



**IN THE MATTER OF** an application submitted by 18517 Hillside 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 Article XI, Chapter 5 (Special Downtown Jamaica District) and related Sections, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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This application for a zoning text amendment was filed by 18517 Hillside LLC on November 27, 2020, in conjunction with an application for a zoning map amendment. The proposed actions would facilitate the development of a nine-story mixed-use building with residential and commercial uses located at 185-17 Hillside Avenue in the Jamaica Estates neighborhood of Queens, Community District 8.

### **RELATED ACTION**

In addition to the zoning text amendment (N 210193 ZRQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

**C 210192 ZMQ**      Zoning map amendment to change R3X and R6A/C2-4/ DJ zoning districts to an R7A/C2-4/DJ zoning district.

### **BACKGROUND**

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 210192 ZMQ).

### **ENVIRONMENTAL REVIEW**

This application (N 210193 ZRQ), in conjunction with the application for the related action (C 210192 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 lead is the CPC. The designated CEQR number is 20DCP075Q.

A summary of the environmental review appears in the report for the related zoning map amendment (C 210192 ZMQ).

## **PUBLIC REVIEW**

On May 3, 2020, this application (N 210193 ZRQ) was duly referred to Queens Community Board 8 and the Queens Borough President in accordance with the procedures for non-ULURP matters, along with the related application for a zoning map amendment (C 210192 ZMQ), which was certified as complete by the Department of City Planning on that day 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**

Queens Community Board 8 held a public hearing on this application (N 210193 ZRQ) and the related application for a zoning map amendment (C 210192 ZMQ) on September 14, 2021, and, on that date, by a vote of 14 in favor, 32 opposed, and none abstaining, adopted a resolution recommending disapproval of the application.

### **Borough President Recommendation**

The Queens Borough President held a public hearing on this application (N 210193 ZRQ) and the related application for a zoning map amendment (C 210192 ZMQ) on July 1, 2021, and on August 9, 2021, issued a recommendation to approve the application with conditions. A summary of the recommendation and conditions appears in the report for the related zoning map amendment.

## City Planning Commission Public Hearing

On July 28, 2021 (Calendar No. 24), the CPC scheduled August 18, 2021, for a public hearing on this application (N 210193 ZRQ) and the related application for a zoning map amendment (C 210192 ZMQ). The hearing was duly held on August 18, 2021 (Calendar No. 51). One speaker testified in favor of the application and none in opposition, as described in the report for the related zoning map amendment, and the hearing was closed.

## CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 210193 ZRQ), in conjunction with the related application for a zoning map amendment (C 210192 ZMQ), 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 210192 ZMQ).

## RESOLUTION

**RESOLVED**, that 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 200 of the New York City Charter, that based on the environmental determination and consideration described in the related report for a zoning map amendment (C 210192 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.

\* \* \*

**ARTICLE XI  
SPECIAL PURPOSE DISTRICTS**

**CHAPTER 5  
SPECIAL DOWNTOWN JAMAICA DISTRICT**

\* \* \*

**115-20  
SPECIAL BULK REGULATIONS**

**115-21  
Floor Area Ratio, Open Space and Lot Coverage**

\* \* \*

- (b) Maximum #floor area ratio# for #zoning lots# containing #residential uses#

The maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed the #floor area ratio# set forth in Section 115-211 (Special regulations for Inclusionary Housing designated areas regulations) or Section 115-212 (Special regulations for Mandatory Inclusionary Housing Area), as applicable, for the ~~applicable~~ district.

\* \* \*

**115-211  
Special ~~Inclusionary Housing~~ regulations for Inclusionary Housing designated areas**

- (a) Applicability

Locations in R7A, R7X, C4-4A, C4-5X, C6-2, C6-3 and C6-4 Districts designated on APPENDIX F of this Resolution within the #Special Downtown Jamaica District# shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified, within the Special District.

\* \* \*

**115-212  
Special regulations for Mandatory Inclusionary Housing areas**

- (a) Applicability

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special Downtown Jamaica District# are shown on the maps in APPENDIX F of this Resolution.

(b) Height and setback

The height and setback regulations of Sections 23-952 (Height and setback for Mandatory Inclusionary Housing areas) and 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall be modified by the special height and setback regulations of Section 115-23, inclusive.

\* \* \*

**115-50**

**SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS**

**115-51**

**Parking and Loading Regulations**

Within the #Special Downtown Jamaica District#, the underlying off-street parking and loading regulations shall be modified, as follows:

(a) #Commercial# and #manufacturing uses

#In C4, C6 and M1 Districts, the off-street parking and loading regulations of a C4-4 District shall apply, except as modified in this Section.

