



July 14, 2021 / Calendar No. 24

C 200230 ZMQ

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**IN THE MATTER OF** an application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 30c, by changing from an R4A District to an R6 District property bounded by a line 540 feet northerly of Beach Channel Drive, a line midway between Beach 66th Street and Beach 67th Street, a line 230 feet northerly of Beach Channel Drive, Beach 67th Street, a line 100 feet northerly of Beach Channel Drive, Beach 68th Street, a line 380 feet northerly of Beach Channel Drive, and Beach 67th Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-605.

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This application for a zoning map amendment was filed by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc. on December 23, 2019. This application, in conjunction with the related application for a zoning text amendment (N 200231 ZRQ), would facilitate the development of a nine-story residential building with 83 affordable senior housing units and an 11-story charter school at 426-450 Beach 67th Street in the Arverne neighborhood of Queens, Community District 14.

## **RELATED ACTION**

In addition to the zoning map amendment (C 200230 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application:

**N 200231 ZRQ**      Zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area

## **BACKGROUND**

The applicants seek a zoning map amendment and zoning text amendment to facilitate the development of a new nine-story residential building with 83 units developed pursuant to the New York City Department of Housing Preservation and Development's (HPD's) Affordable Independent Residences for Seniors (AIRS) program, as well as an 11-story charter school containing 22 classrooms that would serve kindergarten through fifth grade students.

The project area is coterminous with the area to be rezoned, situated with Thursby Avenue to the north, Beach 66<sup>th</sup> Street to the east, Beach Channel Drive to the south, and Beach 68<sup>th</sup> Street to the west. The project area is comprised of the development site (Block 16040, Lots 12, 14, 16, 18, 20, 22, and 24), as well as one lot not intended to result in development (Block 16041, Lot 6) in the Arverne neighborhood of Queens, Community District 14.

The neighborhood surrounding the project area consists predominantly of one- to three-story single-, two-family, and multifamily residences built between 1920 and 1950. Surrounding uses also include community facilities ranging from two- to eight-stories in height and consist of multiple houses of worship and healthcare facilities. Public School 42, which rises to five stories, is located one block east of the project area. Commercial uses are located half a block south of the project area along Beach Channel Drive and consist predominantly of single-story local retail and dining establishments, as well as one- and two-family homes ranging from one to two stories in height.

The area is well-served by public transportation and is located two blocks from the A train at the Beach 67th Street station, which is planned to be made accessible pursuant to the 2020-2024 Metropolitan Transit Authority Capital Program. It is also served by the Q22, QM17, and Q52-SBS bus routes along with the Rockaway East NYC Ferry Shuttle (RES). The Q22 bus route provides connection between Roxbury and Downtown Far Rockaway, the QM17 bus route provides express service from Downtown Far Rockaway to Midtown Manhattan, and the Q52-SBS bus route provides rapid transit service between Arverne and the Queens Center Mall in Elmhurst. The RES provides connection

between the New York City Ferry terminal at Beach 108<sup>th</sup> Street and the eastern portion of the peninsula via Beach Channel Drive.

The project area was zoned R3-2 with the adoption of the Zoning Resolution in 1961 and later rezoned to an R4A zoning district as part of the 2008 Rockaway Neighborhoods Rezoning (C 080371 ZMQ), which encompassed nearly 280 blocks across the Rockaway Peninsula. The neighborhood rezoning sought to reflect established development patterns in lower-density residential areas and provide for moderate growth opportunities at select locations along major commercial corridors and near transit. R4A is a lower-density residential zoning district that allows a maximum floor area ratio (FAR) of 0.9 for residential uses and 2.0 for community facility uses. The maximum building height in R4A zoning districts is 35 feet. Along Beach Channel Drive, immediately south of the project area is an R5D/C1-2 zoning district that permits a residential FAR of 2.0 and a maximum height of 45 feet with a qualifying ground floor.

