), duly adopted by the City Planning Commission on February 7, 2024 (Calendar No. 25), 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*

GAIL BENJAMIN, ALFRED C. CERULLO, III, ANTHONY CROWELL, Esq., JOSEPH I. DOUEK, DAVID GOLD, Esq., RASMIA KIRMANI-FRYE, ORLANDO MARÍN, JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners*



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 24-02 49th Ave DEP Site Selection & Acquisition			
Applicant:	DEP - New York City Department of Environmental Protection	Applicant's Primary Contact:	Terrell Estes
Application #	240068PCQ	Borough:	
CEQR Number:	23DEP029Q	Validated Community Districts:	Q02

Docket Description:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 24-02 49th Avenue (Block 71, p/o Lot 7501, also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle storage, Borough of Queens, Community District 2

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

RECOMMENDATION: Conditional Favorable			
# In Favor: 27	# Against: 0	# Abstaining: 0	Total members appointed to the board: 46
Date of Vote: 11/2/2023 12:00 AM		Vote Location: 43-31 39th Street	

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

Date of Public Hearing: 11/2/2023 6:30 PM	
Was a quorum present? Yes	<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:	43-31 39th Street

CONSIDERATION:

Recommendation submitted by	QN CB2	Date: 12/4/2023 3:46 PM
-----------------------------	--------	-------------------------



Donovan Richards
Queens Borough President

Community Board No. 2

43-22 50th Street, 2nd Floor
Woodside, New York 11377

(718) 533-8773

Fax (718)-533-8777

Email qn02@cb.nyc.gov
www.nyc.gov/queenscb2

Danielle Brecker
Chairperson
Debra Markell Kleinert
District Manager

November 3, 2023

Rohit T. Aggarwala
Commissioner
NYC Department of Environmental Protection
59-17 Junction Blvd
Queens, NY 11368

RE: DEP Site Selection & Acquisition 24-02 49th Avenue, LIC, NY

Dear Commissioner Aggarwala:

On November 2, 2023 Community Board 2 held a public hearing on the DEP Site Selection and Acquisition for 24-02 49th Avenue, LIC.

At that meeting with a quorum present, a motion was made and seconded to approve the application with the stipulation that DCAS negotiate green improvements to the building by its Owner, and that such improvements be negotiated as part of any substantial lease of city space within an existing facility. All were in favor of the motion; none opposed and no abstentions.

Please contact CB 2 if you have any questions at (718) 533-8773.

Sincerely,

Debra Markell Kleinert
District Manager

DMK/mag

Cc: Honorable Grace Meng, US Congress
Honorable Nydia M. Velazquez, US Congress
Honorable Michael Gianaris, NY State Senate
Honorable Kristen Gonzalez, NY State Senate
Honorable Jessica Ramos, NY State Senate

Honorable Juan Ardila, NYS Assembly
Honorable Jessica Gonzalez-Rojas, NYS Assembly
Honorable Zohran Mamdani, NYS Assembly
Honorable Steven Raga, NYS Assembly
Honorable Robert Holden, NYC Council Member
Honorable Shekar Krishman, NYC Council Member
Honorable Donovan Richards, Queens Borough President
Danielle Brecker, Chairperson, Community Board 2
Christine Hunter, Chair, Land Use & Housing Committee
Teal Delys, DCP
Bri Mejia, DCP
Terrell Estesén, DEP
Robert Olivari, DEP



BOROUGH PRESIDENT RECOMMENDATION

Project Name: 24-02 49th Ave DEP Site Selection & Acquisition	
Applicant: DEP - New York City Department of Environmental Protection	Applicant's Administrator: Terrell Estesén
Application # 240068PCQ	Borough: Queens
CEQR Number: 23DEP029Q	Validated Community Districts: Q02

Docket Description:

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 24-02 49th Avenue (Block 71, p/o Lot 7501, also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle storage, Borough of Queens, Community District 2

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

RECOMMENDATION: Favorable

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

CONSIDERATION:

Recommendation submitted by	QN BP	Date: 12/19/2023 11:33 AM
-----------------------------	-------	---------------------------

Queens Borough President Recommendation

APPLICATION: 24-02 49th Ave DEP Site Selection & Acquisition
COMMUNITY BOARD: Q02

DOCKET DESCRIPTION

ULURP #240068 PCQ – IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 24-02 49th Avenue (Block 71, p/o Lot 7501, also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle storage, Borough of Queens, Community District 2.

PUBLIC HEARING

A Public Hearing was held by the Land Use Director on behalf of the Queens Borough President in the Borough President's Conference Room at 120-55 Queens Boulevard, Kew Gardens NY 11424 as well as via Zoom webinar and livestreamed on www.queensbp.org on Thursday, November 30 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 seeking to select and acquire a new lab and storage space for the Department of Environmental Protection in the Long Island City section of Queens: 24-02 49th Avenue (Block 71, p/o Lot 7501, also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle parking. The areas are bounded by a) 49th Avenue to the north, Amtrak and LIRR tracks to the west, 50th Avenue to the south, and 25th Street to the east (24-02 49th Avenue); and b) bounded by Borden Avenue to the north, the Dutch Kills tributary to Newtown Creek to the east, an industrial and manufacturing lot to the west, and LIRR tracks to the south (25-20 Borden Ave);
- The Proposed Development would include a seven-story, 89ft tall, 157,110-SF manufacturing space with 32 parking spaces at 25-20 Borden Avenue. The site is currently improved with an existing building constructed in 1928 and is also used by NYCHA. The 5th and 6th floors of the building will be used by the Department of Environmental Protection. The Borden Avenue site is currently improved with four one-story buildings and vacant space;

- Within a ¼-mile radius of the Rezoning area, the predominant zoning classes are M1-5/R9, M1-4, and M3-1. The surrounding uses are mainly light industrial with some residential units. The Q67, B32, and B62 buses are within a quarter-mile from the site. The Court Sq E/M train station is also within a quarter-mile of the site, along with the Long Island Expwy;
- The Development Site has not been subject to any recent zoning map amendments. The current M1-1 zoning district has existed since 1961. The relocation of the testing laboratories from the current Lefrak City Plaza location was included in the Fiscal Years (FY) 2024-2025 Citywide Statement of Needs (it was first proposed in FY 2018-2019). The 2024-2025 Citywide Statement of Needs indicates that the new facility would require 100,000 square feet of laboratory space to accommodate 111 laboratory staff, 32 parking spaces, transit access, truck access, and highway access.
- On November 2, 2023, Community Board 2 (CB2) held a hearing on the application – there was unanimous approval with zero abstentions. They had the following conditions:
 - DCAS should negotiate green improvements to the building by its Owner, and that any such improvements be negotiated as part of any substantial lease of city space within an existing facility.
- At the Borough President's Land Use Public Hearing, the Land Use Director chaired the hearing on behalf of the Borough President. The applicant's team presented their plans, with special attention to environmental components of the lab proposal: they City will use Environmentally Preferable Purchasing Program; Local Law 57 compliance (water-efficient plumbing fixtures); Local Law 31, 32 and 86 compliances (related to LEED certification); bike storage; EV chargers; triple-glazed windows and Variable Volume Fume hoods. The Land Use Director asked a question regarding the future of the soon-to-be vacated laboratory spaces, to which the Applicant replied old trailers on Wards Island would be disposed, and administrative space would take precedence in the former spaces by Newtown Creek and LeFrak City. No public speakers testified for this application and the item was closed.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval.



 PRESIDENT, BOROUGH OF QUEENS

12/19/2023

 DATE