



August 22, 2018 / Calendar No. 25

C 180385 PPQ

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS) and Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c of the New York City Charter, for the disposition of city-owned property located on the north side of Jackson Avenue between 43rd Avenue and 42nd Road (Block 432, Lots 18 and 29), pursuant to zoning, Borough of Queens, Community District 2.

\*197-d(2)(B) eligible

The Department of Housing Preservation and Development (HPD) and the Department of Citywide Administrative Services (DCAS) filed this application for the disposition of City-owned property on May 3, 2018. The requested action would allow for the transfer of development rights from City-owned lots associated with the Ed Koch Queensboro Bridge approach ramps to an adjacent privately-owned development site. This disposition, in conjunction with the related actions, would facilitate the construction of a 27-story, mixed residential and commercial building and public parking garage at 27-01 Jackson Avenue in the Court Square neighborhood of Long Island City in Queens, Community District 2.

**RELATED ACTIONS**

In addition to the disposition of City-owned property (C 180385 PPQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- |                     |                                                                                                                                                        |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>C 180382 ZSQ</b> | Special permit for modifications to bulk requirements in the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District (ZR 117-533). |
| <b>C 180383 ZSQ</b> | Special permit for a public parking garage in the Long Island City area (ZR 16-352 and 74-52).                                                         |

## **BACKGROUND**

The applicants are proposing the disposition of 66,368 square feet of development rights from City-owned property (Block 432, Lots 18 and 29) to an adjacent privately-owned development site (Block 432, Lot 21). The project site is located within the Court Square neighborhood of Long Island City, and it is generally bounded by Jackson Avenue to the south, 43<sup>rd</sup> Avenue to the west, Hunter Street to the north, and 42<sup>nd</sup> Road to the east. The Queensboro Bridge approach ramps extend north-south over Lots 18 and 29.

The project area includes two City-owned tax lots (Block 432; Lots 18 and 29), with a combined 15,754 square feet of lot area, and a 9,195 square-foot development site (Block 432, Lot 21). The City-owned lots are through-lots with 83 feet of frontage on Jackson Avenue and 75 feet of frontage on Hunter Street. The development site is a corner lot with 92 feet of frontage on Jackson Avenue and 100 feet of frontage on 43<sup>rd</sup> Avenue. Both City-owned lots are currently used by the City as a staging area for the maintenance of nearby infrastructure. The development site is a vacant corner lot; an automobile service station occupied the site until 2015 when it was demolished. The owners of the development site also filed building permits for a 15-story, mixed residential and commercial building in 2015.

The City constructed the Queensboro Bridge approach ramps in the 1950's to provide vehicular access to the bridge from Thomson Avenue. As part of the project, the City acquired property for the planned ramps. Because the approach ramps are not recorded as mapped streets in the City Map, these City-owned lots have retained full development rights.

The New York City Economic Development Corporation (EDC) issued a request in November 2014 for proposals to purchase unused development rights associated with two City-owned sites underneath the Queensboro Bridge approach ramps, including the subject site. Proposals were required to include an affordable housing program, with a mix of incomes no greater than 165 percent of Area Median Income (AMI). 2701 Jackson Avenue LLC, the owner of the development site (Block 432, Lot 21), submitted a proposal and was designated the recipient of development rights from Block 432, Lots 18 and 29. The sale of development rights would be facilitated by a disposition followed by a zoning lot merger of Lots 21, 18, and 29 on Block 432. DCAS and HPD,

acting on behalf of the City, seek disposition approval of development rights to be purchased by the adjacent property owners.

The Court Square neighborhood in Long Island City is characterized by a wide variety of land uses, including residential, commercial, community facility, industrial, transportation and utility, vacant land, and parking uses. Residential building types include one- and two-family attached buildings, multi-family walkup buildings, and mixed residential and commercial high-rises. The neighborhood also has a handful of solely commercial, high rise office buildings with ground-floor retail spaces, including the 656-foot Citigroup Building at One Court Square. This portion of Jackson Avenue is a neighborhood retail corridor within the Long Island City Business Improvement District. In addition to office and retail uses, a new nine-story hotel was constructed next to the project area on 43<sup>rd</sup> Avenue in 2014. Industrial, transportation and utility, and parking uses are mostly located to the south and east of the project area adjacent to Sunnyside Yard. Four small parks with seating areas, including Court Square Park and Rafferty Triangle, a pre-school, a dance studio, and a sculpture museum are located within 600 feet of the project area. The project area is within two blocks of the Court Square, Queens Plaza, and Queensboro Plaza subway stations, served by the G, E, M, N, R, W, and 7 trains, as well as multiple bus lines, connecting the site to locations in Queens, Brooklyn, and Manhattan.

