



IN THE MATTER OF an application submitted by Munir M. Islam pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 15a, by establishing within an existing R2 District a C2-3 District bounded by Hillside Avenue, 215th Street, a line 100 feet southeasterly of Hillside Avenue, and Vanderveer Street, as shown on a diagram (for illustrative purposes only) dated September 14, 2020, and subject to the conditions of CEQR Declaration E-574.

This application for a zoning map amendment (C 200190 ZMQ) was filed by Munir M. Islam on November 6, 2019. This application would facilitate the development of two-story commercial building at 214-32 Hillside Avenue (Block 10673, Lot 3) in the Queens Village neighborhood of Queens, Community District 13.

BACKGROUND

The applicant, Munir M. Islam, seeks a zoning map amendment to facilitate the construction of a two-story commercial building on, the development site (Block 10673, Lot 3), consisting of approximately 6,910 square feet of ground floor retail use and approximately 2,440 square feet of office space use on the second floor. In addition to the development site, the project area includes all or portions of seven adjoining lots (Block 10673, Lots 10, 11, 12 and portions of Lots 3, 8, 9, and 15) located on the south side of Hillside Avenue between 215th and Vanderveer streets in the Queens Village.

The neighborhood surrounding the project area was predominantly developed with one- and two-family detached residential buildings along the side streets to the north and south of Hillside Avenue between the 1920s and 1940s. Several non-compliant medium-density multifamily buildings front on the north side of Hillside Avenue, and several non-conforming mixed-use buildings, consisting of ground floor locally-oriented retail and second-story residential uses, are located on the south side of Hillside Avenue. Multiple houses of worship were built throughout the neighborhood.

The project area and surrounding area are located within an R2 zoning district established in 1961 with the enactment of the Zoning Resolution. Two commercial overlays were also established in 1961, including a C1-2 commercial overlay four blocks west of the project area with frontage on Hillside Avenue, and a C2-2 commercial overlay two blocks east of the project area with frontage on Hillside Avenue. R2 districts are lower-density residential zoning districts that permit a maximum residential floor area ratio (FAR) of 0.5 and certain community facility uses with an FAR of 1.0. The minimum lot width is 40 feet and the maximum height of buildings is governed by a sky exposure plane that begins 25 feet above the front yard line. As in other low-density residence districts, one off-street parking space is required for each dwelling unit.

C1-2 and C2-2 commercial overlay districts are found extensively through the city's lower- and medium-density areas. Typical retail uses permitted within these commercial overlays include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. In mixed-use buildings, commercial uses are limited to the first floor. When commercial overlays are mapped within R1 through R5 residential zoning districts, the maximum commercial FAR is 1.0.

The project area is approximately one-quarter mile east of the entrance ramps to the Grand Central Parkway and Clearview Expressway. New York City Transit's Q1 and Q43 local bus routes have stops within one block of the project area, providing service between Queens Village and Bellerose, respectively, and Jamaica. A bus stop for the X68 express bus is located two blocks east of the project area, providing service to Floral Park and Midtown Manhattan. The Nassau Inter-County Express N22 and N26 local bus routes also have stops within one block of the project area, providing service between Hicksville and Great Neck, respectively, and Jamaica.

The development site is located at the southwest corner of Hillside Avenue and Vanderveer Street with approximately 100 feet of frontage on Hillside Avenue and 117 feet of frontage on Vanderveer Street. It is an approximately 11,800-square-foot corner lot that was previously used as an automotive repair and used car sales facility pursuant to a Board of Standards and Appeals

variance (492-91-BZ) granted in 1992. The variance was extended in 2003 and expires in 2022. The automotive-related uses were discontinued in 2018 upon the sale of the site to the applicant. The remaining portion of the project area fronting on Hillside Avenue includes five non-conforming two-story mixed-used buildings with ground floor commercial uses and second-story residential uses (Lots 8, 9, 10, 11 and 12). Lot 15 is approximately 2,500 square foot in area and is improved with a one-family detached home fronting 215th Street, with approximately 1,264 square feet of floor area (0.51 FAR). However, only an approximately 100-square-foot portion of the lot is within the project area.

The applicant proposes to develop a new two-story commercial building with an approximately 6,910-square-foot pharmacy on the ground floor and approximately 2,440 square feet of office space on the second floor, to be occupied by the applicant to support several other businesses that they currently operate, including the proposed pharmacy. The building would rise to a maximum building height of approximately 27 feet, with 15- and 12-foot floor-to-floor heights on the ground and second floors, respectively. Five permitted accessory parking spaces would be provided, three of which would be located at grade, and two within the cellar, accessed via a new 15-foot curb cut on Vanderveer Street. Loading access would be located on Hillside Avenue and facilitated by an existing 15-foot curb cut. An existing curb cut on Hillside Avenue, directly in front of the development site, would be removed to allow for additional street parking.

