

Queens Borough President Recommendation

**APPLICATIONS: ULURP #200246 ZMQ
ULURP #N200247 ZRQ**

COMMUNITY BOARD: Q13

DOCKET DESCRIPTION

ULURP #200246 ZMQ – IN THE MATTER OF an application submitted by Sheldon Lobel, P.C. on behalf of Ranbir LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19b:

1. changing from an R3-2 District to an R6A District property bounded by 146th Terrace, a line 100 feet easterly of Guy R. Brewer Boulevard, 147th Avenue, and Guy R. Brewer Boulevard; and
2. establishing within the proposed R6A District a C2-2 District bounded by 146th Terrace, a line 100 feet easterly of Guy R. Brewer Boulevard, 147th Avenue, and Guy R. Brewer Boulevard;

Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated November 1, 2021, and subject to the conditions of CEQR Declaration E-646.

ULURP #N200247 ZRQ – IN THE MATTER OF an application submitted by Sheldon Lobel, P.C. on behalf of Ranbir LLC pursuant to Sections 197-c and 201 of the New York City Charter for a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing (“MIH”) area, Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated September 19, 2019.

PUBLIC HEARING

A Public Hearing was held by the Queens Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 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 four (4) 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:

- The applicant is proposing to rezone an existing R3-2 District to an R6A/C2-2 District. The area to be rezoned (Block 13354, Lots 12, 19, 21, 22, 23 and p/o Lots 10 and 25) is bounded by Guy R. Brewer Boulevard to the west, 146th Terrace to the north, portions of Lot 10 and 25 to the east, and 147th Avenue to the south (the “Rezoning Area”). The proposed rezoning would facilitate construction of a new mixed-use development with affordable housing and tenant meeting space;
- The applicant has also concurrently filed another application (ULURP #200247 ZRQ) to amend Appendix F of the Zoning Resolution to map and establish the proposed rezoning area as a Mandatory Inclusionary Housing (MIH) Area;
- The rezoning would facilitate the redevelopment of the applicant’s property (Block 13354, Lot 12, the “Development Site”) to include a 5-story, 23,686-SF (2.2 Floor Area Ratio (FAR)) building with 27 dwelling units (including 7 MIH Option 1 units), 2,950-SF ground floor commercial space, 23 off-street parking spaces and a 1,088-SF tenant meeting & recreational room. The Proposed Development would have a base height of 43 feet (4 stories), with a 14-foot setback on the northerly side of Lot 12, 10-foot setback on Guy R. Brewer Boulevard, and a 15-foot setback on 147th Avenue, for a total height of 53 feet. The portion of Lot 10 to be rezoned is approximately 5 feet in depth. The applicant also proposes mapping a C2-2 overlay within the Rezoning Area to facilitate the development of ground-floor commercial space on the site and to bring the businesses on Lots 19, 21-23 into compliance;
- The original proposal included an approximately 34,503-SF (3.2 FAR), 8-story mixed-use building on Lot 12 with 42 dwelling units (11 MIH Option 1 units), 4,028-SF ground-floor commercial space, and 23 off-street parking spaces. The applicant revised their original proposal twice in response to negative feedback from Community Board 13 and surrounding civic associations about the proposal;
- The Development Site (approx. 10,825 SF) is currently a vacant, gated parking lot; previously, it was a gas station from the 1980s to the 2000s. In 2006, a previous applicant sought a BSA variance (65-07-BZ) on the Development Site for a coin-operated laundromat. The community opposed the application, citing the concerns of the use, hours of the commercial building and impacts on the adjacent eastern homeowner. The Site will need a Phase II site investigation and remedial action plan before it is developed. The Site also has an E-designation (E-646) to address air quality and noise of the surrounding environment, which ensures the Development will have proper closed-window conditions

and heating, ventilation, and air conditioning (HVAC) system in place;

