



CITY PLANNING COMMISSION

October 11, 2006/Calendar No. 13

C 060305 ZSQ

IN THE MATTER OF an application submitted by the New York Hospital Queens pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 25-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility (Block 6401, Lots 19, 21, 24, 25, 26, 28, 29, 31, 33, 35, and 130) accessory to uses in a large-scale community facility development with a maximum capacity of 372 spaces, in connection with the enlargement of an existing hospital facility generally bounded by Main Street, 56th Avenue, 141st Street, Booth Memorial Avenue, 141st Street, a line 40 feet northerly of 58th Avenue, a line approximately midway between 141st Street and Main Street, and Booth Memorial Avenue (Block 5165, Lot 1; Block 6401, Lots 19, 21, 24, 25, 26, 28, 29, 31, 33, 35, and 130), in R4 and R6 Districts, Borough of Queens, Community District 7.

The application for the special permit was filed by New York Hospital Queens (NYHQ) on January 27, 2006, to allow for the construction of a 372-space accessory parking garage in conjunction with the hospital's modernization and expansion proposed for its 6.4 acre campus in Flushing, Queens. The application was revised on September 20, 2006 to reflect modifications in the design of the accessory parking garage.

RELATED ACTIONS

In addition to the special permit, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. N 060304 ZAQ Authorization pursuant to Section 79-31 for location of accessory off-street parking anywhere within a Large Scale Community Facility Development.
2. C 060303 ZMQ Amendment to the Zoning Map, changing from an R4 District to an R6 District.

BACKGROUND

Area and Site Description

NYHQ, a not-for-profit 439-bed acute care teaching hospital, is located in the Queensboro Hill neighborhood of Flushing, Queens. The hospital site is zoned R4 and occupies approximately six acres on two blocks bounded by 56th Avenue to the north, 141st Street to the east, 58th Avenue to the south and Main Street to the west. Booth Memorial Avenue separates the north and south hospital blocks.

The north hospital block (Block 5165, Lot 1), bounded by Main Street, 56th Avenue, 141st Street and Booth Memorial Avenue, is developed with five intersecting hospital buildings that range in height from one to eight stories. There are also two parking areas: a two-level, 150-space attended accessory parking structure with access from Main Street and a 31-space open accessory parking lot in the north central part of the block with access from 56th Avenue. There is one privately-owned, 12,500 square-foot parcel on the north hospital block at the southeast corner of Main Street and 56th Avenue (Lot 28), occupied by a gas station, operating pursuant to a BSA variance since 1971 and included in the area to be rezoned.

The hospital owns 11 properties (Block 6401, Lots 19, 21, 24, 25, 26, 28, 29, 31, 33, 35 and 130) on the southern block, generally bounded by Main Street, Booth Memorial Avenue, 141st Street and 58th Avenue. The properties front on Booth Memorial Avenue and on 141st Street and are developed with five, two-story structures used for accessory office and medical space and open accessory parking areas for approximately 140 cars. The remainder of this block is in separate, private ownership and developed with a two-story single-family home, a two-story office

building on 58th Avenue and retail uses in one-story taxpayer structures on Main Street.

There is a C1-2 overlay district 150 feet deep on the east side of Main Street between Booth Memorial and 58th avenues that is developed with one-story commercial buildings occupied by local retail and service uses. Within a quarter mile of the hospital site there are R3-2, R4 and R6 zoning districts that are fully developed with a diverse housing stock, ranging from single-family detached homes to fifteen-story apartment buildings. The 100-acre Kissena Corridor Park and the Queens Botanical Gardens are located immediately north and northwest of the hospital site. Flushing Meadows-Corona Park , the Van Wyck and Horace Harding expressways (LIE) are within one-half mile of the hospital and downtown Flushing is one mile to the north.

NYHQ was originally established as Booth Memorial Hospital in 1957 by the Salvation Army and has operated at its existing location since that time. Today, it is affiliated with the Weill Medical College of Cornell University and is part of the New York Presbyterian Healthcare System, the nation's largest not-for-profit, non-sectarian healthcare system. It employs 3,000 people, including volunteers, and receives approximately 400 outpatients and 250 visitors per day. Its on-site facilities include the borough's only Pediatric Intensive Care Unit (ICU) and Level III Neonatal ICU, as well as a Regional I Trauma Center and Stroke Center.

