
Waldheim Neighborhood Rezoning Proposal
John Young, Director
Queens Office, Dept. of City Planning

City Council Subcommittee on Zoning and Franchises
September 16, 2008

Good morning, Chair Avella, Chair Katz, City Council Members, Ladies and Gentlemen.

My name is John Young, and I am the Director of the Queens Office of the Department of City Planning. On behalf of City Planning Director, Amanda Burden, I am very pleased to be here this morning to present the Department's efforts to update zoning designations for 44 blocks containing approximately 1,000 lots in the Waldheim neighborhood in north-central Queens. I am joined by Mark Phillips who will present our rezoning proposal to you.

The Waldheim rezoning proposal that is before you today culminates a more than three-year effort to work with a broad spectrum of neighborhood residents and stakeholders to develop a zoning framework that more closely matches building patterns and will ensure more predictable and orderly development. It was begun in 2005 and will complement rezonings that the City Council adopted for two adjacent communities in that year – Kissena Park to the south and East Flushing to the east.

Waldheim is located southeast of downtown Flushing, and the neighborhood was created on the then outskirts of Flushing in the early 1900s, as the growing population moved outward into land formerly occupied by botanical nurseries. Today the community's proximity to downtown Flushing has led in recent years to an increase in new development, much of which has been out-of-context with its traditional building types and density. For this proposal, the Department has developed a carefully delineated rezoning strategy to ensure that future housing more closely corresponds to established development patterns of one- and two-family detached homes, primarily within the central and eastern blocks of the rezoning area, and medium density apartment buildings predominating the western blocks. It also would allow a moderate increase in residential density on a block located on the western side of Kissena Boulevard, one of the community's main corridors, consistent with the predominant density of apartment buildings on this block. The proposal will also update commercial overlay designations to

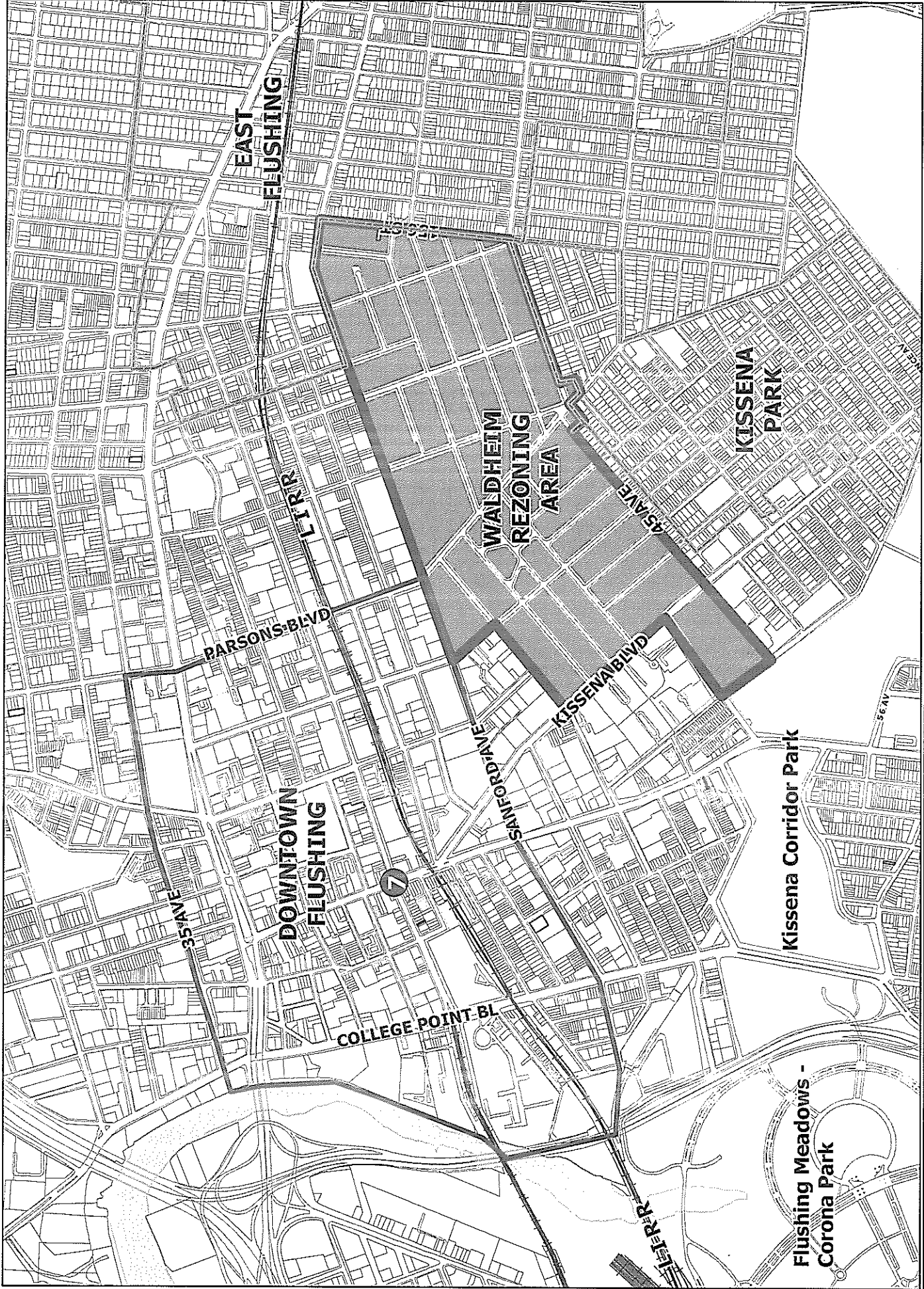
ensure that non-residential uses do not encroach on residential block portions, and to make existing commercial uses conforming. This contextual rezoning is consistent with many of the Department's recent rezoning efforts to support orderly growth that curbs inappropriate development and provides for targeted future development opportunities to strategically spur reinvestment.

Protecting the low-density and appealing qualities of the Waldheim neighborhood has been an important goal for the area's very committed civic groups, as well Community Board 7 and local elected officials. It has been the Department's privilege to have worked closely and intensively with them for more than three years to shape and refine this proposal. We know it has taken a considerable effort to reach this point, with substantial discussion and debate, but we could not have made it here without their contributions. Likewise Councilmember John Liu has provided valuable leadership and advocacy during the rezoning process, and we are very grateful for his partnership in achieving general consensus on the proposal.

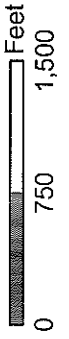
Following the June 2nd certification of the proposal, we are very pleased with the support received from Community Board 7, which requested that the Kissena Boulevard block not be rezoned from R6 to R7- 1, and Borough President Helen Marshall, who fully support this change and the rest of the proposal. There were more than 40 speakers at the July 23rd City Planning Commission, and the Commission carefully considered the issues raised about the R7-1 extension at Kissena Boulevard, as well as concerns about protecting the one- and two-family detached character of the central portion of the rezoning area. The Commission concluded that the proposed zoning changes are appropriate.

We hope that you, too, will support this well-considered rezoning initiative to reinforce the built character and development patterns of the distinctly charming Waldheim neighborhood.

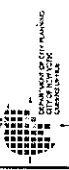
Now Mark will review the details of the proposal.



