



IN THE MATTER OF an application submitted by Woodside Equities, LLC. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9b and 9d:

1. changing from an R5B District to an R7A District property bounded by a line 100 feet southeasterly of Roosevelt Avenue, a line midway between 52nd Street and 53rd Street, a line 100 feet northerly of Queens Boulevard and 52nd Street; and
2. establishing within the proposed R7A District a C2-3 District bounded by a line 100 feet southeasterly of Roosevelt Avenue, a line midway between 52nd Street and 53rd Street, a line 100 feet northerly of Queens Boulevard and 52nd Street;

Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated October 15, 2019, and subject to the conditions of CEQR Declaration E-497.

This application for a zoning map amendment (C 180154 ZMQ) was filed by Woodside Equities, LLC. on December 1, 2017, in conjunction with an application for a zoning text amendment (N 180155 ZRQ). The proposed actions would facilitate the development of an eight-story mixed-use building located on eastern side of 52nd Street between Roosevelt Avenue and Queens Boulevard in the Woodside neighborhood of Queens, Community District 2.

RELATED ACTION

In addition to the zoning map amendment (C 180154 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

N 180155 ZRQ Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area

BACKGROUND

The applicant, Woodside Equities, LLC., seeks a zoning map amendment and an amendment to the Zoning Resolution (ZR) to facilitate the development of an eight-story mixed-use building with approximately 60 dwelling units, including approximately 15-18 permanently affordable units, ground floor retail, and community facility space, on the eastern side of 52nd Street between Roosevelt Avenue and Queens Boulevard.

The project area fronts on 52nd Street (Block 1321, Lots 7, 10, 12, 15, 16, 17 and portion of lots 1, 19, 55, 57 and 58) between Queens Boulevard and Roosevelt Avenue, and encompasses approximately 32,800 square feet of lot area. It is developed with both conforming and nonconforming uses built prior to enactment of the 1961 ZR, including a vacant two-story warehouse on the development site (Lots 12, 15, 16 and 17). Lots 7 and 10 are improved with a non-conforming one-story, automobile repair facility and a non-compliant two-story house of worship, respectively. The project area also includes small portions of several other lots, including about 2,000-square feet of Lot 1, which provides access to accessory parking spaces for a nine-story mixed-use building that fronts Queens Boulevard and an approximately 3,720-square-foot portion of Lot 19, which is currently improved with a three-story multi-family residential building. The remainder of the project area consists of approximately 1,200 square feet located in the rear yards of lots 55, 57 and 58.

The area around the project area is generally developed with a mix of uses and densities. On the midblock lots, generally bounded by 52nd Street, Roosevelt Avenue, Woodside Avenue, 61st Street, and Queens Boulevard, the predominant use is residential, mainly comprised of two- to four-story buildings, including semi-detached, attached and multifamily buildings. Immediately north of the project area on Roosevelt Avenue are two- to four-story walk-up residential and mixed-use buildings, several with ground floor retail and residences above. Queens Boulevard is characterized by a mix of higher-density mixed-use buildings, one- and two-story commercial buildings, and houses of worship. Permits have been approved for another nine-story mixed-use building at the northwest corner of 51st Street and Queens Boulevard (Block 1319, Lot 21) and a six-story mixed-used building across the street from the project area (Block 1320, Lot 37).

Seven- and eight-story mixed-use buildings are located on the northwest corner of 52nd Street and Queens Boulevard. New Calvary Cemetery is south of Queens Boulevard. There are three small public open spaces nearby: Sabba Park lies within the Queens Boulevard median between 48th and 50th streets; John Vincent Daniels Jr. Square is a small triangle bounded by 43rd Avenue, Roosevelt Avenue and 51st Street; and John Downing Park is a small triangle bounded by 43rd Avenue, 51st Street, and Woodside Avenue.

The area is well served by public transit, with access to the 52nd Street elevated station providing service to the 7 line, approximately 100 feet north of the project area. The Q32 bus line runs from Jackson Heights along Roosevelt Avenue to Penn Station, and the Q104 line runs from Long Island City via Broadway and along 48th Street, four blocks west of the project area. The Q60 line runs from Jamaica along Sutphin Boulevard and Queens Boulevard to Midtown. The Brooklyn-Queens Expressway, a major inter-borough thoroughfare, is located approximately one-quarter mile to the east and south.

