217-14 24th Avenue Rezoning
Queens Community District 11
March 8, 2024

1. Introduction

BMBT LLC (the "Applicant"), requests approval of the following actions (the "Proposed Actions") in the Bay Terrace neighborhood of Queens Community District 11:

1) a zoning map amendment to change an existing R1-2 zoning district to an R6A zoning district in an area generally bounded by 24th Avenue and its easterly centerline prolongation, the Cross Island Parkway, Little Neck Boulevard, and a line 240 feet south of and parallel to the 24th Avenue centerline, including Block 6008, portions of Lots 84, 95 and 150 (the "Rezoning Area"); and

2) a zoning text amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 11, Queens to establish the Rezoning Area as an MIH Area.

The proposed actions would facilitate the redevelopment of 217-14 24th Avenue (Block 6008, Lot 95) (the "Development Site") with a new eight-story residential building with approximately 236 dwelling units, of which 30 percent would be permanently income-restricted pursuant to the MIH program.

2. Background

The Rezoning Area was designated as an R2 zoning district with the enactment of the Zoning Resolution in 1961. In 2005, the Rezoning Area was rezoned to R1-2 as part of the Bayside Rezoning (C 050149 ZMQ, effective April 12, 2005). This rezoning of approximately 350 blocks in Bayside was intended to reinforce the prevailing residential character and ensure that future development fit the context and scale of the area's existing housing mix. It was the largest to date of the NYC Department of City Planning's lower density rezoning initiatives in Queens and eliminated several zoning districts that permitted multi-family development.

3. Description of the Surrounding Area

The Rezoning Area is located in the Bay Terrace neighborhood of Queens Community District 11. The surrounding area is predominately residential with a mix of densities that are consistent with the underlying zoning districts. The Rezoning Area is located at the northeastern edge of an R1-2 zoning district where it abuts an R5 zoning district. The area to the south of 24th Avenue is primarily low-density residential within the R1-2 zoning district, and is characterized by one-story detached single-family homes on large lots. The area immediately north of the Rezoning Area across 24th Avenue within the R5 zoning district is generally medium density and includes several six- and seven-story multi-family apartment buildings, as well as semi-detached one- and two-family homes. Within the R5 zoning district, there are also tower in the park style multi-family apartment buildings up to 16-stories (Towers at Waters Edge) north of 23rd Avenue and up to 21-stories (Bay Club) to the west of the Rezoning Area along 26th Avenue.

A large commercial shopping center, the Bay Terrace at Bayside, is located to the west of the Rezoning Area along Bell Boulevard in a C4-1 (R5-equivalent) zoning district. The shopping center has a mix of local and national retailers and provides unenclosed parking.

Community facility uses in the surrounding area include public school Q294 BELL Academy approximately 1/2-mile northwest of the Rezoning Area, the Grace Korean Presbyterian Church approximately 1/4-mile south of the Rezoning Area, and St. Mary's Hospital for Children approximately 1/2-mile south of the Rezoning Area. The School Construction Authority plans to construct a new five-story, approximately 84,000 gross square foot public elementary school with approximately 572 seats on the vacant property immediately northwest of the Rezoning Area (Block 5958, Lot 30). The school is anticipated to be complete and in operation in 2026.

The street system in the surrounding area includes several local and regional roadways. 24th Avenue is a 60-foot wide, narrow street running east/west that terminates in a cul de sac at the northern edge of the Rezoning Area, creating a wider street condition. Little Neck Boulevard is an 80-foot wide, wide street running north/south. It is unbuilt within approximately 155 feet of 24th Avenue, where it terminates. Waters Edge Drive is a 60-foot wide, narrow street running north/south that terminates at 24th Avenue. The Cross Island Parkway, a designated arterial highway, is located to the east of the Rezoning Area. It is approximately 210-feet wide and is separated from the Rezoning Area by an embankment, which is owned by the Department of Parks and Recreation and considered parkland. Bell Boulevard is a major north/south corridor through eastern Queens, connecting Bayside to the Cross Island Parkway (I-675) and Clearview Expressway (I-295) to the north and Northern Boulevard, the Long Island Expressway (I-495) and Grand Central Parkway to the south.

Mass transit options are accessible within the surrounding area. The Q13 bus line runs along Bell Boulevard, providing connections to the Bayside Long Island Rail Road station approximately one-mile to the south of the Rezoning Area. Express buses to Manhattan, the QM2 and QM32 bus lines, are accessible at Bell Boulevard and 23rd Avenue, approximately 1/2-mile northwest of the Rezoning Area.

