185-17 HILLSIDE AVENUE REZONING
185-17/19 HILLSIDE AVENUE, QUEENS
APRIL 10, 2020

1. INTRODUCTION

18517 Hillside LLC, (the "Applicant") seeks three actions over 87-46 Chelsea Street, 185-17/19, 185-01, 184-17, and 184-01 Hillside Avenue, (Block 9954, Lots p/o 1, p/o 70, p/o 66, p/o 56, and p/o 49) (the "Project Area"), in the Downtown Jamaica neighborhood of Queens within Community District 8. The Applicant proposes the following actions (the "Proposed Actions"):

1. A zoning map amendment to rezone the Project Area from R3X and R6A/C2-4 zoning districts to an R7A/C2-4 zoning district,
2. To amend Zoning Resolution ("ZR") § 115-02 and Map 1 of Appendix A thereto, to extend the boundaries of the Special Downtown Jamaica District to be coterminous with the Project Area, and
3. To amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 8, to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") Designated Area. The Applicant proposes mapping Options 1 and 2 within the Project Area to provide maximum flexibility for non-applicant-controlled sites.

The Proposed Actions will facilitate the development of a mixed use commercial and residential, Use Groups ("UG") 2 and 6, nine-story building with a floor area of approximately 71,007 zoning sq. ft. (4.16 FAR), containing commercial space and 48 dwelling units (the "Proposed Development") to be constructed at 185-17/19 Hillside Avenue, Block 9954, Lot 56 (the "Development Site"). The Applicant would utilize MIH Option 1 for the Development Site to provide 12 units of permanently affordable housing.

2. BACKGROUND

The area surrounding and including the Project Area was mostly zoned as an R3-2 district at the adoption of the 1961 zoning maps.

In 2007, the Project Area and surrounding area was rezoned as part of the City's Jamaica Plan (ULURP Nos. C 070314(A) ZMQ, C 070158 MMQ, N 070315 (A) ZRQ, C 070316 HUQ, N 070317 HGQ, C 070322 HDQ, and C 070318 PPQ), which was adopted to strengthen economic opportunities and encourage the provision of affordable housing in Downtown Jamaica, curb development in low density residential areas and foster more orderly growth. In the immediate vicinity of and east of the Project Area, sites along Hillside Avenue were primarily rezoned to an R6A/C2-4 zoning district to a depth of 100' from the street line. This depth did not reflect existing lot depths on subject Block 9954 and resulted in a split-lot condition for each lot along Hillside Avenue. Further west along Hillside Avenue, the R6A/C2-4 district was drawn to a depth of 180' to reflect existing lot depths. The area to the north of the Project Area was rezoned to an R3X zoning district, and the area to the south was rezoned to R3X and R4-1 zoning districts. Approximately 1000 feet west of Project Area, areas fronting on Hillside Avenue were rezoned to R7A/C2-4 zoning districts at varying depths, including covering entire blocks. Further, downtown Jamaica was rezoned to permit additional residential, and particularly, commercial bulk to facilitate an increasing role as an employment center in Queens.

3. DESCRIPTION OF THE SURROUNDING AREA

The Project Area is located in the Jamaica neighborhood of Queens within Community District 8.

<u>Zoning</u>

The area within a 600-foot radius of the Project Area (the "Surrounding Area") is zoned with R1-2, R3X, R4-1, R5, and R6A/C2-4 zoning districts.

R1-2 zoning districts are non-contextual districts that only permit single-family detached homes and a limited range of community facility uses at a maximum FAR of 0.5. R1-2 zoning districts require a minimum lot width of 60 feet and a minimum lot area of 5,700 sq. ft. The R1-2 district is non-contextual and has no maximum building height

R3X zoning districts are contextual districts which permit single and two-family detached dwellings. Within an R3X zoning district, the maximum FAR is 0.60 with the provision of an attic. The maximum height is 35 feet. There are two side yards required each with a minimum width of two feet and a total width of 10 feet. The front yard must be a minimum of 10 feet deep. One off-street parking spot is required per dwelling unit.

