68-19 Woodhaven Boulevard Rezoning
Queens Community District 6
February 27, 2020

1. Introduction

68-19 Rego Park LLC (the "Applicant"), the owner of 68-19 Woodhaven Boulevard (Block 3148, Lot 2) (the "Development Site"), proposes the following actions:

1) a zoning map amendment changing from C8-1 and R4 zoning districts to R6A and R6A/C2-3 zoning districts property bounded by Woodhaven Blvd, the centerline of Block 3148, 68th Road, and Alderton Street (comprising Block 3104, p/o Lot 2 and Lot 35) (the "Project Area") in Queens Community District 6; and

2) a zoning text amendment of Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Queens Community District 6 to establish the Project Area as an MIH Area.

The proposed actions would facilitate the development of a new eight-story Quality Housing residential building with approximately 92 dwelling units, of which 25-30 percent of the residential floor area (19 to 24 units) would be permanently income-restricted pursuant to the MIH program. The Applicant intends to reserve the MIH units for Affordable Independent Residences for Seniors ("AIRS").

2. Background

The Project Area was mapped in 1961 with the current C8-1 and R4 zoning districts. There are no recent land use actions in the immediate surrounding area. The Project Area is located approximately three blocks north of the boundaries of the Middle Village/Glendale/Maspeth Rezoning (C 090382 ZMQ, effective July 29, 2009), which changed all or portions of 300 blocks to lower density and contextual zoning districts to more closely reflect the existing built form of the neighborhoods and update commercial overlays on the area's primary corridors to match existing land use patterns and prevent commercial uses from encroaching on residential side streets. The Project Area is located approximately one block west of the boundaries of the Forest Hills-Rego Park Rezoning (C 020629 ZMQ, effective September 25, 2002), which changed all or portions of 61 blocks to contextual zoning districts to better reflect existing neighborhood development patterns.

3. Description of the Surrounding Area

The Project Area is located in the Rego Park neighborhood within Queens Community District 6. The surrounding area is characterized primarily by residential use. However, there are commercial, industrial, and auto-related uses mostly within the C8-1 zoned portion of Woodhaven Boulevard with some non-conforming uses in the R4 zoning district. Residential use consists predominately of one-story, one- and two-family homes, but there are three existing, non-compliant six-story and basement multi-family elevator apartment buildings located along the intersection of 68th Road with Yellowstone Boulevard. On the northern half of Block 3148, which is not included within the Project Area, are a hotel on Lot 6, and several two-story, semi-detached Tudor-style rowhouses. The block north of the Project Area similarly has commercial uses along Woodhaven Boulevard, a truck rental business and retail/office building, and residential use on the midblock. South of the Project Area is a triangular block within the C8-1 zoning district that is improved with a gas station (with a convenience store and a car wash) and a non-conforming, non-compliant six-story and basement multi-family elevator apartment building. St. John's Cemetery, a large open space resource at approximately 190-acres, is located to the west of the Project Area. The Long Island Rail Road Glendale Cut-Off is located approximately one block east of the Project Area.

Zoning districts within the surrounding area include the R4 and C8-1 zoning districts mapped within the Project Area, and R3-2, R4B, and R4B/C1-2 zoning districts.

C8 districts are mapped mainly along major traffic arteries, where concentrations of automotive uses have developed. C8-1 zoning districts permit nearly all commercial and semi-industrial uses (Use Group 11A and 16 are subject to performance standards) and certain community facility uses. New residential use is not permitted within C8-1 districts. The maximum floor area ratio ("FAR") for permitted manufacturing and commercial uses within the C8-1 district is 1.0 and 2.4 for permitted community facility uses. The maximum base height before setback is 30 feet or two-stories, whichever is less, with building height controlled by a sky exposure plane. Off-street parking is required, and for most uses is calculated based on the amount of floor area. In C8-1 districts, the off-street parking requirement may be waived if fewer than 15 spaces are required.

R4 districts allow all types of housing with an FAR of 0.75, plus an attic allowance of up to 20 percent. R4 zoning districts usually produce buildings with three stories. The perimeter wall in R4 districts may rise to 25 feet before being set back to the maximum building height of 35 feet. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to provide sufficient space for on-site parking. Detached houses must have two side yards that total at least 13 feet and each one must be at least five feet wide. Semi-detached buildings need one side yard with a minimum width of eight feet. The maximum street wall length for a building on a single zoning lot is 185 feet. One off-street parking space is required for each dwelling unit. However, requirements are lower for income-restricted housing units and are further modified within the Transit Zone.

