



CITY PLANNING COMMISSION

March 28, 2012 / Calendar No. 13

C 090466 ZMQ

IN THE MATTER OF an application submitted by ADC Builders & Developers pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 19a, by establishing within an existing R2A District a C1-3 District bounded by 119th Avenue, Francis Lewis Boulevard, 217th Street, a line perpendicular to the southeasterly street line of Springfield Boulevard distant 140 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly line of Springfield Boulevard and the southwesterly street line of 119th Avenue, and Springfield Boulevard, Borough of the Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated October 31, 2011.

The application for a Zoning Map amendment was filed by ADC Builders and Developers on May 28, 2009 to establish a C1-3 commercial overlay district within an R2A district to facilitate the construction of a two-story medical office building with approximately 25,542 square feet of floor area on the southeast corner of 119th Avenue and Springfield Boulevard in Community District 13, Queens.

BACKGROUND

The applicant, ADC Builders and Developers, proposes a Zoning Map amendment to establish a C1-3 commercial overlay district within an existing R2A zoning district on an irregularly-shaped site bounded by Springfield Boulevard to the west, 119th Avenue and Francis Lewis Boulevard to the north and 217th Street to the east. The site is located in the Cambria Heights neighborhood of Community District 13 in eastern Queens. The proposed C1-3 commercial overlay district would be mapped to a depth of 140 feet from 119th Avenue and extend east from Springfield Boulevard to 217th Street, encompassing one tax lot (Block 12775, Lot 17) that is owned by the applicant and is the project site for the proposed medical office building. The site measures approximately 26,694 square feet and is currently used for open storage of landscaping materials and vehicles that are accessory to a nursery and landscaping business established in 1925 as a Use Group 4 agricultural use.

The rezoning area is located within an R2A zoning district that was rezoned from R3-2 and R2 in 2005 as part of a Department of City Planning-sponsored neighborhood rezoning initiative for

the Cambria Heights neighborhood (C 050400 ZMQ). With the rezoning in 2007 of the St. Albans neighborhood (C 070472 ZMQ) in Community District 12 to the west, the entire area surrounding the project site was contextually zoned with R2A, R3A and R3-1 districts and generally developed with one-and two-family detached and semi-detached houses. Two lots that adjoin the rezoning site to the south are occupied by two-story, single-family, detached homes.

Two major thoroughfares border the project site and are mapped to a width of 100 feet: Springfield Boulevard on the west and Francis Lewis Boulevard on the northwest. Springfield Boulevard runs north-south from Rockaway Boulevard near JFK Airport to Northern Boulevard in Flushing. In the vicinity of the proposed rezoning, the boulevard is improved to its full mapped width and includes a center median that divides two traffic lanes and one parking lane in each direction. Francis Lewis Boulevard runs on a general southeast-northwest diagonal from the Nassau County line in Rosedale to 14th Avenue in College Point. East of the proposed rezoning area, Francis Lewis Boulevard is improved with only one travel and one parking lane in each direction; however, on the north side of the rezoning area, the boulevard is improved to its full mapped width with two traffic lanes and one parking lane in each direction.

Linden Boulevard, an 80-foot wide, east-west thoroughfare located three blocks north of the rezoning area, is the area's local commercial corridor. The boulevard is zoned R3-2 and R2A and C1-3 and C2-3 overlay districts mapped within an R3-2 district between 217th and 226th streets. Development is characterized by one-and two-story retail, institutional and mixed-use structures. A C8-1 zoning district is mapped on Linden Boulevard between 207th and 217th streets and is developed with auto-oriented uses and eating and drinking establishments with drive-thru facilities. C1-3 districts are also mapped on Linden Boulevard further west in CD 12.

The project site is served by several bus routes: the Q77 connects Cambria Heights with Downtown Jamaica and runs along Francis Lewis Boulevard (northbound) and Springfield Boulevard (southbound); the Q27 runs between Cambria Heights and Downtown Flushing along Springfield Boulevard and terminates its run on the north side of the project site. Two bus lines run along Linden Boulevard three (3) blocks to the north of the project site: the Q4 connects Cambria

Heights with the Jamaica central business district and the X64 provides weekday service to the Manhattan central business district.

The existing R2A zoning on the proposed project site permits as of right single-family detached homes with a maximum perimeter wall height of 21 ft., a maximum building height of 35 feet, an F.A.R. of 0.5 with a maximum lot coverage of 30%. One parking space is required for each dwelling unit. An R2A district also permits some community facility uses with a maximum FAR of 0.5 and maximum lot coverage of 60% on corner lots and 55% on interior lots. Parking requirements for community facilities are determined by use.

