

# Queens Borough President Recommendation

**APPLICATION:** 245-06 South Conduit Avenue Commercial Overlay  
**COMMUNITY BOARD:** Q13

## DOCKET DESCRIPTION

**ULURP #230006 ZMQ** – IN THE MATTER OF an application submitted by an application submitted by Tire Heaven, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos.19b and 19d:

1. eliminating from within an existing R3-2 District a C1-3 District bounded by South Conduit Avenue, 139th Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246 Street, a line 85 feet northeasterly of Francis Lewis Boulevard, and 245th Street; and
2. establishing within an existing R3-2 District a C2-3 District bounded by South Conduit Avenue, 139th Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246 Street, a line 85 feet northeasterly of Francis Lewis Boulevard, and 245th Street;

Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated November 7, 2022.

## PUBLIC HEARING

A Public Hearing was held by the Queens Borough President via Zoom webinar and livestreamed on [www.queensbp.org](http://www.queensbp.org) on Thursday, January 12, 2023 at 9:30 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. The hearing was closed.

## CONSIDERATION

Subsequent to a 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 R3-2/C1-3 District with a R3-2/C2-3 District. The area to be rezoned (Block 13614, Lots 6, 9, 12, 14, 23, and 28) is generally bounded by South Conduit Avenue to the north, the easternly boundaries of Lots 1, 50 and 45 to the west, the northernly boundaries of Lots 31, 34, 36, 39, 44 and 246<sup>th</sup> Street to the south, and 139<sup>th</sup> Avenue to the east. The proposed rezoning would bring the current use (Use Group 7, tire repair and sales shop) into compliance;
- The Applicant has no Proposed Development for this site, and would like to continue operating the property as a tire repair and sales shop;
- Block 13614, Lot 14 is an irregularly-shaped tax lot with approximately 94 feet of street frontage on South Conduit Avenue improved with a 2-and-a-half story mixed-use residential and commercial facility, and Lot 28 is an irregularly-shaped through lot with approximately 59 feet of frontage on South Conduit Avenue and 50 feet of frontage on 246th Street improved with a 2-story mixed-use residential and commercial facility (together, "the Development Site"). Between Lots 14 and 28, there is a total of 4,912 sf of floor area. 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;
- Zoning in the 600-ft surrounding area includes R3-2, R3A, R3X, R2 with C1-3 and C2-3 commercial overlays, and surrounding uses include one- and two-family homes, community facilities, commercial uses and open space;
- At a public hearing held on December 19, 2022, Community Board 13 (CB13) voted to unanimously approve the application by a vote of thirty-two (32) in favor, zero (0) in opposition and zero (0) abstentions. The Applicant answered Community Board questions, and the hearing was closed;
- At the Borough President's Land Use Public Hearing, the Planning and Development Director chaired the hearing on behalf of the Borough President. After the Applicant Team's presentation, the Director asked about the use prior to the rezoning, to which the Applicant Representative responded the site had a compliant commercial use up until recently. The Director also asked about the process of taking waste and chemicals off-site, to which the Owner responded that he hires a company to remove waste weekly. The Owner also confirmed there have not been any flooding issues on the site for the last fifteen years;

**RECOMMENDATION**

Based on the above consideration, I hereby recommend approval for this Commercial Overlay with the following conditions:

- With regard to potential future development, the Applicant should:
  - have a minimum 30% goal to include M/WBE firms and hiring of local residents; and
  - add passive natural landscaping along the Development Site for better drainage.



**PRESIDENT, BOROUGH OF QUEENS**

02/03/2023

**DATE**