\* \* \*

(4) Modification of Waiver of Parking Requirements

\* \* \*

- (iii) The provisions of Sections 36-342 (Reduced requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) and 36-344 (Waiver of requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) shall not apply in the #Special Downtown Jamaica District#.

(b) #Residential uses#

\* \* \*

- (2) The required #accessory# off-street parking space regulations of the underlying districts in the #Special Downtown Jamaica District# shall be modified as follows: The regulations set forth for an R6A District in Section 25-20 shall apply. The regulations set forth for an R6 District in Sections 25-50 (RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES), inclusive, and 25-60 (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES), inclusive, shall apply except as modified in paragraphs (b)(3) and (b)(4) of this Section.

- (3) In all #Residence Districts#, the provisions of Section 25-26 (Waiver of Requirements for Small Number of Spaces) are modified, as follows:
- (i) The provisions of Section 25-26 shall only apply to #zoning lots# existing both on September 10, 2007, and on the date of application for a building permit.
  - (ii) For all #developments# or #enlargements# containing #residences#, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be five spaces.

\* \* \*

(c) #MIH sites#

For #residential uses# on #MIH sites#, the provisions of paragraphs (a)(4), (b)(2) and (b)(3) of this Section shall not apply. In lieu thereof, the underlying off-street parking provisions shall apply.

\* \* \*

**Article XI – Special Purpose Districts**

\* \* \*

**Chapter 5  
Special Downtown Jamaica District**

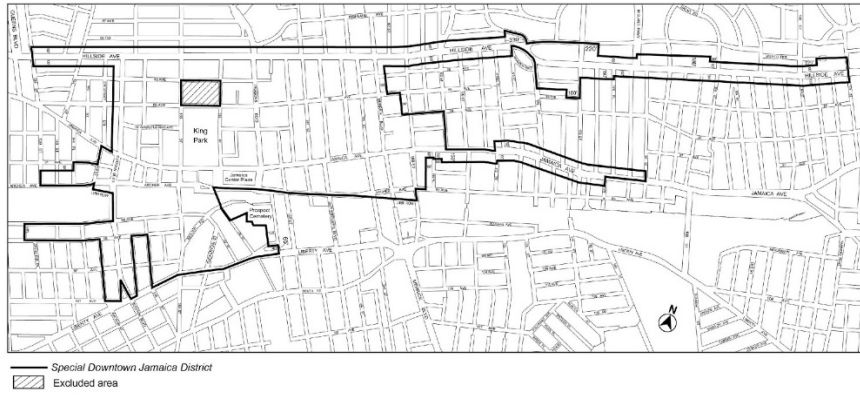
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**APPENDIX A  
Special Downtown Jamaica District Maps**

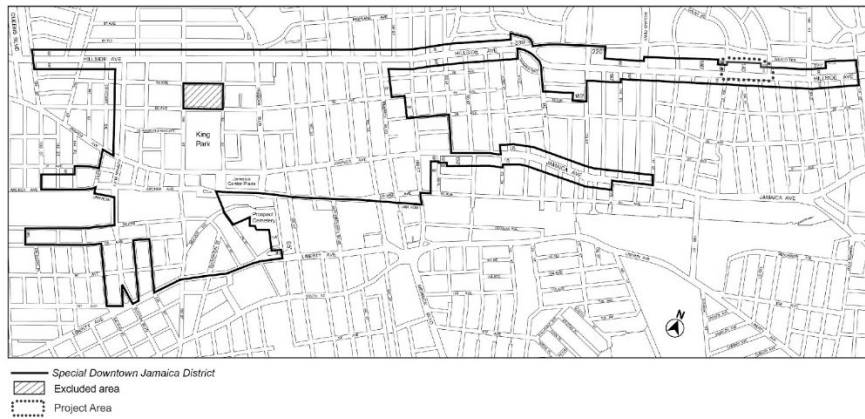
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Map 1 – Special Downtown Jamaica District

[EXISTING]



[PROPOSED]



\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**Queens**

\* \* \*

## Queens Community District 8

\* \* \*

Map 2– [date of adoption]



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

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

Portion of Community District 8, Queens

\* \* \*

The above resolution (N 210193 ZRQ), duly adopted by the City Planning Commission on October 6, 2021 (Calendar No. 14), 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, ALFRED C. CERULLO, III, JOSEPH I. DOUEK,**

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

**ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, Commissioners**





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> 185-17 Hillside Avenue Rezoning	
<b>Applicant:</b> 185-17/19 Hillside Ave. LLC.	<b>Applicant's Primary Contact:</b> David Rosenberg
<b>Application #</b> 210193ZRQ	<b>Borough:</b>
<b>CEQR Number:</b> 20DCP075Q	<b>Validated Community Districts:</b> Q08

**Docket Description:**

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

<b>RECOMMENDATION: Unfavorable</b>			
<b># In Favor:</b> 2	<b># Against:</b> 32	<b># Abstaining:</b> 0	<b>Total members appointed to the board:</b> 50
<b>Date of Vote:</b> 9/14/2021 12:00 AM		<b>Vote Location:</b> Virtual - Webex	

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

<b>Date of Public Hearing:</b> 9/14/2021 7:30 PM	
<b>Was a quorum present?</b> 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>
<b>Public Hearing Location:</b>	Virtual

**CONSIDERATION:** Community Board 8's members cited concerns with the infrastructure, lack of parking in this area and not enough affordable housing for the project.

