2.0 Land Use, Zoning, and Public Policy

A. INTRODUCTION

This chapter examines the current and projected land use patterns, zoning and public policies that characterize the Project Site and its environs and considers the potential impacts of the Proposed Action on those three areas of concern. The mix of residential, commercial, studio, and cultural/community facility uses, as well as new public open space, that would be introduced by the Proposed Action, would integrate the Project Site with the surrounding Long Island City community. Consistent with recent development trends in the area, the Proposed Action would improve underutilized, formerly industrial property along the waterfront and result in no significant adverse land use impacts. The proposed zoning change and other related actions would allow for the redevelopment of this dormant and underutilized waterfront location, and be supportive of the City's long-term vision for the East River waterfront as a vital mixed use community. Therefore, no significant impacts to land use or zoning would result from the Proposed Action.

The variations, which, compared to the Preferred Development Program, would entail similar mixes though different balances of uses, would be subject to the same Restrictive Declaration as the Preferred Development Program and would be constructed within the same building envelope. The variations, like the Preferred Development Program, would therefore result in no significant adverse impacts to land use or zoning and would be consistent with public policies.

Two study areas have been defined for this evaluation: 1) a 400-foot Primary Study Area, defined as the area in the immediate vicinity of the Project Site most likely to be directly affected by the Proposed Action, and 2) a ½-mile Secondary Study Area that extends further from the Project Site than the Primary Study Area and has the potential to be indirectly affected by the Proposed Action. The Primary Study Area extends north to 41st Road, south to 43rd Road, west to the East River, and east to 10th Street (Figure 2-1). The Secondary Study Area extends from approximately 38th Avenue on the north to approximately 47th Avenue on the south, from the East River on the west to 24th Street on the east.

Potential effects of the Proposed Action are analyzed for the year 2009, which is the year that Silvercup West would first be occupied and in operation. The chapter describes the background history and trends that led to existing land uses and zoning in the Hunters Point waterfront and Long Island City area; identifies existing land uses and zoning designations and controls on the Project Site and in the study areas; discusses existing public policies relevant to the Project Site and study areas; describes expected future land use conditions in 2009 without the Proposed Action (including consideration of other planned or programmed projects in the study areas); and projects future land use and zoning conditions in 2009 with the Proposed Action. Included is an assessment of the probable effects of the Proposed Action in 2009 on land use, zoning and public policy relative to future conditions in that year without the Proposed Action.

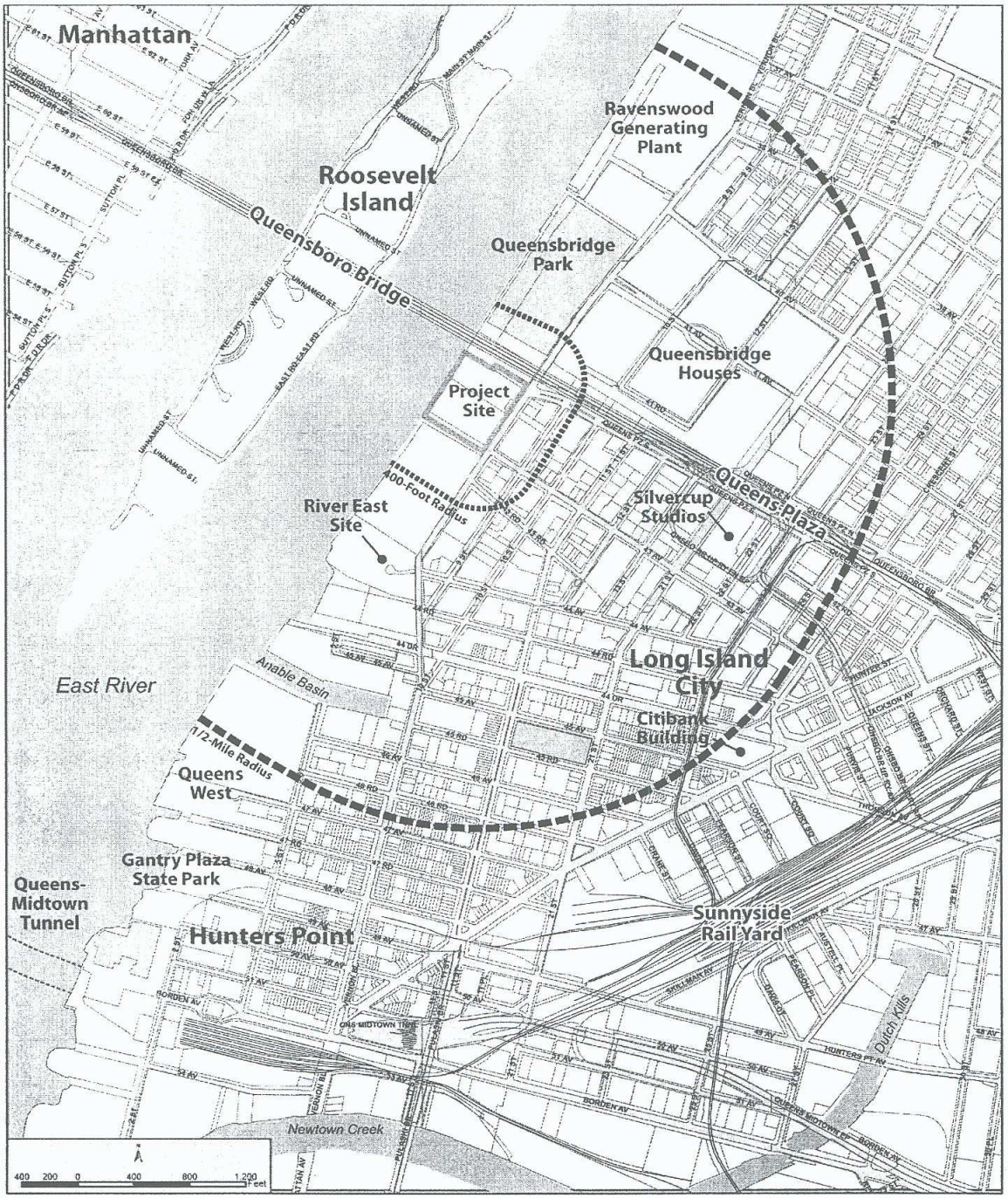


FIGURE 2-1:
LAND USE STUDY AREAS

B. BACKGROUND

Hunters Point is bounded on the north by Queens Plaza South, on the east by the Sunnyside Rail Yard, on the south by Newtown Creek, and on the west by the East River. The land was owned in colonial times by Jacob Bennett, and after his death in 1817 it belonged to a parcel including all of Long Island City given over to his son-in-law, George Hunter. The estate was sold after Hunter's death in 1825 to a real estate agent who, in 1853, engaged two developers to lay out Hunters Point. During the summer of the same year, sand hills were leveled and swamps filled in. Development in the area hastened after railroad service was extended by the Flushing Railroad (1854) and the Long Island Rail Road (1861); visitors and commuters traveled there, and hotels, saloons, and stores were soon built around the ferry terminal at Borden Avenue. Hunters Point is one of the neighborhoods within Long Island City, a larger area within Queens generally defined by the 11101 Zip Code boundaries.

Oil refineries and factories for varnish, ceramic pipe, and cooperage were active along the waterfront, where ships from Europe docked regularly. The Steinway Tunnels under the East River at Hunters Point were begun by William Steinway in 1892 as a trolley line. After several setbacks they opened in 1907 as the first connection between Manhattan and Queens, but were not used regularly until being converted for subways in 1915. They currently are used by the MTA New York City Transit No. 7 Subway Line.

The area became less popular as a residential neighborhood after the Queensboro Bridge opened in 1909 and industrialization increased. Local industry declined after the Second World War, and, consistent with experience elsewhere in New York City, the area's manufacturing base has experienced a continuing decline since then. Many of the large factories closed, while others were converted to other uses. Silvercup Bakery, for example, located at 42-22 22nd Street, approximately one-half mile east of the Project Site, was converted into the "Main Lot" of Silvercup Studios and is currently used for film and video production. In 1983, the first studio at the Main Lot was constructed in what was Silvercup Bakery's former flour silo room. Space within the former bakery building was converted into studio space through the 1990s. In 1999, Silvercup Studios acquired a former steel fabricating plant located at 34-02 Starr Avenue, approximately one mile from the Main Lot, and converted it into an additional studio facility ("Silvercup East").

