# THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE**

**AND THE**

**SUBCOMMITTEE ON ZONING AND FRANCHISES**

**L.U. Nos. 126 through 134**

**(Res. Nos. 406 through 414)**

**By Council Members Salamanca and Riley**

## SUBJECT

**QUEENS CB-1 - NINE APPLICATIONS RELATED TO INNOVATION QUEENS**

 **REZONING AND LGSD**

**C 220364 ZMQ (L.U. No. 126)**

City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b:

1. changing from a C4-2A District to an M1-4/R9 District property bounded by 35thAvenue, a line midway between Steinway Street and 41st Street, 36th Avenue, and a line midway between of Steinway Street and 38th Street;
2. changing from an M1-1 District to an M1-4/R7-3 District property bounded by:
	1. a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 38th Street, a line 150 feet northeasterly of 36th Avenue, and 37th Street; and
	2. a line 100 feet southwesterly of 35th Avenue, 42nd Street, a line 150 feet northerly of Northern Boulevard, a line 150 feet northeasterly of 36th Avenue, and a line midway between Steinway Street and 41st Street;
3. changing from an M1-1 District to an M1-4/R7X District property bounded by 35th Avenue, 43rd Street, a line 100 feet southwesterly of 35th Avenue, and 41st Street;
4. changing from an M1-1 District to an M1-4/R9 District property bounded by:
	1. 35th Avenue, a line midway between Steinway Street and 38th Street, a line 100 feet southwesterly of 35th Avenue, and 37th Street;
	2. a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 38th Street, 36th Avenue, and 37th Street;
	3. 35th Avenue, 41st Street, a line 100 feet southwesterly of 35th Avenue, and a line midway between Steinway and 41st Street; and
	4. a line 150 feet northeasterly of 36th Avenue, 41st Street, 36th Avenue, and a line midway between Steinway Street and 41st Street;
5. changing from an M1-1 District to an M1-5/R9-1 District property bounded by a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line 150 feet northerly of Northern Boulevard, and 42nd Street; and
6. establishing a Special Mixed Use District (MX-24) bounded by 35th Avenue, 43rd Street, Northern Boulevard, 36th Avenue, and 37th Street;

as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-675.

**N 220367 ZRQ (L.U. No. 127)**

City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 large-scale general development loading regulations, Article XII, Chapter 3 (Special Mixed Use District) for the purpose of establishing a new Special Mixed Use District and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

**C 220365 ZSQ (L.U. No. 128)**

City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section pursuant to Section 74-745(a) of the Zoning Resolution to allow required or permitted accessory off-street parking spaces to be located anywhere within a large-scale general development without regard for zoning lot lines, in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lots 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24).

**C 220366 ZSQ (L.U. No. 129)**

City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permits pursuant to Sections 74-743(a)(1) and 74-743(a)(2) to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and to modify the rear yard regulations of Sections 23-40 (Yard Regulations), 43-40 (Yard Regulations) and 123-65 (Special Yard Regulations), the height and setback requirements of Sections 23-66 (Height and Setback Requirements for Quality Housing Buildings) and 123-66 (Height and Setback Regulations), and the minimum distance between buildings regulations of Section 23-711 (Standard Minimum Distance Between Buildings); in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lot 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24).

**C 220368 ZSQ** **(L.U. No. 130)**

 City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution,  and subject to the provisions of paragraphs (a)(1), (a)(2) or (a)(3) of Section 74-743 (Special provisions for bulk modification),  to modify the signage regulations of Section 32-60 (Sign Regulations) and Section 123-40 (Sign Regulations) in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lot 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24).

**C 220369 ZSQ** **(L.U. No. 131)**

 City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements of Sections 44-52 (Required Accessory Off-Street Loading Berths) and 123-70 (Parking and Loading), within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lot 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24).

**C 220371 ZSQ** **(L.U. No. 132)**

City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow certain large retail establishments (Use Group 6 and/or Use Group 10A uses) with no limitation on floor area per establishment, in connection with a proposed mixed-use development on property bounded by 35th Avenue, Steinway Street, a line 180 feet northeasterly of 36th Avenue, and 38th Street (Block 668, Lot 5), in M1-4/R7-3 and M1-4/R9 Districts, within a Special Mixed Use District (MX-24).

**C 220373 ZSQ** **(L.U. No. 133)**

City Planning Commission decision approving an application submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow certain large retail establishments (Use Group 6 and/or Use Group 10A uses) with no limitation on floor area per establishment, in connection with a proposed mixed-use development on property generally bounded by 35th Avenue, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, and 41st Street (Block 670, Lots 4, 8, 20, 27, 30 & 47), in M1-4/R7-3, M1-4/R7X and M15/R9-1 Districts, within a Special Mixed Use District (MX-24).

**C 220374 ZSQ (L.U. No. 134)**

City Planning Commission decision approving an application by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow certain large retail establishments (Use Group 6 and/or Use Group 10A uses) with no limitation on floor area per establishment, in connection with a proposed mixed-use development on property generally bounded by 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, and 42nd Street (Block 671, Lots 1, 8, 12, 20 & 23), in M1-4/R7X and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24).

## INTENT

 To approve with modifications a map amendment from M1-1 and C4-2A zoning districts to M1-4/R7X, M1-4/R7-3, M1-4/R9, and M1-5/R9-1 zoning districts; approve with modifications a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area, to create a new Special Mixed Use District designation (MX-24), and reduce the required number of loading berths within the development site a special permit to allow for the distribution of parking spaces across the development site; approve with modifications special permit to modify bulk regulations related to the distribution of floor area, rear yard regulations, minimum distance between buildings, and height and setback regulations; approve with modifications a special permit to modify sign regulations; approve with modifications special permit to allow for a reduction in the required amount of loading berths; approve with modifications special permit to allow for certain retail uses greater than 10,000 square feet on Block B; approve with modifications special permit to allow for certain retail uses greater than 10,000 square feet on Block D; and approve with modifications permit to allow for certain retail uses greater than 10,000 square feet on Block E, which would facilitate a new five-block, 13-building mixed-use development with approximately 2,843 units, approximately 711 of which would be permanently affordable, as well as retail and office uses, in an area generally bounded by 35th Avenue to the north, 43rd Street to the east, 36th Avenue to the south, and 37th Street to the east in the Astoria neighborhood of Queens, Community District 1.

## PUBLIC HEARING

 **DATE:** October 19, 2022

 **Witnesses in Favor:** Thirty-nine **Witnesses Against:** Sixty-nine

## SUBCOMMITTEE RECOMMENDATION

 **DATE:** November 17, 2022

 The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. Nos. 126-134.

**In Favor: Against: Abstain:**

Riley None None

Moya

Louis

Abreu

Bottcher

Schulman

Carr

**COMMITTEE ACTION**

 **DATE:** November 21, 2022

 The Committee recommends that the Council approve the attached resolutions.

**In Favor: Against: Abstain:**

Salamanca None None

Moya

Rivera

Louis

Riley

Brooks-Powers

Bottcher

Krishnan

Mealy

Sanchez

Borelli

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

 The City Planning Commission filed a letter dated November 22, 2022, with the Council on November 22, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.