

Queens Borough President Recommendation

APPLICATION: Willets Point Phase II
COMMUNITY BOARD: Q07

DOCKET DESCRIPTIONS

ULURP #240092 ZSQ – IN THE MATTER OF an application submitted by Queens Development Group, LLC, City Football Stadium Group, LLC, and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 124-60* of the Zoning Resolution to allow the distribution of total allowable floor area without regard for zoning lot lines or district boundaries and to modify:

1. the required parking regulations of Sections 25-23 (Requirements Where Group Parking Facilities are Provided), 25-251 (Income-restricted housing units), 36-21 (General Provisions) and 124-50 (OFF-STREET PARKING REGULATIONS);
2. the sign regulations of Sections 32-60 (SIGN REGULATIONS) and 124-15 (Modification of Sign Regulations);
3. the loading requirements of Section 36-62 (Required Accessory Off-Street Loading Berths);
4. the retail continuity regulations of Section 124-14 (Retail Continuity);
5. the height and setback regulations of Section 124-22 (Height and Setback Regulations);
6. the street network requirements of Section 124-30 (Mandatory Improvements);
7. the public open space requirements of Section 124-42 (Types and Standards of Publicly Accessible Open Space);
8. the curb cut requirements of Section 124-53 (Curb Cut Restrictions),

in connection with a proposed mixed-use development on property generally bounded by Northern Boulevard, 27th Street, Willets Point Boulevard**, 126th Lane**, 39th Avenue**, Roosevelt Avenue, and Seaver Way (Block 1833, Lots 117, 120, 130, 135 and 140; Block 1823, Lots 12, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52 and 55; Block 1824, Lots 1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53 and 100; and Block 1825, Lots 1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58 and 150; Block 1822, Lot 17; and Block 1820, Lots 1, 6, 9, 18, 34 and 108), within a C4-4 District in the Special Willets Point District.

*Note: A zoning text amendment to modify Section 124-60 is proposed under a concurrent related application N 240093 ZRQ.

** Note: A city map amendment to establish or extend these streets is proposed under a concurrent related application (C 240058 MMQ)

ULURP #240094 ZSQ – IN THE MATTER OF an application submitted by Queens Development Group, LLC, City Football Stadium Group, LLC, and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41 of the Zoning Resolution to allow an arena with a maximum capacity of 25,000 seats on property generally bounded by Seaver Way, 35th Avenue, 127th Street, Willet Point Boulevard**, and 38th Avenue** (Tax Block 1823, Lots 12, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52 and 55; Tax Block 1824, Lots 1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53 and 100; and Tax Block 1825, Lots 1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58 and 150), in a C4-4 District, within the Special Willets Point District.

** Note: A city map amendment to establish or extend these streets is proposed under a concurrent related application (C 240058 MMQ)

ULURP #240095 ZSQ – IN THE MATTER OF an application submitted by Queens Development Group, LLC, City Football Stadium Group, LLC, and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-802 of the Zoning Resolution to allow a transient hotel (Use Group 5), in connection with a proposed mixed-use development, on property generally bounded by Seaver Way, 38th Avenue**, and the southeasterly centerline prolongation of Willets Point Boulevard** (Block 1833, Lot 117), in a C4-4 District, within the Special Willets Point District.

** Note: A city map amendment to establish or extend these streets is proposed under a concurrent related application (C 240058 MMQ)