R4-1 zoning districts are contextual districts which permits single and two-family detached and semi-detached dwelling units. Within an R4-1 zoning district, the maximum FAR is 0.90 with the provision of an attic. The maximum height is 35 feet. There is only one side yard required and the total side yard width must be a minimum of eight feet. The front yard is required to be a minimum of 10 feet deep or as deep as an adjacent lot. One parking space per dwelling unit or 50% of Income Restricted Housing Units is required.

R5 zoning districts are residential districts which typically produce three- and four-story attached houses and small apartment buildings. Within an R5 zoning district, the maximum FAR is 1.25, the maximum street wall height 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. R5 zoning districts require a minimum front yard of 10 feet and a minimum rear yard of 30 feet. Detached houses must have two side yards that total at least 13 feet, each with a minimum width of five feet. Semi-detached houses require one eight-foot-wide side yard. Apartment buildings require two side yards, each at least eight feet wide. Off-street parking is required for 85% of the dwelling units.

R6A zoning districts are contextual residential districts where the Quality Housing bulk regulations are mandatory. These regulations produce high lot coverage, six- or seven-story apartment buildings set at or near the street line. The maximum FAR in an R6A district is 3.0, or 3.6 with inclusionary housing. Above a maximum base height of 60 feet, a 10-foot setback is required on a wide street and a 15-foot setback is required on a narrow street, before rising to a maximum height of 70 feet. Off-street parking is required for 50% of all dwelling units, or can be waived if five or fewer spaces are required. Within the Special Downtown Jamaica District, development is limited to a maximum height of 35 feet within 25 feet of an adjacent zoning lot located in a lower-density district. An eight-foot open space is required above curb level along a lot line abutting a lower-density district.

Special Districts

The Special Downtown Jamaica District was designed to build upon Jamaica's strength as a multimodal transportation hub to support the downtown Jamaica business district, expand housing and economic opportunities along the area's major streets and transportation corridors, limit housing development in low-density neighborhoods, and create affordable housing. The district's use regulations encourage mixed use development in denser transit-oriented locations and its bulk provisions allow taller buildings with higher floor area ratios at the transit hubs. There is a transition rule that regulates the change in building massing from taller building portions allowed along wide streets to a reduced scale for building portions that abut smaller homes in lower density residential zoning districts. The district has controls pertaining to glazing, street walls, retail continuity, sidewalk widening, sidewalk cafes, and other streetscape elements.

Land Uses and Prevailing Built Form

The land uses within the Surrounding Area consist primarily of a mix of residential, community facility, and commercial uses.

Hillside Avenue has a mixed-use character predominated by medium-density residential and community facility uses, ranging from six- to fifteen-stories in height, as well as low-rise retail uses and parking facilities. One block west of the Project Area is the 11-story Park Towers East

residential development and the 12-story Hillside Manor rehabilitation facility. Hillside Avenue is a commercial corridor, and ground floor retail predominates, often with residential use above.

The low-density R3X and R4-1 zoning districts to the north and south of the Project Area are predominately characterized by single-family housing, although there are notable exceptions including the seven-story Wilshire Apartments northwest of the Project Area on Wexford Terrace.

Public Facilities

Approximately half a mile to the west of the Project Area is Major Mark Park, a 0.9-acre park used for passive recreation, improved with several sculptures and benches. This area was conveyed to the Village of Jamaica in 1837 to be used as a park and was named in 1933 after a soldier who died in World War I. In addition, approximately 100 feet south of the Project Area is the Benigno Aquino Triangle pocket park, named after a Filipino political leader, which contains passive recreation space.

Approximately 500 feet west of the Project Area is I.S. 238, Susan B. Anthony Academy, a junior high school with a capacity of approximately 1800 seats. This school has publicly-accessible active-recreation facilities, including a track and two tennis courts. In addition, approximately 200 feet east of the Project Area are two pre-schools.