Waldheim Rezoning: Context



06/02/2008



Flushing Meadows -
Corona Park

Kissena Corridor Park

KISSENA
PARK

WALDHEIM
REZONING
AREA

EAST
FLUSHING

DOWNTOWN
FLUSHING

COLLEGE POINT BL

PARSONS BLVD

35 AVE

SAINFORD AVE

KISSENA BLVD

LIRR

LIRR

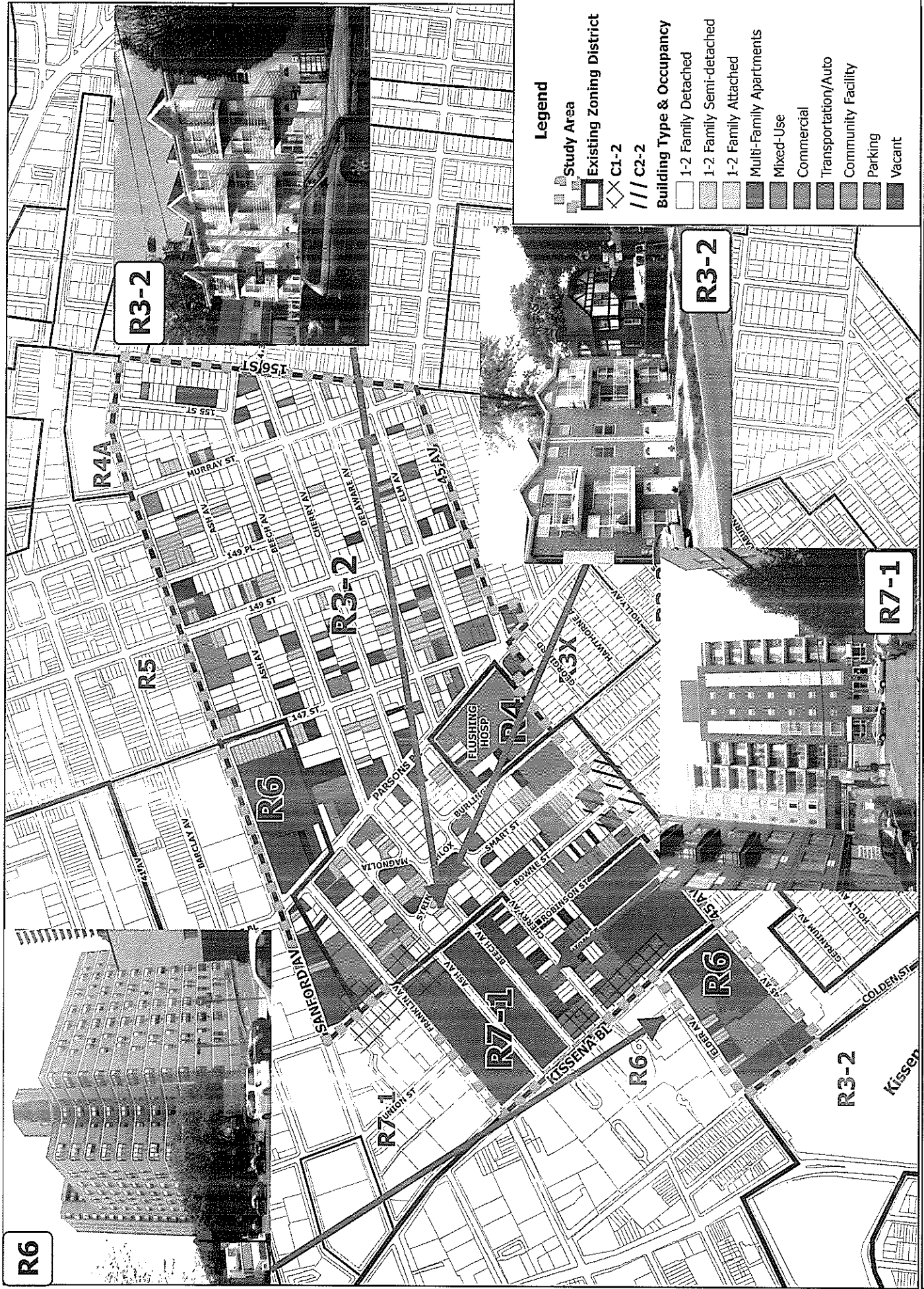
156 ST

56 AV

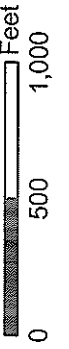
157 ST

158 ST

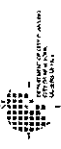
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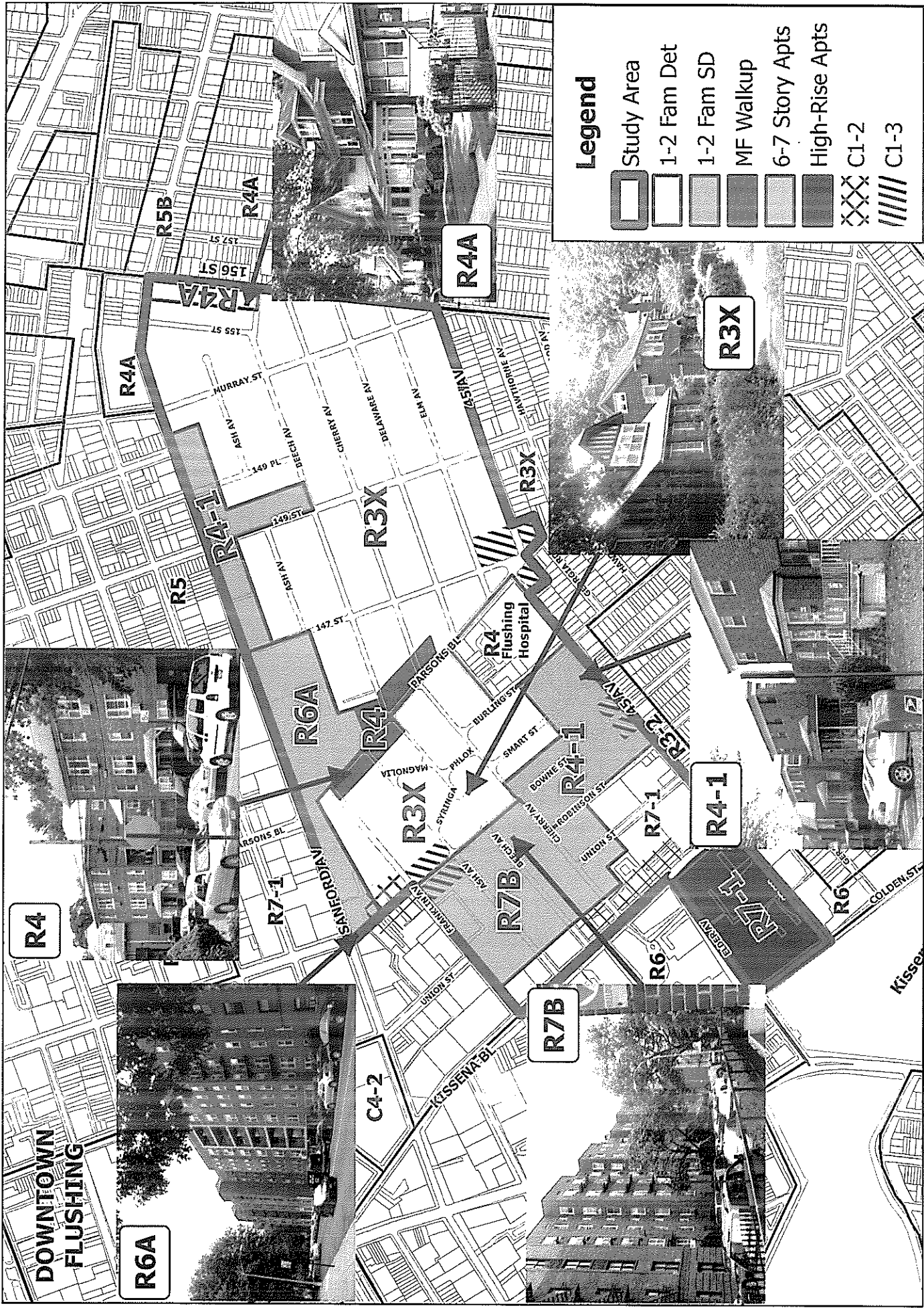


Waldheim Rezoning: Existing Zoning



06/02/2008





**DOWNTOWN
FLUSHING**

R6A

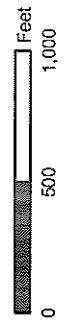
R4

R7B

R4-1

R3X

R4A



Waldheim Rezoning: Proposed Zoning

Legend

- Study Area
- 1-2 Fam Det
- 1-2 Fam SD
- MF Walkup
- 6-7 Story Apts
- High-Rise Apts
- C1-2
- C1-3



New York Armenian Home & Context

Waldheim Rezoning

New York City Department of City Planning – Queens Office

September 5, 2008

The Waldheim rezoning area is located in Queens Community District 7, immediately southeast of Downtown Flushing and adjacent to portions of the Kissena Park and East Flushing neighborhoods rezoned in 2005. The rezoning area generally is bounded by Sanford and Franklin Avenues to the north, 156th Street to the east, 45th Avenue to the south, and Colden Street and Kissena Boulevard to the west.

The rezoning area consists of 1,000 lots on 44 blocks. The largest portion of the study area is primarily developed with one- and two-family detached and semi-detached homes but is zoned R3-2, a lower-density general residential district that permits all housing types and configurations. The northern and western portions of the study area are primarily developed with six- and seven-story apartment buildings but are zoned R6 and R7-1, medium-density “height factor” districts that allow high-rise towers. The neighborhood’s built fabric is not well-matched by the existing zoning, which allows new developments that are out of character and out of scale with neighboring homes.

The proposed rezoning seeks to preserve the neighborhood’s characteristic development patterns while providing very limited opportunity for growth in housing units. The proposal has three components:

- **Lower-density Contextual Rezoning:** Rezoning all or portions of 36 blocks from R3-2 to one- and two-family contextual zoning districts (R3X, R4A and R4-1), and rezoning 5 blockfronts along Parsons Boulevard from R3-2 to R4 to more closely reflect existing 2- and 3-story apartment buildings;
- **Medium-density Contextual Rezoning:** Rezoning portions of 7 blocks from R6 and R7-1 “height factor” districts to R6A and R7B contextual districts (maximum 6-7 stories). Also rezoning one block from R6 to R7-1 and two lots from R3-2 to R6A in order to allow moderate growth in housing opportunities; and
- **Commercial Overlay Changes:** Rezoning C1-2 and C2-2 commercial overlays to C1-3 and reducing the overlay depth to reflect existing commercial development patterns; establishing new C1-3 commercial overlays on three blockfronts near Parsons Boulevard and 45th Avenue to bring pre-existing commercial uses into conformance.

Public Review:

- Testimony at all public hearings expressed broad support for contextual rezoning as a whole, but two major issues emerged:
 - Residents along 45th Avenue and members of the Holly Civic Association oppose rezoning the block west of Kissena Boulevard from R6 to R7-1, and expressed concern over the potential impact of the New York Armenian Home’s plans for redevelopment.
 - Several property owners oppose the proposed R3X contextual rezoning, especially if they are near to proposed R4, R4-1 or R4A zones. Most are concerned with the perceived impact of the contextual rezoning on property values.
- Community Board 7 held a public hearing on June 16, 2008. The Board voted 27 to 7, with 1 abstention, to recommend approval with the condition that the block west of Kissena Boulevard (including the New York Armenian Home) retain its current R6 zoning.
- The Borough President held a public hearing on July 10, 2008, and recommended approval of the application as certified (supporting the proposed change from R6 to R7-1 for block west of Kissena Boulevard between 45th and Elder Avenues).
- The Planning Commission held its public hearing on July 23, 2008, and voted to adopt the application on Aug 27th.

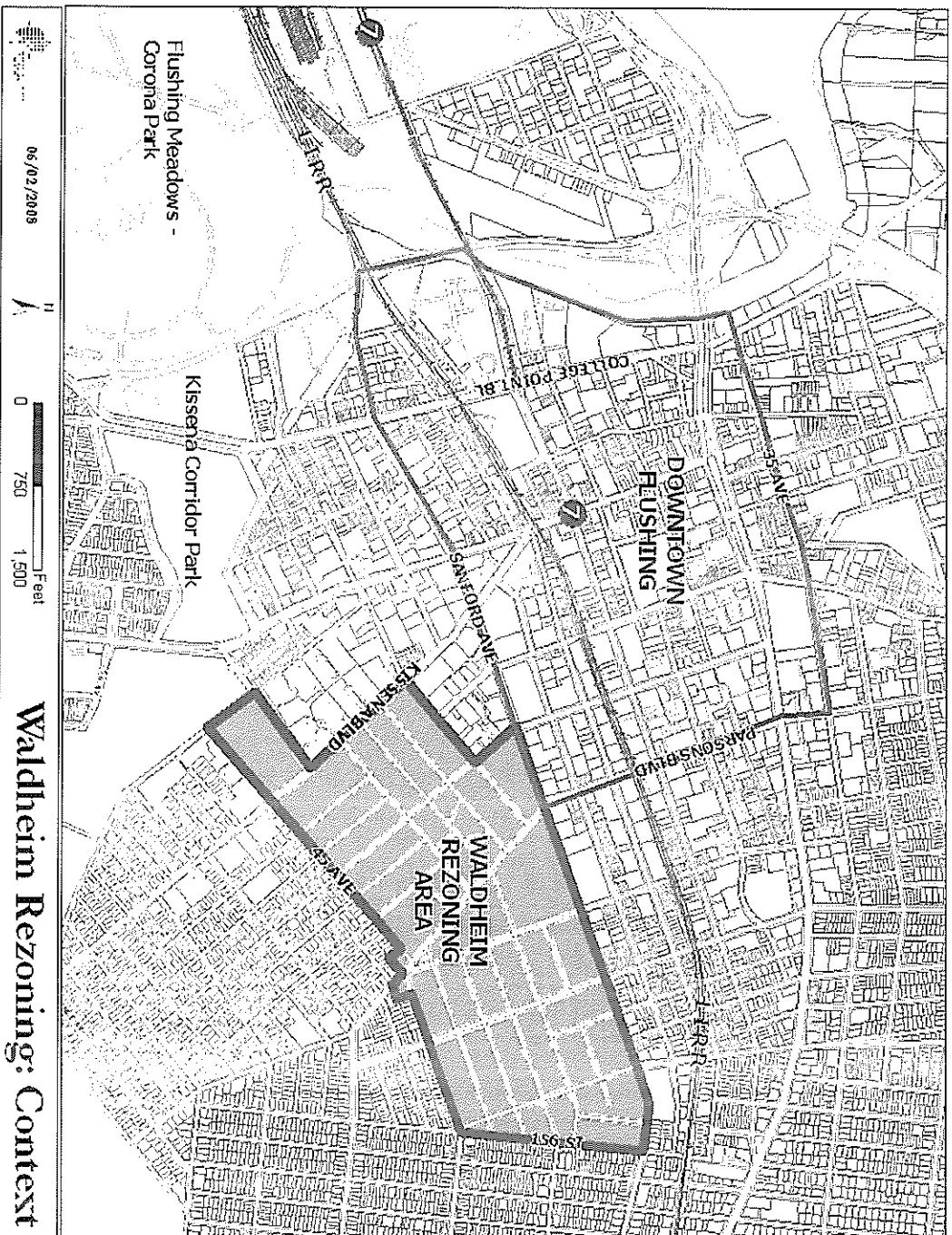
Waldheim Rezoning: Zoning Comparison Chart

	Existing Zoning	Proposed Zoning				Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
		R3X	R4A	R4-1	R4				
Building Type	R3-2 General Residence	R3X 1-2 Family Det.	R4A 1-2 Family Det.	R4-1 1-2 Family Det. or Semi-Det.	R4 General Residence	R6 General Residence	R6A General Residence	R7-1 General Residence	R7B General Residence
Maximum Residential FAR	0.6*	0.6*	0.9*	0.9*	0.9*	2.43	3.0	3.44	3.0
Maximum Community Facility FAR	1.0	1.0	2.0	2.0	2.0	4.8	3.0	4.8	3.0
Minimum Lot Area	1-2 Fam D = 3,800 sf; other = 1,700 sf	3,325 sf	2,850 sf	D = 2,375 sf SD = 1,700 sf	1-2 Fam D = 3,800 sf; other = 1,700 sf	1-2 Fam D = 3,800 sf; other = 1,700 sf	1-2 Fam D = 3,800 sf; other = 1,700 sf	1-2 Fam D = 3,800 sf; other = 1,700 sf	1-2 Fam D = 3,800 sf; other = 1,700 sf
Minimum Lot Width	1-2 Fam D = 40' Other = 18'	35'	30'	D = 25' SD = 18'	1-2 Fam D = 40' Other = 18'	1-2 Fam D = 40'; other = 18'	1-2 Fam D = 40'; other = 18'	1-2 Fam D = 40'; other = 18'	1-2 Fam D = 40'; other = 18'
Maximum Streetwall Height	21'	21'	21'	25'	25'	60' or 6 stories	40' min - 60' max	60' or 6 stories	40' min - 60' max
Maximum Building Height	35'	35'	35'	35'	35'	Sky Exposure Plane	70'	Sky Exposure Plane	75'
Minimum Front Yard	15'	10' min, 20' max with line-up	10' min, 20' max with line-up	10' min, 20' max with line-up	10' or 18'	None required	None required	None required	None required
Minimum Side Yards	D: 2 req, 13' total SD: 1 req, 8'	2 req; 10' total	2 req; 10' total	D: 2 req, 8' total; 0-lot line: 1 req, 8' SD: 1 req, 4'	D: 2 req 13' total SD: 1 req, 8'	3+ Family = none required	3+ Family = none required	3+ Family = none required	3+ Family = none required
Parking	1 per dwelling	1 per dwelling	1 per dwelling	1 per dwelling	1 per dwelling	70% of total dwelling units; 50% under Quality Housing	50% of total dwelling units	60% of total dwelling units; 50% under Quality Housing	50% of total dwelling units

