



The City of New York
Borough of Queens

Community Board 8

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Chairperson, Martha Taylor

District Manager, Marie Adam-Ovide

- Zoning Committee Meeting: The City of Yes for Housing Opportunity – Proposal Overview
- DATE: June 20, 2024
- Committee Members Present: Chairperson Martha Taylor, Zoning Committee Chair Hersh Parekh, Edward Chung, and Kevin Forrestal
- Committee Members Absent: Maria DeInnocentiis, Howard A. Fried, David Mordukhaev, Tobias Paris, Deepti Sharma, Jesse Rosenbaum, Seymour Schwartz, Douglas Sherman,
- Others in attendance: Scott Solomon representing Department of City Planning, CB8 Members James Gallagher and Israel Peskowitz, Joan King, Yolanda Gallagher, District Manager Marie Adam-Ovide, CB8 Staff Member Soleil Griffin

Zoning Chairperson Hersh Parekh called the committee meeting to order at 7:30 p.m.

Chairperson Parekh welcomed Scott Solomon and asked him to begin the presentation for N240290ZRY - the City of Yes Housing Opportunity.

Scott Solomon, Senior Borough Planner, Department of City Planning – Queens Borough (slideshow presentation)

This is a detailed presentation of the City of Yes Housing Opportunity Text Amendment Zoning Resolution. This text amendment would enable incremental housing production across the citywide geography.

Presentation:

An Environmental Impact Statement (EIS) for the text amendment is intended to provide an estimate of the amount, type, approximate location, and overall massing/form of future development and identify the range of impacts that may occur. When the hearing occurs at city planning commission in July, it serves as the final hearing of the EIS.

The draft EIS identifies no potential impacts in the following areas:

- 1. Waste and sewer infrastructure.
- 2. Solid waste and sanitation.
- 3. Energy.
- 4. Air quality.
- 5. Public health.
- 6. Neighborhood character and others.

There was potential adverse impact that were also identified:

- 1. Early childhood programs and schools.
- 2. Open space.
- 3. Traffic and transit
- 4. Pedestrian impacts.

The draft EIS estimates a citywide housing unit increment range of 58,200 to 108,900 units – on the high end of units – for the next 15-years. This is less than 1 unit per acre over 15 years. Some areas will see an increase of 2.5 units per acre.

The Neighborhood Tabulation Areas (NTA) would change areas such as Pomonok, Electchester, Hillcrest, Fresh Meadows and Utopia to see between 1 and 2 incremental units per acre over the next 15 years. Kew Gardens Hills, Jamaica Hills, Briarwood would see between 0.5 and 1 incremental unit per acre over the next 15 years. Jamaica Estates and Holliswood would see between 0 and 0.5 incremental unit per acre over the next 15 years.

The EIS also has a midpoint incremental housing unit figure that identifies a range that the incremental housing unit may fall within. For example, Pomonok, Electchester, and Hillcrest can range between 700 and 1200 units. Fresh Meadows and Utopia can range between 380 and 700 units. Kew Gardens Hills, Jamaica Hill, and Briarwood can range between 180 and 300 units. Jamaica Estates and Holliswood can range between 0 and 180 units.

The vacancy rate for Queens rental apartments is historically low with a rate of 1.41%. Our housing demand is greater than the housing supply which leads to high housing cost. The proposal intends to facilitate permanent housing supply. It does not propose any changes to the shelter system.

Since the establishment of the 1961 zoning resolution, housing production has fallen dramatically while the demand for housing has increased. For instance, households are smaller today than it used to be. Even the same amount of people take up more space.

Martha Taylor:

Is it true that household sizes have decreased? I know communities that have a lot of kids.

Answer [Scott Solomon]: Yes. The number has gone down since the time of two parents with 2.5 children. There might be the same amount or more people, but they take up more space.

In CB8, there are 138 completed net housing units. Between 2010 and 2013 there was 2,048 units. The population of CB8 increased by 17,000 units. The Department of City Planning is responsible for the city’s rezoning. Changing the city’s zoning can increase the number and types of homes that are available across the city. It establishes what can be built.

CB8 has three proposals:

1. Low-density proposal
2. Medium- and high-density proposal
3. Parking proposal

Low-density proposal

- Town center zoning – relegalizing housing above businesses on commercial streets in low-density areas.
 - New buildings would have 2 - 4 stories of residential above a commercial ground floor, mirroring existing buildings.
 - The proposal would streamline zoning rules and less restrictive limits on Floor Area Ratio (FAR) and height to allow for 2 - 4 stories of residential above a commercial ground floor.
- Transit-oriented development – would allow low rise buildings, between 3 and 5 stories, on sites that are near transit. It will have an FAR between 1 and 2.0 and allow for buildings between 35 feet and 55 feet maximum building height.
 - The site must be on a block that is 2.5 miles of a subway or rail station.
 - The lot must be over 5,000 square feet.
 - It must be located on the short end of the block or facing a street over 75 feet wide.
- Helps homeowners - allow 1 or 2 family homes to add a small accessory dwelling unit (ADU). These can include backyard cottages, garage conversions and basement apartments.
 - To ensure ADUs are safe, they would not be allowed in the coastal flood plain, and areas with the flood risks.

