



## CITY PLANNING COMMISSION

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June 7, 2006/Calendar No. 10

C 060337 ZMQ

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**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 14c, and 14d:**

1. eliminating from within an existing R2 District a C1-2 District bounded by Parsons Boulevard, Union Turnpike, 161<sup>st</sup> Street, a line 150 feet southerly of Union Turnpike;
2. eliminating from within an existing R3-2 District a C1-2 District bounded by:
  - a. 161<sup>st</sup> Street, Union Turnpike, a line midway between 164<sup>th</sup> Street and 164<sup>th</sup> Place, 81<sup>st</sup> Avenue and its westerly centerline prolongation, a line midway between 162<sup>nd</sup> Street and 164<sup>th</sup> Street, and a line 150 feet southerly of Union Turnpike; and
  - b. 168<sup>th</sup> Street, Union Turnpike, 169<sup>th</sup> Street, and a line 150 feet southerly of Union Turnpike;
3. eliminating from within an existing R4 District a C1-2 District bounded by Parsons Boulevard, 82<sup>nd</sup> Drive, a line 150 feet easterly of Parsons Boulevard, and Grand Central Parkway;
4. changing from an R3-2 District to an R2 District property bounded by:
  - a. 161<sup>st</sup> Street, a line 100 feet southerly of Union Turnpike, a line midway between 162<sup>nd</sup> Street and 164<sup>th</sup> Street, a line 150 feet southerly of Union Turnpike; and
  - b. 168<sup>th</sup> Street, a line 100 feet southerly of Union Turnpike, 169<sup>th</sup> Street, and a line 150 feet southerly of Union Turnpike;
5. changing from an R2 District to an R2A District property bounded by a line midway between 164<sup>th</sup> Street and 164<sup>th</sup> Place, a line 100 feet southerly of Union Turnpike, 164<sup>th</sup> Place, Union Turnpike, a line midway between 164<sup>th</sup> Place and 165<sup>th</sup> Street, a line 100 feet southerly of Union Turnpike, 168<sup>th</sup> Street, a line 150 feet southerly of Union Turnpike, 169<sup>th</sup> Street, Union Turnpike, 170<sup>th</sup> Street, Goethals Avenue, a line 100 feet westerly of 164<sup>th</sup> Place, and 81<sup>st</sup> Avenue;
6. changing from an R4 District to an R2A District property bounded by:
  - a. a line 120 feet westerly of 164<sup>th</sup> Place, 81<sup>st</sup> Avenue, a line 100 feet westerly of 164<sup>th</sup> Place, and Goethals Avenue;
  - b. a line midway between 165<sup>th</sup> Street and 166<sup>th</sup> Street, Goethals Avenue, a line midway between 166<sup>th</sup> Street and 167<sup>th</sup> Street, and 82<sup>nd</sup> Road; and