D = Detached SD = Semi-Detached

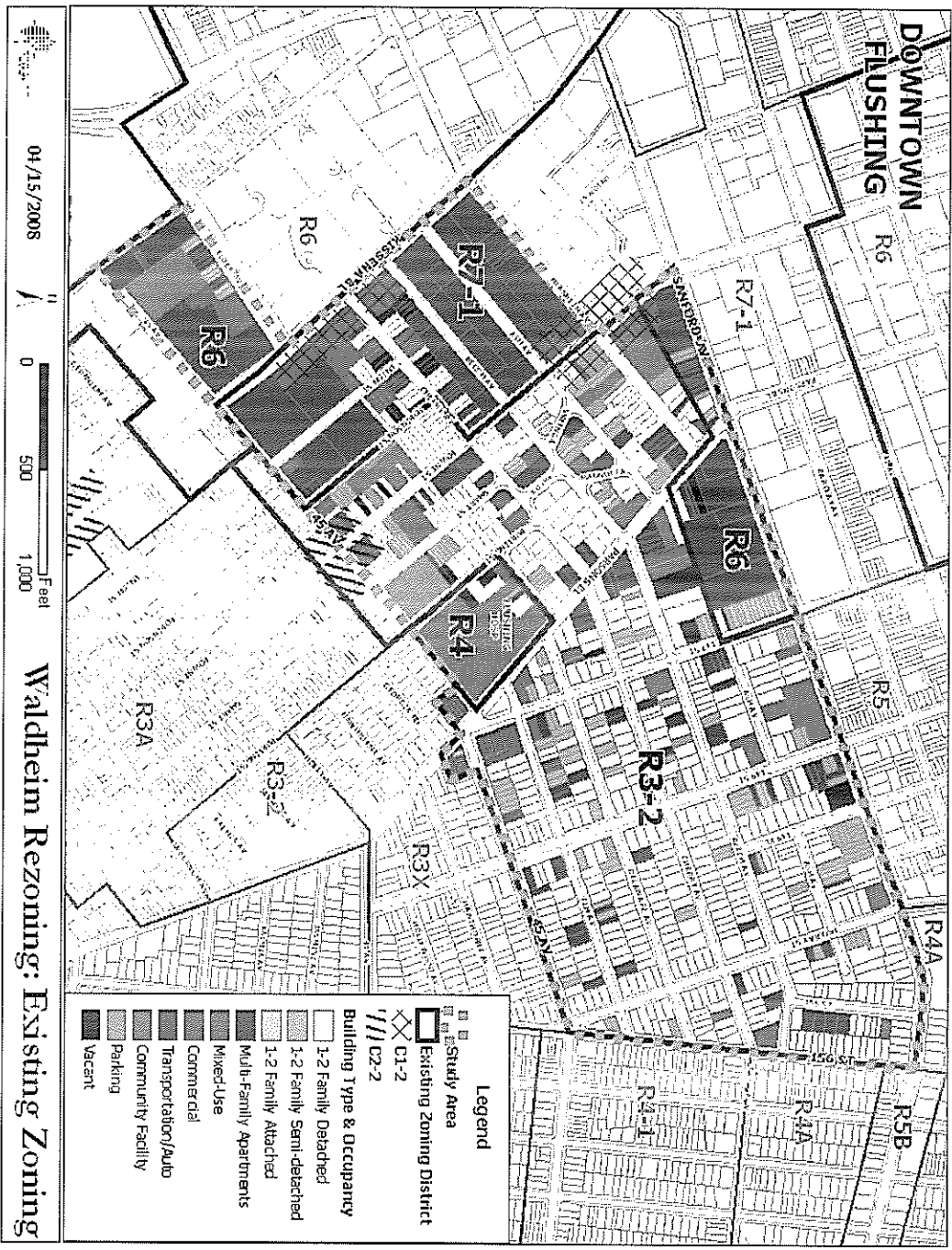
*Includes 20% attic allowance

Waldheim Rezoning: Surrounding Context



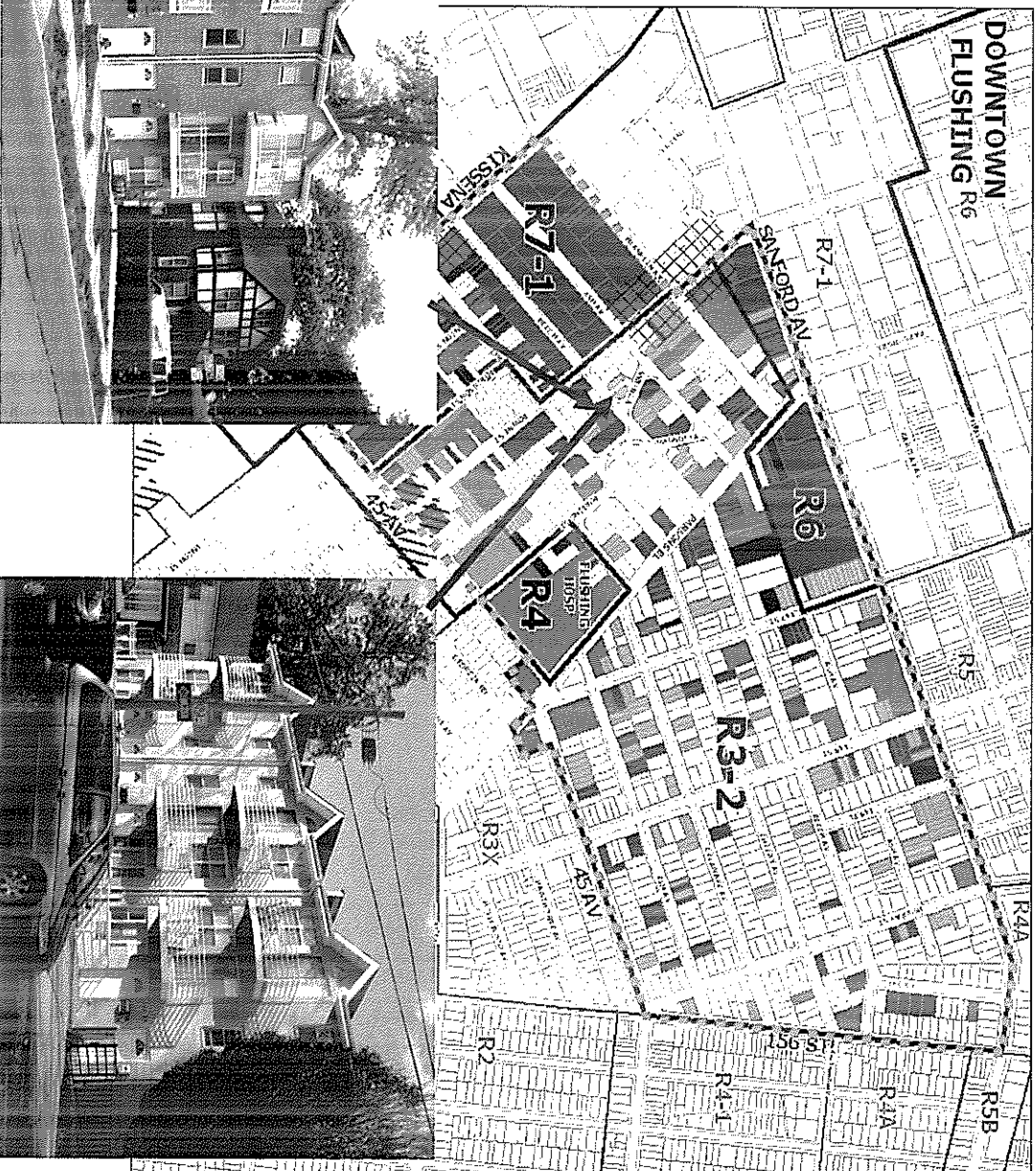
- 1,000 lots on 44 blocks
- Adjacent to Downtown Flushing
- Adjacent to East Flushing and Kissena Park, rezoned 2005
- .5-mile from #7 and LIRR
- Near Van Wyck, LIE and Grand Central

Waldheim Rezoning: Land Use & Existing Zoning



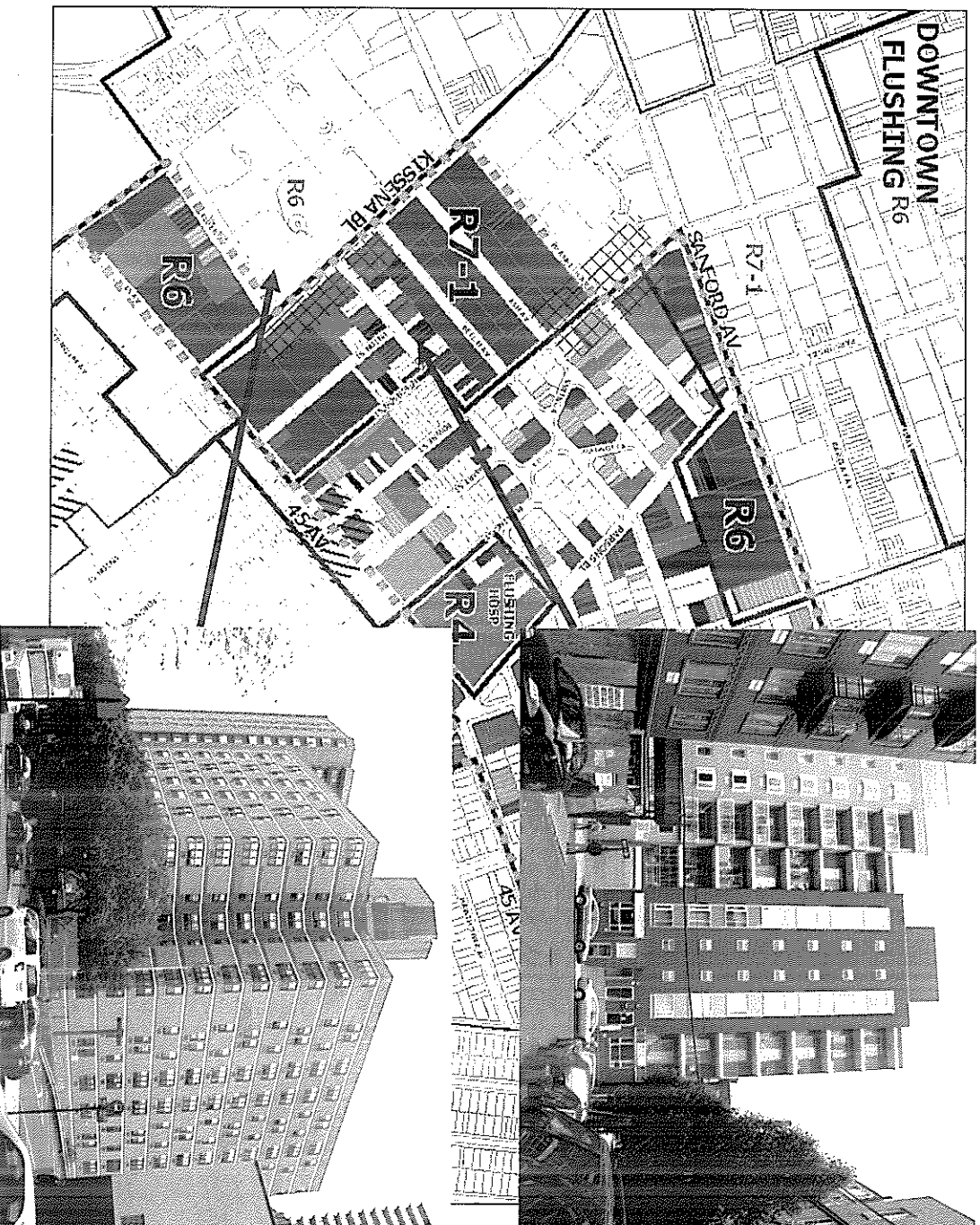
- 1,000 lots on 44 blocks
- 86% residential uses
- Pattern of 1-2 family homes, walk-up apartments and 6-7 story apartment bldgs
- 1961 zoning does not reflect this development pattern

Waldheim Rezoning: Existing Zoning, R3-2



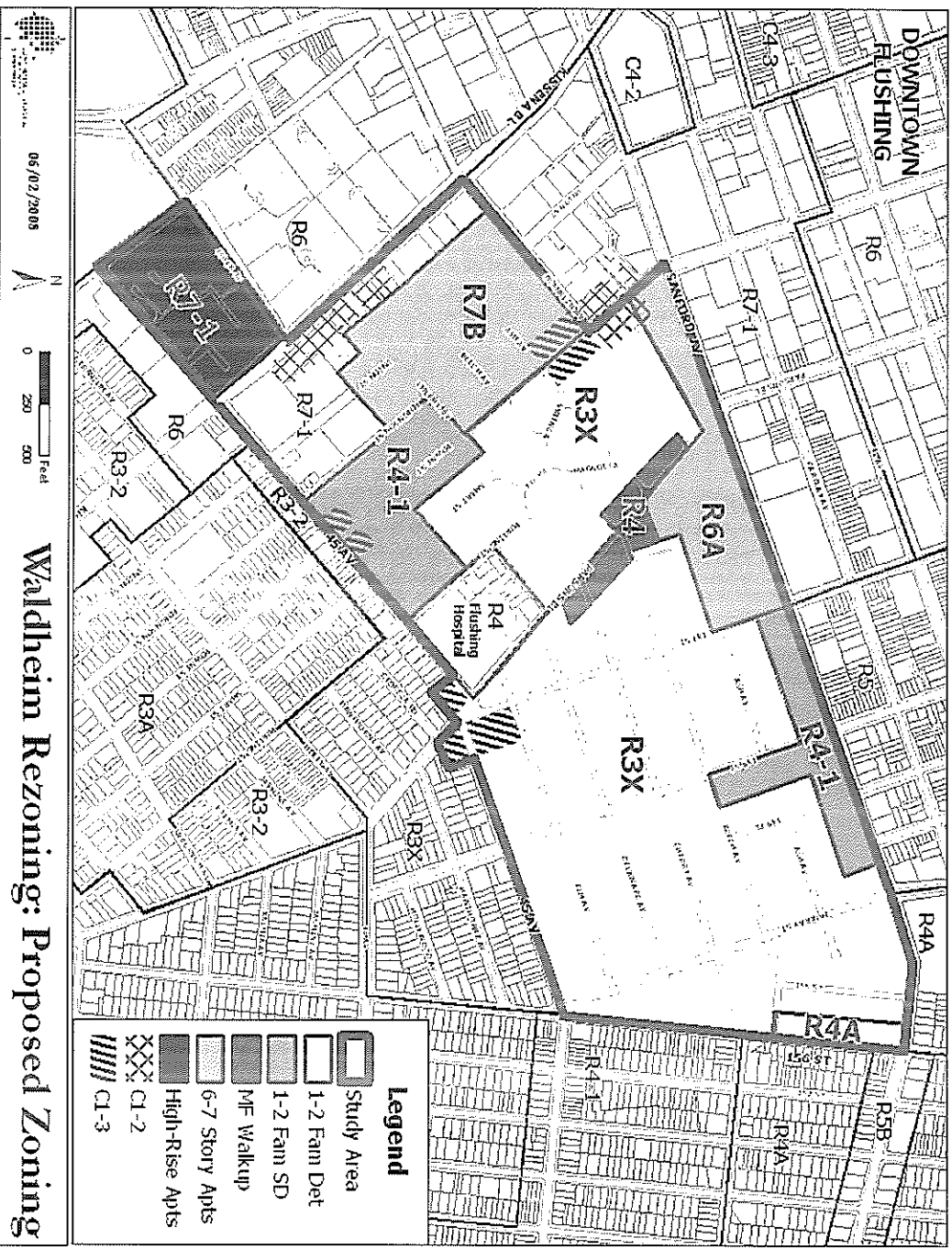
- General Residence District
- 0.6 FAR res, 1.0 FAR CF
- 21' perimeter wall, 35' max bldg height
- 100% parking
- Allows all bldg types in areas populated by 1-2 family homes

