# THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE**

**AND THE**

**SUBCOMMITTEE ON ZONING AND FRANCHISES**

**Preconsidered L.U. Nos. 538 and 539**

**(Res. Nos. 1134 and 1135)**

**By Council Members Salamanca and Moya**

## SUBJECT

**QUEENS CB-1 – TWO APPLICATIONS RELATED TO 38TH STREET-35TH AVENUE**

**REZONING**

**C 180036 ZMQ (Pre. L.U. No. 538)**

City Planning Commission decision approving an application submitted by Empire MG Properties, LLC pursuant to Sections 197-c and 201 of the NYC Charter for the amendment of the Zoning Map, Section No. 9b:

1. changing from an M1-1 District to an R6A District bounded by 34th Avenue, 38th Street, a line 240 feet northeasterly of 35th Avenue, and 37th Street; and;

2. establishing within the proposed R6A District a C1-3 District bounded by 34th Avenue, 38th Street, a line 240 feet northeasterly of 35th Avenue, and a line midway between 37th Street and 38th Street;

as shown on a diagram (for illustrative purposes only) dated April 22, 2019, and subject to the conditions of CEQR Declaration E-533.

**N 180037 ZRQ (Pre. L.U. No. 539)**

City Planning Commission decision approving an application submitted by Empire MG Properties, 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 Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

## INTENT

To approve an amendment to rezone the project area from an M1-1 District to R6A and R6A/C1-3 Districts and amend zoning text to modify Appendix F and map the Project Area as a Mandatory Inclusionary Housing (MIH) area utilizing Option 2 to facilitate the construction of a seven-story mixed-use building located on the west side of 38th Street in Astoria, Queens, Community District 1.

## PUBLIC HEARING

**DATE:** September 18, 2019

**Witnesses in Favor:** One **Witnesses Against:** None

## SUBCOMMITTEE RECOMMENDATION

**DATE:** October 3, 2019

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission (“CPC”) on Pre. L.U. No. 538 and approve with modifications the decision of the City Planning Commission on L.U. No. 539.

**In Favor: Against: Abstain:**

Moya None None

Levin

Richards

Reynoso

Grodenchik

Rivera

**COMMITTEE ACTION**

**DATE:** October 10, 2019

The Committee recommends that the Council approve the attached resolutions.

**In Favor: Against: Abstain:**

Salamanca Barron None

Gibson

Deutsch

King

Koo

Lancman

Levin

Miller

Reynoso

Richards

Treyger

Grodenchik

Adams

Moya

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

The City Planning Commission filed a letter dated October 17, 2019, with the Council on October 15, 2019, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.