- c. 164<sup>th</sup> Place, a line 100 feet northerly of Grand Central Parkway, a line 120 feet easterly of 167<sup>th</sup> Street, 82<sup>nd</sup> Road, a line 100 feet easterly of 167<sup>th</sup> Street, Goethals Avenue, 168<sup>th</sup> Street, and Grand Central Parkway;
7. changing from an R4 District to an R3A District property bounded by 164<sup>th</sup> Street, 82<sup>nd</sup> Road, a line 140 feet westerly of 164<sup>th</sup> Place, Goethals Avenue, 164<sup>th</sup> Place, and a line 120 feet northerly of Grand Central Parkway;
  8. changing from an R2 District to an R3-2 District property bounded by a line midway between 164<sup>th</sup> Place and 165<sup>th</sup> Street, Union Turnpike, 168<sup>th</sup> Street, and a line 100 feet southerly of Union Turnpike;
  9. changing from an R4 District to an R4A District property bounded by 84<sup>th</sup> Road, Parsons Boulevard, 84<sup>th</sup> Drive, a line perpendicular to the northerly street line 84<sup>th</sup> Drive distant 130 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 84<sup>th</sup> Drive and the easterly street line of Parsons Boulevard, a line 100 feet southerly of 84<sup>th</sup> Road, 164<sup>th</sup> Street, a line 100 feet southerly of Grand Central Parkway, 164<sup>th</sup> Place and its southerly centerline prolongation, Chapin Parkway, a line perpendicular to the southwesterly street line Chapin Parkway distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Chapin Parkway and the northwesterly street line of Chapin Court, a line 100 feet northeasterly of Chapin Parkway, the northeasterly prolongation of the southeasterly street line of Chapin Court, Chapin Parkway, 85<sup>th</sup> Avenue, 164<sup>th</sup> Street, Glenn Avenue, the centerline of former Glenn Avenue, Parsons Boulevard, 86<sup>th</sup> Avenue, and a line 100 feet westerly of Parsons Boulevard;
  10. changing from an R5 District to an R4A District property bounded by the centerline of former Glenn Avenue, Glenn Avenue, 164<sup>th</sup> Street, 85<sup>th</sup> Avenue, Chapin Parkway, Gothic Drive, a line 125 feet southwesterly of 167<sup>th</sup> Street, a line 100 feet southeasterly of 86<sup>th</sup> Road and its northeasterly prolongation, 164<sup>th</sup> Street, 86<sup>th</sup> Road, 162<sup>nd</sup> Street, Highland Avenue, a line 220 feet southwesterly of 162<sup>nd</sup> Street, and 86<sup>th</sup> Crescent and its northwesterly centerline prolongation (at the straight line portion);
  11. changing from an R4 District to an R4B District property bounded by:
    - a. Goethals Avenue, a line midway between 165<sup>th</sup> Street and 166<sup>th</sup> Street, 82<sup>nd</sup> Road, a line midway between 166<sup>th</sup> Street and 167<sup>th</sup> Street, Goethals Avenue, a line 100 feet easterly of 167<sup>th</sup> Street, 82<sup>nd</sup> Road, a line 120 feet easterly of 167<sup>th</sup> Street, a line 100 feet northerly of Grand Central Parkway, and 164<sup>th</sup> Place; and
    - b. 82<sup>nd</sup> Drive, 161<sup>st</sup> Street, Grand Central Parkway, 164<sup>th</sup> Street, a line 120 feet northerly of Grand Central Parkway, 164<sup>th</sup> Place, a line 100 feet southerly of Grand Central Parkway, 164<sup>th</sup> Street, a line 100 feet southerly of 84<sup>th</sup> Road, 160<sup>th</sup> Street, 84<sup>th</sup> Road, 160<sup>th</sup> Street, a line 100 feet northerly of 84<sup>th</sup> Avenue, 161<sup>st</sup> Street, Grand Central Parkway, and 159<sup>th</sup> Street;
  12. changing from an R4 District to an R4-1 District property bounded by 82<sup>nd</sup> Drive, 159<sup>th</sup> Street, Grand Central Parkway, 161<sup>st</sup> Street, a line 100 feet northerly of 84<sup>th</sup> Avenue, 160<sup>th</sup> Street, 84<sup>th</sup> Road, 160<sup>th</sup> Street, a line 100 feet southerly of 84<sup>th</sup> Road, a line perpendicular to the northerly street line 84<sup>th</sup> Drive distant 130 feet easterly (as measured

- along the street line) from the point of intersection of the northerly street line of 84<sup>th</sup> Drive and the easterly street line of Parsons Boulevard, 84<sup>th</sup> Drive, Parsons Boulevard, 84<sup>th</sup> Road, and a line 100 feet easterly of Parsons Boulevard;
13. changing from an R4 District to an R5 District property bounded by 86<sup>th</sup> Avenue, Parsons Boulevard, 87<sup>th</sup> Avenue, and a line 100 feet southwesterly of Parsons Boulevard;
  14. changing from an R2 District to an R5D District property bounded by:
    - a. Union Turnpike, 161<sup>st</sup> Street, a line 100 feet southerly of Union Turnpike, a line 100 feet easterly of Parsons Boulevard, Goethals Avenue, and Parsons Boulevard; and
    - b. Union Turnpike, 164<sup>th</sup> Place, a line 100 feet southerly of Union Turnpike, and a line midway between 164<sup>th</sup> Street and 164<sup>th</sup> Place;
  15. changing from an R3-2 District to an R5D District property bounded by Union Turnpike, a line midway between 164<sup>th</sup> Street and 164<sup>th</sup> Place, 81<sup>st</sup> Avenue and its westerly centerline prolongation, a line midway between 162<sup>nd</sup> Street and 164<sup>th</sup> Street, a line 100 feet southerly of Union Turnpike, and 161<sup>st</sup> Street;
  16. changing from an R4 District to an R5D District property bounded by:
    - a. 81<sup>st</sup> Avenue and its westerly centerline prolongation, a line 120 feet westerly of 164<sup>th</sup> Place, Goethals Avenue, a line 140 feet westerly of 164<sup>th</sup> Place, 82<sup>nd</sup> Road, 164<sup>th</sup> Street, Goethals Avenue, and a line midway between 162<sup>nd</sup> Street and 164<sup>th</sup> Street; and
    - b. 82<sup>nd</sup> Drive, a line 100 feet easterly of Parsons Boulevard, 84<sup>th</sup> Road, a line 100 feet westerly of Parsons Boulevard, Hoover Avenue, and Parsons Boulevard;
  17. establishing within an existing R3-2 District a C1-3 District bounded by Union Turnpike, 169<sup>th</sup> Street, a line 100 feet southerly of Union Turnpike, and 168<sup>th</sup> Street; and
  18. establishing within a proposed R5D District a C1-3 District bounded by
    - a. Parsons Boulevard, Union Turnpike, a line midway between 164<sup>th</sup> Street and 164<sup>th</sup> Place, 81<sup>st</sup> Avenue and its westerly centerline prolongation, a line midway between 162<sup>nd</sup> Street and 164<sup>th</sup> Street, and a line 100 feet southerly of Union Turnpike; and
    - b. Parsons Boulevard, 82<sup>nd</sup> Drive, a line 100 feet easterly of Parsons Boulevard, and Grand Central Parkway;