Waldheim Rezoning: Existing Zoning, R6 & R7-1



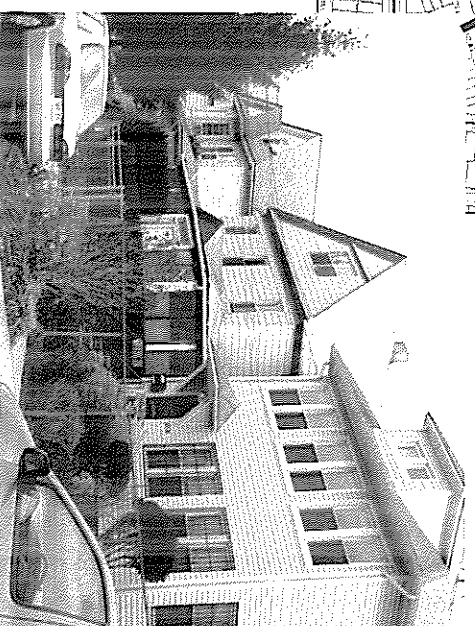
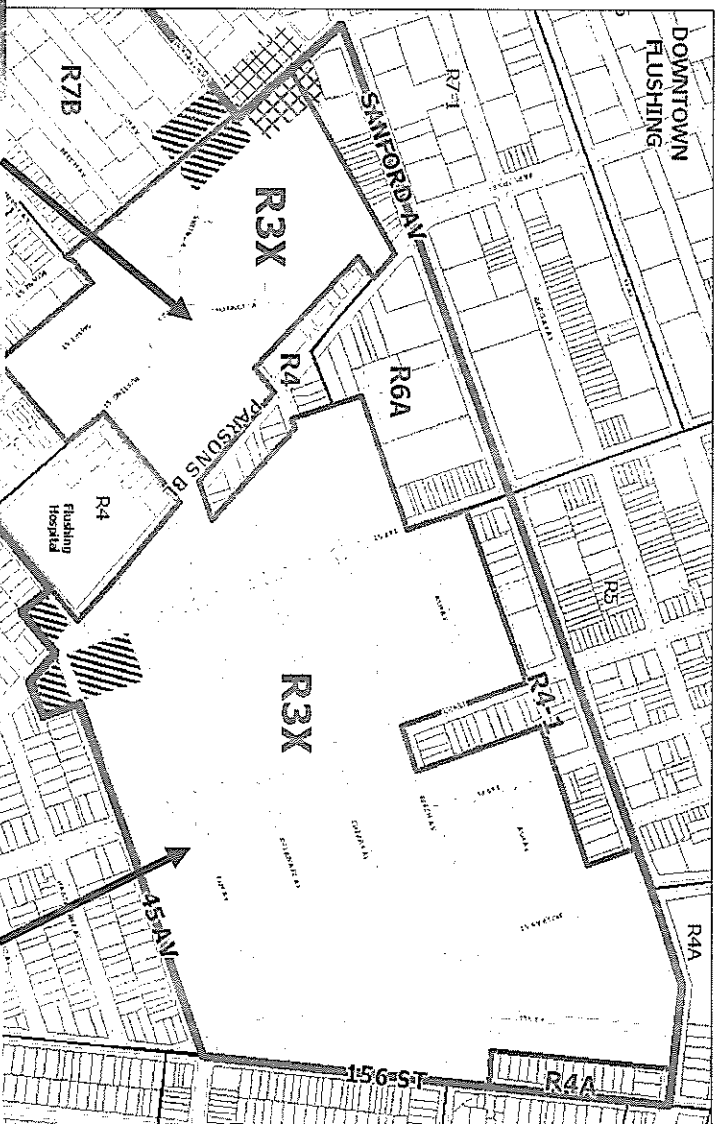
- General Residence “height factor” Districts
- FAR: R6 = 2.43 res, 4.8 CF; R7-1 = 3.44 res, 4.8 CF
- Flexible maximum bldg heights
- Parking: R6 = 70%, R7-1 = 60%
- Allows tall towers in areas developed with 6-7 story apartment bldgs

Waldheim Rezoning: Proposed Zoning Objectives



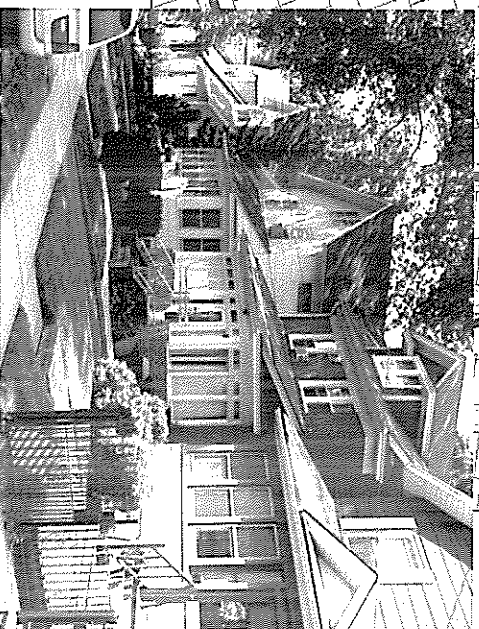
- Match prevailing development patterns with appropriate contextual districts
- Allow moderate growth in residential units on very limited sites
- Alter commercial overlay zoning to better reflect land use patterns

Waldheim Rezoning: Proposed Zoning, R3X



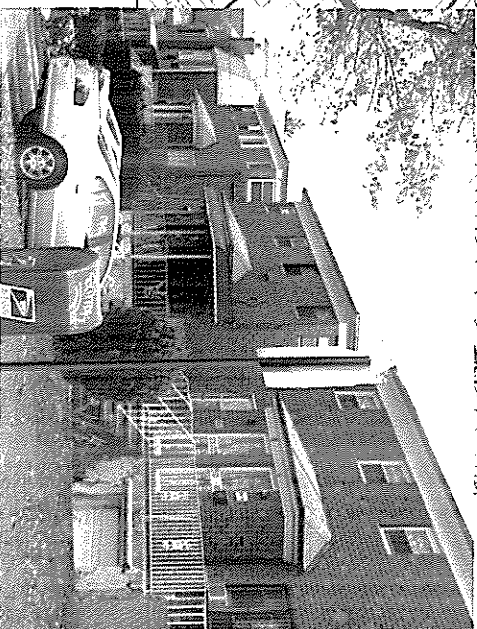
- 1-2 family detached only
- 0.6 FAR res, 1.0 FAR CF
- 21' perimeter wall, 35' max height
- 100% parking

Waldheim Rezoning: Proposed Zoning, R4A



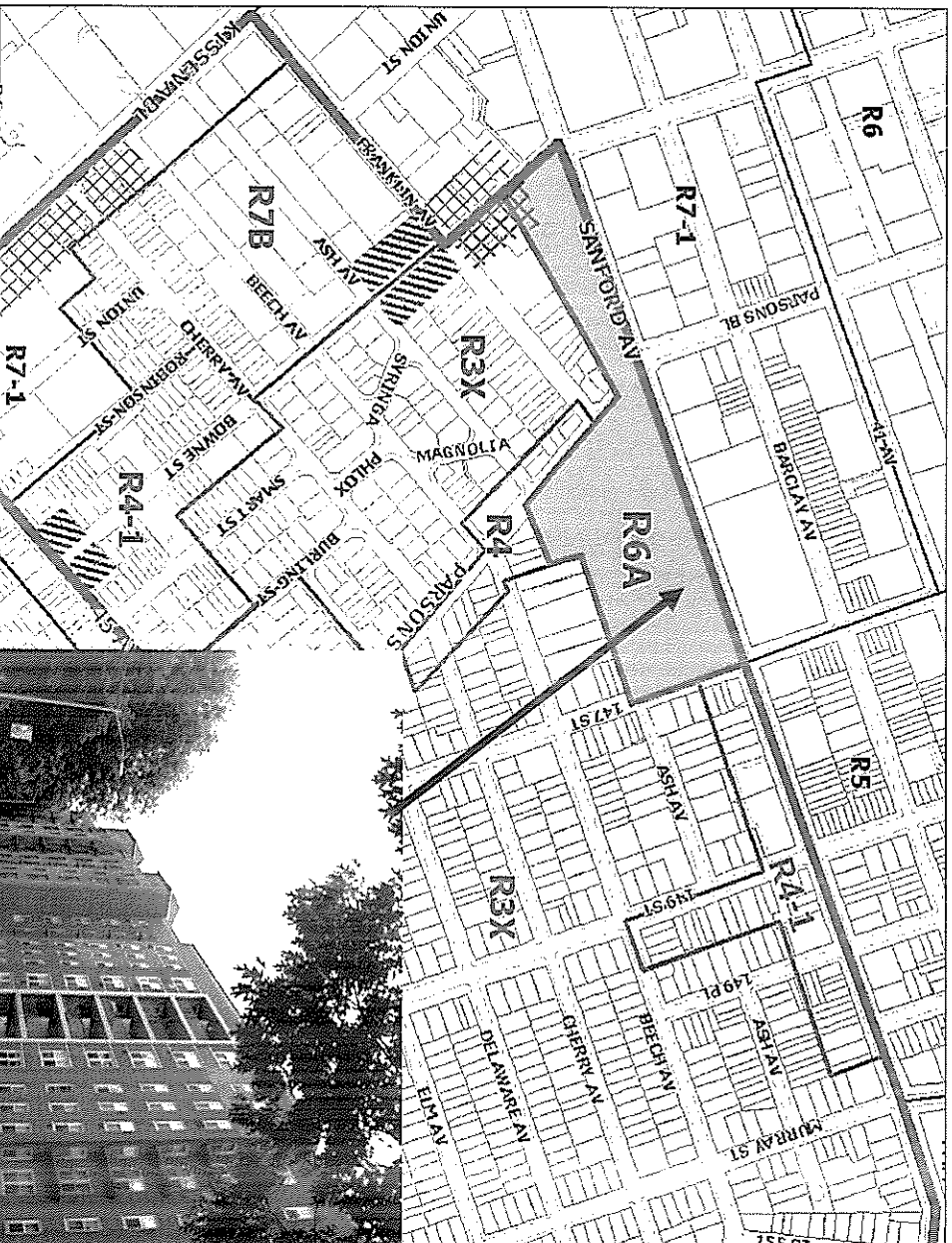
- 1-2 family detached only
- FAR: 0.9 res, 2.0 CF
- Min 30' lot width
- 21' perimeter wall, 35' max height
- 100% parking

