



IN THE MATTER OF an application submitted by 10316 Van Wyck Exp 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 10.

This application for an amendment to the Zoning Resolution was filed by 10316 Van Wyck Exp LLC on November 16, 2020. This application, in conjunction with the related application for a zoning map amendment (C 210164 ZMQ), would facilitate the development of a four-story mixed-use building with 18 dwelling units at 103-16 Van Wyck Expressway in the South Ozone Park neighborhood of Queens, Community District 10.

RELATED ACTION

In addition to the zoning text amendment (N 210165 ZRQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application:

C 210164 ZMQ Zoning map amendment to change an R3A zoning district to an R6B/C2-3 zoning district.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 210164 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 210165 ZRQ), in conjunction with the related application for a zoning map amendment (C 210164 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 20DCP161Q. The lead is the City Planning Commission.

A summary of the environmental review appears in the report for the related zoning map amendment (C 210164 ZMQ).

PUBLIC REVIEW

This application (N 210165 ZRQ) was duly referred to Queens Community Board 10 on July 26, 2021, in accordance with the procedures for non-ULURP matters, along with the related application for an amendment to the zoning map (C 210164 ZMQ), which was certified as complete by the Department of City Planning and duly referred in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 10 held a public hearing on this application (N 210165 ZRQ) and the related application for a zoning map amendment (C 210164 ZMQ) on September 2, 2021 and on that date, by a vote of 29 in favor, one opposed and none abstaining, recommended approval of the application.

Borough President Recommendation

The Queens Borough President held a public hearing on the application (N 210165 ZRQ) and the related application for a zoning map amendment (C 210164 ZMQ) on September 24, and on October 27, 2021, issued a recommendation to approve the application with the following conditions:

- “The developer should use union labor for construction of the project and for the permanent maintenance and operations jobs when the building is completed;
- Local businesses should be recruited and considered as tenants for the proposed new commercial space;
- The proposed construction should be built using the highest sustainability and energy standards available for the new building;

- A minimum of 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.”

City Planning Commission Public Hearing

On October 6, 2021 (Calendar No. 4), the Commission scheduled October 20, 2021, for a public hearing on this application (N 210165 ZRQ) and the related application for a zoning text amendment (C 210164 ZMQ). The hearing was duly held on October 20, 2021 (Calendar No. 31). One speaker testified in favor of the application and none in opposition, as described in the report for the related zoning map amendment action (C 210164 ZMQ), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 210165 ZRQ), in conjunction with the related action, 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 210164 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 210164 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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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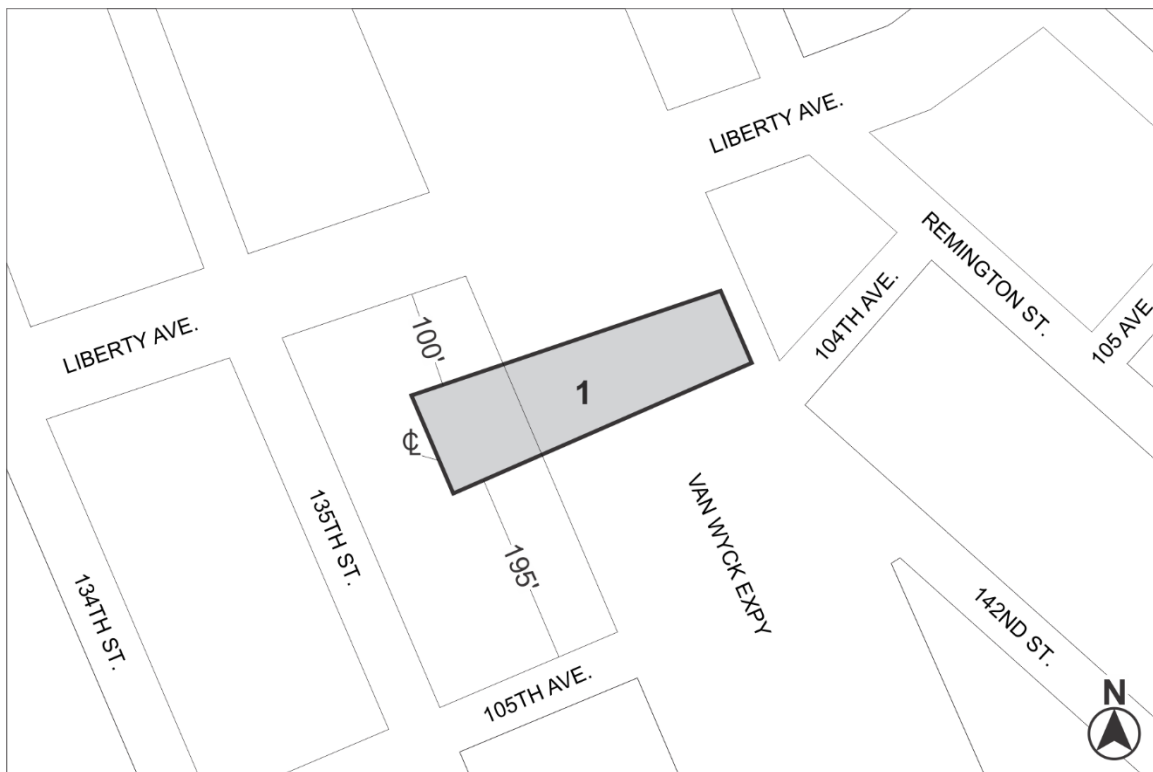
Queens