Multiple new residential buildings in the surrounding area are either under construction or have been completed in the last decade, ranging in height from 12 to 54 stories. Recently completed projects in the vicinity of the project area include a 538-foot building at 43-25 Hunter Street, to the southwest, and a 598-foot building at 43-22 Queens Street, to the southeast. No inclusionary housing designated areas are mapped in the surrounding neighborhood to incentivize or require the development of new affordable housing units.

With the City's adoption of the Special Long Island City Mixed Use District in July, 2001, the project area was rezoned from an M1-3 district (with a maximum floor area ratio (FAR) of 5.0 for manufacturing and commercial uses) to an M1-5/R7-3 district north of the block centerline and an M1-5/R9 south of the block centerline. These zoning changes allowed for the development of new residential and mixed use buildings, and they set a maximum FAR of 5.0 for all uses north of the

block centerline, but increased the maximum FAR for all uses to 8.0 south of the centerline. No further zoning map amendments have been adopted in the project area since 2001.

Approval of the currently proposed actions would facilitate the construction of a 27-story, 323-foot high building with a 100-foot building base height and then 10-foot setbacks of the building walls from Jackson Avenue and 43rd Avenue. The 139,776-square-foot (zoning square foot (ZSF)) building would contain approximately 120 housing units on the sixth through 25th floors, approximately 3,003 square feet of retail space on the first floor, an approximately 91-space public parking garage on the second and third floors, mechanical space on the fourth floor, and residential amenity spaces on the fifth and 26th floors.

Pursuant to a restrictive declaration to be recorded by the applicants and 2701 Jackson Avenue LLC, the affordable housing component of the proposed development would comply with the requirements of the “Workforce Option” under the Mandatory Inclusionary Housing (MIH) program. Therefore, 30 percent of the total residential floor area of the proposed development would be reserved for households with incomes not to exceed a weighted average of 115 percent of area median income. Approximately 58 percent of the purchased development rights would be used for affordable housing. This agreement would require approximately 40 permanently-affordable housing units in the proposed development. MIH would not be mapped as part of these applications because the proposed actions do not create new residential floor area on the merged zoning lot; instead, permanently-affordable housing would be provided pursuant to the restrictive declaration as consideration for the disposition of the existing unused development rights associated with the approach ramps.

This application (C 180385 PPQ) and the related applications (C 180382 ZSQ and C 180383 ZSQ), are related to and were reviewed concurrently with an application for the disposition of City-owned property at 26-32 Jackson Avenue (C 180386 PPQ) and its related application (C 180384 ZSQ).

#### Disposition of City-owned Property - C 180385 PPQ

HPD and DCAS are requesting to dispose of a negative easement corresponding to the sale of 66,368 square feet of development rights from City-owned property (Lots 18 and 29) to the

development site (Block 432, Lot 21) that would be memorialized in a zoning lot development agreement. Use of the development rights on the development site would be facilitated by combining the City-owned property and the development site into a single zoning lot.

The applicants would not be permitted to shift development rights from the lower-density M1-5/R7-3 portion of the zoning lot to the higher-density M1-5/R9 portion of the zoning lot. Therefore, the applicants' requested quantity of development rights for purchase is equal to the maximum amount of floor area available in the M1-5/R9 portion of the zoning lot, as specified in Zoning Resolution (ZR) 117-52. Accordingly, approximately 37,290 square feet of unpurchased development rights will remain associated with the City-owned property.

In order for the east-facing units in the proposed development to have access to light and air over the City-owned property, this application would also grant a permanent and perpetual easement for light and air, and unobstructed view, over the City-owned property, except for existing structures including the bridge approach ramps. The light and air easement would also be memorialized in the zoning lot development agreement.

#### Special Permit for Bulk Modifications - C 180382 ZSQ

2701 Jackson Avenue LLC is requesting a special permit (ZR 117-533) to modify the Queens Plaza Subdistrict bulk requirements to accommodate the use of development rights associated with the Queensboro Bridge approach ramps. The Queens Plaza Subdistrict requires that the street walls of buildings on a wide street (defined as at least 75 feet wide; Jackson Avenue is 100 feet wide), be located on the street line and extend along the full width of the street frontage of the zoning lot (ZR 117-531). Therefore, a zoning lot merger of the development site and City-owned lot would require new buildings to be built to the street lines of the City-owned lots and along the edges of the approach ramps. Additionally, the NYC Department of Transportation (DOT) requests at least 15 feet of clearance between adjacent buildings and the approach ramps to provide access for maintenance of the ramps. The proposed special permit would limit the footprint of the proposed building to the development site and ensure that there is a 15-foot clearance between the proposed building and the approach ramps.

