21-17 37th Avenue Rezoning
Queens Community District 1
March 20, 2023

1. Introduction

21-17 37th Ave LLC (the "Applicant") proposes a zoning map amendment to change an existing M1-1 zoning district to an M1-5 district in the Long Island City neighborhood within Queens Community District 1. The proposed project area consists of Block 348, Lots 1, 2, and parts of 6 and 35 (the "Project Area"). The proposed zoning map amendment would facilitate the development of 21-17 37th Avenue (Block 348, Lot 2) (the "Development Site") with a new seven-story mixed manufacturing and commercial building.

2. Background

The Development Site has not been subject to any recent zoning map amendments. The current M1-1 zoning district has existed since 1961.

In 2008 a large portion of the Dutch Kills neighborhood to the southeast of the Project Area was rezoned as part of the Dutch Kills Rezoning (C 080429 ZMQ, effective October 7, 2008). The Dutch Kills Rezoning rezoned 40 blocks adjacent to Sunnyside Yards and just north of Queens Plaza and the Long Island City core. The rezoning aimed to provide residential and mixed-use development at an appropriate scale with the surrounding context; provide incentives for affordable housing in areas proposed for higher mixed-use development; direct new development at higher densities to wider streets; support existing light industrial business; and reinforce the mixed-use residential and light-industrial/commercial context. The rezoning changed M1-1 and M1-3D districts to M1-2, M1-2/R5B, M1-2/R5D, M1-2/R6A and M1-2/R7X districts and established a Special Long Island City District.

In 2010, the western portion of Block 351 and all of Block 352 (located approximately 450 feet to the west of the Project Area) was rezoned as part of the Hour Children Rezoning (C 100145 ZMQ, effective September 16, 2010). The blocks were rezoned from an M1-1 zoning district to R5D and R5D/C1-3 zoning districts to facilitate the development of 18 units of permanently affordable housing in Ravenswood Queens.

In 2018, a the eastern portion of Block 331 (located approximately 825 feet northwest of the Project Area) was rezoned as part of the 11-14 35th Avenue Rezoning (C 180211 ZMQ), effective October 31, 2018). The rezoning changed an R5 zoning district to R6A and R6A/C1-3 zoning districts to permit the development of a new eight-story mixed-use building at 11-14 35th Avenue in Ravenswood, Queens.

3. Description of Surrounding Area

The Project Area is located within the Long Island City neighborhood within Queens Community District 1. Existing land uses within 600 feet of the Project Area (the "Surrounding Area") primarily consist of industrial, commercial, and multi-family walk-up and elevator buildings. The commercial and manufacturing buildings range from one- to four-stories in height and are located predominantly to the south, west and east of the Project Area. Two- and three-story residential buildings are located on the eastern portion of the Surrounding Area. To the north of the Project Area are the NYCHA Ravenswood Houses. The Ravenswood Housing Complex consists of approximately 31 six-story multi-family buildings.

Industrial and manufacturing uses are mainly light industrial as warehouses, a dry foods wholesaler, furniture manufacturers, an electrical supply store, and food manufacturers. Major commercial uses are located along 36th Avenue, including a supermarket, pharmacies, restaurants, and a cell phone store. Transportation uses in the area are primarily automotive related, including a mix of auto body shops, auto parts stores, gas stations, and a car rental business. Notable community facilities within the Surrounding Area include: PS 111 Jacob Blackwell located at 37-15 13th Avenue, the Queens Public Library at Long Island city 37-44 21st Street, the ASPCA at 36-02 14th Street, and the Community Healthcare Network at 36-11 21st Street.

The existing zoning districts in the Surrounding Area include:

M1-1
The Project Area is located at the edge of an M1-1 zoning district established in 1961. The existing M1-1 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses (houses of worship and ambulatory diagnostic facilities are permitted as-of-right), and commercial uses. Residential use is not permitted in M1-1 districts. The maximum FAR for permitted manufacturing and commercial uses within the M1-1 district is 1.0 and 2.4 for permitted community facility uses. The maximum height of a front wall can be 30 feet or two stories, whichever is less. There are no front yard or side yard requirements in an M1-1 zoning district. A 20-foot rear yard is required for interior lots. Building heights are governed by the sky exposure plane. In an M1-1 zoning district, the sky exposure plane begins at 30 feet or two stories. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area. In M1-1 districts, the off-street parking requirement may be waived if fewer than fifteen spaces are required.

M1-3
An M1-3 zoning district is located to the south of the Project Area. The existing M1-3 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses (houses of worship and ambulatory diagnostic facilities are permitted as-of-right), and commercial uses. Residential use is not permitted in M1-3 districts. The maximum FAR for permitted manufacturing and commercial uses within the M1-3 district is 5.0 and 6.5 for permitted community facility uses. The maximum height 85 feet or six stories, whichever is less. There are no front yard or side yard requirements in an M1-3 zoning district. A 20-foot rear yard is required for interior lots. Building heights are governed by the sky exposure plane. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area and varies by use. In M1-3 districts, the off-street parking requirement may be waived if fewer than fifteen spaces are required.