Proposed Development

The new-construction component of the NYHQ modernization plan consists of a new hospital building (97,217 square feet) and a new south entrance and lobby (2,098 square feet) on the

north block. A 372-space accessory parking garage is proposed for the south block.

Construction is expected to be completed by 2008.

North Block

A new West Wing building is proposed to be developed on the north block. The proposed building would be five stories with a total height of 73 feet, 5 inches, fronting on Main Street.

The West Wing would directly connect to existing buildings and enable the hospital to enhance the quality of clinical service by consolidating services and increasing the number of beds by 18 percent, from 439 to 519 beds.

The proposed development also includes a new hospital entrance and lobby at the northeast corner of Main Street and Booth Memorial Avenue, immediately south of the new West Wing.

The entrance would incorporate an off-street vehicle drop-off area, upgraded and covered sidewalks, curbs and landscaping and connect the West Wing building with Lang Auditorium the hospital's lecture facility.

South Block

As certified, NYHQ originally filed applications that would facilitate construction of a five-level, 372-car accessory garage at the southwest corner of Booth Memorial Avenue and 141st Street. It would occupy all hospital-owned properties on the south block and require demolition of existing structures (five, two-story buildings currently used by the hospital for office and medical space). The accessory garage was proposed to consist of one basement, three above-grade levels and a rooftop level, directly connected to the Main hospital building by a pedestrian

bridge over Booth Memorial Avenue. NYHQ also originally filed an application for a revocable consent to construct, maintain and use an enclosed pedestrian bridge (C 060306 GFQ).

Subsequent to certification, the proposed accessory parking garage development was revised on September 20, 2006. The application for the pedestrian bridge was withdrawn on August 30, 2006.

In the revised application, the hospital proposes to construct a 372-story, three-level accessory parking garage at the original location. It would consist of one on-grade and two below-grade levels of parking and provide 181 self-park and 191 attended spaces. Attended parking areas would be located on the second cellar level below grade. Serving both employees and visitors, the accessory off-street parking garage would operate 24 hours a day, seven days a week with an attendant booth and garage office located on the ground level. Vehicular access would be from Booth Memorial Avenue through a 24-foot-wide curb cut, including splays that would accommodate two lanes of entering vehicles for self-park and valet queues. Nineteen reservoir spaces would be provided. Exiting traffic would use a separate, 15 1/2-foot curb cut, including splays, on Booth Memorial Avenue located a 11 feet, 9.5 inches from the garage entrance. A pedestrian gate is located on Booth Memorial Avenue.

The street-level area of the accessory parking garage would be enclosed with rose-colored brick “estate fencing” along its perimeter on Booth Memorial Avenue, 141st Street and along the hospital’s southern property line. The brick fencing would range in height from 3 feet to 7 1/2 feet, corresponding to the slope of the site and would shield surrounding homes from headlights on cars circulating within the parking facility. The lower sections of the brick enclosure would

have wrought iron fencing atop the brick to form a uniform height. The brick fence would have graffiti-resistant coatings. Continuous planting areas, ranging in width between 5 feet and 6 feet, will be located directly in front of the brick fencing along 141st Street and on Booth Memorial Avenue. The planting areas will be landscaped with coniferous, evergreen and deciduous species to screen the parking facility from pedestrians at street level. At critical locations along the brick fence, plantings will be denser and taller to provide additional shielding for adjacent homes from on-site auto headlights and conceal bulkheads. Street trees are proposed at 25-foot intervals along the curb line in a continuous planting area approximately 4 1/2 feet wide on both Booth Memorial Avenue and 141st Street. Similar plantings are also proposed within the open parking area at grade.

Two ventilation and stair bulkheads are located on 141st Street. A third bulkhead is located within the on-grade area of the parking facility and a fourth stair and elevator bulkhead immediately adjacent to the vehicular entrance on Booth Memorial Avenue. The heights of the bulkhead structures that front on 141st Street are proposed to be 9 feet, 8 inches and 12 feet and would be constructed of the same materials as the brick fencing which is described below.

Required Actions

The proposed development requires the following actions:

Amendment to the Zoning Map (C 060303 ZMQ)

The north block, bounded by 56th Avenue, Main Street, Booth Memorial Avenue and 141 Street, is proposed to be rezoned from R4 to R6, facilitating construction of the proposed West Wing and South Entrance. No change in zoning is requested for the south hospital block, which would

remain R4.