The Queens Plaza Subdistrict also requires that buildings set back 10 feet from wide streets and 15 feet from narrow streets (less than 75 feet wide) at a maximum base height of 150 feet. Buildings adjacent to the approach ramps would be required to comply with narrow street setback regulations. Therefore, the private owner of 27-01 Jackson Avenue seeks to waive these setback regulations for the ramps-facing façade of the proposed building.

#### Special Permit for Public Parking Garage - C 180383 ZSQ

2701 Jackson Avenue LLC requests a special permit to allow an approximately 91-space public parking garage on the development site. No accessory off-street parking is required in the Long Island City area (ZR 16-10), but 2701 Jackson Avenue LLC seeks to provide parking for residents of the proposed building, neighbors, and visitors to the neighborhood. The proposed public parking garage would be accessible through a curb cut along 43rd Avenue, and it would occupy a portion of the first floor and the entirety of the second and third floors. Approval of the requested special permit would waive 10,094 square feet of parking garage floor area from the building's total zoning floor area requirements.

#### **ENVIRONMENTAL REVIEW**

This application (C 180385 PPQ), for the related actions (C 180382 ZSQ and C 180383 ZSQ), 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 agency is the Department of Housing Preservation and Development. The designated CEQR number is 18HPD041Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on May 3, 2018.

#### **UNIFORM LAND USE REVIEW**

This application (C 180385 PPQ) and the applications for the related actions (C 180382 ZSQ and C 180383 ZSQ) were certified as complete by the Department of City Planning on May 7, 2018,

and was duly referred to Queens Community Board 2 and the Queens Borough President, in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Queens Community Board 2 held a public hearing on this application (C 180385 PPQ) on June 7, 2018 and on that date, by a vote of 33 in favor, one opposed, and with none abstaining voted to recommend disapproval of the application.

### **Borough President Recommendation**

The Queens Borough President held a public hearing on this application (C 180385 PPQ) on June 21, 2018, and on July 23, 2018 issued a recommendation of disapproval of the application unless the following conditions are met:

- “Use of the space under the ramps has been a longstanding request by the local community. It 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 building 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, it 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.”

### **City Planning Commission Public Hearing**

On July 11, 2018, (Calendar No. 14), the City Planning Commission scheduled July 25, 2018 for a public hearing on this application (C 180385 PPQ) and the related applications (C 180382 ZSQ and C 180383 ZSQ). The hearing was duly held on July 25, 2018 (Calendar No. 35). Eight speakers testified in favor of the application.

Representatives from HPD and 2701 Jackson Avenue LLC summarized the proposed development. The HPD representative stated that the City's proposed agreement with 2701 Jackson Avenue LLC would optimize the use of City-owned property for affordable housing without using public subsidy in a community with a significant need for affordable housing at the proposed level of affordability. He further stated that the private owners would be required to contribute to an affordable housing fund for Community Board 2 through proceeds from the condominium portion of the proposed building.

Among the eight speakers who testified in favor of the application, one speaker represented the Service Employees International Union, Local 32BJ, and expressed their support of 2701 Jackson Avenue LLC's commitment to incorporating high-quality building service jobs in their proposed development. Three Court Square neighbors outlined their support of growth in the neighborhood and of the diverse range of incomes proposed for the housing component of the project. Two local business owners were also supportive of the potential for neighborhood revitalization associated with the proposed actions. A representative from the Queens Chamber of Commerce outlined how the proposed actions are aligned with the organization's goals for the growth and development of Long Island City. A representative from Breaking Ground, the affordable housing administrator for the proposed development, underscored the need for affordable housing in the neighborhood at the applicants' proposed level of affordability.

There were no other speakers and the hearing was closed.

Following the public hearing, the applicants submitted two letters to the Commission. On August 8, 2018, HPD submitted a letter in response to the Commission's questions regarding the terms of housing affordability. In this letter, HPD states that the agency considered lower-income housing requirements, but determined that lower-income housing would require City subsidies to make development feasible and the City is currently not considering subsidizing projects that are not 100 percent affordable. In response to a question regarding affordable condominium considerations, HPD also states that the agency believes that a rental-only model for affordable housing is more appropriate for mixed-income housing projects without requiring private homeowners to cross-



subsidize affordable homeowners. On August 10, 2018, 2701 Jackson Avenue LLC submitted a letter in response to the Borough President's conditions regarding open space, community facility space, and affordable housing. In this letter, this applicant states that it is willing to cooperate with the community and City on open space improvements and is evaluating options for community facility space prior to City Council referral. This applicant also states that the proposed level of affordability is the most economically viable while optimizing the number of affordable units created.