PUBLIC HEARING

A Public Hearing was held by the Queens Borough President in the Borough President's Conference Room at 120-55 Queens Boulevard, Kew Gardens NY 11424 as well as via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 13, 2023 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 twenty-four (24) 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 the following Zoning Actions in an area approximately bounded by Roosevelt Avenue to the south, Seaver Way to the west, Northern Blvd to the north, and 127th Street to the west (the "Project Area"). Within the Project Area, the Applicant refers to four (4) separate parcels as they relate to each Zoning Action: the "Triangle Lot" (p/o Block 1833) the "Stadium Lot" (p/o Block 1823, Blocks 1824 and 1825), the "T-Parcel Lot" (p/o Block 1822) and the "Northern Lot" (Block 1820).
 - *Special Permit pursuant to ZR 124-60* (Special Permit to Modify Use or Bulk Regulations), as amended, which would permit the following actions on each Parcel:
 - **Triangle Lot:** the transfer of approximately 291,423 SF from the stadium zoning lot; permit hotel and residential buildings to rise without setback above 85 feet; allow the depth of retail to extend 30 feet (instead of 50 feet) for each frontage and allow some ground-floor spaces that may not meet transparency requirements; permit building length along Seaver Way beyond 110 feet (150 feet currently proposed); waive parking requirements while still proposing to provide 444 spaces (300 required); reduce required off-street loading berths from three to one; allow less linear feet of seating, amenities and percentage of planted areas; provide curb cuts on 38th Avenue, with some flexibility of exact locations based on final ground floor design.
 - **Stadium Lot:** the transfer of floor area generated from the Stadium Zoning Lot to other sites: 291,423 SF to Triangle Lot, 216,461 SF to T-Parcel Lot, and 454,153 SF to Northern Lot; permit stadium block to have a maximum length greater than 450 feet and extend into a location that is to contain a primary retail street; permit portion of stadium street wall to be located beyond 60 feet of street line or public open space; Permit stadium to rise to approx. 101-115 feet without an additional setback above 60 or 85 feet, depending on location of façade; waive parking requirements while still proposing to provide 27 at grade spaces; modification to sign regulations at heights and sizes beyond those permitted; Allow relief from retail continuity regulations pertaining to ground floor use, and the maximum length of establishments to facilitate stadium use and design; permit multiple curb cuts to access stadiums loading berths; and allow flexibility in open space design, specifically related to linear feet of seating;
 - **T-Parcel Lot:** the transfer of 216,461 sf from Stadium Zoning Lot; allow building to rise without setback to a maximum roof height of 132 feet, and 167 feet for mechanicals, and relief from tower regulations (portion of building height proposed beyond 117 feet would need further approval from the BSA at a later date); building to be set back from 34th Avenue by 10 feet instead of eight to preserve ability to widen the functional width in the future; allow the depth of retail to extend 30 feet (instead of 50 feet) for each frontage and allow certain ground floor spaces that may not meet transparency requirements; and waive parking requirements while still proposing to provide 97 parking spaces (111 parking spaces required);
 - **Northern Lot:** Permit the transfer of 454,153 sf from Stadium Zoning Lot; allow building to rise without setback to maximum building height of 216 feet (including mechanicals), and 132 feet to the roof and 167 feet to mechanicals on eastern portion (western portions beyond 117 feet would need further approval from the BSA at a later date); waive tower regulations for building above 120 feet; building to be set back from 34th Avenue 10 feet instead of eight to preserve ability to widen the functional width in the future; waive parking requirements while still proposing to provide 255 parking spaces; permit reduced linear feet of seating and percentage of plantings.
 - *Special Permit pursuant to ZR 74-41* (Arena, Stadium or Trade Exposition of Greater than 2,500 seats);
 - *Special Permit pursuant to 74-802* (Transient Hotel in a Commercial District)
 - *Changes to the City Map* to facilitate Phase I and Phase II Developments of the Special Willets Point District; and
 - *Zoning Text Amendments to ZR 124-60, 124-05, 124-31, and 124-40*, which gives the City Planning Commission the ability to permit the redistribution of floor area without regard to zoning lot lines; grant parking and loading modifications; provide modifications to mandatory improvements or other urban design regulations; specify that the requirement for a certification would also apply to zoning lots subject to a Special Permit pursuant to ZR 124-60 when the aggregate lot area of all zoning lots is greater than 200,000 SF; given changes to the originally anticipated street plan, finding (d) would require showing that the development does not preclude development in other portions of the Special District from complying with provisions of 124-31, except where such compliance is directly prevented by modifications granted by the CPC pursuant to Section 124-60;
- The proposed actions would facilitate the development of the Triangle Lot, Stadium Lot, T-Parcel Lot and the Northern Lot, (the "Development Sites"). The Proposed Development on these four parcels include: 1,400 affordable units (1.3 million SF), a 250-room hotel (215,000 SF), 80,000 of commercial SF for local retail, a 25,000-seat soccer stadium (500,000 SF), 500 accessory parking spaces, and 2.8 acres of publicly-accessible open space. These combined development plans are known as "Willets Point Phase 2";