On the east side of Beach 67<sup>th</sup> Street, a wide street at 85 feet, the project area is located at the midblock, with approximately 310 feet of frontage along Beach 67<sup>th</sup> Street, and is comprised of seven interior lots (Block 16040, Lots 12, 14, 16, 18, 20, 22, and 24) with an R4A zoning district mapped to the north, south, and east. On the west side of Beach 67<sup>th</sup> Street, the project area consists of a through lot (Block 16041, Lot 6), with approximately 280 feet of frontage along Beach 67<sup>th</sup> Street, with an R4A zoning district mapped to the north and west and an R5D/C1-3 zoning district, mapped along Beach Channel Drive, to the south. The entirety of the project area is located within the one percent annual chance floodplain and has a base flood elevation of nine feet.

The development site includes the seven interior lots on the east side of Beach 67<sup>th</sup> Street (Block 16040, Lots 12, 14, 16, 18, 20, 22 and 24). Lot 12 is vacant, Lot 14 is improved with a three-story residential building built to an FAR of 0.71, Lot 16 is improved with a volunteer-run community garden, Lots 18 through 22 are improved with an approximately 30-space parking lot accessory to the adjacent house of worship, and Lot 24 is improved with a two-story house of worship built to an FAR of 0.23. God's Battalion of Prayer Properties Inc. initially acquired Lot 24 in 1986 and subsequently

acquired Lot 18 in 1996, Lots 12 and 16 in 1999, Lots 20 and 22 in 2006, and, most recently, Lot 14 in 2008.

Block 16041, Lot 6 comprises an area of approximately 56,000 square feet and is the only portion of the project area not included in the development site. It is improved with a 76,692-square-foot nursing home that rises to eight stories and is built to an FAR of 1.37. The nursing home is a legally non-complying building and a long-standing institutional use that was constructed in 1974. Parking for the facility is provided in an accessory parking lot located along Beach Channel Drive in three adjacent tax lots not within the project area.

The proposed actions would facilitate the development of two new buildings on a single rectangular zoning lot within the development site. One would be a nine-story, 58,259-square-foot, 100 percent affordable AIRS building on Lots 18, 20, and 22. The AIRS building would include 84 total units, including 53 studios, 30 one-bedroom apartments, and one two-bedroom that would serve as the superintendent's unit. The AIRS units would be made affordable through HPD's Senior Affordable Rental Apartments program, resulting in units that would serve households with residents who are 62 or older making up to 60 percent of Area Median Income (AMI). The building would also contain a recreational room on the second floor as well as a laundry room and community facility space on the third floor. Nine parking spaces are required and would be provided for the residences, accessed from an existing 24-foot-wide curb cut on Beach 67<sup>th</sup> Street, in an accessory parking lot serving both buildings.

The second building would be an 11-story, 71,996-square-foot charter school on Lots 12, 14, and 16. It would contain 22 classrooms on floors six through 12, as well as a gymnasium, cafeteria, and library that would be provided on the lower floors. Although parking would not be required for the school, six additional parking spaces would be provided in a shared lot with the AIRS building, accessed via the same curb cut on Beach 67<sup>th</sup> Street. Within both buildings, all interior spaces below the base flood elevation of nine feet would be wet flood-proofed in accordance with Appendix G of the NYC Building Code, and habitable spaces would be constructed four feet above the base flood

elevation, beginning approximately 13 feet above ground level. The existing two-story, 7,082-square-foot house of worship on Lot 24 would remain, and 8,000 square feet of unused floor area would be applied to the two new developments on the zoning lot to facilitate an overall proposed FAR of 4.43.

To facilitate the proposed development, the applicants seek a zoning map amendment to change the zoning within the project area from an R4A zoning district to an R6 zoning district. R6 districts are medium-density residential zoning districts that permit a maximum residential FAR of 3.6 when developed with Inclusionary Housing, or 3.9 when developed with AIRS, and a maximum Quality Housing building height of 11 stories (or 115 feet) when developed on an MIH zoning lot. R6 zoning districts also permit a maximum community facility FAR of 4.8. Within Queens Community District 14, R6 zoning districts are subject to the accessory off-street parking regulations of R5 zoning districts, which require parking for 85 percent of dwelling units and 10 percent of AIRS units. Parking is not required for school uses within R5 zoning districts.

