



The City of New York

Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills
Little Neck and Oakland Gardens

Michael Budabin Chairperson / **Joseph Marziliano** District Manager

TO: All Board Members
FROM: Michael Budabin, Acting Chair, East Flushing Zoning Committee
DATE: February 9, 2023.
RE: ULURP #C220218ZMQ
189-10 Northern Blvd

On Wednesday, February 8, 2023, the CB11 East Flushing Zoning Committee met via Zoom teleconference to hear a presentation regarding an application to the NYC Department of City Planning (DCP) for a rezoning of several lots on the south side of Northern Blvd. between 189 Street and 192 Street.

Present

Michael Budabin, Board Chair and Acting Committee Chair
Henry Euler, 3rd Vice Chair
Mary Donahue, Committee Member
Sam Wong, Committee Member
Christina Scherer, Non-Committee Board Member

Guests

Richard Lobel, Applicant's representative
Amanda Iannotti, Applicant's representative
Amber Kartalyan, Equity Environmental
Jerry He, property owner
James Chen, property owner

Other

Scott Solomon, Department of City Planning (DCP)

CB11 Staff

Joseph Marziliano, District Manager
Jane Bentivenga, Community Coordinator

Mr. Budabin started the meeting by introducing himself and asking the applicant to present the application which seeks a zoning map amendment from the Dept. of City Planning (DCP) to rezone 189-02, 189-08, 189-10, 189-14, 190-10, 191-20 Northern Boulevard and 43-17 189 Street (Block 5513, Lots 8, 10, 11, 12, 22, 27 and a portion of 5) from R3X and R3-2 zoning districts to R3X/C2-3 and R3-2/C2-3 zoning districts.

The application would add a commercial overlay on all or a portion of seven lots along Northern Blvd. The proposed zoning map amendment will facilitate the development of a new three-story plus cellar mixed-use, commercial and community facility building with a total floor area of 14,863 sq. ft. (1.51 FAR) to be constructed at 189-10 Northern Blvd. It will be approximately 40' high and a total of 35 parking spaces will be provided on the ground floor and cellar level. Parking will be accessed from Northern Blvd.

Mr. Euler questioned the assertion of 30,190 sq. ft. in the pre-certified application. Ms. Kartalyan stated that is the gross square footage that was indicated in the environmental assessment. Mr. Euler also asked why the owners did not seek a variance; the property owners to the rear will be affected by this construction. Mr. Lobel stated that the site doesn't qualify for a variance as there is no related hardship. Mr. Euler said with a rezoning, the community will have no input in future uses. He explained that when this area was rezoned in 2010, a specific request was made not to have a commercial overlay at this location. DCP agreed at that time. Mr. Euler also asked why they are seeking a C2-3 commercial zone. Mr. Lobel replied that C2-2 zones to the east, which were developed many years ago, have more stringent parking requirements. Presently, it is more common that C2-3 zones are sought as that zoning allows for reduction in the parking requirement. Mr. Euler commented that will be problematic. Ms. Kartalyan said that since the project is small, parking was not required to be evaluated in the environmental assessment. Mr. Euler also inquired as to why the residential property (43-17 189 Street) is included in this rezoning proposal. Mr. Lobel said that DCP "likes straight lines". DCP wants a consistent zoning boundary. DCP's 25-foot rule would apply; the property can't be developed. Mr. Solomon confirmed that. (The 25-foot rule applies to an existing zoning lot split between two or more zoning districts that permit different uses or have different bulk rules. When the width of one district measures 25 feet or less at every point, the use and bulk regulations of the larger district can be applied to the entire zoning lot.)

Mr. Wong inquired about the building being three stories high. He stated that most buildings are two stories high in a 10-block radius. Mr. Solomon said the medical building opposite the proposed site is also three stories. Mrs. Donahue feels this should be two separate applications. Mr. Lobel said they didn't want to do "spot zoning" for one lot; these proposals need to be part of a well-considered plan. All these existing lots are legal commercial or parking uses. Mrs. Donahue asked if there is more than one owner of these lots. Yes, Mr. He stated that several of the businesses are in favor of this change. She also asked if the building will have an elevator. Yes, it will be ADA accessible.

Mr. Budabin asked if the owners knew what the uses were going to be and if they had any signed leases yet. Mr. He said they do not have any signed leases yet. However, he anticipates there will be an architectural/engineering office, a construction office, and a Pella (windows and doors) corporate office. Mr. He said they would be interested in input from the Community Board regarding the retail space. Mr. Budabin asked if Mr. He and Mr. Chen owned other properties in New York City. Mr. He said no.

Mr. Budabin stated that this proposal seems consistent with the existing uses on Northern Blvd. Mrs. Donahue reiterated that she feels this should be two separate applications. Mr. Euler mentioned previous problems with a business at the southwest corner of Northern Blvd. and 192 Street. Cars were being parked on the sidewalk and there were issues with commercial trash pickups during the night. Mr. Euler and his civic, Auburndale Improvement Association, have 46-21 Little Neck Parkway, Little Neck, NY 11362 Tel. 718-225-1054 Fax 718-225-4514

worked favorably over the years with several businesses on this stretch of Northern Blvd. that operate(d) under a variance. He does not feel this would be a good change. Mrs. Donahue feels this is unfair to the properties on 43 Road that abut these lots at the rear. Mr. Budabin stated he looks at what the reasonable use of the property would be. Ms. Scherer commented that the residential property that is included in the application is for sale. Ms. Scherer doesn't want to see the light blocked at the rear for the houses on 43 Road. Mr. Solomon will get confirmation about the 25-foot rule. Mrs. Donahue stated that Mr. Euler and the Auburndale Improvement Association has worked with DCP over the years to keep the zoning as it is.

Mr. Budabin made a motion to approve this rezoning proposal as presented. Mr. Euler seconded the motion. There was no further discussion. A roll call vote resulted in 2 in favor and 2 opposed. The motion did not pass.

This application will be scheduled for a public hearing at the CB11 March 6, 2023 Board Meeting.

The meeting adjourned at 8:20 p.m.

Respectfully submitted 2/9/2023