



Donovan Richards
Queens Borough President

Community Board No. 2

43-22 50th Street, 2nd Floor
Woodside, New York 11377

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Morry Galonoy
Chairperson

Debra Markell Kleinert
District Manager

October 7, 2022

Mr. Daniel Garodnick
Chairperson
City Planning Commission
Calendar Information Office
120 Broadway, 31st Floor
New York, NY 10271

RE: N220432CMM & N220435 CMM – 26-32 & 2701 Jackson Ave Special Permit Renewal, 1st Renewal of Special Permits C180384 ZSQ and C180382 ZSQ

- 27-01 Street Wall Special Permit (180382 ZSQ) Renewal
- 26-32 Jackson Avenue Street Wall Special Permit (180384 ZSQ) Renewal

Dear Mr. Garodnick:

On October 6, 2022, Community Board 2 held a public hearing concerning the renewal of two Special Permits for 27-01 and 26-32 Jackson Avenue.

As described in the Applicant's Street Wall Special Permit Renewal dated 8/22/2022, the Special Permit is sought because substantial construction of the proposed building has not yet occurred. Pursuant to Section 11-43 of the Zoning Resolution such renewal may be granted by the City Planning Commission if it finds that "the facts upon which the special permits were granted have not substantially changed".

When this project was originally reviewed by Community Board 2 in 2018, there were three special permit applications considered. The third special permit (C 180383 ZSQ), which the Applicant is not herein seeking to renew, permitted an attended public parking garage with a maximum capacity of 91 spaces on portions of the 27-01 Building's ground floor, second floor and third floor and allowed floor space on stories up to a height of 23 feet above curb level to be exempted from the definition of floor area in ZR Section 12-10 (the "Parking Special Permit", and together with the 26-32 Special Permit and the 27-01 Envelope Special Permit, collectively, the "Special Permits").

The applicant now indicates that the floor area previously set aside as a public parking garage for 91 spaces is impossible to build and will accommodate retail commercial uses such as shops and restaurants. Community Board 2 is appalled at the developer's bait and switch tactic that will inure to themselves rather than the benefit of the community. Community Board 2 believes that the reuse of the parking garage floor area presents a unique opportunity for the developer to restore the public benefits,

"Serving the Communities of Long Island City, Sunnyside, Woodside, and Maspeth"

that Community Board 2 and the Queens Borough President in 2018 sought in the City's transfer of nearly 300,000 square feet of development rights to this Applicant.

At the October 6th meeting, with a quorum present, a motion was made and seconded to approve the renewal of the extension of the two special permits with the following stipulations:

- The Developer participate in quarterly meetings with Community Board 2 on the design and construction of the Ramps project.
- The Developer provide 20,000 square feet at ground level at no charge for community uses such as additional affordable housing units, artist studio space, medical facility, day care or a community center.

The vote was 28 in favor of the motion; 7 opposed and 1 abstention with chairperson present and not voting.

Attached for your review is Community Board 2's June 11, 2018 CB2 Letter on the ULURP Application – HPD LIC Ramps Project – 180385PPQ, 180382ZSQ, 180383ZSQ, 180386PPQ, 180384ZSQ – 27-01 Jackson Avenue and 26-32 Jackson Avenue, LIC and the Queens Borough President's Recommendation.

If you have any questions, please feel free to contact Community Board 2.

Sincerely,



Debra Markell Kleinert
District Manager

DMK/mag
Attachment

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 Jessica Gonzalez-Rojas, NYS Assembly
Honorable Catherine T. Nolan, NYS Assembly
Honorable Robert Holden, NYC Council Member
Honorable Shekar Krishman, NYC Council Member
Honorable Julie Won, NYC Council Member
Honorable Donovan Richards, Queens Borough President
Vicky Garvey, Queens Borough President's Office
Alexis Wheeler, Department of City Planning
Teal Delys, Department of City Planning
Morry Galonoy, Chairperson, Community Board 2
Lisa Deller, Chair, Land Use and Housing Committee
Daniel Eagers, Greenberg Traurig
Mark Weprin, Greenberg Traurig

DCP ULURP Application 2022Q0276 Renewal of Special Permit 27-01 and 26-32 Jackson Avenue



Melinda Katz
Queens Borough President
June 11, 2018

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Denise Keehan-Smith
Chairwoman

Debra Markell Kleinert
District Manager

Ms. Marisa Lago
Director
Department of City Planning
City Planning Commission
Calendar Information Office
120 Broadway, 31st Floor
New York, NY 10271

RE: ULURP Application – HPD LIC Ramps Project – 180385PPQ, 180382ZSQ, 180383ZSQ, 180386PPQ, 180384ZSQ – 27-01 Jackson Avenue and 26-32 Jackson Avenue, LIC

Dear Ms. Lago:

On June 7, 2018, Community Board 2 (“the Board”) held a public hearing concerning the above ULURP Application HPD LIC Ramps Project.