Parks in the surrounding area owned and operated by the Department of Parks and Recreation include the 0.91-acre Bay Terrace Playground approximately 1/2-mile northwest of the Rezoning Area. A new 1.5 acre park, Waters Edge Playground, will be constructed on the vacant property located immediately north of the Rezoning Area. The playground is anticipated to be complete and fully operational in 2025. Additionally, approximately one-mile south of the Rezoning Area are the 17-acre John Golden Park and 46-acre Crocheron Park, both of which provide opportunities for active and passive recreation.

As noted above, zoning districts mapped within the surrounding area include the R1-2 district mapped to the south of 24th Avenue and the R5 district mapped to the north of 24th Avenue.[1] A description of zoning regulations within each of these districts is provided below.

R1-2 zoning districts are mapped in low density neighborhoods characterized by large homes on spacious lots. R1-2 districts allow single-family detached homes (Use Group 1) and a limited range of community facility uses (Use Groups 3 and 4) at a maximum floor area ratio ("FAR") of 0.50 and 1.0, respectively. No commercial or industrial/manufacturing uses are permitted in R1-2 districts. Building height and setback are governed by a sky exposure plane, which begins 25 feet above the street line. In R1-2 districts, lots have a minimum width requirement of 60 feet. The front yard must be at least 20 feet deep and two side yards that total 20 feet must be provided for each residence. One off-street parking space is required for each dwelling unit.

R5 districts allow a variety of residential housing types (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4) at a maximum FAR of 1.25 and 2.0, respectively. No commercial or industrial/manufacturing uses are permitted in R5 districts. The maximum street wall height of a new building is 30 feet and the maximum building height is 40 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building. In addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line. Off-street parking is required for 85 percent of the dwelling units in the building. For blocks entirely within R5 districts, the regulations for predominately-built up areas may be applied to permit a maximum residential FAR of 1.65.

4. Description of the Development Site and Rezoning Area

The Rezoning Area includes the majority of the Development Site, described below, except a small portion of its northern edge. The Rezoning Area also includes a strip of the adjacent properties to the north and south. To the north, Block 6008, Lot 150 is an approximately 1.5 acre parcel that is the future site of the Waters Edge Playground, which is anticipated to be complete and fully operational in 2025. To the south, 24-25 Little Neck Boulevard (Block 6008, Lot 84) has a lot area

[1] There is also an R3-2 zoning district mapped north of 24th Avenue that extends northward along Waters Edge Drive. However, this area is parkland owned and operated by the Department of Parks and Recreation (a portion of which is currently being redeveloped as Waters Edge Playground).

of approximately 16,631 square feet and is improved with a two-story, approximately 4,627 square foot (0.27 FAR) single-family home.

The Development Site (Block 6008, Lot 95) is an irregularly shaped parcel with a lot area of approximately 55,614 square feet. The site has approximately 173 feet of frontage along 24th Avenue to the north, approximately 198 feet of frontage along Little Neck Boulevard to the west, and approximately 261 feet of frontage along the Cross Island Parkway to the east. The Development Site is improved with the Bay Terrace Country Club, a private club that features a one-story, approximately 2,800 square foot club house (0.05 FAR) with concessions, an outdoor swimming pool, and playground. Pedestrian access to the club is provided from the 24th Avenue cul-de-sac with parking provided off-site.

5. Description of Proposed Development

The proposed actions would facilitate the development of an eight-story, residential building at the Development Site with approximately 200,200 square feet of floor area (3.59 FAR). The proposed development would have approximately 236 dwelling units. Pursuant to the MIH program, 30 percent of the residential floor area would be permanently income-restricted under MIH Option 2. The proposed development would rise to a base height of 65 feet (six-stories) before rising to a building height of 85 feet (eight-stories) above setbacks.

A 30-foot yard along the southern lot line of the Development Site would provide landscaped open space for building residents and maintain separation from existing lower density context to the south. Landscaped rooftop open space would also be provided for building residents. A driveway from the cul-de-sac at the terminus of 24th Avenue would provide pedestrian and vehicular access to the lobby area. An accessory off-street parking garage located on the cellar level with 108 required and permitted spaces would be accessible from Little Neck Boulevard.

