23-01 Steinway Street Rezoning
Community District 1, Queens
February 23, 2023

1. Introduction

Efraim Realty (the "Applicant") proposes a zoning map amendment to change the existing R5D/C2-3 and R5D zoning districts to R6A/C2-4 zoning districts in the Astoria neighborhood within Queens Community District 1. The proposed project area consists of Block 793, Lots 73, 75, 72 and p/o 171, Block 795, Lots 1, 2, 61 and 3, Block 803, Lots 43, 45, and 46, and Block 805, Lots 64, and p/o 61 (the "Project Area"). In addition, the Applicant proposes a text amendment to Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 1, Queens to establish an MIH Area coterminous with the Project Area. The Applicant proposes mapping Option 1 & 2 within the proposed Project Area.

The proposed actions would facilitate the development of 23-01 Steinway Street (Block 793, Lots 75 and 73) (the "Development Site") with a new six-story plus cellar, approximately 27,000 square foot (3.6 FAR) mixed-use building with approximately 22 dwelling units, six of which would be affordable.

2. Background

In 1961, the proposed Project Area was zoned R5 with Block 803 having a C2-2 commercial overlay. There have been multiple rezonings since that time.

Most recently, in 2010, 238 Blocks were rezoned in the Astoria neighborhood of Queens (C100199 ZMQ). The rezoning area was bounded by 20th Avenue to the north, Steinway Street to the east, Broadway to the south, and Vernon Boulevard, 8th Street, 14th Street, and the East River to the west. The area rezoned R4, R5, R6, and R6B districts to R4, R4-1, R4B, R5, R5B, R5D, R6A, R6B, R7A, C2-3, C4-2A, C4-3, and C4-4A districts to (1) protect neighborhood character from out-of-scale development, (2) reflect established development patterns, (3) direct opportunities for moderate residential and commercial growth to locations along wide streets and transit resources, and (4) provide incentives to create affordable housing.

Other Land Use Actions

On July 23, 2019, 38-01 23rd Avenue (Block 805, Lots 1, 61, 64, and p/o 160) was rezoned to map a C2-3 commercial overlay to a depth of 150 feet along 23rd Avenue between 38th and Steinway Streets (C180315 ZMQ).

On February 11, 2020, a few blocks from the Project Area, an application to change the zoning from R4 and M1-1 zoning districts to R4, R4/C2-3, R6A, and R6A/C2-3 districts was approved (C190267 ZMQ). The R6A zoning district was mapped over a majority of the area, extending between Ditmars Boulevard to depths of 125 feet, and 100 feet from 23rd Avenue along 46th Street and 45th Street, respectively.

3. Description of the Surrounding Area

The Project Area is in the Astoria neighborhood of Community District 1. Existing land uses within the surrounding area consist primarily of mixed commercial and residential buildings, one- and two- family and multi-family buildings, commercial and office uses, and open space/park land. The mixed commercial/ residential buildings along Steinway Street range from one to two stories in height. The residential buildings range from one to four stories in height. The existing zoning districts in the surrounding area include: R5D, R5B, R6B, C2-3 and C1-3.

R5D

An R5D zoning district is a contextual residential district designed to encourage residential growth along major corridors and permits a maximum FAR of 2.0 for residential or community facility uses. To ensure compatibility with neighborhood scale, the maximum street wall height

of a new building is 30 feet and the maximum building height is 40 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building; in addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line.

R5B

East of the Project Area sits an R5B zoning district. R5B districts allow for a variety of housing, typically three-story attached row houses. The FAR of 1.35 typically produces a building with a maximum street wall height of 30 feet, above which the building slopes or is set back to a maximum height of 33 feet. The front yard must be at least five feet deep, and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots.

R5

An R5 zoning district sits northeast of the Project Area. R5 districts allow for a variety of housing, typically three-and four-story attached houses and small apartment houses, with a maximum permitted FAR of 1.25. With a height limit of 40 feet, R5 districts provide a transition between lower- and higher-density neighborhoods. The maximum street wall height and the maximum building height is 40 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building. In addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line. Detached houses must have two side yards that total at least 13 feet, each with a minimum width of five feet. Semi-detached houses need one eight-foot-wide side yard. Apartment houses need two side yards, each at least eight feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon. Parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is required for 85% of the dwelling units in the building.