Mass Transit

The Project Area is located within the Transit Zone. Approximately two-fifth of a mile west of the Project Area is the Jamaica-179th Street Station served by the F subway line. The Surrounding Area is also extremely accessible by bus service. The Q1 (running from Bellerose Terrace to Jamaica), Q2 (running from Belmont Park to Jamaica), Q3 (running from John F. Kennedy International Airport to Jamaica), Q17 (running from Flushing to Jamaica), Q36 (running from Little Neck to Jamaica), Q43 (running from Bellerose Manor to Jamaica), Q76 (running from College Point to Jamaica), and Q77 (running from Brookville to Jamaica) buses run along Hillside Avenue and have stops in the Surrounding Area. Further, the X68 express bus, which stops across Chelsea Street from the Project Area, runs from Bellerose Manor to Midtown. In addition, approximately half a mile south of the Project Area is the Hollis Long Island Rail Road ("LIRR") stop, served by the Hempstead and Port Jefferson lines. The Project Area is also approximately 1.5 miles from the Jamaica transportation hub which is served by nine LIRR lines, three New York City Transit subway lines (J, E, and Z), and the AirTrain, serving John F. Kennedy International Airport ("JFK"). JFK is the busiest international ingress airport in the United States, and is approximately three miles south of the Project Area.

4. DESCRIPTION OF THE PROJECT AREA

The Project Area is in the Jamaica neighborhood of Queens Community District 8 and includes 184-01, 184-17, 185-01 and 185-17 Hillside Avenue, and 87-46 Chelsea Street. The Project Area is bounded by Hillside Avenue to the south; 184th Street to the west; a line 140 feet north of, and running parallel to Hillside Avenue; a line 100 feet west of, and running parallel to Chelsea Street; a line 100 feet north of, and running parallel to, Hillside Avenue; and Chelsea Street to the east. The Project Area is zoned R6A/C2-4 within 100 feet of Hillside Avenue, a medium-density residential district allowing for seven to eight story residential buildings and commercial ground floors. North of the R6A/C2-4 zoning district, the Project Area is zoned R3X, which permits single-family housing. Further, the portion of the Project Area that is within 100 feet of Hillside Avenue is within the Special Downtown Jamaica District.

184-01 Hillside Avenue (Block 9954, Lot 1) is a corner lot with 140 feet of frontage on Dalny Road (184th Street) and 160 feet of frontage on Hillside Avenue, with approximately 20,400 sq. ft. of lot area on a split zoning lot. Approximately 7,200 sq. ft. of lot area is zoned R3X, with the remainder being zoned R6A/C2-4. The lot is improved with a single-story, approximately 3,525 sq. ft. Chase Bank (0.17 FAR), built around 1971.

184-17 Hillside Avenue (Block 9954, Lot 70) is an interior lot with 40 feet of frontage on Hillside Avenue and approximately 6,400 sq. ft. of lot area on a split zoning lot. Approximately 2,400 sq.

ft. is zoned R3X with the remainder being zoned R6A/C2-4. The lot is improved with a single-story, approximately 2,080 sq. ft. laundromat (0.33 FAR) built around 1960.

185-01 Hillside Avenue (Block 9954, Lot 66) is an interior lot with 180 feet of frontage on Hillside Avenue and approximately 28,800 sq. ft. of lot area on a split zoning lot. Approximately 10,800 sq. ft. is zoned R3X with the remainder being zoned R6A/C2-4. The lot is improved with a six-story, approximately 95,040 sq. ft. residential, non-complying building (3.3 FAR) built around 1961.

185-17/19 Hillside Avenue (Block 9954, Lot 56) (the "Development Site") is an interior lot with 100 feet of frontage on Hillside Avenue and approximately 16,000 sq. ft. of lot area on a split zoning lot. Approximately 6,000 sq. ft. is zoned R3X with the remainder being zoned R6A/C2-4. The lot is improved with a single-story, 1,680 sq. ft. animal hospital (0.11 FAR), built around 1947.

