97-04 Sutphin Blvd Rezoning

LR Item 3: Description of Proposal in Support of Zoning Map Amendment and Text Amendment

1. Introduction

This application (the "Application"), submitted by BG Sutphin LLC (the "Applicant") in partnership with the Community Healthcare Network (CHN), proposes a zoning map and text amendment (the "Proposed Actions") at Block 10030, Lots 1 and 6 in Community District 12, Jamaica, Queens (the "Project Area") necessary to facilitate the development of a mixed-use building comprised of affordable housing and a health clinic (the "Building") at property located at 97-04 Sutphin Boulevard, Block 10030, Lot 6 (the "Development Site").

The Project Area includes the entire frontage on the south side of 97th Avenue between Sutphin Boulevard and Waltham Street, is zoned C4-5X and is within the Special Downtown Jamaica District, which was established in 2007. The Applicant seeks the Proposed Actions to change the underlying zoning district of the Project Area from C4-5X to C6-3 and to establish a Mandatory Inclusionary Housing designated area (MIH area) over the proposed C6-3 district and remove the Project Area from the existing Inclusionary Housing designated area for the Special Downtown Jamaica District.

The proposed actions would facilitate the development of the Building, including up to approximately 173 units affordable to low-income and homeless senior citizens, along with a health clinic on the ground and cellar levels. CHN will operate the health clinic while Breaking Ground, an affiliate of the Applicant, will manage the residential portion of the Building and provide onsite social services to the seniors living in the Building.

2. Background

The Project Area is within the Special Downtown Jamaica District (SDJD), which was established in 2007 to build upon Jamaica's strengths as a multimodal transportation hub. The Special Downtown Jamaica District aims to support the downtown business district, expand housing and economic opportunities, protect low-density neighborhoods, and create affordable housing. The SDJD was established as part of the City's Jamaica Plan, which included 368 city blocks generally bounded by the Van Wyck Expressway service road to the west, 87th Road and Highland Avenue to the north, 189th, 190th, 191st Streets and Farmers Boulevard to the east, and Waltham Street, and 105th, 108th, 109th, Sayres, and 110th Avenues to the south. In addition to zoning map changes and the establishment of a special district, the Jamaica Plan included changes to the City Map, adoption of an Urban Renewal Plan, and authority to dispose of city-owned properties.

There are no recent or pending land use actions within 600 feet of the Project Area.

3. Description of the Surrounding Area

The Project Area is located within the Downtown Jamaica neighborhood in Community District 12 in Queens. The Project Area encompasses the block frontage on the south side of 97th Avenue between Sutphin Boulevard and Waltham Street.

The surrounding 600-foot study area contains a mix of uses but is predominantly characterized by residential and commercial uses. Directly north of the Project Area, fronting the north side of 97th Avenue, are two- and three-story single-family homes and a surface parking lot. Beyond, extending north towards 95th Avenue, are several one-story industrial uses including automotive repair, two-story mixed commercial (including delis, restaurants, and personal service shops) and residential structures, and additional surface parking lots. Northeast of the Development Site, along the east side of Sutphin Boulevard, are two-story mixed commercial and residential structures containing similar commercial uses. Adjoining the eastern side of theses uses, and fronting 147th Place, are two- and three-story single-family homes, and a two-story industrial use with associated parking areas.

The block to the east of the Project Area, between Sutphin Boulevard and 147th Street, is predominantly comprised of two- to three-story commercial and transportation uses, generally including restaurants, laundromat, and automotive care shops. Development within this block is ongoing, as demonstrated by the eight-story hotel under construction at 147-16 97th Avenue and the nine-story hotel under construction at 97-26 147th Place. East of this block, along the eastern side of 147th Place, are two- and three-story single-family homes as well as a single two-story multi-family walk-up building and limited industrial uses.

The Project Area is adjoined to the south by a commercial hotel use currently undergoing construction. South of this use, along the west side of Sutphin Boulevard and fronting all 101st Avenue, are vacant lots. Portions of these lots, enclosed within a chain-link fence, are used for surface parking and storage of large construction and utility vehicles. Southwest of the Development Site, along Waltham Street and 101st Avenue are residential uses. These uses are almost exclusively comprised of two- and three-story single-family homes.

