123-12 SUTPHIN BOULEVARD REZONING
AUGUST 8, 2024

1. INTRODUCTION

Full Gospel Mission Church of God in Christ and SBR Equities Inc. (together, the "Applicant") propose the following actions (the "Proposed Actions"):

1. Zoning Map Amendment to:
   a. change an existing R6 zoning district to an R3A zoning district on Block 12051, Lots p/o 57 and p/o 155;
   b. change existing R3A and R6 zoning districts to an R6A zoning district on Block 12051, Lots p/o 71 and p/o 74;
   c. change an existing R3A/C1-3 zoning district to an R6A/C1-3 zoning district on Block 12045, Lots of p/o 10, p/o 13, p/o 14, p/o 15 and p/o 16;

   (the "Project Area") in the South Jamaica neighborhood of Queens Community District 12; and

2. Zoning Text Amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 12 to designate a Mandatory Inclusionary Housing ("MIH") Area with MIH Options 1 and 2 conterminous with the proposed R6A boundary.

The Proposed Actions will facilitate the development of a new eight-story plus cellar mixed-use community facility and residential building with approximately 88,257 square feet of floor area (3.5 FAR) (the "Proposed Development") at 123-12 Sutphin Boulevard, Block 12051, Lot 74 (the "Development Site"). The Proposed Development will include approximately 9,837 square feet of community facility space in the cellar and ground floor and approximately 125 dwelling units, including approximately 31 income-restricted dwelling units pursuant to MIH Option 1.

2. BACKGROUND

The Project Area was initially mapped with an R3-2 zoning district in 1961.

In 1978, the 120th Avenue/Sutphin Boulevard/Rockaway Boulevard Rezoning (C 770450 ZMQ) rezoned portions of Blocks 12045 and 12051, including a portion of the Development Site, from the existing R3-2 zoning district to an R6 zoning district.

In 2011, the Project Area and general surrounding area were the subject of the South Jamaica Rezoning (C 110145 ZMQ, N 110146 ZRQ) which rezoned all or portions of 530 blocks to permit moderate increases in residential and commercial density along main corridors while also maintaining lower density areas. The South Jamaica Rezoning rezoned portions of the Project Area from an R3-2 zoning district to R3A and R3A/C1-3 zoning districts.

3. DESCRIPTION OF SURROUNDING AREA

The Project Area is located in the South Jamaica neighborhood of Queens Community District 12. The Project Area is also located within a FRESH zone offering zoning incentives.

Zoning
The existing zoning districts in the surrounding area include:

R6
R6 zoning districts are located directly north and south of the Project Area, including over a portion of the Development Site. R6 districts are residential districts which are widely mapped in built-up, medium-density areas. Developers can choose between two sets of bulk regulations. Height factor regulations, introduced in 1961, typically produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Quality Housing regulations, introduced in 1987, typically produce high lot coverage

buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood. Buildings developed pursuant to height factor regulations are often tall buildings set back from the street and surrounded by open space and on-site parking. The FAR in R6 districts range from 0.78 (for a single-story building) to 2.43 at a typical height of 13 stories. There are no height limits for height factor buildings, although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Off-street parking is required for 70% of a building's dwelling units or can be waived if five or fewer spaces are required, but requirements are lower for income-restricted housing units (IRHU) and are further modified within the Transit Zone or for lots less than 10,000 square feet. The Quality Housing regulations produce lower, high lot coverage buildings set at or near the street line. For buildings on or within 100 feet of a wide street, the maximum FAR is 3.0 or 3.6 with Inclusionary Housing, the maximum base height before setback is 65 feet with a maximum building height of 70 feet (75 feet with QGF) or 115 feet with Inclusionary Housing. On a narrow street, the maximum FAR is 2.2 or 2.42 with Inclusionary Housing, the maximum base height before setback is 45 feet or 65 feet with Inclusionary Housing with a maximum building height of 55 feet or 115 feet with Inclusionary Housing. Off-street parking is required for 50% of a building's dwelling units or can be waived if five or fewer spaces are required, but requirements are lower for IRHU and are further modified within the Transit Zone or for lots less than 10,000 square feet.