The applicants also seek a zoning text amendment to designate the project area as an MIH area, and any new residential development or enlargement would be required to comply with MIH Option 1 or Option 2. MIH Option 1 requires that 25 percent of residential floor area be provided as permanently affordable housing for residents with incomes averaging 60 percent of AMI, with a minimum of 10 percent of residential floor area affordable at 40 percent of AMI. Option 2 requires that 30 percent of residential floor area be provided as affordable for residents with incomes averaging 80 percent of AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 200230 ZMQ), in conjunction with the related application for a zoning text amendment (N 200231 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 designated CEQR number is 21DCP048Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed actions, a Conditional Negative Declaration (CND) was issued on March 1, 2021 noting significant adverse traffic and pedestrian impacts. The requirements of the traffic mitigation are described in the Environmental Assessment Statement and CND. The CND was published in the City Record the New York State Environmental Notice Bulletin. Pursuant to SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., a 30-day comment period followed. No comments were received. As described in the CND, the Applicant will enter into a Restrictive Declaration to ensure the implementation of mitigation measures relating to transportation. Additionally, an (E) designation (E-605) related to hazardous materials, air quality and noise is assigned to sites in the area affected by the proposal, as described in the CND. The City Planning Commission has determined that with the implementation of the mitigation measures identified in the Revised CND, the proposed actions will have no significant effect on the quality of the environment.

### **WATERFRONT REVITALIZATION PROGRAM**

This application (C 200230 ZMQ) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et. Seq.). The designated WRP number is 17-005.

The action was determined to be consistent with the policies of the WRP.

### **UNIFORM LAND USE REVIEW**

This application (C 200230 ZMQ) was certified as complete by the Department of City Planning on March 1, 2021, and duly referred to Queens Community Board 14 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 200231 ZRQ), which was referred for information and review in accordance with the procedures for non-ULURP-matters.

### **Community Board Public Hearing**

Community Board 14 held a public hearing on this application (C 200230 ZMQ) and the related application for a zoning text amendment (N 200231 ZRQ) on May 4, 2021 and on that date, by a vote of 26 in favor, 13 opposed and one abstaining, recommended approval of the application with the following conditions:

“That the board supports the church project regarding the senior housing and the Charter school but opposes granting the up zoning to the nursing home site located at Block- 16041, Lot 6- the board requests that the nursing home site Block 16041 Lot 6- be removed from this application/action. It is our hope that The Queens Borough President Donovan Richards and our Council person Selvena Brooks- Powers support the board in removing the nursing home site from this application/Action.

The community strongly opposed the proposed up zoning of the nursing home site and the possibility of a 10-12 story building be built on that site which would be out of character to the surrounding community which is predominantly 1-2 family homes.”

### **Borough President Recommendation**

The Queens Borough President held a public hearing on the application (C 200230 ZMQ) and the related application for a zoning text amendment (N 200231 ZRQ) on May 20, 2021, and on June 4, 2021, issued a recommendation to approve the application.

### **City Planning Commission Public Hearing**

On May 19, 2021 (Calendar No. 1), the Commission scheduled June 9, 2021, for a public hearing on this application (C 200230 ZMQ) and the related application for a zoning text amendment (N 200230 ZRQ). The hearing was duly held on June 9, 2021 (Calendar No. 7). Three speakers testified in favor of the application and none in opposition.

Speakers testifying in favor of the application included three members of the applicant team. The applicant's primary representative presented an overview of the application and the land use rationale for the proposed zoning district and described the proposed development. He addressed concerns regarding the inclusion of the nursing home within the rezoning area, the development potential as a result of the rezoning, and the land use rationale for including the lot within the rezoning.

A representative for the co-applicant described the proposed programming of the senior housing building and charter school. She also noted the proposed AMI and unit breakdown within the senior building, describing who would be served by the development, and explained the benefits that both buildings would bring to the community.

The project architect described the proposed building, site plan, bulk and façade treatment, and stated that the applicant is amenable to revisiting the design of the exterior façade and landscaping to create a better pedestrian experience along Beach 67<sup>th</sup> Street. He also described circulation within the buildings and the placement of a centralized laundry facility and community space.

The Commission raised concerns about the location of senior housing within the floodplain and the potential need for evacuation of these residents during a storm event. The architect noted that both buildings would incorporate resilient design in order to comply with Appendix G of the Building Code, which would include elevating habitable spaces above the second floor and wet flood-proofing the ground floors.

