



**IN THE MATTER OF** an application submitted by 241-15 Northern LLC and North Shore Realty Group Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a:

1. changing from an R1-2 district to an R6A district property bounded by a southeasterly boundary lines of a park and its northeasterly prolongation, Douglaston Parkway, Northern Boulevard, a northeasterly boundary line of a park and its southeasterly prolongation, a line 95 feet northwesterly of Northern Boulevard, and a line 170 feet southwesterly of Douglaston Parkway; and
2. establishing within a proposed R6A district a C1-2 district bounded by a line 95 feet northwesterly of Northern Boulevard, Douglaston Parkway, Northern Boulevard and a northeasterly boundary line of a park and its southeasterly prolongation;

Borough of Queens, Community District 11, as shown on a diagram (for illustrative purposes only) dated August 20, 2018, and subject to the conditions of CEQR Declaration E-494.

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This application for a zoning map amendment (C 060432 ZMQ) was filed by 241-15 Northern LLC and North Shore Realty Group Corporation, Inc. on April 6, 2018. The applicants request to change an R1-2 zoning district to an R6A district and to map a C1-2 overlay zone over a portion of the rezoning area. Together with the related zoning text amendment, this application would facilitate the development of an eight-story residential building and a five-story mixed-use building on two noncontiguous development sites located on and in the vicinity of the northwest corner of Douglaston Parkway and Northern Boulevard in the Douglaston neighborhood of Queens, Community District 11.

#### **RELATED ACTION**

In addition to the zoning map amendment (C 060432 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

**N 180281 ZRQ**      Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area

## **BACKGROUND**

The applicants propose a zoning map amendment to change an R1-2 zoning district to an R6A zoning district on the entirety or portions of six adjacent lots located on the northwest corner of Douglaston Parkway and Northern Boulevard (Block 8092, Lots 5, 39 and portions of Lots 205, 25, 28 and 33) and to establish a C1-2 commercial zoning overlay over one of those lots (Lot 39) in the Douglaston neighborhood of Queens.

Development site 1 (Block 8092, Lot 25) is an approximately 10,432-square-foot, trapezoidal-shaped interior lot with frontage on Douglaston Parkway. It is currently vacant and characterized by a steep downward grade change of approximately 20 feet in the rear portion of the lot. Approximately 8,600 square feet of the lot, extending to a depth of 170 feet from Douglaston Parkway, would be subject to the zoning map and zoning text amendment. The remaining 1,800-square-foot western portion of the lot would not be subject to the actions, so it would retain R1-2 zoning. Development site 2 (Block 8092, Lot 39) consists of an approximately 14,518-square-foot corner lot on the northwest corner of Douglaston Parkway and Northern Boulevard. It is currently improved with a one-story structure previously used as an automotive service station that ceased operation circa 1991. Currently, the asphalt-paved lot is used for accessory parking by a restaurant across the street, on the eastern side of Douglaston Parkway.

The project area contains approximately 112,895 square feet of lot area consisting of all or portions of six lots backing onto Alley Pond Park. In addition to the two development sites, three of the lots (Lots 5, 28 and 33) are developed with six- and seven-story, non-complying brick apartment buildings dating from the early 1960s and late 1970s. The remaining lot (Lot 205) is an accessory parking lot for the apartment building on Lot 5.

The project area was mapped with an R1-2 zoning district in 1961. R1-2 districts are low-density zoning districts that limit residential development to single-family, detached homes at a maximum floor area ratio (FAR) of 0.50 on relatively large lots with areas of at least 5,700 square feet. The maximum building height allowed in R1-2 districts is governed by a sky exposure plane that starts at 25 feet above ground level and rises at a rate of one vertical foot for every horizontal foot.

The surrounding area to the northeast and south is characterized by single-family detached homes. There are larger six- to seven-story, multi-family apartment buildings clustered around the intersection of Northern Boulevard and Douglaston Parkway. This intersection is fully controlled by traffic signals and is not classified as a high crash location. Northern Boulevard is a 100-foot-wide, multi-lane street running east-west that serves as a commercial corridor for the neighborhood. Commercial uses along Northern Boulevard are primarily low-scale and include retail, offices and automobile-oriented uses. Douglaston Parkway is an 80-foot-wide, two-lane street that serves as a major north-south thoroughfare connecting the Douglaston peninsula to the Grand Central Parkway. Uses along Douglaston Parkway are primarily residential, with commercial uses, including offices, stores and restaurants, clustered in the vicinity of the Douglaston Long Island Rail Road (LIRR) station, two blocks north of the project area, and at its intersection with Northern Boulevard. Alley Pond Park and Udalls Cove Park, located immediately west of the project area and one block east of the project area, respectively, contain extensive marsh wetland habitats, as well as passive and active recreation amenities.