At that meeting with a quorum present, a motion was made and seconded to oppose the application. The motion passed overwhelmingly with 33 Board members in favor of the motion, only one opposed, and none abstaining.

Community Board 2 expressed the following concerns, which form the basis for its almost unanimous opposition to this application:

- Incentivizing development, in Court Square, an already overheated market will have a negative sum impact by nearly tripling the density of the project that would otherwise be permissible as of right. The Court Square community is already overburdened by development.
- The City’s transfer of public assets in the form of development rights (“air rights”) will only serve to enrich the developer, and increase the number of transient market rate rental units by nearly 60%. The Board feels very strongly that the public benefit of this air rights transfer would be much greater if, among other things, the City and the developer a one-to-one equation of additional FAR to affordable units, and by both using affordable housing tools other than MIH and significantly increasing the depth of affordability and ratio of affordable to market rate units in this project. As presented in this application, the level of public benefit when compared to the FAR windfall that would be realized by the developer is woefully insufficient.

- The Court Square neighborhood lacks adequate infrastructure, schools, community and open space, affordable artist studio space and medical facilities. The air rights transfer of public land could be used for a much better public purpose to enrich the community, such as to incentivize development of a community center.
- The Board also feels very strongly that the City should prioritize the immediate use of the open public space under the ramp for park space and open space, including opportunities for the arts, rather than current Department of Transportation storage. These underutilized lots would provide a much-needed, and preferred, public benefit in an area that has virtually no open or green space available to its burgeoning population.

If you have any questions, please feel free to contact the Community Board 2 office.

Sincerely,



Debra Markell Kleinert
District Manager

DMK/mag

cc: Honorable Joseph Crowley, 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 Melva Miller, Deputy Borough President
 Irving Poy, Queens Borough President's Office
 John Perricone, Queens Borough President's Office
 John Young, Department of City Planning
 Alexis Wheeler, Department of City Planning
 Perris Straughter, HPD
 Jay A. Segal, Greenberg Taurig, LLP
 Denise Keehan-Smith, Chairwoman, Community Board 2
 Lisa Deller, Chair, Land Use Committee CB 2

Application # **C 180386 PPQ**

Project Name: **26-32 Jackson Avenue**

CEQR Number: 18HPD041Q

Borough(s): Queens

Community District Number(s): 2

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
 - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ"
 - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Housing, Preservation and Development (HPD), pursuant to Section 197-c of New York City Charter, for the disposition of city-owned property located on the south side of Jackson Avenue between Purvis Street and Dutch Kills Street (Block 267, Lot 25), pursuant to zoning.

| | |
|--|---|
| Applicant(s): NYC Department of Citywide Administrative Services 1 Centre Street, New York, NY 10007 NYC Housing Preservation & Development 100 Gold Street, New York, NY 10038 | Applicant's Representative: Perris Straughter NYC Housing Preservation & Development 100 Gold Street |
|--|---|

Recommendation submitted by:
 Queens Community Board 2

Date of public hearing: *June 7, 2018* **Location:** *Sunnyside Community Services*

Was a quorum present? YES NO *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: *June 7, 2018* **Location:** *43-31 39th Street, Sunnyside, NY 11104*

RECOMMENDATION

| | |
|--|---|
| <input type="checkbox"/> Approve | <input type="checkbox"/> Approve With Modifications/Conditions |
| <input checked="" type="checkbox"/> Disapprove | <input type="checkbox"/> Disapprove With Modifications/Conditions |

Please attach any further explanation of the recommendation on additional sheets, as necessary. *see attached letter -*

Voting
 # In Favor: **33** # Against: **1** # Abstaining: **0** Total members appointed to the board: **49**

| | | |
|---|---|-------------------------------|
| Name of CD/BB officer completing this form <i>[Signature]</i> | Title <i>District Manager</i> | Date <i>6/20/18</i> |
|---|---|-------------------------------|

Application #: **C 180382 ZSQ**

Block Name: **27-01 Jackson Avenue**

CFOR Number: 18HPD041Q

Borough: Queens

Community District Number(s): 2

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Project Description

IN THE MATTER OF an application submitted by 2701 Jackson Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 117-533 to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) to facilitate a proposed 27-story mixed-use development on property located at 27-01 Jackson Avenue (Block 432, Lots 18, 21 & 29), in M1-5/R9 and M1-5/R7-3 Districts, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict - Areas B and C), Borough of Queens, Community District 2.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

| | | | |
|--|--|---|-------------------------|
| Applicant(s) 2701 Jackson Avenue LLC 425 Northern Boulevard, Suite 6 Great Neck, NY 11021 | | Applicant's Representative: Jay A. Segal Greenberg Taurig, LLP 200 Park Avenue New York, NY 10166 | |
| Recommendation submitted by: Queens Community Board 2 | | | |
| Date of public hearing: <i>June 7, 2018</i> | | Location: <i>Sunnyside Community Services</i> | |
| Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | | A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members. | |
| Date of Vote: <i>June 7, 2018</i> | | Location: <i>43-31 39th Street, Sunnyside, NY 11109</i> | |
| RECOMMENDATION <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Disapprove <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove With Modifications/Conditions | | | |
| Please attach any further explanation of the recommendation on additional sheets, as necessary. <i>see attached letter</i> | | | |
| Voting # In Favor: <i>33</i> # Against: <i>1</i> # Abstaining: <i>0</i> Total members appointed to the board: <i>49</i> | | | |
| Name of CB/BB officer completing this form: <i>[Signature]</i> | | Title: <i>District Manager</i> | Date: <i>6/20/18</i> |