- In the 1940s, automobile-related uses populated the Willets Point area until the 2000s, when plans of redevelopment began to take shape. In 2002, the City created the Downtown Flushing Task Force which became the starting point for the Willets Point Development Plan. This Development Plan was approved in 2008 (creating the “Special Willets Point District”), and the Final Generic Environmental Impact Statement (FGEIS) was accepted in 2011. In 2012, the Queens Development Group (“QDG”) was awarded a Request for Proposal (RFP) to develop an initial 23-acre portion of Willets Point. Between 2012 and 2021, due to NY State Court of Appeals intervention, the development plan was changed and is now known as the “New Phase 1,” which includes 887,000 residential SF (1,100 affordable units), 5,000 community facility SF, 323-space parking garage, one acre of publicly accessible open space, and a 650-seat school;
- The Development Sites are all currently vacant and are undergoing environmental remediation through either the New York State Brownfield Clean Up Program or by the NYC Office of Environmental Remediation’s E-designation Rules. On December 12, 2023, in a meeting with the development team, the Applicant confirmed that all city-owned properties of Willets Point were enrolled in the Brownfield Clean Up program. Some privately-owned parcels were not enrolled in the State program, but instead received E-designations that also required environmental remediation;
- Community Board 7 (CB7) held a Public Hearing and voted to approve this application package with a vote of thirty-seven (37) in approval, two (2) in opposition and zero (0) abstentions. CB’s official conditions included:
 - A new police precinct within CB7;
 - NYCFC obtained a written agreement from Mets and NYC Parks Department prior to expiration of the ULURP that they be allowed to park 4,000 vehicles on game dates;
 - No games during game days for other major sporting events (UTSA, Mets, etc.); and
 - Hotel not be converted to a homeless or migrant shelter;
- At the Borough President’s Land Use Public Hearing, the Applicant gave a presentation of the Proposed Developments, proposed partnerships and the environmental impacts of the Proposed Development. The Applicant Team highlighted the following points: the overall residential SF has increased by 700-800 units since the first 2008 rezoning took place; over 50% of housing in Phase 1 is meant for low-income families (that is, families making at or below 80% of the Area Median Income (AMI)), and that Phase 2 affordability will more or less mirror Phase 1; the New York City Football Club (NYCFC) has been looking for a permanent home for the last decade; the proposed Stadium would be privately-funded and 100% built with union labor, which translates roughly to 4,000 construction jobs, hundreds of union jobs within stadium operations, and a 35% MWBE procurement goal; the proposed Stadium would include community use and access including 31,000 SF of programmable space available for community use on non-event days, a Community Activation Fund to offset event-related costs, and NYCFC’s nonprofit organization “City in the Community” (CITC) headquartered in the stadium, which currently has 25+ school and Community-Based Organization (CBO) partners in Queens; and the Proposed Development’s sustainable attributes such as all-electric housing (aside from gas-powered emergency generators), rooftop solar panels, goal of zero waste by 2040, and flood-proofed buildings. The Borough President raised multiple questions, to which the Applicant responded in kind:
 - Social service providers for the formerly homeless units in Phase 1, to which the Applicant confirmed they had two groups (Women in Need and Breaking Ground) lined up for Phase 1 housing, and confirmed they will identify social service providers for Phase 2 units;
 - Union labor within and timeline of the 220 SARA units in Phase 1, to which the Applicant replied they would be built using the prevailing wage, and they have identified a 10-month timeline;
 - Partnering with culturally-appropriate CBOs who would help local residents fill out Housing Connect applications (also known as NYC Department of Housing Preservation and Development’s “Housing Ambassadors” Program), to which the Applicant replied they would do so during lease-up;
 - Increasing the amount of the proposed Community Activation Fund (based on the lack of property taxes or PILOT), to which the Applicant said they would explore;
 - Local hiring minimum percentage within the community, to which the Applicant said they would also explore;
 - Publicly accessible open space, to which the Applicant replied most of the proposed open space would be for passive use; and
 - Sustainable design elements such as rooftop solar or composting, to which the Applicant replied they intended to do both;
- During the public testimony portion of the Borough President’s hearing, a total of twenty-four (24) speakers testified on this project with twenty-two (22) speakers in favor and two (2) against the project. Those who testified in favor of the project felt it would be an economic boon for the surrounding area, and the NYCFC Stadium would be a net community benefit to soccer fans and residents alike. Those who testified against the project felt it would create overflow problems into Flushing Bay, and that the stadium would only benefit tourists and sit vacant outside its 25-game allowance per year;
- The Borough President’s Office has received fourteen (14) letters of written testimony and correspondence regarding this project, with four (4) letters in support and ten (10) letters in opposition.

RECOMMENDATION

Through the decades, many plans have been imagined at Willets Point and only one has been approved. I am proud to see the former “Valley of Ashes” transform into better housing, schooling and open space, but I must see material and serious commitments to the surrounding communities of Corona, Flushing, and East Elmhurst.