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

## **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 200230 ZMQ) is appropriate.



The proposed R6 zoning district will facilitate development that reflects the medium density residential and community facility context of the surrounding neighborhood. The proposed AIRS building will bring much-needed affordable housing to the senior population in the Rockaways and will include 83 dwelling units, affordable to residents making up to 60 percent of AMI, as well as interior recreational space. The charter school will serve the peninsula's school-aged children and will include a gymnasium space, cafeteria, and newly constructed classrooms, as well as a 15-space accessory parking lot that will serve the entire development site.

The area is well-served by public transportation. Also, the project area is located along Beach 67<sup>th</sup> Street, a wide street that can accommodate a modest increase in density. Another R6 zoning district is mapped south of the project area, resulting in the development of a mix of single-, two-family, and multifamily housing ranging from two- to 13-stories in height, and the proposed development will be of a similar contextual form.

The Commission notes that the inclusion of the nursing home site within the broader rezoning boundary anchors the proposed R6 district along both sides of Beach 67<sup>th</sup> Street, providing cohesion of allowable densities and uses; and directly connecting it with the R5D/C1-3 district mapped along Beach Channel Drive, the primary east-west corridor. The Commission is pleased that the eight-story nursing home will subsequently be brought into compliance with the Zoning Resolution. Though there are no known plans for redevelopment, any enlargement of the facility for continued use of the nursing home would be limited to 15,000 square feet, pursuant to the recently enacted provisions of Zoning for Coastal Flood Resiliency (N 210095 ZRY). As a compliant building, it could more easily adhere to NYS Department of Health requirements should it be renovated, which would also benefit the current residents.

The Commission notes the importance of planning for climate change and future sea level rise, particularly regarding this application and other applications proposed within the flood zone. In addition to complying with Zoning for Coastal Flood Resiliency regulations and Appendix G of the Building Code, the Commission encourages the

applicant to design both buildings with emergency evacuation protocols in mind, as well as additional flood-protection measures, in order for senior residents and students to be well-protected during storm events.

The Commission finds that the proposed zoning text amendment (N 200231 ZRQ) to Appendix F to establish a new MIH area is appropriate. The amendment to Appendix F will create a new MIH area coterminous with the project area. The MIH text amendment is also aligned with citywide objectives outlined in *Housing New York* to locate affordable housing proximate to public transit. Although the proposed development would not be required to provide MIH units because the residential building would contain 100 percent AIRS units, the proposed text amendment would ensure that any other future residential development within the project area would be required to provide affordable housing pursuant to MIH regulations.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on March 1, 2021 with respect to this application (CEQR No. 21DCP048Q), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, that the City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that it will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; 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 the 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 hereby amended by changing the Zoning Map, Section No. 30c by changing from an R4A District to an R6 District property bounded by a line 540 feet northerly of Beach Channel Drive, a line

midway between Beach 66th Street and Beach 67th Street, a line 230 feet northerly of Beach Channel Drive, Beach 67th Street, a line 100 feet northerly of Beach Channel Drive, Beach 68th Street, a line 380 feet northerly of Beach Channel Drive, and Beach 67th Street,