Waldheim Rezoning: Proposed Zoning, R4-1



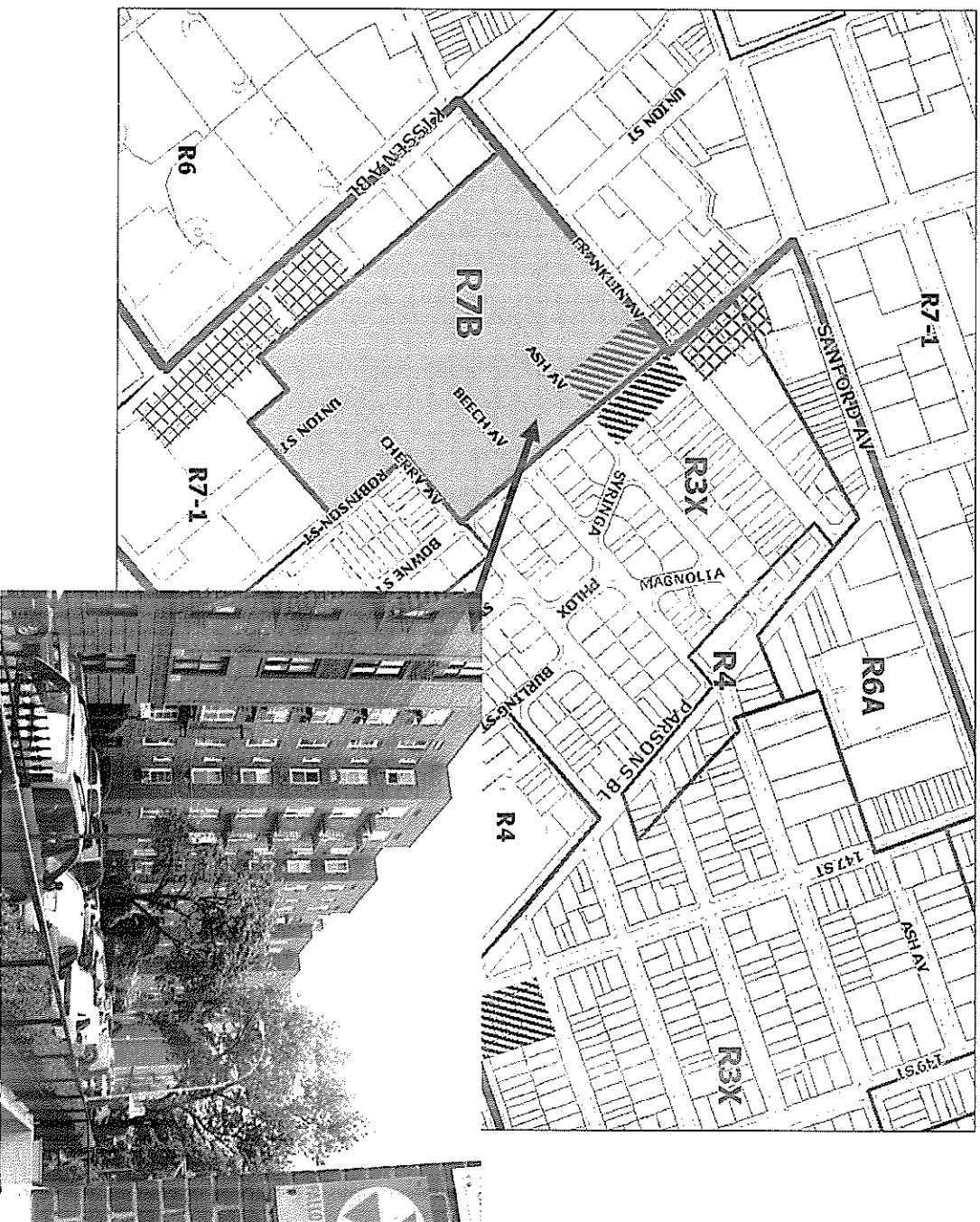
- 1-2 family detached and semi-detached only
- FAR: 0.9 res, 2.0 CF
- 25' perimeter wall, 35' max height
- 100% parking

Waldheim Rezoning: Proposed Zoning, R6A



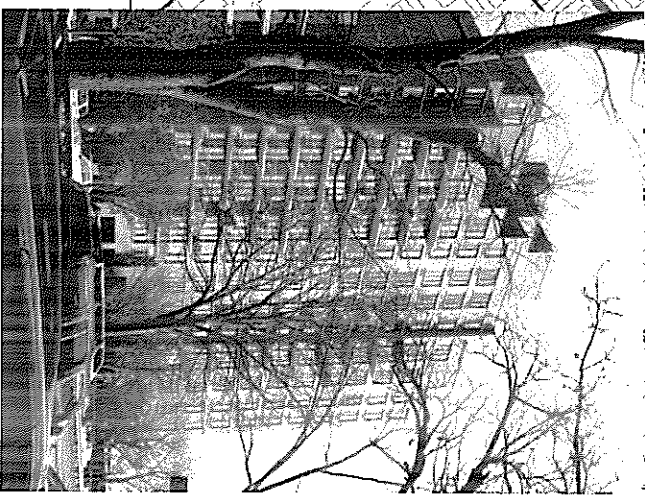
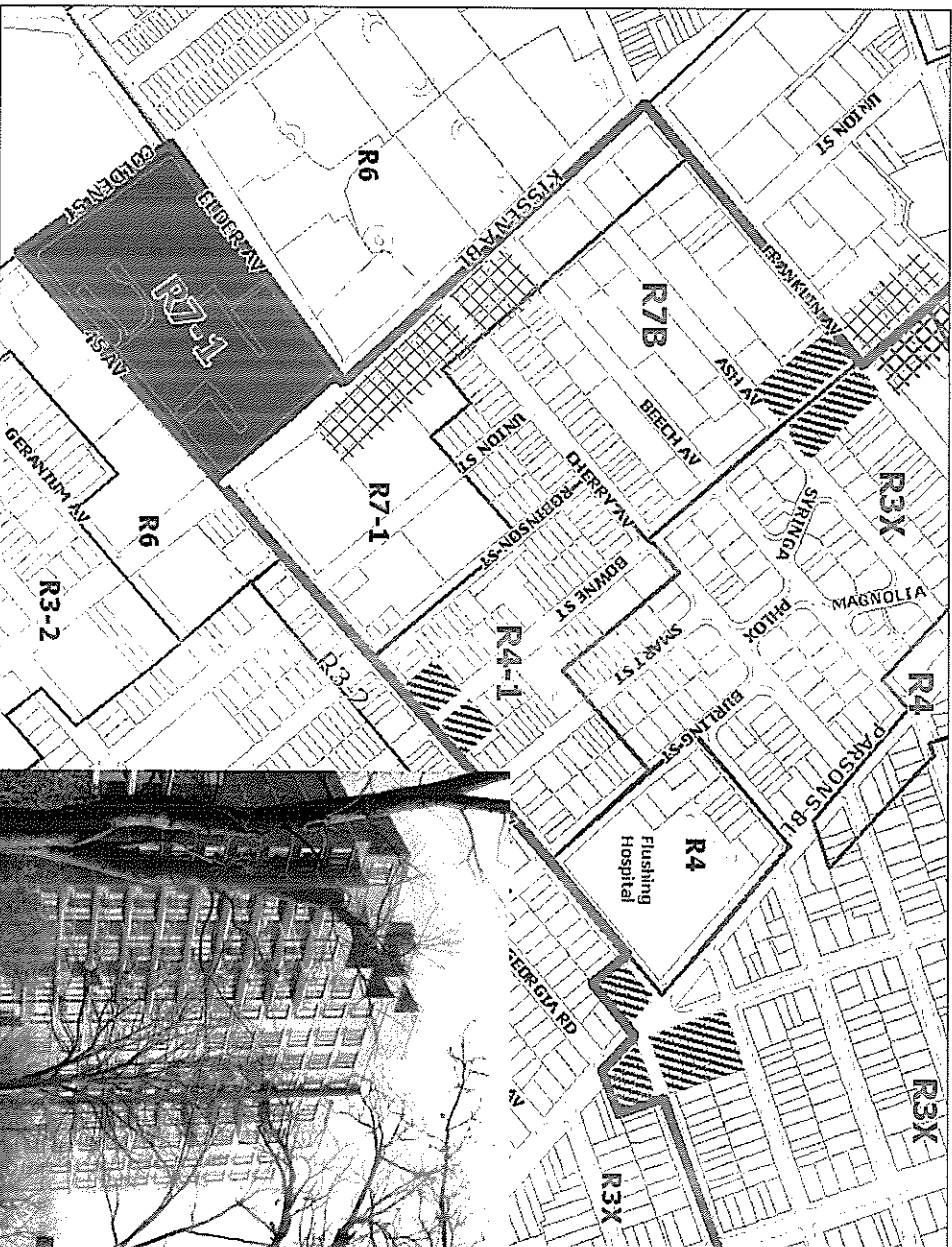
- General Residence District (OH)
- FAR: 3.0 res & CF
- 40'-60' base height, 70' max height
- 50% parking

Waldheim Rezoning: Proposed Zoning, R7B



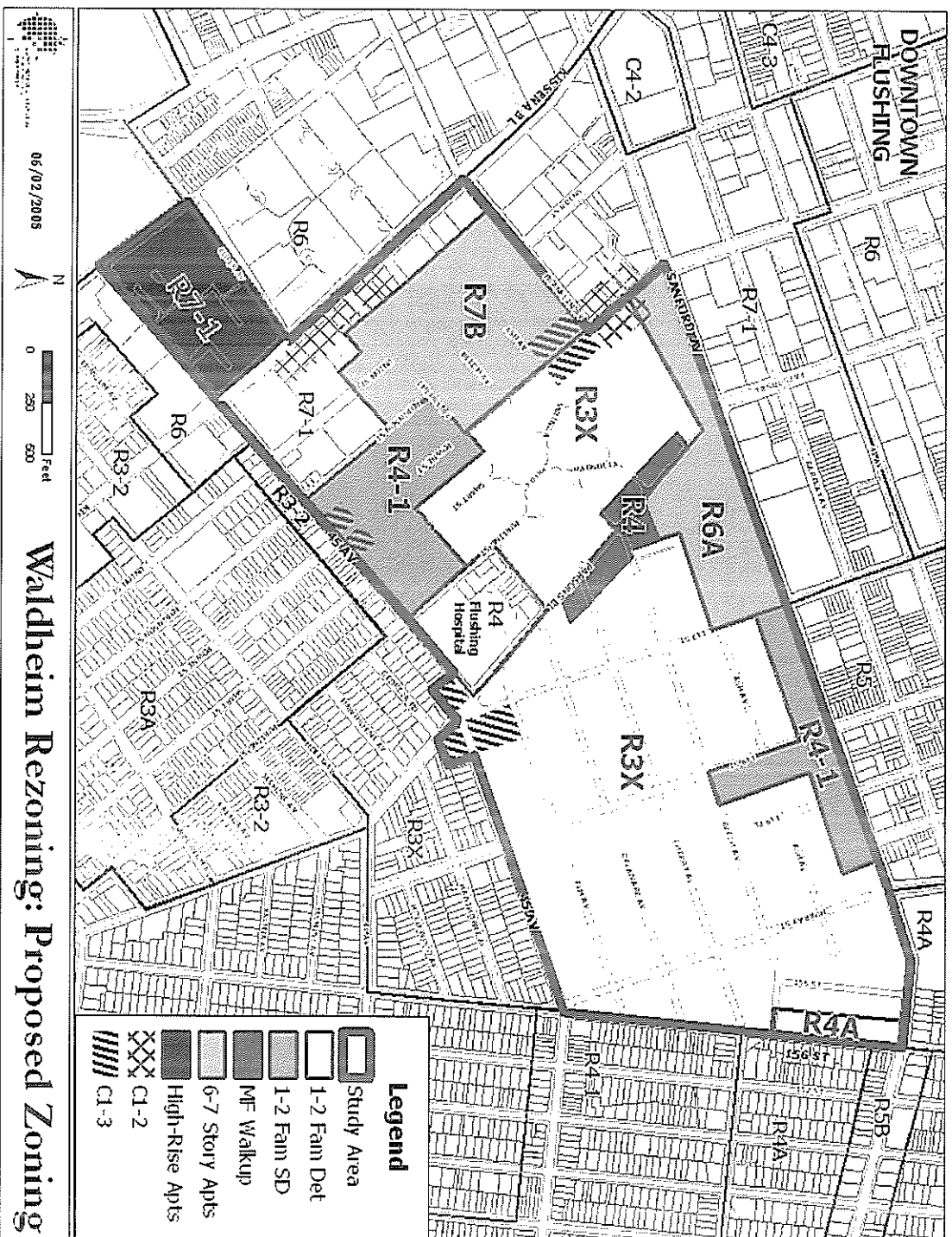
- General Residence District (QH)
- FAR: 3.0 res & CF
- 40'-60' base height, 75' max height
- 50% parking

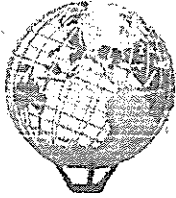
Waldheim Rezoning: Proposed Zoning, R7-1



- General Residence
“height factor” District
- FAR: 3.44 res, 4.8 CF
- Flexible maximum
building height
- 60% parking

Waldheim Rezoning: Proposed Zoning





Queens Civic Congress

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www.queensciviccongress.org queensciviccongr@aol.com

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Albert Greenblatt
Robert Harris

FOR IMMEDIATE RELEASE:
TUESDAY, September 16, 2008

Contact:
Corey Bearak
(718) 343-6779

QUEENS CIVIC CONGRESS SUPPORTS WALDHEIM REZONING;

Statement

to

City Council Zoning Subcommittee (Anthony Avella, chair)

by

Vice President Harbachan Singh, co-Chair, Zoning and Code Enforcement Committee

Thank you chairperson Avella and committee members for this opportunity to support another community re-zoning effort, in this case Waldheim. My name is Harbachan Singh and I am a Vice President of the Queens Civic Congress and co-Chair of its Zoning and Code Enforcement Committee. Queens Civic Congress is the borough-wide coalition of civic and condo, cooperative, tenant and other community organizations .