The proposed Zoning Map amendment would establish a C1-3 commercial district at 119th Avenue and Springfield Boulevard for a distance of 140 feet south from 119th Avenue and extending east to 217th Street, covering the entire project site. C1-3 commercial overlay districts permit Use Groups 1 through 4 and 6. When mapped within R1 through R5 zoning districts, the overlay district allows a maximum commercial FAR of 1.0. The maximum permitted front wall height is 30 feet or 2 stories whichever is less. The maximum building height would be determined by a 1:1 sky exposure plane after the required setback (20 feet on a narrow street or 15 feet on a wide street). Most retail uses require one off-street parking space for every 400 square feet of commercial space

The proposed rezoning would facilitate construction of a two-story medical office building (Use Group 6) with 67 on-site parking spaces. The building would contain approximately 25,542 square feet of zoning floor area (0.96 FAR). The building height would be approximately 30'. Accessory parking would be provided in two areas on site: a fifteen-space, street-level parking lot, accessed from a two-way, curb cut on Francis Lewis Boulevard and a fifty-two-space cellar-level garage, accessed from a two-way curb cut on Springfield Boulevard. The at-grade parking lot will be screened from adjacent residences by a densely-planted 8-foot side yard and meet all planting requirements for commercial parking lots. Lighting for the parking areas would be directed away from the residential properties.

ENVIRONMENTAL REVIEW

This application (C 090466 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 09DCP077Q. The lead agency is the Department of City Planning.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on October 31, 2011.

Uniform Land Use Review

This application (C 090466 ZMQ) was certified as complete by the Department of City Planning on October 31, 2011, and was duly referred to Community Board 13 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 13 held a public hearing on this application on December 14, 2011, and on December 19, 2011, by a vote of 15 in favor, 4 opposed and 4 abstaining, adopted a resolution recommending approval of the application with the following conditions:

- ADC meet with the community and Community Board 13 representatives within the next few weeks to work out a use and design that are acceptable to the community
- ADC make every good faith effort to contract with a stable medical related service provider for a major portion of the building.
- ADC consider if the building is not completely committed to identify some community service acceptable to the Cambria Heights residents.

- ADC commit (sic) to be responsible for keeping their site and the surrounding sidewalk and curb area to at least 100 feet in each direction free of trash.
- Maintain a buffer of at least 10 feet from adjacent homes south of the lot.
- Under no circumstances will ADC consider the following uses or other uses objectionable to the people of Cambria Heights: restaurants, clubs, liquor stores, bodegas, retail stores, Laundromats, Check cashing outlets, etc.
- ADC commits to perform an enhanced environmental and traffic analysis and to work with New York City Department of Transportation and other agencies to resolve any physical situation that will harm the environment or prevent safe access to vehicular entrances from either direction.
- In light of considerable water table problems causing flooding in the area, ADC will conduct a boring and produce a comparative report with the previous boring.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on January 27, 2012 stating:

The applicant in accordance with the wishes of area residents should make their best good faith efforts to contract reputable and stable health related service providers as tenants.

City Planning Commission Public Hearing

On February 8, 2012 (Calendar No. 1), the City Planning Commission scheduled February 29, 2012 for a public hearing on this application (C 090466 ZMQ). The hearing was duly held on February 29, 2012 (Calendar No. 10). There was one speaker in favor of the application.

The applicant's representative spoke about the appropriateness of the proposed zoning map change for the site. He stated that the proposed medical office building would be a positive use of the site which is now vacant and used for open vehicular storage. He also stated that the site is well-served by bus service, is surrounded by major thoroughfares and that as-of-right

residential development on the site was not likely due to the current economic climate. He spoke about negotiations with a major hospital for occupancy of the building and then described the elevation and configuration of the parking area proposed below grade, as well as waterproofing techniques that might be used to deal with the area's high water table issues. He stated that waterproofing costs were included in their project feasibility assessments for the cellar-level garage. He also stated that the development team will meet with New York City Department of Transportation for any suggestions to accommodate traffic issues that might arise in the future. The applicant's representative concluded his testimony, stating that the owner's intention is to have a long-term medical office facility at the site.

There were no other speakers and the hearing was closed.

Written testimony was submitted by the Cambria Heights Civic Association stating their support for the application, providing the following stipulations are met:

- The ADC Builders and Developers must identify a valuable community service that is acceptable to the Cambria Heights residents if the proposed building is not fully occupied.
- The ADC Builders and Developers must be responsible for maintaining the site and surrounding sidewalks, and curbs to at least 100 feet in each direction free of trash.
- The proposed building must maintain a buffer of at least 10 feet from adjacent homes south of the lot.
- The ADC Builders and Developers must commit to working with Community Board 13 to have an enhanced environmental and traffic analysis conducted and to work with the New York City Department of Transportation and other agencies to resolve any physical situation that would cause harm within the environment or prevent safe access to vehicular entrances from either direction.
- The ADC Builders and Developers must also conduct a water table analysis (boring) due to problems with flooding in the area and submit a comparative report with the previous analysis (boring).