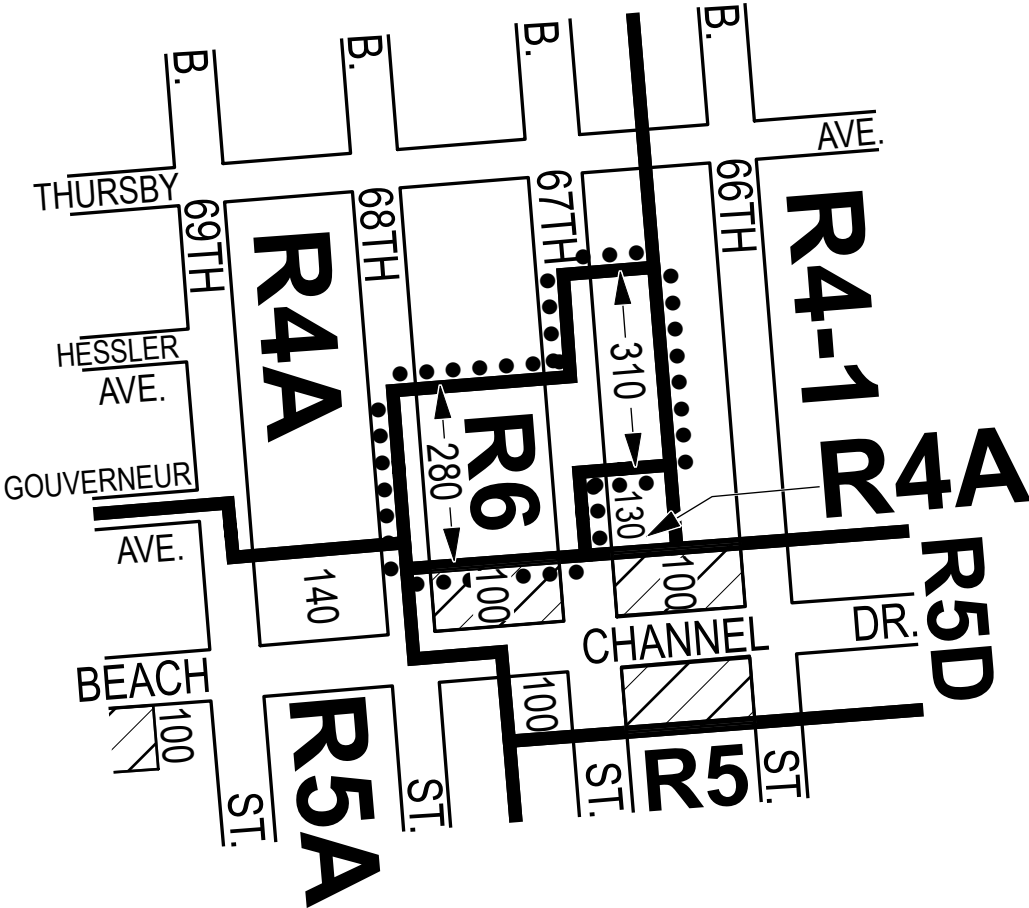
Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-605.

The above resolution (C 200230 ZMQ), duly adopted by the City Planning Commission on July 14, 2021 (Calendar No. 24) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

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

**ALFRED C. CERULLO, III, JOSEPH I. DOUEK, RICHARD W. EADDY,  
HOPE KNIGHT, LARISA ORTIZ, RAJ RAMPERSHAD** *Commissioners*

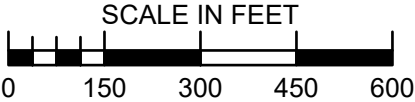


CITY PLANNING COMMISSION  
CITY OF NEW YORK  
DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
ON SECTIONAL MAP  
**30c**  
BOROUGH OF  
**QUEENS**



New York, Certification Date:  
March 1, 2021

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 R4A District to an R6 District.
- Indicates a C1-3 District



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> Beach 67th Street Rezoning			
<b>Applicant:</b>	Brisa Evergreen LLC	<b>Applicant's Primary Contact:</b>	Al Cockfield
<b>Application #</b>	C200230ZMQ	<b>Borough:</b>	
<b>CEQR Number:</b>	21DCP084Q	<b>Validated Community Districts:</b>	Q14

**Docket Description:**

IN THE MATTER OF an application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 30c, by changing from an R4A District to an R6 District property bounded by a line 540 feet northerly of Beach Channel Drive, a line midway between Beach 66th Street and Beach 67th Street, a line 230 feet northerly of Beach Channel Drive, Beach 67th Street, a line 100 feet northerly of Beach Channel Drive, Beach 68th Street, a line 380 feet northerly of Beach Channel Drive, and Beach 67th Street, as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-605.

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

**RECOMMENDATION: Conditional Favorable**

<b># In Favor:</b> 26	<b># Against:</b> 13	<b># Abstaining:</b> 1	<b>Total members appointed to the board:</b> 50
<b>Date of Vote:</b> 5/4/2021 12:00 AM		<b>Vote Location:</b> zoom	

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

**Date of Public Hearing:** 5/4/2021 7:00 PM

**Was a quorum present?** Yes

*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*

**Public Hearing Location:**

Zoom meeting

**CONSIDERATION:** On May 4, 2021 via zoom with a quorum present and no persons signed in for public comment voted in favor 26-yes 13-no 1 abs for the following motion:

That the board supports the church project regarding the senior housing and the Charter school but opposes granting the up zoning to the nursing home site located at Block-16041, Lot 6- the board requests that the nursing home site Block 16041 Lot 6- be removed from this application/action. It is our hope that The Queens Borough President Donovan Richards and our Council person Selvena Brooks- Powers support the board in removing the nursing home site from this application/Action.