R3A

The Project Area is located within an R3A zoning district. R3A zoning districts are contextual districts that feature modest single- and two-family detached residences on zoning lots as narrow as 25 feet in width. The amount of required open space on residential lots in R3A districts is governed by yard requirements. New detached homes must have two side yards totaling at least eight feet, but there is no minimum width requirement for either one. R3A districts also permit zero lot line buildings which are set along a side lot line and have one side yard at least eight feet wide. The front yard of a new home must be at least 10 feet deep and, to promote a unified streetscape, it must be as deep as an adjacent front yard but need not exceed a depth of 20 feet. The maximum floor area ratio of 0.5 may be increased up to 20% by an attic allowance 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. Parking is in the side or rear yard but an in-house garage is allowed if the lot is 35 feet or wider, provided the driveway is at least 18 feet deep. One off-street parking space is required for each dwelling unit.

R3X

A R3X zoning district is located directly east of the Project Area across Sutphin Boulevard. R3X zoning districts are contextual districts mapped extensively in lower-density neighborhoods and permit only one- and two-family detached homes on lots that must be at least 35 feet wide. The maximum permitted FAR of 0.5 may be increased by an attic allowance of up to 20% 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. The amount of required open space on a lot is governed by yard requirements. Two side yards that total at least 10 feet are required and there must be a minimum distance of eight feet between houses on adjacent lots. The front yard of a new home must be at least 10 feet deep and must be at least as deep as an adjacent front yard but need not exceed a depth of 20 feet. An in-house garage is permitted within the building provided the driveway is at least 18 feet deep. One off-street parking space is required for each dwelling unit.

R5D

An R5D zoning district is located north of the Project Area along Sutphin Boulevard. R5D zoning districts are contextual districts that are designed to encourage residential growth along major corridors in auto-dependent areas of the City and are generally mapped in portions of Jamaica and Rockaway Park neighborhoods of Queens. R5D districts serve as a transition between lower-density districts and moderate-density districts by incorporating the lot area, lot width and building envelope of R5B districts with certain aspects of the Quality Housing Program available in R6 through R9 districts and R10 contextual districts. Lot coverage requirements are the same as for R6 contextual districts. Characterized by moderate-density, multi-family housing, R5D districts have a maximum FAR of 2.0, a height limitation of 40 feet (45 feet with QGF) and a significant amount of required off-street parking, reflecting

the lack of easy access to mass transit and the reliance on automobiles. The minimum lot width for single- and two-family detached houses is 25 feet; side yards are not required for lots less than 30 feet wide. Zero lot line buildings are permitted. The front yard 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. Off-street parking, which is not permitted in front of the building, is required for 66% of all dwelling units. Requirements are lower for IRHU and are further modified within the Transit Zone. Curb cuts are not permitted on a wide street if the zoning lot also fronts on a narrow street.

C1-3 and C2-3 Overlays

C1-3 and C2-3 zoning districts are commercial overlays mapped within residential districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, drug stores, restaurants and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When commercial overlays are mapped in R1 through R5 districts, the maximum FAR is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0.

FRESH

The Project Area is located in a FRESH zone allowing zoning incentives.

Land Uses

The existing land uses within the surrounding area consist of one-, two- and multi-family residences, mixed-use commercial and residential buildings, transportation/utility buildings and community facilities, including houses of worship. Major thoroughfares within the surrounding area include Sutphin Boulevard, a 75-foot wide street, and Rockaway Boulevard, a 100-foot wide street.

Located generally to the east and west of the Project Area, within the R3X and R3A zoning districts, are two- and three-story, one-, two- and multi-family residential walk-up buildings.

To the north and south of the Project Area, within the R6 zoning district, are residential, commercial, community facility and transportation/utility uses. There are two four-story multi-family residential elevator buildings (totaling approximately 210 residential units). There are also one- and two-story commercial and mixed-use commercial and residential buildings along Sutphin Boulevard and Rockaway Boulevard. There is an electronic repair shop, a cell phone store, a grocery store, a laundromat, nursery school and beauty salons along Sutphin Boulevard, between 123rd and 121st avenues; and restaurants, a supermarket, a dry cleaner, a nail salon and a liquor store along Rockaway Boulevard, between Inwood Street and 147th Street. Sutphin Boulevard includes several community facilities including houses of worship (one mosque and four churches) and the PS 223Q Lyndon B. Johnson school directly south of the Development Site.

A portion of the approximately 50-acre Baisley Pond Park is located just south-east of the Project Area – this portion includes the Sutphin Playground at the intersection of Sutphin Boulevard and 125th Avenue.

Mass Transit

While the Project Area is not located within the Transit Zone it is well served by public transportation. The MTA Q6 bus line runs north/south along Sutphin Boulevard with a stop located north of the Project Area at the corner of 123rd Avenue and provides service from Jamaica and from JFK to Sutphin Boulevard. The MTA Q7 bus line runs east/west along Rockaway Boulevard with a stop located south of the Project Area at the corner of Rockaway Boulevard and 150th Street and provides service from East New York to Rockaway Boulevard.

