CITY PLANNING COMMISSION

February 5, 2020 / Calendar No. 14 N 190352 ZRQ

IN THE MATTER OF an application submitted by 64-11 QB Owner 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 Mandatory Inclusionary Housing areas, Borough of Queens, Community District 2.

This application for a zoning text amendment (N 190352 ZRQ) was filed by 64-11 QB Owner LLC on March 21, 2019, to facilitate the development of two new mixed-use buildings located on two development sites fronting Queens Boulevard in the Woodside and Maspeth neighborhoods of Queens, Community District 2.

BACKGROUND

The applicant, 64-11 QB Owner LLC, seeks a zoning text amendment to map two Mandatory Inclusionary Housing (MIH) areas on two non-contiguous project areas fronting Queens Boulevard in Woodside (City Council District 26) and Maspeth (City Council District 30) in Queens, Community District 2. The requested action would facilitate the development of two mixed-use buildings with a total of approximately 218 dwelling units, including approximately 56-65 permanently affordable units and 7,135 square feet of ground floor retail space.

There are two distinct project areas and development sites ("western" and "eastern") subject to proposed MIH designations. They are located approximately one-half mile from each other along a portion of Queens Boulevard that connects the neighborhoods of Woodside and Maspeth.

The western project area encompasses the block fronts on the northern side of Queens Boulevard between 64th Street and 65th Place (Block 1341, Lot 77 and Block 1342, Lots 1, 5, 36 and 38), and it is comprised of a mix of uses. Block 1341, Lot 77, the western development site, is a 20,000 square-foot vacant and undeveloped lot. Block 1342, Lot 1 is an 8,000-square-

foot lot improved with a two-story motel. Block 1342, Lot 36 is a 4,000-square-foot lot improved with a three-story mixed-use building, with ground floor retail space and residential uses on the upper two floors. Block 1342, Lot 38 is an approximately 20,000-square-foot lot improved with a seven-story mixed-used building containing 22 dwelling units and a hotel.

The eastern project area encompasses the block fronts between 70th and 73rd streets on the southern side of Queens Boulevard (Block 2444, Lots 1, 2, 4, 6, 8, 10, 12, 14, 18, 40, 51 and 57, and Block 2446, Lots 1, 4, 30, 31, 36 and 41). The eastern development site (Block 2446, Lots 1, 4, 30, 31, 36 and 41) is an approximately 14,000 square-foot zoning lot developed with a one-story automotive livery leasing facility. Block 2444, Lot 40 is improved with a vacant one-story building previously occupied by a baked-goods distributor on an approximately 20,000 square-foot lot. Block 2444, Lots 57 and 18 have a combined area of approximately 10,000 square feet. They are improved with an automobile sales lot and a one-story building containing an automobile accessory sales business. Block 2444, Lot 12 is improved with a two-story, two-family residential building. Block 2444, Lot 51 is improved with an 11-story mixed-use building, with approximately 69 dwelling units and ground floor retail space that is currently vacant.

The project areas are located along Queens Boulevard, a 200-foot-wide thoroughfare that includes four vehicular lanes in each direction and two protected bicycle lanes. The surrounding context of the western project area is characterized by a diverse mix of uses, including higher-density residential buildings, mixed-use buildings containing residential above ground floor retail, hotels, motels, non-conforming automotive-related uses fronting Queens Boulevard, and lower-density residences fronting on side streets north and south of Queens Boulevard. There are several public and private community facilities within the surrounding area including Engine 292/Rescue 4 of the New York City Fire Department; the private Queens Boulevard Extended Care Facility; Kids Time, an early intervention and therapy center; and Sherry Dog Run, a public dog park.