- ADUs would be subject to additional regulations such as building code, housing and maintenance code to ensure the safety and quality of living spaces. One ADU would be allowed per 1 or 2 family home. They would be limited to 800 square feet and zoning rules will be flexible to enable a range of ADUs.
 - ADUs would be required to be 5 feet from the lot line and 10 feet from any other building.
 - Detached ADUs would be allowed to be 2 stories.
 - 1 family district will continue to allow 1 family homes and 2 family districts will allow for 2 family homes if they do not meet the criteria of the other provisions.

Medium- and high-density proposal

- Universal Affordability Preference (UAP) – would allow apartment buildings to be at least 20% larger so long as that extra space is occupied for permanent affordable housing.
 - Most zoning districts allow affordable senior housing to be about 20% bigger than other buildings, the UAP would expand this framework to all forms of affordable and supportive housing.
 - UAP will have an affordability requirement of 60% Area Median Income (AMI), which is established by the federal government and income averaging.
- Updated to Mandatory Inclusionary Housing (MIH) – would allow MIH option 3 to be a standalone option.
 - Would streamline rules for 100% affordable projects by facilitating affordable homeownership and reducing conflicts with term sheets and subsidy programs.
- End parking mandates – would make parking optional in new buildings.
 - Parking will still be allowed, and developers can add what is appropriate at their location.
 - By eliminating parking mandates, it would allow developers to provide more urgently needed homes near transit.

In addition to lifting residential parking mandates, the City of Yes Housing Opportunity would:

- Lift parking mandates for houses of worship, community facilities with sleeping accommodations, and non-residential portions of some mixed-used developments.
- Require a CPC authorization to remove existing parking, except for 1 & 2 family homes.
- Simplify floor area exemptions related to parking spaces.
- Allow public use of accessory parking to residential buildings.
- Clean up the MN Core regulations.

The City of Yes Housing Opportunity would not:

- Change on-street parking regulations.
- Change off-street parking regulations for purely commercial or industrial buildings.
- Impose new parking maximums or restrictions on the amount of parking that can be built.
- Automatically remove existing parking.
- Force anyone to build no parking.

Chairperson Parekh

Can I have a motion to accept the application for N240290ZRY - the City of Yes Housing Opportunity?

Kevin Forrestal made a motion to approve N240290ZRY, seconded by Martha Taylor.

Chairperson Parekh opened the floor to questions from the board members.

Israel Peskowitz

Why are you pretending that cars do not exist?

Answer [Scott Solomon]: The proposal does not claim that parking needs do not exist. It provides a market demand driven proposal for providing parking. We believe the developer knows best about the property than the city itself with a one size fits all parking requirements.

Martha Taylor

For a 1 or 2 family house, the developer is going to build a property for a specific family. This will dictate the amount of parking. How does it apply?

Answer [Scott Solomon]: There are physical constraints for a 1 or 2 family home. A family home that is dependent on cars is more likely to move into a single-family home in which you will still be able to provide that parking. There are single two-family districts that already require them and can not be removed.

Hersh Parekh

Are there going to be areas that have newly developed 2 to 5 story buildings but there are no parking requirements for those buildings?

Answer [Scott Solomon]: Yes.

Hersh Parekh

Will this be regardless of if you are within a half mile of a transit center?

Answer [Scott Solomon]: It is not mandating a set amount of parking spaces.

Hersh Parekh

A developer can build a 3 to 5 story building in which they have more housing than parking since they can make more money with house even if they are not near a transit center. This will lead to people competing for on street parking.

Answer [Scott Solomon]: The goal of the proposal is to have more space for housing where parking demand is less.

Martha Taylor

Who determines what the demand is for parking?

Answer [Scott Solomon]: The market would determine the demand.

Hersh Parekh

Did you speak with potential developers of residential housing who told you that they would still like to build/include parking on houses that are not required?

Answer [Scott Solomon]: Yes. We had a large project in Willets Point where parking requirements were waived. The developers acknowledged that there is a demand for parking even though it is near transit.

Martha Taylor

Is that the norm or is that an unusual situation that we will not find much of?

Answer [Scott Solomon]: There are thousands of examples of parking in the city that are not required.

Edward Chung

It is a nightmare to find parking in Flushing. I see there being no cars in NYC.

Answer [Scott Solomon]: These are the comments that we want to hear. This is not a final proposal. For instance, we heard the communities concerns about the City of Yes Economic Opportunity and removed some portions of the proposal.

Martha Taylor

What has been removed from the economic portion?

Answer [Scott Solomon]: The corner store proposal has been removed, to enable campus to add commercial space has been changed to have a special permit, the home occupation has been capped at 1,000 square feet.

Martha Taylor

Are the home occupations limited to specific occupations?

Answer [Scott Solomon]: Currently, it only lists about 8 or 9 specific occupations.