The surrounding area is primarily mapped with low-density R1-2, R2A and R3-1 residential districts, with commercial overlays along Northern Boulevard and around the LIRR station. The Douglaston Hill Historic District encompasses portions of five residential blocks directly north of the project area. In addition to the nearby Douglaston LIRR station, the area is well served by New York City Transit bus service, with stops for the local Q12 and express QM3 bus lines near the Northern Boulevard and Douglaston Parkway intersection. Bus service to Long Island is provided by the Nassau Inter-County Express bus line, with the N20 line traversing Northern Boulevard. A protected bicycle path is located on the north side of Northern Boulevard, connecting Douglaston Parkway to Joe Michael's Mile, a dedicated bicycle path that runs from

the entrance of the Cross Island Parkway at Northern Boulevard and terminates at Fort Totten Park.

In 1999, the City Planning Commission disapproved a 197-a plan proposed by Community Board 11 (N 940373 NPQ). The Commission found that the plan did not establish a policy framework for future actions by city agencies, but rather it set forth specific zoning changes that were more suited for review under the 197-c process. Additionally, the Commission found that some of the zoning recommendations would not achieve the community’s preservation objectives while others would unduly restrict opportunities for growth in appropriate areas.

The R6A zoning district proposed for the project area would allow multi-family residential development with a maximum residential FAR of 3.6 with MIH and 3.9 when developed exclusively with affordable independent residences for seniors (AIRS). Above a maximum base height of 65 feet, a setback of 10 or 15 feet is required on wide or narrow streets, respectively, and the maximum building height is 80 feet, or 85 feet if the building has a qualifying ground floor with a floor-to-ceiling height of at least 13 feet. The proposed R6A district would more closely match the existing multi-family residential buildings within the project area and bring three buildings into conformance and greater compliance, as well as facilitate the development of a proposed eight-story residential building on Lot 25 (development site 1).

The R6A district is proposed to extend 170 feet over Lot 25. The western portions of Lot 25 and three other tax lots in the project area (28, 33 and 205), comprising approximately 27,050 square feet, would remain in the R1-2 zoning district to serve as a lower density buffer between Alley Pond Park to the west and the adjacent portion of the project area.

The proposed R6A/C1-2 district proposed for Lot 39 (development site 2) would permit locally-oriented commercial uses up to an FAR of 2.0. The proposed C1-2 zoning overlay is the same commercial overlay district mapped directly across the street from the project area, along

Douglaston Parkway. The proposed R6A/C1-2 would facilitate development of a proposed five-story mixed-use building.

The applicants propose two distinct development projects on their respective non-contiguous properties. Site 1 would be developed with an eight-story, approximately 51,128-square-foot, multi-family residential building containing 24 dwelling units, 14 of which would be AIRS units, and 19 accessory self-service parking spaces in the cellar and sub-cellar. The remaining 10 units would be market rate and targeted to persons aged 55 and older. Though only six parking spaces would be required, the remaining 13 permitted spaces are proposed to accommodate anticipated demand. The proposed building would have a base height of 60 feet and, after a 10-foot setback, reach a maximum building height of 80 feet. Its FAR would be 3.26.

Site 2 would be developed with a five-story, approximately 81,860-square-foot, mixed-use building containing 59 dwelling units, 20 of which would be AIRS units, and 89 accessory parking spaces in the cellar and sub-cellar. The remaining 39 units would be market rate and targeted to persons aged 55 and older. Under the proposed rezoning, 64 of the accessory parking spaces are required, and 25 permitted parking spaces would be provided to accommodate anticipated demand for parking. All parking would be attended valet parking. Vehicular access to the parking levels would be from Northern Boulevard through an existing opening in the protected bicycle path and an existing curb cut. The proposed building would have a maximum base height of approximately 64.5 feet, a total building height of 75.5 feet and an FAR of 2.95. A 12,678-square-foot eating and drinking establishment is proposed for the ground floor. One of the applicants intends to relocate their existing restaurant across Douglaston Parkway to the proposed building.

The applicants also request a zoning text amendment (N 180281 ZRQ) to designate the rezoning area as an MIH area mapped with Options 1 and 2. The co-applicants are proposing to use MIH Option 2. Option 1 requires that at least 25 percent of the residential floor area be provided as housing permanently affordable to households with incomes at an average of 60 percent of the area median income (AMI). Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of

the AMI, with no unit targeted to households with incomes exceeding 130 percent of the AMI. Option 2 requires that 30 percent of residential floor area be devoted to housing units affordable to residents with household incomes at an average of 80 percent of the AMI. No more than three income bands can be used to average out to the 80 percent, and no income band can exceed 130 of the AMI. MIH Option 2 would be satisfied by AIRS for dwelling units that are restricted to individuals and families ages 62 and older. However, since all dwelling units allocated to AIRS are income-restricted housing units for households with incomes at or below 80 percent of the AMI, no income bands above 80 percent of AMI can be used to average out to 80 percent.

