245-06 SOUTH CONDUIT AVENUE COMMERCIAL OVERLAY
245-06 SOUTH CONDUIT AVENUE, QUEENS
DECEMBER 8, 2021

1. INTRODUCTION

The applicant, Tire Heaven LLC, proposes a Zoning Map Amendment to rezone, Block 13614, Lots 6, 8, 12, 14, 28, and 23 (the "Project Area"), in Queens Community District 13, from an R3-2/C1-3 zoning district to an R3-2/C2-3 district. The application is being proposed to legalize a long-standing tire shop that sells tires to members of the local community.

2. BACKGROUND

The area surrounding and including the Project Area was primarily zoned as an R3-2 district at the adoption of the 1961 zoning maps.

In 2010, the Project Area was rezoned as part of the City's plan to rezone 193 blocks within the Rosedale neighborhood (ULURP Nos. C100436 ZMQ). The triangular-shaped rezoned area is bounded by Merrick Boulevard to the north, Idlewild Park and Hook Creek to the south, Nassau County to the east, and Brookville Boulevard to the west.The northern portion of Rosendale is primarily zoned R2, which permits single-family detached homes. The southern portion was primarily zoned R3-2 and permitted a variety of building types, including rowhouses, garden apartments, and semidetached homes, which were inconsistent with Rosedale's development patterns. The rezoning replaced the R3-2 district with contextual zoning districts — R3A, R3X, and R3-1 — to tailor future development to the prevailing scale of blocks within the area. The plan also modified the area's commercial overlays to better reflect commercial and retail uses and reduce required off-street parking.

DESCRIPTION OF THE SURROUNDING AREA

The surrounding area is predominantly residential. However, the areas around South Conduit Avenue and Sunrise Highway and parts of North Conduit Avenue have commercial developments. Most notable is the Green Acres Commons Shopping Center located in Valley Stream (roughly 1500 feet from the Project Area). The LIRR Rosedale Train Station is also located across Sunrise Highway, which runs parallel to South Conduit Avenue. Neighboring commercial uses consist of small auto repair shops, banks, fast food restaurants and various gas stations.

Zoning
The area within a 600-foot radius of the Proposed Project Area (the "Surrounding Area") is zoned R3-2, R3A, R3X, and R2 with C1-3 and C2-3 commercial overlays.

R3-2 zoning districts are non-contextual residential districts intended for neighborhoods with a variety of low-density housing types. R3-2 zoning districts permit single- or two-family homes along with small multi-family apartment buildings in a range of housing types (detached, semi-detached and attached buildings). The maximum permitted FAR of 0.5 may be increased by an attic allowance of up to 20% for inclusion of space beneath a pitched roof. Lots with detached homes must be at least 40 feet wide; if occupied by semi-detached and attached buildings, lots must be at least 18 feet wide. The maximum lot coverage of any residence is 35%. Front yards must be at least 15 feet deep. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon. Parking is also allowed within the front yard when the lot is wider than 35 feet. One off-street parking space is required for each dwelling unit in areas outside of a Transit Zone.

R3A zoning districts are contextual residential districts intended to preserve or establish a character of modest, pitched roof homes on smaller zoning lots. R3A zoning districts permit single- and two-family detached residences on zoning lots as narrow as 25 feet in width. The maximum permitted FAR of 0.5 may be increased by an attic allowance of up to 20% for inclusion of space beneath the pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. Yard requirements govern the amount of required open space on residential lots. New detached homes must have two side yards totaling at least eight feet, but there is no minimum width requirement for either one. R3A zoning districts permit zero lot line buildings which are set along a side lot line and have one side yard at least eight feet wide. The front yard of a new home must be at least 10 feet deep, and it must be as deep as an adjacent front yard but need not exceed a depth of 20

feet. Cars may park in the side or rear yard, but an in-house garage is allowed if the lot is 35 feet or wider, provided the driveway is at least 18 feet deep. One off-street parking space is required for each dwelling unit.

R3X zoning districts are contextual districts which permit single and two-family detached dwellings. Within an R3X zoning district, the maximum FAR is 0.60 with the provision of an attic. The maximum height is 35 feet. There are two side yards required each with a minimum width of two feet and a total width of 10 feet. The front yard must be a minimum of 10 feet deep. One off-street parking spot is required per dwelling unit.

R2 zoning districts permit only single-family detached residences with a floor area ratio (FAR) of 0.5 and certain community facility uses with an FAR of 1.0. Residential buildings must provide an open space ratio of 150.0, while community facilities have a maximum lot coverage of 60 percent for corner lots and 55 percent for interior or through lots. Maximum height and setback is governed by a sky exposure plane starting 25 feet above the front yard line. Accessory residential off-street parking is required for each dwelling unit.