The surrounding area to the west of the site contains mostly two- and three- story single family homes along Waltham, Liverpool, and Allendale Streets between 101st and 95th Avenues. This area also includes a few two-story multi-family walk-up buildings.

The major regional transportation hub of Jamaica Station is located just outside the study area to the north, just two blocks from the Project Area. The blocks surrounding Jamaica Station include retail and office uses as well as several recently constructed apartment towers. Newer residential development includes the 26-story Alvista Towers on 94th Avenue to the north of the project area.

The Project Area is well served by public transportation. The transit hub of Jamaica Station two blocks to the north of the Project Area includes stops for the Long Island Railroad (LIRR), the JFK AirTrain, three subway lines (including the E, J, and Z lines at

Archer Avenue), and bus lines. A bus stop located directly across 97th Avenue from the Development Site along Sutphin Boulevard is served by the Q6, Q8, Q9, Q40, and Q 60 lines. The Project Area is within the Transit Zone.

Major vehicular roadways in the area that provide access to the broader region include the Van Wyck Expressway which leads to the Belt Parkway to the south and to the Grand Central Parkway and the Long Island Expressway to the north.

The largest open space in the study area is the recently renovated P.S, 50 Playground, which comprises nearly an acre located along Allendale Street between 101st Avenue and Liberty Avenue and is part of the Schoolyards to Playgrounds initiative that opens playgrounds to the community after school hours. This open space includes play equipment, a running track, and a ball field. Across the street from this playground to the east, the Norelli-Hargreaves Memorial Triangle at the intersection of 101st and Liberty Avenues features plantings.

The Project Area and most of the surrounding area are within the Special Downtown Jamaica District as well as an Inclusionary Housing Designated Area. The Project Area is located in a C4-5X contextual commercial zoning district, which is also mapped on the two blocks to the east and northeast of the Project Area, between 147th Place and Sutphin Boulevard, from 96th Avenue to Liberty Avenue. C4 districts are mapped in regional commercial centers located outside of central business districts. In these areas, specialty and department stores, theaters and other commercial and office uses serve a larger region and generate more traffic than neighborhood shopping areas. C4-5X permits up to 4.0 FAR of commercials use as well as residential use governed by R7X regulations which allow residential use up to 3.75 FAR or up to 5.0 FAR with Inclusionary Housing.

A C6-3 district is mapped immediately adjacent to the Project Area to the north across 97th Avenue. C6 districts permit a wide range of high-bulk commercial uses and are generally mapped in areas near central business cores. The C6-3 district has a residential district equivalent of R9, which allows for residential development under height factor regulations or Quality Housing regulations. The bulk regulations of the Special District supersede the underlying district and include, among others, the following regulations for C6-3 districts: these districts within the Special District shall be Inclusionary Housing designated areas; maximum base FAR for lots containing residential uses is 6.0 (and increases up to 8.0 FAR with Inclusionary housing); maximum FAR for commercial and community facility uses is 8.0; and maximum building height is 250 feet.

R5 districts are mapped on the blocks west of the Project Area and on one block at the eastern edge of the study area. R5 is a residential district that permits a maximum FAR of 1.25. A C-24 commercial overlay is mapped on the block frontage on the north side of Liberty Avenue between 147th Place and 148th Street in an R5 district. Uses within such commercial overlays typically include neighborhood grocery stores, restaurants and beauty parlors as well as funeral homes and repair services.

An M1-1 district is mapped two blocks northeast of the Project Area on a block bounded by 148th Street, Atlantic Avenue, 147th Place, and 97th Avenue. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale

service and storage facilities. Offices, most retail uses, and some community facility uses are also permitted. The M1-1 district permits a maximum FAR of 1.0 for industrial and commercial uses and 2.4 for community facilities.