We need many more certified for ULURP and passed through the planning and legislative processes. Queens Civic Congress certainly appreciates the Council's effort and prevails upon our legislators to move City Hall and its City Planning to accelerate more community plans. In the meantime, the Council can take another protective step by adopting the Waldheim re-zoning. This plan reflects a long and arduous process of discussion, more discussion, meetings galore and full and open debate over how best a final community plan should look. Some wanted particular parcels treated a bit more restrictively. But this plan is a fair plan and merits your support.

Certain Queens nabes, perhaps many across our city face situations where develops masquerade as homeowners and try to disarm a community and fight back sound community rezoning reforms. Do not let this happen in Waldheim.

Queens Civic Congress would be remiss not to note the need for City Hall, particularly its Department of City Planning, to accelerate protective efforts to preserve as well other under- and unprotected Queens neighborhoods. We look forward to working with the Council, City Hall and City Planning to make this special difference throughout our communities.

Thank you.

(Queens Civic Congress Membership follows on the next page)

Queens Civic Congress Members

Association of Old Forest Hills ♦ Auburndale Improvement Association ♦ Bayside Civic Database ♦ Bayside Clear-Spring Council ♦ Bayside Hills Civic Association ♦ Bayswater Civic Association ♦ Bay Terrace Community Alliance, Inc. ♦ Bellaire-BellVill Civic Association ♦ Belle Harbor Property Owners Association ♦ Bellerose Commonwealth Civic Association ♦ Bellerose Hillside Civic Association ♦ Bell Park Manor Terrace Community Council ♦ Bowne Park Civic Association ♦ Briarwood Community Association ♦ Cambria Heights Civic Association ♦ Civic Association of Utopia Estates ♦ C.O.M.E.T. (Communities of Maspeth-Elmhurst Together) ♦ Concerned Citizens of Laurelton ♦ Cornucopia Society ♦ Creedmoor Civic Association ♦ Deerfield Area Association ♦ Doug-Bay Manor Civic Association ♦ Douglas Manor Association ♦ Douglaston Civic Association ♦ Dutch Kills Civic Assn. of Long Island City ♦ East Elmhurst Civic Association ♦ East Flushing Civic Association ♦ Federated Block Associations of Laurelton ♦ Federation of Civic Associations of Southeast Queens ♦ Floral Park Community Council ♦ Flushing Heights Civic Association ♦ Flushing on the Hill Taxpayers Association ♦ Forest Hills Chamber of Commerce ♦ Forest Hills Crescents Association ♦ Forest Hills-Van Court Association ♦ Fresh Meadows Homeowners Association ♦ Georgetown Mews ♦ Glendale Civic Association of Queens ♦ Glen Oaks Village Owners, Inc. ♦ Greater Astoria Historical Society ♦ Greater Whitestone Taxpayers Civic Association ♦ Harding Heights Civic Association ♦ Hillcrest Estates Civic Association ♦ Hilltop Village Co-Op #1 ♦ Hilltop Village Co-Op #2 ♦ Hilltop Village Co-Op #3 ♦ Hilltop Village Co-Op #4 ♦ Hollis 11423 Block Association ♦ Hollis Hills Civic Association ♦ Holliswood Civic Association ♦ Hollis Park Gardens Civic Association ♦ Holly Civic Association ♦ Hyde Park Gardens Cooperative ♦ Jackson Heights Beautification Group ♦ Jamaica Estates Association ♦ Jamaica Hill Community Association ♦ Juniper Park Civic Association ♦ Kew Gardens Civic Association ♦ Kew Gardens Hills Homeowners Association ♦ Kew Gardens Improvement Association ♦ Kissena Park Civic Association ♦ Little Neck Bay Civic Association ♦ Little Neck Pines ♦ Long Island City Alliance ♦ Malba Civic Association ♦ Meadowlark Gardens Owners ♦ Middle Village Property Owners Association ♦ Mitchell Linden Civic Association ♦ Neponsit Property Owners Association ♦ Newtown Civic Association ♦ North Bellerose Civic Association ♦ North Flushing Civic Association ♦ North Hills Estates Civic Association ♦ Northwest Clearview Homeowners Association ♦ Norwood Civic Association ♦ Oakland Terrace/ Gardens Community Council ♦ Off Broadway Homeowners Association ♦ Our Neighborhood Improvement Association ♦ Our Neighbors Association of Ozone Park, Inc. ♦ Parkway Village Historical Society ♦ Queensboro Hill Neighborhood Association ♦ Queens Colony Civic Association ♦ Queens Community Civic Corp. ♦ Queens Preservation Council ♦ Queens Village Civic Association ♦ Ramblersville-Hawtree Civic Association ♦ Richmond Hill Historical Society ♦ Ridgewood Property Owners and Civic Association ♦ Rockaway Park Homeowners/ Residents ♦ Rocky Hill Civic Association ♦ Rosedale Civic Association ♦ Royal Ranch Association. ♦ Southeast Queens Concerned Neighbors ♦ South Ozone Park West Civic Association ♦ Springfield/Rosedale Community Action Association ♦ Station Road Civic Assoc. of Auburndale ♦ Sunnyside Gardens/Harrison Place Homeowners ♦ Surrey Estates Civic Association ♦ Union Turnpike Merchants Association ♦ United Forties Civic Association ♦ United Neighbors Civic Association ♦ Waldheim Neighborhood Association ♦ Wayanda Civic Association ♦ West Cunningham Park Civic Association ♦ Westmoreland Association ♦ Woodside Community Council

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Councilman Tony Avella, Chair
Zoning Subcommittee
City Hall
260 Broadway
New York, NY 10007

September 16, 2008

Re: Waldheim Contextual Rezoning

A decade ago, I began to work with a number of neighborhood associations in Flushing who were concerned with the increasing number of demolitions that were replacing detached single and two-family houses with out of context multi-family rowhouses and apartment buildings. Over several years, some of the neighborhoods that signed on – Waldheim Neighborhood Association, Holly Civic Association, Kissena Park Civic Association and Utopia Improvement Association – worked with me to craft a comprehensive contextual rezoning proposal that they then aggressively pursued to protect their neighborhoods. Of those civic groups, only one area neighborhood has actually been rezoned to date – Kissena Park. In the three years since Kissena Park's rezoning, the Waldheim area has continued to be attacked by out-of-character development. The proposed rezoning is long overdue and welcome.

The rezoning, as proposed today, will protect the existing built environment of Waldheim, mostly using an R3X zone. This one and two-family detached house zone best reflects the overall character of Waldheim. The smaller areas being proposed – mostly R4-1, a one- and two-family detached and semi-detached house zone – will better protect those areas, and will remove the possibility of multiple family dwellings and rowhouses as well as lower potential population density in the areas where that zone is being proposed. Other very small areas that will have different zoning, proposed for R6A and R7B zones, will both have little additional negative effects and, in some cases, have better outcomes than the buildings that are being built there now, due to maximum height limits and other controls on development. The proposed R4 zoning, which affects parts of several blockfronts along Parsons Boulevard, will have little effect, as almost all of the parcels in question have already been developed with multiple-family rowhouses.

Finally, the proposed increase in zoning for the block bounded by 45th Avenue, Elder Avenue, Colden Street and Kissena Boulevard containing the Armenian Home is contextual as well. Currently, the block is zoned R6, which has no height limit, and is being proposed for an R7-1 zone. Besides a relatively small increase in the residential floor area ratio without changing the overall bulk, the two zones are identical – this includes no height limit, and the community facility bonus is the same as well. Under the current rules, the proposed Armenian Home building can be about nineteen stories high, which is similar or less than the height of most of the buildings that surround the site. Waldheim Neighborhood Association, which is directly affected by this plan and the neighboring Kissena Park Civic Association are in full support of this proposed zoning change, and I am as well.

While I am greatly concerned about the fact that the Holly Civic Association chose to withdraw from the rezoning proposal and that additional blocks within the Holly Civic area are not going to be contextually rezoned, I believe it is important to state that the proposal as it exists today would not have come into being without the approval of the previous leadership of that organization, as well as the other neighboring organizations that still unequivocally support it. In short, getting the Waldheim rezoning passed in its present form without delay or further debate will go a long way in halting the indiscriminate overdevelopment that has been savaging central Flushing during the past decade.

Please consider this as part of the official testimony for the hearing record.

Very Truly Yours,

Paul Graziano
Associated Cultural Resource Consultants

ACRC

Urban Planning

Historic Preservation

Land Use

Testimony by WNA President:

Hi, my name is Susan Christensen, Acting President for the WNA.

We, the Waldheim Neighborhood Association, strongly support NYC's Dept. of City Planning's Waldheim Rezoning Plan as certified on June 2, 2008.

Overall, City Planning's proposed rezoning and changes to commercial overlays better reflects existing development patterns and ensures that future residential development is consistent with the surrounding neighborhood, which consists primarily of one- and two-family detached homes and six- to seven-story apartment buildings. The plan also provides limited opportunities for new housing development in areas most able to support it.

The existing zoning, in place since 1961, is a poor match for the original Waldheim development pattern as it allows row houses and small-scale apartment buildings to replace areas occupied by one- and two-family detached homes.

Our historic Waldheim neighborhood is in dire need of protection against teardowns and replacement of buildings that are out-of-character with the present context of this important residential community.

We feel that for the benefit and the protection of the neighborhood, it is imperative at this time that this plan proceeds as quickly as possible in the process of implementation.

Holly Civic Association, Inc.

P. O. Box 520087

Flushing, N.Y. 11352

Hollycivic11355@yahoo.com

Member of Queens Civic Congress

September 16, 2008

New York City Council Members
Zoning and Franchise Committee
NYC City Council
New York, NY

Re: Waldheim Rezoning

Dear City Council members:

My name is Isaac Sasson. I am the President of the Holly Civic Association. The Holly Civic Association was founded in 1960 and incorporated with the New York State Department of State in 1974. We hold general membership meetings eight times a year, and we publish a newsletter eight times a year. Our Members are concerned with quality of life issues, overcrowding, affordable housing, adequate infrastructure, and safety. We are recognized and praised as a civic organization that does not shirk from speaking out, responding to complaints, and fighting for the preservation of our neighborhood.

We are asking that you remove from consideration for up-zoning one block which we call the 45th Avenue block, which is bounded by Kissena Blvd, Colden Street, 45th and Elder Avenue. City Planning proposes to up-zone the entire block, for the sole purpose of up-zoning only one building, called the Armenian Home. Up-zoning the entire block would affect many thousands of block residents and jeopardizes the continued stability of garden apartments on Elder Street. Although just a small area of the entire proposed area, there are more residents affected than all the rest of the area. Up-zoning an entire block for the benefit of just one building is unconscionable and incomprehensible.

The Armenian Home is a beautiful facility with a stunning garden, and now houses 44 residents, about half its stated capacity as revealed by its latest 990 tax returns. The original 2006 rezoning plan presented at a town hall meeting in May, 2006 did not include the block in question. But in 2007, the Armenian Home hired a high-powered lobbyist firm, with the stated lobbying target City Planning Director John Young and Councilmember John Liu.

At the June 16 CB7 public meeting this past summer, numerous speakers spoke up against the up-zoning of the 45th Avenue block citing overcrowding, over-development, and lack of infra-structure. After 4 hours of testimony and debate, there was a motion by a CB7 member to delete the 45th Avenue block from up-zoning consideration carried overwhelmingly. The final vote to approve the amended re-zoning plan, which deleted the 45th Avenue block, was carried overwhelmingly by a 27-7 vote with one abstention. We note that four of the “no” votes were cast by the CB7 Chairman, the Zoning Chair, the Committee Chair, and the Parliamentarian, an indication that these CB7 leaders are out of touch with the community and their own Board on this issue. Following the vote, the Zoning Chair, who is also an engineer for the Armenian Home, attributed the vote, as reported by the Flushing Times, to “intimidation” of the Board by the people who testified.

At both the subsequent Borough President and the City Planning Commission hearing, there was no one from CB7 to present the Board’s majority decision. The CB7 Chairman did not present the amended plan that his own Board voted on, as he is ethically, and maybe legally, obligated to do so, we believe. Instead, he presented the minority report, stating that his own Board members were “confused” by the debates, and blamed the people that testified and the Holly Civic Association for the so-called “confusion.” In retrospect, the Chairman had wanted the Armenian Home up-zoned from the get-go: Last year, under the Freedom of Information Law, we obtained a letter that the Chairman wrote to City Planning a year earlier in 2006 in support of the up-zoning, stating (falsely) that Holly Civic supports it, and implying also support from CB7, even though this matter was not discussed by CB7. We also found out and made public the fact that the CB7 Zoning Chair was also acting as an engineer for the Armenian Home, and obvious conflict which was not revealed before that.