Borough of Queens, Community District 8, as shown on a diagram (for illustrative purposes only) dated February 21, 2006, and subject to the conditions of CEQR Declaration E-165.

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The application for an amendment to the Zoning Map was filed by the Department of City Planning on February 15, 2006, to address issues of out-of-character residential development in the Jamaica Hill and Hillcrest areas of Queens Community District 8.

### **Related Action**

In addition to the amendment to the Zoning Map, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 060338 (A) ZRY - Zoning text amendments establishing a new R5D zoning designation

### **BACKGROUND**

The Department of City Planning proposes zoning map amendments affecting approximately 70 blocks in the central Queens neighborhoods of Jamaica Hill and Hillcrest, including several block fronts on the eastern edge of Briarwood, in Community District 8. The rezoning area is generally bounded by Union Turnpike to the north, 170th Street and 168th Street to the east, 86th Road and Highland Avenue to the south and Parsons Boulevard to the west. The zoning changes aim to protect the established character of residential blocks within this area, and encourage new residential and mixed-use buildings on major streets, including portions of Parsons Boulevard and Union Turnpike.

Jamaica Hill and Hillcrest are located in central Queens, just north of Downtown Jamaica. As their names imply, the dominant geographic feature of these neighborhoods is their topography. Located on a terminal moraine, they are situated on a hill rising from Hillside Avenue. Residential development began in this area in 1909, and continued into the 1930s, aided by the opening of the Jamaica Avenue elevated line in 1918, the Grand Central Parkway in 1933 and the

IND subway along Hillside Avenue in 1937. Several significant institutional uses are adjacent to the rezoning area including Queens Hospital, St John's University, Jamaica High School, Hillcrest High School and Edison High School. The area is served by mass transit with the F line subway station located at Parsons Boulevard and Hillside Avenue, bus service to the E subway line at Union Turnpike and Queens Boulevard and express bus service to downtown Manhattan along Union Turnpike.

### Existing Zoning

The existing zoning of the Jamaica Hill and Hillcrest neighborhoods has been in place since the current Zoning Resolution was adopted in 1961. In general, the existing zoning is not representative of the current housing types and occupancy patterns in the area. The predominant character of this area is two-story, one and two family residential development. Commercial and community facility uses exist along the major thoroughfares of 164<sup>th</sup> Street, Union Turnpike, and Parson Boulevard.

Most of the area north of Goethals Avenue is presently zoned R2. The R2 district permits one-family, detached residences on lots of at least 3,800 square feet and a minimum width of 40 feet. The maximum floor area ratio (FAR) for both residences and community facilities is 0.5. The maximum front wall height is 25 feet, given a minimum front yard depth of 15 feet. For each additional linear foot in depth of the front yard, the building's front wall may rise an additional foot. The building's maximum height is not fixed but is determined by a sky exposure plane. One parking space per dwelling unit is required.