During the last two decades, further to the southeast, large factories on Thomson Avenue were converted into part of the International Design Center, which operated as a complex of showrooms for furniture and interior design firms and is now used for office space. LaGuardia Community College took over the disused factories of the White Motor Company and Equitable Bag Company. In addition, Long Island City and neighboring Astoria experienced the growth of a significant artist community, and a number of cultural institutions, including P.S. 1 Contemporary Art Center, the Museum for African Art, the Museum of the Moving Image, The Noguchi Museum, Socrates Sculpture Park, SculptureCenter, and the Fisher Landau Center for Art were developed in the area.

Growth in residential uses has occurred during the past decade, generally due to zoning changes adopted in 1995, 2000 and 2004 for blocks within the Long Island City District. Three residential buildings are located on 43rd Avenue between 9th and 10th Streets, one block east of the Project Site.

The Hunters Point waterfront has undergone notable change during the last 20 years. The uses along the waterfront have gone from serving industrial uses to lying vacant, and then supporting new mixed-use and residential development. Although inland areas of Long Island City remain heavily industrialized with railroad yards, the Queens-Midtown Tunnel, the east end of the Queensboro Bridge, and blocks of factories, the waterfront gradually became underutilized or vacant. In the late

1980s, Queens and other areas of the City began to plan for the future of their waterfronts. Studies and plans for the Hunters Point waterfront recommended new uses, including new residential development. These recommendations were consistent with the arrival of two private tennis clubs along the waterfront in the mid-1980s. Consolidated Edison (Con Edison) constructed a new training facility for its employees on a parcel immediately to the south of the Project Site. In 1991, the CPC approved the rezoning of the East River tennis club site to R9 and R7A districts, with a C2-5 overlay on Vernon Boulevard south of 44th Road, to permit high density residential development ("River East") on that portion of the waterfront. Queens West, a high-rise residential and commercial complex on the waterfront between Newton Creek and 45th Avenue, was approved in 1990. Since then, two residential towers have been completed and occupied, along with two public parks, and further development of the project is continuing.

As jobs in the manufacturing sector declined in Long Island City, jobs in the service sector increased, resulting in the need for additional office and other commercial and non-industrial space. The need for such additional space was recognized in two rezoning actions inland from the Project Site: a) adoption of the Special Long Island City Mixed Use District and the creation of the Queens Plaza Subdistrict in 2001, which is intended to facilitate commercial development at increased densities and allow new residences to mix with commercial and light industrial uses, to further the creation of a core central business district (CBD) in Long Island City, and b) the elimination of most of the restrictions on new residential construction in the Hunters Point Subdistrict of the Special Long Island City Mixed Use District in 2004, which is intended to promote mixed use development between the Citibank tower at Court Square and Queens West.

C. EXISTING CONDITIONS

1. Land Use

a) Project Site

The approximately six-acre Project Site is located within Queens Community District 2, in the Hunters Point and Long Island City neighborhoods of Queens. The Project Site is bounded by the Queensboro Bridge on the north, Vernon Boulevard on the east, a mapped but unopened segment of 43rd Avenue on the south, and the East River to the west. The mapped but unopened segment of 43rd Avenue at the southern boundary of the Project Site is currently used by the DSNY for the open storage of sand and salt. A temporary NYPA) power generation facility (planned for removal prior to and independent of the Proposed Action) currently occupies Lot 24 on the southern portion of the Project Site. The northern portion of the Project Site consists of vacant land and the former New York Architectural Terra Cotta Company building (42-10 Vernon Boulevard), a designated New York City landmark, also listed on the New York State and National Registers of Historic Places. This vacant, small, two-story Tudor Revival building originally contained the offices of the firm that fabricated the terra cotta decorations used for many New York City buildings, including Carnegie Hall.

b) Primary Study Area

As indicated in Figure 2-2, the Primary Study Area contains a number of diverse elements. As noted previously, directly south of the Project Site, the mapped but unopened segment of 43rd Avenue is occupied by a DSNY open storage pile of de-icing sand and salt. A Con Edison training facility and a large parking lot are located south of the sand and salt pile between Vernon Boulevard and the East River. It contains classroom and meeting space, an auditorium, and an outdoor training area.

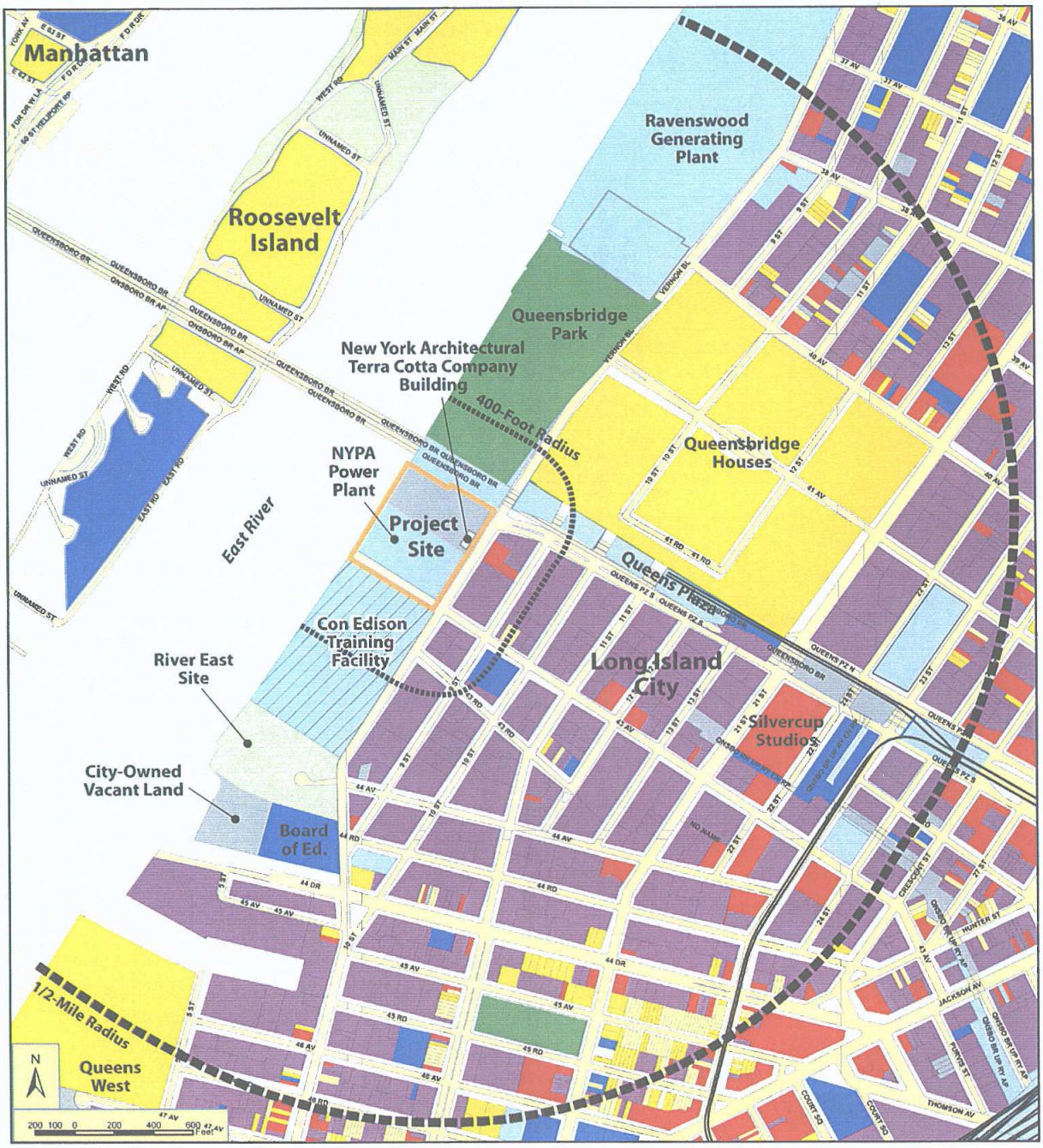


FIGURE 2-2:
EXISTING LAND USE

Commercial and light industrial uses characterize the block on the east side of Vernon Boulevard opposite the Project Site. Uses include a three-story, 23-room motel with an accessory parking lot and a large, two-story brick loft building that has been subdivided for a variety of commercial, light industrial, and other tenants, including firms specializing in food production, the sale of food processing equipment, and a wine warehouse. (See Chapter 3, "Socioeconomic Conditions," for an inventory of businesses on nearby blocks).