R4 districts permit all types of housing and community facilities in Use Groups 1 through 4. The maximum Floor Area Ratio (FAR) for residential development is 0.75 with a 20% increase to 0.9 FAR for attic allowance. Buildings are limited in height to 35 feet with a maximum 25-foot perimeter wall. The maximum FAR for community facilities in R4 districts is 2.0 with maximum building height determined by a Sky Exposure Plane calculation and parking requirements are determined by use.

R6 districts permit medium density residential development and all housing types, from row houses and small apartment buildings to high-rise towers, with a maximum residential FAR of 2.43. Higher FAR is permitted under optional Housing Quality Program regulations. R6 permits a maximum FAR for community facilities of 4.8. Under the proposed R6 zoning, a total of 178 on-site parking spaces are required.

The applicant proposes to develop a five-story, 97,219 square-foot building on the north hospital block that would increase the hospital's floor area from 467,091 SF (1.7 FAR) to 566,408 SF (2.2 FAR).

Authorization Permitting Off-Street Parking to be Located Anywhere Within the Large Scale Community Facility Development (N 060304 ZAQ)

The applicant is seeking an authorization pursuant to Section 79-31 of the Zoning Resolution which permits accessory off-street parking spaces to be located anywhere within a large-scale

community facility development.

The NYHQ site qualifies as a large-scale community facility development. The site is comprised of contiguous zoning lots, occupying 6.4 acres on two blocks, separated only by Booth Memorial Avenue.

In order to grant the authorization, the Commission must make findings related to the convenient location of the accessory off-street parking spaces, site planning and effects of the proposed facility on surrounding zoning lots or on traffic conditions in the surrounding area.

The applicant proposes to locate a 372-space accessory parking garage on an adjoining zoning lot within the LSCFD. Locating the accessory parking garage on the south block permits the hospital to construct the new West Wing and South Entrance and efficiently consolidate medical and patient programs within interconnected buildings on the north block. The proposed parking facility would be located across Booth Memorial Avenue from the hospital complex. Entrance and exit curb cuts for the parking facility are located on Booth Memorial Avenue which is an 80-foot-wide, two-way street. Nineteen reservoir spaces are provided within the accessory parking garage.

Group Parking Facility Special Permit (060305 ZSQ)

The applicant is seeking a special permit, pursuant to Section 74-53 (Accessory Group Parking Facilities in Large-Scale Residential Developments or Large-Scale Community Facility Developments or General Large-Scale developments), to modify the requirements of Section 25-12 (Maximum Size of Accessory Group Parking Facilities) to allow construction of a group

parking facility as an accessory to uses in a large-scale community facility development with a maximum of 372 spaces.

In order to grant the special permit, the Commission must make findings related to the effects of this proposal on the surrounding area's ability to handle the traffic for the development.

The proposed development is a 372-space accessory parking garage located on the south block of the LSCFD, consisting of one on-grade and two below-grade levels of parking and providing 181 self-park and 191 attended spaces. Vehicular access to the parking facility would be on Booth Memorial Avenue, an 80-foot-wide, two-way street through a 24-foot-wide curb cut that would accommodate two lanes of entering vehicles for self-park and valet queues. Exiting traffic would use a separate, 15 1/2-foot curb cut also on Booth Memorial Avenue. Nineteen reservoir spaces would be provided.

The proposed development requires a variance from the Board of Standards and Appeals (BSA) seeking relief from height and setback and rear yard equivalent requirements to facilitate construction of the West Wing (41-06BZ) and a variance seeking relief from the front and side yard requirements for the accessory parking garage (42-06BZ) to facilitate construction of the stair bulkheads along 141st Avenue which are not permitted obstructions.

ENVIRONMENTAL REVIEW

This application (C 060305 ZSQ), in conjunction with the applications for the related actions (N 060304 ZAQ) and (C 060303 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 designated CEQR number is 05DCP066Q. The lead agency is the City Planning Commission.

After a study of the potential environmental impact of the subject application (C060305 ZSQ), a Conditional Negative Declaration (CND), signed by the applicant, was issued on July 7, 2006. After the issuance of the July 7, 2006 CND, the applicant modified the proposal and a revised CND, signed by the applicant, was issued on September 25, 2006. The lead agency has determined that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

1. Traffic and Parking

In order to mitigate the significant adverse traffic impact at Main Street and Booth Memorial Avenue, the applicant agrees to notify NYCDOT prior to completion of the project so that NYCDOT can evaluate implementation of the proposed mitigation measures described below. With these measures in place, no significant adverse impacts to traffic would occur as a result of the proposed action.

