Crescent Street Rezoning
40-25 Crescent Street
October 21, 2021

I. Introduction

Crescent Street Associates, LLC (the "Applicant"), owner of the property located at 40-25 Crescent Street (Queens Block 406, Lot 12) (the "Development Site") is seeking:

1. A zoning map amendment to rezone the area bounded by Crescent Street to the west, an imaginary line 100 feet north of and parallel to 41st Avenue to the south, 27th Street to the east and an imaginary line 80 feet south of and parallel to 40th Avenue to the north (the "Project Area") from its existing M1-2/R5B (LIC) and M1-2/R5D (LIC) district to an M1-2/R6A (LIC) district;[1] and

2. A zoning text amendment to amend Appendix F of the Zoning Resolution to map the Project Area for Mandatory Inclusionary Housing ("MIH") (items 1 and 2, together, the "Rezoning").

In addition to the Development Site, the Project Area encompasses Block 406, Lots 9, 10, 11, 29, 38 and 40 and parts of Lots 1, 2, 8, 27, 28 and 1001-1004 (f/k/a Lot 24). The Rezoning would facilitate development of an approximately 175,655 sf, seven story mixed-use building (the "New Building") on the Development Site, containing 233 residential dwelling units, of which 60 are proposed to be affordable pursuant to MIH Option 1; and 17,000 sf of commercial and light industrial floor area, which would house the Applicant's affiliate's water tank facility, thereby preserving existing industrial jobs, and local retail.

II. Background

The Project Area is located in Long Island City, in Queens Community Board 1, on the block generally bounded by Crescent Street to the west, 41st Avenue to the South, 27th Street to the east and 40th Avenue to the north. It has been located in its existing M1-2/R5B and M1-2/R5D zoning districts in the Dutch Kills Subdistrict (the "Subdistrict") of the Special Long Island City Mixed Use District (the "Special District")[2] since the Subdistrict was enacted in 2008. Prior to 2008, the Project Area had been part of an M1-3D zoning district since 1989 and an M1-3 zoning district between enactment of the 1961 Zoning Resolution and the 1989 rezoning.

The Development Site is owned by the Applicant, an affiliate of The Rosenwach Group, a major supplier and servicer of water storage tanks and towers, cooling products and services to the tri-state area for decades. The Development Site was previously a fabrication site for Rosenwach, before it elected to move its fabrication activities elsewhere after changing traffic patterns around Queens Plaza adversely affected the ability of tractor trailers to access the Development Site.

[1] The northernmost 4.92 feet of the Development Site would remain in the M1-2/R5D district.
[2] Zoning districts within the Special District are also referenced herein with the notation "(LIC)."

There have been three major land use actions within 600 feet of the Project Area (the "Surrounding Area") in the last two decades:

- Long Island City Rezoning (C000406(A)ZMQ): This 2001 application by the Department of City Planning ("DCP") rezoned a 34-block area south of the Project Area in Long Island City as the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District, which included the Queens Plaza Subdistrict; a three-block area rezoned in 1986 (the new Court Square Subdistrict); and the former Special Hunters Point Mixed Use District, created in 1981 (the new Hunters Point Subdistrict). The rezoning effectuated a decades-long plan to introduce a central business district in Long Island City by increasing permitted density of mixed-use and commercial developments and encouraging residential development around existing mass transit. The Special District regulations continue to encourage retention of light manufacturing uses alongside expansion of residential use.

- Metlife Plaza Expansion (C020100ZMQ): This 2001 application by the Metropolitan Life Insurance Company rezoned a property bounded by 27th Street, a line 100 feet southwesterly of 41st Avenue, 28th Street, and a line 200 feet northeasterly of Queens Plaza North, southeast of the Project Area, from M1-2/R7-3 (LIC) to M1-2/R9 (LIC) to facilitate the development of an approximately 275,000 sf commercial building.

- Dutch Kills Rezoning (C080429ZMQ): This 2008 application by DCP rezoned a 40-block area of Long Island City as a Subdistrict, within the Special District, bounded by 36th Avenue to the north, Northern Boulevard to the east, 41st Avenue to the south and 23rd Street to the west. The rezoning, which mapped medium density contextual MX districts over low density manufacturing and M1-3D districts, was intended to create more predictable building scales commensurate with existing contexts, expand the mix of permitted uses and encourage an increase in residential development. The 2008 rezoning responded to a neighborhood with diverse uses and non-contextual development conditions that had been permitted by its previous designation as an M1-3D zoning district.