The vicinity of the eastern project area is similarly characterized by a diverse mix of uses, including low-rise commercial buildings, a motel, several non-conforming automotive-related uses and low-rise residential buildings along the side streets to the north and south of Queens Boulevard. Both the north and south sides of Queens Boulevard, between 69th Street and the elevated freight rail right-of-way to the east, have experienced an increase in development with seven high-density mixed-use buildings, ranging from seven to 15 stories, currently under development and in various stages of completion. Public and private community facilities include the Tiegerman School (a special education K-12 school), Little Flock Church of New York and St. Mary's Winfield Catholic Church.

The project areas are well served by several public transportation options. The western project area is one-quarter mile south of the 61st Street-Woodside station of the New York City Transit (NYCT) 7 subway line and the Woodside Station of the Long Island Rail Road. The eastern project area is approximately one-half mile south of the Roosevelt Avenue-Jackson Heights subway station that services the NYCT E, F, M, R and 7 lines. The project areas are also adjacent to several bus routes including the Q60 that traverses Queens Boulevard, the Q47 that runs along 69th Street, and the Q18, that travels along 65th Place.

Both project areas are located within an R7X/C2-3 district that fronts Queens Boulevard and stretches from 50th Street to 74th Street. R7X districts are medium-density residential zoning districts that typically produce 12- to 14-story residential buildings. The C2-3 commercial overlay is intended to support local retail uses that can have a maximum commercial floor area ratio (FAR) of 2.0 within an R7X district. The interior blocks within the surrounding areas north and south of both project areas are primarily zoned R4, R5, and R5B, which are characterized by one- and two- family lower-density residences. East of the R7X corridor, the block fronts along Queens Boulevard are zoned C8-1 and M1-1, which allow one- and two-story light industrial, automotive-related and commercial buildings.

In 2006, the City-sponsored Maspeth-Woodside Rezoning (C 060294 ZMQ) mapped the R7X/C2-3 district along the Queens Boulevard corridor and established the borough's first voluntary Inclusionary Housing (IH) designation. In voluntary IH areas, R7X districts allow a base maximum residential FAR of 3.75 for buildings that do not provide affordable housing, and a maximum of 5.0 FAR for buildings that use the full IH provisions. The maximum building height is 120 feet or 125 feet with a qualifying ground floor (QGF). This increases to 140 feet or 145 feet with a QGF for IH buildings. The minimum and maximum base heights are 60 and 85 feet (95 with a QGF), respectively. For IH buildings, the maximum base height increases to 105 feet. Parking is required for 50 percent of market rate units and 15 percent of income-restricted units. Since 2006, no affordable housing has been developed in the IH area that includes the two project areas.

The applicant proposes a zoning text amendment to designate both project areas as MIH areas with Options 1 and 2. The applicant proposes to use Option 2 for both development sites. Option 1 requires that at least 25 percent of the residential floor area be provided as housing permanently affordable to households with incomes at an average of 60 percent of the area median income (AMI). Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of the AMI, with no unit targeted to households with incomes exceeding 130 percent of the AMI. Option 2 requires that 30 percent of residential floor area be devoted to housing units affordable to residents with household incomes at an average of 80 percent of the AMI.

Whereas the existing voluntary IH regulations set the maximum residential FAR within the R7X district at 5.0 if permanently affordable housing units are provided, the MIH designation would increase the maximum FAR to 6.0. The increase from the voluntary IH base FAR of 3.75 to the MIH allowable maximum 6.0 FAR is an increase of 60 percent in allowable floor area, sufficiently large for the applicability of MIH provisions, which will require that 25 to 30 percent of the floor area be permanently affordable. The maximum community facility FAR of 4.0 and the maximum commercial FAR of 2.0 within the C2-3 commercial overlay would

remain the same. Regulations for maximum building height using IH provisions would also remain the same.

