



IN THE MATTER OF an application submitted by Dr. T's Pediatrics PLLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a, changing from an R1-2A District to an R3-2 District property bounded by 71st Road, a line 100 feet northeasterly of 112th Street, 72nd Avenue and 112th Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated May 20, 2019.

This application for a zoning map amendment was filed by Dr. T's Pediatrics PLLC on April 24, 2019. The proposed action would legalize medical office uses in an existing building located at 112-06 71st Road in the Forest Hills neighborhood of Queens, Community District 6.

BACKGROUND

The applicant seeks a zoning map amendment to change an R1-2A District to an R3-2 District to legalize an existing medical office located at 112-06 71st Road (Block 2248, Lot 9). The proposed rezoning area includes the southwest portion of Block 2248, encompassing Lots 1, 4, 6, and part of Lot 9, all located along 112th Street between 71st Road and 72nd Avenue in the Forest Hills neighborhood of Queens, Community District 6.

The applicant owns 112-06 71st Road (Block 2248, Lot 9), a corner lot located at the intersection of 112th Street and 71st Road. It was developed with a duplex in 1930, and the structure was converted to a single-family house with a home medical office in 2015. This practice gradually expanded to comprise the entire first floor. The second floor is still used as a residence. The existing floor area ratio (FAR) is 0.43. A non-permitted accessory parking lot with approximately seven spaces stretches along the eastern edge of the lot, accessed from a curb cut along 71st Road.

71-31 112th Street (Block 2248, Lot 6) is developed with a detached, single-family house, constructed in 1967 with an FAR of 0.78 and containing both a single residential unit and a legal, non-conforming medical office space. This structure is currently undergoing renovation and would be brought into conformance by the proposed rezoning. 112-05 72nd Avenue (Block 2248, Lot 1)

and 71-35 112th Street (Block 2248, Lot 4) are currently developed with detached single-family houses at FARs of 0.54 and 0.28, respectively. Both residential properties would remain conforming and would be unaffected by the proposed rezoning, as there would be no change in permitted residential FAR.

All four lots were originally zoned R1-2 in 1961. The R1-2 District is a low-density residential district that allows a maximum residential FAR of 0.5 and a maximum community facility FAR of 1.0. The Department of City Planning-sponsored Community Facility Text Amendment (N 040202 ZRY), adopted in 2004, prohibited new medical offices in R1 and R2 districts and restricted the as-of-right development of medical offices to 1,500 square feet of floor area in all other single- and two-family residence districts, including R3A, R3X, R3-1, R4A, R4B, and R4-1.

In 2009, all four lots were rezoned from R1-2 to R1-2A as part of the Department of City Planning-sponsored Cord Meyer-Forest Hills Rezoning (C 090283 ZMQ). This rezoning sought to ensure that the bulk of new single-family houses would reflect the existing scale of the neighborhood. The rezoning established a maximum perimeter wall height of 25 feet and a maximum building height of 35 feet. While most of the Cord Meyer section of the Forest Hills neighborhood situated north of 71st Avenue is characterized by detached, single-family houses, the project area is in a transitional area that includes a mixture of low- to medium-density residential buildings and low-rise community facilities.

The area immediately west of the proposed rezoning is zoned R7-1, containing six- to 10-story multifamily buildings. The R7-1 District is a medium-density residential district where building heights typically can range from eight to 14 stories depending on whether height factor or Quality Housing regulations are used.

The area to the north and east of the rezoning area is zoned R1-2A. It is primarily developed with two- and three-story, detached, single-family houses and several two- to three-story community facilities, including PS 196 Grand Central School, a branch of Touro College, and multiple houses of worship. The northernmost portion of this block (Block 2248) was rezoned earlier this year

from an R1-2A District to R7A and R7X districts to facilitate the residential reuse and enlargement of the former Parkway Hospital building and the construction of a new 14-story, multifamily building (C 180447 ZMQ). The Grand Central Parkway is one block to the east.