4. Description of the Proposed Project Area

The Project Area consists of the block frontage along the south side of 97th Avenue between Sutphin Boulevard and Waltham Street and includes the Development Site (Block 10030, Lot 6) along with Block 10030, Lot 1.

The Project Area contains a one-story health clinic at 97-04 Sutphin Boulevard (Lot 6) and an 8-story, approximately 80-foot-tall hotel building at 145-04 97th Avenue (Lot 1). Lot 6, the Development Site, is described in more detail below.

Lot 1 is not controlled by the Applicant. The hotel building on this lot was completed in 2019 and no new development on this site is anticipated as a result of the Proposed Actions.

Sutphin Boulevard, at 75 feet wide, is classified as a wide street under the Zoning Resolution. Waltham Street, at 50 feet wide, and 97th Avenue, with a width of 66 feet, are narrow streets.

5. Description of Proposed Development Site (if different than the Project Area)

The Development Site, Block 10030, Lot 6, includes 15,000-square-feet of lot area, with 150 feet of frontage along 97th Street and 100 feet along Sutphin Boulevard. It is currently occupied by a one-story, 14-foot-high, health clinic building with an accessory paved parking area that was originally constructed in 1970. The health center is a federally qualified health center (FQHC) operated by the Community Healthcare Network (CHN). With 6,600 sf of floor area, the existing building is constructed to approximately 0.44 FAR.

The existing C4-5X district mapped on the Development Site allows residential development up to 5.0 FAR for an affordable housing building or an Affordable Independent Residence for Seniors (AIRS) building. An “affordable independent residence for seniors,” as defined in the Zoning Resolution, is a building or portion thereof in which at least 90 percent of the dwelling units allocated to AIRS are each occupied by at least one person who is 62 years of age or over with incomes at or below 80% of the Area Median Income.

At this location in the SDJD, the minimum base height is 40 feet while the maximum in 60 feet. The maximum building height is 125 feet and can be increased to 145 feet for

an Inclusionary housing or AIRS building. Under the proposed C6-3 zoning, the maximum FAR for an Inclusionary or AIRS building would increase to 8.0 FAR. The maximum and minimum base heights would remain the same while the maximum building height would increase to 250 feet.

Because the Development Site is in the Transit Zone, no parking is required for affordable housing under the existing or proposed zoning.

The Development Site currently has two curb cuts along 97th Avenue. One curb cut serves a garage located on the Development Site used by CHN for storage of large vans used as mobile clinics. The second curb cut serves an adjacent surface parking lot to the west. The parking lot includes approximately 20 striped spaces, approximately 5 of which are also used to store vans used by CHN as mobile clinics. The remaining 15 parking spaces are used for car parking.

6. Description of the Proposed Development

The applicant proposes to demolish the existing one-story health clinic on the Development Site in order to construct the Building. The Building will rise to 15 stories, and comprise approximately 146,000-gsf, including a new and expanded federally qualified health clinic of approximately 15,000 gsf on the ground and cellar floors, and 173 units of low-income senior housing on the upper levels. Seventy percent of these units would be studio or one-bedrooms reserved for seniors who have annual incomes of 50% or less of the Area Median Income. These units would be Affordable Independent Residences for Seniors (AIRS) and would be occupied by residents aged 62 and up. The remaining 30% of the units would be studio units reserved for formerly homeless seniors with special needs. The latter units would not be considered AIRS units and would be occupied by low-income residents age 55 and up, and they would be “income-restricted housing units” as defined in the Zoning Resolution. There would also be one unit for a superintendent. Amenities for the residents would include a fitness room, a computer room, and a community room.

CHN will operate the health clinic, while Breaking Ground, an affiliate of the Applicant, will manage the residential portion of the Building and provide social services to the senior residents. In addition to serving the general community, the health clinic will provide clinical services and primary medical and psychiatric care to all residents of the building.

The entrance to the residential portion of the Building would be located along Sutphin Boulevard and the health clinic entrance would be along 97th Avenue, at the intersection of Sutphin Boulevard.