## **ENVIRONMENTAL REVIEW**

This application (C 060432 ZMQ), in conjunction with the applications for the related action (N 180281 ZRQ), 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 lead is the City Planning Commission. The designated CEQR number is 06DCP092Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on August 20, 2018. The Negative Declaration includes an (E) designation to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-494). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

On August 20, 2018, this application (C 060432 ZMQ) was certified as complete by the Department of City Planning and duly referred to Queens Community Board 11 and the Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 180281 ZRQ), which

was referred for information and review in accordance with the procedures for non-ULURP matters.

**Community Board Public Hearing**

Queens Community Board 11 held a public hearing on this application (C 060432 ZMQ) on October 22, 2018, and on that date, by a vote of 24 in favor, none opposed and with two abstaining, adopted a resolution recommending disapproval of the application with no conditions.

**Borough President Recommendation**

The Queens Borough President held a public hearing on this application (C 060432 ZMQ) on November 15, 2018, and on November 26, 2018 issued a recommendation to disapprove the application with the following conditions:

- “While there is an acute need in Queens for affordable housing particularly for seniors, there are concerns about the impact of the existing and proposed buildings in the area to be rezoned upon the built character of the greater Douglaston neighborhood. The proposed 8-story building on Lot 25 would be the tallest building in most of Douglaston;
  - The applicant should lower the height of the proposed 8-story building on Lot 25 so that the height will match the adjacent buildings. Also, a legally binding restriction on potential building heights above 7-stories on Lot 25 and 5-stories on Lot 29 should be executed and filed. Additionally, there should be a commitment to marketing the apartments to persons aged 55 and over.
- The applicant should coordinate with the Department of Transportation to mitigate the traffic impact during the construction period and after the completion. NYC DOT should study the safety for pedestrians, bicycles and vehicles at the intersection of Northern Boulevard and Douglaston Parkway and appropriate measures to address these findings should be implemented to alleviate all traffic and safety congestion issues.”

## **City Planning Commission Public Hearing**

On November 14, 2018 (Calendar No. 20), the City Planning Commission scheduled December 5, 2018, for a public hearing on this application (C 060432 ZMQ), in conjunction with the related application (N 180281 ZRQ). The hearing was duly held on December 5, 2018 (Calendar No. 37). Twelve speakers testified in favor of the application and three in opposition.

Two members of the applicants' team testified in support of the application. The applicants' land use attorney described the requested zoning map amendment and the goals and objectives of the proposed developments. She stated that the applicants proposed the zoning map amendment to more closely reflect the existing built conditions in the project area as well as to facilitate construction on the two development sites. In response to concerns raised by the Community Board and Borough President, she expressed the applicants' commitment to marketing all units to persons aged 55 and older, including 30 percent of all AIRS units. Additionally, she stated that 20 percent of households in Community District 11 are 62 years of age and older and earn a household income of not more than 80 percent of the AMI.

The applicants' environmental consultant discussed the required CEQR review, with emphasis on transportation issues, and the conclusion that no significant adverse impacts would result from the development per CEQR analysis protocols.

Other speakers in favor of the application included a representative from the Hellenic American Neighborhood Action Committee (HANAC), a Queens-based non-profit senior housing service provider. She described the need for senior housing in the borough and HANAC's ongoing discussions with the applicants about serving as the primary service provider for both proposed buildings. The provider's responsibilities would include marketing the affordable units, ensuring that selected applicants meet eligibility requirements and providing on-site social services.

A representative of SEIU 32BJ, a property services workers union, expressed support for the application based on the applicants' stated commitment to hiring building support staff represented



by their union. He stated that upon completion, both proposed buildings would likely require a staff of approximately three building service workers.

A current resident of another building developed and managed by HANAC described her positive experience and the need for more senior housing in the city.

A local resident expressed his support for the application and described the need for more affordable housing, especially for senior citizens such as his mother, who also lives in the area. He also stated that traffic safety conditions along the project area have vastly improved over the years.

Another resident who lives and works near the project area described the need for seniors to have the opportunity to age in place and stated that the proposed buildings were an appropriate size for this use.

Four additional speakers read statements on behalf of residents of Community Board 11 who were unable to attend, but support the application because it would provide needed affordable housing at a scale consistent with the scale of existing buildings in the project area.

A Community Board 11 member testified in favor of the application, stating that the project would serve the growing population of empty nesters who would prefer to downsize while remaining in their neighborhood.

A representative of the Queens Chamber of Commerce testified in support of the application. He reiterated the borough's need for affordable senior housing, especially given the growing senior population in this area.