The remainder of the Primary Study Area east of Vernon Boulevard includes single-story light industrial uses, including auto- and service-related firms and building contractors. A small portion of a large United States Postal Service Bulk Package Facility and Post Office is located on the block south of 43rd Avenue between 9th and 10th Streets.

The Queensboro Bridge, a designated New York City landmark and National Register listed property, is located directly north of the Project Site. Small portions of Queensbridge Park and Queensbridge Houses are located within the primary study area; see Section c), Secondary Study Area for a description of these uses.

Also within the Primary Study Area are three residential buildings located on 43rd Avenue between 9th Street and 10th Street, one block east of the Project Site.

c) Secondary Study Area

The Secondary Study Area extends between the Queens West mixed-use development project and 48th Avenue on the south, the Ravenswood Generating Station and 38th Avenue on the north, approximately 24th Street on the east, and the East River on the west (Figure 2-2).

Queens Plaza and the approach roads to the Queensboro Bridge traverse through the Secondary Study Area, dividing it into two districts roughly equivalent in area. A major transportation hub at the eastern edge of the Secondary Study Area, Queens Plaza is the nexus of several subway lines, approach roads to the Queensboro Bridge, and the adjacent Queens Plaza North and Queens Plaza South service roadways. The Queensborough Plaza station (N and #7 lines) at Queens Plaza and Crescent Street is an approximately 10 minute walk east of the Project Site. Two blocks to the east is the Queens Plaza station of the E and V lines.

The portion of the Secondary Study Area north of Queens Plaza along the waterfront includes both the entire 20-acre Queensbridge Park and the Ravenswood Generating Station. Further inland are the Queensbridge Houses and all or portions of 15 industrial and mixed industrial and residential blocks. Queensbridge Houses is a 3,149-unit low-income housing complex and is the largest public housing project in the City, composed of 25 six-story residential structures set on six superblocks east of Vernon Boulevard between 21st Street, 40th Avenue and 41st Road.

The portion of the Secondary Study Area south of Queens Plaza along the waterfront includes a Con Edison training facility immediately south of the Project Site, the River East Development Site, City-owned vacant land, a NYCDOE warehouse, and a small portion of the Queens West Mixed-Use Development Project site. Privately-owned light industrial uses and a former paint factory ring the Anable Basin.

Further inland, the Secondary Study Area includes the Hunters Point industrial core between Vernon Boulevard, Queens Plaza South, approximately 23rd Street and 44th Drive, and small portions of the Court Square and Hunters Point sub-districts of the Long Island City Special District, as well as an industrial area west of 11th Street with an M1-4 zoning designation. Court Square, a portion of which is included in the Secondary Study Area is at its eastern end, is centered around the 48-story Citibank

office tower and the New York State Supreme Court House building on Jackson Avenue, and includes a mix of commercial, light industrial and residential uses, including both row houses and apartment buildings. The blocks immediately south and west of Court Square within the Secondary Study Area are composed of a mix of residential and light industrial uses. This area includes a small portion of the Hunters Point Historic District, which contains a full block of 1880s frame and brick row houses on 45th Avenue between 21st and 23rd Streets and half the west side of 23rd Street between 44th Drive and 45th Avenue.

2. Zoning

a) Project Site

As depicted in Figure 2-3, the Project Site is located within an M1-4 light manufacturing district. M1 Districts permit a wide range of manufacturing uses that can conform to the highest performance standards established for manufacturing zones. They also permit a wide range of commercial uses and certain community facilities.

The maximum permitted density in an M1-4 District is FAR 2.0 for commercial and industrial uses and 6.5 for community facility uses. Side yard and rear yard setbacks are required.

In addition, because the Project Site is located on a waterfront block, development is governed by Section 62-00 of the New York City Zoning Resolution: Special Regulations Applying in the Waterfront Area ("Waterfront Zoning"). These regulations have the following goals:

- Maintain and re-establish physical and visual public access to, and along, the waterfront;
- Promote a greater mix of uses in waterfront development;
- Encourage water-dependent uses;
- Create a desirable relationship between waterfront development and the water's edge, public access areas and adjoining upland communities;
- Preserve historic resources along the City's waterfront; and
- Protect natural resources in environmentally sensitive areas along the shore.

Waterfront Zoning defines the envelope in which development may be constructed. Within an M1-4 district, it requires a 60-foot setback and establishes a maximum building elevation of 110 feet. In addition, a 40-foot-wide yard along the waterfront is required in lieu of a rear yard for any new development of permitted uses (except for those listed under Use Group 16, General Service and Use Group 17, Manufacturing.[1]) Development of these uses is required to provide a 20-foot-wide rear yard required pursuant to generally applicable M1-4 regulations.

Waterfront Zoning also requires that most new waterfront developments provide a visual corridor to the shoreline, a shore public walkway, and other waterfront and waterview public open space. Requirements for waterfront public access and visual corridors do not apply to developments of uses within Use Groups 16 and 17, for commercial buildings of 1 FAR or less, or for water-dependent uses.

[1] Use Group 16 consists of automotive and other semi-industrial uses, such as animal hospitals, carpet cleaning establishments, vehicle storage areas, moving and storage offices, trucking terminals, and machinery repair. Use Group 17 consists of service and wholesale establishments, manufacturers, and miscellaneous uses, such as docks.