R4B contextual zoning districts permit low-rise, one- and two-family attached residences, and detached and semi-detached buildings with an FAR of 0.9. The maximum building height is 24 feet, which typically produces two-story, flat-roofed rowhouses. To maintain the characteristic rowhouse streetscape of R4B districts, the front yard of a new house must be at least five feet deep and at least as deep as one adjacent front yard but no deeper than the other, although it need not exceed a depth of 20 feet. Detached houses must have two side yards totaling at least eight feet; there is no minimum width for a side yard but there must be at least eight feet between buildings on adjacent zoning lots. Zero lot line buildings require only one eight foot side yard and semi-detached buildings require one side yard at least four feet wide. One off-street parking space is required for each dwelling unit, although parking is waived when only one space is required. Front yard parking is not allowed. Curb cuts are prohibited on zoning lot frontages that are less than 40 feet.

When mapped in R4 zoning districts, C1-2 commercial overlay districts allow a maximum commercial FAR of 1.0. In mixed buildings, commercial uses are limited to one floor and must always be located below residential use. Off-street parking requirements vary by use, but are generally calculated based on the amount of floor area with C1-2 districts requiring one parking space per 300 square feet of floor area for general retail or service uses.

R3-2 districts are general residence districts that allow a variety of housing types, including low-rise attached houses, small multi-family apartment houses, and detached and semi-detached one- and two-family residences. It is the lowest density zoning district in which multiple dwellings are permitted. The 0.5 FAR may be increased by an attic allowance of up to 20 percent for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. Lots with detached homes must be at least 40 feet wide; if occupied by semi-detached and attached buildings, lots must be at least 18 feet wide. The maximum street wall length for a building on a zoning lot is 125 feet. The maximum lot coverage of any residence is 35 percent. Front yards must be at least 15 feet deep. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. One off-street parking space is required for each dwelling unit. However, requirements are lower for income-restricted housing units and are further modified within the Transit Zone.

Although the Project Area is outside of the Transit Zone, it is well served by public transit. There is a stop for the Q11 (Elmhurst/Old Howard Beach/Hamilton Beach) and Q21 (Elmhurst/Howard Beach) bus lines at the Project Area, and the express Q12 (Forest Hills, QN/Midtown, MN via 6th Ave) and Q42 (Forest Hills, QN/Midtown, MN via 6th Ave via 3rd Ave) bus lines are available on Yellowstone Boulevard at 68th Road.

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4. Description of the Proposed Project Area

The proposed Project Area is bounded by Woodhaven Boulevard to the west, the centerline of Block 3148 to the north, 68th Road to the South, and Alderton Street to the east. The Project Area is partially within a C8-1 zoning district mapped within 100 feet of Woodhaven Boulevard (north of 68th Road) and partially within an R4 zoning district. The Project Area consists of part of Lot 2 (the Development Site) and Lot 35, and is approximately 36,476 square feet. Lot 2 is described below. Lot 35 is an approximately 10,824 square foot corner lot improved with a six-story and basement, 69.5 foot tall, residential building with 51 units and a cellar parking garage. Woodhaven Boulevard is a 150-foot wide, wide street divided by a median with two-way traffic running north and south. 68th Avenue is a 60-foot wide, narrow street with two-way traffic running east and west. There are four curb cuts within the Project Area along 68th Road.

5. Description of the Proposed Development Site

The Development Site consists of Lot 2, an approximately 25,651.76 square foot corner and interior lot improved with attached one-story buildings occupied by a florist/garden center and auto repair businesses. The Development Site has approximately 230 feet of frontage on 68th Road and approximately 99 feet of frontage on Woodhaven Boulevard. There are three curb cuts serving the Development Site along 68th Road. The Development Site is considered a "split lot" because the zoning district boundary between the C8-1 and R4 zoning districts runs through it. The majority of the Development Site is within the C8-1 zoning district, and the distance from the mapped district boundary to the side lot line of the Development Site that is within the R4 zoning district is approximately 18.67 feet.

6. Description of Proposed Development

The proposed development is a new eight-story mixed-use building. The proposed development contains approximately 100,041.77 square feet of floor area and has an FAR of 3.9. The first floor contains approximately 8,000 square feet of commercial floor area and 8,720.46 square feet of community facility floor area. The proposed development contains approximately 83,321.31 square feet of residential floor area with 92 dwelling units. The proposed development has a height of 85 feet above the base height of 65 feet after 10-foot setbacks on the building's Woodhaven Boulevard frontage and 15 foot setbacks along the building's 68th Road frontage. The cellar would contain a parking garage with 64 accessory off-street parking spaces accessible via a new 22-foot wide curb cut on 68th Road. A surface parking lot would provide 17 additional spaces for a total of 81 accessory parking spaces. The parking lot would be screened from neighboring properties by opaque fencing. Approximately 28 permanently income-restricted units (30 percent) at an average of 80 percent of the Area Median Income ("AMI") would be provided pursuant to MIH Option 2.

7. Actions Necessary to Facilitate the Project

The actions necessary to facilitate the proposed development are:

1. a zoning map amendment to change the existing C8-1 and R4 zoning districts mapped within the Project Area to R6A and R6A/C2-3 zoning districts; and

2. a zoning text amendment to designate an MIH Area.