Speaking in opposition, a local resident expressed concern about the size of the proposed buildings and the rezoning boundaries. He expressed concern that approval of the zoning change would set a dangerous precedent that could result in similar higher density rezonings and developments

beyond the boundaries of the current project area, thereby, threatening the low-density character of the neighborhood.

Another local resident and member of the Douglaston Civic Association testified in opposition, expressing concern about the proposed zoning district, the proposed buildings and the public review process. He stated that the community previously proposed a 197-a community-based plan (disapproved in 1999) that maintained the R1-2 zoning designation to prevent density that is being proposed. He stated that the existing six- and seven-story residential buildings in the project area that were built after 1961 are contrary to the intent of the R1-2 zoning designation. Additionally, he stated that the Commission did not provide proper notice to Community Board 11 of the scheduled hearing.

A member of Community Board 11 testified in opposition, expressing his concern for the safety of vehicles, pedestrians and bicyclists near the intersection of Douglaston Parkway and Northern Boulevard.

There were no other speakers, and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 060432 ZMQ), in conjunction with the related application (N 180281 ZRQ), is appropriate.

The proposed zoning map amendment will change the existing R1-2 zoning district to R6A and R6A/C1-2 districts, more accurately reflecting pre-existing non-conforming and non-compliant multi-family residential buildings in the project area. It will facilitate the development of two buildings on two underutilized lots. These buildings will provide a total of approximately 83 dwelling units, including approximately 34 permanently affordable units pursuant to Option 2 of the MIH program. The proposed developments will help address the need for more housing in Queens and in the City overall, consistent with City objectives for promoting housing production

and affordability. The zoning text amendment would designate an MIH area coterminous with the rezoning area, requiring permanent affordability for a portion of units on the site.

The Commission notes that Queens Community Board 11 has a significant population share of persons 62 years of age and older that could benefit from the local development of two buildings that provide permanently affordable independent residences for seniors and a commitment from the co-applicants to market all other units to persons aged 55 and older.

The project area is situated at the intersection of two wide streets, Douglaston Parkway and Northern Boulevard, an appropriate place for the proposed R6A and R6A/C1-2 zoning districts. The proposed zoning will better reflect the density and bulk of the three existing six- and seven-story residential buildings in the project area fronting Douglaston Parkway. The existing multi-family buildings were built lawfully and have provided needed housing to the community for over 55 years. Approval of this zoning map amendment is based upon the distinct facts related to this proposal, and it does not create a precedent to allow similar future rezonings within the immediately surrounding area.

Northern Boulevard is a major thoroughfare predominantly developed with commercial uses and the proposed C1-2 overlay also reflects the existing zoning for commercial uses located on the eastern side of Douglaston Parkway and clustered around the Douglaston LIRR station to the north. The Commission believes that the proposed commercial use on the northwest corner of Northern Boulevard and Douglaston Parkway will activate the streetscape and serve as a commercial resource to residents in the surrounding area.

The Commission appreciates that the proposed development will exceed the minimum parking requirements to reflect area residents' auto usage and reduce the likelihood of the new project's increasing demand for scarce on-street parking in this neighborhood.

The Commission acknowledges concerns of the community board and residents, both at the public hearing and in comments submitted electronically, regarding the safety of pedestrians, bicyclists and automobile drivers at the intersection of Northern Boulevard and Douglaston Parkway.

The Commission further notes that any new building with any sidewalks and streets frontage will be required to submit a Builders Pavement Plan application that will be subject to review by the New York City Department of Transportation to ensure they meet the standards and specifications for a safe pedestrian experience.

The Commission notes that public notice for the City Planning Commission public hearing held on December 5, 2018 was duly provided and consistent with procedures used to provide notices for previous applications subject to the Uniform Land Use Review Procedure. The Commission further notes that the public hearing was scheduled for December 5, 2018 at its November 14, 2018 public meeting. The scheduling of this hearing was then published on the Department of City Planning's website followed by notice published in the City Record on November 20, 2018.

The Commission notes that in 1999, the Commission disapproved a 197-a plan proposed by Community Board 11 (N 940373 NPQ) because, among other concerns, it would unduly restrict opportunities for growth in appropriate areas.

## **RESOLUTION**

**RESOLVED**, that the having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on August 20, 2018 with respect to this application (CEQR No. 06DCP092Q), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 11a:

1. changing from an R1-2 district to an R6A district property bounded by a southeasterly boundary lines of a park and its northeasterly prolongation, Douglaston Parkway, Northern Boulevard, a northeasterly boundary line of a park and its southeasterly prolongation, a

line 95 feet northwesterly of Northern Boulevard, and a line 170 feet southwesterly of Douglaston Parkway; and

2. establishing within a proposed R6A district a C1-2 district bounded by a line 95 feet northwesterly of Northern Boulevard, Douglaston Parkway, Northern Boulevard and a northeasterly boundary line of a park and its southeasterly prolongation;

Borough of Queens, Community District 11, as shown on a diagram (for illustrative purposes only) dated August 20, 2018, and subject to the conditions of CEQR Declaration E-494.