We would take note that the block is within Holly Civics’ jurisdiction and not Waldheim’s and we are attaching proof of this. Members of our association who reside on 45th Avenue are all opposed to the up-zoning. Please do not destroy the entire block by up-zoning it, for the benefit of just one single building. The issue of that single building can be dealt with through the BSA variance process, a move that would allow the community to negotiate with the developers and add its input. We the community would insist that the slated high-rise building include affordable housing, and would ask for the protection of the trees, and for developer give-backs. Please do not take from the community its only means of influence.

You have the power and responsibility of protecting our neighborhood. Please help us save our community. Please do not up-zone the entire 45th Avenue block for the benefit of just one building. Please leave it as is.

Isaac Sasson
President
Holly Civic Association

Enclosures:

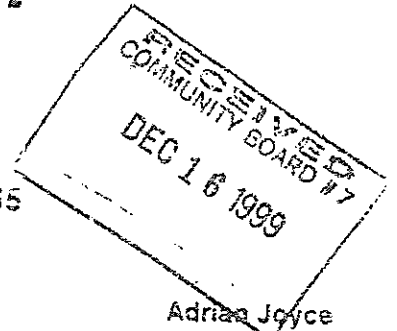
Proof of Holly Civic Association boundaries
Waldheim boundaries, as communicated to City Planning



Community Board 7

Borough of Queens
Bay Terrace, College Point, Beechurst, Flushing,
Malba, Queensborough Hill and Whitestone

45-35 KISSENA BLVD., FLUSHING, NY 11355
(718) 359-2800
Fax: (718) 463-3891



Claire Shulman
Borough President

Melinda Katz
Director Community Boards

Adrian Joyce
Chairperson

Marilyn Bitterman
District Manager

July 19, 1999

TO: ALL CIVIC ASSOCIATIONS
FROM: Marilyn Bitterman, District Manager
RE: Boundary Lines

We receive many inquiries regarding boundary lines for the Civic Associations in our area. It may be that a resident is inquiring as to which Civic Association covers the area where they live. It would be most helpful if you would send us the boundary lines of your Civic Association. At the same time, we are updating our list of Civic Associations. Please fill in the following information and return to:

Community Board #7
45-35 Kissena Boulevard
Flushing, New York 11355
Attn.: Leah or Louise

Name of Civic Association

HOLLY CIVIC ASSOCIATION, INC.

President

~~RAY TRAVISANO~~

Joseph Seawright

Address

~~52-05 PARSONS BLVD.~~

*137-63 Holly Cw
Fl. 11355*

FLUSHING, NEW YORK 11355

Telephone # (if you wish)

939-4067

Boundary Lines - North

CHERRY AVE.

South

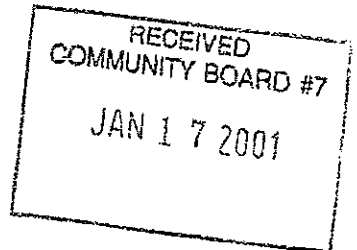
NEGUNDO AVE.

East

BURLING ST.

West

COLDEN ST.



I greatly appreciate your cooperation with this request.

MB:lac

Mark PHILLIPS - Just a Follow Up on rezoning

DOCUMENT # 96

From: "waldheim association" <waldheimassociation@hotmail.com>
To: <M_Philli@planning.nyc.gov>
Date: 10/30/2006 10:08 PM
Subject: Just a Follow Up on rezoning

Hi Mark,

Waldheim proper is between Ash Ave. - Cherry Ave., Parson Blvd. - Bowne St., also extending over to Burling St. & Delaware Ave. This is where you'll find your largest concentration of min 50 x 100 properties and large one family homes predating 1930.

Quite a number of long standing residents, including myself, live in Waldheim proper. As such, we are personally concerned with the pressure you must have gotten by non-resident property owner investors and Community Facilities looking to upzone us. A previous plan was to rezone this entire historic area to R3X. Is this still accurate? If not, what is the proposed zoning going to be?

Thanks for your pending reply.

You can call me at work, (631)546-2307. You should not get a busy signal.

Regards,

John Tsavalos, Secretary

From: "Mark PHILLIPS" <M_Philli@planning.nyc.gov>
To: <waldheimassociation@hotmail.com>
Subject: WH rezoning & zoning inquiry re Block 5375 (Beech Ave. bet. Parsons and 147th St, Flushing)
Date: Mon, 30 Oct 2006 17:55:44 -0500

>Good evening, John. I received the voicemail you left earlier and wanted to touch base, but ran up against a busy signal when I tried to call you back. Before I answer your zoning inquiry about lots in Mrs. Gazsy's neighborhood, I want to give you a quick update on the Waldheim-Holly rezoning proposal. I reformulated the proposal in consideration of many of the comments & concerns voiced during the walking tour and others we've received from the community, and I'm prepared to release it to the public once it's been reviewed and approved by the central administration. I hope to move this rezoning towards certification with the greatest possible dispatch, but first it must be approved by the Department's policymakers. Please keep in mind that it is in line with other priority projects from all five boroughs.

>Now, regarding Mrs. Gazsy's neighborhood. As the proposal now stands, all of the lots you inquired about would be rezoned R3X, with the zoning boundary lines between that zone and adjacent zones being drawn so as to include the entire lot, including the deeper-than-average lots on Beech Avenue and 147th Street. Please remember that this statement is only reflective of the proposal as it currently stands; no rezoning proposal has been finalized, and any zoning change must go through the City's public review process.

>I hope this information puts your mind at ease, at least for the time being. We all recognize the value your community adds to the area, and the importance of this rezoning in sustaining the neighborhood's quality of life.

>Thank you,

My name is Catherine Papell. I have lived for fifty years at 146-18 Cherry Avenue in the area of old south Flushing that we have come to call Waldheim. I am a Board Member of the Waldheim Neighborhood Association. We have come today to urge you to take action on the thus far approved NYC Planning Commission's Waldheim Rezoning Plan, and to tell you why it is so important for it ~~finally to be approved~~ *to be finalized*.

"Teardown" is a new and contemporary term, widely used today in the housing industry, in the world of real estate agents, contractors and builders, developers and investors. According to the NY Times editorial (7/1/08), "Teardown" means the "practice of buying an older home to demolish it and replace it with a house that dwarfs structures nearby and covers most of its own lot". *This is the "old" character.* This is what is happening in old south Flushing and this is why the community is taking a position of acceptance of the NYC Planning Commission's Waldheim Rezoning Plan, and have been fighting step by step to have it developed and approved.

"Teardown" is an aspect of entrepreneurial change that can be *irrevocably* ~~terribly~~ destructive to a community:

- to modest solid, well built housing stock in Queens;
- to safe streets and schools for children by the density it creates;
- to magnificent trees that will need more than 100 years to replace;
- to lawns and gardens and the good earth, replaced with concrete, limiting drainage and creating potential flooding,
- to more and more of the good earth in Flushing that produces living vegetation;
- to the population density of the community that is being more than quadrupled:

-to the sense of community that welcomes the marvelous diversity of its newcomers, sharing a sense of the past and moving as a neighborhood into the future...

IF YOU STAND AT THE CORNER OF 147TH Street and Cherry Avenue and look north, south, east , and west, you will see the results of TEARDOWN on every block to the borders of this whole area of old south Flushing . Our Neighborhood Association has worked for 10 years to preserve the beauty of this community.. We have constantly met with unexplained failure. It is late but now we say; “Now is the final time. Teardown must be contained and limited“. This Plan requires considerable compromise on our part but we will accept it because without it this important residential neighborhood will be destroyed.

We can not risk further uncontrolled Teardown .We are here to state vigorously that our neighborhood, as a last remaining part of old south Flushing is too precious to be further destroyed. The old zoning that creates a vacuum of planning, permits “Teardown”, and renders our beautiful community so vulnerable, must now end. Therefore we urge you to accept with dispatch the NYC Planning Commission’s Waldheim Rezoning Plan.

From: waldheim association <waldheimassociation@hotmail.com>

FOR THE RECORD

To: aellian@nyc.rr.com; alba Shand <allu416@nyc.rr.com>; barbarabaruch@yahoo.com; baruchbarbara@aol.com; Beverly McDermott <beverlymcdermott@yahoo.com>; bolinderr@aol.com; brmcdermott@verizon.net; capelian@tanaseybert.com; CARLOS schmidt <cschmidt8@nyc.rr.com>; cchiswick@yahoo.com; communitybd7@nyc.rr.com; ddmqcc@worldnet.att.net; docshadow@msn.com; esqswalsh@aol.com; geosmitts@aol.com; gmchin20@hotmail.com; jamo359496@aol.com; John YOUNG <jyoung@planning.nyc.gov>; Kathy Kim <kskim@ywcaqueens.org>; katy111216@aol.com; Lin Walker <walkerl@gtlaw.com>; liu@council.nyc.ny.us; msjeanwong@hotmail.com; padavan@senate.state.ny.us; Pat Dolan <qvhca@nvbb.net>; paulgrazianohdc@yahoo.com; qn07@cb.nyc.gov; rkim@ywcaqueens.org; roniltirado@earthlink.net; saysay13@aol.com; rwalsh1@nyc.rr.com; stationroadcivic@hotmail.com; twentyto@nyc.rr.com; vito_pul@yahoo.com

Subject: FW: Support for Rezoning of Waldheim - Testimony

Date: Fri, 12 Sep 2008 10:48 pm

Hi All,

Please see below.

Regards,

John

From: waldheimassociation@hotmail.com

To: avella@council.nyc.ny.us

Subject: Support for Rezoning of Waldheim - Testimony

Date: Fri, 12 Sep 2008 23:45:07 -0400

Honorable Councilman Avella,

We have been informed that the Zoning Committee is hosting the Waldheim Rezoning public hearing on Tuesday, September 16th at 9:30am, at City Hall . Unfortunately I will not be able to attend but I wish to give my testimony for your consideration.

Testimony:

My name is John Tsavalos, Secretary of the Waldheim Neighborhood Association.

I have lived in Waldheim for 41 years and am currently raising a family in Waldheim proper. I live in a beautifully restored 1912 revival in the heart of Waldheim.

The WNA strongly supports City Planning's Waldheim Rezoning Plan certified on June 2, 2008, without modification. The City Planning Commission has worked diligently with the Community and vice versa to come up with this proposal which overall better reflects existing development patterns and ensures that future residential development is consistent with the surrounding neighborhood, which consists primarily of one- and two-family detached homes and six- to seven-story apartment buildings. We believe this is a well-balanced plan.

This has been an arduous 10-year journey to get to the point where we are at today. After many years of study, community input and deliberation, the long awaited proposal for the rezoning of the Waldheim Neighborhood is moving closer to reality.

The Waldheim Neighborhood Association wants to see that the rezoning get done to the satisfaction of those who truly care about our community.

There have been many challenges faced with our rezoning. There has been vocal opposition to any zoning change from developers, investors and non-resident property owners who view our neighborhood as quick cash out opportunity with total disregard to our Quality of Life. These property owners have even stated that a zoning change would diminish the value of their properties. Some property owners who have not gotten a zoning change favorable to their agenda of development and financial gain have been feverishly promoting no zoning change through tactics of misinformation. It is clear that these property owners are not here for the long run, nor put a value to quality of life, nor care about the community.

We need to move forward as quickly as possible and without delay, with this rezoning in order to preserve what we can before any further irreparable damage is done.

Thank you.

Respectfully submitted by John Tsavalos



Community Board 7

Borough of Queens

Bay Terrace, College Point, Beechhurst, Flushing,
Malba, Queensborough Hill and Whitestone

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Helen Marshall
Borough President

Karen Koslowitz
Deputy Borough President/Community Boards

Eugene T. Kelty, Jr.
Chairperson

Marilyn Bitterman
District Manager

Sept. 16, 2008

Testimony on Waldheim Rezoning Plan

My name is Gene Kelty. I am Chairperson of Community Board 7 Queens, and I am here to testify about the Waldheim Rezoning Plan. I would like to present my Minority Report. The original plan as presented to the C.B committee had a portion of 45th Ave re-zoned from R-6 to R-7-1. City Planning explained that the R7-1 rezoning on the 45th Avenue will actually make the block conform to what has already been built. I also believe the "Up Zoning" term is misused. The maximum FAR for an R6 or an R7-1 district is identical at 4.8. City Planning explained the only difference is (1) FAR of Residential use within a lower bulk. The committee voted 13 in favor, 1 against and 1 abstention.

This plan was then presented to the full board on June 16, 2008 where this motion was presented. After a long discussion on this item the main motion was amended twice and came up with the current motion of leaving that portion of 45th Ave. as an R-6.

The Armenian Home has been a good neighbor for over 60 years. They want to rebuild their obsolete facility and contacted us to discuss their plans. We had a concern about parking, and although zoning requires 60%, they gave our Board a commitment of 100% parking for all Residential units. In case the property was ever sold, we asked them to make the commitment in perpetuity, and they agreed. This does not come without a price, and this is why they asked for the R7-1 zoning. Waldheim was satisfied and they sent us an email stating they completely support the Re-zoning as certified.

Not to belabor the point, several committee members changed their vote the night of our Public Hearing for reasons I cannot explain. There was misinformation that was presented and in some case confusing which may have caused people to change their vote.