- Within a 600-ft radius, the rezoning and development areas are zoned R3-2 and M1-1. The surrounding uses range from detached and semi-detached single-family homes, small multifamily apartment buildings, light manufacturing and air cargo uses, and nonconforming commercial uses adjacent to the north of the Development Site. The Development Site is within a half-mile of John F. Kennedy Airport, an elementary school (P.S. 052) to the north along 146th Terrace, commercial uses such as delis, automotive body shops and liquor stores along Guy R. Brewer Boulevard, and two homeless shelters: temporary site Brewster Hotel, located across the street on 147th Street; and permanent site Springfield Salvation Army Family Residence, located across the street on Guy R. Brewer Boulevard. The Q111 (Jamaica Center-Nassau County), Q113 and Q114 buses (Jamaica Center-Far Rockaways) run north to south along Guy R. Brewer Blvd, and the Laurelton LIRR train station is approximately 1.5 miles northeast of the Development Site;
- Community Board 13 (CB13) unanimously disapproved the application by a vote of zero (0) in favor, thirty-two (32) against, and zero (0) abstaining at a public hearing held on December 20, 2021. Six (6) public speakers testified against the application, citing concerns about the building's height; increased traffic in a heavy-traffic corridor; insufficient parking spaces for future apartment residents that will exacerbate street parking; shadows from the proposed development over adjacent homeowners; and the precedent of rezoning an R3-2 District to R6A/C2-2 District, a big increase in density;
- At the Borough President's Land Use Public Hearing, the applicant's team addressed concerns about traffic, shadows, and the rezoning scope in the Rezoning Area. The applicant representative presented a shorter 73'-height Proposed Development scenario in response to community feedback. The environmental consultant gave a detailed presentation about the shadow plane and demonstrated how the newly proposed height reduces the longest shadow cast from approximately 430 feet to 313 feet, and shadows cast to the east would extend to 8 lots for a period of 2 to 2.5 hours in spring and fall months, and 1 hour during winter months. Despite concerns about heavy traffic along Guy R. Brewer Boulevard and 147th Avenue, the Environmental Assessment Statement did not call for further traffic analysis based on the trip generation estimate. The Borough President asked if the applicant team could add community facility space to the original 83'-height proposal, to which the architect responded it was only possible by reducing the proposed 4,028-SF commercial space. The Borough President and the applicant representative also discussed HANAC as an appropriate operator for the proposed affordable dwelling units. Four (4) public speakers gave testimony against the application: in response to the Borough President's question asking what the community felt should be built instead of the Proposed Development, one public speaker said a medical office would be more appropriate. Another public speaker was concerned the rezoning would set a precedent in Springfield Gardens and other surrounding neighborhoods to drastically increase density;
- The Borough President's Office has received numerous correspondence in opposition of this application. These fourteen (14) letters echo similar concerns from the CB13 public hearing, with some additional concerns: Eastern Queens Alliance, Rosedale Civic Association, Spring-Gar Community Civic Association, Spring-Jam Block Association, Concerned Citizens of Laurelton and the Federated Blocks of Laurelton feel increased density would overburden schools, sewer systems and the electrical grid, and raise potential environmental health risks given the development's proximity to JFK Airport; and Springfield/Rosedale Community Action Association writes that residential communities adjacent to the airport have historically been cited as "non-compatible land uses." Of the fourteen letters, six (6) included constituents voicing similar concerns;
- Subsequent to the Borough President's Land Use Public Hearing, the Borough President's Office held two (2) meetings with representatives of the affected civic associations, one of which that included the applicant team and Council Member Selvena Brooks Powers, to discuss changes to the original proposal. The applicant team has agreed to the revised proposal in a signed letter of commitment;

RECOMMENDATION

The Development Site has been underutilized for decades and has met various challenges such as proximity to a manufacturing district and high environmental remediation costs. The Proposed Development would provide much-needed affordable housing, commercial retail and would activate a currently vacant site. The applicant team has demonstrated its willingness to compromise on their original proposal to reduce density, height and shadows for adjacent property owners while maintaining the same amount of parking spaces for potential residents. The applicant has also demonstrated willingness to amend their original proposal to better fit community needs. Based on the above consideration, I hereby recommend conditional approval of these applications with the following conditions:

- The applicant should change the proposed zoning from R6A/C2-2 to R6B/C2-2 to better fit with the current neighborhood character, and limit the Rezoning Area to the boundaries of the Development Site.
- The applicant should make every effort to address CB 13 and affected civic association concerns.
- Local businesses should be recruited and considered as tenants for the new commercial space.
- The applicant should use union labor for construction of the project and for the permanent maintenance and operations job when the building is completed.
- The proposed construction should be built using the highest sustainability and energy efficiency standards available for the new building.
- A minimum 30% goal to include MWBE firms, hiring of local residents and working with locally based organizations and community groups for outreach and job fairs when hiring and contracting for this project.



PRESIDENT, BOROUGH OF QUEENS

01/19/2022

DATE