The project area has been zoned R5B since 1992, following the enactment of the city-sponsored Woodside Rezoning (C 920126 ZMQ), which replaced the R6 district established in 1961. R5B districts are contextual residential zoning districts that allow residential uses with a maximum floor area ratio (FAR) of 1.35 and community facility uses with a maximum FAR of 2.0. The maximum street wall height is 30 feet and the maximum building height is 33 feet. Parking is required for 66 percent of market-rate dwelling units, 42.5 percent of income-restricted housing units (IRHU), and none of IRHUs within a Transit Zone. The project area is located within a Transit Zone. The R5B zoning district encompasses the mid-block lots generally bound by 52nd Street, Roosevelt Avenue, Woodside Avenue, 61st Street, and Queens Boulevard. The R5B district is bordered to north by an R6 district with a C2-3 commercial overlay mapped along Roosevelt Avenue between 50th and 58th streets, and to the south by an R7X district with a C2-3 overlay mapped along Queens Boulevard between 50th and 74th streets.

The applicant seeks to rezone the project area to an R7A/C2-3 district. R7A districts allow a maximum FAR of 4.6 for residential use in MIH areas and a maximum FAR of 4.0 for community facility use. The maximum building base height is 75 feet, providing that the qualifying ground floor is at least 13 feet high. Building setbacks of at least 15 feet are required for portions located above the maximum base height on narrow streets. After the required setback, the maximum building height is 85 feet (with a qualifying ground floor) or 95 feet in a MIH area (with a qualifying ground floor). The proposed C2-3 commercial overlay would allow new ground floor local retail uses at a maximum 2.0 FAR. Accessory off-street parking spaces would be required for 50 percent of market-rate dwelling units and no parking would be required for IRHUs since the project area is located within the Transit Zone.

The zoning change would facilitate the construction of a proposed eight-story mixed-use building with approximately 69,000 (4.6 FAR) square feet of floor area. It would have a base height of 55 feet, with a 15-foot setback from 52nd Street, before rising an additional three stories to a total building height of 85 feet. The proposed building would contain approximately 60 dwelling units, including approximately 15-18 permanently affordable units, pursuant to either Option 1 or Option 2 of the MIH program, and 43 attended accessory parking spaces that would be located in the cellar. The residential entrance would be located in the southern portion of the building. The ground floor would include approximately 4,000 square feet of retail space and 4,600 square feet of community facility space. The entrance for the retail would be located adjacent to the parking garage entrance and the entrance for the community facility space would be adjacent to the residential entrance.

The applicant also seeks a zoning text amendment (N 180155 ZRQ) to designate the project area as an MIH area mapped with Options 1 and 2. The applicant is proposing to use MIH Option 2, resulting in approximately 18 permanently affordable units. 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. No more than three income bands can be used to average out to the 80 percent, and no income band can exceed 130 of the AMI.

ENVIRONMENTAL REVIEW

This application (C 180154 ZMQ), in conjunction with the application for the related action (N 180155 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 CPC. The designated CEQR number is 18DCP020Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on October 15, 2019. The Negative Declaration includes an (E) designation to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-497). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

On October 15, 2019, this application (C 180154 ZMQ) was certified as complete by the Department of City Planning and 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), along with the related application for a zoning text amendment (N 180155 ZRQ), which was referred for information and review in according with the procedures for non-ULURP matters.

Community Board Public Hearing

Queens Community Board 2 held a public hearing on this application (C 180154 ZMQ) and the related application for a zoning text amendment (N 180155 ZRQ) on November 7, 2019, and on that date, by a vote of 18 in favor, 11 opposed, and none abstaining, adopted a resolution recommending approval of the application with conditions to include a green roof on the proposed building and map only MIH Option 1.

Borough President Recommendation

The Queens Borough President did not hold a public hearing on this application (C 180154 ZMQ) or issue a recommendation.

City Planning Commission Public Hearing

On January 8, 2020 (Calendar No. 7), the CPC scheduled January 22, 2020, for a public hearing on this application (C 180154 ZMQ) and the related application for a zoning text amendment (N 180155 ZRQ). The hearing was duly held on January 22, 2020 (Calendar No. 28). Two speakers testified in favor of the application and none in opposition.