- *AM Peak Hour*

Readjust the existing traffic signal timing to provide three additional seconds of green time to the eastbound/westbound phase. Green time is to be reapportioned from the northbound/southbound green time. This would result in 34 seconds of green time to the eastbound/westbound approaches and 76 seconds of green time to the northbound/southbound approaches.

- *PM Peak Hour*

The proposed mitigation measures include the removal of on-street parking and an adjustment of signal timing. The existing on-street parking regulation at the southbound approach is currently posted as "No Parking 11-12:30 PM Wednesday." The existing on-street parking regulation at the north bound approach is currently posted as "No Parking 8:30-9 AM Wednesday/1-hour Parking 9 AM-7 PM except Sunday." The proposed mitigation measure would eliminate on-street parking for the northbound approach for a distance of approximately 115 feet from the curb of Booth Memorial Avenue and the

southbound approach for a distance of approximately 107 feet from the curb of Booth Memorial Avenue with new parking signage indicating "No Standing 4-7 PM Monday through Friday." With the new on-street parking requirement in place, the existing traffic signal timing would be readjusted to provide ten additional seconds of green time to the eastbound/westbound phase. This green time is to be reapportioned from the northbound/southbound green time. This would result in 47 seconds of green time to the eastbound/westbound approaches and 63 seconds of green time to the northbound/southbound approaches.

2. Transit and Pedestrians

- The applicant agrees to study pedestrian safety conditions at the intersection of Main Street and Booth Memorial Avenue when the proposed project is built and occupied. Measures such as leading pedestrian interval, leading westbound phase, high visibility crosswalks and yield to pedestrian/advance warning of pedestrian crossing signage could improve the safety at this location.
- The applicant will develop detailed plans for NYCDOT review and approval, if warranted.

The conditional negative declaration included an (E) designation for hazardous materials on Block 5165, Lot 28. The placement of the (E) designation (E-171) on the zoning map would eliminate the potential for significant adverse impact on that site and would ensure that appropriate testing, remediation and corrective action, if needed, would be undertaken.

The text for the (E) designation would be as follows:

Due to the possible presence of hazardous materials on the aforementioned designated site there is potential for contamination of the soil and groundwater. To determine if contamination exists and perform an appropriate remediation, the following tasks must be undertaken by the fee owners(s) of the lot restricted by this (E) designation prior to any demolition or disturbance of soil on the lot.

Task 1 - The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the New York City Department of Environmental Protection (DEP) for

review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP upon request.

Task 2 - A written report with findings and a summary of the data must be presented to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP if the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, written notice shall be given by DEP.

If remediation is necessary according to test results, a proposed remediation plan must be submitted to DEP for review and approval. The fee owner(s) of the lot restricted by this (E) designation must perform such remediation as determined necessary by DEP. After completing the remediation, the fee owner(s) of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to DEP for review and approval prior to implementation.

With the implementation of the above (E) designation, no significant adverse impacts related to hazardous materials would occur.

The applicant signed the conditional negative declaration on July 7, 2006. The conditional negative declaration was published in the City Record in the New York State Environmental Notice Bulletin on July 19, 2006. Pursuant to the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., a 30-day comment period followed.

No comments were received. Subsequent to the issuance of the July 7, 2006 conditional negative declaration, the applicant modified the proposal in response to concerns raised during the public review process, and completed a hazardous materials Phase II subsurface investigation, included as a condition in the July 7, 2006 conditional negative declaration. As a result to changes in the proposal and the satisfaction of the hazardous materials condition contained in the July 7, 2006 conditional negative declaration, a revised conditional negative declaration was signed by the applicant on September 20, 2006 and issued on September 25, 2006.

UNIFORM LAND USE REVIEW

This application (C 060305 ZSQ), in conjunction with the application for the related action (N 060303 ZMQ), was certified as complete by the Department of City Planning on July 10, 2006, and was duly referred to Community Board 7 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related authorization (N 060304 ZAQ) which was referred for review and comment.

Community Board Public Hearing

Community Board 7 held a public hearing on this application on September 11, 2006, and on that date, by a vote of 38 to one with no abstentions, adopted a resolution recommending approval of the following application with conditions:

- 1) Remove street parking along Booth Memorial Ave btwn Main & 141st St.
- 2) Add pedestrian safety cross-hatching at Main St & Booth Memorial Ave intersection and mid-block crossing.
- 3) Add pedestrian crossing signs.

