



## CITY PLANNING COMMISSION

April 9, 2008 Calendar No. 7

C 070362 ZSQ

**IN THE MATTER OF** an application submitted by the Queens Public Library pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-901 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a proposed two-story, approximately 7,734 square foot library on property located at 256-04 Union Turnpike (Block 8693, Lot 10) in an R2 District, Borough of Queens, Community District 13.

The application for the special permit was filed by the Queens Public Library on March 1, 2007, to facilitate the construction of the Glen Oaks branch of the Queens Public Library in Glens Oaks, Queens.

### **BACKGROUND**

The applicant, the Queens Public Library, is seeking the grant of a special permit pursuant to Section 74-901 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a replacement branch library in an R2 district in Glen Oaks, Queens Community District 13.

The proposed building would be located at 256-04 Union Turnpike (Block 8693, Lot 10) which is currently occupied by the existing two-story, 10,000 square-foot Glen Oaks branch facility.

The existing library building would be demolished and replaced with a two-story building with approximately 18,000 square feet.

The project site is a city-owned corner lot that is zoned R2 and measures approximately 9,452 square feet. The lots abutting the project site are occupied by a two-story medical office

building to the east and a 1-1/2 story detached single-family home to the south. Low-density residential, community facility and commercial uses are located along Union Turnpike in the vicinity of the site. Zoning districts in the immediate vicinity of the project site include R2, R3-2 and C4-1 districts which are developed with a mix of residential, commercial and institutional uses. The R2 district in which the project is located extends to the south and east and is developed with single-family, detached homes. The R3-2 district to the north of the project site encompasses the Glen Oaks Village garden apartment complex and the Creedmoor State Hospital campus. Directly across Union Turnpike north of the project site is a one-block C4-1 district developed with a one-story shopping center that contains a supermarket, department store, local convenience retail uses and approximately 600 accessory parking spaces.

The applicant is proposing to construct a new library building that has a total of approximately 18,000 square feet. The two-story, 24-foot structure would have a building footprint of approximately 3,878 square feet and provide approximately 7,734 square feet of floor area with a 0.82 Floor Area Ratio. The remaining square footage of the building would be constructed below ground. Seven on-site parking spaces would be required, but would be waived pursuant to Section 25-33 (Waiver of Requirements for Spaces below Minimum Number) of the Zoning Resolution. The proposed development would replace the existing facility that was constructed in 1956 and is inadequate to meet the library's current programmatic needs or handicap accessibility requirements. The new library will provide the additional space for a state-of-the-art facility with proper circulation areas, well-defined user spaces and other multipurpose areas that increase the library's levels of public and staff services.

Community facilities in R2 districts, such as libraries, are restricted to the maximum residential Floor Area Ratio (FAR) of 0.5. Pursuant to Section 74-901 of the Zoning Resolution, the City Planning Commission by Special Permit may permit the allowable community facility FAR of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply. Under Section 24-11 of the Zoning Resolution, a maximum community facility FAR of 1.0 is allowed in an R2 district.

### **ENVIRONMENTAL REVIEW**

This application (C 070362 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 07QPL002Q. The lead agency is the Queens Borough Public Library.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on February 28, 2007.

### **UNIFORM LAND USE REVIEW**

This application (C 070362 ZSQ) was certified as complete by the Department of City Planning on December 3, 2007, and was duly referred to Community Board 13 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 13 held a public hearing on this application on January 16, 2008, and on

January 28, 2008, by a vote of 32 to 0 with 1 abstention, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on February 14, 2008.

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

On February 27, 2008 (Calendar No. 3), the City Planning Commission scheduled March 12, 2008, for a public hearing on this application (C 070362 ZSQ). The hearing was duly held on March 12, 2008 (Calendar No. 37). There were three speakers in favor of the application and no speakers in opposition.

The applicant's primary representative described the need and benefits of the proposed facility. The Director of Capital Management for the Queens Public Library addressed the issue of services during the construction period. The project's architect spoke about the merits of the building's design.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the grant of this special permit is appropriate.

Approval of the special permit application (C 070362 ZSQ) would facilitate the construction of a replacement facility for the Glen Oaks Public Library that exceeds the allowable 0.50 FAR in an R2 district.

The Commission notes that the new facility is proposed to be built at an FAR of 0.82. The Commission also notes that the building's proposed footprint and height are smaller than the existing building and better relates to nearby development. The building's design reflects the modern facades of the institutional and commercial buildings that surround the proposed development on Union Turnpike and the Commission believes that the distribution of bulk is consistent with the scale of the adjacent residential buildings and would not obstruct light or air to nearby properties. The Commission notes that the proposed landscaping on 256<sup>th</sup> Street relates the new building to existing development along the side street by lining up the open space with the residential front yards. The Commission also acknowledges that the building design has received a LEED certification for the sustainable features used in design of the building and the surrounding landscaping.

The Commission believes that the proposed library would replace an outdated existing facility that can no longer serve operating and programmatic needs of the staff and the Glen Oaks community. The new library is not anticipated to significantly increase the number of users. The proposed library is intended to provide additional space for furniture, equipment and library materials necessary to improve library services

The Commission notes the streets providing access to the proposed are adequate to handle traffic generated by the library and that the traffic data and impacts were fully disclosed and evaluated in the Environmental Assessment Statement prepared for the application. The Commission also notes that the facility is adequately served by three (3) public bus routes with a bus stop directly on Union Turnpike in front of the library. While no on-site parking spaces are currently proposed as part of the new development, the Commission is aware of a

significant amount of off-street and curbside parking in the vicinity of the new library would adequately serve users.

## **FINDINGS**

The Commission hereby makes the following findings pursuant to Section 74-901 of the

Zoning Resolution:

- (a) That the distribution of the bulk of the total development will not unduly obstruct the access of light and air in and to adjoining properties or public streets, and will result in satisfactory site planning and satisfactory urban design relationships of buildings to adjacent streets and surrounding developments;
- (b) That the architectural and landscaping treatment and the height of the proposed building containing such uses blends harmoniously with the topography and the surrounding area;
- (c) That the proposed development will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made; and
- (d) That the streets providing access to such use are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

## **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 of the Queens Public Library for the grant of a special permit to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area and Percentage of Lot Coverage) to apply to a proposed 2-story and cellar library facility with approximately 7,734 square feet, located at 256-04 Union Turnpike

(Block 8693, Lot 10), Borough of Queens, Community District 13, is approved, pursuant to Section 74-901 of the Zoning Resolution, subject to the following terms and conditions:

1. The property that is the subject of this application (C 070362 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Marble Fairbanks Architects, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z0.0	Proposed Site Plan	11.28.07
Z0.1	Landscape Plan	11.28.07
Z1.1	Cellar and First Floor Plan	11.28.07
Z1.2	Second Floor and Roof Plan	11.28.07
Z3.1	Zoning Sections	11.28.07

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 plans listed above which have 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.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

7. The above resolution (C 070362 ZSQ), duly adopted by the City Planning Commission on April 9, 2008 (Calendar No. 7), 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., ALFRED C. CERULLO, III, BETTY Y. CHEN,**  
**MARIA M. DEL TORO, RICHARD W. EADDY, NATHAN LEVENTHAL,**  
**SHIRLEY A. MCRAE, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**