The applicant team, comprised of the applicant's land use attorney and architect, described the requested zoning map amendment and related zoning text amendment and explained the goals and objectives of the proposed development. They stated that the development site is proximate to the 52nd Street station on the #7 elevated transit line, and that the proposed development is consistent with transit-oriented development that encourages increasing density near public transit. They also stated that changes were made to the design of the proposed building subsequent to certification, which increased the proportion of two- and three-bedroom units and included space for ground floor community facility use. These changes were made in response to discussions with Community Board 2 during the public review process.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 180154 ZMQ), in conjunction with the related application for a zoning text amendment (N 180155 ZRQ), is appropriate.

The proposal will facilitate the redevelopment of an underutilized non-residential site into an eight-story mixed-use building that will include much-needed affordable housing, along with ground floor commercial and community facility spaces. The proposed building will have a total of approximately 60 dwelling units, including 15-18 permanently affordable units pursuant to either Option 1 or Option 2 of the MIH program. This project will help address the pressing need for more housing in this part of Queens and throughout the city, consistent with City objectives for promoting housing production and affordability outlined in *Housing New York*.

The proposed development will provide transit-oriented, sustainable development by concentrating higher zoning densities in transit-rich areas. The Commission notes that the project area is located approximately 100 feet south of the 52nd Street Station, providing service to the 7 line, and is proximate to several bus route stops. The Commission believes that the proposed C2-3 commercial overlay will complement the existing C2-3 overlay located on the west side of 52nd Street, encouraging the continuation of commercial uses between Queens Boulevard and Roosevelt Avenue, and activating the 52nd Street streetscape.

In response to Community Board 2's recommendations, the applicant modified the proposal to provide approximately 4,600 square feet of ground floor community facility space and increase the proportion of two-to-three-bedroom apartments. Regarding the board's recommendation to limit MIH development to Option 1, the Commission notes that both Options 1 and 2 would support neighborhood economic diversity by requiring that units be permanently affordable.

The proposed text amendment to designate the project area as an MIH area is appropriate. The designation is consistent with the City’s goal to promote the development of affordable housing across the city, particularly in areas well served by transit. The Commission supports the development of new affordable housing in a neighborhood with a significant need for additional income-restricted housing units.

RESOLUTION

RESOLVED, that the having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on October 15, 2019 with respect to this application (CEQR No. 18DCP020Q), 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 Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and 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 by changing the Zoning Map, Section No Section Nos. 9b and 9d:

- 1. changing from an R5B District to an R7A District property bounded by a line 100 feet southeasterly of Roosevelt Avenue, a line midway between 52nd Street and 53rd Street, a line 100 feet northerly of Queens Boulevard and 52nd Street; and
- 2. establishing within the proposed R7A District a C2-3 District bounded by a line 100 feet southeasterly of Roosevelt Avenue, a line midway between 52nd Street and 53rd Street, a line 100 feet northerly of Queens Boulevard and 52nd Street;