Queens Boulevard runs two blocks west of the rezoning area. This thoroughfare is a major commercial corridor, developed with a mixture of one- and two-story commercial buildings and mixed-use multifamily buildings. The commercial uses along Queens Boulevard are enabled by C1-2 commercial overlays along this portion of the corridor. The Forest Hills – 71st Ave. Station, which services the E, F, M and R subway lines, is located 1,500 feet west of the project site.

The applicant proposes to map an R3-2 District on the western edge of Block 2248, along the east side of 112th Street between 71st Road and 72nd Avenue. The R3-2 District is a low-density residential district allowing all types of housing at a maximum residential FAR of 0.5 and a maximum community facility FAR of 1.0. The maximum building base height is 21 feet and the maximum building height is 35 feet. Medical office uses are allowed in R3-2 districts. Off-street accessory parking is required for each dwelling unit and one parking space is required per 400 square feet of medical office space. This proposed rezoning would legalize the existing medical office on Lot 9.

ENVIRONMENTAL REVIEW

This application (C 190422 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 19DCP113Q.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on May 20, 2019.

UNIFORM LAND USE REVIEW

This application (C 190422 ZMQ) was certified as complete by the Department of City Planning on May 20, 2019 and duly referred to Queens Community Board 6 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 6 held a public hearing on this application (C 190422 ZMQ) on June 12, 2019, and on that day, by a vote of 38 in favor, 4 opposed, and 0 abstaining, adopted a resolution recommending approval of the application with the following condition:

“The re-zoning should only apply to the doctor’s office building at 112-06 71st Road (Block 2248, Lot 9) and not any adjacent buildings.”

Borough President Recommendation

The Queens Borough President held a public hearing on this application (C 190422 ZMQ) on July 11, 2019 and on July 15, 2019 issued a recommendation approving the application.

City Planning Commission Public Hearing

On July 31, 2019 (Calendar No. 10), the City Planning Commission scheduled August 14, 2019 for a public hearing on this application (C 190422 ZMQ). The hearing was duly held on August 14, 2019 (Calendar No. 52). There was one speaker in support of the application, and one in opposition.

A representative of the applicant testified in support of the application, providing a summary of the current conditions and rationale for the requested rezoning, emphasizing the transitional location of the proposed rezoning area.

A resident of Queens testified in opposition to the application, raising concerns over the potential for added bulk or commercial uses on the site as a result of the proposed rezoning.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 190422 ZMQ), is appropriate.

The proposed zoning map amendment is consistent with the goals of the 2009 Cord Meyer-Forest Hills Rezoning (C 090283 ZMQ). As with the existing R1-2A District, the proposed R3-2 District allows low-rise residential buildings at an FAR of 0.5 and a maximum building height of 35 feet. No commercial uses would be allowed as a result of the proposed zoning map amendment. The proposed zoning map amendment is therefore unlikely to facilitate future redevelopment that is out of character with the existing neighborhood. The proposed zoning map amendment would legalize the applicant's medical office. The Commission does not condone the conversion done contrary to zoning but does believe the proposed zoning is appropriate nonetheless.

The Commission acknowledges the recommendation from Community Board 6 that the proposed rezoning apply only to the applicant's lot. It notes, however, that the proposed rezoning area consists only of four tax lots along the 112th Street frontage of Block 2248. Unlike much of the neighborhood north of 71st Avenue, which is characterized by detached single-family houses, the proposed rezoning area abuts various community facilities and mid-rise residential buildings. An R7-1 District borders the western edge of the proposed rezoning area, solidifying the 112th Street block front as an area that provides an appropriate transition from the medium-density context of the R7-1 District to the lower-density context found of the R1-2A District. The Commission believes that the proposed R3-2 District rezoning boundaries are appropriate as drawn.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on May 20, 2019 with respect to this application (CEQR No. 19DCP113Q), 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 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 hereby amended by changing the Zoning Map, Section No. 14a, changing from an R1-2A District to an R3-2 District property bounded by 71st Road, a line 100 feet northeasterly of 112th Street, 72nd Avenue and 112th Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated May 20, 2019.