To facilitate the proposed development, the applicant seeks a zoning map amendment to establish a C2-3 commercial overlay within the existing R2 zoning district, mapped at a depth of 100 feet from Hillside Avenue, between Vanderveer Street and 215th Street. The proposed C2-3 overlay would also bring the existing non-conforming commercial uses within the project area into conformance. Within R2 zoning districts, the C2-3 commercial overlay permits a maximum commercial FAR of 1.0. Accessory parking requirements for commercial uses vary by use. For retail, one space is required per every 400 square feet of commercial floor area, and parking is waived when fewer than 25 spaces are required. One parking space per dwelling unit is required.

ENVIRONMENTAL REVIEW

This application (C 200190 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 lead is the City Planning Commission. The designated CEQR number is 20DCP082Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on August 3, 2020. The Negative Declaration includes an (E) designation (E-574) related to air quality, hazardous materials and noise to avoid the potential for significant adverse impacts. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 200190 ZMQ) was certified as complete by the Department of City Planning on September 14, 2020, and duly referred to Queens Community Board 13 and the Queens Borough President in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Queens Community Board 13 held a public hearing on this application (C 200190 ZMQ) on November 16, 2020, and on November 23, 2020, by a vote of 43 in favor, one opposed and none abstaining, voted to recommend approval of the application.

Borough President Recommendation

The Queens Borough President held a public hearing on this application (C 200190 ZMQ) on December 3, 2020, and on December 23, 2020, issued a recommendation to approve the application with the following condition:

“There should be a goal of 30% for local hiring and use of MWBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% is reached.”

City Planning Commission Public Hearing

On December 16, 2020, (Calendar No. 10), the City Planning Commission scheduled January 6, 2021 for a public hearing on this application (C 200290 ZMQ). The hearing was duly held on January 6, 2021 (Calendar No. 27). Two speakers testified in favor and none in opposition.

The applicant’s land use attorney described the requested zoning map amendment and the goals of the proposed developments. He stated that the applicant proposed the zoning map amendment to more closely reflect the existing built conditions in the project area, as well as to facilitate construction on the development site.

Another representative of the applicant explained that the proposed development would include a grocery component in addition to the pharmacy. In addition, he explained that the proposal would generate employment for the local community.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application (C 200190 ZMQ) for a zoning map amendment is appropriate.

The proposed C2-3 commercial overlay will facilitate the development of a two-story commercial building and bring five non-conforming two-story mixed-used buildings into conformance.

The Commission notes that the project area is located on Hillside Avenue, a major commercial corridor in the area with many similar uses to those within the proposed development. The Commission also notes that a C1-2 commercial overlay is mapped four blocks west of the

project area with frontage on Hillside Avenue and a C2-2 commercial overlay is mapped two blocks east of the project area with frontage on Hillside Avenue.

The Commission believes that the proposed C2-3 commercial overlay appropriately reflects the existing land uses within the project area. In addition, the establishment of the C2-3 commercial overlay will limit future commercial development to a low-rise scale and locally-oriented uses consistent with the surrounding area.

The Commission believes that the proposed R2/C2-3 zoning district would more accurately reflect the existing nonconforming ground floor retail uses in the mixed-use buildings located in the project area that front Hillside Avenue.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on August 3, 2020 with respect to this application (CEQR No. 20DCP082Q), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 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. 15a, by establishing within an existing R2 District a C2-3 District bounded by Hillside Avenue, 215th Street, a line 100 feet southeasterly of Hillside Avenue, and Vanderveer Street.

Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated September 14, 2020, and subject to the conditions of CEQR Declaration E-574.

The above resolution (C 200190 ZMQ), duly adopted by the City Planning Commission on February 3, 2021 (Calendar No. 18). 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice-Chairman*

DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,

JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT,

ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ,

RAJ RAMPERSHAD *Commissioners*



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

15a

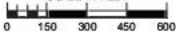
BOROUGH OF
QUEENS






New York, Certification
Date: September 14, 2020

S. Lenard, Director
Technical Review Division

SCALE IN FEET



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is rezoned by establishing a C2-3 District within an existing R2 District.
-  Indicates a C2-3 District



Community/Borough Board Recommendation
Pursuant to the Uniform Land Use Review Procedure

Application #: 200190ZMQ	Project Name: 214-32 Hillside Avenue Rezoning
CEQR Number:	Borough(s): Queens Community District Number(s): 13
<i>Please use the above application number on all correspondence concerning this application</i>	

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by Munir Islam proposing a zoning map amendment to rezone Queens Block 10673, Lots 8, 9, 10, 11, 12, p/o 15 and p/o 3 (the "Proposed Project Area") from an R2 zoning district to an R2/C2-3 zoning district in the Queens Village neighborhood of Queens Community District 13. The proposed rezoning would facilitate the development of a Use Group ("UG") 6 pharmacy and office space at 214-32 Hillside Avenue, Block 10673, Lot 3 (the "Proposed Development Site").