III. Description of the Surrounding Area

The Project Area is located in the Dutch Kills neighborhood of Long Island City in Queens Community District 1. It is two blocks east of the Long Island City Industrial Business Zone ("IBZ") and one block north of Queens Plaza North and the above-grade subway. The Surrounding Area is characterized by its mix of uses and scale, ranging from one-story warehouse buildings housing industrial uses, to 15-story residential buildings with ground floor local commercial uses.

The western approximately 100 feet of the Project Area, as well as the portions of the Surrounding Area fronting on Crescent Street, 40th Avenue and 29th Street, are in an M1-2/R5D (LIC) district in the Subdistrict. Land uses in this area range from unimproved parcels used for parking, vehicle storage, auto repair and materials storage to five-story multi-family residential buildings. Common building types in the area include two-story single-family homes and one-to-

two story warehouse-style light industrial buildings, occupied by businesses including antiques restoration, contractors, auto repair and grocery/bakery wholesalers. This area also includes a nine-story hotel fronting on Crescent Street, across from the Project Area. Zoning regulations applicable in this M1-2/R5D (LIC) district are described in further detail in the section below titled "Description of the Project Area."

The eastern approximately 100 feet of the Project Area, as well as several midblock areas in the Surrounding Area, are in an M1-2/R5B (LIC) district in the Subdistrict. Land uses in these areas generally fall into three broad categories: one-to-two story warehouse-style light industrial buildings, occupied by auto repair shops and related businesses, contractors, engineers and wholesalers; two-to-four story residential buildings; and unimproved land used for parking, vehicle repair and materials storage. Zoning regulations applicable in this M1-2/R5B (LIC) district are described in further detail in the section below titled "Description of the Project Area."

The area immediately south of the Project Area, fronting on the north side of 41st Avenue between 23rd Street and 29th Street, is in an M1-2/R6A (LIC) district in the Subdistrict. This area is improved with industrial uses ranging from open parking areas and a gas station to two-story warehouse-style buildings, housing businesses ranging from auto repair and a plant nursery to a recording studio and restuarants, and residential buildings ranging from two to six stories. Zoning regulations applicable in this M1-2/R6A (LIC) district are described in further detail in the section below titled "Description of the Proposed Project."

The southern part of the Surrounding Area, within approximately 200 feet of Queens Plaza North between 23rd Street and 29th Street, is in an M1-5/R9 (LIC) district within the Queens Plaza Subdistrict of the Special District (the "M1-5/R9 District"). The M1-5/R9 District allows for 8.0 FAR of development, all of which can be used for residential, community facility, commercial or manufacturing uses. Buildings in the M1-5/R9 District must have a minimum base height of 100 feet and can have a maximum base height of 150 feet, at which point they must set back 10 feet from a wide street or 15 feet from a narrow street. There is no height limit in the M1-5/R9 District. The M1-5/R9 District is improved with buildings ranging from one to 21 stories, consisting of newer office and residential buildings, often with commercial ground floors, and older industrial (now mostly used as commercial) and retail buildings.

Between the M1-5/R9 District and the M1-2/R6A (LIC) district discussed above, an M1-5/R7-3 (LIC) zoning district in the Queens Plaza Subdistrict of the Special District (the "M1-5/R7-3 District") is mapped along the south side of 41st Avenue between 23rd Street and 29th Street. The M1-5/R7-3 District allows for 5.0 FAR of development, all of which can be used for residential, community facility, commercial or manufacturing uses. Buildings in the M1-5/R7-3 District must have a minimum base height of 60 feet and can have a maximum base height of 100 feet, at which point they must set back 10 feet from a wide street or 15 feet from a narrow street. There is no height limit in the M1-5/R7-3 District. The M1-5/R7-3 District is characterized by a mix of high-rise mixed-use buildings ranging from eight to 17 stories with ground floor commercial uses; older, lower-scale buildings generally ranging from one to three stories and housing a range of uses, including commercial uses, a school and residences; and unimproved lots and portions of lots used for parking.

The M1-5/R9 District and the M1-5/R7-3 District are both located in an area where parking regulations are governed by the Zoning Resolution's comprehensive parking regulations for the Long Island City Area, contained in Article I, Chapter 6. Pursuant to these regulations, no accessory parking is required for developments or enlargements constructed in the Long Island City Area after October 25, 1995.