The western development site comprises Block 1341, Lot 77, with frontage on the northern side of Queens Boulevard between 64th and 65th streets. The proposed development would consist of a 13-story, mixed-use building with approximately 118,848 square feet of floor area. It would have a base height of 85 feet before rising to a total building height of 135 feet. The proposed development would contain approximately 140 dwelling units (117,194 square feet), including between 35-42 permanently affordable units. A total of 75 parking spaces would be provided, with eight spaces located in the rear yard and the remaining spaces located in a below-grade garage accessed from a new 15-foot-wide curb cut on 64th Street. The ground floor would include approximately 1,654 square feet of retail space. The proposed development would have a residential FAR of 5.92 and a commercial FAR of .08.

The eastern development site comprises Block 2446, Lots 1, 4, 30, 31, 36 and 41, with frontages along both Queens Boulevard and 47th Avenue between 72nd and 73rd streets. The proposed development would consist of a 12-story, mixed-use building with approximately 84,332 square feet of floor area. A triangular open space, including a children's playground, totaling approximately 2,200 square feet is proposed for the eastern portion of the development site, providing access between Queens Boulevard and 47th Avenue. The proposed building would have a base height of 105 feet before rising to a total building height of 125 feet. The proposed development would contain approximately 78 dwelling units (76,851 square feet), including between 20-23 permanently affordable units. A total of 32 parking spaces would be provided in a below-grade garage, which would be accessed from a new 15-foot-wide curb cut on 47th Avenue. The ground floor would include approximately 5,481 square feet of retail space. The building would have a residential FAR of 5.51 and a commercial FAR of .39.

ENVIRONMENTAL REVIEW

This application (N 190352 ZRQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New

York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 19DCP206Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on October 28, 2019. Following certification, a Revised EAS dated January 31, 2019 was issued. The revised EAS incorporates a Technical Memorandum containing a revised schools analysis in response to new data released by the released by the NYC School Construction Authority shortly after the release of the original EAS. This Revised Negative Declaration supersedes the Negative Declaration issued in October 2019, and is based on the January 2020 Revised EAS. The original Negative Declaration Conclusions, which found that the proposed actions would not result in significant adverse impacts to the environment, remain unchanged. The Revised Negative Declaration includes an (E) designation to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-551). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

PUBLIC REVIEW

On October 28, 2019, this application (N 190352 ZRQ) was duly referred to Queens Community Board 2 and the Queens Borough President for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Queens Community Board 2 held a public hearing on this application (N 190352 ZRQ) on December 5, 2019, and on that date, by a vote of 25 in favor, two opposed, and none abstaining, adopted a resolution recommending approval of the application with the condition that surface parking for both sites be relocated to the cellar.

Borough President Recommendation

The Queens Borough President did not hold a public hearing on this application (N 190352 ZRQ**)** or issue a recommendation.

City Planning Commission Public Hearing

On December 18, 2019 (Calendar No. 8), the City Planning Commission scheduled January 8, 2020, for a public hearing on this application (N 190352 ZRQ)). The hearing was duly held on January 8, 2020 (Calendar No. 34). Two speakers testified in favor of the application and none in opposition.

The applicant's land use attorney described the requested zoning text amendment and the goals and objectives of the proposed developments. He stated that the applicant proposed the zoning text amendment to facilitate an increased ratio of allowable income restricted housing floor area, noting that approval of the requested action would result in at least 25 to 30 percent of permanently affordable floor area compared to the 20 percent that is required to be provided when using existing voluntary IH provisions. Additionally, the attorney stated that the applicant has engaged the Hellenic American Neighborhood Action Committee (HANAC), a Queens-based non-profit housing service provider, to be the primary service provider for the affordable units in both proposed buildings.

A representative of SEIU 32BJ, a property services workers union, expressed support for the application based on the applicant's prior commitment to hiring building support staff represented by their union and providing prevailing wage for those jobs.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 190352 ZRQ) is appropriate.

The proposed zoning text amendment will result in the mapping of two separate MIH areas that will replace a portion of an existing voluntary IH area established along this section of Queens Boulevard in 2006. This zoning text change will produce an increase in the maximum allowable residential FAR, changing it from 5.0 to 6.0. All future housing developments in both project areas will be required to provide a portion of affordable units in perpetuity. The proposed developments will help address the need for more housing in Queens and the city overall, consistent with the City objectives for promoting housing production and affordability.