R6B

An R6B zoning district is mapped to the south of the Project Area. R6B districts are contextual zoning districts where the Quality Housing bulk regulations are mandatory. With a maximum permitted FAR of 2.0, or 2.2 with inclusionary housing, R6B districts typically consist of four- to five-story apartment buildings and four-story attached buildings. The base height must be between 30 and 40 feet, a 10-foot setback is required on a wide street and a 15 foot setback is required on a narrow street, and the maximum permitted height is 50 or 55 feet with a qualifying ground floor. Off-street parking is required for 50% of all dwelling units or can be waived if five or fewer spaces are required.

Commercial Overlays

C1-3 and C2-3 commercial overlay districts surround the Project Area to the west along Steinway Street. C1-3 and C2-3 zoning districts are commercial overlay districts mapped within residential neighborhoods along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. In mixed buildings, commercial uses are limited to first floors and must always be located below the residential use. When commercial overlays are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0. When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0.

The Project Area is located one block to the south of Ditmars Boulevard. Ditmars Boulevard is an 80’-0” wide, main commercial corridor zoned R5B with C1-3 and C2-3 commercial overlays. Ditmars Boulevard is developed with single-story retail establishments serving local needs, such as food markets, restaurants, cafes, and stores. There are also four-story residential buildings with ground floor commercial uses.

Community facility uses in the Surrounding Area include the New Beginnings Church of Astoria, the Nao Medical Astoria Urgent Care, an elementary school located at 22-45 41st Street, and an orthopedic spine surgery medical practice located at 40-21 23rd Avenue. The Ditmars Playground

is adjacent to the Project Area and has basketball courts, bocce ball, and handball courts.

Public Transportation

The Project Area is located within a Transit Zone and is well served by mass transit. The Ditmars Boulevard station servicing the N and W subway lines is located nine blocks west of the Project Area. Buses in the area include the Q101 (Astoria to East Midtown) and M60-SBS lines (West Side - LaGuardia Airport) which run along Steinway through the Project Area.

4. Description of the Proposed Project Area

The Project Area is located within the Astoria neighborhood of Queens Community District 1. The Project Area covers the four corners (100ft x 100ft) of the intersection of Steinway Street and 23rd Avenue. The Project Area consists of Block 793, Lots 73 and 75, 72 and p/o 171, Block 795, Lots 1, 2, 61 and 3, Block 803, Lots 43, 45, and 46, and Block 805, Lots 64, and p/o 61.

The Development Sites

The Development Site consists of Block 793, Lots 73 and 75. There are approximately 7,500 square feet of lot area (Lot 73: 5,000 sf) (Lot 75: 2,500 sf). Lot 73 currently maintains a one-story automotive repair facility (5,000 sf) and Lot 75 maintains a three-story building with a restaurant on the ground floor and two residential units above (4,500 sf). Collectively, the Site maintains 9,500 sf (1.60 FAR).

Non-Applicant Controlled Sites

Block 793, Lot 72 is an approximately 2,000 square foot lot improved with a three-story mixed-use building with commercial on the ground floor and residential above.

Block 793, Lot 171 is an approximately 2,000 square foot lot improved with a three-story mixed-use building with commercial on the ground floor and residential above.

Block 795, Lot 1 is an approximately 1,950 square foot lot improved with a three-story mixed-use building with a restaurant on the ground floor and residential above.

Block 795, Lot 2 is an approximately 1,950 square foot lot improved with a three-story mixed-use building with retail on the ground floor and residential above.

Block 795, Lot 61 is an approximately 1,100 square foot lot improved with a 1.5 story residential building.

Block 795, Lot 3 is an approximately 5,000 square foot lot improved with a four-story apartment building.

Block 805, Lot 64 is an approximately 2,500 square foot lot improved with a three-story mixed-use building with commercial on the ground floor and residential above.

Block 805, Lot 61 is an approximately 10,002 square foot lot improved with an Auto Body Repair Shop.

Block 803, Lot 43 is an approximately 5,000 square foot lot improved with a four-story mixed-use building with commercial in the ground floor and residential above.

Block 803, Lot 45 is an approximately 2,500 square foot lot improved with a two-story mixed-use building with retail on the ground floor and residential above.

Block 803, Lot 46 is an approximately 2,500 square foot lot improved with a two-story multi-family residential building.

5. Description of Proposed Development Site

The proposed Development Site is located at 23-01 Steinway Street and consists of two tax lots (Block 793, Lots 75 and 73). The Development Site has approximately 75 feet of frontage on Steinway Street and 100 feet of frontage along 23rd Avenue, for a total lot area of approximately 7,500 square feet.