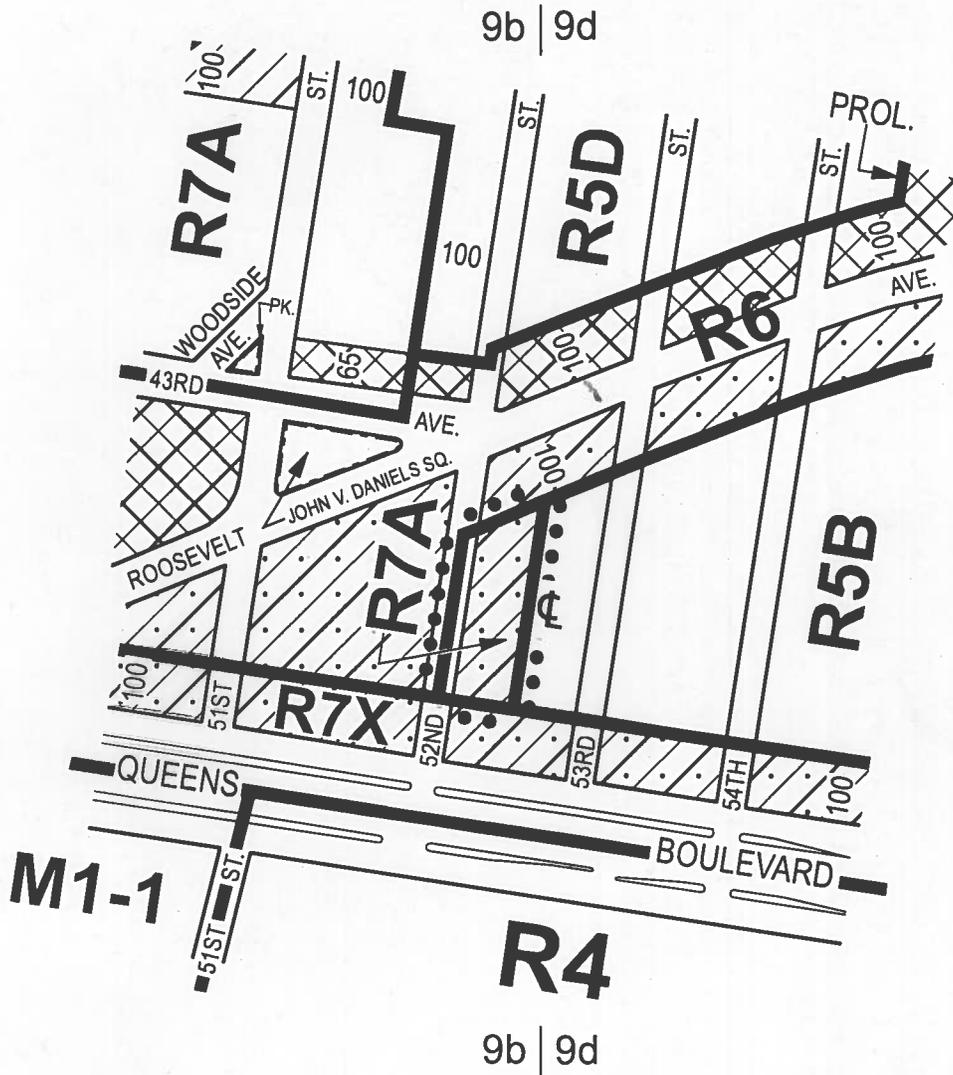
Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated October 15, 2019, and subject to the conditions of CEQR Declaration E-497

The above resolution (C 180154 ZMQ), duly adopted, by the City Planning Commission on February 19, 2020 (Calendar No. 8), 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*

**ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT,
ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD,**
Commissioners



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE

ON SECTIONAL MAP

9b & 9d

BOROUGH OF
QUEENS



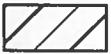
New York, Certification Date:
 October 15, 2019

S. Lenard, Director
 Technical Review Division

SCALE IN FEET



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is proposed to be rezoned by changing an existing R5B District to an R7A District and establishing a C2-3 District within the proposed R7A District.
-  Indicates a C1-3 District
-  Indicates a C1-4 District
-  Indicates a C2-3 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



Melinda Katz
Queens Borough President

Community Board No. 2

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Denise Keehan-Smith
Chairwoman

Debra Markell Kleinert
District Manager

November 8, 2019

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

RE: DCP - ULURP Project Application, 52nd Street Rezoning
CEQR No. 180154ZMLQ

Dear Ms. Lago:

On November 7, 2019 Community Board 2 held a public hearing concerning the DCP ULURP Project Application 52nd Street Rezoning, CEQR No. 180154ZMLQ.

At that meeting with a quorum present a motion was made and seconded to approve the application for the 52nd Street Rezoning with the following stipulations to include:

- 60 residential apartments
- 43 parking spaces
- 5000 square feet of usable community facility space
- 4000 square feet for retail
- Green roof
- MIH Option 1
- Recommendation to employ prevailing wage jobs for construction and building service workers
- Recommendation to lease community facility space to a not for profit organization at a below market rate or a school.

The vote was 18 in favor, 11 opposed, and 0 abstentions.

If you have any questions, please contact CB 2.

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
Richard Lobel, Sheldon Lobel, P.C.
Denise Keehan-Smith, Chairwoman, CB 2
Lisa Deller, Chair, Land Use Committee

DCP ULURP Project Application – 52nd Street Rezoning CEQR No 180154ZMQ