- Under no circumstances will the proposed building structure be sold to or utilized as **Restaurants, Night clubs or Lounges, Bars, Liquor Stores, Retail Stores, Local Grocery Stores, Laundromats, Check Cashing Outlets, Supermarkets, Gyms, Youth Centers, or Gas Stations** or other uses objectionable to the residents of Cambria Heights.

CONSIDERATION

The Commission believes that this application (C 090466 ZMQ) for an amendment to the Zoning Map is appropriate.

The Commission notes that the subject site at the southeast corner of Springfield Boulevard and 119th Avenue is zoned R2A which limits development to detached, single-family homes. The Commission is aware that the proposed C1-3 commercial overlay district would facilitate development of a medical office building on a site that is currently occupied by open storage of landscape materials and vehicles accessory to a nursery and landscaping business operating at the same location since 1925. The Commission also notes that the area to be rezoned is bounded by two major thoroughfares, Springfield and Francis Lewis boulevards, that are mapped and improved to a width of 100 feet and carry three bus routes that link the project site with Downtown Jamaica, Downtown Flushing, southeast Queens and Nassau County.

The Commission believes that the proposed development of a two-story, 25,542 square-foot medical office building with 67 on-site parking spaces is a more appropriate use of this historically non-residential site than the existing open vehicular storage use currently located in this low-density residential neighborhood. The Commission also believes that the proposed development would provide much-needed space for tenants in the health-related fields who would serve the surrounding Cambria Heights and St. Alban's neighborhoods.

With respect to the concerns of the Borough President, the community board and the local civic organization about future tenants, site maintenance, traffic issues and potential area flooding, the Commission recognizes the extensive efforts on the part of the applicant to work with local residents and the community board to insure that future uses in the proposed building and its operation will be compatible with the surrounding residential uses.

The Commission, therefore, believes that establishing a C1-3 overlay on the southeast corner of Springfield Boulevard and 119th Avenue, is appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 201 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 further amended by changing the Zoning Map, Section No. 19a, by establishing within an existing R2A District a C1-3 District bounded by 119th Avenue, Francis Lewis Boulevard, 217th Street, a line perpendicular to the southeasterly street line of Springfield Boulevard distant 140 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly line of Springfield Boulevard and the southwesterly street line of 119th Avenue, and Springfield Boulevard, Borough of the Queens, Community District 13.

The above resolution (C 090466 ZMQ), duly adopted by the City Planning Commission on March 28, 2012 (Calendar No. 13), 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.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman,
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, MARIA M. DEL TORO, RICHARD W. EADDY,
ANNA HAYES LEVIN, ORLANDO MARIN, SHIRLEY A. MCRAE, Commissioners

Queens Community Board 13
Land Use Committee
ULURP # C090466 ZMQ
SPRINGFIELD BOULEVARD REZONING
Proposed Resolution
December 19, 2011

The Land Use Committee has conducted a detailed review with the applicants at a meeting of the Committee on December 5, 2011 and it held a public hearing on December 14, 2011. Based on all the facts and discussions held, the Land Use Committee recommends approval of the application subject to strict conditions, as follows:

Whereas, the ADC Builders & Developers has obtained a certain lot in Cambria Heights that is zoned residential R2A; and

Whereas, ADC claims a hardship that the irregularly shaped lot is not conducive to construction of single family detached residences and that a poor economy and weak market for residential buildings and for retail stores precludes such development; and,

Whereas, ADC proposes to construct a 25,542 square foot building to house medical related services on the site, plus parking for 67 cars; and

Whereas, the proposed building does not have any tenant committed to the building; and,

Whereas, residents of Cambria Heights have rejected the specific design proposal with serious concerns of lack of committed tenants, objections to lack of contextual conformity to the surrounding area and concern for traffic congestion and safety issues under the current configuration; and,

Whereas although ADC has produced several alternative designs and is agreeable to try to meet with neighbors of the site and community representatives to accommodate community requests; and,

Whereas, outreach to local hospitals from the community board, the Cambria Heights Civic Association and the applicant had identified possible medical services tenants; and.

Whereas, the ULURP time clock will expire before a fully acceptable design can be worked out with the community.