Both development sites front Queens Boulevard, a major thoroughfare, and they are proximate to public transit opportunities. This corridor of Queens Boulevard is appropriate for additional residential density that will complement existing and planned mixed-use and residential buildings in the area.

The Commission notes that since the city-sponsored Maspeth-Woodside Rezoning (C 060294 ZMQ) in 2006 established the first voluntary IH area in Queens along this section of Queens Boulevard, nine developments with residential components have been built within this rezoned corridor, but none have been built utilizing the voluntary IH incentives. The Commission strongly supports the development of new affordable housing in these two Queens neighborhoods, which have a significant need for new income-restricted units. The Commission believes that the proposed zoning text amendment is consistent with the goals and objectives of the Maspeth-Woodside Rezoning (C 060294 ZMQ), which sought to foster opportunities for new housing in buildings of a scale and density appropriate for very wide thoroughfares, such as Queens Boulevard.

RESOLUTION

RESOLVED, the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
*** indicates where unchanged text appears in the Zoning Resolution.

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APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

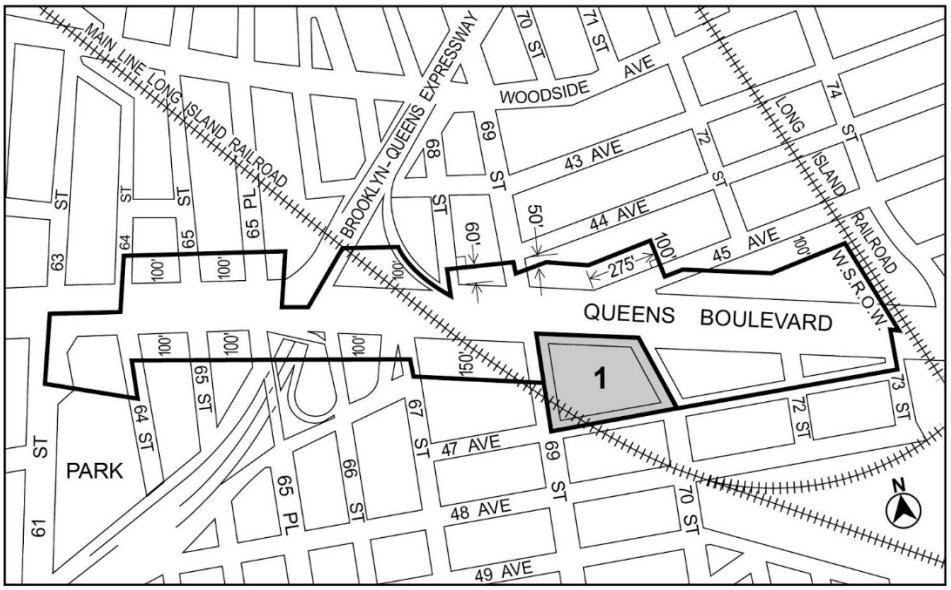
* * *

Queens Community District 2

* * *

Map 2 – [date of adoption]