### **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (C 180385 PPQ), in conjunction with the related applications (C 180382 ZSQ and C 180383 ZSQ), was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 17-077.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

The City Planning Commission believes that this disposition of City-owned property (C 180385 PPQ), in conjunction with the related actions (C 180382 ZSQ and C 180383 ZSQ), is appropriate.

The proposed disposition will facilitate the development of a new 27-story mixed residential and commercial building and public parking garage with 30 percent of the residential units reserved for permanently affordable housing in the Court Square neighborhood of Long Island City, Queens. The proposed development is an appropriate use of City-owned property associated with the Queensboro Bridge approach ramps, and it is consistent with, and contributes to, the surrounding neighborhood context. The Commission acknowledges that MIH is not required pursuant to the proposed actions, but notes the proposed disposition will align with the stated goals

of EDC's 2014 request for proposals by providing an affordable housing program that maximizes the number of housing units and the level of affordability in a neighborhood with a demonstrated need for affordable housing. The proposed building height (323 feet) and base height (100 feet) are appropriate given the emerging high-rise context of the Court Square neighborhood and will reinforce the established Jackson Avenue retail corridor.

The proposed special permit for bulk modifications to the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District (C 180382 ZSQ) is appropriate. The Commission finds that the proposed building will aid in achieving the general purposes and intent of the Special Long Island City Mixed Use District by supporting the continued growth of a mixed residential, commercial, and industrial neighborhood and by promoting the most desirable use of land. The Commission also believes that the proposed building will enhance the distribution of bulk on the zoning lot, permit adequate access of light and air to surrounding streets and properties, and relate harmoniously to the character of the surrounding area.

The proposed zoning special permit for a public parking garage in the Long Island City area and exemption of parking floor area below 23 feet above curb level (C 180383 ZSQ) is appropriate. The Commission finds that the proposed public parking garage will be compatible with vital and essential uses in the surrounding area; will not contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; will be located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas; will have adequate reservoir space at the vehicular entrances to accommodate automobiles entering the garage; and will be located on a street that could adequately handle the traffic generated by the garage. The Commissioners also believe that the exemption of parking floor area will prevent excessive on-street parking demand and relieve traffic congestion.

Regarding requests by the Community Board and Borough President concerning the conversion and maintenance of City-owned property associated with the approach ramps to public open space, these requests are outside the scope of the requested actions, but the Commission notes that 2701 Jackson Avenue LLC has expressed their commitment to partner with the City to improve this space. The Commission similarly notes that requests by the Community Board and Borough

President for 2701 Jackson Avenue LLC to incorporate community facility space in the proposed development are also outside the scope of the requested actions. Regarding requests of the Community Board and Borough President for lower-income affordable housing and a greater number of affordable housing units, these requests also are outside of the scope of the requested actions.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on May 3, 2018 with respect to this application (CEQR No. 18HPD041Q), the Department of Housing Preservation and Development finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter that based on the environmental determination and the consideration described in this report, the application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Housing Preservation and Development (HPD), for the disposition of City-owned property located on the north side of Jackson Avenue between 43rd Avenue and 42nd Road (Block 432, Lots 18 and 29), pursuant to zoning, is approved.

The above resolution (C 180385 PPQ), duly adopted by the City Planning Commission on August 22, 2018 (Calendar No. 25), 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*

**ALFRED C. CERULLO, III, MICHELLE DE LA UZ, JOSEPH I. DOUEK,**

**CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,**

**ORLANDO MARIN, LARISA ORTIZ,**

*Commissioners*



Melinda Katz  
Queens Borough President  
June 11, 2018

## Community Board No. 2

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

(718) 533-8773

Fax (718) 533-8777

Email [qn02@cb.nyc.gov](mailto:qn02@cb.nyc.gov)

[www.nyc.gov/queenscb2](http://www.nyc.gov/queenscb2)

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, 31<sup>st</sup> 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 180382 ZSQ**

CEQR Number: 18HPD041Q

Project Name **27-01 Jackson Avenue**

Borough(s): 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](mailto: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, 31<sup>st</sup> 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.