<u>Zoning Map Amendment</u>

The proposed rezoning would allow for the production of new housing in Queens Community District 6. The proposed rezoning would facilitate new mixed-use development with the provision of permanently income-restricted housing on underutilized land in close proximity to mass transit.

C8-1 is an outdated, auto-oriented zoning district. The C8-1 zoning designation mapped at the Project Area does not reflect the predominately residential development pattern in the neighborhood or current needs of the area regarding housing and neighborhood development. In contrast to the existing C8-1 zoning district, the proposed R6A district permits residential use. The

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R6A district permits a maximum of 3.0 FAR for community facility uses and a maximum of 3.6 FAR for residential use and 3.9 with the provision of AIRS units in MIH Areas. The modified maximum base height in the R6A district is 65 feet and the modified maximum building height is 85 feet or eight stories. Off-street accessory parking is required for 50 percent of dwelling units and 15 percent of the income-restricted housing units. The proposed C2-3 commercial overlay district allows a range of local retail and service uses. The maximum commercial FAR permitted in the C2-3 overlay is 2.0. However, in mixed-use buildings containing residential or community facility uses, commercial uses are limited to the ground floor level. The proposed C2-3 district requires one parking space per 400 square feet of floor area for general retail or service uses.

The proposed rezoning reinforces existing land use patterns, reflecting the presence of multi-family residential buildings in the immediate surrounding area and local commercial activity along Woodhaven Boulevard. The proposed increase in density is supported by the location of the Project Area along Woodhaven Boulevard, a wide street, and the availability of public transportation to the Project Area.

The proposed increase in density is appropriate at this location because it is located on a wide street, Woodhaven Boulevard, and across from significant open space to the west, St. John's Cemetery. The proposed R6A zoning district would permit comparable height and bulk to the three existing, non-compliant six-story and basement apartment buildings located along the intersection of 68th Road with Yellowstone Boulevard. The proposed rezoning would promote new mixed-use development with mandatory inclusionary housing on a suitable, underutilized property at comparable height and bulk to the surrounding multi-family buildings.

The Project Area is in close proximity to public transportation with the Q11 and Q21 bus lines at the Project Area, and the express Q12 and Q42 bus lines are available on Yellowstone Boulevard at 68th Road.

The proposed rezoning would also allow the creation of new income-restricted housing in Queens Community District 6, where, according to the U.S. Census Bureau, 44.9 percent of households are rent burdened (spending 35 percent or more of their income on rent).[1] Notably, the median household income in PUMA 4108 (which approximates Community District 6) is $70,478, exceeding the New York City median household income of $57,782 by $12,696. Moreover, Queens Community District 6 has a higher proportion of adults aged 65 and older (18.3 percent) than Queens (13.7 percent) and New York City as a whole (13.0 percent). Only four other community districts in the City have a higher proportion of seniors. Income-restricted housing units dedicated to seniors under the AIRS program would address these community needs.

Zoning Text Amendment

The proposed zoning text amendment to designate the Project Area as an MIH Area with MIH Options 1 and 2 is consistent with the policy goals of the City's Housing New York: A Five-Borough, Ten-Year Plan because, as noted above, 44.9 percent of households in Queens Community District 6 are rent burdened, spending 35 percent or more of their income on rent.

The MIH program requires that permanently income-restricted housing be provided within certain new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH Areas. The proposed zoning text amendment would establish an MIH Area contiguous with the Project Area.

Within the MIH Area, all housing developments, enlargements, and conversions that meet the criteria set forth in the MIH program must comply with the requirements of MIH Option 1 or Option 2. Option 1 requires 25 percent of the residential floor area to be provided as income-restricted housing to households at an average of 60 percent of AMI with 10 percent at 40 percent AMI, and no unit targeted at a level exceeding 130 percent of AMI. Option 2 requires 30 percent of the residential floor area to be provided as income-restricted housing to households at an average

[1] Based on American Community Survey 2013-2017 Five Year Estimates for Public Use Microdata Area (PUMA) 4108, which approximates Queens Community Districts 6, available at: https://communityprofiles.planning.nyc.gov/queens/6

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of 80 percent AMI, with no unit targeted at a level exceeding 130 percent of AMI. Within the Project Area, MIH Option 2 would require the creation of approximately 28 permanently income-restricted housing units at the Development Site.

8. Conclusion

The proposed zoning map amendment and zoning text amendment are consistent with existing land uses and built context within the area surrounding the Project Area, and further the objectives of the City's Housing New York: A Five-Borough, Ten-Year Plan. The existing C8-1 zoning district within the Project Area does not permit new residential development and precludes the redevelopment of the Development Site. The proposed rezoning reflects sound planning principles by replacing the outdated, auto-related C8-1 zoning district with an R6A/C2-3 district to permit residential use at increased density on a wide street near public transit. The proposed actions would facilitate the development of an eight-story mixed-use building with approximately 92 dwelling units, of which approximately 28 units would be permanently income-restricted pursuant to the MIH program.

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