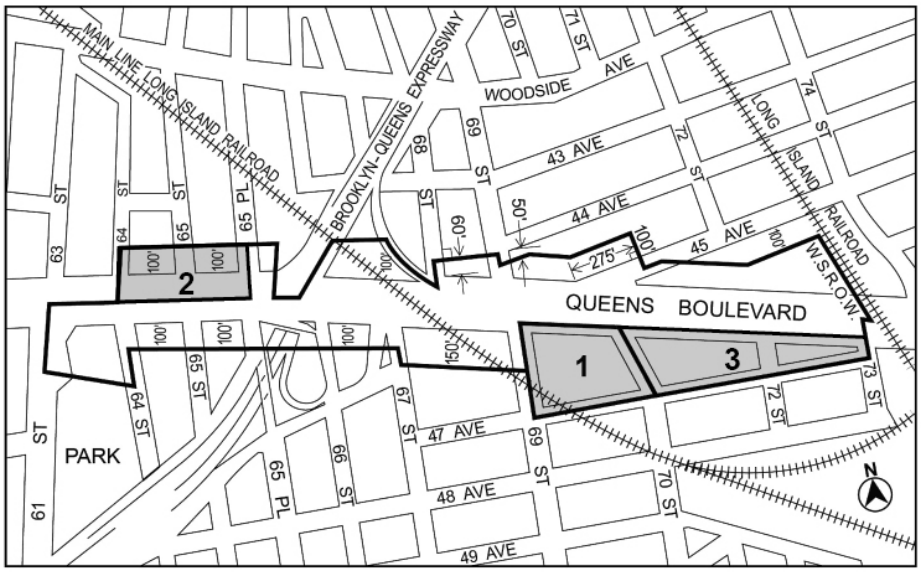
[EXISTING MAP]



Inclusionary Housing designated area

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **1**—10/31/18 MIH Program Option 2

[PROPOSED MAP]



Inclusionary Housing designated area

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **1**—10/31/18 MIH Program Option 2

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **2** — [date of adoption] MIH Program Option 1 and Option 2

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **3** — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 2, Queens

* * *

The above resolution (N 190352 ZRQ), duly adopted, by the City Planning Commission on February 5, 2020 (Calendar No. 14), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*
KENNETH J. KNUCKLES, Esq., *Vice Chairman*
DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ
Commissioners

RAJ RAMPERSHAD, *Commissioner, Recused*

The City of New York

Melinda Katz
Queens Borough President

Community Board No. 2

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Denise Keehan-Smith
Chairwoman
Debra Markell Kleinert
District Manager

December 6, 2019

Marisa Lago, Chair
City Planning Commission
120 Broadway – 31st Floor
New York, NY 10271

RE: Queens Boulevard MIH Text Amendments
64-11 and 72-12 Queens Boulevard, Woodside, NY
ULURP Application No. N 19305 ZRQ

Dear Chair Lago:

On December 5, 2019, Community Board 2 held a public hearing concerning the Queens Boulevard MIH Text Amendments for 64-11 and 72-12 Queens Boulevard, Woodside, NY.

At that meeting with a quorum present, the Board voted to approve the application with the following stipulation:

To enhance the streetscape by providing below grade parking for both buildings. Replace parking at grade with green open space for building residents, and to the extent possible, neighborhood residents.

The vote was 26 in favor of the motion to approve; 2 opposed and no abstentions.

Please contact CB 2 if you have any questions.

Sincerely,

Debra Markell Kleinert
District Manager

DMK/mag

cc: Honorable Alexandria Ocasio-Cortez, US Congress
Honorable Carolyn B. Maloney, US Congress
Honorable Grace Meng, US Congress

Honorable Nydia M. Velazquez, US Congress
Honorable Michael Gianaris, NY State Senate
Honorable Brian Barnwell, NYS Assembly
Honorable Michael DenDekker, NYS Assembly
Honorable Catherine T. Nolan, NYS Assembly
Honorable Robert Holden, NYC Council Member
Honorable Jimmy Van Bramer NYC Council Member
Honorable Daniel Dromm, NYC Council Member
Honorable Melinda Katz, Queens Borough President of the Borough of Queens
Honorable Sharon Lee, Deputy Borough President
Irving Poy, Queens Borough President's Office
John Young, Department of City Planning
Alexis Wheeler, Department of City Planning
John Perricone, Queens Borough President's Office
Jaclyn C. Scarinci, Esq., Akerman, LLP
Denise Keehan-Smith, Chairwoman, Community Board 2
Lisa Deller, Chair, Land Use Committee