#### *Docket 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, 31<sup>st</sup> 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: <u>June 7, 2018</u>		Location: <u>Sunnyside Community Services</u>	
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: <u>June 7, 2018</u>		Location: <u>43-31 39<sup>th</sup> Street, Sunnyside, NY 11104</u>	
<b>RECOMMENDATION</b> <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. <u>see attached letter</u>			
<b>Voting</b> # In Favor: <u>33</u> # Against: <u>1</u> # Abstaining: <u>0</u> Total members appointed to the board: <u>49</u>			
Name of CB/BB officer completing this form <u>[Signature]</u>		Title <u>District Manager</u>	
		Date <u>6/20/18</u>	

# Queens Borough President Recommendation

**APPLICATION: ULURP #180385 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 north side of Jackson Avenue between 43<sup>rd</sup> Avenue and 42<sup>nd</sup> Road (Block 432 Lots 18 & 29), pursuant to zoning, in Long Island City, Borough of Queens. (Related applications ULURP Nos. 180382 ZSQ, 180383 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 to a developer to facilitate construction of a 27-story mixed use building that includes affordable housing;
- The transfer of development rights from the lots 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 26-story, 139,981 sf mixed use building. The first two floors have 10,686 sf of retail, 91 parking spaces on the 3<sup>rd</sup> and 4<sup>th</sup> floors, mechanical space on the 5<sup>th</sup> floor, residential amenities on the 6<sup>th</sup> and 25<sup>th</sup> floors, residential units on the 7<sup>th</sup> to 24<sup>th</sup> floors. There will be a total of 120 residential dwelling units in this building of which 40 will be affordable at a weighted average of 115% AMI;
- In addition, applications have been filed by the developer for a special permit to allow a public parking garage in this building, and another has been filed for a special permit for 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.



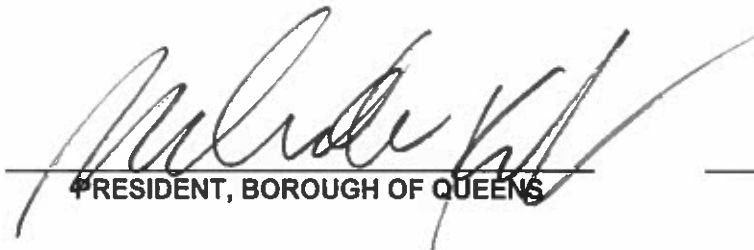
- Subsequent to the Borough President's Land Use Public Hearing, the applicant submitted a letter to the Borough President recognizing and acknowledging concerns that have been raised during the public review process to date. The applicant has committed to working with the community, elected officials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

  
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PRESIDENT, BOROUGH OF QUEENS

7/23/18  
\_\_\_\_\_  
DATE

# Queens Borough President Recommendation

**APPLICATION: ULURP #180383 ZSQ**

**COMMUNITY BOARD: Q02**

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Greenberg Traurig, LLP on behalf of 2701 Jackson Avenue LLC, pursuant to Sections 197-c and 201 of the NYC Charter, for the grant of a Special Permit pursuant to Sections 16-352 and 74-52 of the NYC Zoning Resolution to allow and attended public parking garage with a maximum capacity of 91 spaces on portions of the ground floor, 2<sup>nd</sup> Floor, and 3<sup>rd</sup> Floor and to allow floor space on one or more stories and up to a height of 23 feet above curb level, to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS), of 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. (Related applications ULURP Nos. 180382 ZSQ, 180385 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 to allow a public parking garage on the ground, second and third floors and allow that space to be exempted from floor area calculations in a 27-story mixed use building;
- The applicant is proposing to build a 26-story, 139,981 sf mixed use building. The first two floors have 10,686 sf of retail, 91 parking spaces on the 3<sup>rd</sup> and 4<sup>th</sup> floors, mechanical space on the 5<sup>th</sup> floor, residential amenities on the 6<sup>th</sup> and 25<sup>th</sup> floors, residential units on the 7<sup>th</sup> to 24<sup>th</sup> floors. There will be a total of 120 residential dwelling units in this building of which 40 will be affordable at a weighted average of 115% AMI;
- In addition, an application have been filed by the applicant for a special permit to allow modification of streetwall and setback requirements in this building, and another has been filed by the Departments of Citywide Administrative Services (DCAS) and Housing Preservation and Development (HPD) to dispose 66,368 sf of development rights to this site.
- The transfer of development rights from the lots 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.;

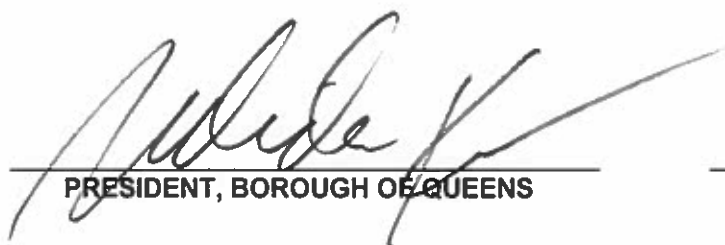
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### RECOMMENDATION

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