Therefore Queens Community Board 13 hereby conditionally approves the rezoning of this lot to C1-3 subject to the following conditions:

- ADC meet with the community and community board 13 representatives within the next few weeks to work out a use and design that are acceptable to the community.
- ADC make every good faith effort to contract with a stable medical related service provider for a major portion of the building

- ADC consider if the building is not completely committed to identify some community service acceptable to the Cambria Heights residents.
- ADC commit to be responsible for keeping their site and the surrounding sidewalk and curb area to at least 100 feet in each direction free of trash
- Maintain a buffer of at least 10 feet from adjacent homes south of the lot.
- Under no circumstances will ADC consider the following uses or other uses objectionable to the people of Cambria Heights: restaurants, clubs, liquor stores, bodegas, retail stores, Laundromats, Check cashing outlets, etc.
- ADC commits to perform an enhanced environmental and traffic analysis and to work with New York City Department of Transportation and other agencies to resolve any physical situation that will harm the environment or prevent safe access to vehicular entrances from either direction.
- In light of considerable water table problems causing flooding in the area, ADC will conduct a boring and produce a comparative report with the previous boring.

Queens Borough President Recommendation

APPLICATION: ULURP # 090466ZMQ

COMMUNITY BOARD: Q13

DOCKET DESCRIPTION

IN THE MATTER of an application submitted by ADC Builders & Developers, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map Section No.19a, by establishing within an existing R2A District a C1-3 District bounded by 119th Avenue, Francis Lewis Boulevard, 217th Street, a line perpendicular to the southeasterly street line of Springfield Boulevard distant 140 feet southwesterly from the point of intersection of the southeasterly line of Springfield Boulevard and the southwesterly street line of 119th Avenue and Springfield Boulevard, Cambria Heights, Borough of Queens.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on January 12, 2012 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 four speakers supporting 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 establish a C1-3 commercial overlay district within an existing R2A district to facilitate the redevelopment of the site with a Use Group 6 medical office building;
- The project site is located within an R2A zoning district which was adopted in the 2005 Cambria Heights Rezoning. R2A zoning districts allow only detached, single-family homes and Use Group 3 and 4 community facilities. The maximum FAR in the district is 0.5. The C1-3 overlay would allow Use Group 5 and 6 commercial uses that serve local retail needs. The maximum commercial FAR in this district is 1;
- The proposed rezoning would allow the applicant to develop the site with a Use Group 6 medical office building. The proposed medical office would be a two-story building with cellar and contain approximately 25,542 sf zoning floor area and approximately 22,564 sf of cellar space. The proposed FAR is 0.96. Sixty-seven (67) parking spaces would be provided with 52 spaces in a cellar parking level and 15 spaces at ground level on the east side of the building. The proposed development would fully comply with landscape and design standards for commercial parking areas. A densely-planted buffer and a 4 foot high chain link fence with black mesh are proposed within the eight (8) foot side yard along the southern property frontage between the project site and adjoining residential uses.;
- The site is an irregularly shaped lot with approximately 26,694 sf lot area. The site was occupied by a two-story wood frame structure which was recently demolished by the current owner. Currently a landscaper utilizes the site to grow his plantings and park his vehicles and store mulch and equipment;
- The surrounding area is primarily composed of detached and semi-detached one- and two-family residential buildings that are generally two-stories in height and are of wood frame construction. Adjoining areas to the north are zoned R3A and R3-1. To the south of the site is directly adjacent to two residential properties with one and ½ story buildings. The proposed rezoning area is bounded by two major through fares, Springfield and Francis Lewis Boulevards;
- CB 13 approved this application with conditions by a vote of fifteen (15) in favor with four (4) against and four (4) abstaining and one (1) abstaining for cause at a community board meeting held on December 14, 2011. CB 13's conditions for approval are as follows: the applicant meet with the CB 13 representatives within the next few weeks to work out a use and design that are acceptable to the community; make good faith effort to contract with a stable medical related service provider for a major portion of the building; consider some community service if the building is not completely committed; keep the site and surrounding sidewalk and curb area to at least 100 ft in each direction free of trash; maintain a buffer of at least 10 ft from adjacent homes south of the lot; no following uses at the site such as restaurants, clubs, liquor stores, bodegas, retail stores, laundromats, check cashing outlets, etc.; perform more thorough environmental and traffic analysis and work with DOT and other agencies to resolve any environmental or traffic issues; in light of considerable water table problems causing flooding in the area, the applicant should conduct a boring and produce a comparative report with the previous boring.

