LR ITEM 3: Project Description
97-27 57th Avenue Rezoning
December 8, 2021

I. Introduction

SWDM 57 LLC (the "Applicant"), the development manager of the property located at 97-27 57th Avenue (Queens Block 1906, Lot 1) (the "Development Site"), seeks a zoning map amendment (the "Rezoning") to map a C2-4 commercial overlay within 185 feet of the north side of 57th Avenue on the west half of Block 1906 and within 160 feet of the north side of 57th Avenue on the east side of Block 1906 (the "Proposed Rezoning Area"). The Rezoning would facilitate the expansion and modernization of the existing supermarket on the Development Site (the "Supermarket"), with an as-of-right residential component to be constructed pursuant to the Development Site's existing R6B and R6A zoning (the "New Building").

II. Background

The Development Site is in an R6A/C1-2 zoning district within 100 feet of 57th Avenue and an R6B zoning district beyond 100 feet of 57th Avenue. These existing zoning districts were the result of a 1963 rezoning (A-299, A-301) to map the C1-2 commercial overlay within 100 feet of 57th Avenue and a 1989 rezoning (A-1544) that rezoned the Development Site and surrounding blocks from an R6 zoning district to their existing contextual zoning districts.

The Development Site has been under the BSA's jurisdiction since February 27, 1962, when the BSA granted a variance to permit construction of the single-story Supermarket with accessory parking in the then-R6 zoning district (no commercial overlay) for a term of 25 years (BSA Cal. No. 549-61-BZ) (the "Variance"). After this initial grant, the BSA several times extended the term of the Variance (the current term expires February 27, 2027) and allowed for some modifications to the building (BSA Cal. No. 81-74-BZ). Although the Development Site now has a C1-2 commercial overlay in the R6A portion of the Development Site, the Variance is still necessary for the portion of the Supermarket located in the R6B district, in which commercial uses are not permitted.

The Department of City Planning is currently pursuing a text amendment to the Zoning Resolution that would expand the zoning incentives of the Food Retail Expansion to Support Health Program ("FRESH") to new areas of the City, including the Development Site. The FRESH program seeks to encourage development of grocery stores offering fresh foods in communities throughout the City lacking in neighborhood grocery options. FRESH zoning incentives include floor area bonuses for mixed-use buildings, height increases and parking relief.

There have been no City Planning actions within 600 feet of the Development Site in the last 20 years.

III. Description of the Surrounding Area

The Development Site is in R6A/C1-2 and R6B zoning districts, described in detail in the following section.

The superblock immediately south of the Development Site is improved with Lefrak City, a 4,605-unit tower-in-the-park apartment complex located between Junction Boulevard to the west, 57th Avenue to the north, 99th Street to the east and the Long Island Expressway to the south. Lefrak City also includes approximately 720,500 sf of commercial floor area, including a 20-story office building constructed in 1970 and primarily occupied by City, State and Federal agencies; a six-story office building; a two-story public parking garage; a post office; and a diner. The majority of Lefrak City is in an R6 zoning district (with a C1-2 commercial overlay mapped along its 99th Street frontage). R6 districts are medium-density residence districts with either height factor or Quality Housing bulk regulations, where the maximum permitted floor area ratio ("FAR") for residential uses ranges from 0.78 to 2.43 depending on height factor, or 3.0 FAR within 100 feet of a wide street and 2.2 FAR beyond 100 feet of a wide street for Quality Housing buildings. R6 districts allow up to 4.8 FAR of community facility development. Quality Housing buildings in R6 districts can have a maximum height of 70 feet, or 75 feet on wide streets with provision of a qualifying ground floor; the maximum height of non-quality housing buildings, including community facility buildings, is governed by a sky exposure plane. In R6 zoning districts, parking is required for 70% of dwelling units (50% for Quality Housing buildings).

The southwest portion of Lefrak City is in a C4-4 zoning district. C4-4 zoning districts are generally mapped as regional commercial centers. They are medium-density districts that allow up to 6.5 FAR, all of which can be used for community facility use, 3.4 FAR of which can be used for commercial use and 3.44 or 4.0 of which can be used for residential uses, depending on whether the development is height factor or Quality Housing and its location with regard to a wide street. Maximum height in C4-4 zoning districts is governed by a sky exposure plane, but community facility buildings or portions of buildings may penetrate the sky exposure plane pursuant to tower regulations. In C4-4 zoning district, parking requirements for commercial uses vary by use, and parking is required for 50% of dwelling units.

