



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 Committee Chair
DATE: April 21, 2021

On April 20, 2021, the Douglaston Zoning Committee met via Zoom teleconference to hear a preliminary presentation of a proposal for a rezoning of the south side of the Northern Blvd. Corridor to C2-2 to facilitate the expansion of Mizumi Restaurant located at 231-06/10 Northern Blvd.

Present

Douglas Montgomery, Committee Chair
Christine Haider, 2nd Vice Chair
Henry Euler, 3rd Vice Chair
Bernard Haber – Committee Member
Wendy Pelle- Beer – Board Member
Christina Scherer – Board Member
Susan Cerezo – Committee Member
Laura James – Board Member
Allan Palzer – Board Member
Yosef Lee – Committee Member
Paul DiBenedetto – Board Member
Jessica Burke – Board Member

Guests

Joshua Rinesmith, applicant's representative
Frank St. Jacques, applicant's representative
Jennifer Hong, Mizumi general counsel

Other

Scott Solomon, Department of City Planning
Vanessa Ordonez, QBPO

There were several residents in attendance.

CB11 Staff

Joseph Marziliano, District Manager
Jane Bentivenga, Community Coordinator
Christina Coutinho, Community Associate

Mr. Montgomery started the meeting by introducing the topic and giving the floor to Mr. Rinesmith.

Mr. Rinesmith screen-shared a power point presentation which showed the recent history of the property and the proposed rezoning request for a C2-2 overlay designation. Mr. Rinesmith stated their most recent Board of Standards and Appeals (BSA) application was approved by CB11 in 2015, which included the expansion of the restaurant onto the lot where the former Getty Gas Station operated. It was delayed at BSA until 2018. It was ultimately withdrawn in 2019 due to the financial hardship that would be incurred due to extensive engineering requirements imposed by BSA. Mr. St. Jacques then gave an overview of the property, which has been designated R1-2 since the inception of the Zoning Resolution in 1961. All commercial properties on the south side of Northern Blvd. in this vicinity operate under a BSA variance. He also explained that they are proposing a two-story extension to the existing building. It will rise to just under 30'. The construction will be flood resilient. Storm water system management and a vapor mitigation system are required, which will need Dept. of Environmental Conservation (DEC) approval. Contamination issues would have to be addressed through the E-designation program. Dept. of Buildings could not sign off on permits without E-designation from the Office of Environmental Remediation and a notice to proceed,

Mr. Montgomery inquired about the R3-2 zoning designation at the rear of the property and two streets (231 and 232 Streets) that are not shown on the proposal. He also inquired if those streets are still mapped. Mr. Solomon advised those streets were de-mapped in 1980. Mr. Montgomery feels that the car dealer properties to the east (233 and 234 Streets) should have been included. Mr. Rinesmith said de-mappings are more time consuming and the property in question does not border on those streets. Mr. Haber also inquired how the R3-2 designation to the south of this proposal got onto the map. Mr. Solomon will investigate this but stated that the parkland designation usurps this and would preclude any development.

Mr. Euler asked about the engineering studies that were done and still would need to be done. He also commented that if the enlargement were smaller, it would offset the cost. He feels this should be done through a variance rather than a rezoning. Mr. Rinesmith explained BSA was asking for engineering reports and different foundation designs. He did say that the proposed building is the same as CB11 approved in 2015. BSA was indicating if anything would be approved, it would be substantially smaller. Mr. Haber asked how much larger the extension will be in comparison to the existing building. It will be 16' higher and 15,800 sq. ft. larger. Mr. Rinesmith also stated that since this is the site of a former gas station, environmental remediation will need to be done. The property is adjacent to Alley Pond Park property. Mr. DiBenedetto agreed with Mr. Euler and feels this should be done through a variance. Mrs. Haider added that environmental mitigation will need to be done on the former gas station lot whether a variance or a zoning change is granted. Mr. Rinesmith stated that an extensive amount of remediation has already been done. For DEC to sign off, they want to know there will be development and a "capping off" will be done at the site. Mr. Euler said if the area is rezoned, the Use Groups would be 6 - 9 and 14; these use groups allow many different commercial uses. He is opposed to this rezoning proposal.

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Mr. Montgomery asked why the lots have not been combined. Mr. Rinesmith stated the present site where Mizumi is located operates under a BSA variance at the present time. The lots cannot be merged with one being under a variance. Mr. Rothkrug added the same pertains to the car wash and the former Time Church site, who both operate under a BSA variance, therefore, rezoning makes more sense for this strip of businesses.

Mr. DiBenedetto spoke about the City needing to keep the properties along the Northern Blvd. corridor as green as possible. This process worked less than a mile away for what is now Udall's Cove. Mr. Gannon, Douglas Manor Association, agrees with Mr. DiBenedetto and stated that the adjacent lots should have been acquired by the Department of Parks and Recreation years ago.

Mr. Solomon updated the members regarding some upcoming Dept. of City Planning (DCP) issues. On April 15, 2021, DCP issued Zoning for Accessibility which is being proposed in conjunction with the Metropolitan Transit Authority (MTA). Recommendations for this are due by June 14, 2021. On May 3, 2021, they will be issuing a proposal for a hotel special permit text amendment which will require removal of all as-of-right hotel development. On May 17, 2021, there will be a proposal to fix issues with the open streets program and a health and fitness text amendment which will propose the removal of the physical culture establishment special permit; they will be allowed as-of-right in C1 and C2 districts depending on the size of the establishment.

After the representatives and principals of Mizumi left the meeting, extensive discussion among Board Members ensued regarding the filing and certification of the ULRUP application, the possibility of the transfer of development rights, the C2-2 designation being attached to the property if the present business is no longer there, the extensive soil contamination required, de-mapping of nearby streets, the setting of a precedence for spot zoning, past support of land use applications along the corridor, E-designation attachment to the property, low-rise commercial uses, possibility of eminent domain and the Northern Blvd. corridor being the only major east/west artery between Queens and Nassau counties other than the Long Island Expressway/Horace Harding Expressway in this area of Queens.

Mr. Solomon stated a certified application for this proposal is not expected until 2022. Mr. Montgomery suggested the Board revisit the issue in three months.

Respectfully submitted 4/21/2021