



## **CITY PLANNING COMMISSION**

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March 14, 2012/ Calendar No. 9

C 120076 PCQ

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**IN THE MATTER OF** an application submitted by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 185-17 Hillside Avenue (Block 9954, Lot 56) for use as an animal receiving facility, Community District 8, Borough of Queens.

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This application for site selection and acquisition of property was filed on September 26, 2011 by the Department of Health and Mental Hygiene (DOHMH) and the Department of Citywide Administrative Services (DCAS) to facilitate the conversion of a privately-owned veterinary hospital to a public animal receiving facility located at 185-17 Hillside Avenue in Queens Community District 8.

### **BACKGROUND**

The Department of Health and Mental Hygiene (DOHMH) is proposing to acquire an existing privately-owned veterinary hospital, located at 185-17 Hillside Avenue, to facilitate its conversion to a public animal receiving facility. Currently the Borough of Queens has no full-service animal shelter. As § 17-803 of the Administrative Code of the City of New York instructs DOHMH,

“Facilities to receive lost, stray, or homeless dogs and cats from the public shall be maintained seven days per week, twelve hours per day in those boroughs of the city in which there is not a full-service shelter.”

In addition, § 17-803 requires DOHMH to provide field services having the capacity to pick up and bring to a shelter lost, stray, homeless or injured dogs and cats from all five boroughs seven days per week and twelve hours per day.

DOHMH currently operates an animal receiving facility at 92-29 Queens Boulevard, in Rego Park, Queens. That existing facility is too small and is unable to accommodate the demand for short-term shelter generated within the Borough. There is no other DOHMH-operated facility in Queens.

In order to bring increased efficiency to animal control operations in Queens, DOHMH and DCAS propose to acquire an existing animal hospital located in Jamaica, Queens Community District 8. The existing building contains approximately 1,680 square feet of floor area on an approximately 16,000 square foot zoning lot. The facility has a medical suite, examination rooms, an X-ray room, a kennel, and a partially enclosed dog run. Parking for employees and visitors is provided in an on-site parking lot, which can accommodate 25 cars.

The majority of the zoning lot (about 10,000 square feet) is within a C2-4/R6A district and the Special Downtown Jamaica District. The remaining 6,000 square feet, at the rear of the site, is within an R3X zoning district. Six-story apartment buildings adjoin the site to the east and west, while the surrounding area is primarily developed with one- and two-family detached residential buildings. Hillside Avenue is the neighborhood's main thoroughfare. It is developed with a mix of residential and retail uses. The site is served by eight local bus routes, and it is located eight blocks from the 179<sup>th</sup> Street station that is the endpoint of F subway service.

The proposed facility will be operated by Animal Care and Control (AC&C), a non-profit group contracted by DOHMH for animal control services. The proposed intake facility will operate as a temporary shelter with limited on-site veterinary services. The facility will be open 12 hours per day, 7 days per week, to receive abandoned animals brought by the public. In addition, DOHMH estimates that stray animals captured by AC&C will be brought to the facility by van twice daily. At the end of each day, animals will be transferred to long-term shelters in full-service facilities in Manhattan, Brooklyn, or Staten Island. The capacity of the facility will be approximately 65 dogs and 35 cats. Few alterations will be required in order to convert the existing building to the proposed animal receiving facility.

The veterinary hospital currently occupying the site is a pre-existing, non-conforming use. The receiving facility will continue this non-conforming use in compliance with Section 52-33 of the Zoning Resolution (Manufacturing or Related Uses in Residential Districts), with the exception of a partially unenclosed dog run. Pursuant to Section 52-533,

“Whenever a *use* located within a *completely enclosed building* is changed to another *use*,

no activity related to such changed *use*, including the storage of materials or products, shall be located outside of such *building*.”

On October 3, 2011, the Office of the Mayor issued a zoning override allowing continuing use of the dog run by DOHMH.

## **ENVIRONMENTAL REVIEW**

This application (C 120076 PCQ) 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 11DOH001Q. The lead agency is the Department of Health and Mental Hygiene.

After a study of the potential impacts of the proposed action, a Negative Declaration was issued on September 15, 2011.

## **UNIFORM LAND USE REVIEW**

This application (C 120076 PCQ) was certified as complete by the Department of City Planning on October 17, 2011, and was duly referred to Community Board 8 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 8 held a public hearing on this application (C 120076 PCQ) on November 28, 2011, and on December 14, 2011, by a vote of 29 to 2 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (C 120076 PCQ) was considered by the Borough President of Queens, who

issued a recommendation approving this application on January 27, 2012.

### **City Planning Commission Public Hearing**

On January 25, 2012 (Calendar No. 2), the City Planning Commission scheduled February 8, 2012, for a public hearing on this application (C 120076 PCQ). The hearing was duly held on February 8, 2012 (Calendar No. 18). There were two speakers in favor and none opposed.

A representative from the Department of Health and Mental Hygiene, speaking in favor of the application, described the proposal to the Commission. A representative from the office of Councilmember James F. Gennaro also spoke in support of the proposed facility.

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

### **CONSIDERATION**

The Commission believes that the application by DOHMH and DCAS for the site selection and acquisition of property located at 185-17 Hillside Avenue (Block 9954, Lot 56) for use as a public animal receiving facility is appropriate.