The above resolution (C 060432 ZMQ), duly adopted, by the City Planning Commission on January 9, 2019 (Calendar No. 27), 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*

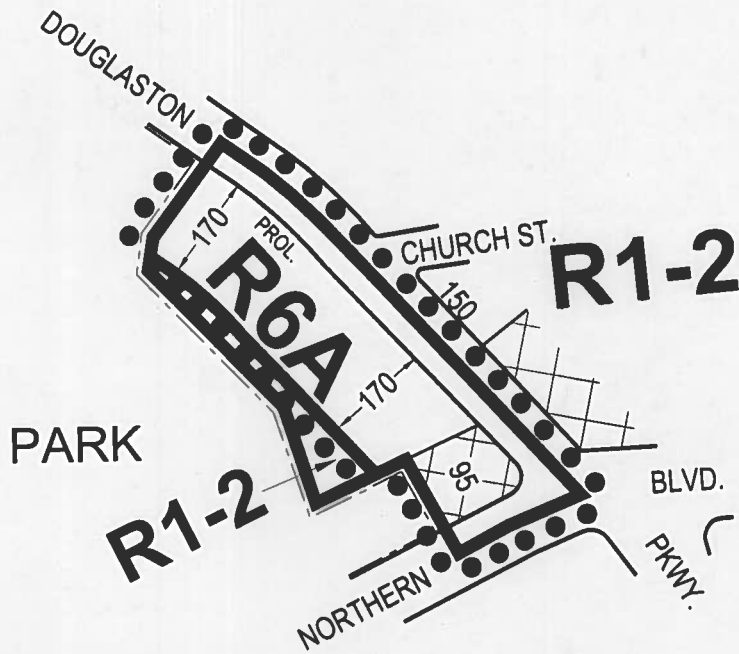
**ALLEN P. CAPPELLI, Esq., III, MICHELLE R. de la UZ, JOSEPH I. DOUEK,**

**RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,**

**ORLANDO MARIN, LARISA ORTIZ**

*Commissioners*

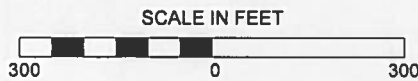
**RAJ RAMPERSHAD**, *Commissioner, Recused*



CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**11a**  
 BOROUGH OF  
**QUEENS**

New York, Certification Date  
 AUGUST 20, 2018

*S. Lenard*  
 S. Lenard, Director  
 Technical Review Division



**NOTE:**

- Indicates Zoning District Boundary.
- ● ● ●** The area enclosed by the dotted line is proposed to be rezoned by changing an existing R1-2 District to an R6A District and by establishing a C1-2 District within the proposed R6A District.
- ▨** Indicates a C1-2 District.

Application #: <b>C 060432 ZMQ</b>	Project Name: <b>Douglaston Parkway Rezoning</b>
CEQR Number: 06DCP092Q	Borough(s): <b>Queens</b> Community District Number(s): <b>11</b>

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

**IN THE MATTER OF** an application submitted by 241-15 Northern LLC and North Shore Realty Group Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a:

- changing from an R1-2 district to an R6A district property bounded by a southeasterly boundary lines of a park and its northeasterly prolongation, Douglaston Parkway, Northern Boulevard, a northeasterly boundary line of a park and its southeasterly prolongation, a line 95 feet northwesterly of Northern Boulevard, and a line 170 feet southwesterly of Douglaston Parkway; and
- establishing within a proposed R6A district a C1-2 district bounded by a line 95 feet northwesterly of Northern Boulevard, Douglaston Parkway, Northern Boulevard and a northeasterly boundary line of a park and its southeasterly prolongation;

Borough of Queens, Community district 11, as shown on a diagram (for illustrative purposes only) dated August 20, 2018, and subject to the conditions of CEQR Declaration E-494.