The above resolution (C 190422 ZMQ), duly adopted by the City Planning Commission on September 11, 2019 (Calendar No. 12), 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*

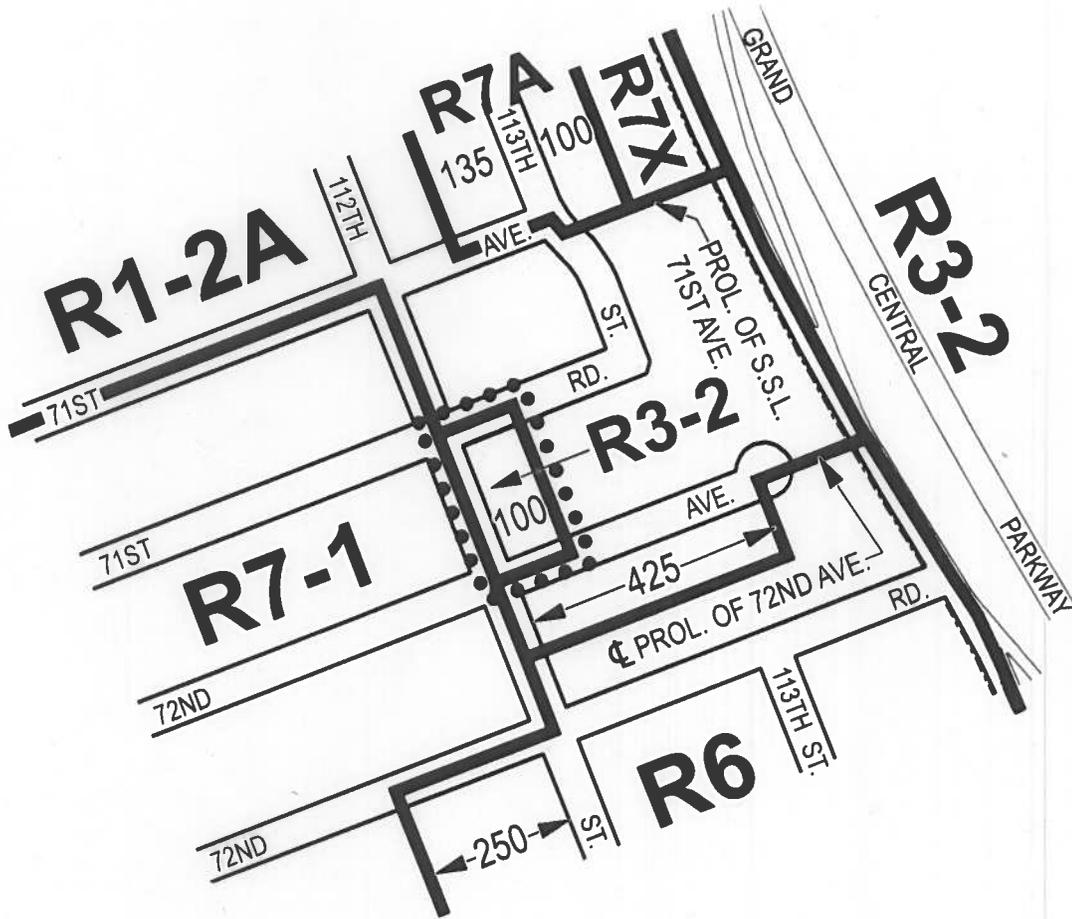
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LARISA ORTIZ, RAJ RAMPERSHAD *Commissioners*

ANNA HAYES LEVIN, *Commissioner, Voting No*



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

14a

**BOROUGH OF
 QUEENS**



New York, Certification Date:
 MAY 20, 2019

S. Lenard, Director
 Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing an existing an R1-2A District to an R3-2 District.