The area east of the Development Site is in an R7B zoning district that extends from 98th and 99th Street east to the east side of Calloway Street and south to the LIE. A second R7B zoning district west of the Development Site is roughly bounded by Junction Boulevard, the LIE, 94th Street and 56th Avenue, terminating northeast of Queens Boulevard. R7B districts are contextual districts that allow up to 3.0 FAR of residential or community facility development. Quality Housing buildings in R7B districts can have a maximum height of 75 feet. The R7B district east of the Development Site is improved with the Queensland apartment complex, a series of 6-story (plus basement) residential buildings. In R7B zoning district, parking is required for 50% of dwelling units. The R7B district west of the Development Site is improved with residential buildings ranging from three to seven stories.

The area north of the Development Site is in an M1-1 zoning district generally bounded by 55th Avenue, the midblock of 97th Street and Place, the north side of 50th Avenue and 99th Street. M1-

1 zoning districts are light industrial, low-density zoning districts. They permit a maximum 1 FAR of manufacturing or commercial development and up to 2.4 FAR of limited community facility uses. In M1-1 districts, buildings can have a maximum front wall height of 30 feet (or two stories, whichever is less) and then must set back 20 feet from a narrow street or 15 feet from a wide street. Maximum building heights are governed by a sky exposure plane and tower regulations do not apply. Parking in M1-1 districts depends on use. The M1-1 district north of the Development Site is improved with one to two story buildings that include uses such as auto body shops and warehousing. The M1-1 district is also improved with a ConEdison facility on the block bounded by 55th Avenue to the south, 99th Street to the east, Christie Avenue to the north and 98th Street to the west.

There is a large R5 zoning district located northwest of the Development Site, generally bounded by 97th and 96th Streets, the east side of Junction Boulevard, 100' north of 57th Avenue and just south of 50th Avenue. R5 zoning districts are medium-density residence districts that typically allow for up to 1.25 FAR of residential development or 2.0 FAR of community facility development. In predominantly built-up areas, R5 districts allow for development of 1.65 FAR of residential floor area on corner lots and 1.8 FAR of residential development on interior and through lots. R5 zoning typically results in the construction of one- to three- family homes with front and rear yards, rising to a height of no more than 40 feet. Parking must be provided for 85 percent of residential units where group parking facilities are provided, or one space per residential unit where individual parking facilities are provided.[1] The R5 zoning district northwest of the Development Site is largely improved with two to three story residential buildings, often with individual parking facilities on the ground floor and front yards, also used for parking.

There are a number of institutional uses in the Development Site's surrounding area, mainly concentrated on the Lefrak City superblock. The St. Paul the Apostle Roman Catholic Church (98-16 55th Avenue) is located northeast of the Development Site. The Lefrak City superblock contains a branch of the New York City Public Library, a food distribution center, the United Trinity Baptist Church, the Masjid Nur Allah Mosque, a Post Office and several day care facilities.

The Development Site is well-served by public transit. The Q38, QM10, QM11 and QM40 busses stop directly adjacent to the Development Site on 57th Avenue. The Q38 bus runs between Corona, Rego Park and Middle Village in Queens. The QM10 bus runs between Rego Park, Queens and Midtown Manhattan (via Sixth Avenue). The QM11 bus runs between Forest Hills, Queens and Downtown Manhattan. The QM40 bus runs between Rego Park, Queens and Midtown Manhattan (via Third Avenue). The Q72 bus, with service between Rego Park, Queens and LaGuardia Airport, stops west of the Development Site at 57th Avenue and Junction Boulevard. The Q88 bus, with service between Elmhurst and Queens Village, stops southwest of the Development Site at 58th Avenue and 94th Street. The Woodhaven Boulevard M/R Subway Station is located approximately half-a-mile southwest of the Development Site.

[1] In R5 districts in predominantly built-up areas, two parking spaces must be provided for two- and three-family residences.

IV. Description of the Proposed Rezoning Area

The Proposed Rezoning Area includes the Development Site, the southernmost approximately 1.3 feet of 55-31 97 Place (Block 1906, Lot 11) and the southernmost approximately 1.9 feet of 55-30 98th Street (Block 1906, Lot 43). Lots 11 and 43 are in an R6B zoning district. Lot 11 is an approximately 2,250 sf lot improved with a two-story residential building, also controlled by the Applicant. Lot 43 is a 2,000 sf lot improved with a three-story residential building containing three dwelling units. The Development Site is discussed in the next section.

The Development Site's current R6A/C1-2 zoning district allows for development of up to 3.0 FAR, all of which can be used for residential or community facility use and up to 2.0 FAR of which can be used for commercial use. However, in a mixed-use building, commercial uses are limited to the ground floor. Developments in R6A/C1-2 zoning districts must have a minimum base height of 40 feet and can have a maximum base height of 65 feet (with qualifying ground floor) before setting back 10 feet from a wide street or 15 feet from a narrow street. Developments can then rise to a maximum 75 feet/seven stories. Parking in the R6A/C1-2 district must be provided for 50 percent of dwelling units. Parking requirements vary for commercial uses, but for food stores larger than 2,000 sf, parking must be provided at a rate of one space per 200 sf of floor area. Loading berths for supermarkets are required as follows: no loading berth is required for the first 8,000 sf; one loading berth is required for the next 17,000 sf; one loading berth is required for the next 15,000 sf; one loading berth is required for the next 20,000 sf; one loading berth is required for the next 40,000 sf; and one loading berth is required for each additional 150,000 sf or fraction thereof.