Martha Taylor

Anybody can put any kind of business in their house?

Answer [Scott Solomon]: There are very limited uses that are not going to be allowed. You are allowed 1 other employee.

Martha Taylor

There will be an increase in traffic if you can allow any kind of business to operate in a house.

Answer [Scott Solomon]: It is not any kind of business. You can not sell things that you do not make on site. The nuisance rules were retained.

Martha Taylor

What are you going to do when someone is in a basement or attic and cannot get out?

Answer [Scott Solomon]: The building code has access rules.

Martha Taylor

DOB does not enforce anything unless someone complains.

Answer [Scott Solomon]: Yes. That is consistent with the conditions from the CBs. City Planning does not provide enforcement.

Edward Chung

How is the city going to handle the infrastructure – sewerage system, water, and electricity?

Answer [Scott Solomon]: This is spread citywide, when you analyze each neighborhood, it shows that it has no impact on the sewage and water system. SCA, DOE and DCP would have to work together to mitigate any concerns regarding families who choose to move into the city.

Hersh Parekh

From 2010 to 2023, this district added a little over 2,000 units of housing. Under this proposal over the next 15 years, this district could add up to 2,500 units of housing. The proposal is not adding more housing that has been added in the past. That’s probably why the impacts on sewer, water and energy are not significant.

The proposal is reducing the amount of green/open space in the community, though it may be limited to that private home. What is the plan to mitigate those impacts?

Answer [Scott Solomon]: The Department of Park and Recreation would provide mitigation for green/open space. Open space is about publicly access space.

Marie Adam-Ovide

What will guarantee that the ADUs will be for multigenerational housing? What do you categorize as a large lot?

Answer [Scott Solomon]: New homeowner will use the income that can be generated from the ADUs to be eligible for mortgages that they would not have gotten. It allows younger families to move in, not just multigenerational. There is no requirement to have a multigenerational.

The large lot is relative. There is a zoning envelop rules that restrict the size of the home. The same requirement would apply to the ADU. There will be distance from the lot line, 800 square feet detached garage. Since the lot size is relative, I am unable to give a number.

Marie Adam-Ovide

What is a large lot for an R2A zone or a large lot in a R1-2 zone? Large enough that it can have an ADU.

Answer [Scott Solomon]: It depends.

Marie Adam-Ovide

How much empty space do you need?

Answer [Scott Solomon]: You cannot exceed the floor area.

Marie Adam-Ovide

An ADU is possible, but it depends on where within the lot?

Answer [Scott Solomon]: Yes.

Marie Adam-Ovide

Where would parking not be needed in CB8?

Answer [Scott Solomon]: The city does not know best when it comes to parking, thus, we are differing it to the developers. Parking will not be mandated based on a one size fits all. It will be dictated by market demand.

Kevin Forrestal

When it comes to the schools, the agencies need to have a plan. Does mitigation have to concur with the development?

Answer [Scott Solomon]: We provide mitigation through the FEIS. The agencies would have to provide what the mitigation would be. The incremental housing is important.

Marie Adam-Ovide

While the proposal brings more family friendly units to address housing supply, keep in mind the need for more schools. We are supposed to also reduce class sizes.

Answer [Scott Solomon]: The hearing for the CPC is not just for the land use application it is also for the EIS. If the EIS does not address the need for school seats, open space or transportation requirements that can also be a comment to the EIS. If you are fine with certain provisions, and it does not impact those three, there could be conditions.

Scott Solomon

The environmental review is based on estimates that provide a framework. It is not citywide; it is based on the neighborhood.

Hersh Parekh

The key issues that came up from this meeting is parking, ADUs (the basement, upper story, and backyard), possible loss of open space.

Kevin Forrestal

There's a concern of large lots that can be converted into an apartment building and what we do not know.

James Gallager

The proposal is trying to take away the special preservation districts in Fresh Meadows.

Answer [Scott Solomon]: The preservation districts requirements for special permits are unchanged.

Martha Taylor

What is the city doing when it comes to landlords that have apartments and no one is living in them?

Answer [Scott Solomon]: City planning does not regulate the rents of a property nor requires them. NYC has historically low vacancy rates.

Chairperson Parekh requested that committee vote on proposal N240290ZRY - the City of Yes Housing Opportunity, since the motion was made.

In favor: None

Against: Hersh Parekh, Edward Chung, Kevin Forrestal, and Martha Taylor.

Abstention: None

Vote: Unanimous against

CB8 member James Gallager and Israel Peskowitz also expressed opposition to this proposal.

Scott Solomon

Are there portions of the proposal that are less of an issue?

Answer [Hersh Parekh]: Some of the proposals around transit development are important. However, the proposal is applying standards for all the boroughs as if they are the same.

Martha Taylor

What is a short end of a block?

Answer [Scott Solomon]: It is 230 feet. They usually face the long street.

Kevin Forrestal made a motion to adjourn.

Adjournment

The meeting was adjourned at 9:12 p.m.

Respectfully submitted by,
Soleil Griffin, CB8 Staff
June 25, 2024