The western portion of the Surrounding Area is in the Long Island City IBZ. An M1-5 zoning district is mapped at the southwest corner of 41st Avenue and 23rd Street, and an M1-3 zoning district is mapped on the west side of 23rd Street. M1-5 and M1-3 zoning districts permit up to 5.0 FAR of commercial or manufacturing use and up to 6.5 FAR of limited community facility uses. Building heights in each district are governed by sky exposure plane regulations. Parking generally is not required in M1-5 districts, and parking requirements vary by use in M1-3 districts. This portion of the Surrounding Area is improved with one-to-two story auto and light industrial buildings and a seven-story industrial building housing an electrical distributor.

The northwest corner of the Surrounding Area is in an M1-2 zoning district, generally located between 23rd Street and 24th Street. M1-2 zoning districts permit up to 2.0 FAR of commercial or manufacturing use and up to 4.8 FAR of limited community facility uses. Building heights are governed by a sky exposure plane and parking requirements vary by use. This portion of the Surrounding Area is improved with one-to-two story industrial, warehouse-style buildings occupied by businesses including a food distributor, a manufacturer of pharmaceutical equipment and a sheet metal contractor.

The eastern edge of the Surrounding Area includes an M1-5/R7-3 (LIC) zoning district at the corner of 40th Road and 29th Street and an M1-6/R10 (LIC) zoning district at the intersection of 41st Avenue and 29th Street. Both zoning districts are in the Queens Plaza Subdistrict of the Special District. The M1-6/R10 (LIC) district allows up to 12.0 FAR of residential, community facility, commercial and manufacturing development. Both zoning districts have no height limit and are in the area governed by the Long Island City Area comprehensive parking regulations, where no parking is required for developments or enlargements constructed after October 25, 1995. This portion of the Surrounding Area is currently unimproved.

The Surrounding Area includes several community facility uses. The Newcomers High School, a nationally-recognized public school specializing in educating new immigrants between grades nine and twelve, is approximately 320 feet east of the Project Area, between 28th and 29th Streets. The Growing Up Green Charter School (serving elementary school students) and St. Patrick Roman Catholic Church are approximately 550 feet northeast of the Project Area. The Evangel Christian School (with students from pre-Kindergarten to the twelfth grade) and Evangel Church are approximately 480 feet north of the Project Area.

The Project Area is four blocks east of the 21st St – Queensbridge subway station with F train service, two blocks north of the Queensboro Plaza subway station with 7, N and W train service and approximately six blocks north of the Queens Plaza subway station with E, M, G and 7 train service. The Q32, Q60, Q101 and Q102 buses stop two blocks from the Project Area at Queens Plaza North and 27th Street. The Project Area fronts on Crescent Street, a 60-foot wide street

(the same width as the majority of streets in the Surrounding Area) that runs from north to south, connecting northern Astoria to the Queens Plaza network, and that features a protected bike lane.

The Project Area is located in a Transit Zone. Transit Zones encompass areas outside the Manhattan Core that are within a half mile of a subway station and have low automobile ownership rates. Within Transit Zones, special lower accessory parking requirements apply to affordable housing units.

IV. Description of the Project Area

The Project Area is bounded by Crescent Street to the west, an imaginary line 100 feet north of and parallel to 41st Avenue to the south, 27th Street to the east and an imaginary line 80 feet south of and parallel to 40th Avenue to the north. It consists of:

- The Development Site, described in further detail in the next section;
- Lot 9, an approximately 2,505 sf lot used for vehicle storage;
- Lot 10, an approximately 2,505 sf lot used for vehicle storage;
- Lot 11, an approximately 2,505 sf lot used for vehicle storage;
- Lot 29, an approximately 2,520 sf lot improved with a three-story residential building;
- Lot 38, an approximately 2,505 sf lot used for vehicle storage;
- Lot 40, an approximately 5,000 sf lot improved with a nine-story hotel;
- An approximately 1,000 sf portion of Lots 1001-1004 (a condominium formerly known as Lot 24), an approximately 12,500 sf lot improved with a five-story residential building with ground floor industrial space housing a heating equipment supplier and a construction company;
- An approximately 500 sf portion of Lot 27, an approximately 2,505 sf lot improved with a one-story industrial building occupied by a rug-maker;
- An approximately 500 sf portion of Lot 28, an approximately 2,505 sf lot improved with a two-story industrial building, occupied by the same rug-maker as Lot 28;
- An approximately 2.5 sf portion of Lot 1, an approximately 2,525 sf lot improved with a three-story mixed-use building;
- An approximately 15 sf portion of Lot 2, an approximately 15,000 sf lot improved with two one-story buildings used for auto repair and taxi leasing and an unimproved portion used for vehicle storage; and
- An approximately 2.5 sf portion of Lot 8, an approximately 2,525 sf lot used for vehicle storage.