M1-2
A small portion of an M1-2 zoning district is located to the southeast of the Project Area. The existing M1-2 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses (houses of worship and ambulatory diagnostic facilities are permitted as-of-right), and commercial uses. Residential use is not permitted in M1-2 districts. The maximum FAR for permitted manufacturing and commercial uses within the M1-1 district is 2.0 and 4.8 for permitted community facility uses. The maximum height of a front wall can be 60 feet or four stories, whichever is less. There are no front yard or side yard requirements in an M1-2 zoning district. A 20-foot rear yard is required for interior lots. Building heights are governed by the sky exposure plane. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area and varies by use. In M1-2 districts, the off-street parking requirement may be waived if fewer than fifteen spaces are required.

R5 and R5/C1-3
R5 and R5/C1-3 zoning district are located to the north and east of the Project Area. R5 zoning districts permit a variety of housing with a maximum FAR of 1.25 and a maximum height of 40 feet. R5 zoning districts provide a transition between lower-and higher density neighborhoods. The maximum streetwall height is 30 feet and a 15 foot setback is required above a height of 30 feet. Detached houses are required to have two side yards that total at least 13 feet (each a minimum width of five feet) and semi-detached houses need one eight foot wide side yards. Off-street parking is required for 85% of the dwelling units in the buildings, but lower for Income Restricted Housing Units and further modified within a Transit Zone.

C1-3 commercial overlays are mapped within residential zoning districts and are generally mapped along streets that serve local retail needs. C1 retail uses generally include neighborhood grocery stores, restaurants, and beauty parlors. C1-3 overlays have a maximum commercial FAR of 1.0 when mapped within an R5 zoning district. C1-3 overlays required 1 parking spot per 400 square feet of floor area for general retail or service uses.

Public Transportation

The Project Area is served by public transportation and is within the transit zone with multiple options for subway and bus service. The Q66 bus (connecting Long Island City and Flushing) and the Q69 bus (connecting Long Island City and Astoria), both have stops located 1-minute from the Project Area along 21st Street. The Project Area is within a 10-minute walk of the Q102 bus (connecting Roosevelt Island and Long Island City). Within a 10-minute walk are two MTA subway stations including the 36th Avenue station of the F line and 22nd Street station of the N and W lines. Within 1-mile of the Project Area are the 7, G, E, R, and M trains. There are three Citi Bike stations within a quarter mile of the Project Area.

Parks
Sixteen Oaks Grove park is an approximately 7,512 sq. ft. park located approximately 120 feet from the Project Area. The park is a small sitting park and consists of sixteen oak trees and eight sitting benches.

Other Zoning Designations

The Project Area is located within the western portion of the Long Island City Industrial Business Zone. Additionally, the Project Area is located within a FRESH area with zoning and tax incentives.

4. Description of the Proposed Project Area

The proposed Project Area is located within the Long Island City neighborhood within Queens Community District 1. The Project Area consists of Block 348, Lots 2, 1 and p/o 6, and 35. The Project Area is mapped for a 90 ft depth from 37th Avenue between 21st Street and 22nd Street. The Project Area is described below:

The Development Site

Block 348, Lot 2 (21-17 37th Avenue) is an approximately 16,984 sq. ft. lot. The lot has approximately 90 feet of frontage on 22nd Street and approximately 191 feet of frontage on 37th Avenue. It is improved with an approximately 9,000 sq. ft. one-story plus cellar light manufacturing building that was built in 1968 and was previously used as a warehouse for auto parts sales. The Development Site is currently tenanted by EV Foods, a provider of electric coffee carts and food trucks.

Non-Applicant Controlled Sites

Block 348, Lot 1 (36-37 21st Street) is an approximately 2,690 sq. ft. lot with approximately 88 feet of frontage on 21st Street and approximately 31 feet of frontage on 37th Avenue. The lot is improved with a 1-story, approximately 850 sq. ft. gas station building with auto repair service.

Block 348, Lot 6 (36-33 21st Street) is an approximately 12,017 sq. ft. lot improved with a 1-story, approximately 6,800 sq. ft. car wash store. Approximately 296 sq. ft. of this lot is located within the Project Area

Block 348, Lot 35 (36-40 22nd Street) is an approximately 10,000 sq. ft. lot improved with a warehouse. A sliver of this lot is located within the Project Area.

5. Description of Proposed Development Site

The proposed Development Site is located at 21-17 37th Avenue and consists of one tax lot (Block 348, Lot 2) of approximately 16,984 sq. ft. The Development Site is currently tenanted with a provider of electric coffee carts and food trucks.