The community strongly opposed the proposed up zoning of the nursing home site and the possibility of a 10-12 story building be built on that site which would be out of character to the surrounding community which is predominantly 1-2 family homes

Recommendation submitted by	QN CB14	Date: 5/5/2021 2:02 PM
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# Queens Borough President Recommendation

**APPLICATION: ULURP #200230 ZMQ**

**COMMUNITY BOARD: Q14**

**DOCKET DESCRIPTION**

**IN THE MATTER OF** an application submitted by Brisa Builders Development LLC and God's Battalion of Prayer Properties, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 30c, by changing from an R4A District to an R6 District property bounded by a line 540 feet northerly of Beach Channel Drive, a line midway between Beach 66<sup>th</sup> Street and Beach 67<sup>th</sup> Street, a line 230 feet northerly of Beach Channel Drive, Beach 67<sup>th</sup> Street, a line 100 feet northerly of Beach Channel Drive, Beach 68<sup>th</sup> Street, a line 380 feet northerly of Beach Channel Drive, and Beach 67<sup>th</sup> Street, Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated March 1, 2021, and subject to the conditions of CEQR Declaration E-605 (Related ULURP #N200231 ZRQ)

**PUBLIC HEARING**

A remote Public Hearing was held via Zoom webinar and livestreamed on the Queens Borough President's website on Thursday, May 20, 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:

- Brisa Builders Development LLC (the "Applicant") and God's Battalion of Prayer Properties, Inc. (the "Co-Applicant") seek a zoning map amendment to rezone 450, 444, 442, 438, 432, 430 and 426 Beach 67<sup>th</sup> Street (Block 16040, Lots 12, 14, 16, 18, 20, 22 and 24) and 430 Beach 68<sup>th</sup> Street (Block 16041, Lot 6) (the "Area to be Rezoned"), located in the Arverne neighborhood of Queens Community District 14 on the Rockaway Peninsula, from an R4A District to an R6 District;
- The applicants have also filed an application for a zoning text amendment to amend NYC Zoning Resolution Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 14, to establish and map the area to be rezoned as a Mandatory Inclusionary Housing ("MIH") Designated Area. The applicants propose mapping MIH Options 1 and 2 over the area to be rezoned to provide maximum flexibility for provided affordable housing;
- The proposed zoning map amendment would facilitate development of two new buildings on midblock property owned by the applicant on the east side of Beach 67<sup>th</sup> Street between Thursby Avenue and Beach Channel Drive. The first building would be a 9-story, 84 unit Affordable Independent Residence for Seniors (AIRS) building financed using NYC HPD SARA subsidy and State Tax Credits. The nonprofit organization, HANAC, based in Queens would provide services for the senior residents (aged 62 and over). The approximately 58,259 SF (1.88 FAR), AIRS building would be constructed on Block 16040 Lots 18, 20, and 22. A second approximately 71,996 SF (2.32 FAR), eleven-story building would be constructed on Block 16040 Lots 12, 14 and 16 and used for a proposed charter school (Use Group 3 community facility). The existing Battalion Pentecostal Assembly Church, located on Block 16040 Lot 24, is a two-story, 7,082-SF (0.23 FAR) house of worship/community center would remain on the site. There would be 15 parking spaces split between these uses;
- Another property to be rezoned is an existing eight-story nursing home located at 430 Beach 68<sup>th</sup> Street (Block 16041, Lot 6) on a 56,000 SF lot is not under the control of the applicant. There are no development plans for this midblock site located across the street from the applicant's development site. This property was included in the rezoning application at the request of the Department of City Planning. The nursing home is out of compliance with the existing R4A District the proposed rezoning to a R6 District would largely bring the building into compliance;
- The proposed development site is owned by God's Battalion of Prayer Properties, Inc and is developed with a two-story church, three-story and two-family residential buildings, a community garden, 34 open parking spaces that is also used as recreational space, and vacant lots. The Proposed Development Site includes 450, 444, 442, 438, 432, 430 and 426 Beach 67<sup>th</sup> Street, Block 16040, Lots 12, 14, 16, 18, 20, 22 and 24 (all of which are contemplated to be a single zoning lot). The Proposed Development Site is comprised of interior lots, with Lot 12 located approximately 230 feet north of the corner of the intersection formed by Beach 67<sup>th</sup> Street and Beach Channel Drive and Lot 24 located approximately 240 feet south of the corner of the intersection formed by Beach 67<sup>th</sup> Street and Thursby Avenue. The Proposed Development Site has a lot width of 310 feet, a depth of 100 feet and a total lot area of 31,000 square feet;