The Proposed Rezoning Area's current R6B zoning district allows for development of up to 2.0 FAR of residential or community facility use. Developments in R6B zoning districts must have a minimum base height of 30 feet and can have a maximum base height of 45 feet before setting back 10 feet from a wide street or 15 feet from a narrow street. Developments can then rise to a maximum 55 feet/five stories. Parking in R6B districts must be provided for 50 percent of dwelling units.

V. Description of the Development Site

The Development Site has a lot area of 34,178 sf. The Development Site has 20,055 sf (58.7%) of its area in an R6A/C1-2 zoning district and 14,123 sf (41.3%) of its area in an R6B zoning district. The Development Site is improved with a 23,894 sf, one-story supermarket (the "Supermarket Building") constructed pursuant to the Variance.

The Supermarket Building is located on the western portion of the Development Site, with largely blank walls fronting on 97th Place and 57th Avenue. The eastern portion of the Development Site's 57th Avenue and the Development Site's 98th Street frontage are taken up by the site's existing 21-car parking lot. The parking lot is accessed by a curb cut on 57th Avenue and cars exit the parking lot at a second curb cut on 98th Street, near the Development Site's northern boundary. This second curb is also used to access the Supermarket Building's loading berth, located along the northern boundary of the Development Site.

The Supermarket Building's entrance is located at the southeast corner of the building, fronting onto the parking lot. The Supermarket Building's frontage along the parking lot is glazed. The parking lot is enclosed by a fence, and a recycling kiosk is located at the corner of 57th Avenue and 98th Street.

VI. Description of the Proposed Development

The Rezoning would facilitate the development of the New Building, an approximately 88,400 sf mixed-use building. The New Building would contain approximately 24,500 sf of supermarket floor area on the ground floor, plus an additional 5,000 sf of supermarket back-of-house and 25 supermarket parking spaces in the cellar and an approximately 3,000 sf of loading space on the ground floor. The New Building's 41 residential parking spaces would be located on the second floor and with approximately 82 dwelling units above. The New Building would contain a total of approximately 62,000 sf of market-rate housing pursuant to the Development Site's existing residential zoning districts. The Applicant is contemplating an Affordable New York residential component.

The New Building would rise to 75 feet/6 stories on 57th Avenue, with a setback above the 5th floor. The New Building would be 31 feet/2 stories on the majority of the Development Site's 97th Place frontage, and would be between 3 and 4 stories (a maximum 55') on the majority of the Development Site's 98th Street frontage. The New Building would have three curb cuts – two on 98th Street, providing access to the New Building's loading berth (a 24-foot-wide curb cut including splays) and residential parking (a 12-foot-wide curb cut including splays), and one on 97th Street, providing access to the proposed supermarket's parking (an 18-foot-wide curb cut, including splays).

VII. Actions Necessary to Facilitate the Proposed Development

Extending the commercial overlay to cover the entire Development Site would facilitate development of the New Building, containing both the supermarket and residential apartments above, and would allow the Applicant to abandon the Variance. The existing supermarket on the Development Site is one of few supermarkets serving the dense residential area of LeFrak City and its surrounding blocks. However, use of the Development Site for a 23,894 sf (or .7 FAR) supermarket represents underutilization of the property. The Rezoning would allow for development of the Development Site with currently available residential FAR, without having to sacrifice the supermarket. Instead, pursuant to the proposed C2-4 commercial overlay, the New Building could incorporate a larger, modernized supermarket with residential uses above.

Introduction of the C2-4 commercial overlay will also reduce the supermarket's parking requirement from one space per 200 sf to one space per 1,000 sf. This reduction, combined with extending a commercial overlay over the full Development Site, would allow the supermarket's parking to be located in the New Building's cellar, rather than in an outdoor parking lot. The existing supermarket currently has 21 parking spaces in an outdoor lot, and the proposed supermarket would have 25 parking spaces in the New Building's cellar. The new C2-4 commercial overlay would also allow for a larger range of local retail uses on the Development Site (however, the Applicant's main business is supermarkets).

Redevelopment of the Development Site will also give the Applicant the opportunity to improve the Development Site's streetscape. The proposed new building would introduce a continuous street wall on the Development Site's three street frontages, broken up by glazing and articulation, in place of existing outdoor parking and long, blank walls on the side streets.

VIII. Conclusion

The Rezoning would allow for the modernization of an existing supermarket that has been part of the surrounding community since the 1960s and would allow the Applicant to use the Development Site's existing residential zoning to its full potential.