Recommendation submitted by	QN CB8	Date: 9/23/2021 3:37 PM
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# Queens Borough President Recommendation

APPLICATION: ULURP # #N210193 ZRQ

COMMUNITY BOARD: Q08

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by 18517 Hillside LLC pursuant to Section 201 of the New York City Charter for an amendment of the New York City Zoning Resolution modifying Appendix F for the purposes of establishing and mapping a Mandatory Inclusionary Housing area. (Related ULURP #210192 ZMQ)

## PUBLIC HEARING

A Hybrid Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard and livestreamed on [www.queensbp.org](http://www.queensbp.org) on July 1, 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 was filed proposing zoning text amendments that would amend Appendix F to map and establish the area to be rezoned as a Mandatory Inclusionary Housing Area, and extend to boundary of the Special Downtown Jamaica District to include the rezoning area to be rezoned. The Special Downtown Jamaica District was designed to enhance the neighborhoods proximity to multimodal transportation, focus development along major streets and transportation corridors. Among those provisions is a transition rule limiting building heights where higher density areas abut lower density areas with smaller buildings;
- The applicant has filed an application (ULURP #210192 ZMQ) that proposes to rezone the northside blockfront of Hillside Avenue between Dalny Road and Chelsea Street from an R3X and R6A/C2-4 District to an R7A/C2-4 District. The affected properties include Block 9954, Lots p/o 1, p/o 70/ p/o 66, p/o 56 and p/o 49;
- The proposed rezoning to R7A/C2-4 only covers parts of the affected lots because these lots range in depth from 100 Feet to 160 Feet with frontage on Hillside Avenue. The proposed rezoning would cover the majority of these lots. The remaining smaller portions of those lots would remain in an R3X District. The area to be rezoned abuts Jamaica Estates to the north which is developed with single-family homes on large lots. The existing and proposed zoning districts are contextual zoning districts which are meant limit building heights in relation to the surrounding neighborhood;
- The applicant owns 185-17 Hillside Avenue (Block 9954, Lot 56) and is proposing to build a nine-story building with 48 apartments (including 12 affordable units - MIH Option 1 25% units @ 60% AMI) above 4423 SF of ground floor retail space. Parking for 27 vehicles (18 required) and 24 bicycles would be provided in the rear yard with access from Hillside Avenue. The site was formerly used as a veterinary hospital that has been closed for many years;
- Hillside Avenue is a major thoroughfare developed with a mix of commercial, retail and residential buildings. Of the five lots to be rezoned two are already developed with six-story apartment buildings at 185-01 Hillside Avenue (Block 9954, Lot 56) and 87-46 Chelsea Street (Block 9954, Lot 49) located on either side of the applicant's property. The proposed rezoning would bring these building into compliance. The two other properties on the block 184-01 Hillside Avenue (Block 9954, Lot 1) and 184-17 Hillside Avenue (Block 9954, Lot 70) are respectively developed with a one-story bank and laundromat. The areas north and south of Hillside Avenue are predominantly developed with single-family housing;
- Community Board 8 has not yet taken a position on this application. We have been informed that CB 8 will be considering this application and provide input this September.

## RECOMMENDATION

The applicant's proposed residential development would be built between two existing 6-story residential buildings on Hillside Avenue. The inclusion of the rezoning area in the Special Downtown Jamaica District would require new development to transition down to the shorter buildings in the lower density districts as required in the special district.

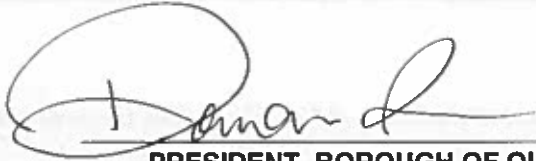
**QUEENS BOROUGH PRESIDENT RECOMMENDATION**

**ULURP #210193 ZRQ**

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

- There should be a minimum goal of 30% for local hiring and use of MWBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% goal has been reached;
- As discussed during the public hearing, there should be meeting space provided in the building where the tenants could gather or hold meetings as needed.



**PRESIDENT, BOROUGH OF QUEENS**

8/19/2021

**DATE**