

Queens Borough President Recommendation

APPLICATION: ULURP #210200 ZMQ

COMMUNITY BOARD: Q01

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Akerman LLP on behalf of MDM Development Group LLC, 2441 Astoria Associates, LLC, and 31 Neptune LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

1. changing from an R5B District to a C4-4 District property bounded by a line 130 feet southwesterly of 24th Avenue, a line 90 feet southeasterly of 31st Street, a line 200 feet northeasterly of 24th Road, and a line 80 feet southeasterly of 31st Street;
2. changing from a C4-3 District to a C4-4 District property bounded by a line 200 feet northeasterly of 24th Avenue, a line 90 feet southeasterly of 31st Street, a line 130 feet southwesterly of 24th Avenue, a line 80 feet southeasterly of 31st Street, a line 200 feet northeasterly of 24th Road, and 31st Street;
3. changing from an R5B District to a C4-5X District property bounded by a line 200 feet northeasterly of 24th Road, a line 90 feet southeasterly of 31st Street, 24th Road, 32nd Street, Astoria Boulevard North, and a line 80 feet southeasterly of 31st Street; and
4. changing from a C4-3 District to a C4-5X District property bounded by a line 200 feet northeasterly of 24th Road, a line 80 feet southeasterly of 31st Street, Astoria Boulevard North, and 31st Street.

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-623. (Related ULURP # 210201);

PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, September 23, 2021 at 9:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were fifteen (15) speakers. The hearing was closed.

CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- o This application proposes a zoning map amendment to change Block 835 Lots 1, 2, 3, 4, 7, 8 and Block 837 Lots 9, 13, 15, 16, 17, 27, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48 and p/o Lots 49, Lots 1001-1034 (formerly Lot 50), 54, 55, and 58 from C4-3 and R5B Districts to C4-5X and C4-4 Districts. The proposed actions would facilitate the development of three new mixed commercial and residential buildings with community facility spaces, two of which will be operated by HANAC;
- o Another application (ULURP #210201 ZRQ) concurrently filed with this application proposes a zoning text amendment to Appendix F to establish and map the rezoning area as a Mandatory Inclusionary Housing Area (MIH);
- o The three development sites owned by three separate property owners would provide 295 dwelling units including approximately 74 affordable units using MIH Option 1. The affordable units are intended as Affordable independent Residences for Seniors (AIRS):
 - Site 1 (Block 837 Lots 9, 16 & 17): proposed 11-story mixed use building (5.98 FAR) built over an eight-story base, with 51 dwelling units including 13 affordable units under MIH Option 1, 10,784 SF ground floor commercial space, and 3,064 SF of community facility area intended for daycare use on the 2nd floor. There would be six enclosed parking spaces in the cellar;
 - Site 2 (Block 837 Lot 27): proposed 12-story mixed-use building with 161 units, including 40 affordable MIH Option 1 units, approximately 14,454 SF of commercial floor area, and a ground floor 3,962 SF senior center operated by HANAC. There would be 52 enclosed parking spaces in the cellar and nine enclosed spaces on the first floor. The building height was reduced from 14-stories to 12-stories as suggested during meetings with the Community Board 1 (CB 1) Land Use Committee;
 - Site 3 (Block 835 Lots 3, 4, 7 and 8): proposed 11-story, approximately 118 feet mixed-use building (5.93 FAR) built over a seven-story base with 64 residential units including 16 affordable MIH Option 1 units. The original proposed unit mix included studio apartments totaling 75 units including 19 affordable units. The applicant removed the studio apartments and increased the number of family sized units as requested by CB 1. There would be 7,548 SF of ground floor commercial space, 8,086 SF of community facility space for a youth center operated by HANAC. Parking for 19 cars are provided on the second floor of the building;

