



IN THE MATTER OF an application submitted by 63-68 RWKOP LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 6.

This application for an amendment to the Zoning Resolution was filed on November 4, 2019 by 63-68 RWKOP LLC in conjunction with the related application for a zoning map amendment. The applicant seeks to designate a Mandatory Inclusionary Housing (MIH) area. The proposed actions would facilitate the development of a nine-story mixed-use building at 91-32 63rd Drive in the Rego Park neighborhood of Queens Community District 6.

RELATED ACTION

In addition to the proposed zoning text amendment (N 200179 ZRQ) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 200178 ZMQ Zoning map amendment to change an R4 zoning district with a C2-2 commercial overlay to an R7A zoning district with a C2-3 commercial overlay.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment action (C 200178 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 200179 ZRQ), in conjunction with the related application for a zoning map amendment (C 200178 ZMQ), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 20DCP010Q. The lead agency is the City Planning Commission.

A summary of the environmental review appears in the report for the related zoning map amendment (C 200178 ZMQ).

UNIFORM LAND USE REVIEW

This application (N 200179 ZRQ) was duly referred to Queens Community Board 6 and the Queens Borough President, in accordance with the procedures for non-ULURP matters, along with the related application for an amendment to the zoning map (C 200178 ZMQ), which was certified as complete by the Department of City Planning in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Queens Community Board 6 held a public hearing on this application (N 200179 ZRQ) on November 12, 2020 and on that date, adopted a resolution recommending approval of the application. A summary of the vote and recommendation of Community Board 6 appears in the report for the related zoning map amendment action (C 200178 ZMQ).

Borough President Recommendation

This application (N 200179 ZRQ) was considered by the Queens Borough President who issued a recommendation to approve the application on December 23, 2020.

City Planning Commission Public Hearing

On January 6, 2021 (Calendar No. 10), the City Planning Commission scheduled a public hearing on this application (N 200179 ZRQ), in conjunction with the related application for an

amendment to the zoning map (C 200178 ZMQ). The hearing was duly held on January 20, 2021 (Calendar No. 33).

There was one speaker in favor of the application and none in opposition, as described in the report for the related action (C 200178 ZMQ), and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed zoning text amendment (N 200179 ZRQ) is appropriate. A full consideration and analysis of the issues and the reasons for approving this application appear in the report for the related zoning map amendment (C 200178 ZMQ).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment.

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in the related report (C 200178 ZMQ), the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is further amended as follows:

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

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APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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QUEENS

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Queens Community District 6

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Map 2— [date of adoption]



 Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

Area 2 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 6, Queens

* * *

The above resolution (N 200179 ZRQ), duly adopted by the City Planning Commission on February 17, 2021(Calendar No. 16), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*
KENNETH J. KNUCKLES, ESQ., *Vice Chairman*
DAVID J. BURNEY, ALLEN P. CAPPELLI, ESQ.,
ALFRED C. CERULLO, III, JOSEPH DOUEK, RICHARD W. EADDY,
HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARÍN,
LARISA ORTIZ, RAJ RAMPERSHAD *Commissioners*

Queens Borough President Recommendation

APPLICATION: ULURP #200179 ZRQ

COMMUNITY BOARD: Q06

DOCKET DESCRIPTION

IN THE MATTER OF an application filed by 63-68 RWKOP LLC pursuant to Sections 200 and 201 of the New York City Charter, to amend Appendix F of the New York City Zoning Resolution establishing and mapping the area to be rezoned as a Mandatory Inclusionary Housing Area in Rego Park, Community District 6, Borough of Queens. (Related ULURP #200178 ZMQ);

PUBLIC HEARING

A Public Hearing was held by the Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 3, 2020 at 10:30 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 no other 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:

- This application was filed for a zoning text amendment to Appendix F to establish and map an area to be rezoned as a Mandatory Inclusionary Housing (MIH) Area; The proposed actions would facilitate development of a new nine-story residential building with 74 dwelling units, of which 30% (24 units) would be permanently income-restricted under the MIH program and reserved for Affordable Independent Residences for Seniors (AIRS). AIRS housing (for persons 62+ years old) requires at least 90% of total dwellings to be affordable at a maximum average 80% AMI;
- The applicant has filed another related application (ULURP #200178 ZMQ) proposing a zoning map amendment to change portions of Block 3104 (p/o Lot 14 and Lot 16) from an existing R4/C2-2 District to an R7A/C2-3 District;
- The area to be rezoned (Block 3104 p/o Lot 14 and Lot 16) is generally bounded by Austin Street to the north, 63rd Drive to the west, the north side of the Long Island Rail Road Main Line to the south, and a line 100 feet from and parallel to 63rd Drive. The area to be rezoned is currently mapped with an R4-2 District with a C2-2 overlay mapped to a depth of 100 feet from 63rd Drive. The proposed zoning map change is to an R7A/C2-3 District. The westernmost portion of Lot 14, owned by the Department of Citywide Administrative Services, is included in the rezoning area to avoid isolation of an existing R4 District adjacent to the development site;
- The proposed development is a 9-story mixed-use residential and commercial building with 68,656 SF of floor area (FAR 5.0). Setbacks of 10 feet and 15 feet would be provided above the 65 feet base. The proposed building would have 58,338 SF of residential space for 74 dwelling units, 10,318 SF of ground floor commercial space, and 45 accessory off-street parking spaces (17 residential, 28 commercial) in the cellar with access cut on Austin Street. Approximately 24 affordable units would be provided using MIH Option 2 (30% of units @ 80% AMI). The affordable units would be Affordable Independent Residences for Seniors (AIRS);
- The proposed development site (91-32 63rd Drive, Block 3104 Lot 16) is located at the southeast corner at the intersection of 63rd Drive and Austin Street with 140 feet and 100 feet of frontage respectively. The 13,731 SF lot is currently unimproved and vacant. There is a history of commercial use on the site. The surrounding area is characterized by residential and commercial uses along 63rd Drive and Queens Boulevard, and C8-1 zoned portion of Austin Street. Zoning districts within the surrounding area include R4/C2-2, R4/C1-2, R7-1, R3-1, and C8-1 Districts. This portion of 63rd Drive is a major north-south connector street beneath the elevated LIRR track. Community facility uses in the surrounding area include the Rego Park branch of the Queens Public Library directly west of the project site, Our Savior Church, P.S. 139 elementary school, and the Rego Park Day School. The project area is well served by public transit including the M/R subway lines, the Q38, Q60, Q72, QM11, and QM18 bus lines;
- The applicant met with the Community Board 6 Land Use Committee (LUC) on November 10, 2020. Some concerns expressed during the meeting included: possible increased traffic on 63rd Drive, compounded construction impacts in the general area, affordability determined by AMI not reflective of zip codes 11375 and 11374. The CB 6 LUC, by a vote of ten (10) in favor and four (4) against, recommended approval to the full community board;

QUEENS BOROUGH PRESIDENT RECOMMENDATION

ULURP #200179 ZRQ

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- Community Board 6 (CB 6) approved this application by a vote of thirty-six (36) in favor with five (5) against and none (0) abstaining at their monthly board meeting held on November 12, 2020. Discussion at the monthly meeting reflected concerns raised during the LUC meeting. Based on the request for lower levels of affordability at the LUC meeting, the applicant soon after submitted a letter to CB 6 committing to provide 16 of the 24 affordable units at 60% AMI. Councilmember Koslowitz's representative stated that the councilmember supports the project and that there should be more studio and 1-bedroom units to maximize number of affordable units;
- At the Borough President's Land Use Public Hearing, the applicant affirmed that they are committed to providing 16 of the 24 affordable units reducing the average AMI to 60%. The applicant also stated they are open to increasing the number of studio and 1 bedroom units as requested by the councilmember.

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 condition:

- 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% is reached.



PRESIDENT, BOROUGH OF QUEENS

December 23, 2020

DATE