The need for an animal receiving facility in the borough of Queens was included in the Citywide Statement of Needs for Fiscal Year 2011–2012. In accordance with Section 203, Article 6 of the New York City Charter, DOHMH has documented the need for the facility, examined the distribution among the boroughs of existing and proposed facilities which provide similar services, identified the minimum size necessary to achieve efficient and cost-effective delivery of services, and studied adequacy of the streets and transit to handle the volume and frequency of traffic generated by the facility.

The Commission believes that the acquisition of the veterinary hospital located at the subject site

would allow DOHMH and DCAS to upgrade animal control services in the borough without unduly impacting businesses or residents in the immediate vicinity of the proposed facility.

A veterinary hospital has existed on the site since 1947. The Commission recognizes that by selecting a building that is designed for holding animals, DOHMH and DCAS will avoid the need to build a new facility or retrofit a building designed for a use unrelated to animal care. The Commission further notes that the proposed animal receiving facility will occupy the site as a continuation of a legal non-conforming use, with the exception of the partially enclosed dog run. Use of the dog run will be allowed pursuant to a zoning override issued by the Office of the Mayor on October 3, 2011.

The Commission notes that the facility is well situated to serve the borough of Queens. Access to the borough's arterial highways is relatively good and adequate parking is provided on the site. The Commission also notes that the site is accessible by public transportation, being in close proximity to eight local bus lines.

## **RESOLUTION**

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


**RESOLVED**, that this application submitted by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, pursuant to Sections 197-c of the New York Charter, for the site selection and acquisition of property located at 185-17 Hillside Avenue (Block 9954, Lot 56), for use as an animal receiving facility, is approved.

The above resolution (C 120076 PCQ), duly adopted by the City Planning Commission on March 14, 2012 (Calendar No. 9), 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, BETTY Y. CHEN, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO MARÍN,**  
**SHIRLEY A. MCRAE, Commissioners**





		<b>NOTICE OF CERTIFICATION</b> Pursuant to the Uniform Land Use Review Procedure
<b>C 120076 PCQ</b>  11DOH001Q	<b>Queens Animal Receiving Center</b>  Queens 8	
<i>Please use the above application number on all correspondence concerning this application</i>		

IN THE MATTER OF an application submitted by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 185-17 Hillside Avenue (Block 9954, lot 56) for use as an animal receiving center.

**RECEIVED**  
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**C.B.8 Q.**

Related Applications				
Applicant Department of Health and Mental Hygiene 42-09 28th Street LIC.NY 11101 Department of Citywide Administrative Services 1 Centre Street 20th floor NY, NY 10007			Applicant's Representative James Durrah 347-396-6536 Randy Fong 212-669-7150	
CONTACT DEPARTMENT OF CITY PLANNING Queens Office Address: 120-55 Queens Blvd., Room 201, Kew Gardens NY 11424 Phone: 718-286-3170 Fax: 718-286-3183				
Public Review Period: October 17, 2011 - October 26, 2011 December 27, 2011				



# Queens Borough President Recommendation

APPLICATION: ULURP# 120076 PCQ

COMMUNITY BOARD: Q08

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of Health & Mental Hygiene and the Department of Citywide Administrative, pursuant to Section 197-c of the NYC Charter, for the site selection and acquisition of a privately owned property for use as an animal control facility in an R6A/C2-4 district located at 185-17 Hillside Avenue, Block 9954, Lot 56, Zoning Map 15b, Jamaica, Borough of Queens.

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, 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 one speaker in favor. 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:

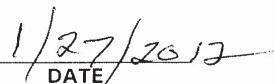
- o The Departments of Health & Mental Hygiene and Citywide Administrative Services are proposing site selection and acquisition of a privately owned property for use as the Queens Animal Receiving Center.;
- o The new proposed facility would be operated by a not-for-profit contractor Animal Care & Control. This not-for-profit organization currently operates animal pounds in Brooklyn, Manhattan and Staten Island, and smaller animal receiving centers in the Bronx and Queens. The proposed facility would replace the existing smaller facility in Rego Park, Queens.;
- o The facility would receive animals twelve hours every day, seven days a week between 7 AM and 7 PM. At the end of the day the animals would be transferred to the full service facilities in Manhattan, Brooklyn or Staten Island. It would have capacity for approximately 65 cats and 35 dogs. Limited veterinary care would be provided.;
- o The proposed site is an existing veterinary hospital and kennel that has been in operation on the site for approximately sixty years. The lot is approximately 16,000 square feet and is developed with an one-story 1,680 square feet building. Offstreet parking for approximately 25 cars, loading and unloading is accommodated on the site.;
- o Hillside Avenue is a major thoroughfare that is developed with a mix of residential and commercial uses. The areas to the north and south of Hillside Avenue are mostly developed with low density residential buildings.;
- o Community Board 8 approved this application by a vote of twenty-nine (29) in favor with two (2) opposed and none (0) abstaining at a public hearing held on December 14, 2011.

## RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application with the following comment.

Queens has the greatest land area in New York City and is second in population. As such, there should be a full service center that would provide adoption, neutering and spaying, sheltering, humane euthanasia and preparation of animals for rabies testing in Queens.

  
PRESIDENT, BOROUGH OF QUEENS

  
DATE