87-46 Chelsea Street (Block 9954, Lot 49) is a corner lot with 140 feet of frontage on Hillside Avenue and 100 feet of frontage on Chelsea Street, and approximately 17,600 sq. ft. of lot area on a split zoning lot. Approximately 2,400 sq. ft. is zoned R3X with the remainder being zoned R6A/C2-4. The lot is improved with a six-story, approximately 58,350 sq. ft., residential, non-complying building (3.32 FAR), built around 1963.

5. Description of the Development Site

The Development Site is improved with an existing, approximately 1,680 SF (0.11 FAR) vacant building, formerly used as an animal hospital built around 1947. The Development Site is an interior lot with approximately 16,000 sq. ft. of lot area on a split zoning lot. Approximately 6,000 sq. ft. is zoned R3X with the remainder being zoned R6A/C2-4. The Development Site is considerably underbuilt relative to the permitted FAR and the two 6-story elevator apartment buildings on adjoining lots along Hillside Avenue.

6. Description of the Proposed Development

The proposed rezoning will facilitate the development of a mixed-use (UG 2 and 6) nine-story residential and ground-floor commercial building with approximately 66,584 sq. ft. of zoning floor area (4.16 FAR) of which approximately 62,161 sq. ft. would be residential and approximately 4,423 sq. ft. would be commercial. The Proposed Development will be built, generally, to the street line, will rise to a height of 91'-4", with a 10' setback at the eighth floor, and will have a dormer at the seventh floor and a terrace on the roof for the residential tenants. The Proposed Development would create a total of 48 dwelling units, of which 12 would be permanently affordable pursuant to MIH Option 1. The Proposed Development will provide 27 accessory off-street vehicular parking spaces (18 required) in the rear yard, through the existing curb cut on Hillside Ave, and will provide approximately 24 bicycle parking spaces.

7. Actions Necessary to Facilitate the Proposal

The actions necessary to facilitate the Proposed Development are:

1. A zoning map amendment to rezone the Project Area from R3X and R6A/C2-4 zoning districts to an R7A/C2-4 zoning district,
2. To amend Zoning Resolution ("ZR") § 115-02 and Map 1 of Appendix A thereto, to extend the boundaries of the Special Downtown Jamaica District to be coterminous with the Project Area, and
3. To amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 8, to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") Designated Area. The Applicant proposes mapping Options 1 and 2 within the Project Area to provide maximum flexibility for non-applicant-controlled sites.

a. Rationale for the R7A/C2-4 zoning district in the Project Area

This application seeks to rezone the Project Area from R3X and R6A/C2-4 zoning districts to an R7A/C2-4 zoning district.

R7A zoning districts are medium density contextual residential zoning districts where the Quality Housing bulk regulations are mandatory. R7A zoning districts are widely mapped along wide residential streets, including along Hillside Avenue, Metropolitan Avenue, and Broadway, among others, west of the Project Area. The maximum residential FAR in an R7A zoning district is 4.6 with inclusionary housing. R7A zoning districts also allow up to 4.0 FAR of community facility use. Above a maximum base height of 65 feet, a 10-foot setback is required on a wide street and a 15-foot setback is required on a narrow street, before rising to a maximum height of 85 feet, or 95 feet with inclusionary housing, with a qualifying ground floor. Off-street parking is required for 50% of all dwelling units and can be waived if fifteen or fewer spaces are required. Within the Transit Zone, accessory off-street parking is not required for income restricted housing units.

With the adoption of the Jamaica Plan in 2007, the City sought to "preserve lower-density residential neighborhoods" and "create opportunities for new housing development." To that end, it rezoned 130 blocks to preserve single- and two-family homes and another 50 blocks to maintain the character of other low-density areas. The Jamaica Plan also sought to create opportunities for new housing, particularly along wide streets with transit access. The Project Area is proximate to the Jamaica-179th Street Station on the F line, which is one of the more important stations in Queens, ranking as the 10th busiest station in Queens and the 67th busiest station in the subway system.