Applicant(s): 241-15 Northern LLC 162-45 Cross Bay Boulevard, Howard Beach, NY 11414  North Shore Realty Group Corp.	Applicant's Representative: Steven M. Sincacori Akerman, LLP 666 5th Avenue, 20th Floor New York, NY 10103
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Recommendation submitted by:  
Queens                      Community Board 11

Date of public hearing: **10/22/18**                      Location: **46-16 Little Neck Parkway**

Was a quorum present? YES  NO                       *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: **10/22/18**                      Location: **46-16 Little Neck Parkway**

**RECOMMENDATION**

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions
<input checked="" type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions

**Please attach any further explanation of the recommendation on additional sheets, as necessary.**

**Voting**  
# In Favor: **0**      # Against: **27**      # Abstaining: **2**      Total members appointed to the board: **44**

Name of CB/BB officer completing this form <b>Joseph Marziliano</b>	Title <b>District Manager</b>	Date <b>10/23/18</b>
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The City of New York

## Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills  
Little Neck and Oakland Gardens

Christine L. Haider Chairperson / Joseph Marziliano District Manager

October 23, 2018

Marisa Lago  
Chair  
NYC Dept. of City Planning  
120 Broadway  
31<sup>st</sup> Floor  
New York, NY 10271

RE: ULURP # C060432 ZMQ and ULURP # N180281 ZRQ

Dear Chair Lago,

Community Board 11 Queens held a public hearing on October 22, 2018, for the above referenced application to change the zone of a parcel of mostly developed land approximately 170 ft. x 700 ft. on the west side of Douglaston Parkway between 235<sup>th</sup> Street and Northern Boulevard, Queens, NY. The change requested is for an R6A Zone, with a Commercial Overlay for Site 2, from the existing R1-2.

The recorded hearing was attended by more than 200 residents who spoke in opposition to the application. The applicant left during public participation and did not make a presentation. There were 13 members of the public spoke regarding their opposition to the application, and one speaker that was in favor.

Douglaston Zoning Committee Chair reviewed the committee report of September 26, 2018. At that meeting, the committee made a motion to approve the application. ***The motion failed with 11 opposed and one abstentions.***

A motion was made at the public hearing to approve the rezoning application. ***A quorum was present, and the motion failed with 0 in favor, 24 opposed, and two abstentions.***

The opposition to this application by both the public's testimony and the Community Board is provided as follows:

### **HISTORY**

Prior to the adoption of the 1961 Zoning Resolution the property in question was essentially vacant and the surrounding area were one family houses conforming to the current existing R1-2 zone. In order to develop this vacant land the foundations for three 6+/- story apartment buildings were built prior to the adoption of the 1961 Zoning Resolution. Likewise, the 46-21 Little Neck Parkway, Little Neck, NY 11362 Tel. 718-225-1054 Fax 718-225-4514

[QN11@cb.nyc.gov](mailto:QN11@cb.nyc.gov) [www.nyc.gov/queenscb11](http://www.nyc.gov/queenscb11)



foundations for an apartment building on the east side of Douglaston Parkway and an apartment building on the southwest corner of Northern Boulevard and Douglaston Parkway were built prior to the 1961 Zoning Resolution.

The applicant's Site 2 was approved for a three story office building by the Board of Standards and Appeals (BSA) and Community Board 11 in the late 1990s but never built.

The BSA and CB 11 also approved a three story office building at Alameda Avenue and Northern Boulevard which was built in a R1-2 Zone. The property along the south side of Northern Boulevard from Douglaston Parkway to the Alley Creek Bridge is all designated R1-2.

## **CONCERNS**

The R6A Zone, with a Commercial overlay for Site 2, is a *Spot Zone*. An R6A Zone in Northeast Queens does not exist. Further if the application is approved, we believe that subsequent City Planning Commissions will approve an extension of the R6A zone for the entire south side of Northern Boulevard from Douglaston Parkway to the Alley Creek Bridge, changing the entire character of the community to look like higher density areas such as Flushing or Jackson Heights. Therefore we are requesting rejection of the application and that the existing R1-2 Zone remain as is. If the applicant wishes to develop his property he should apply to the BSA for a variance as was done previously.

## **PROPOSED DEVELOPMENT**

Although not part of this application, the applicant provided the Board with the details of the development for Site 1 and Site 2. We asked the applicant at our September 26<sup>th</sup> committee meeting if he had made a study of the traffic, parking and trip generation impacts of the two apartment houses and approximately 12,000 ft.<sup>2</sup> of commercial space. We did not get an affirmative response.

On October 16, 2018 the CB 11 Transportation Committee met to discuss these issues.

We invited the applicant but he was not prepared to meet on that date. However, the committee met to discuss the following impacts based on the plans and data we received:

## **TRIP GENERATION**

### **Commercial**

The existing commercial strip on the east side of Douglaston Parkway contains approximately 30,000 to 35,000 ft.<sup>2</sup> of commercial space which are primarily convenience stores. We estimate that the average daily trip generation is approximately 700 to 800. There are 40 metered street spaces mostly fully occupied with approximately 20 minute turnover rate. The proposed commercial space is 12,000 ft.<sup>2</sup> with 63 indoor parking spaces. Therefore, we estimate it will generate approximately additional 300 daily trips (40% of existing). The area is now congested with continual double parking on Douglaston Parkway.

