



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: Douglas Montgomery, Douglaston Zoning Chair  
DATE: April 14, 2022

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On April 13, 2022, the CB11 Douglaston Zoning Committee met via Zoom teleconference to hear a presentation regarding a proposal from the owners of Mizumi Restaurant for the rezoning of the southside of Northern Blvd. from 231-06/10 Northern Blvd. east to 234 Street.

### **Present**

Douglas Montgomery, Committee Chair  
Michael Budabin, Board Chair  
Victor Dadras, 1st Vice Chair  
Henry Euler, 3<sup>rd</sup> Vice Chair  
Roy Giusetti – Committee Member  
Susan Cerezo – Committee Member  
Christina Scherer – Non-Committee Board Member  
Laura James – Non-Committee Board Member  
Paul DiBenedetto – Non-Committee Board Member

### **Guests**

Joshua Rinesmith, applicant's representative  
Frank St. Jacques, applicant's representative  
Lauren George, Constantinople & Vallone Consulting, LLC, applicant's representative  
Edward Cheng, Mizumi Owner  
Kenneth Cheng, Mizumi Owner

### **Other**

Scott Solomon, Department of City Planning  
Nicole Kiprilov, Council Member Paladino's office

### **CB11 Staff**

Joseph Marziliano, District Manager  
Jane Bentivenga, Community Coordinator

Mr. Montgomery called the meeting to order. Ms. George stated that the owners of Mizumi have applied to the Dept. of City Planning (DCP) to establish a C2-2 overlay within the existing R1-2 zone from their property (231-06 Northern Blvd.) east to 234 Street. They have operated under a variance for over 10 years. They plan on expanding the restaurant to accommodate a catering hall.

Mr. St. Jacques and Mr. Rinesmith reviewed a screen-shared power point presentation. They reviewed what exists on the property at the present time and stated the proposal, if approved, will provide a maximum FAR of 1.0. The enlargement will be to the west of the existing restaurant. The maximum wall height will be 30 feet and one parking space will be required for every 300 feet of floor area. The enlargement will be 15,834 sq. ft. bringing the total to 22,920 sq. ft. The construction will be flood resilient and there will be NYS Dept. of Environmental Conservation approved storm water management and a vapor mitigation system.

Mr. Montgomery inquired if 233 Street is indeed an abandoned street. Mr. Rinesmith said it is a mapped street. Mr. Montgomery asked when the current variance expires. There is no expiration date. Mr. Giusetti asked what the maximum number of vehicles allowed to park on their property is and inquired if a traffic study was done. Mr. St. Jacques stated that there are currently 183 delineated parking spaces. That could increase to the mid-200s. Mr. St. Jacques added that parking requirements on adjacent lots will be driven by what type of establishment will be allowed. He stated that an Environmental Assessment Statement was done and DCP issued a negative declaration.

Mr. Euler pointed out that if this rezoning is approved, many different uses would be allowed as-of-right; presently, variances are required along this strip of Northern Blvd. Mr. Rinesmith stated that the parking requirements in this area will effectively discount many of the allowable uses. Mr. Euler reminded everyone that this is an environmentally sensitive area. Mr. Rinesmith said that a lot of cleanup has already been done and said the best way to protect the parkland is to cap off the site is with an approved plan. They have planned for water retention and there will be a water filtration system in the parking lot; the water will be cleaned before it goes back into the ground. Mr. Euler feels that Alley Pond Park should be left in its natural state. He also asked if there were plans to install additional traffic signals. Mr. Rinesmith is not sure if NYC Dept. of Transportation as plans for that. Mr. DiBenedetto questioned if it was possible to construct what they are proposing under a variance. Mr. Rinesmith stated they originally applied for a variance in 2015; applying through the BSA for a variance is a constrained process due to the specific findings. It is a very challenging. They spent about five years working on it, and it became too costly. Mr. DiBenedetto said, in his opinion, all this area should be parkland. Ms. James asked what their occupancy allows now and what will it be with the addition. They are currently allowed 250 occupants. Occupancy is expected to double to approximately 500 after the enlargement; most of that number will occur on weekends. Attendees of special events all arriving for the same time will be much different than people arriving for dinner at different times. Will there be valet parking? Will it be on their own property? Mr. Cheng said they will be valet parking vehicles on their own property. Ms. James added that some of the other businesses in this area are notorious for illegal storage of vehicles and not being mindful of environmental concerns. Ms. James is not in favor of this rezoning application.

Ms. Kiprilov stated that Council Member Paladino is in support of this rezoning application for Mizumi and the other business owners. Mr. Budabin said parks are a huge asset to the community but so are businesses. Community oversight is a good thing, but it can affect economic development. There needs to be a balance. Realistically, it does not seem that this strip of commercial development will be returned to parkland. Mr. Dadras stated that this rezoning could lead to the redevelopment of the adjacent commercial properties and what the impact of that would be. He added that this proposal is much more than the enlargement of Mizumi Restaurant. This rezoning affects the entire area. Mr. St. Jacques said it is an entirely commercial area that will be updated to reflect that. He said the uses that will be permitted are more intensive than what will be allowed with a C2-2 overlay. Adam Rothkrug of Rothkrug and Rothkrug, who represents the owners of the car wash and the piece of property they just acquired to the east of the car wash, said they are in support of this rezoning. Mr. Marziliano spoke about auto uses previously causing soil contamination and parking issues. He inquired as to the status of soil testing. The E-designation was triggered. Remediation of the former Getty site was already done. There is some residual contamination under Northern Blvd. that they cannot access. Any future development of any of these properties would require clean up as well. Ms. George interjected that there is a letter of support from Alley Pond Environmental Center (APEC) and signatures of 30 businesses who are in support of this rezoning. She stated she sent this information to the CB11 Office.

Mr. Solomon stated the entirety of the area has been analyzed. He said this rezoning would restrict any larger development beyond an FAR of 1.0. Mr. Montgomery asked why all the businesses along this strip did not apply for the rezoning together. Because they do not currently have any plans to redevelop their properties. Mr. Euler commented that if the owners of Mizumi sit on the Board of Directors of APEC, that could be a conflict of interest. Mr. Giusetti would rather see that residents are in support of this request rather than elected officials and businesses. Mr. Montgomery said it would be beneficial for CB11 to see what work has been done on the former Getty site.

Mr. DiBenedetto made a motion to accept this rezoning proposal as presented. Mr. Budabin seconded the motion. Discussion on the motion ensued regarding Northern Blvd. being the only major east/west corridor between Bayside and Douglaston. This expansion would bottleneck traffic and be right in the middle of parkland. Also mentioned was the development of the multi-family building at the northwest corner of Northern Blvd. and Douglaston Parkway; the additional traffic from that (which is currently under construction) has yet to be realized.

A roll call vote was taken resulting in 3 in favor and 3 opposed. The motion did not pass.

*Respectfully submitted 4/19/2022*