- 4) add mid-block traffic signal.
- 5) add two left turn signals on Booth Memorial Ave & Main Street.
- 6) Prevent Left turn onto Main Street exiting hospital drop-off.
- 7) Req DOT institute a one-way study for 141st St n/b from 58 Ave to Booth Memorial Ave.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on September 25, 2006.

The Borough President's recommendation included the following conditions:

The applicant has committed to installing a wall that increases in height matching the grade along 141st Street to block any potential light from the headlights of vehicles moving within the parking facility. The design that was presented shows a solid wall that would be 7' tall at the intersection of 141st Street and Booth Memorial Avenue. The applicant also stated that there would be plantings along the perimeter wall. The design of that wall and plantings should be carefully considered to assure that the residents on 141st Street are never faced with a tall blank wall.

There were major concerns within the community regarding potential safety and traffic impacts related to the hospital expansion. All of the measures recommended by the community board should be considered as soon after the hospital expansion as possible to assure pedestrian and vehicular safety.

City Planning Commission Public Hearing

On September 13 (Calendar No. 3), the City Planning Commission scheduled September 27, 2006, for a public hearing on this application (C 060305 ZSQ). The hearing was duly held on September 27, 2006 (Calendar No. 15), in conjunction with the public hearings on the application for the related action (C 060303 ZMQ). There were three speakers in favor of the application and two speakers in opposition.

The Director of Planning for the Borough President reiterated the Borough President's support

for the applications and testified about hospital care in Queens and the need for modernizing facilities. He urged an expedited review and approval of the proposal.

Three representatives of the applicant appeared in favor, including the applicant's attorney and land use consultant. The attorney addressed the hospital's need to modernize and described how the applicant modified the proposal in response to concerns expressed by the City Planning Commission, the community board and local residents. The applicant's land use consultant described the specific actions sought by the applicant in order to facilitate the hospital's development plan. He discussed pedestrian safety, implementing community board recommendations, lighting and the concurrent Board of Standards and Appeals applications.

Speaking in opposition were two residents from the immediate community who expressed concerns that the proposed project was contrary to the New York State's mandate to close hospitals and reduce beds, that the proposed garage would create traffic problems and change the character of the neighborhood.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of this special permit, along with the related actions, is appropriate.

Group Parking Facility Special Permit (C 060305 ZSQ)

The Commission believes the proposed accessory parking garage will not have an adverse impact on local streets in the residential area and that traffic will not be drawn through surrounding residential streets.

The Commission notes that vehicular traffic approaching the accessory parking garage will generally use Main Street and Booth Memorial Avenue and that the site would have all ingress and egress via two curb cuts on Booth Memorial Avenue which is 80 feet wide. Main Street, which intersects with Booth Memorial Avenue, is a 100-foot-wide through-street that provides direct access to the Long Island and Van Wyck expressways. The Commission notes that both Main Street and Booth Memorial Avenue are not local residential streets and are developed with commercial and community facility uses.

The Commission notes that the environmental assessment statement prepared for this proposal indicates that the streets providing access to the garage will be adequate to handle the traffic with modifications to signal timing and parking restrictions on Booth Memorial Avenue and Main Street.

Authorization Permitting Off-Street Parking to be Located Anywhere Within the Large Scale Community Facility Development (060304 ZAQ)

The Commission notes that locating the proposed development directly across Booth Memorial Avenue on the south block keeps the accessory parking spaces in close proximity and convenient to the related community facility uses on the north block.

The Commission also notes that the proposed location for the accessory parking garage within the LSCFD site plan would enable the hospital to consolidate medical and patient programs into new and existing buildings on the north block, benefiting hospital owners, employees, patients and visitors.

The Commission acknowledges that there would be a net increase of 82 parking spaces within the LSCFD when the parking garage is constructed, but it is aware that the garage is sited and designed to draw a minimum of vehicular traffic through the surrounding area by limiting vehicular access to one street, Booth Memorial Avenue. The 24-foot entrance and 15-foot exit curb cuts, located on Booth Memorial Avenue, are located approximately 40 feet east of the intersection of Main Street to prevent traffic congestion. The 19 reservoir spaces provided at within the entrance area to the facility will also reduce the potential for traffic congestion on surrounding streets. The Commission believes the landscaping and brick fencing incorporated into the design of the accessory parking garage limits adverse impacts on the surrounding residential area.