This project’s approval is also coming at a time when the City is experiencing a dire crisis to house and take care of asylum seekers from all over the globe. It is clear to me that all Queens residents – including asylum seekers – need to be accounted for in the Willets Point vision. With that said, the Applicants have sent my office a signed letter of commitments to establish good-faith partnerships within the stadium and throughout the Proposed Development, as detailed in my conditions.

Based on the above consideration, I hereby recommend approval with the following conditions:

- A written statement that Phase 2 affordability levels will be similar to Phase 1 levels, which will stipulate the commitment to over 50% of 1,400 units affordable at or below 80% AMI.
- A full list of Community Benefits the Applicant team has promised throughout this ULURP process so far, including but not limited to:
 - Full amenities throughout the proposed residential buildings
 - Stadium hiring goals and economic benefits
 - “City in the Community” (CITC) Youth Programming
- A signed letter of commitment (including metrics, dates or milestones) attached to the following clauses:
 - **LOCAL HIRING.** There should be a minimum 30% goal of hiring M/WBE firms and local residents within the Proposed Development. Goal progress should be reported quarterly to the Borough President, Council Member and respective Community Boards (CBs), and should also include zip codes of local residents within CB 3, 4 and 7 that were hired. Any job fair or workforce development plans should also be made available to the aforementioned parties. The Applicant team should also:
 - **Work with the Council Member and Borough President to determine a mutually-agreeable set-aside for local vendors and concessionaires within the stadium** and at any future pop-up markets on the Development Sites. The Applicant team’s process should be transparent to the Borough President, Council Member and respective Community Boards. The Applicant team should also consider widening any sidewalks surrounding the stadium to accommodate both local street vendors and safe pedestrian passage, as well as adding a “vending lane” along a “No Parking” zone if possible.
 - **Establish outreach strategies with Queens Colleges** (such as LaGuardia Community College, Vaughn College, York College and Queens College). By building relationships with Queens Colleges, the Applicant Team should ensure permanent workforce development with young adults starting their careers.
 - **CONCRETE PARTNERSHIPS IN THE COMMUNITY.** The Applicant team should work with one or more culturally-competent Community-Based Organizations (CBOs) to execute workforce development and other community needs at Willets Point. Attempts to work with CBOs and confirmed CBOs should also be reported to the Borough President, Council Member and CBs 3, 4 and 7 quarterly.
 - **Community Advisory Board.** The Applicant team (namely, NYCEDC) should commit to forming and leading a Community Advisory Board (CAB) for Phase II development on a quarterly basis. The Community Advisory Board should be comprised of local residents who live within CBs 3, 4 and 7 boundaries, local CBOs/nonprofits, small-business owners, faith leaders, and local elected official offices. This CAB shall be a sounding board and watchdog for community benefits, and shall help determine metrics not yet defined in the signed letter of commitment.
 - **Discounted tickets for local residents,** with a minimum and maximum range target for each year.
 - **NO GAME SCHEDULING CONFLICTS.** There should be no NYCFC games that would conflict with both or either the USTA Stadium or Mets schedules.
 - **FLUSHING MEADOWS-CORONA PARK IMPROVEMENTS.** The Applicant Team should work with the Department of Parks and Recreation to identify key areas in and around Flushing Meadows Corona Park that need capital improvements, including but not limited to: the Flushing Promenade, sports fields, playground areas and comfort stations;
 - **TRANSIT IMPROVEMENTS.** The Applicant team (namely, NYCEDC) should work with NYC Transit to update and help fund transportation improvements to the bus and subway systems, respectively. NYCEDC should conduct a feasibility study of extending ferry service to Willets Point or a nearby location;
 - **PLAYGROUNDS/OUTDOOR SPACE FOR CHILDREN.** The Applicant team should explore the possibility of small playgrounds within Willets Point Phase II for children; and

- **ROBUST SEWAGE AND STORMWATER MANAGEMENT PLAN.** Because the Proposed Development is located in a floodplain and is located next to Flushing Creek, the Applicant team should work with the NYC Department of Environmental Protection to ensure they have a functioning and updated sewage/stormwater management plan. The Development Plan should also include permanent sustainable elements such as permeable pavement and bioswales. Such plan(s) should be shared with the Borough President, Council Member, and residents of Community Board 3, 4 and 7 upon completion.



PRESIDENT, BOROUGH OF QUEENS

01/10/2024

DATE