4. DESCRIPTION OF THE PROJECT AREA

The Project Area consists of Block 12051, Lots p/o 71, p/o 74, p/o 57 and p/o 155, and Block 12045, Lots p/o 10, p/o 13, p/o 14, p/o 15 and p/o 16. The Project Area is located on the northern portion of Block 12051 and southern portion of Block 12045, at the intersection of Sutphin Boulevard (a 75’ wide street) and 123rd Avenue (a 60’ narrow street). The Project Area is

approximately 47,485 square feet and is improved as follows:

123-12 Sutphin Boulevard (Block 12051, Lot 74, the "Development Site") is controlled by the Applicant (the remainder of the Project Area is non-applicant controlled) and is a 25,235-square foot interior lot with approximately 185 feet of frontage along Sutphin Boulevard. Approximately 22,215 square feet of the lot is within an R3A district, while the southernmost 20 feet, as measured from Lot 1 of the same block, is within an R6 district - or approximately 3,020 square feet. Currently, the lot is vacant, occupied since approximately 1995 by a dilapidated, partially built structure.

123-04 Sutphin Boulevard (Block 12051, Lot 71) is a 6,506-square foot corner lot with approximately 108 feet of frontage on 123rd Avenue and approximately 60 feet of frontage on Sutphin Boulevard. This lot is located entirely in an R3A district. The lot is improved with an electric sub-station owned and operated by Con Edison.

123-23 147th Street (Block 12051, Lot 57) is a 4,775-square foot interior lot with approximately 32 feet of frontage along 147th Street. A 4,624-square foot portion of this lot is located in an R3A district, while the remaining 151-square foot portion is within an R6 district. The lot is improved with a 3,519-square foot three-story multi-family walk-up building with three dwelling units and a rear yard garage constructed in 2008.

123-25 147th Street (Block 12051, Lot 155) is a 3,543-square foot interior lot with approximately 24 feet of frontage along 147th Street. Approximately 123 square feet of this lot is located in an R3A district, while the remaining 3,421-square foot portion is in an R6 district. The lot is improved with a 3,519-square foot three-story three-family walk-up building constructed in 2008.

122-10 Sutphin Boulevard (Block 12045, Lot 10) is a 6,183-square foot interior lot with approximately 58 feet of frontage along Sutphin Boulevard. A 5,772-square foot portion of this lot is located in an R3A/C1-3 district while the remaining 411-square foot portion is located in an R6 district. The irregularly shaped lot is improved with a 1,664-square foot two-story cultural lodge room (community facility use) constructed in 1931.

122-14 Sutphin Boulevard (Block 12045, Lot 13) is a 1,981-square foot interior lot with approximately 20 feet of frontage along Sutphin Boulevard. The lot is entirely located within an R3A/C1-3 district. The lot is improved with a 2,392-square foot two-story mixed-use building containing ground floor commercial use and three dwelling units constructed in 1925.

122-16 Sutphin Boulevard (Block 12045, Lot 14) is a 2,002-square foot interior lot with approximately 20 feet of frontage along Sutphin Boulevard. The lot is entirely located within an R3A/C1-3 district. The lot is improved with a 2,392-squre foot two-story mixed-use building containing ground floor commercial use and two dwelling units constructed in 1925.

122-18 Sutphin Boulevard (Block 12045, Lot 15) is controlled by the Applicant and is a 2,031-square foot corner lot with approximately 20 feet of frontage along Sutphin Boulevard and approximately 102 feet of frontage along 123rd Avenue. The lot is entirely located within an R3A/C1-3 district. The lot is improved with a 3,600-squre foot two-story house of worship constructed in 1930.

147-17 123rd Avenue (Block 12045, Lot 16) is a 3,900-square foot interior lot with approximately 30 feet of frontage on 123rd Street. The lot is primarily located within an R3A zoning district, with a small portion in the rear located within an R6 zoning district. The lot is improved with a 1,539-square foot two-story two-family residential building constructed in 1960.

