27-24 COLLEGE POINT BOULEVARD COMMERCIAL OVERLAY
NOVEMBER 1, 2021

1. INTRODUCTION

The applicant, Bacele Realty Corp., seeks a zoning map amendment to rezone 27-18, 27-20 and 27-24 College Point Boulevard, 119-57 27th Avenue and 120-35 28th Avenue, Block 4292, p/o Lots 10, 11, 12, 60 and 75 (the "Proposed Project Area"), in the Flushing neighborhood of Queens Community District 7, from (1) an R5B zoning district to an R5B/C2-3 zoning district, and (2) an R4 zoning district to an R4/C2-3 zoning district. The proposed zoning map amendment will facilitate the development of a new one-story commercial building with a total floor area of approximately 2,541 square feet (0.44 FAR) (the "Proposed Development") to be constructed at 27-24 College Point Boulevard, Block 4292, Lot 12 (the "Proposed Development Site").

2. BACKGROUND

City Planning Commission
The Proposed Project Area was originally mapped as an R4 zoning district in 1961. In 2005, the College Point Rezoning (C 050482 ZMQ) rezoned all or portions of 161 blocks within the College Point neighborhood and rezoned the Proposed Project Area from an R4 zoning district to a split zoning district consisting of an R4 zoning district and an R5B zoning district.

Board of Standards and Appeals
The Proposed Development Site was granted a variance by the BSA in 2014 (BSA 279-12-BZ) to permit the development of a two-story UG 6 bank. Since then, the applicant has been unable to find a bank tenant to occupy the BSA-approved building. The proposed zoning map amendment will allow the applicant greater flexibility in finding a commercial tenant and developing a commercial building consistent with the character of the surrounding area.

3. DESCRIPTION OF THE SURROUNDING AREA

Zoning
The area within a 600-foot radius of the Proposed Project Area (the "Surrounding Area") is zoned R4, R4A, R5B, M1-1 and M2-1.

R4 zoning districts are residential zoning districts that allow all types of housing. The maximum permitted 0.75 FAR in R4 districts, plus an attic allowance of up to 20% for the inclusion of space beneath a pitched roof, often produces buildings with three stories. To accommodate a potential third floor beneath a pitched roof, the perimeter wall in R4 districts may rise to 25 feet before being set back to the maximum building height of 35 feet. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to provide sufficient space for on-site parking. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon. Detached houses must also have two side yards that total at least 13 feet and each one must be at least 5 feet wide. Semi-detached buildings need 1 side yard with a minimum of 8 feet. The maximum street wall length for a building on a single zoning lot is 185 feet. One off-street parking spot is required for each dwelling unit.

R4A zoning districts are contextual districts that only permit one- and two-family detached residences. Characterized by houses with two stories and an attic beneath a pitched roof, R4A districts have an FAR of up to 0.75 (plus an attic allowance of up to 20%) and a minimum lot width of 30 feet. The perimeter wall of a house may rise to 21 feet before sloping or being set back to the maximum building height of 35 feet. A front yard must be at least as deep as an adjacent front yard and at least 10 feet deep, but it need not exceed a depth of 20 feet. A 30 foot deep rear yard, and two side yards that total at least 10 feet with a minimum width of two feet each are also required. There must be at least eight feet between buildings containing residences on adjacent lots. Parking must be located in the side or rear yard and the driveway must be within the side lot ribbon. If the lot is 35 feet or wider, a garage is permitted within the house, provided the driveway

is at least 18 feet deep to prevent cars from jutting onto the sidewalk. One off-street parking space is required for each dwelling unit.

R5B zoning districts are contextual districts which permit detached, semi-detached, attached and zero lot line residences. The maximum permitted FAR of 1.35 typically produces a building with a maximum street wall height of 30 feet, above which the building slopes or is set back to a maximum height of 33 feet. The front yard must be at least five feet deep and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. Curb cuts are prohibited on zoning lot frontages less than 40 feet. Where off-street parking is required, on-site spaces must be provided for two-thirds of the dwelling units although parking can be waived when only one space is required.

M1-1 zoning districts are manufacturing districts which permit commercial, light industrial, and select community facility uses, generally including retail uses, woodworking shops, repair shops, and wholesale service and storage facilities. All permitted industrial uses must meet M1 performance standards. The maximum permitted FAR is 1.0 for industrial and commercial uses and 2.4 for certain community facility uses. Required off-street parking varies by use.

M2-1 zoning districts are manufacturing districts which occupy the middle ground between light and heavy industrial areas. Required performance standards in all M2 districts are lower than in M1 districts. Except when M2 uses border on a residence district, higher levels of noise and vibration are allowed, smoke is permitted and industrial activities need not be entirely enclosed. The maximum permitted FAR is 2.0 for industrial uses. Required off-street parking varies by use.