### **Residential**

Site 1 and Site 2 provide 45 residential parking spaces for 83 apartments. We believe that all residents will have at least one vehicle. Thus we estimate that the daily resident trip generation

will be **83 units x 6\*/unit x 50%\*\* = 250** trips per day. The existing apartment buildings on Douglaston Parkway contain slightly more than 300 units. Thus the additional trip generation will be approximately 25% more than exists now. This is major impact especially since Douglaston Parkway is the only ingress and egress to Douglas Manor and Doug Bay to the north with 400 families, a primary school P.S. 98, two churches, the westbound LIRR station, and a small business area.

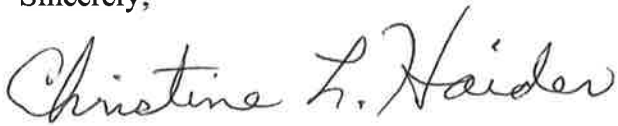
\* Institute of Traffic Engineering {ITE} Informational Report, Committee 6A6 – Daily generation factors for local shopping and apartment houses.

\*\* Reduced because of nearby vicinity of the LIRR

We request rejection of this application. The consequences of approval of this application and its eventual proliferation will change the character of the Douglaston and Little Neck communities forever.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Christine L. Haider".

Christine L. Haider  
Chair

# Queens Borough President Recommendation

APPLICATION: ULURP # 060432 ZMQ

COMMUNITY BOARD: Q11

## DOCKET DESCRIPTION

**IN THE MATTER OF** an application submitted by Akerman, LLP on behalf of 241-15 Northern LLC and North Shore Realty Group Corp., pursuant to Sections 197-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section 11a:

1. Changing from an R1-2 district to an R6A district property bounded by a southeasterly boundary lines of a park and its northeasterly prolongation, Douglaston Parkway, Northern Boulevard, a northeasterly boundary line of a park and its southeasterly prolongation, a line 95 feet northwesterly of Northern Boulevard, and a line 170 feet southwesterly of Douglaston Parkway; and
2. Establishing within a proposed R6A District a C1-2 District bounded by a line 95 feet northwesterly of Northern Boulevard, Douglaston Parkway, Northern Boulevard and a northeasterly boundary line of a park and its southeasterly prolongation;

Borough of Queens, Community District 11, as shown on a diagram (for illustrative purposes only) dated August 20, 2018, and subject to the conditions of CEQR Declaration E-494. (Related item: ULURP #N180281 ZRQ)

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on November 15, 2018 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 fourteen (14) speakers against and twelve (12) speakers in favor of the application. The hearing was closed.

## CONSIDERATION

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

- The applicant is requesting a zoning map amendment to rezone an existing R1-2 District on the west side of Douglaston Parkway and Northern Boulevard to an R6A District and an R6A/C1-2 District to facilitate the development of two underutilized lots within the area to be rezoned;
- The applicant has also filed a related application (ULURP #N180281 ZRQ) for a zoning text amendment to designate the proposed rezoning area as a Mandatory Inclusionary Housing Designated Area (MIHA);
- The area to be rezoned includes Block 8092, Lots 5 & 39 and portions of Lots 25, 28, 33, 205. The area to be rezoned begins at the northwest corner of the intersection of Northern Boulevard and Douglaston Parkway extending 702 feet from the intersection with irregular depths ranging from 166 feet and 170 feet. Tax lots 5, 205, 28 and 33 are currently improved with 6- and 7-story multiple dwellings. Lot 25 (Development site 1) is an approximately 50 X 218 feet vacant lot with frontage on Douglaston Parkway that is located between Lot 5 to the north and Lot 28. Lot 39 (Development Site 2) is located at the northwest corner of intersection of Northern Boulevard and Douglaston Parkway. It is improved with a small one-story structure and used as a parking lot for a nearby restaurant;
- The proposed R6A District allows 3.9 FAR for development of AIRS (affordable independent residences for seniors) units. The maximum base height is 65 feet and maximum height up to 85 feet, and 35% maximum lot coverage. The existing 6- to 7-story buildings within the rezoning area are developed with legal non-conforming, non-complying medium sized multiple dwellings which pre-date the current zoning or built pursuant to BSA variances. The proposed rezoning will bring the existing buildings closer to compliance;
- The two development sites are owned by two different owners. Development Site 1 (Lot 25) is an 8,615 sf mid-block vacant lot with steep downward slope towards the rear of the site. The owner is proposing to develop an 8-story, 34,000 sf multiple dwelling building. Approximately 30% of the floor area will be dedicated to Affordable Independent Residence for Seniors (AIRS) for the MIH requirement. The building will have a total of 24 dwelling units which include 14 AIRS units at 80% AMI and an approximately 1,400 sf community room space for seniors. The building will provide 19 parking accessory spaces on cellar and sub-cellar levels instead of the 6 required parking pursuant to zoning. Development Site 2 (Lot 39) is a 14,517 sf corner lot. The owner is proposing to develop a 55,380 sf, 5-story mixed-use building. The building will contain 59 senior housing units including 20 AIRS units at 80% AMI, 692 sf community space for seniors and 12,675 sf commercial on the ground floor. The proposed building will provide 89 valet parking spaces on cellar and sub-cellar levels instead of the 63 required parking spaces pursuant to zoning;
- Alley Pond Park surrounds the rezoning area to the north and west. There is an existing 6-story residential building located across Northern Boulevard to the south of the rezoning area. There is a two-story commercial building with several stores located on the northeast corner of Northern Boulevard and