5. DESCRIPTION OF THE DEVELOPMENT SITE

The Development Site consists of 123-12 Sutphin Boulevard (Block 12051, Lot 74 the "Development Site"), a single zoning lot with a total combined lot area of approximately 25,235

square feet. The site is an interior lot with approximately 185 feet of frontage along Sutphin Boulevard (a 75' wide street). Approximately 22,215 square feet of the lot is within an R3A district, while the southernmost 20 feet, as measured from Lot 1 of the same block, is within an R6 district - or approximately 3,020 square feet. Currently, the lot is vacant, occupied since approximately 1995 by a dilapidated, partially built structure. There is an existing curb cut along Sutphin Boulevard.

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Development at the Development Site is a new eight-story plus cellar, mixed-use community facility and residential building. The Proposed Development will have a total floor area of approximately 88,257 square feet (3.5 FAR). The cellar and ground floor levels will contain a total of approximately 4,365 square feet (0.2 FAR) of community facility space for planned occupancy by the Applicant's existing house of worship located on Block 12045, Lot 15. A residential lobby space is also located on the ground floor. The second through eighth floors will contain approximately 83,892 square feet (3.3 FAR) of residential floor area consisting of approximately 125 dwelling units, including approximately 31 income-restricted dwelling units pursuant to MIH Option 1. The Proposed Development will have a base height of 62'-0" and will setback 10'-0" at the seventh floor before rising to a total height of 82'-0".

The Proposed Development will also include 55 required residential accessory vehicular parking spaces on the paved open land at the rear of the building and 63 bicycle parking spaces on the first floor accessible via a new curb cut that would replace the existing curb cut on Sutphin Boulevard.

7. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The actions necessary to facilitate the project are:

1. Zoning Map Amendment to:
    a. change an existing R6 zoning district to an R3A zoning district on Block 12051, Lots p/o 57 and p/o 155;
    b. change existing R3A and R6 zoning districts to an R6A zoning district on Block 12051, Lots p/o 71 and p/o 74;
    c. change an existing R3A/C1-3 zoning district to an R6A/C1-3 zoning district on Block 12045, Lots of p/o 10, p/o 13, p/o 14, p/o 15 and p/o 16; and

3. Zoning Text Amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 12 to designate a MIH Area with MIH Options 1 and 2 conterminous with the proposed R6A boundary.

<u>Zoning Map Amendment to an R3A Zoning District</u>
The proposed zoning map amendment to an R3A zoning district will correct the split lot condition that currently exists on Block 12051, Lots 57 and 155. It will rationalize the zoning district boundary between the R3A zoning district and the R6 zoning district to be coincident with the southerly lot line of Lot 155, and these two lots will then be wholly within the R3A zoning district.

<u>Zoning Map Amendment to an R6A Zoning District</u>
The Project Area is well suited for additional residential development due to its proximity to transit and its location within an existing residential community supported by nearby commercial and institutional uses. The Development Site has remained underutilized and dilapidated for at least 20 years. Although the site is mapped with R6 and R3A zoning districts, the predominant underlying R3A zoning district regulations are applied to the entirety of the Development Site. The existing R3A zoning district does not allow for the development of higher density residential development on the Development Site, nor does it require the development of affordable housing units pursuant to MIH.

The proposed R6A zoning district is appropriate within the Project Area and will bridge the gap between the existing R6 zoning district on the northern portion of Block 12045 and the southern

portion of Block 12051. R6A zoning districts are contextual residential districts where the Quality Housing bulk regulations are mandatory, and which permit a maximum FAR of 3.0 or 3.6 with inclusionary housing. These regulations produce high lot coverage, six- to eight-story apartment buildings set at or near the street line. Above a maximum base height of 60 feet (65 feet with qualifying ground floor) or 65 feet with inclusionary housing, 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 (75 feet with qualifying ground floor) or 80 feet (85 feet with qualifying ground floor) with inclusionary housing. Off-street parking is required for 50% of all dwelling units, with lower requirements for income-restricted housing units (IRHU). Parking can be waived if five or fewer spaces are required.[1]

Additionally, the proposed R6A zoning district is consistent with the scale and bulk of existing buildings located within the immediate area, including the Baisley Gardens multi-family apartment complex rising as high as eight stories located on Block 12051.

The proposed zoning map amendment would promote the development of medium-density, contextual housing, including affordable housing, at the Development Site, an underutilized site, which is consistent with the scale and character of the surrounding area and would further the City's housing goals. It would build on the existing and planned middle-density residential community and would be supported by and support the adjacent public transit links, commercial and institutional uses. The Project Area is an underutilized area that would benefit from the development of a mixed-use commercial, community facility and residential building to help meet demand for additional housing.

The proposed rezoning would provide for the productive use of underutilized property and provide for moderate growth in a transit-accessible area.