Land Uses and Prevailing Built Form
The land uses with the Surrounding Area consist primarily of residential, commercial and manufacturing/industrial uses.

Within the Surrounding Area the prevailing residential built form generally consists of one- to three-story, one-, two- and multi-family walk-up residential buildings located to the north and west of the Proposed Project Area, located within the R4, R4A and R5B zoning districts. To the south and east of the Proposed Project Area lie mostly one- and two-story manufacturing/industrial and commercial uses, located within the M1-1 and M2-1 zoning districts. Two two-story commercial buildings are also located within the Proposed Project Area. A gas station is located directly east of the Proposed Project Area across College Point Boulevard and a one-story industrial building is located directly south across 28th Avenue. Additionally, the NYPD Police Academy is located southeast across College Point Boulevard.

Mass Transit
Public transportation in the area is largely served by local MTA bus services along College Point Boulevard (Q65).

4. DESCRIPTION OF THE PROPOSED PROJECT AREA

The Proposed Project Area includes 27-18, 27-20 and 27-24 College Point Boulevard, 119-58 27th Avenue and 120-35 28th Avenue, Block 4292, p/o Lots 10, 11, 12, 60 and 75 in the Flushing neighborhood of Queens Community District 7. The Proposed Project Area is split between R4 and R5B zoning districts.

27-18 College Point Boulevard (Lot 10) is an approximately 1,660 square foot lot improved with an approximately 1,820 square foot (1.1 FAR), two-story, legal non-conforming mixed-use commercial and residential building built in 1930.

27-20 College Point Boulevard (Lot 11) is an approximately 1,905 square foot lot improved with an approximately 1,820 square foot (0.96 FAR), two-story, legal non-conforming mixed-use commercial and residential building built in 1930.

27-24 College Point Boulevard (Lot 12) is an approximately 5,765 square foot vacant lot.

119-58 27th Avenue (Lot 60) is an approximately 12,300 square foot lot improved with an approximately 17,493 square foot (1.42 FAR) three-story, multi-family residential building with 30 dwelling units built in 1966.

120-33 28th Avenue (Lot 75) is an approximately 1,980 square foot lot improved with an approximately 945 square foot (0.48 FAR) two-story, single-family residential building bult in 1925.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE

The Proposed Development Site is 27-24 College Point Boulevard (Lot 12). The Proposed Development Site is located on the corner of the intersection formed by College Point Boulevard and 28th Avenue, with approximately 66 feet of frontage on College Point Boulevard, approximately 130 feet of frontage on 28th Avenue and a total lot area of approximately 5,765 square feet. The Proposed Development Site is a vacant and unimproved lot.

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed rezoning will facilitate the development of a new one-story commercial building with a total floor area of approximately 2,541 square feet (0.44 FAR) at the Proposed Development Site.

The Proposed Development will consist of a UG 6 eating and drinking establishment with an accessory drive-through. Five accessory parking spaces will be located in the rear. The proposed drive-through and parking will be accessed by a 10’-0” curb cut along College Point Boulevard. Patrons and cars going through the drive-through will exit the site through a 22’-0” curb cut on 28th Avenue.

7. ACTION NECESSARY TO FACILITATE THE PROPOSAL

The proposed zoning map amendment to rezone (1) an R5B zoning district to an R5B/C2-3 zoning district, and (2) an R4 zoning district to an R4/C2-3 zoning district at the Proposed Project Area is necessary to facilitate the development of the proposed one-story commercial building at the Proposed Development Site. The proposed C2-3 overlay will extend to the centerline of Block 4292 and will be mapped to a depth of 135’-0” from College Point Boulevard.

The existing R5B and R4 zoning districts at the Proposed Project Area do not reflect the existing uses within the south east corner of this block front. The proposed zoning map amendment to add the C2-3 commercial overlay over the Proposed Project Area appropriately reflects the existing uses within the Proposed Project Area and reinforces the mixed-use character of College Point Boulevard. The proposed C2-3 commercial overlay is appropriate as College Point Boulevard in this vicinity is dominated by commercial and industrial/manufacturing uses. The proposed commercial overlay would also better integrate and transition the manufacturing districts to the south and the residential districts to the north.

The proposed rezoning will provide the applicant with a more predictable land use framework to support the appropriate proposed commercial use at the Proposed Development Site. Additionally, the proposed C2-3 commercial overlay will bring the existing commercial establishments located within the Proposed Project Area into conformance.

8. CONCLUSION

As discussed above, the applicant proposes a zoning map amendment to rezone (1) an R5B zoning district to an R5B/C2-3 zoning district, and (2) an R4 zoning district to an R4/C2-3 zoning district at the Proposed Project Area. The proposed zoning map amendment will facilitate the construction of a new one-story commercial building at the Proposed Development Site and will bring the existing commercial establishments located within the Proposed Project Area into conformance.