



CITY PLANNING COMMISSION

January 28, 2004/Calendar No. 11

C 020522 ZSQ

IN THE MATTER of an application submitted by Broad Channel Volunteers Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution:

- to allow a fire station in a Residence District; and
- to modify the requirements of Section 23-14 and 23-44 to allow the floor area ratio and the permitted obstructions in required front yards requirements to comply with the regulations of Section 24-11 and 24-33, respectively;

to facilitate the construction of a 2-story approximately 10,000 square foot fire station on a zoning lot located at 305 Cross Bay Boulevard (Block 15304, Lot 450), in an R3-2 District, Community District 14, Borough of Queens.

This application for the grant of a special permit was filed by Broad Channel Volunteers Inc. on March 29, 2002, to allow a fire station to be located in a residential district and a modification of the FAR from 0.5 to 1.0 and permitted obstruction to allow parking in the front yard. The site is located in an R3-2 District, on a zoning lot located at 305 Cross Bay Boulevard (Block 15304, Lot 450), Borough of Queens, Community District 14.

BACKGROUND

The applicant is seeking a special permit pursuant to Section 74-67 of the NYC Zoning Resolution to allow the construction of a firehouse in an R3-2 district. The special permit will facilitate the relocation of the existing Broad Channel Volunteers (BCV) station house from 15 Noel Road to the proposed location at 305 Cross Bay Boulevard in Broad Channel, Queens Community District 14. Fire stations are a use group 6 (commercial) use and are not permitted in residential districts without a special permit from the City Planning Commission.

Broad Channel is an island in Jamaica Bay, north of the Rockaway Peninsula. Primary access to Broad Channel from the north and south is by bridges that connect to Cross Bay Boulevard, a north/south roadway that bisects the island. Broad Channel is zoned R3-2 with C1-2 overlays mapped on both sides of Cross Bay Boulevard between 195th and 197th avenues. A C2-2 overlay is mapped on the east side of Cross Bay Boulevard between 188th and 189th avenues. Broad Channel is primarily developed with one- and two-story, single family houses. Local retail uses are located along the east and west side of Cross Bay Boulevard.

The BCV provide emergency fire and emergency medical service to the Broad Channel community, and to the neighboring communities by mutual aide agreements. The BCV operates 24 hours per day and on average, there are about three people in the station house.

The existing facility is located on 15 Noel Rd, a two-story, frame building that occupies almost the entire 2,500 square foot lot. This building is in a general state of disrepair. The existing facility is inadequate and too small to meet the current needs of the organization. One of the three emergency vehicles must be parked off site. Upon relocation the existing building will be demolished.

The proposed fire station will be located on Block 15304, Lot 450 at the intersection of 189th Avenue and Cross Bay Boulevard. Block 15304, Lot 450 was approved for disposition by the City Planning Commission on September 3, 1997 (C970450 PPQ, Cal. No. 44), the lot was purchased from the City and is owned by the Broad Channel Volunteers, Inc. The lot area is

22,805 sq. ft., the total zoning lot area is 18,456 sq. ft. due to proposed street widening on the north and west sides of the lot.

The proposed facility will be a two-story building totaling 10,000 square feet with parking for 20 vehicles. The ground floor will house the emergency vehicles and the second floor will consist of sleeping quarters, bathroom, kitchen and a meeting room. The fire station will accommodate all BCV-owned vehicles (two fire trucks, two ambulances and one boat).

To facilitate the proposed development the applicant is also seeking to modify the requirements of Section 23-14 and 23-44 to allow the additional bulk of 24-11 and to allow parking within the required yards.

The maximum permitted FAR in an R3-2 district is 0.5. The proposed facility will have an FAR of 0.54. The applicant is seeking the community facility FAR of 1.0 pursuant to Section 24-11 to accommodate the proposed bulk. The community facility ratio is necessary to meet the needs of the BCV.

The applicant is seeking to modify the requirements of 23-44 pertaining to the permitted obstructions in required yards. The applicant is proposing 20 parking spaces in the front and side yards. Pursuant to Section 24-33 parking spaces shall not be considered obstructions when located within the required front or side yard.

ENVIRONMENTAL REVIEW

This application (C 020522 ZSQ) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 02DCP050Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on September 22, 2003.

UNIFORM LAND USE REVIEW

This application (C 020522 ZSQ) was certified as complete by the Department of City Planning on September 22, 2003, and was duly referred to Community Board 14 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 14 held a public hearing on this application on November 12, 2003, and on that date, by a vote of 25 to 0 with 2 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, however, the Borough President did not issue a recommendation.

City Planning Commission Public Hearing

On December 17, 2003 (Calendar No. 11), the City Planning Commission scheduled January 7, 2004, for a public hearing on this application (C 020522 ZSQ). The hearing was duly held on January 7, 2004 (Calendar No. 18). There was one speaker in favor of the application, and no speakers in opposition. The applicant's architect appeared to answer questions. There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of this special permit pursuant to Section 74-67 of the Zoning Resolution to allow a fire station in a residence district and to modify the requirements of Section 23-14 and 23-44 to allow the floor area ratio and permitted obstructions in required front yards requirements to comply with the regulations of Section 24-11 and 24-33 is appropriate.

The special permit will facilitate the construction of a two-story, 10,000 square foot fire station on a vacant lot located at 305 Cross Bay Boulevard, Block 15304, Lot 450 in Broad Channel, Queens Community District 14.

The proposed special permit is necessary because fire stations are not allowed in residential

districts. The existing facility, is a two-story, frame building which occupies almost the entire 2,500 square foot site, the building is structurally unsound and too small to meet the current needs of the Broad Channel Volunteers.

The applicant was unable to locate suitable sites in appropriately zoned districts that would permit this facility. The site is located on Cross Bay Boulevard which provides easy access to the north and south parts of the Broad Channel Community. The majority of lots in Broad Channel are zoned R3-2.

The fire station will be located to minimize the movement of the fire and ambulance vehicles through local streets in residential areas. The vehicles will only enter or exit onto Cross Bay Boulevard, which are away from local residences.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-67 (Fire or Police Stations) of the Zoning Resolution:

- (a) that such use will serve the residential area within which it is provided to be located; that there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such use within a Residence District; and
- (b) in the case of fire stations, that such use is so located as to minimize the movement of fire apparatus through local streets in residential areas.

RESOLUTION

RESOLVED, that 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 and findings described in this report, the application by Broad Channel Volunteers Inc. for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a fire station in a Residence District; and to modify the requirements of Section 23-14 and 23-44 to allow the floor area ratio and the permitted obstructions in required front yards requirements to comply with the regulations of Section 24-11 and 24-33, respectively, to facilitate the construction of a 2-story approximately 10,000 square foot fire station on a zoning lot located at 305 Cross Bay Boulevard (Block 15304, Lot 450), in an R3-2 district, Borough of Queens, Community District 14, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 020522 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plan, prepared by John D. Calcagnile, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
A-1	Plot Plan, Section A-A, Zoning Computations Zoning Map	9-12-03

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plan listed above which has been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the

City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

The above resolution (C 020522 ZSQ), duly adopted by the City Planning Commission on January 28, 2004 (Calendar No. 11), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
ANGELA R. CAVALUZZI, R.A., ALEXANDER GARVIN,
RICHARD EADDY, JANE D. GOL, CHRISTOPHER KUI,
KAREN PHILLIPS, DOLLY WILLIAMS, Commissioners