Zoning Text Amendment to ZR Appendix F

The proposed zoning text amendment will provide the South Jamaica neighborhood with new income-restricted dwelling units, which will support the City's effort to increase the overall supply of affordable housing.

The shortage of affordable housing and housing in general has been highlighted by the current administration as an urgent issue that needs addressing. For decades, New York City has added new housing at significantly lower rates compared with other cities. The scarcity of available housing has resulted in generally higher costs for housing than would be the case if housing were more generally available.[2] Recently, there has been more consensus on the need to add additional housing. A 2022 Real Estate Board of New York (REBNY) report estimated that New York City would need 560,000 additional housing units by 2030.[3] In December of 2022, Mayor Adams unveiled a three-pronged *Get Stuff Built* strategy to tackle the affordable housing crisis and called for "rapidly accelerating the pace of housing production, with a 'moonshot' goal of meeting the need for 500,000 new homes over the next decade." The *Get Stuff Built* strategy includes: (1) "Build Faster" with 100+ reforms to accelerate new construction approvals, (2) "Build Everywhere" with a vision for 6,000 new homes in the Bronx and ambitiously adding housing in all five boroughs, and (3) "Build Together" which aims on leveraging the State and Federal policy agenda with a focus on creating affordable housing.[4]

Former Mayor de Blasio's *Housing New York 2.0*, an extension of the City's comprehensive housing development policy (*Housing New York: A Five-Borough, Ten-Year Plan*) included a primary goal of building or preserving 200,000 units of high-quality affordable housing by 2022 and 300,000 homes by 2026. *Housing New York 2.0* was developed in conjunction with the New York City Department of Housing and Preservation (HPD) to create housing opportunities for New

[1] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, R6A districts would allow up to 3.9 FAR and a maximum height of 95 feet. Parking would no longer be required.

[2] *Housing's Unequal Contest: Why the Rich Won't be Denied*, in City Limits, November 1983

[3] https://www.crainsnewyork.com/real-estate/new-york-needs-560k-additional-housing-units-2030-rebny-report-says?utm_source=real-estate-tuesday&utm_medium=email&utm_campaign=20220111&utm_content=article2-headline

[4] https://www.nyc.gov/office-of-the-mayor/news/893-22/mayor-adams-get-stuff-built-bold-three-pronged-strategy-tackle-affordable-housing#/0

Yorkers with a range of incomes, while fostering vibrant and diverse neighborhoods. Framed by the policy goals and objectives in *Housing New York*, the City Council adopted an amendment to the ZR to establish the Mandatory Inclusionary Housing program, which requires areas rezoned for residential growth to include a minimum of 20 to 30 percent of dwelling units be affordable in new developments.

The proposed zoning text amendment to ZR Appendix F will support the policies and goals of *Get Stuff Built* and historic goals set forth in *Housing New York 2.0* by creating income-restricted dwelling units within the Proposed Development by permitting the applicant to develop the Development Site in accordance with the MIH program, and will ensure that any future residential development within the proposed R6A zoning district will address the need for housing to serve a broad range of the City's diverse incomes. The applicant proposes mapping MIH Options 1 and 2 conterminous with the proposed R6A boundary (Block 12051, Lots 71 and 74, and Block 12045, Lots 10, 13, 14 and 15) to provide maximum flexibility for non-applicant-controlled sites. Option 1 requires 25% of residential floor area to be set aside for income-restricted dwelling 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 income-restricted dwelling units for residents with incomes averaging 80% AMI. The Proposed Development currently contemplates providing approximately 31 income-restricted dwelling units pursuant to Option 1 of the MIH program. The applicant will seek additional input from Queens Community Board 12 and the local City Council Member regarding the level of affordability for the Proposed Development.

8. CONCLUSION

The Applicant proposes a zoning map amendment to rezone the Project Area from (i) an existing R6 zoning district to an R3A zoning district, (ii) existing R3A and R6 zoning districts to an R6A zoning district, and (iii) an existing R3A/C1-3 zoning district to an R6A/C1-3 zoning district. The proposed zoning map amendment will facilitate the development of a new eight-story, plus cellar mixed-use residential and community facility building with 125 dwelling units at the Development Site. The applicant also proposes a zoning text amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 12, to designate a MIH Area coterminous with the proposed R6A boundary. The proposed zoning text amendment will facilitate the development of approximately 31 income-restricted housing units within the Proposed Development pursuant to the City's MIH program, thereby ensuring that it addresses the need for housing to serve a broad range of the City's diverse needs and incomes.