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- Site 1 (Block 837 Lots 9, 16, 17) is located at the northeastern corner of 31st Street and Astoria Boulevard. It is an approximately 10,061 SF lot with approximately 157 feet of frontage on Astoria Boulevard, 100 feet of frontage on 31st Street, and 90 feet of frontage on 24th Road. It is improved with a one-story, 3,280 SF commercial building occupied by Neptune Diner and an unenclosed parking lot. Site 2 (Block 837 Lot 27) is located at the northeastern corner of 24th Road and 31st Street. It is an approximately 29,638 SF lot with 90 feet of frontage on 24th Road and 275 feet of frontage on 31st Street. It is improved with a one-story 26,280 SF commercial building occupied by Staples and an unenclosed parking lot. Site 3 (Block 835 Lots 3, 4, 7, 8 which will be merged into a single tax lot 3) is an approximately 13,503 SF lot located midblock on the eastern side of 31st Street between 24th Avenue and 23rd Road. It is currently vacant and unimproved;
- The surrounding area within a 600 foot radius is mapped with commercial and residential zoning districts including C4-3, R5B, and R5D. It is characterized by commercial and mixed-use buildings, P.S. 85, and several vacant parcels along 31st Street. To the east and west of 31st Street are primarily one- and two-family residential buildings with some multi-family buildings. Residential and mixed-use buildings range from two- to six-stories in height, commercial buildings range from one- to eight- stories, and industrial buildings are typically one-story warehouses. 31st Street is a major two-way traffic corridor that runs north/south through Astoria. Elevated subway tracks for the N and Q lines also run along 31st Street. Directly to the south are Astoria Boulevard/ Hoyt Avenue South and the approach to the Robert F. Kennedy Bridge. Hoyt Playground is located immediately west of 31st Street. The area is well served by public transit such as the N and Q lines, the M60-SBS, Q19, and Q69;
- Community Board 1 (CB 1) disapproved a favorable motion for this application by a vote of four (4) in favor, twenty-five (25) against with none (0) abstaining at the monthly meeting held on September 21, 2021. At the meeting the applicants stated that eight (8) studio units proposed for Site 3 would be removed and replaced with bigger units in response to the discussion at the CB 1 Land Use Committee (LUC) meeting. There were approximately twenty (20) public speakers against the project and three (3) speakers in favor. The CB 1 LUC met with the applicants on September 1, 2021 during which a number of concerns were raised about the project's effect on local residents, mostly seniors, on adjacent properties such as: building shadows, housing damage due to construction, lack of communication between neighboring homeowners and developers, breakup of neighborhood context, and a request for more family-sized units. However, the LUC did not make a recommendation to the full community board;
- During the Borough President's Land Use Public Hearing, the applicants' representative stated that an estimated 193 jobs would be created by the developments and that an agreement was reached with 32BJ regarding prevailing wages for the permanent building service worker jobs. For construction, the applicants committed to local and MWBE hiring, and partnering with Urban Upbound on outreach, job placement and workforce development. Ten (10) speakers testified in favor and five (5) testified against the application at the Borough President's Land Use Public Hearing.

RECOMMENDATION

There is clearly need for more affordable housing in New York City and particularly for seniors. Based on the above consideration, I hereby recommend approval of this application with the following conditions:

- There should be a goal of 30% for local hiring and use of MWBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% hiring goal has been reached;
- A Community Advisory Board (CAB) should be formed and meet on an ongoing regular basis providing a forum between the developers and community members, where residents can provide feedback and developers can share project information or provide answers and updates to issues that may arise before and during construction;
- Community Board 1, the CAB and neighboring residents should be advanced given notice of any upcoming construction related traffic closures for work or equipment deliveries along 31st Street and any other streets adjacent to the development;
- A 24/7 number and contact information should be established and prominently displayed onsite to allow community members to call, particularly during the evening off-hours, regarding site or construction related issues that may arise;
- There should be pre-construction baseline surveys performed on homes adjacent to the proposed development's property line. This data would be useful in assessing construction related damage complaints. Any damage attributed to construction should be repaired or remedied by the applicants;
- The applicant should explore the feasibility of further lowering the heights of the proposed buildings to address concerns raised by Community Board 1 and area residents.



10/29/2021

PRESIDENT, BOROUGH OF QUEENS

DATE