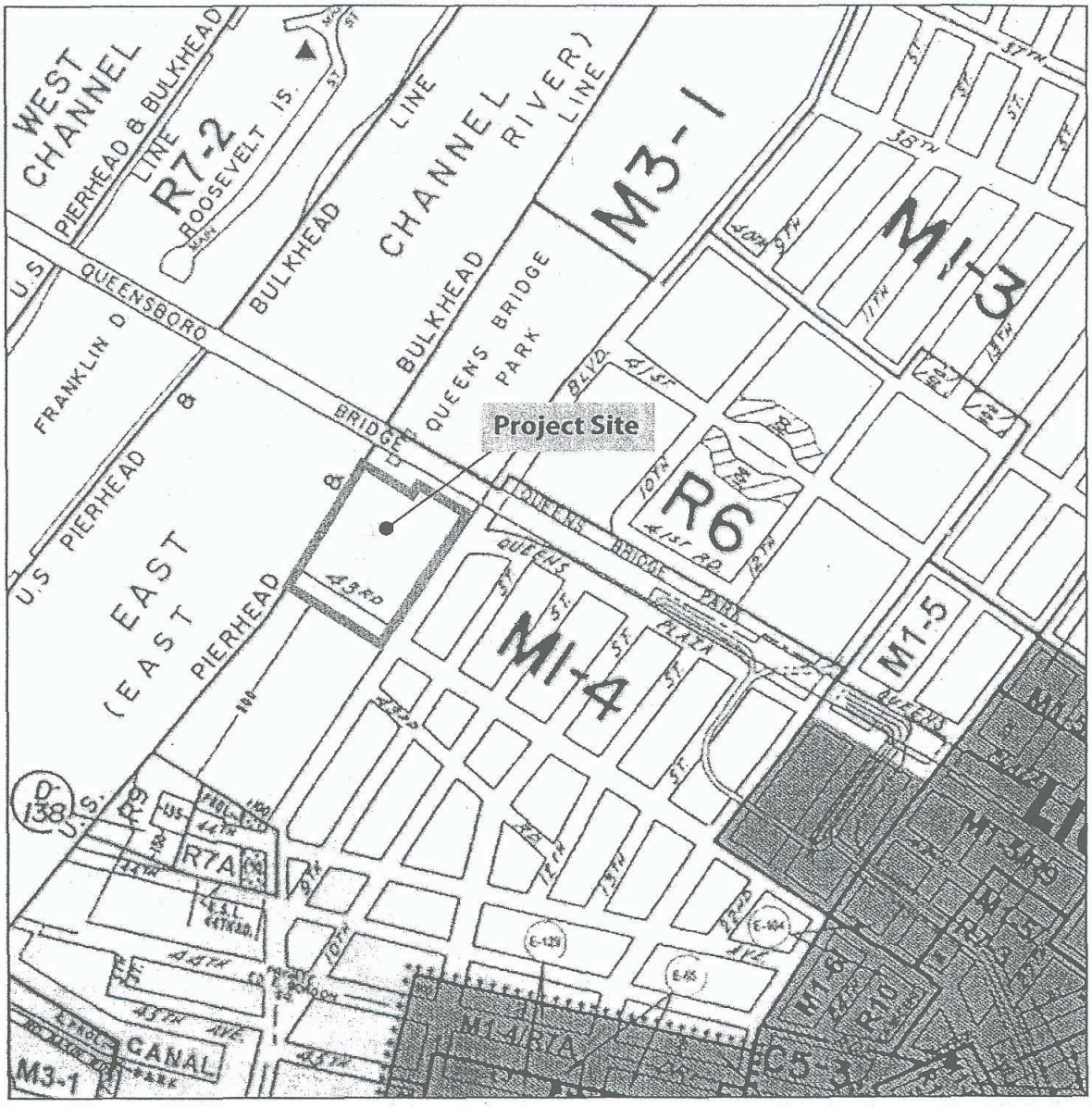


FIGURE 2-3:
EXISTING ZONING

New developments within M1-4 districts that contain other commercial and community facility uses are required to provide a 40-foot-wide shore public walkway, a visual corridor providing an unobstructed view of the waterfront from the closest public street, and a 30-foot-wide upland connection to provide public access to the esplanade. If the aggregate area of the walkway and upland connection is less than 15 percent of the total lot area for a waterfront site, supplemental public access space is required.

The northern Hunters Point WAP, which applies to the Project Site, was approved in 1997 and modified the waterfront yard, visual corridor and public access requirements for specific waterfront parcels between the Queensboro Bridge and Anable Basin. Specific to the development of the Project Site, the extension of Queens Plaza South, at its northern boundary, would be required to serve as the required upland connection. Also pursuant to the WAP, development on the Project Site is exempt from providing supplemental public access space.

b) Primary Study Area

Within the Primary Study Area, the predominant zoning designation to the east and south is M1-4, reflecting the historic industrial character of the area. To the north of the Project Site and the Queensboro Bridge is an R6 residential district, permitting medium density residential and accessory uses at a maximum FAR of 2.43.

c) Secondary Study Area

The Secondary Study Area contains a wider range of zoning districts than the Primary Study Area. R9, R7A, and C2-5 districts are mapped in the area west of Vernon Boulevard, one block southwest of the Project Site. These districts reflect a rezoning approved in 1991 to permit high density residential development along the waterfront and medium density contextual development fronting on Vernon Boulevard, 44th Road, and 44th Avenue. R9 districts permit residential buildings with a maximum FAR of 7.52, while R7A districts permit residential buildings with a maximum FAR of 4.0. The M1-4 district continues to the south and east of these residential districts.

The northern portion of the Secondary Study Area includes an M1-3 light manufacturing district mapped north of 40th Avenue and east of Vernon Boulevard and an M3-1 heavy manufacturing district mapped west of Vernon Boulevard north of Queensbridge Park. The maximum FAR within the M1-3 district is 5.0, while the maximum FAR within the M3-1 district is 2.0.

Mixed use zoning within the Special Long Island City Mixed Use District covers much of the remainder of the Secondary Study Area south of 44th Avenue and east of 23rd Street. The goal of this special purpose district is to foster reinvestment and redevelopment that takes advantage of Long Island City's excellent mass transit access and its supply of large, underdeveloped parcels. The zoning is intended to facilitate commercial development at increased densities and allow new residences to be interspersed with commercial and light industrial uses.

Zoning districts of the Special Long Island City Mixed Use District that overlap with the eastern and southern edges of the Secondary Study Area include R6A and R7A medium density contextual residential districts in the Hunters Point Subdistrict to the south; a mixed use C5-3 district in the Court Square Subdistrict to the southeast; and mixed use districts within the Queens Plaza Subdistrict to the east. Located eight blocks east of the Project Site, the mixed use districts of the Queens Plaza Subdistrict include pairings of M1-4, M1-5 and M1-6 light manufacturing zones with medium density R7-3 and high density R9 and R10 residential districts. Special use and bulk regulations also apply in the Special Long Island City Mixed Use District.

In 2004, the CPC approved the extension of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District, which established R6A and R7A overlays within an M1-4 zone that extends from the southern edge of the Secondary Study Area. This rezoning was intended to promote mixed use development within Hunters Point, including residential, light industrial and commercial uses, and cultural facilities between the Citibank tower, at Court Square, and Queens West, on the waterfront.

3. Public Policy

There are several public policies relevant to the proposed utilization of the Project Site, including policies regarding use of the waterfront, industrial and manufacturing retention, housing preservation and development, and actions by the City and State to strengthen and expand the City's film and television industry.

a) Public Planning for the New York City Waterfront

Policies for the New York City waterfront were identified in the *Citywide Comprehensive Waterfront Plan: Reclaiming the City's Edge* (1992), which led to the adoption of Waterfront Zoning regulations in 1993. In addition, the *Plan for the Queens Waterfront: A Framework for Development* (1993) (the "Framework") proposed public access improvements and reuse of vacant and underutilized waterfront parcels on the Long Island City waterfront, called for redevelopment of the northern Hunters Point waterfront with non-industrial uses, identified the Project Site as a location for open space and residential uses, and called for compatible reuse of the landmark New York Architectural Terra Cotta Company building on the Project Site. The *Waterfront Plan* and the *Framework* identified locations where existing uses should be preserved, locations where the highest value should be placed on protecting/enhancing the natural environment, and locations where redevelopment with particular new uses would be appropriate. The *Northern Hunters Point Study* (1991), prepared by the NYCDCP prior to the *Waterfront Plan*, concluded that industrial uses along the Hunters Point waterfront were diminishing and that residential, ancillary retail, and open space uses should be encouraged in this part of the waterfront. That study included a proposal for a continuous East River esplanade between Queensbridge Park on the north and Newtown Creek on the south. The CPC *City of New York Strategic Plan* (Summer 2004) includes, as one of its strategic planning objectives, the revitalization of the waterfront and enhancement of public open space. As described in Section C.2, the *Northern Hunters Point Waterfront Access Plan* modifies the waterfront yard, visual corridor and public access requirements for specific waterfront parcels between the Queensboro Bridge and Anable Basin, and specific to the Project Site identifies the extension of Queens Plaza South as the required upland connection to the waterfront.

Recent approvals by the City of zoning changes along the Queens waterfront and other areas of the City have permitted the development of major high density residential development along the City's waterfront, and reflect City policy regarding the density and location of such uses along the waterfront. Specific to the East River waterfront, the rezoning approvals for River East permit the development of residential buildings at a maximum FAR of 4.85, while Queens West development has resulted in a level of development at a similar or greater FAR than that of the Project.

As indicated previously in this chapter, during the last two decades, Long Island City has become home to a growing number of arts and cultural institutions of regional significance. Continuation of this trend is a goal on both the City and Borough level.

b) Support of Industrial and Manufacturing Sectors

To help maintain the strength of the industrial district, the City, in 1983, designated a Long Island City In-Place Industrial Park, covering approximately 900 acres bounded by Queens Plaza/Queens Boulevard to the north, generally Van Dam Street to the east, Newtown Creek to the south, and the East River to the west. The Project Site is located within these boundaries. The designation allows the City to take an active, comprehensive role in maintaining and expanding the industrial base of the park. The New York City Economic Development Corporation (NYCEDC) acts as planner and coordinator for the In-Place Industrial Park programs and facilitates the channeling of City resources to the park according to five basic functions or goals: areawide improvement, security, business services, employment services, and marketing and promotion. The Long Island City Business Development Corporation works under contract with NYCEDC to oversee activities within the industrial park.

