

# Queens Borough President Recommendation

APPLICATION: ULURP #C180399 ZMQ

COMMUNITY BOARD: Q06

## DOCKET DESCRIPTION

**IN THE MATTER OF** an application submitted by Sheldon Lobel, PC on behalf of Able Orthopedic & Sports Medicine, PC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 14b, changing from an R2 District to an R3-2 district property bounded by 76<sup>th</sup> Drive, a line perpendicular to the southeasterly street line of 76<sup>th</sup> drive distant 55 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 76<sup>th</sup> Drive and northeasterly street line of Austin Street, 77<sup>th</sup> Avenue, and Austin Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated February 11, 2019 and subject to the conditions of CEQR Declaration E-522.

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on March 28, 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 speakers for this 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 changing an R2 District to an R3-2 District to legalize and allow expansion of Use Group 4 medical offices within the existing buildings;
- The rezoning area is an area bounded by Austin Street to the southwest, 76<sup>th</sup> Drive to the northwest and 77<sup>th</sup> Avenue to the southeast. The affected lots are Block 3342, Lot 1, parts of Lot 61 and Lot 4. Lot 1 is developed with a detached two-story plus cellar and attic building with storage in the cellar that is occupied by a doctor's office on the first floor, with accessory medical office space on a part of the second floor. There is also a single dwelling unit on the second floor. Lot 61 is developed with a two-story single-family residence with an attic. The basement of that building is occupied by a doctor's office. A small portion of Lot 4 is included in the rezoning area which is occupied by a two-story single-family residence;
- The project area was rezoned from R6 to R2, which does not allow medical offices as-of-right, as part of Kew Forest Rezoning in 2000. The medical offices occupying the lower floors of the buildings at 111-04 76<sup>th</sup> Drive and 111-03 77<sup>th</sup> Avenue were established when the area was zoned R6 prior to the 2000 rezoning. The Kew Forest Rezoning grandfathered the existing medical offices making them legal non-conforming uses. The applicant wants to use the upper floor of this building for the expanded accessory medical uses such as an additional office or storage of medical files. The applicant intends to convert the existing buildings in their entirety into Use Group 4 medical care facilities as-of-right provided the proposed rezoning is approved;
- The surrounding area, located south of Queens Boulevard, is predominantly developed with mostly medium density 6-story multiple dwelling buildings to the west and north, and approximately four blocks of one- and two-family residences in an R2 District directly to the east. There are a number of ground floor retail stores along Queens Boulevard including two-story commercial buildings between 77<sup>th</sup> & 78<sup>th</sup> Avenues. The track of the Long Island Rail Road Main Line runs parallel to Austin Street south of the rezoning area.;
- The CB 6 approved this application by a vote of thirty-four (34) in favor, two (2) against and none (0) abstaining at a community board meeting held on March 13, 2018.

## RECOMMENDATION

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

  
\_\_\_\_\_  
PRESIDENT, BOROUGH OF QUEENS

4/15/19  
\_\_\_\_\_  
DATE