The western approximately 100 feet of the Project Area, fronting on Crescent Street, are currently in an M1-2/R5D (LIC) district within the Subdistrict, and the eastern approximately 100 feet of the Project Area, fronting on 27th Street, are currently in an M1-2/R5B (LIC) district within the Subdistrict. These zoning districts allow for development of up to 3.0 FAR. In the M1-2/R5D (LIC) district within the Subdistrict, up to 1.65 FAR may be used for residential uses and up to 2 FAR an be used for community facility uses. In the M1-2/R5B (LIC) district within the Subdistrict, up to 2 FAR may be used for residential uses or community facility uses. In each district, floor area above a base 2 FAR can only be used for designated industrial uses

("Designated Uses"), which include uses in Use Groups 16A, 16D, 17A, 17B and Use Group 10A media production studios.

In an M1-2/R5D (LIC) district within the Subdistrict, a building cannot exceed a height of 45 feet within 25 feet of a street line. In an M1-2/R5B (LIC) district within the Subdistrict, a building cannot exceed a height of 33 feet within 25 feet of a street line. Beyond 25 feet of a street line, a building can rise to a maximum of 60 feet. Parking requirements in each district vary by use.

V. Description of the Development Site

The Development Site is an approximately 45,200 sf lot with approximately 255 feet of frontage on Crescent Street (a narrow street) and 200 feet of frontage on 27th Street (a narrow street). The Development Site's Crescent Street frontage features a protected bike lane.

The Development Site is improved with four one-story buildings, currently used as an office space for Orkin (an exterminating service), a facility in which Rosenwach stores and tests its water tanks and cooling tower products and a parking lot, service and storage area for food trucks and carts. The Development Site has three curb cuts on Crescent Street and two oversized curb cuts on 27th Street. The western half of the Development Site is in a M1-2/R5D (LIC) zoning district in the Subdistrict and the eastern half of the Development Site is in a M1-2/R5B (LIC) zoning district in the Subdistrict. Each of the two zoning districts is described in the section above.

VI. Description of the Proposed Development

The Rezoning would rezone the Project Area from its existing zoning districts to an M1-2/R6A (LIC) zoning district in the Subdistrict (the "Proposed Zoning District"), extending the existing M1-2/R6A zoning district immediately south of the Project Area north to within 80 feet of 40th Avenue. The Proposed Zoning District would allow for up to 4.0 FAR of development, up to 3.6 of which can be used for residential use with provision of MIH affordable floor area or for commercial and manufacturing use. Any development beyond 3.6 FAR (i.e. .4 FAR) must be used for Designated Uses. The maximum building height permitted in the Proposed Zoning District is 85 feet/eight stories (with provision of MIH affordable floor area on site).

The Rezoning would facilitate development of the New Building, a seven-story (plus cellar) mixed-use building containing approximately 175,655 sf of floor area. The New Building's ground floor would contain approximately 11,785 sf of Designated Uses, to be used by the Applicant for its water tank and tower storage and testing operations (which fall under Use Groups 16A and 17A), and approximately 5,510 sf of local retail, divided into three retail spaces. Retail tenants have not yet been identified, but the Applicant intends to fill the New Building's retail spaces with businesses that would serve local workers and residents. The proposed local retail spaces would front on Crescent Street.

The proposed Designated Uses would have frontage on Crescent Street and 27th Street, with a loading berth and 12-foot-wide curb cut on Crescent Street. This single loading berth would

replace six loading berths currently present on the Development Site. Development of the New Building would significantly reduce the number of curb cuts at the Development Site from five (including oversized curb cuts) to two 12-foot-wide curb cuts – the above-mentioned Crescent Street curb cut and a second curb cut on 27th Street accessing the New Building's below-grade parking facility. The number of curb cuts on Crescent Street would be reduced from three to one, meaning the adjacent protected bike lane would only break once, rather than three times, in front of the Development Site.