The 11 Census tracts that border both sides of this portion of Hillside Avenue along Grand Central Parkway (482, 470, 480, 472, 466, 464, 462, 484, 468, 476, 478) experienced a greater than 4 percent gain in population between the two five-year ACS periods (2006-2010 and 2013-2017), from 37,073 to 38,582. During the same period, the Census reports that the number of housing units declined by 1.4 percent (from 13,361 to 13,172). Market research reports show that in 2019, median prices of sales per square foot in Queens rose 4.7 percent, which significantly exceeds the increase of the Consumer Price Index (which, as of February 2020 had risen 2.4 percent over the previous year). There remains a significant need for this additional housing in the Surrounding Area.

From 2006 to 2017, while the number of rent-burdened households, defined as households paying over 30% of their household income in rent, in Public Use Microdata Area ("PUMA") areas 4112 and 4106 has increased by approximately 17%; housing production has failed to keep pace. The Jamaica Plan has had some success in generating new housing development (discussed further below), but more housing is needed along transit-accessible wide streets to respond to the growing need.

Moreover, the Jamaica Plan rezoning burdened the Project Area with a split lot condition, which effectively precluded any new development by limiting the usable footprint and floor area. On the two blocks to the immediate west of Block 9954 (Blocks 9944 and 9950), the City mapped the zoning district boundary between the middle-density zoning along Hillside Avenue and the adjoining R5 zoning district to the north at a depth of 180 feet from Hillside Avenue, reflecting the existing lot depths in the area. Similarly, on the block to the east (Block 9960), the zoning district boundary line at a depth of 100 feet from Hillside Avenue reflects actual lot depths. Only on Block 9954 was the boundary line between the middle- and low-density zoning districts set at a depth of 100 feet from Hillside Avenue, even though the lots are significantly deeper.

The split lot condition effectively lowers the buildable FAR in the Project Area to approximately 2.2 FAR and diminishes incentives to redevelop underutilized sites; so much so that the Development Site remains improved with a 0.11 FAR building, and other sites remain occupied by similarly underdeveloped structures. This is further evidenced by the lack of new development among R6A zoning lots in the Special Downtown Jamaica District since the Jamaica Plan rezoning. Indeed, only two of these lots have been developed since the adoption of the Jamaica Plan, during one of the strongest housing markets in the City's history. Rationalizing the district boundaries (as well as an overall increase in allowable density, discussed below) to reflect the existing lot depths is therefore critical to facilitate development of much-needed housing.

The Jamaica Plan's R6A zoning district along this section of Hillside Avenue resulted in minimal new development in relation to the areas mapped with R7A districts. That increased density encourages new housing development is further evidenced by two new predominantly residential buildings now filed for construction within the R7X zoning district mapped to the east of the Project Area along Hillside Avenue.

During public review, the City predicted that the Jamaica Plan would create "more than 3,400 dwelling units…by 2015." However, American Community Survey data for PUMA 4112 and 4106, which approximates Queens Community District 12 and 8 and encompasses an area inclusive of and larger than the area affected by the Jamaica Plan, show that from 2006 to 2017 total housing units in this area only grew by approximately 2,200 units. This gap in production can be reduced by increasing the permitted density, as proposed in this application.

The Project Area is particularly well-suited to accept the increase in density envisioned by the Jamaica Plan. The Project Area is on a 100 foot-wide wide street, near a major transit-oriented employment center . In addition, the Project Area has ample, multi-modal transit access, including subway, bus, and commuter rail options, as well as rail access to a major airport. Ongoing capital projects for the Long Island Rail Road and New York City Transit will further increase existing capacity and strengthen the Jamaica transit hub; making the Project Area increasingly well-suited to accept additional density.