Amendment to the Zoning Map (C 060303 ZMQ)

The Commission considers an R6 District as the appropriate zoning for the north hospital block and acknowledges that no change in zoning will occur on the south hospital block which would remain R4. The applicant proposes to develop a five-story, 97,219 square-foot building on the north hospital block that would increase the hospital's floor area from 467,091 SF (1.7 FAR) to 566,408 SF (2.2 FAR). The Commission notes the proposed development would exceed the maximum 2.0 allowed under the current R4 zoning. The Commission is also aware that the

maximum allowable FAR permitted for community facilities under R6 regulations is 4.8 FAR but there is no lesser zoning district that permits an FAR to accommodate the proposed floor area.

Regarding the testimony from community board and Borough President concerning traffic and pedestrian safety, the Commission notes that as part of the Conditional Negative Declaration dated July 7, 2007 and modified September 25, 2006, the applicant agreed to study and prepare a pedestrian safety plan for review by the New York City Department of Traffic (NYCDOT) and, if warranted, will implement those measures. The Commission also believes that the traffic data and impacts were fully disclosed and evaluated in the Environmental Assessment Statement.

With regard to speakers' comments about the provision of services and the hospital expansion issues in general, the Commission finds that decisions on these issues are the jurisdiction of the New York State Department of Health, which approved the proposed modernization and expansion plans February 2, 2006.

The Commission notes the applicant's close collaboration with community representatives in the redesign of the garage and believes the modified design better integrates the facility into the neighborhood, limits visual impacts of the facility at street level and screens adjacent residential uses. The Commission believes that the design elements incorporated into the garage facility address the neighborhood character issue raised by speakers at its public hearing.

The Commission believes that the proposed actions will facilitate the hospital's modernization

plan, enabling it to consolidate its patient care services, upgrade and expand its physical plant and continue as one of the prime providers of quality health services in the borough of Queens.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-53 of the Zoning Resolution:

74-53 Accessory Group Parking Facilities for Uses in Large Scale Community Facility Developments

- (a) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in residential areas;
- (b) that such use has adequate reservoir space at the vehicular entrance to accommodate either ten automobiles or five percent of the total parking spaces provided by the use, whichever is greater, but in no event shall reservoir space be required for more than 50 automobiles;
- (c) that the streets providing access to such use will be adequate to handle the traffic generated thereby; and
- (d) not applicable.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment subject to the following conditions:

1. Traffic and Parking
In order to mitigate the significant adverse traffic impact at Main Street and Booth Memorial Avenue, the applicant agrees to notify NYCDOT prior to completion of the project so that NYCDOT can evaluate implementation of the proposed mitigation measures described below. With these measures in place, no significant adverse impacts to traffic would occur as a result of the proposed action.

- *AM Peak Hour*
Readjust the existing traffic signal timing to provide three additional seconds of green time to the eastbound/westbound phase. Green time is to be reapportioned from the northbound/southbound green time. This would result in 34 seconds of green time to the eastbound/westbound approaches and 76 seconds of green time to the northbound/southbound approaches.
- *PM Peak Hour*
The proposed mitigation measures include the removal of on-street parking and an adjustment of signal timing. The existing on-street parking regulation at the southbound approach is currently posted as "No Parking 11-12:30 PM Wednesday." The existing on-street parking regulation at the north bound approach is currently posted as "No Parking 8:30-9 AM Wednesday/1-hour Parking 9 AM-7 PM except Sunday." The proposed mitigation measure would eliminate on-street parking for the northbound approach for a distance of approximately 115 feet from the curb of Booth Memorial Avenue and the southbound approach for a distance of approximately 107 feet from the curb of Booth Memorial Avenue with new parking signage indicating "No Standing 4-7 PM Monday through Friday." With the new on-street parking requirement in place, the existing traffic signal timing would be readjusted to provide ten additional seconds of green time to the eastbound/westbound phase. This green time is to be reapportioned from the northbound/southbound green time. This would result in 47 seconds of green time to the eastbound/westbound approaches and 63 seconds of green time to the northbound/southbound approaches.