Applicant(s): Munir M. Islam 14 Engineers Lane Farmingdale, NY 11735	Applicant's Representative: Richard Lobel Sheldon Lobel PC 18 East 41 Street New York, NY 10017
Recommendation submitted by: Queens Community Board 13	
Date of public hearing: November 16, 2020	Location: Virtual
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
Date of Vote: November 23, 2020	Location: Virtual
RECOMMENDATION	
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions
Please attach any further explanation of the recommendation on additional sheets, as necessary.	
Voting	
# In Favor: 41	# Against: 1
# Abstaining:	Total members appointed to the board: 50
Name of CB/BB officer completing this form Mark McMillan	Title District Manager
	Date 11/23/2020

Queens Borough President Recommendation

APPLICATION: ULURP # 200190 ZMQ

COMMUNITY BOARD: Q13

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Munir M. Islam pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 15a, by establishing within an existing R2 District a C2-3 District bounded by Hillside Avenue, 215th Street, a line 100 feet southeasterly of Hillside Avenue and Vanderveer Street, Block 10673, Lots 8-12, p/o 3 and p/o 15, Borough of Queens, as shown on a diagram (for illustrative purposes only) dated September 14, 2020, and subject to the conditions of CEQR Declaration E-574.

PUBLIC HEARING

A Public Hearing was held in by the Queens Borough President via Zoom webinar and livestreamed on www.queensbp.org on Thursday, December 3, 2020 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 no other speakers. The hearing was closed.

CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- This application is proposing a zoning map amendment that would add an one hundred feet deep C2-3 commercial overlay to an existing R2 District over Block 10673, Lots 8, 9, 10, 11, 12, and parts of Lots 3 and 15 along Hillside Avenue. The proposed rezoning would allow development of a commercial building on the applicant's site which would not be allowed in the existing R2 District;
- The proposed commercial development would be a 9,350-SF (0.84 Floor Area Ratio (FAR)), two-story building with frontages on Hillside Avenue and Vanderveer Street including a ground floor pharmacy with associated office space above. Five parking spaces would be onsite for employees (two below-grade and three at grade) that would be accessed from Vanderveer Street. One loading berth located on and accessed from Hillside Avenue would be provided;
- The development site is Block 10673, Lot 3, an approximately 11,198-SF (100' x 117') slightly irregularly-shaped corner lot at the southeast corner of Hillside Avenue and Vanderveer Street. A small portion of Lot 3 outside of the proposed 100 feet commercial overlay would remain in the R2 District and would not be developable. The applicant proposes installation and maintenance of a buffer between Lot 3 and Lot 43 to the south. intends to put in and maintain a buffer between the parking lot and Lot 43 with trees and planters to enhance the property. The site is currently improved with a vacant 2,200-SF automobile repair and used car sales business that had operated on the site pursuant to a Board of Standards and Appeals variance. The automobile repair and sales business was closed in 2018 when the applicant, Munir M. Islam, bought the property;
- The 600-ft surrounding area of the proposed development includes residential one- and two-family homes; community facilities; mixed-use commercial buildings; and is zoned R2, R2/C2-3, and R2/C2-2. The development site is approximately 0.2 miles south of the Grand Central Parkway and Cunningham Park. Currently the neighborhood's transportation needs are best supported by bus lines: the Q1, Q43, and X68 lines are all within one block of the proposed development, and service to Nassau County (N22 and N26) is also provided;
- Community Board 13 (CB13) approved this application by a vote of forty-three (43) in favor with one (1) against and zero (0) abstaining at a public hearing held on November 23, 2020. There were no speakers at the Board meeting. The Board asked the applicant to consider the following requests during the hearing: all exterior lighting for security purposes should be inward facing with respect to residential neighbors; and a gateway across the rear parking area when the pharmacy is closed;
- At the Borough President Land Use Public Hearing on December 3, 2020, the Borough President asked the applicant to consider using union labor and/or M/WBE businesses in constructing the building, as well as the possibility of paying prevailing wage.

QUEENS BOROUGH PRESIDENT RECOMMENDATION

ULURP # 200190 ZMQ

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RECOMMENDATION

The new pharmacy and office space development would transform the vacant automobile repair and sales business site, and the C2-3 District would bring existing uses into compliance in the Rezoning Area. The applicant will maintain street plantings on sidewalks and offer a commercial need in the neighborhood. The applicant also agreed to CB 13's requests regarding inward facing-security lighting and a rear-parking gateway to be used after operating hours.

Based on the above consideration, I hereby recommend approval of this application with the following condition:

- There should be a goal of 30% for local hiring and use of MWBE businesses in the construction and development of this project. There should also be quarterly reporting on the numbers of people hired and if the 30% is reached.



PRESIDENT, BOROUGH OF QUEENS

December 23, 2020

DATE