In January 2005, the City announced the creation of the Office of Industrial and Manufacturing Businesses to support and stimulate the industrial job base in New York City. The Office serves as a single point of coordination within City government to ensure that important City services are working together to retain and grow New York's industrial economy. The Office will manage the creation of new Industrial Business Zones (IBZs) which will replace outdated In-Place Industrial Parks, based on existing land uses, the industrial character of the neighborhood, traffic patterns and Empire Zone boundaries (where such zones are already designated). Long Island City is one of fourteen areas to be designated as an IBZ. Among other initiatives, the City is working to create a one-time tax credit for industrial companies relocating to an IBZ to maintain and expand the City's industrial and manufacturing base.

c) Housing Preservation and Development

In December 2002, Mayor Bloomberg announced a $3 billion plan, "*The New Housing Marketplace; Housing for the Next Generation*," to create and preserve more than 65,000 homes and apartments City-wide over the subsequent five year period. Although focused primarily on the development of affordable housing, the plan recognizes the need for housing at all levels, and includes as a goal the creation of new land for housing development, in part through moving aggressively in rezoning plans in communities that need residential development throughout the City. Facilitating housing production is also a strategic planning objective included in the NYCDCP *Strategic Plan* (2005). The City has recognized that increasing the supply of housing at all economic levels, including market rate housing is essential to meeting the needs of the City's growing population.[2] The *Plan for the Queens Waterfront: A Framework for Development* also called for the eventual development of a new residential community on the northern Hunters Point waterfront.

d) Enhancement of the City's Television and Movies Production Industry

On August 20, 2004, Governor George Pataki signed into law the "Empire State Film Production Credit Program" providing tax incentives for production of feature films in New York. The enactment of this State film credit included a New York City opt-in provision allowing for additional tax incentives to help boost the film industry. On January 3, 2005, New York City Mayor Michael R. Bloomberg signed City legislation creating a 5 percent refundable tax credit for film and television production companies in addition to the 10 percent tax credit from the State. The City credit allows film producers to claim the credit against their "below the line" costs, including the work of costume makers, location scouts, production assistants, camera and sound technicians, caterers, background actors or extras, and film editors—up to $12.5 million in tax breaks each calendar year. The State and

[2] "The Housing Crisis in New York: Recommendations to Address the Shortage of Affordable Housing in New York City." A report to the City Council by the Speaker's Housing Task Force. February 2001.

City tax credits are aimed in part at reversing the loss of film production jobs, primarily to Canada. The City's film tax credit is intended to "make NYC more competitive and provide more jobs to professionals in this key economic sector"[3] and is part of its "Made in NY Incentive Program," which also includes a marketing credit to provide free City advertising to qualifying productions that shoot in the city, negotiated discounts on transportation and lodging for members of the industry, partnering with production companies to promote "Made in NY" productions, secure access to premium locations for filmmakers, and expanded "concierge services" to assist producers with every aspect of the production cycle.

D. FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION

1. Land Use

This section describes land use on the Project Site and in the Primary and Secondary Study Areas that would be expected in 2009 without the Proposed Action.

a) Project Site

No new development would be expected to occur on the Project Site by 2009 without the Proposed Action. The New York Architectural Terra Cotta Company building would remain vacant, though newly restored, in its existing location on Lot 20. The DSNY de-icing salt and sand storage pile would remain in its existing location on the mapped but unopened segment of 43rd Avenue, but the NYPA facility will have been relocated from its existing location on Lot 24.

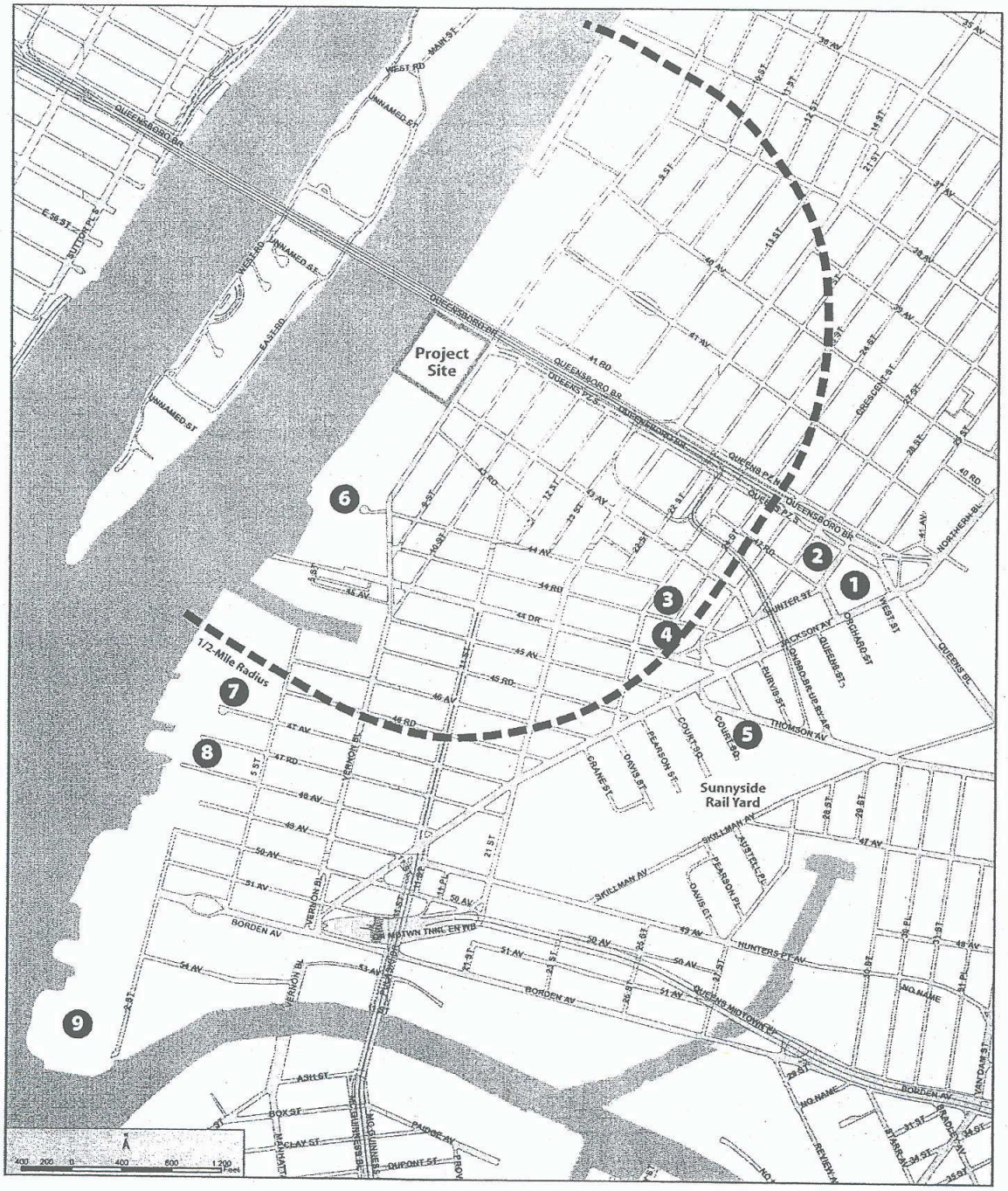
b) Primary Study Area

Land use in the Primary Study Area is not expected to change by 2009. It is anticipated that Queensbridge Park facilities will have been upgraded by that time, including rehabilitation of the collapsed esplanade along the water's edge.

c) Secondary Study Area

Considerable new development is expected to occur along the Hunters Point waterfront by 2009. Over two million square feet of commercial development from four projects and more than four million square feet of residential development from four additional projects are anticipated to be completed by 2009, one of which, River East, is within the Secondary Study Area (Figure 2-4 and Table 2-1). In addition, there are two projects east of the Project Site within the Secondary Study Area (the UN/Federal Credit Union Office Building and Citibank Square Two) and three projects Together, these projects immediately east of the Secondary Study Area (the Municipal Garage Site Office Building, the Block 422 Office Building, and the Eagle Electric Site Residential Conversation) that would augment and strengthen the office/commercial Queens Plaza and Court Square subdistricts of Long Island City, consistent with the purposes of the Special Long Island City Mixed Use District zoning. The significant amount of residential development at Queens West, just south of the Secondary Study Area, and River East, within the Secondary Study Area, would advance the goals of transforming a portion of the Long Island City waterfront into a new residential community. These projects were identified through consultation with the NYCDCP, NYCEDC, Office of the Queens Borough President, and Queens West Development Corporation. Most of the residential development is planned for Queens West and River East along the waterfront, while the commercial development is anticipated to occur throughout the Secondary Study Area. The River East development is expected to include retail space and accessory parking.