2. Transit and Pedestrians

- The applicant agrees to study pedestrian safety conditions at the intersection of Main Street and Booth Memorial Avenue when the proposed project is built and occupied. Measures such as leading pedestrian interval, leading westbound phase, high visibility crosswalks and yield to pedestrian/advance warning of pedestrian crossing signage could improve the safety at this location.
- The applicant will develop detailed plans for NYCDOT review and approval, if warranted.

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 New York Hospital Queens for the grant

of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 25-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility (Block 6401, Lots 19, 21, 24, 25, 26, 28, 29, 31, 33, 35, and 130) accessory to uses in a large-scale community facility development with a maximum capacity of 372 spaces, in connection with the enlargement of an existing hospital facility generally bounded by Main Street, 56th Avenue, 141st Street, Booth Memorial Avenue, 141st Street, a line 40 feet northerly of 58th Avenue, a line approximately midway between 141st Street and Main Street, and Booth Memorial Avenue (Block 5165, Lot 1; Block 6401, Lots 19, 21, 24, 25, 26, 28, 29, 31, 33, 35, and 130), in R4 and R6 Districts, Borough of Queens, Community District 7, is approved subject to the following terms and conditions:

1. The property that is the subject of this application (C 060305 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 Perkins Eastman, filed with this application and incorporated in this resolution, subject to the condition of the CEQR declaration which includes CEQR declaration E-171:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-1	Zoning Calculations and CPC Actions	09-20-06
Z-4A	Proposed Site Plan	09-20-06
Z-9A	Proposed Parking Structure Ground Floor Plan	09-20-06
Z-9B	Proposed Parking Structure Floor Plans	09-20-06
Z-9C	Proposed Parking Structure Light Distribution Plan	09-20-06

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, sub lessee or occupant.
5. The development shall conform to all conditions, modifications and alterations set forth in the conditional negative declaration (CEQR No. 05DCP066Q) dated September 25, 2006, issued pursuant to the New York State and New York City Environmental Quality Review. These conditions, modifications and alterations are as follows:

1. Traffic and Parking

In order to mitigate the significant adverse traffic impact at Main Street and Booth Memorial Avenue, the applicant agrees to notify NYCDOT prior to completion of the project so that NYCDOT can evaluate implementation of the proposed mitigation measures described below. With these measures in place, no significant adverse impacts to traffic would occur as a result of the proposed action.

- *AM Peak Hour*

Readjust the existing traffic signal timing to provide three additional seconds of green time to the eastbound/westbound phase. Green time is to be reapportioned from the northbound/southbound green time. This would result in 34 seconds of green time to the eastbound/westbound approaches and 76 seconds of green time to the northbound/southbound approaches.

- *PM Peak Hour*
The proposed mitigation measures include the removal of on-street parking and an adjustment of signal timing. The existing on-street parking regulation at the southbound approach is currently posted as "No Parking 11-12:30 PM Wednesday." The existing on-street parking regulation at the north bound approach is currently posted as "No Parking 8:30-9 AM Wednesday/1-hour Parking 9 AM-7 PM except Sunday." The proposed mitigation measure would eliminate on-street parking for the northbound approach for a distance of approximately 115 feet from the curb of Booth Memorial Avenue and the southbound approach for a distance of approximately 107 feet from the curb of Booth Memorial Avenue with new parking signage indicating "No Standing 4-7 PM Monday through Friday." With the new on-street parking requirement in place, the existing traffic signal timing would be readjusted to provide ten additional seconds of green time to the eastbound/westbound phase. This green time is to be reapportioned from the northbound/southbound green time. This would result in 47 seconds of green time to the eastbound/westbound approaches and 63 seconds of green time to the northbound/southbound approaches.

2. Transit and Pedestrians

- The applicant agrees to study pedestrian safety conditions at the intersection of Main Street and Booth Memorial Avenue when the proposed project is built and occupied. Measures such as leading pedestrian interval, leading westbound phase, high visibility crosswalks and yield to pedestrian/advance warning of pedestrian crossing signage could improve the safety at this location.
- The applicant will develop detailed plans for NYCDOT review and approval, if warranted.

6. 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.

7. 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.

The above resolution (C 060305 ZSQ), duly adopted by the City Planning Commission on October 11, 2006 (Calendar No. 13), 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
KENNETH J. KNUCKLES, Esq., Vice-Chairman
IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, II,
JANE D. GOL, RICHARD W. EADDY, CHRISTOPHER KUI, JOHN MEROLO,
DOLLY WILLIAMS, Commissioners