6. Actions Necessary to Facilitate the Project

The actions necessary to facilitate the proposed development are:

1. a zoning map amendment to change the existing R1-2 zoning district mapped within the Rezoning Area to an R6A zoning district; and

2. a zoning text amendment to establish the Rezoning Area as an MIH Area.

The proposed zoning map amendment would allow for the production of new multi-family housing in Queens Community District 11 on an underutilized site historically occupied by a private club. The existing R1-2 zoning designation within the Rezoning Area does not permit the development of multi-family housing at the Development Site. The proposed rezoning would facilitate new multi-family residential development, with the provision of permanently income-restricted housing.

The proposed R6A zoning district is a contextual district subject to the Quality Housing bulk regulations. R6A permits residential uses (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4). The maximum FAR is 3.6 for residential use in MIH Areas. The maximum FAR for community facility uses is 3.0. Above a maximum base height of 65 feet, buildings must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 85 feet with a qualifying ground floor. Off-street parking is required for 50 percent of dwelling units. The parking requirement for income-restricted housing units is 25 percent.

The proposed medium-density contextual R6A district with MIH is appropriate because the Rezoning Area is located at the edge of the existing R1-2 district and immediately adjacent to a non-contextual R5 district. The proposed R6A district has a maximum height limit of eight-stories above a six-story base, which relates to the existing multi-family context to the north and would be consistent with the planned five-story public school building that will be located immediately to the northwest. Access to mass transit is accessible from the Rezoning Area, including local and express bus service and connections to the Long Island Rail Road. The proposed increase in density would allow residential development on a wide street, Little Neck Boulevard, immediately

adjacent to significant open space areas, including the planned Bay Terrace Playground and the Cross Island Expressway to the north and east. Moreover, the proposed rezoning would facilitate the creation of approximately 236 dwelling units on an underutilized property in an area of Queens with high housing needs.

The proposed zoning text amendment would establish an MIH Area contiguous with the Rezoning Area, where there are currently no nearby provisions to promote income-restricted housing development. Within MIH Areas, 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. MIH 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 the Area Median Income ("AMI") with 10 percent at 40 percent AMI, with no unit targeted at a level exceeding 130 percent of AMI. MIH Option 2 requires 30 percent of the residential floor area to be provided as income-restricted housing to households at an average of 80 percent AMI, with no unit targeted at a level exceeding 130 percent of AMI. The Applicant is pursuing MIH Option 2, which would result in the production of approximately 50 permanently income-restricted housing units at the Development Site.

The proposed zoning text amendment to designate the Rezoning Area as an MIH Area is consistent with the policy goals of the City's Housing New York: A Five-Borough, Ten-Year Plan. The proposed residential development would provide much-needed income-restricted residential units in an area in with a growing population and corresponding increase in demand for housing. According to the Department of City Planning's 2013 report New York City Population Projections by Age/Sex & Borough, the population of Queens is anticipated to increase by an estimated 7.2 percent in the 30-year projection period. The population will increase from 2.25 million in 2010 to 2.4 million in 2040.[2] As population in Queens is expected to experience substantial and steady growth, additional housing is necessary to ensure adequate supply. Moreover, according to the U.S. Census Bureau, 43.6 percent of households in Queens Community District 11 are rent burdened, spending 35 percent or more of their income on rent.[3]

7. Conclusion

The proposed zoning map amendment and zoning text amendment are consistent with existing land uses and built context within the area surrounding the Rezoning Area, and further the objectives of the City's Housing New York: A Five-Borough, Ten-Year Plan. The existing R1-2 zoning designation within the Rezoning Area precludes the development of new multi-family housing. The proposed rezoning reflects sound planning principles by replacing an R1-2 district with an R6A district to permit residential use at increased density at an appropriate, underutilized site. The Rezoning Area is located on a wide street with access to mass transit, and it is adjacent to an R5 zoning district and open space. The proposed actions would facilitate the development of a new residential building with approximately 236 dwelling units, including permanently income-restricted units under MIH. The proposed residential building would serve a clear need in the community for new housing.

[2] New York City Population Projections by Age/Sex & Borough, 2010–2040, NYC Department of City Planning, December 2013.
[3] Based on American Community Survey 2014-18 Five Year Estimates for Public Use Microdata Area (PUMA) 4104, which approximates Queens Community District 11, available at: https://communityprofiles.planning.nyc.gov/queens/11.