COMMUNITY BOARD 6, QUEENS

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MELINDA KATZ
BOROUGH PRESIDENT

6/13/19

Re: Application # C 190422 ZMQ
112-06 71st Road Rezoning

Please be advised that Community Board 6 approved this application with the following condition:

- The re-zoning should only apply to the doctor's office building at 112-06 71st Road (Block 2248, Lot 9) and not any adjacent buildings.

Queens Borough President Recommendation

APPLICATION: ULURP #190422 ZMQ

COMMUNITY BOARD: Q06

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Sheldon Lobel, PC. on behalf of Dr T's Pediatrics PLLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map Section No. 14a, changing from an R1-2A District to an R3-2 District property bounded by 71st Road, a line 100 feet northeasterly of 112th Street, 72nd Avenue and 112th Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated May 20, 2019.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on July 11, 2019 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 for the application. The hearing was closed.

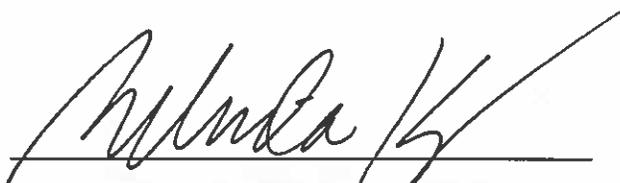
CONSIDERATION

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

- The applicant is requesting a zoning map amendment to rezone a portion of 112-06 71st Road (Block 2248 Lot 9), 71-31 112th Street (Block 2248 Lot 6), 71-35 112th Street (Block 2248 Lot 4) and 112-05 72nd Avenue (Block 2248 Lot 1) from an R1-2A District to an R3-2 District mapped to a depth of 100 feet east of 112th Street between 72nd Avenue and 71st Road. The proposed zoning amendment would facilitate the legalization of an existing Use Group 4 medical office located at 112-06 71st Road;
- The rezoning area is currently zoned R1-2A, a low-density contextual residential area. The proposed development site 112-06 71st Road (Block 2248 Lot 9). The lot has a total lot area of approximately 7,300 sf of which 4,800 sf is included in the rezoning area. 71-31 112th Street (Block 2248 Lot 6) is a 5,200 sf lot improved with a 2.5-story one single-family home. 71-35 112th Street (Lot 4) is a 5,000 sf lot developed with a 2-story one-family residential building. 112-05 72nd Avenue (Lot 1) is a 5,000 sf lot improved with a 1.5-story, one-family residential building;
- The proposed development site is 112-06 71st Road (Block 2248, Lot 9). The site is a corner flag-shaped 7,300 sf lot with approximately 125 ft of frontage on 71st Road, and, approximately 48 sf of frontage on 112th Street. The lot is currently improved with a 2-story (0.46 FAR) building containing 1,678 sf of medical office space on the first floor and 1,623 sf single-family residential use on the second floor. There are six off-street parking spaces provided. The proposed rezoning would legalize the first floor Use Group 4 medical office which is not permitted within an R1-2A District but allowed in an R3-2 District. There are no changes proposed from the existing conditions on the applicant's lot or the other properties in the rezoning area. The maximum FAR for both zoning districts are 0.5 therefore, any increases in density are not anticipated;
- The area to the west of the rezoning area is zoned R7-1, to south is zoned R6 and to the east and north is zoned R1-2A. The surrounding areas to the east and northwest and southwest of the site are developed with large residential developments and community facility uses including a house of worship and educational facility. Immediate east and south of the rezoning area is developed with detached low-density residential buildings;
- CB 6 approved this application by a vote of thirty-eight (38) in favor with four (4) against and none (0) abstaining at a community board meeting held on June 12, 2019. CB 6 approved with the condition that the rezoning area should only include Block 2248 Lot 9 and should not include other lots in the current proposed rezoning area.

RECOMMENDATION

Based on the above considerations, I hereby recommend approval of this application.



PRESIDENT, BOROUGH OF QUEENS

7/15/19

DATE