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Queens Community District 10

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Map # – [date of adoption]



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

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

Portion of Community District 10, Queens

* * *

The above resolution (N 210165 ZRQ), duly adopted by the City Planning Commission on November 3, 2021 (Calendar No. 10), 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.

ANITA LAREMONT, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice-Chairman*

**DAVID J. BURNEY, FAIA; ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, *Commissioners***

RAJ RAMPERSHAD *Commissioner, Recused*



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 103-16 Van Wyck Expressway Rezoning	
Applicant: 10316 Van Wyck Exp LLC	Applicant's Primary Contact: Fyanne Betan
Application # 210165ZRQ	Borough:
CEQR Number: 20DCP161Q	Validated Community Districts: Q10

Docket Description:

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

RECOMMENDATION: Favorable			
# In Favor: 29	# Against: 1	# Abstaining: 0	Total members appointed to the board: 50
Date of Vote: 9/2/2021 12:00 AM		Vote Location: Old Mill Yacht Club: 163-15 Cross Bay Blvd., Howard Beach NY 11414	

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

Date of Public Hearing:	
Was a quorum present? No	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	

CONSIDERATION: No Comment

Recommendation submitted by	QN CB10	Date: 9/13/2021 3:31 PM
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Queens Borough President Recommendation

APPLICATION: ULURP #N210165 ZRQ

COMMUNITY BOARD: Q10

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Sheldon Lobel, P.C. on behalf of 10316 Van Wyck Exp 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 10, as shown on a diagram (for illustrative purposes only) dated March 19, 2020. (Related ULURP #210164 ZMQ).

PUBLIC HEARING

A Public Hearing was held by the Queens 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 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 is for a zoning text amendment to amend Appendix F of the NYC Zoning Resolution to establish and map the area to be rezoned as a Mandatory Inclusionary Housing Area;
- The applicant has also concurrently filed another application (ULURP #210164 ZMQ) to rezone an existing R3A District to a R6/C2-3 District. The area to be rezoned (Block 9589 Lot 11 and p/o Lots 5, 6, 7, 8 & 9) is bounded by the Van Wyck Expressway Service Road on the east, the southern and western lot lines of Lot 11, and portions of the lots (p/o Lots 5, 6, 7, 8 & 9) with frontage on Liberty Avenue to the north. The proposed rezoning would facilitate construction of a new mixed-use development with affordable housing;
- The applicant is proposing to develop an approximately 22,000 SF (2.2 Floor Area Ratio (FAR)), 4-story mixed-use building on Lot 11 which is approximately 10,000 SF. The proposed building would provide approximately 18 dwelling units, of which 5 or 6 units would be affordable for low- to moderate-income households under MIH Option 1 (25% of units affordable at 60% AMI) or Option 2 (30% of units affordable at 80% AMI). The proposed building would include 13 vehicle parking spaces at the cellar level. The application also proposes extension of an existing C2-3 overlay mapped to the north along Liberty Avenue to the rezoning area that would allow development of ground floor commercial space on the site. The portions of Lots 5, 6, 7, 8, & 9 to be rezoned are approximately 5 feet in depth. This proposed rezoning would eliminate the existing split zoned lots;
- Within a 600-foot radius of the rezoning and development area, the zoning is primarily zoned R3A, R3-2, R4A, R5, R6B/C2-3, and R6A/C2-4. The surrounding uses range from single- and two-family homes to six- and seven-story residential buildings, as well as grocery stores, restaurants and beauty parlors along Liberty Ave. The development site is within a mile of two schools (P.S. 121 and 050) and Norelli-Hargreaves Playground, and is served by the Q9 and Q112 bus lines on Liberty Ave and its eastern boundary, the Van Wyck Expressway;
- Community Board 10 approved the application by a vote of twenty-nine (29) in favor with one (1) against and none (0) abstaining at the public hearing held on September 2, 2021. There were no speakers for or against the application.

RECOMMENDATION

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

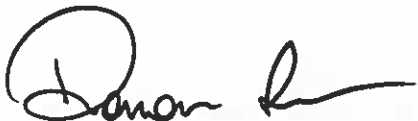
- The developer should use union labor for construction of the project and for the permanent maintenance and operations jobs when the building is completed;
- Local businesses should be recruited and considered as tenants for the proposed new commercial space;

QUEENS BOROUGH PRESIDENT RECOMMENDATION

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- 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

10/27/2021

DATE