- The surrounding area is mostly developed with one- & two-family homes, with multi-family walk-up buildings interspersed. The area also has small commercial buildings along Beach Channel Drive. While the new 11-story charter school would be the tallest building in the immediate neighborhood, there are a few 5- and 6-story buildings in the area. These buildings are occupied by two nursing homes, a senior housing building, a school, and a shelter;
- During the Community Board 14 (CB 14) Land Use Committee meeting several concerns and issues were raised. One of the main concerns raised was the rezoning of the Resort Nursing Home site, located across Beach 67<sup>th</sup> Street from the applicant's property from R4A to R6. The concern raised was that the 56,000 SF lot could be redeveloped under the R6 District provisions. Other concerns discussed included: safety, the height of the proposed buildings, amount of parking, request for community space, request for more than one laundry room in building, mosquito relief for area, flooding & sewer concerns, a guarantee that the school will be built, charter school concerns, and sewer system integrity. The developers were able to address these issues in ways that the board found mostly satisfactory, although the lack of parking was a concern that the committee was still unhappy about. The entire project has 15 parking spaces to be shared between the church, senior housing, and school. While within legal guidelines, the board felt this was far too few parking spots. The Community Board 14 Land Use Committee decided to vote against supporting the project, largely due to the inclusion of the nursing home and what they felt was insufficient community outreach;
- Community Board 14 (CB 14) conditionally approved this application by a vote of twenty-six (26) in favor, thirteen (13) against and one (1) abstention at the monthly meeting held on May 4, 2021. Discussion during the meeting were centered on concerns about the inclusion of the nursing home site in the rezoning application. There was some mention about the number of parking spaces provided and that many recent projects have far too few parking spaces. Some members spoke in favor of the project, citing the church's work and respected standing in the community. CB 14 members noted that they felt the nursing home rezoning was unrelated to the church project. CB 14's condition was as follows:
  - The application should be limited to the property owned by the church and that the nursing home site should be removed from the application;
- During the Queens Borough President's Land Use Public Hearing, Borough President Richards stated his commitment to local hiring and MWBE participation in all new construction projects and asked the applicants about their plan for this project. On behalf of the applicants, Brisa Builders Development LLC a MWBE company stated they are committed to building affordable housing and local hiring and have done so on other projects in New York City. Working with a local organization they were committed to hiring at a minimum 25% of workers and subcontractors on the project from the local community. The Borough President requested that commitment in writing which was received (see attached). Borough President Richards also brought up the street median which blocks larger vehicles from entering the site and that it should be cut to allow better access to the site. The applicants responded that there have been ongoing conversations with the Department of Transportation about opening up portions of the median. The applicants also stated that rezoning the nursing home site would bring the existing building into better compliance and that there is limited opportunity for any expansion of the nursing home. The Department of City Planning stated that the purpose of including the nursing home site was to bring the existing building into compliance.

**RECOMMENDATION**

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

- The applicant has committed to 25% of local hiring and participation of local subcontractors in writing. Attainment of a 30% goal would be closer to my longstanding commitment to community participation in development of their communities. As mobilization for construction begins, there should be regular reporting to the Office of the Borough President on the progress of meeting these local hiring goals;
- Hiring for this project should include local job fairs and other outreach conducted with the assistance of community based organizations.



PRESIDENT, BOROUGH OF QUEENS

June 4, 2021

DATE