[3] Press release PB-006-05, Office of the Mayor, January 3, 2005



1 *Municipal Garage Site Office Building*
2 *Block 422 Office Building*
3 *UN Federal Credit Union Office Building*
4 *Citibank-Court Square Two*
5 *Eagle Electric Site Residential Conversion (Andalex)*
6 *River East*
7 *Queens West: Parcels 3-7 (Rockrose)*
8 *Queens West: Parcels 8 & 9 (Avalon Bay)*
9 *Queens West: Parcels 17-20*

FIGURE 2-4:
ANTICIPATED DEVELOPMENT PROJECTS, 2009
(FUTURE WITHOUT THE PROPOSED ACTION)

TABLE 2-1: ANTICIPATED DEVELOPMENT PROJECTS, 2009 (FUTURE WITHOUT THE PROPOSED ACTION)

Development Site	Development Floor Area (sf)
Municipal Garage site office	700,000
Citibank office	500,000
Block 422 office	713,000 (includes 20,000 retail)
UN Federal Credit Union (43-25 24th Street)	250,000
Total Commercial Development	**2,163,000**
Eagle residential conversion—Andalex developers (45-31 Court Square)	385,000 (240 units)
Queens West: - Parcels 3-9 - Parcels 17-20	 2,538,000 300,000
River East	960,000 (900 units)
Total Residential Development	**4,183,000**
TOTAL	**6,346,000**

Sources: Conversations with private developers, NYCDCP, Office of the Queens Borough President, New York City Economic Development Corporation, and Queens West Development Corporation.

Construction is expected to begin in 2005 on two additional residential buildings at Queens West. In addition, a branch of the Queens Public Library has been designed for Parcel 8, to be constructed when funds become available. The *Queens West General Project Plan* calls for the central four parcels to be developed as commercial space.

2. Zoning

Without the Proposed Action, the Project Site will continue to be located within an M1-4 light manufacturing district. M1 Districts permit a wide range of manufacturing uses that can conform to the highest performance standards established for manufacturing zones. They also permit a wide range of commercial uses and certain community facilities. The maximum permitted density in an M1-4 District is FAR 2.0 for commercial and industrial uses and 6.5 for community facility uses. In addition, development on the Project Site would be governed by Section 62-00 of the New York City Zoning Resolution: Special Regulations Applying in the Waterfront Area.

Within the Primary Study Area, the predominant zoning designation to the east and south would continue to be M1-4. To the north of the Project Site and the Queensboro Bridge, the zoning designation would continue to be R6, permitting medium density residential and accessory uses at a maximum FAR of 2.43. The Secondary Study Area would continue to contain a wider range of zoning districts than the Primary Study Area, including R9, R7A and C2-5 districts mapped in the area west of Vernon Boulevard, one block southwest of the Project Site. The northern portion of the Secondary Study Area would continue to include an M1-3 light manufacturing district mapped north of 40th Avenue and east of Vernon Boulevard and an M3-1 heavy manufacturing district mapped west of Vernon Boulevard north of Queensbridge Park. Mixed use zoning within the Special Long Island City Mixed Used District would continue to cover much of the remainder of the Secondary Study Area south of 44th Avenue and east of 23rd Street.

3. Public Policy

The same public policies that currently apply to the Project Site and adjoining Primary and Secondary Study Areas would continue to be effect in the Future Without the Proposed Action, including those

policies included in the *Waterfront Plan*, the *Northern Hunters Point Study*, the *Framework*, and the *City of New York Strategic Plan*. Details of these plans are provided in Section C.3 of this chapter. In addition, it is anticipated that Long Island City will be designated as one of fourteen new Industrial Business Zones (IBZ), which will replace the existing In-Place Industrial Parks. Managed by the Office of Industrial and Manufacturing Businesses, the IBZs are intended to support and stimulate the industrial job base in New York, particularly within the IBZs.

E. FUTURE CONDITIONS WITH THE PROPOSED ACTION

1. Land Use

a) Anticipated Changes in Land Use with the Proposed Action

The Proposed Action would result in redevelopment of the Project Site as a mix of television and movie production studio, commercial, residential, cultural and related uses. Vacant land on the Project Site (following the removal of the NYPA facility and the DSNY salt storage pile) would be replaced by the proposed 2.77 million gsf (approximately 2.10 million zoning square feet) mixed use Silvercup West development. As described in Chapter 1, "Project Description," development of Silvercup West would conform to either a Preferred Development Program, which would include residential, office, retail, health club, catering, cultural/community facility, and studio and studio support facilities, or one of three variations, which would alter or eliminate the amount of office, cultural/community and studio and studio support space. The Preferred Development Program and its three variations are summarized in Table 2-2.

TABLE 2-2: PREFERRED DEVELOPMENT PROGRAM AND POTENTIAL VARIATIONS

Use	Preferred Development Program (gsf)	Variation 1 *(Residential)* (gsf)	Variation 2 *(Studio)* (gsf)	Variation 3 *(Residential and Studio)* (gsf)
Residential	1,044,970	1,700,018	1,044,970	1,700,018
Commercial	816,538	161,490	816,538	161,490
Office	*655,048*	*0*	*655,048*	*0*
Retail	*76,581*	*76,581*	*76,581*	*76,581*
Health Club	*40,013*	*40,013*	*40,013*	*40,013*
Catering	*44,896*	*44,896*	*44,896*	*44,896*
Cultural/Community Facility	126,401	126,401	0	0
Studio/Studio Support	346,574	346,574	473,282	473,282
Loading/Parking	433,761	433,761	433,761	433,761
TOTAL Floor Area	**2,768,551**	**2,768,551**	**2,768,551**	**2,768,551**
Public Open Space (Upland Connection and Esplanade)	55,000	55,000	55,000	55,000

As indicated in Table 2-2, some aspects of the development program would be the same in all the variations. These include the retail and restaurant space, the catering facility and the health club.

However, the variations differ from the Preferred Development Program in terms of the amounts of residential space, office and support space, and the cultural facility space. Specifically:

- One variation ("Variation 1: Residential") replaces the 655,048 gsf of office space with an equivalent amount of residential space containing 655 apartments.
- A second variation ("Variation 2: Studio") replaces the 126,401 gsf cultural facility with an equivalent amount of studio and studio support space, including two additional studios.
- A third variation ("Variation 3: Residential and Studio") replaces the 655,048 gsf of office space with an equivalent amount of residential space containing 655 apartments and replaces the 126,401 gsf cultural facility with an equivalent amount of studio and studio support space, including two additional studios.

All three variations would be accommodated within the same building envelope that has been designed for the Preferred Development Program. Total floor area would be the same with the Preferred Development Program and each of its three variations. Final selection of the program to be developed would depend on market conditions at the time of development.

The Preferred Development Program and all three variations would result in new production facilities that would fully meet current industry standards. The new production studios at Silvercup West would respond to increased market demand for video, film, and commercial production space in New York City, and would complement the existing studios in the area and respond to new market needs in terms of larger size and height.

No tenant has yet been identified for the proposed cultural and/or community facility that would be located within the western half of the lower levels of the North Complex as included in the Preferred Development Program and Variation 1. However, a number of Queens and citywide cultural institutions have expressed interest in its use. The plan for the Proposed Action provides for flexibility to meet the needs of one or multiple tenants, including screening rooms, accessory to facility uses. If museum or other cultural and community space uses cannot be confirmed for the site, that space would instead be devoted to additional studio and studio support uses as in Variations 2 and 3.

