

Queens Borough President Recommendation

APPLICATION: ULURP #180384 ZSQ

COMMUNITY BOARD: Q02

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Greenberg Traurig, LLP on behalf of 2632 Jackson Avenue LLC, pursuant to Sections 197-c and 201 of the NYC Charter, for the grant of a Special Permit pursuant to Section 117-533 of the NYC Zoning Resolution to modify the streetwall requirements Section 117-531 (Street wall location) and setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) to facilitate a proposed 49-story mixed-use development on property located at **26-32 and 26-46 Jackson Avenue** (Block 267 Lots 21 & 25), in an M1-5/R9 District, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict – Area B) Borough of Queens, Community District 2. (Related application ULURP #180386 PPQ)

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:

- The applicant is requesting the grant of a Special Permit for modification of streetwall and setback regulations to facilitate construction of a 49-story mixed use building;
- 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 will be affordable at a weighted average of 115% AMI.;
- In addition, an application has been filed by the Departments of Citywide Administrative Services (DCAS) and Housing Preservation and Development (HPD) to dispose of 296,315 sf of development rights from city-owned property (Block 267, Lot 25) to the project site (Block 267 Lots 21).;
- 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 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