6. Description of the Proposed Development

The Proposed Development involves the assemblage of Block 793, Lots 73 and 75 and the development of a single 39,811-GSF (27,000 ZSF, 3.60 FAR) mixed-use commercial and residential building containing approximately 2,794 GSF (2,654 ZSF, 0.35 FAR) of Local Retail on the ground floor, 27,717 GSF (24,346 ZSF, 3.25 FAR) of residential use on the upper floors, 2,030 GSF of Mechanical space, and 7,270 GSF of Parking in the Cellar. The building would have 6 stories and rise to 65 feet. The maximum height of the structure inclusive of the 20-foot bulkhead would be 85 feet. At the height of 43'-6", there would be a 25-foot setback on the sides of the building adjacent to R5 district as per ZR 23-693, the maximum height permitted within 25 feet of the adjacent R5 district is 45 feet. No new curb cuts are proposed.

The Proposed Development will be located within an MIH Designated Area, upon approval of the zoning text amendment of ZR Appendix F, and the applicant intents to provide 6 affordable housing units pursuant to Option 1 of the MIH program. The applicant will seek additional input from Community Board 1 and Council Member Tiffany Cabán regarding the level of affordability for the Proposed Development.

7. Actions Necessary to Facilitate the Project

The two actions necessary to facilitate the proposed project are: (1) a zoning map amendment changing an R5D/C2-3 and an R5D zoning district to an R6A/C2-4 zoning district within the Project Area and (2) a text amendment to establish an MIH Area with MIH Option 1 within the Project Area.

<u>Proposed Zoning Map Amendment</u>

The Project Area currently consists of medium-density residential zoning districts. The Project Area is ideally suited to support growth for the Astoria neighborhood. The proposed zoning map amendment will rezone the Project Area to an R6A/C2-4 zoning district, thereby making existing ground floor commercial uses in the Project Area conforming and increasing the density to reflect the area's surroundings. The mixed-use approach at this intersection would build on the vision for the area established during the 2010 Astoria Rezoning that mapped a C4 regional commercial district on Steinway Street south of Astoria Blvd.

The proposed R6A zoning district would facilitate new residential development up to a bulk of 3.6 FAR, inclusive of permanently affordable units, producing greater and much needed housing stock within the local area. The proposed R6A zoning district is appropriate in terms of bulk and permitted uses because it allows for inclusionary housing, which increases the FAR from 3.0. The proposed use of the Development Site as a mixed-use development would be consistent with uses in the surrounding area. Steinway Street is an extensive street that is a 100 ft. wide and the Project Area is in a Transit Zone. The C2-4 district's lower parking requirements will work well in an area that's well served by transit. Additionally, the rezoning will bring the overbuilt structures on the northeast and southwest corners of the intersection into compliance

The proposed rezoning would provide a new opportunity for an affordable and market-rate housing development. The proposed rezoning would promote the development of medium-density housing with permanently affordable units.

<u>Mandatory Inclusionary Housing Area Text Amendment</u>

The proposed text amendment of ZR Appendix F is necessary to establish an MIH Area, which would require new developments to set aside 25-30 percent of the residential floor area for affordable housing. MIH Option 1 requires an affordable housing set aside of 25 percent of the

residential floor area at an average of 60 percent of AMI, with 10 percent at 40 percent AMI. The Applicant proposes mapping MIH Option 1 within the Project Area. The proposed affordable housing set asides would ensure that development within the Project Area would address the critical need for new affordable housing in Queens Community District 1. The proposed MIH Area would address the City's Housing New York: A Five-Borough, Ten-Year Plan goals by increasing affordable housing to help ensure the community remains economically diverse in the face of increasing pressure for market-rate development.

8. Conclusion

The Applicant proposes a zoning map amendment to map an R6A/C2-4 zoning district in the Project Area currently zoned as R5D/C2-3 and R5D and a zoning text amendment to establish the Project Area as an MIH Area. The proposed actions would facilitate residential development in the Astoria neighborhood within Queens Community District 1. The proposed development would create approximately 22 dwelling units, inclusive of 6 affordable units, and permit ground floor commercial uses as-of-right. The proposed rezoning would provide increased opportunities for housing development on underutilized sites, including mandatory inclusionary housing. The MIH program ensures that new development within the Project Area would address the need for housing that serves low-income levels. These actions would be consistent with the City's goals of strengthening neighborhoods, expanding housing, including affordable housing, and employment in transit-accessible areas, while respecting the character of surrounding residential communities.