The R3-2 district, mapped along six block fronts along Union Turnpike and 164th Street within the rezoning area, is the lowest-density general residence district in which multifamily structures are permitted. A variety of housing types are permitted including garden apartments, row houses and semi-detached and detached houses. The maximum FAR is 0.5, plus a 0.1 attic allowance. Minimum lot width and lot area depend upon the housing configuration. Detached structures

require a 40-foot lot width and 3,800 square feet of lot area. Other housing types require lots that are at least 18 feet wide and have an area of at least 1,700 square feet. Community facilities are permitted an FAR of 1.0. One parking space is required for each dwelling unit.

The area south of Goethals Avenue and north of Normal Road is presently zoned R4. The R4 district allows the same variety of housing types as the R3-2 district but at a moderately higher density. Detached residences are limited to lots with a minimum of 3,800 square feet in area, and a minimum width of 40 feet. Semi-detached and attached residences are limited to lots with a minimum of 1,700 square feet in area and a minimum width of 18 feet. The maximum FAR is 0.9, which includes a 0.15 attic allowance. On blocks that are predominantly developed, a maximum FAR of 1.35 is permitted with the R4 infill provision. Community facilities are permitted an FAR of 2.0. One parking space is required for each dwelling unit.

The area south of 85th Avenue and Normal Road is zoned R5. A general residence district, R5 allows all housing types including detached, semi-detached, attached and multi-family residences. Detached residences are limited to lots with a minimum of 3,800 square feet in area, and a minimum width of 40 feet. All other housing types are limited to lots with a minimum of 1,700 square feet in area and a minimum width of 18 feet. The maximum FAR for all housing types is 1.25. On blocks that are predominantly developed, a maximum FAR of 1.65 is permitted with the R5 infill provision. Community facilities are permitted an FAR of 2.0. One parking space is required for each dwelling unit unless grouped where parking for 85% of the units is required.

There are C1-2 commercial overlay districts along selected blocks on Union Turnpike, 164th Street and Parsons Boulevard, which also has C1-4 commercial overlays along certain block fronts. C1 overlay districts are mapped within residential districts and permit the local retail and

service establishments needed in residential neighborhoods. Maximum commercial floor area can reach 1.0 FAR with commercial uses limited to the first floor in mixed buildings. Parking requirements are higher in C1-2 districts than in C1-4. In C1-2 districts, most retail uses require one accessory parking space per 300 square feet of commercial floor space, although the requirements may range between one space per 200 square feet and one space per 800 square feet. In C1-4 districts, most retail uses require one accessory parking space per 1,000 square feet of commercial floor space, although the requirements may range between one space per 1,000 square feet and one space per 2,000 square feet.

## **PROPOSED ZONING**

To ensure that new development better matches the existing housing types and densities found in Jamaica Hill and Hillcrest, the Department of City Planning is proposing to replace the existing general residence districts (R3-2, R4 and R5) with lower-density, contextual districts (R3A, R4A, R4B, R4-1). To ensure that new single-family houses match the established scale of traditional development patterns, an existing single family detached residential district (R2) is proposed to be replaced with a contextual single family detached residential district (R2A). In addition, existing districts (R2, R3-2 and R5) will be extended over small adjacent areas to better reflect the existing built conditions of those areas. To address the need for new housing at a scale in keeping with neighborhood character, a new medium-density, contextual district (R5D) is proposed for portions of Union Turnpike and Parsons Boulevard. Infill zoning provisions would not be applicable in the proposed zoning districts, except in R5.

### **R2A (R2 and R4 to R2A)**

The proposed R2A zoning includes portions of 21 blocks in the area north of Grand Central Parkway, along and west of 164th Place, south of Union Turnpike, and along and east of 164th Place.

In the proposed R2A, residential development would be limited to one-family detached houses.

The minimum lot size and lot width requirements would be 3,800 square feet and 40 feet. The maximum allowable FAR would be 0.5. The R2A regulations would still permit expansion of existing homes, but with a more predictable building envelope, consistent with the scale and character of neighboring homes. The maximum building height would be 35 feet with a maximum perimeter wall height of 21 feet. There would also be a 15-foot minimum front yard and the front yard of a new building would be required to be as deep as an adjacent yard up to a depth of 20 feet. The maximum lot coverage under R2A would be 30 percent.

The proposed change from R2 and R4 to R2A would more closely reflect the predominant character of houses in this area, of which 85% are one-family detached buildings and 77% would comply with the maximum FAR of 0.5.

#### **R2 (R3-2 to R2)**

An existing R2 district is proposed to be extended to include four lots currently zoned R3-2 located on portions of two blocks between Union Turnpike and Goethals Avenue and along 162nd Street and 161st Street. These lots are predominantly developed with two and a half story single-family detached homes.