Douglaston Parkway across the street from the rezoning area. The areas further to the north and south of the rezoning area are primarily developed with low-density residential buildings mixed with a few 6-story multiple dwellings. This section of Northern Boulevard is developed with a mix of commercial, residential and institutional uses including Zion Episcopal Church, Alley Pond Park, Alley Pond Golf Center and Udall's Cove Park. A protected bike lane is installed along Northern Boulevard;

- CB 11 Land Use Committee made a motion to approve the application that was disapproved by a vote of twenty-four (24) against, none (0) in favor and two (2) abstaining at a special public hearing held on October 22, 2018. CB11's reasons for disapproval were existing traffic congestion and safety issues at that intersection would be exacerbated, and concerns about increased development pressure along this portion of Northern Boulevard and in the neighborhood which may lead to other rezoning applications for increased development;
- At the Queens Borough President's Land Use Public Hearing, the applicant stated that they are willing to consider lowering the height of the proposed 8-story building on Lot 25. The applicant also stated that the Hellenic American Neighborhood Action Committee (HANAC) would be a partner in the development to provide services and programs for seniors. Representatives from Douglaston Civic Association, Auburndale Improvement Association, Princeton Owners' Corporation, and area residents spoke against the proposed rezoning and development. They expressed concerns about the lack of street parking spaces, traffic congestion and safety issues at the intersection which will be exacerbated by the proposed development. They commented that the recent installation of the protected bike lane and red light camera contributed to more traffic congestion and increased traffic accidents involving pedestrians and vehicles. The proposed development will only aggravate the current situation. Some of the speakers also stated that the proposed rezoning will be a precedent for higher density development along Northern Boulevard in Douglaston area. Representatives from 32BJ, Dioceses of Brooklyn, Queens Chamber of Commerce and some area residents spoke in favor of the proposed development stating the needs for affordable senior housing in the area and the city. Numerous phone calls, written testimonies and e-mails were received in opposition of the application. In addition, a petition through Change.org with approximately 700 signatures in opposition was submitted.

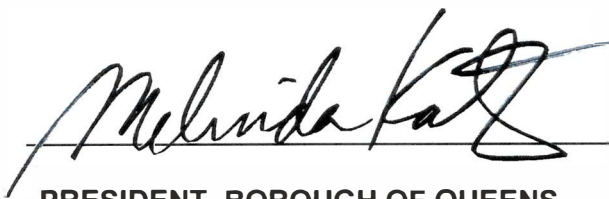
RECOMMENDATION

The area to be rezoned with the exception of Lots 25 & 39 are already mostly developed with 6- to 7-story buildings. There are no other areas in this vicinity that have a similar context of existing 6- to 7-story buildings on the surrounding blocks.

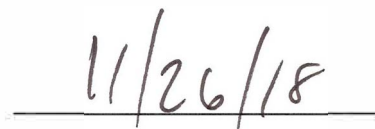
And it has been reported that there are existing traffic safety and parking issues at the intersection of Northern Boulevard and Douglaston Parkway that should be carefully examined.

Based on the above consideration, I hereby recommend disapproval of this application unless the following conditions are met:

- While there is an acute need in Queens for affordable housing particularly for seniors, there are concerns about the impact of the existing and proposed buildings upon the built character of the greater Douglaston neighborhood. The proposed 8-story building on Lot 25 would be the tallest building in most of Douglaston;
- The applicant should lower the height of the proposed 8-story building on Lot 25 so that the height will match the adjacent buildings. Also, a legally binding restriction on potential building heights above 7-stories on Lot 25 and 5-stories on Lot 39 should be executed and filed. Additionally, there should be a commitment to marketing the apartments to persons aged 55 and over.
- The applicant should coordinate with the Department of Transportation to mitigate the traffic impact during the construction period and after the completion. NYC DOT should study the safety for pedestrians, bicycles and vehicles at the intersection of Northern Boulevard and Douglaston Parkway and appropriate measures should be implemented to address any traffic safety and congestion issues.



PRESIDENT, BOROUGH OF QUEENS



DATE