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QUEENS BOROUGH PRESIDENT RECOMMENDATION

ULURP # C090466 ZMQ

Page Two

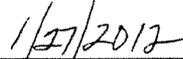
- ° At the Borough President's Land Use Public Hearing, the applicant noted that they have had several meetings with the community and understood their issues and concerns. The applicant stated that they were in contact with several reputable medical service providers who are interested in the property. Community leaders and area residents, based upon their meetings with the applicant, spoke in favor of medical office use of the property while expressing concerns over anticipated additional traffic and adverse impacts generated by other potential uses if the applicant fails to secure any medical service providers as tenants.

RECOMMENDATION

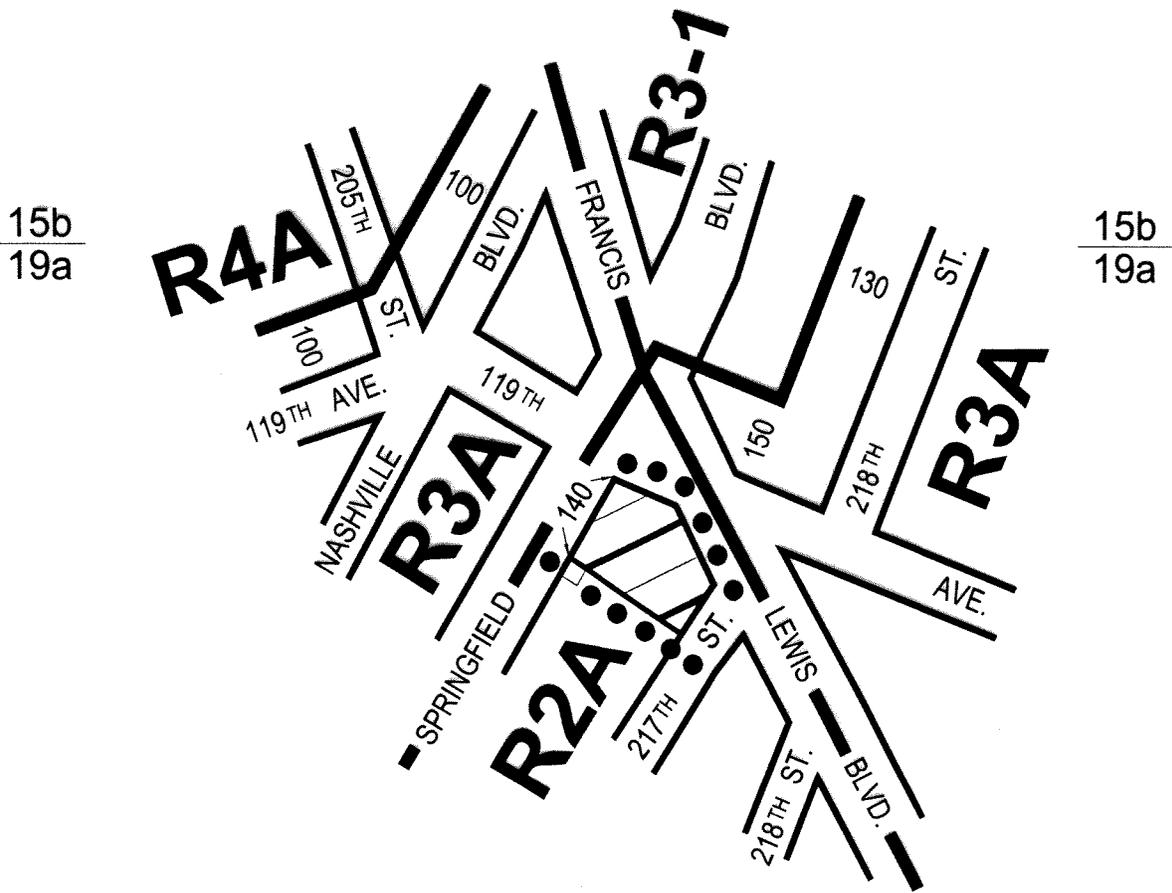
Based on the above consideration, I hereby recommend approval of this application. The applicant in accordance with the wishes of area residents should make their best good faith efforts to contract reputable and stable health related service providers as tenants.



PRESIDENT, BOROUGH OF QUEENS



DATE

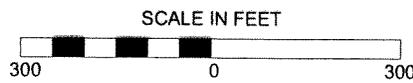


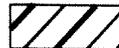
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
19a

BOROUGH OF
QUEENS

New York, Certification Date
 OCTOBER 31, 2011

S. Voyages
 S. Voyages, R.A. Director
 Technical Review Division



- NOTE:**
-  Indicates Zoning District Boundary.
 -  The area enclosed by the dotted line is proposed to be rezoned by establishing a C1-3 District within an existing R2A District.
 -  Indicates a C1-3 District.