Queens Borough President Recommendation

APPLICATION: ULURP #180386 PPQ

COMMUNITY BOARD: Q02

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the NYC Charter, for the disposition of city-owned property located on the south side of Jackson Avenue between Purvis Street and Dutch Kills Street (Block 267 Lot 25), pursuant to zoning, in Long Island City, Borough of Queens. (Related applications ULURP #180384 ZSQ)

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, June 21, 2018, at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were six (6) speakers against. The hearing was closed.

CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- DCAS and HPD are proposing disposition of city-owned property (296,315 sf development rights) to a developer to facilitate construction of a 49-story mixed use building that includes affordable housing;
- The transfer of development rights from the city-owned lot under the approach ramps to the Queensboro Bridge was offered in a Request for Proposals issued by the NYC Economic Development Corporation. This offer was only available to adjacent property owners. The City retains ownership of the property and will enter into a zoning lot development agreement with the developer. In return for the transfer of city-owned development rights the developer is obligated to provide permanently affordable housing. The applicant owns this lot and another directly across Jackson Avenue. The applicant has committed to provide a total of 152 permanently affordable housing between the two building sites;
- The applicant is proposing to build a 49-story, 370,129 sf mixed use building. The first two floors have 14,703 sf of retail, residential amenity space on the 3rd floor, mechanical space on the 4th floor, residential units on the 5th to 48th floors. There will be a total of 361 residential dwelling units in this building of which 112 units will be affordable at a weighted average of 115% AMI;
- In addition, an application has been filed for a special permit to allow modification of streetwall and setback requirements to develop this site;
- The areas under the approach ramps to the Queensboro Bridge are currently under the jurisdiction of the Department of Transportation. The city-owned lot is currently used for storage of materials and vehicles. The applicant's lot is currently developed with a former warehouse building. Both the applicant's and city-owned lots are located within an M1-5/R9 District (8 FAR) in the Special Long Island Mixed Use District/Queens Plaza Subdistrict Area B
- Community Board 2 (CB2) disapproved this application by a vote of thirty-three (33) against with one (1) in favor and none (0) abstaining at a public hearing held on June 7, 2018. CB 2's reasons for disapproval were as follows: the transfer of development rights would nearly triple the density of the project in an area already overburdened by development; the transfer of the city-owned development rights for development will significantly benefit the developer without an equal benefit to the community in terms of the ratio of affordable to market rate units and the depth of affordability; the Court Square neighborhood lacks adequate infrastructure, schools community and open space, affordable artists space and medical facilities; the transfer of publicly owned development right should be used for the public such as a community center. CB 2 also said that space under the ramps would be better used to provide park and open space, opportunities for artists rather than storage for the Department of Transportation especially in an area with a growing population and not enough open or green space.

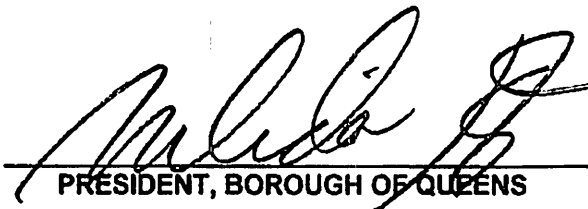
- Subsequent to the Borough President's Land Use Public Hearing, the applicant submitted a letter to the Borough President recognizing and acknowledging concerns that have been raised during the public review process to date. The applicant has committed to working with the community, elected officials and the city to address these concerns.

RECOMMENDATION

The building proposed in this application and the proposed building across Jackson Avenue will gain considerable development rights derived from public property. The development of these buildings should in return help provide needed services for the surrounding community.

Based on the above consideration, I hereby recommend disapproval of this application unless the following conditions are met:

- Use of the space under the ramps has been a longstanding request by the local community. At least part of the space under the ramps should be reclaimed for uses to benefit the community including the creation of much needed open space. Any such use should be implemented with contributions for operations and maintenance from the developer;
- Space should be provided in the proposed project for services needed by the community such as a standalone emergency room, early childhood care or space for artists and cultural programs;
- There is no rezoning to facilitate this project, therefore, is not bound by the Mandatory Inclusionary Housing Program regulations. However, the developer is proposing the equivalent of Option 4 of the MIH Program which has a required 115% AMI weighted average. The developer should find a way to offer deeper affordability in this building by using the deeper affordability MIH options.



PRESIDENT, BOROUGH OF QUEENS

7/23/18
DATE