The Proposed Action would also feature a 500-foot-long Esplanade along the East River. As required by the Northern Hunters Point WAP, the Esplanade would connect with an Upland Connection and Visual Corridor along the northern boundary of the Project Site at the prolongation of the southern line of Queens Plaza South. The Esplanade would be designed to permit an extension to be developed under the Queensboro Bridge, north to Queensbridge Park. The upland access route on Queens Plaza South would link with planned Queens Plaza bike and pedestrian improvements, and provide an improved connection between the Queens Plaza business district, Long Island City and the waterfront; it would also provide residents and employees at Silvercup West an improved connection with the subway trains and business district at Queens Plaza.

In addition to the required waterfront access and open space areas, the Proposed Action would also provide other open space resources, including Terra Cotta Plaza, a generous plaza area that would be developed in front of and surrounding the New York Architectural Terra Cotta Company building, and a public overlook on the northwestern portion of the roof of the core complex, providing views of the East River, the Manhattan skyline and the Queensboro Bridge. The Esplanade and Upland Connection together with the various other open space areas on the Project Site would provide approximately 68,000 square feet of publicly accessible open space.

b) Assessment

The Proposed Action would not result in any significant adverse land use impact as defined by guidance in the *CEQR Technical Manual*. Instead, the Proposed Action would support the City's efforts to redevelop the Long Island City waterfront, and would provide additional housing, open space and public access to the East River. In addition, Silvercup West would support State and City efforts to encourage the growth of the film and television production industry in New York.

The proposed mixed-use development of approximately 1 million gsf of residential space and 1.7 million gsf of studio, cultural and commercial space on the Project Site would be consistent with the trend toward the development of a mix of uses on the Hunters Point waterfront and in the Long Island City area, including the more than 6 million square feet of residential and commercial space planned for the area by 2009 without the Proposed Action. This would contribute to meeting the demand for additional housing to meet the needs of a growing population in Queens and the demand for office space outside Manhattan. The development of additional new and larger film and television production studios is particularly important to the continued viability of this use in Long Island City, Queens, and New York City as a whole.

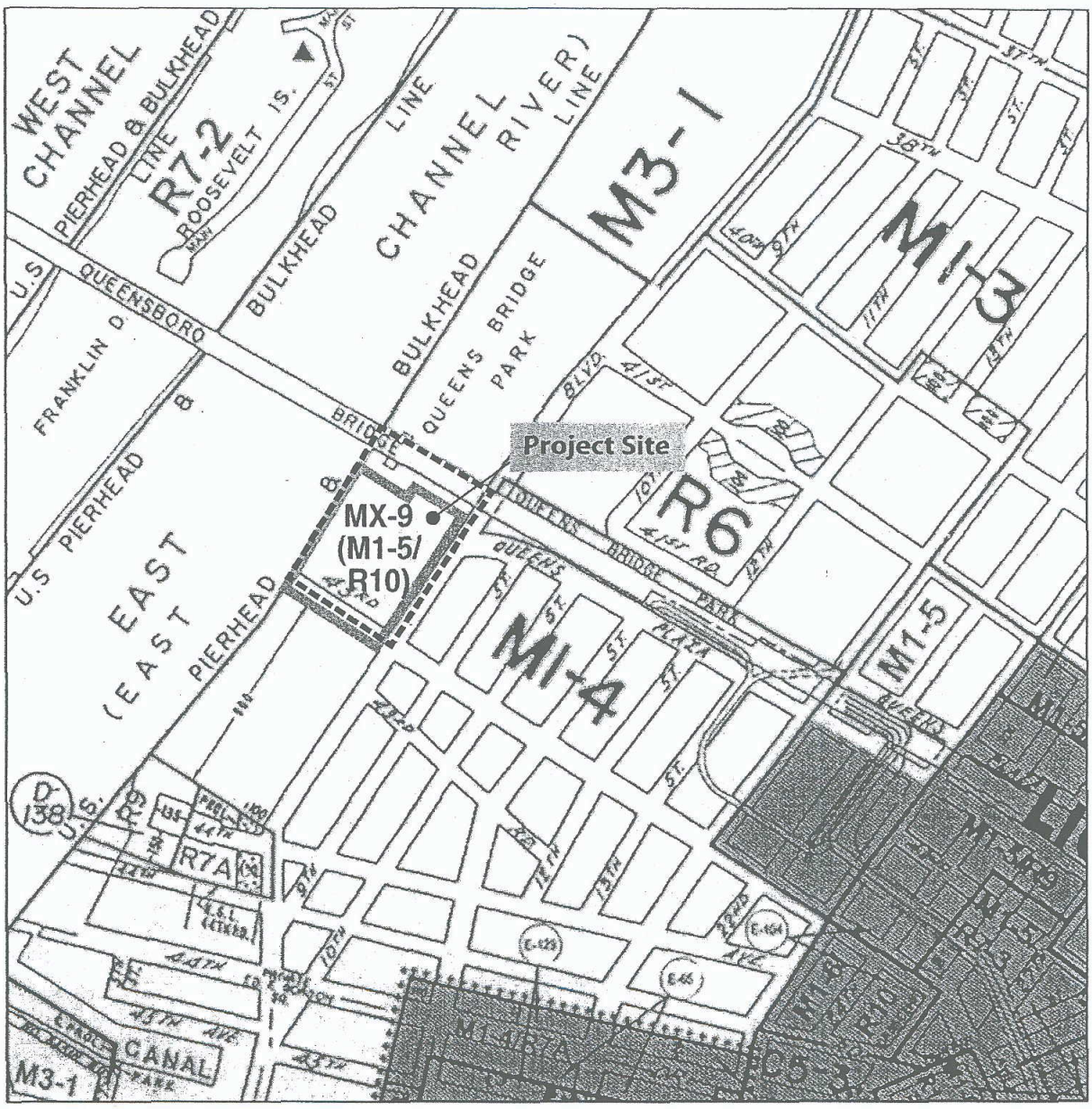
The Proposed Action would integrate an underutilized portion of the waterfront into the surrounding areas by enlivening the Project Site with new mixed use development. The retail and residential uses introduced on the Project Site would be consistent with the retail and residential uses being developed along the waterfront south of the Project Site at Queens West and River East. The Esplanade and additional open space elements included in the Proposed Action would supplement existing open space and park uses found in Queensbridge Park to the north and along the waterfront to the south of the Project Site. New residents and employees introduced by the Proposed Action would have convenient access to nearby public open space, Queens Plaza and inland businesses. Moreover, the open space, commercial and cultural/community facility uses introduced by the Proposed Action would be accessible to visitors from Queens Plaza, other areas inland, and residents of Queensbridge Houses, Queens West, and River East.

No significant adverse impacts on the development of industrial uses would result from the Proposed Action, as there are numerous industrially zoned parcels available for industrial development in the Secondary Study Area and, more broadly, Long Island City. Further, the proposed Long Island City IBZ would protect the manufacturing and industrial uses located therein from any outside development pressures. The Proposed Action, therefore, would not adversely affect industrial properties located in the IBZ. Instead, the Proposed Action would improve the quality of the public open space available to workers employed in the vicinity.

2. Zoning

a) Proposed Zoning

The proposed zoning map amendment would replace the existing M1-4 Light Industrial District on the Project Site with an M1-5/R10 Special Mixed Use District (Figure 2-5). The proposed special mixed use zoning district would allow a mix of uses, including production studios and support uses, and residential, retail, office and cultural uses, many of which are not currently permitted as-of-right. Specifically, the proposed zoning would permit a maximum FAR of 5.0 for commercial and manufacturing uses, and 10.0 for community facility and residential uses. The maximum density of the Proposed Action would be capped at 2,100,000 zsf (7.90 FAR) pursuant to a Restrictive Declaration with either the Preferred Development Program or any of its three variations. The proposed rezoning would allow for as-of-right buildings of a maximum elevation of 350 feet compared to the maximum elevation of 110 feet allowed under the current zoning designation.