6. Description of the Proposed Development

The proposed development is a new seven-story plus cellar and sub-cellar mixed light

manufacturing and commercial development with approximately 84,475 sq. ft. of floor area with an FAR of 4.97. The proposed building has a total height of 113'-10", a base height of 82'-2" before setting back 15' from 37th Avenue and 20 ft from 22nd Street. The proposed building would include approximately 21,386 sq. ft. (1.26 FAR) of commercial uses currently contemplated as Use Group 7 local retail and commercial offices) and approximately 63,088 sq. ft. (3.71 FAR) of UG 17 light manufacturing uses. The first floor would contain Use Group 6 local retail uses, as well as loading docks, holding area and freight elevators associated with the light manufacturing uses proposed for the second through fifth floors. The sixth and seventh floors would be occupied by commercial office uses. No accessory parking spaces are required for the commercial and light manufacturing uses, however, the applicant intends to provide 58 spaces in the two below-grade levels. The parking would be served by an existing 20 ft wide two-way curb cut on 37th Avenue. Two off-street loading berths would be served by an existing 24.8 ft wide curb cut on 22nd Street.

7. Actions Necessary to Facilitate the Project

The applicant seeks a zoning map amendment to rezone the Project Area from an M1-1 zoning district to an M1-5 zoning district. The Project Area is located on a portion of a large M1-1 zoning district and the edge of the Long Island City IBZ. Given the Project Area's proximity to transit and active commercial and industrial corridors, the applicant proposes mapping a higher density manufacturing district with lower parking requirements that would be consistent with the surrounding area's built context and area-wide planning goals.

The proposed change from the existing M1-1 zoning district to an M1-5 district would increase the maximum FAR from 1.0 to 5.0 FAR for commercial or manufacturing use and from 2.4 to 6.5 for permitted community facility uses. New developments and enlargements within M1-5 districts are subject to a sky exposure plane that commences at a height of 85 feet above the street line (or six stories, whichever is less) with required setback at or below the 85-foot height of 15 feet on a narrow street and 20 feet on a wide street. Parking is not required in M1-5 districts.

The proposed M1-5 zoning district would permit uses consistent with the existing M1-1 zoning district, but would increase the building's capacity for new tenants by increasing the FAR and removing any parking requirements. The location of the Project Area adjacent to transit makes it an appropriate location to increase job density. The Project Area is located within walking distance of multiple bus and subway stops. The proposed rezoning is in line with the City's goals to reinforce and increase job-generating uses and to enhance the vitality of manufacturing and industrial districts. The City is in the process of reassessing the existing manufacturing districts, in order to create suitable business environments for job growth for a range of industries. The City has released three related studies within the past four years focused on manufacturing and industrial uses: the North Brooklyn Plan, the Bushwick Neighborhood Plan, and New York Works. New York Works is a 2017 citywide jobs plan released by Mayor de Blasio which set a goal of spurring 100,000 new, quality jobs over the next ten years. These strategies include: (1) building on the technology economy, (2) supporting the creation of 15,000 jobs within the life sciences and healthcare sectors, (3) creating 20,000 industrial and manufacturing jobs, and (4) creating 10,000 jobs within creative and cultural sectors. These plans encourage the creation of new mid-density contextual manufacturing districts by generally raising the FAR of existing manufacturing districts from 1.0 to 3.0 to 5.0 for permitted uses in areas close to transit, permitting more building space and eliminating parking requirements.[1] The City found that low density limitations and high parking requirements make development of new office space challenging or infeasible.[2] The City aims to facilitate the development of new commercial and industrial space for jobs by increasing allowable FAR and reducing the amount of required parking.[3]

The Project Area is underutilized and is well-suited to foster the additional density. The Project Area is located in close proximity to existing commercial, manufacturing and residential zoning districts. As the Surrounding Area contains mixed-uses it will enable walk to work opportunities.

---

[1] *See* Bushwick Neighborhood Plan Update, 64 available at https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/bushwick-neighborhood-plan/plan/bushwick-neighborhood-plan-low-res.pdf?r=1 and the North Brooklyn Industry and Innovation Plan, page 102 available at https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/north-brooklyn-vision-plan/north-brooklyn-full-low.pdf

[2] *See* North Brooklyn Plan, 99.

[3] *Id.* At 100

The Project Area is near existing amenities for workers, such as local restaurants and open space resources, that are conducive to employment centers. The Project Area is also transit-oriented, with several adjacent bus and subway options, and can accept additional density as such.

8. Conclusion

The Applicant proposes a zoning map amendment to map an M1-5 zoning district in the Project Area currently zoned as M1-1. The proposed actions would facilitate new seven-story mixed commercial and light manufacturing building within the Long Island City neighborhood within Queens Community District 1. The proposed rezoning would provide increased opportunities for new walk to work jobs in an underutilized, transit-oriented area.