Someone made the incorrect statement the Armenian Home was building a 21-store building, then it grew to a 28-story building. The actual height of their building will be 19-stories, exactly the same as the Self Help building to their east, and very much in context to the 14-story, the 21-story and the 26-story buildings behind them on Elder Avenue.

There was also an incorrect statement the Home was only providing 100 parking spaces, while in fact it was for 100% parking. There was a statement the rest of the block was going to be developed R7-1, but everything on the block is already fully developed. And finally, it was incorrectly stated this should be a BSA application so an Environmental Review can be performed, but no one listened when it said the rezoning also requires an Environmental Review.

I want to reiterate my concerns and support:

1. I understand the concern for the increase of residential units, but to get a commitment in perpetuity for 100% parking is a major concession worthy of consideration. In fact, the buildings across from the Home were built years ago with substantially less than 100% parking, and they have created the current problem.
2. If the Armenian Home is removed from this Rezoning, there is no guarantee the 100% parking provision will ever be on the table again, and I am concerned the property would be sold to a Hospital or another Community Facility that would build to the full 4.8 FAR. We would have no control on the reduced Community Facility parking requirement, and the impact on the area would be horrible.
3. It should be noted everyone who spoke in favor of the Rezoning Plan at our Public Hearing endorsed it as certified by City Planning and included the Armenian Home.

I respectfully request the City Council please consider my Minority report and maintain the Waldheim Rezoning as certified by City Planning. To keep it simple, this provides less bulk with more parking.

Respectfully submitted,



Gene Kelty Chairman

C. B. #7 Queens

Dennis Alex
530 East 72nd Street
September 16, 2008

The Adequacy of the Hospital's Loading Berths is a Critical Consideration in Assessing its Application for a Special Permit:

The Hospital for Special Surgery ("HSS" or "the Hospital") seeks a special permit for its proposed construction of a new twelve story building over the FDR (the "River Building") and to add three additional floors to the existing East Wing of the Hospital.

One crucial consideration in determining whether HSS should be granted its special permit to allow construction of 15 new floors of hospital space in a residential zone, is whether the proposed new construction will *substantially increase traffic congestion, in detriment to the welfare and safety of the residential neighborhood. A critical part of this determination is the assessment of the adequacy of the Hospital's loading berths.* ZR 74-01 requires that a special permit only be granted where the applicant conforms to and complies with all applicable regulations including the accessory off street loading regulations.

HSS is a large, busy hospital that requires many deliveries each day, of hospital supplies, food, medical supplies and equipment, removal of medical waste, and all of the supplies that a hospital needs to function. These daily deliveries are made in trucks. Zoning Regulations describe the requirements for off street loading berths in a residential neighborhood.

Zoning Resolutions Regarding Off -Street Loading Berths Protect Public Health and Safety.

The purpose of the Zoning Resolutions regarding off-street loading berths is to provide space off of public streets for loading and unloading activities, to restrict the use of streets for such activities, to help relieve traffic congestion in residential areas, and thus to promote and protect public health, safety and general welfare. (ZR 25-70).¹

Zoning Resolutions require a minimum of one loading berth for every 300,000 square feet of building area in an R-9 Residential Building Zone. (ZR 25-72).

The Zoning Resolutions also mandate specific requirements as to the size of loading berths, in order to ensure that loading and unloading activities

¹ Likewise Zoning Regulations for Residential Districts are designed to protect residential areas against heavy traffic, and congestion. ZR 21-00.

take place inside the berths, off the street, so as to not impede the flow of pedestrian and vehicular traffic. Specifically, Zoning Resolution 25-74 "Size of Required Berths" states that **minimum** dimensions for off street loading berths for hospitals and related facilities in an R9 zone are 33 feet in length, 12 feet in width, and a 12 foot vertical clearance. The resolution says that loading berths **shall conform** to these **minimum** dimensions.

The Hospital's Loading Berths Do Not Meet the Mandatory Minimum Dimension Requirements

HSS's current proposal, through self certification site plans, states it has three loading berths on East 71st Street and one on East 70th Street, and that these loading berths satisfy zoning requirements for the existing buildings and for the proposed new construction. HSS has a second site plan that through self certification claims four loading berths on 71st Street.

I have personally measured the size of the loading berths using a standard retractable tape measure. In fact, not one of the loading berths satisfies minimum zoning dimensions. HSS itself has submitted plans to the City Planning Commission confirming the inadequate size of the berths. The Hospital claims there are three or four loading berths on East 71st Street, depending on the site plan. I will describe them as Berths 1, 2, and 3, with Berth 1 being the berth closest to the FDR, and Berth 3 being the westernmost of the three berths

Berth 1 is wholly unusable for loading and unloading because it is completely filled with a permanently installed trash compactor that sits on top of a 40 inch tall concrete slab that extends to within 2 feet of the opening of the bay. The photographs submitted demonstrate that a truck cannot enter more than 18 inches into the bay. In fact, delivery trucks park in the street outside of Berth 1 to load and unload. Berth 1 does not meet the minimum requirements of ZR 25-74.

What the Hospital is calling Berths 2 and 3 are in a single bay, which is divided by a yellow line down the center of the floor. The entire bay is only 19 feet wide, which means that each so-called loading berth is only 9 1/2 feet wide. Zoning Resolutions mandate a 12 foot **minimum** width for loading berths for hospitals in residential zones.

The single bay that houses Berths 2 and 3 does not meet the minimum width requirements, and is not wide enough to accommodate two trucks and their loading activities, which explains why delivery trucks routinely park in traffic on East 71st Street to unload supplies into the Hospital. This also explains why area residents routinely see only one truck, not two, in the bay that houses what the Hospital refers to as two loading berths.

Further, Loading Berths 2 and 3 do not effectively satisfy minimum depth requirements, in that the usable depth of the bay is approximately 20 feet, not 33 feet. At the back of the bay is a knee wall and platform with two attached steel

loading docks. Trucks physically cannot pull all the way into the bay, because they are blocked by the loading docks. Consequently, trucks unloading in Berths 2 and 3 stick out of the Bay, completely blocking the pedestrian sidewalk, and protruding into vehicular traffic.

Finally, the Hospital claims to have its fourth loading berth on East 70th Street. The height of the entrance to this berth is only 8 feet, far short of the minimum required 12 foot vertical clearance. (ZR 25-74.) The ceiling inside the berth is also only 8 feet tall, and the entrance to the berth, until recently, was blocked by steel poles bolted into the ground at the entrance of the so-called loading berth. Delivery trucks do not, and physically can not, enter this berth for loading and unloading activities.

Not one of the Hospital's existing loading berths meets the minimum dimension requirements for off street loading berths.²

The –Existing Hospital Building is Non-Conforming.

In 1992 HSS applied for a Special Permit to build its first building over the FDR (the eight story building now known as the East Wing). In that Special Permit (Special Permit C 910485 ZSM) HSS certified that it had four loading berths on East 71st Street.³

We have found no evidence that there were ever four loading berths on East 71st Street. HSS has a limited amount of frontage on 71st Street and no evidence of any change of loading areas is apparent. A search of the city records found no grant of variance allowing discontinuance of a required accessory use. We have no understanding of how what HSS certified as four loading berths on East 71st Street in 1992 has now become three berths on East 71st Street and one berth on East 70th Street.

The Hospital's 1992 application, like its current application for a Special Permit, contains various professional plans and certifications that are routinely relied on as true and factually correct. The Community Board, the Borough President and the City Planning Commission rely on the representations and certifications in the various documents that make up a formal application. In New York City, where self certification is utilized to streamline the process, drafters of plans that certify zoning compliance must be precise in their calculations and representations.

² Manhattan Borough President Scott Stringer conditionally approved the Hospital's application. In doing so, he said: "Off-street loading berths serve an important role in maintaining the efficient functioning of a city. They serve to reduce or eliminate interruption of pedestrian and vehicular traffic flow, and it is sound planning policy to protect the free flow of traffic." He noted that HSS has four loading berths, but there is no indication that he considered the dimensions of the berths.

³ The 1992 zoning calculations and zoning compliance data are shown on the site plan "Hospital for Special Surgery, Expansion Project Phase II, Zoning Analysis Package, Cannon Design, Date Dec 11, 2007, Drawing No. Z-004" in the Final Scope of Work at http://www.nyc.gov/html/dcp/pdf/env_review/hfss/final_scope.pdf

Zoning Resolution 25-72 mandates conformity with the requirements for loading berths as a condition precedent to the use of such development. If in fact, the 1992 certification regarding the loading berths was incorrect, then this error, coupled with the fact that the loading berths physically do not meet regulatory minimum dimension requirements, *means that construction of the East Wing building should not have been approved* and that the existing East Wing is a non conforming building.

HSS now seeks to expand the East Wing by special permit. ZR 54-31 prohibits the enlargement of a non compliant building if enlargement would increase the degree of non compliance. The Hospital now proposes to add 50,998 square feet of building area which, in and of itself, increases the degree of non compliance. HSS thus seeks an impermissible modification of a special permit for additional square footage where the existing building does not meet the zoning resolutions requirements. In addition, HSS completed as-of-right construction of an additional 51,175 square feet in 2007 which it received approval for. Again, reliance on the non existent loading berths was the basis for obtaining the necessary permits for the 2007 construction.

The Belaire Building Has no Loading Berths

The Belaire Building on East 71st Street is part of HSS. It contains 113,917 square feet of community facility and was constructed in 1987-88, but has no off-street loading berths. The applicable zoning resolution for loading berths in an R-9 zone was implemented in 1961, and was effective when the Belaire was constructed. Because the Belaire has no loading berths, delivery trucks park in the traffic lanes on East 71st Street, and carry their supplies across into the Belaire building. In doing so, they block at least one and sometimes two traffic lanes on East 71st Street, forcing traffic to go around the delivery trucks.

The Proposed New Construction would require HSS to have Three Regulation Off-Street Loading Berths.

Zoning Resolution 25-72 requires a Hospital and related facilities in an R9 residential zone to have one proper loading berth for every 300,000 square feet of floor area. HSS states it has a total floor area of 587,624 square feet.⁴ The proposed additions would add an additional 137,869 square feet of floor space. Thus, the square footage of the Hospital's proposed construction would be 725,493 square feet⁵. HSS is required to have a minimum of three loading berths.

⁴ At page 13-3 of its Environmental Impact Statement, the Hospital says: "[I]f the proposed project were not approved, HSS, with the additions completed in 2007 would have total floor area of 587,624 SF."

⁵ The actual gross square footage would be substantially more. Certain areas, such as heating and air conditioning and basement areas are not included in calculating square footage for zoning purposes, but nonetheless impact the use of loading berths.

HSS is seeking to add 15 floors of hospital space in a heavily trafficked residential neighborhood, on a street that accommodates an off-ramp from the FDR. As of now, HSS has not one loading berth that satisfies zoning regulations to accommodate the Hospital's multitude of daily deliveries.⁶

Loading Berths do not comply with Proposed amendment to ZR 74-682

The amendment to ZR 74-682 requires loading berths to be adequate, accessible and located so as not to adversely affect movement of pedestrians or vehicles. As is clear by the various photos, vehicle movement is impeded by the location of the loading areas. HSS asserts that their only obligation is to have berths that are adequate to serve the requirements of the institution. They neglect to address the size requirements and the required number of berths for an institution of its size. Its failure to comply with the regulations requires rejection of the proposal.

⁶ *Zoning Resolutions require that loading berths be on the same building lot as the building under consideration. HSS seeks to build a new building over the FDR, and seeks by Special Permit an amendment to the zoning resolutions that would allow it to have its loading berths on a different building lot from the proposed new building. HSS's proposed amendment for modification of off street loading requirements would allow the loading berths to be located anywhere in the zoning lot, so long as the loading berths are accessible to the institution without the need to cross any street, and "located so as not to adversely affect the movements of pedestrians or vehicles on the streets within or surrounding such institution." The Hospital's proposed new construction will not satisfy its own proposed amendment.*

Judith E. Schneider

Testimony on Hospital for Special Surgery

Good ~~morning~~^{AFTERNOON} Chairman Avella and Commissioners. My name is Judith E. Schneider and I have been a resident of First Avenue and 64th Street for over 40 years. I am here today to support this nation's premiere orthopedic institution.

The Hospital for Special Surgery is vital as the nation's population, which is living longer. The kinds of procedures that are performed at Hospital for Special Surgery will be needed more and more by more and more of your friends and neighbors.

Hospital for special Surgery has a history of working with the community. The new building was designed with the community in mind. Indeed, the design received significant recognition from the Art Commission recently.

This is not a large building – only some 100,000 sq. ft. The hospital and its architect are working with the community and the residents of the Edgewater apartment building to minimize the impact the new building will have on their views. I understand that the bottom floors have been redesigned to accommodate issues raised by the neighbors.

The traffic in this institutional corridor has been addressed and is continuing to be addressed in cooperation with the Community Board and the residents of the area. The new facility is for out-patients and will not add to the volume of deliveries.

The hospitals and institutions make up a very vital and vibrant part of our community. Not only do they supply critically important healthcare, but they are the major employer in our community as well as being residents of our community.

Therefore, I urge you to approve this application for an institution that desperately needs to grow and expand, in order to benefit our community.

Thank you for listening to my testimony today.

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