Source: NYC Zoning Resolution, available online at www.nyc.gov/html/dcp/pdf/zone/map9b.pdf, July 2005

Commercial Overlay Districts

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

Project Site

Proposed Zoning District Boundary

Special Long Island City Mixed Use District

FIGURE 2-5:
PROPOSED ZONING

Table 2-3 provides a summary of the bulk regulations of the M1-5/R10 district on a waterfront block compared to the same block with M1-4 zoning. The proposed zoning map amendment would be accompanied by a zoning text amendment to create a Special Mixed Use District that would facilitate construction of the Project by adding a Northern Hunters Point Special Mixed Use District to Section 123-90 (Special Mixed Use Districts Specified) of the Zoning Resolution of the City of New York.

TABLE 2-3: SUMMARY OF BULK REGULATIONS FOR A WATERFRONT BLOCK IN A M1-5/R10 DISTRICT COMPARED TO AN M1-4 DISTRICT

Feature	M1-4 Zoning District	M1-5/R10 Zoning District
Maximum Floor Area Ratio for Commercial Buildings	2.0	5.0
Maximum Floor Area Ratio for Community Facility Buildings	6.5	6.5
Maximum Floor Area Ratio for Residential Buildings	N/A	10.0
Maximum Floor Area Ratio for Manufacturing Buildings	2.0	5.0
Minimum Rear Yard for Residential Buildings	N/A	40 feet (on waterfront)
Minimum Rear Yard for Commercial Buildings	20 feet[1]/40 feet (on waterfront)	40 feet (on waterfront)
Minimum Side Yard	0 feet	0 feet
Maximum Building Height	110 feet	350 feet
Maximum Height of Streetwall	60 feet	85 feet

[1] Automotive and semi-industrial uses, wholesale establishments, or manufacturers require only a standard 20-foot rear yard

The proposed rezoning and related land use approvals (see Chapter 1, "Project Description") would permit the development of 2,067,788 zoning square feet on a lot of 261,368 square feet, resulting in a mixed use development with an overall FAR of 7.91, as shown in Table 2-4.

TABLE 2-4: PREFERRED DEVELOPMENT PROGRAM BY SIZE AND FAR

Use	FAR	Area (in zoning square feet)
Commercial Uses	3.91	980,179
Studio and Studio Support		271,191
Office		589,590
Retail		75,815
Catering		43,583
Health Club		42,422
Cultural/Community Facility Uses	0.4	106,014
Residential Uses	3.58	936,381
New York Architectural Terra Cotta Co. building	0.01	2,790
TOTAL USES	**7.9**	**2,067,786**

b) Assessment

The proposed rezoning would not adversely affect the availability of other land in Long Island City currently zoned for manufacturing uses. Sufficient land would continue to be zoned for

manufacturing uses in the Secondary Study Area to meet foreseeable needs, particularly given the continuing decline in the number of jobs in the manufacturing sector in Long Island City. Portions of the remaining land in the Secondary Study Area and elsewhere in Long Island City would be within the new Industrial Business Zone that is to replace the Long Island City In-Place Industrial Park. As discussed earlier in this chapter, the City has established a new Office of Industrial and Manufacturing Businesses dedicated to the support and stimulation of the industrial and manufacturing job base in New York City, including jobs within a Long Island City Industrial Business Zone. This new designation will guide the development of the approximately 900-acre area, unaffected by the Proposed Action, which would be limited to the Project Site and controlled by the proposed Restrictive Declaration.

The proposed zoning changes would recognize the ongoing shift away from the industrial and manufacturing uses that once dominated the Long Island City waterfront to a broader range of commercial, residential, manufacturing, cultural, and open space uses. They would also allow for the redevelopment of a dormant and underutilized waterfront location, and be supportive of the City's long-term vision for the East River waterfront as a vital mixed use community. Overall, the proposed zoning would complement the existing mixed use districts mapped in Queens Plaza and Hunters Point and support the City's long-term goals to encourage high-density mixed development on the waterfront as reflected by the Queens West and River East projects south of the Project Site.

Regarding bulk, the proposed rezoning would permit a maximum FAR of 5.0 for commercial and manufacturing uses, and 10.0 for community facility and residential uses, compared to the current maximum FARs within the existing M1-4 zoning of 2.0 for commercial and manufacturing uses, and 6.5 for community facilities. Residential buildings are not permitted under the existing M1-4 zoning designation. Overall FAR for the Project Site under the proposed rezoning would be 7.91. The proposed rezoning would result in buildings of a maximum elevation of 350 feet compared to the maximum elevation of 110 feet allowed under the current M1-4 zoning designation. Maximum residential development in the R-6 District in which the Queensbridge Houses are located northeast of the Project Site is 2.43 FAR.

The Long Island City waterfront has experienced an increase in high-rise development along the waterfront south of the Project Site. As part of this trend, the Proposed Action would introduce 2.77 million gsf of mixed use development near the Queensboro Bridge, thus establishing a central node that would connect Queens Plaza South with the Citibank Building, inland, and the Queens West and River East developments to the south. Silvercup West would be in context with these buildings of notable bulk.

3. Public Policy

The Proposed Action would be consistent with City policies regarding waterfront uses, housing, industrial retention, and the development and strengthening of the City's film and television industry.

Silvercup West would redevelop an underutilized section of the Northern Hunters Point waterfront, consistent with the policies included in the *Citywide Comprehensive Waterfront Plan,* the *Northern Hunters Point Study*, the Framework, and the NYCDCP *Strategic Plan* (2005), particularly those related to waterfront access. The Framework specifically calls for the redevelopment of the northern Hunters Point Waterfront with non-industrial uses, and identifies the Project Site as a location for open space and residential uses. View corridors, likewise, would be realized by the Proposed Action, consistent with plans and policies included in the *Citywide Comprehensive Waterfront Plan.*

The Proposed Action would provide new housing to meet the needs of New York City's growing population, consistent with the NYCDCP *Strategic Plan* (2005) and complementary to other City actions intended to increase the housing supply at all price levels, including at locations well-served by public transit and other existing infrastructure. In so doing, the Proposed Action would be consistent with other City actions that allowed for the construction of high-density development along the East River waterfront in Queens, including Queens West and River East. Together, these projects would allow the conversion of the Northern Hunters Point waterfront to a vibrant new residential and mixed use community with a substantial amount of public open space, consistent with long-term policy objectives for this area. The Proposed Action would also provide public access and open space that meets and exceeds the requirements of waterfront zoning and the Northern Hunters Point Waterfront Access Plan, including the extension of Queens Plaza South as the required Upland Connection.

The Proposed Action would result in a substantial amount of new cultural/community facility space, and support the City's goal of enhancing the arts and cultural community in Queens. The new film and television production facilities at Silvercup West would expand the City's critical mass of such facilities, necessary to preserve the vitality and growth of the New York City-based film, television and commercial production industry, consistent with the City's concerted effort and investment in this key sector of the local economy. By so doing, it would preserve and grow thousands of skilled technical and related blue collar support jobs, both on-site and in the immediate area, particularly in the neighboring new Long Island City IBZ.

4. Variations

While there are some differences among them, the variations would all be consistent with City policies regarding the development of the East River waterfront. Regarding land use and public policy, unlike with the Preferred Development Program, Variation 1 would not provide additional office space and would not be supportive of the long-term goal of the City to provide additional office space in areas outside of Manhattan. However, it would provide over 650,000 gsf of additional residential space beyond that of the Preferred Development Program and contribute to the inventory of needed new residential space in the City. Unlike the Preferred Development Program, Variation 2 would not provide a cultural/community facility or be supportive of the desire to provide additional space in Long Island City for use by the burgeoning cultural and arts community in the area. However, it would provide even greater television and movie production studio and studio support space than with the Preferred Development Program. Variation 3 would have the combined attributes of Variations 1 and 2.

There would be no differences among the Preferred Development Program and the three variations relative to zoning. As with the Preferred Development Program, all three variations could be developed under the proposed rezoning and would be developed in strict conformance with the same Restrictive Declaration and, therefore, within the same building envelope as the Preferred Development Program.