C1-3 and C2-3 commercial overlay districts surround the Project Area to the north, east and west along both sides of South Conduit Avenue and Francis Lewis Boulevard. C1-3 and C2-3 zoning districts are commercial overlay districts mapped within residential neighborhoods along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When commercial overlays are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0.

Land Uses
Existing land uses within the surrounding area consist primarily of residential uses, one-and two-family and mixed residential and commercial buildings, community facilities, commercial uses, and open space/park land. The Project Area sits on a busy intersection, South Conduit Avenue/Sunrise Highway and Francis Lewis Boulevard, that has commercial uses that include small auto repair shops, banks, fast food restaurants and various gas stations.

Mass Transit
The surrounding area is accessible by multiple mass transit options, including bus and regional train service. The Q5, Q85, and X63 buses are all accessible within ½ mile of the Proposed Project Area. The Long Island Rail Road (LIRR) station, serving the Babylon, Far Rockaway, and Long Beach lines, is located within ½ mile to the west of the Proposed Project Area.

3. DESCRIPTION OF THE PROPOSED PROJECT AREA

The Project Area is comprised of Block 13614, Lots 6, 8, 12, 14, 28, and 23.

Lot 14 in the Project Area is an approximately 2,763 square foot, irregular, triangular lot currently improved with a 1,552 square foot (0.56 FAR), two-and-a-half story mixed use residential and commercial facility. There is one commercial unit and one residential unit.

Lot 28 in the Project Area is an approximately 5,800 square foot, irregular, parallelogram-shaped lot currently improved with a 3,360 (0.58 FAR) square foot, two story mixed use residential and commercial facility. There is one commercial and one residential unit.

Lot 6 is a 5,000-sf lot with 50 feet of frontage on 245th Street. It is improved with a 1,400 square foot commercial building which includes UG 6 local retail uses including a deli and a cell phone provider store.

Lot 8 is a 7,700 square foot lot with a 2,000 square foot fast food retail establishment on the lot. This lot has 75 feet of frontage on 245th Street.

Lot 12 is a 3,520-sf lot with 41 feet of frontage on South Conduit Avenue and is improved with a 3,000 square foot mixed residential and commercial building with ground floor retail and 2

dwelling units on the 2nd floor. The square foot distribution is mixed evenly between the two uses (1500 square feet of retail and 1500 square feet of residential use)

Lot 23 is a 4,476 square foot lot that is occupied by a gasoline service station with 1,000 square feet of floor area. It has 100 feet of lot frontage on South Conduit Avenue but also has some frontage on 246th Street and 139th Avenue.

DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE

The development site is located on Block 13614, Lots 14 and 28. Lot 14 is an irregular shaped tax lot with approximately 94 feet of street frontage on South Conduit Avenue. Lot 28 is an irregular shaped through lot with approximately 59 feet of frontage on South Conduit Avenue and 50 feet of frontage on 246th Street. Between Lots 14 and 28, there is a total of 4,912 sf of floor area, split approximately evenly between the lots. The existing floor to area ratio (FAR) on Lot 14 is 0.56 and the FAR on Lot 28 is 0.58. For purposes of future/potential development, the Development Site is two separate zoning lots, as the two lots do not share enough common lot line to be merged as one zoning lot.

4. DESCRIPTION OF THE PROPOSED DEVELOPMENT

This application seeks to legalize the existing tire shop located on Lots 14. This use is not allowed as of right in an R3-2/C1-3 zoning district but would be allowed within an R3-2/C2-3 zoning district.

5. ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

The action necessary to facilitate the Proposed Development at the site is a zoning map amendment to rezone the Proposed Project Area from an R3-2/C1-3 zoning district to an R3-2/C2-3 zoning district.

The existing C1-3 overlay is a local retail commercial district that permits only commercial Use Group 6, in addition to residential and community facility uses in Use Groups 1 through 4. The commercial uses are restricted to local retail and personal service uses that primarily serve the local residential area. Such uses are normally accessed daily by local patrons. The proposed C2-3 is more appropriate for the Project Area because it faces onto South Conduit Avenue/Sunrise Highway, a thoroughfare with heavy vehicular traffic. Patrons to the Project area are more often travelers on this thoroughfare rather than the residents, which is why a C2-3 overlay is more appropriate. The C2-3 overlay would allow for a wider range of service uses and home maintenance establishments, as well as local business and entertainment uses in Use Groups 7, 8, 9 and 14. The Proposed Rezoning would allow the Applicant to legalize the tire repair and sales shop, which is in constant demand by motorists passing.

6. CONCLUSION

As discussed above, the applicant proposes a zoning map amendment to rezone the Proposed Project Area in Rosedale, a neighborhood of Queens Community District 13, from an R3-2/C1-3 zoning district to an R3-2/C2-3 district. The proposed actions would permit a wider array of commercial uses and would legalize existing commercial uses in the area.