#### **R3A (R4 to R3A)**

Portions of two blocks on the west side of 164th Place from Goethals Avenue to Grand Central Parkway and the east side of 164th Street from 82nd Road to Grand Central Parkway, are proposed to be rezoned from an R4 district to an R3A district.

In the proposed R3A, residential development would be limited to one- and two-family detached houses. The minimum lot size and lot width requirements for detached buildings are 2,375 square feet and 25 feet respectively. The maximum FAR is 0.6. A perimeter wall may rise to 21 feet, and the maximum building height is 35 feet.



The proposed change from R4 to R3A would more closely reflect the predominant character of houses in this area, of which 90% are one- and two-family detached buildings and 92% would comply with the reduced maximum FAR of 0.6.

**R3-2 (R2 to R3-2)**

The proposed R3-2 zoning would include portions of four blocks fronting on Union Turnpike between 169th Street and 164th Place. The proposed R3-2 district reflects the mixture of building types in this area, including attached and semi-detached houses, which generally do not conform with the existing R2 zoning, which only allows single-family detached homes.

**R4A (R4 and R5 to R4A)**

The proposed R4A zoning includes portions of 22 blocks, in the area north of Highland Avenue, west of Chapin Parkway, along and south of 84th Drive, and along and east of Parsons Boulevard at the western most edge of the rezoning area.

In the proposed R4A zoning districts, residential development would be limited to one- and two-family detached houses and R4 infill zoning provisions would no longer be applicable. The minimum lot size and lot width requirements are 2,850 square feet and 30 feet respectively. The maximum FAR is 0.9. A perimeter wall may rise to 21 feet, and the maximum building height in the R4A is 35 feet.

These regulations would ensure future development would better match the one- and two-family, detached housing characteristic of these areas. In areas proposed to be rezoned R4A, 83% of lots are developed with one- and two-family detached buildings, and 94% of the lots comply with the maximum FAR of 0.9.

**R4B (R4 to R4B)**

The proposed R4B zoning includes all or portions of 17 blocks in two non-contiguous areas along and north of 84th Avenue, south of Goethals Avenue and west of 150th Street, and along and east of 167th Street. These areas are predominantly built with attached, one- and two-family residences that have parking in the rear.

In the proposed R4B zoning district, residential development would be limited to one- and two-family detached, semi-detached, and attached houses and the infill provisions would no longer be applicable. The minimum lot size and lot width requirements are 2,375 square feet and 25 feet for detached residences and 1,700 square feet and 18 feet for semi-detached and attached residences. The maximum allowable FAR is 0.9. The maximum building height is 24 feet. Parking in the front yard is not permitted.

This proposed zoning district would only permit housing types and sizes that are reflective of the current built environment. In areas proposed to be rezoned R4B, 100% of lots would conform to both the allowable building type and occupancy regulations.

**R4-1 (R4 to R4-1)**

The proposed R4-1 zoning district would cover all or portions of six blocks. The proposed R4-1 is generally bounded by 84th Drive, 161st Street, 82nd Drive and 159th Street.

In the proposed R4-1 zoning district, one- and two-family detached and semi-detached residential development would be permitted. The minimum lot size and lot width requirements are 2,375 square feet and 25 linear feet for new residential detached development and 1,700 square feet and

18 feet for semi-detached development. The maximum FAR is 0.9. A perimeter wall may rise to 25 feet, and the maximum building height is 35 feet.

These areas are predominantly built with detached and semi-detached buildings. In areas proposed to be rezoned R4-1, 92% of lots would conform to the allowable building type and the one- and two-family use regulations.

**R5D (R4, R3-2 and R2 to R5D)**

As certified, the proposed R5D district would include portions of 11 block fronts along 164th Street, Union Turnpike and Parsons Boulevard. These block fronts are developed with multifamily residential uses, commercial and office uses and parking facilities.

In the proposed R5D, a new zoning district, all residence types are permitted. The maximum allowable FAR is 2.0. The maximum building height is 40 feet. The parking requirement for group parking in the R5D district is 66% of the total dwelling units. The R5D district would provide for moderate-density residential development where four-story buildings would be appropriate -- wide streets supported by transit access.

**R5 (R4 to R5)**

An existing R5 district is proposed to be extended to include a portion of one block fronting Parsons Boulevard, between 87th Avenue and 87th Road. This block front is developed with multifamily residential, commercial and office uses.

Approximately 75% or 3 of the 4 lots would be complying with the increased FAR allowed under the proposed R5.