The Building would comply with all bulk restrictions applicable to its construction in a C6-3 district within the Special Downtown Jamaica District. It will rise to a total height of approximately 160 feet (169 feet at the bulkhead) and would have a floor area ratio (FAR) of 8.0, which is the maximum FAR for an Inclusionary Housing or an AIRS building in the proposed zoning district. As currently contemplated, there would be a setback of three

feet from the streetline at the sidewalk level along Sutphin Boulevard as required by SDJD regulations. Above the fifth floor, at a height of approximately 58 feet, there would be a setback of 10 feet from the streetline along Sutphin Boulevard and 15 feet along 97th Avenue. Along Sutphin Boulevard, a portion of the building would rise to only 47 feet before a setback of 10 feet. A yard of approximately 3,200 sf at the level of the first floor roof is provided as open area for the residents of the Building.

The Applicant is not proposing to provide parking onsite and there are no proposed curb cuts.

7. Action(s) Necessary to Facilitate the Building

The Proposed Actions necessary to facilitate the Development of the Building include a zoning map amendment of the Project Area from a C4-5X district to a C6-3 district, along with a zoning text amendment to establish a Mandatory Inclusionary Housing area at this location.

Zoning Map Amendment

The Applicant proposes a zoning map amendment to change the Project Area from a C4-5X district to a C6-3 district in order to allow for greater amount of permitted density at the Project Area than is currently allowed today. The proposed C6-3 district would extend 100 feet from 97th Avenue, encompassing the entire Project Area. The current C4-5X zoning permits a maximum FAR of 5.0 whereas the proposed C6-3 district would allow a maximum FAR of 8.0. The current C4-5X district permits a maximum base height of 60 and maximum building height of 125, whereas the proposed C6-3 zoning would allow a maximum base height of 60 feet and a maximum overall building height of 250 feet. This change would result in a continuation of the adjacent C6-3 zoning district that is currently mapped immediately to the north of the Project Area.

The proposed C6-3 district is appropriate for this location as it reflects the land use development patterns immediately to the north and allows for increased density within close proximity to the Jamaica Station transit hub. Furthermore, Sutphin Boulevard is a wide street and the proposed increase in density and height will have minimal impact on the surrounding streets and occupants of the nearby buildings than if the zoning map amendment were proposed for a narrow street.

Zoning Text Amendments

The Applicant proposes zoning text amendments to Article XI, Chapter 5 (Special Downtown Jamaica District) and to Appendix F of the Zoning Resolution. The Special Bulk Regulations for the SDJD in ZR 115-20 (Special Bulk Regulations) would be modified to allow for the mapping of Mandatory Inclusionary Housing areas within the SDJD and to specify that the height and setback regulations of Sections 23-952 (Height and setback for Mandatory Inclusionary Housing areas) and 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall be modified by the special height and setback regulations of Section 115-23.

The amendments to Appendix F would remove the Project Area from the existing Inclusionary Housing designated area for the Special Downtown Jamaica District and designate a Mandatory Inclusionary Housing area that applies the requirements of Options 1 and 2 to the Project Area. While only up to 30% of residential floor area would have to be provided as affordable under the options proposed, the Applicant intends that all the residential units in the Building would be affordable housing for low-income tenants. Therefore, the requirements of the MIH program that would apply to the Development Site under the Proposed Actions would be exceeded.

8. Conclusion

The Proposed Actions would advance the affordable housing production goals of the mayor's Housing New York plan by facilitating the development of a new residential building with up to 173 affordable units for low-income and formerly homeless seniors. The proposed project would also include an expanded health clinic that CHN will use to serve residents of the community without regard for their ability to pay for services. The proposed zoning map amendment is appropriate in increasing FAR that would be permitted at the Project Area, which is well suited for higher density than is permitted today. The proposed zoning text amendments will ensure that any development in the Project Area will include a substantial portion of affordable housing.

Finally, the zoning map amendment is consistent with the SDJD's goal of encouraging and producing affordable housing. And would provide additional public benefits by creating housing for vulnerable low-income and homeless senior citizens, and through the more than doubling of the capacity of CHN's health clinic to provide services to the neighborhood.