The New Building would also contain approximately 158,410 sf of residential use on the ground and upper floors. Approximately 39,600 sf of residential floor area would be affordable pursuant to MIH Option 1. The New Building would contain approximately 233 dwelling units – 60 affordable units and 173 market rate units – split between two building sections (one on each street frontage). A cellar parking facility, accessed by a 12-foot-wide curb cut on 27th Street, would provide 88 required accessory residential parking spaces, 18 required commercial (local retail) accessory parking spaces and 12 required manufacturing (Designated Uses) accessory parking spaces, for a total of 118 spaces accessory to the New Building.

The New Building's street wall would be located at the street line and would rise to a height of 65 feet on both Crescent Street and 27th Street before setting back 15 feet and rising to a height of 75 feet. A portion of the New Building fronting Crescent Street within 25 feet of the adjacent M1-2/R5D district north of the Development Site would rise to a maximum permitted height of 55 feet. The New Building would have permitted dormers on both street frontages on the seventh story. The through lot portion of the Development Site would have a 60-foot rear yard equivalent, with a permitted single story of commercial/manufacturing space covering part of the yard. The interior lot portion of the Development Site would have a required 30-foot rear yard, also with a permitted single story of commercial/manufacturing space.

VII. Actions Necessary to Facilitate the Project

The Rezoning consists of two actions necessary to facilitate development of the New Building:

1. A zoning map amendment to rezone the area bounded by Crescent Street to the west, an imaginary line 100 feet north of and parallel to 41st Avenue to the south, 27th Street to the east and an imaginary line 80 feet south of and parallel to 40th Avenue to the north from its existing M1-2/R5B and M1-2/R5D district to an M1-2/R6A district;[3] and

2. A zoning text amendment to amend Appendix F of the Zoning Resolution to map the Project Area for MIH.

The Rezoning would continue to promote the Special District and Subdistrict's goals of allowing residential development in a mixed-use area while also preserving industrial uses and jobs, as explained below.

[3] The northernmost 4.92 feet of the Development Site would remain in the M1-2/R5D (LIC) district in the Subdistrict. The New Building's 8-foot side yard would overlap with this portion of the Development Site.

Zoning Map Amendment

The proposed zoning map amendment would rezone the Project Area from its existing mix of M1-2/R5D (LIC) and M1-2/R5B (LIC) districts within the Subdistrict to an M1-2/R6A (LIC) district within the Subdistrict, representing an extension of the existing M1-2/R6A (LIC) district directly south of the Project Area. The zoning map amendment would increase the FAR available within the Project Area, including the residential FAR available within the Project Area, so as to encourage mixed-use development on the Project Area's underutilized parcels, such as the Development Site. The proposed zoning map amendment would allow the Development Site to be improved with residential uses, while providing new ground floor retail to activate the Crescent Street streetscape and retaining the Applicant's existing industrial use and existing jobs. The Applicant's water tower and tank business has been operating in New York City since the late 1800s. The Rezoning would allow the Applicant's business to retain a presence in Long Island City and retain jobs, while allowing its operations at this location to occupy a more modern facility.

Despite the proposed increase in density, the zoning map amendment would continue to apply a contextual, mixed-use zoning district to the Project Area, in line with its Surrounding Area. The Project Area's proposed M1-2/R6A (LIC) district would continue to serve as a transition, with regard to density and height, from higher-density blocks to the Project Area's south to the Project Area's adjacent M1-2/R5B (LIC) and M1-2/R5D (LIC) districts. The New Building would create a nearly continuous street wall along each of the Development Site's frontages and would reduce the number of curb cuts and loading berths at the Development Site, both of which would make the Project Area more friendly to pedestrians and cyclists.

MIH Zoning Text Amendment

The proposed MIH zoning text amendment would ensure new development within the Project Area contains affordable housing. The Applicant is proposing MIH Option 1, which would require 25 percent of residential floor area developed within the Project Area be affordable at an average 60 percent Area Median Income ("AMI"). Construction of the New Building would result in approximately 60 such affordable units, all benefiting from the Project Area's close proximity to Queens Plaza and access to multiple means of public transit. Approximately 37 percent of residents in Community District 1 are rent burdened, and the proposed affordable units would help 60 families earning an average 60 percent AMI find a home they can afford.

VIII. Conclusion

Approval of the Rezoning from a split M1-2/R5B (LIC) and M1-2/R5D (LIC) district in the Subdistrict to an M1-2/R6A (LIC) district in the Subdistrict, to be mapped for MIH Option 1, would create an appropriate transition area between existing higher density districts to the south and the existing lower-density districts to the east, west and north, and would encourage the development of market rate and affordable housing while retaining the area's mixed-use nature and industrial uses.