Further, the proposed additional density consistent with the Surrounding Area would facilitate zoning compliance of two existing buildings in the Project Area. The proposed building envelope would be in character with much of the Hillside Avenue corridor, which is already either mapped as R7A zoning districts or improved with building density comparable to that of an R7A zoning district.

The Proposed Actions, especially in light of the MIH and ZQA text amendments discussed below, would further the goals of the Jamaica Plan by building on the strength of the Project Area's wide street, deep lots, and transit access while correcting the Project Area's split lot condition to unleash new housing development, including permanently affordable housing.

b. Rationale for extending the C2-4 Commercial Overlay and Special Downtown Jamaica District along the Project Area

The proposed extension of the existing C2-4 commercial overlay and Special Downtown Jamaica District would continue the overwhelmingly dominant pattern of having coterminous depths of the mapped commercial districts and the depth of the Special District. This would make the parking provisions of ZR Section 115-50 and the Special Permit provisions of ZR Section 115-60 applicable to full zoning lots. More importantly, this text amendment would further protect the nearby single-family homes by limiting the maximum height of abutting developments to 35 feet pursuant to ZR Section 115-235, by pushing back permitted rear yard obstructions; the Special Downtown Jamaica District requires an eight-foot open space abutting any shared lot lines.

c. Rationale for the Appendix F: Inclusionary Housing Designated Area Text Map Amendment

The City's Census enumerated population has been growing steadily since the 1980 Census and is currently estimated at 8,398,748 for July 2018. This is the highest estimated or enumerated population in the City's history, and projections by the Department of City Planning and the New York Metropolitan Transportation Council ("NYMTC") predict continued growth in the City's population. NYMTC's draft project for 2050 forecasts a population of close to 9.2 million residents. Over the last 15 years the demands for housing, both in this community and throughout the City, have steadily increased. This has resulted in rising prices for for-sale residences and rising rents for rental housing. The shortage of affordable housing and housing in general has been highlighted by the current administration as an urgent issue that needs addressing. The administration has released *Housing New York, A Five-Borough, Ten-Year Housing Plan*, which calls for the production and preservation of 200,000 affordable housing units within a decade.

The Jamaica Plan did not require new developments to contain affordable housing. The City's open data on affordable housing sites show no affordable housing units or generating sites in Queens Community District 8. Indeed, only eight lots in Queens Community District 8 are in Inclusionary Housing Designated Areas and no lots are in MIH Designated Areas. The proposed text amendment to ZR Appendix F will require the Development Site and other lots located within the Project Area to develop in accordance with the MIH program. The applicant proposes mapping MIH Options 1 and 2 within the Project Area to provide maximum flexibility for non-applicant-controlled sites. Option 1 requires 25% of residential floor area to be set aside for affordable housing units for residents with incomes averaging 60% AMI, with a minimum of 10% of housing to be affordable at 40% AMI. Option 2 requires 30% of residential floor area to be set aside for affordable housing units for residents with incomes averaging 80% AMI. The proposed affordable housing set asides will ensure that any future residential development at the Project Area will address the need for housing to serve a broad range of the City's diverse incomes.

8. CONCLUSION

As discussed above, 18517 Hillside, LLC proposes a zoning map amendment to rezone the Project Area from R3X and R6A/C2-4 zoning districts to an R7A/C2-4 (DJ) zoning district within the Special Downtown Jamaica District. The proposed zoning map amendment will facilitate the construction of a new nine-story community facility and residential building at the Development Site. The applicant also seeks zoning text amendments to amend ZR § 115-02 and Map 1 of Appendix A thereto to reflect the zoning map amendment, and ZR Appendix F: Inclusionary Housing Designated Areas for Queens Community District 8, to establish the Project Area as an MIH Designated Area. The proposed zoning text amendment will ensure that any future residential development at the Project Area will address the need for housing to serve a broad range of the City's diverse incomes.