### **Commercial Overlay Changes**

Proposed changes to certain commercial overlays within the rezoning area would more closely match existing land use and development patterns. The existing overlays located along portions of Union Turnpike, 164th Street and Parsons Boulevard are generally 150 feet deep. The Department proposes to generally reduce the depths of existing overlays to 100 feet to prevent the intrusion of commercial uses on residential side streets and to change C1-2 overlays to C1-3 overlays. For most commercial uses, parking requirements in the C1-3 district would be one off-street parking space for every 400 square feet of commercial floor area, compared to one space for every 300 square feet in the C1-2 overlay. No new commercial overlay districts are proposed as part of the rezoning actions. Existing C1-4 overlays along Parsons Boulevard will remain unchanged.

### **PROPOSED R5D DISTRICT (N 060338 (A) ZRY)**

In the related zoning text amendment, the Department of City Planning proposes to create a new R5D district that allows for moderate-density multifamily housing in appropriate locations, such as Jamaica Hill and Hillcrest in Queens, Community District 8 and Williamsbridge Road in the Bronx, Community District 11. The key aspects of the proposed R5D district include a maximum FAR of 2.0, a maximum building height of 40 feet and a parking requirement of 66% with a very limited parking waiver provision. Other provisions include:

#### **Required Yards:**

- Minimum five-foot front yards.
- If an adjacent yard is deeper than 5 feet, the front yard must be at least as deep as one adjacent yard but no deeper than the other, up to a depth of 20 feet.

- Side yards not required on lots less than 30 feet wide; on lots with widths of 30 feet or more eight feet is required between buildings where the adjacent lot has a side yard
- Minimum 30-foot rear yards on all interior lots occupied by residences and residential portions of mixed buildings also occupied by community facility or commercial uses.

**Parking:**

- Residential parking is not allowed between the building's front wall and the street.
- Accessory residential parking may only be waived if no more than one space is required.
- Commercial curb cuts are not permitted on wide streets on any lot with access to a narrow street.

**Streetscape:**

- One street tree is required for every 25 feet of street frontage.
- If a building is setback, the area between the building and the street line, except in front of entrances and exits, must be planted.

A modified application (N 060338 (A) ZRY) was submitted on April 24, 2006 to include minimum lot width and lot area requirements. In response to concerns raised by community members and local elected officials, the modified application also makes the refuse storage requirements of the Quality Housing Program applicable to the R5D district.

## **ENVIRONMENTAL REVIEW**

This application (C 060337 ZMQ), in conjunction with the application for the related action (N 060338 ZRY), 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 CEQR number is 06DCP072 Q.

The lead agency is the City Planning Commission. After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on February 21, 2006 which included (E) designations for hazardous materials, air quality and noise.

To avoid the potential for hazardous materials impacts, the proposed zoning map amendment includes (E) designations for hazardous materials on the following properties:

- Block 6853 Lot 23
- Block 6854 Lot 31
- Block 6855 Lots 31, 36
- Block 6856 Lot 38
- Block 6857 Lots 53, 64, 65, 67, 69
- Block 6859 Lot 14
- Block 6862 Lots 340, 341, 344, 323, 327, 331
- Block 7014 Lots 2, 6
- Block 7018 Lot 7

- Block 9751 Lots 1, 7
- Block 9789 Lots 6, 11, 13, 14

The (E) designation would require that the fee owner of such a site conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the New York City Department of Environmental Protection before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation also includes a mandatory construction-related health and safety plan which must be approved by NYCDEP.

An (E) designation for air quality would be placed on Block 9751, Lot 7 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot line facing 84<sup>th</sup> Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

An (E) designation for air quality would be placed on Block 9751, Lot 1 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot line facing 84<sup>th</sup> Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

An (E) designation for air quality would be placed on Block 6857, Lots 64, 65 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 45 feet from the lot line facing Goethals Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

An (E) designation for air quality would be placed on Block 9789, Lots 6, 11, 13, 14 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 95 feet from the lot line facing Grand Central Parkway Service Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

An (E) designation for air quality would be placed on Block 6862, Lots 340, 341, 344 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot line facing 84<sup>th</sup> Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

An (E) designation for air quality would be placed on Block 6862, Lot 323 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 40 feet from the lot line facing 84<sup>th</sup> Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

An (E) designation for air quality would be placed on Block 6862, Lots 327, 331 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 75 feet from the lot line facing Grand Central Parkway Service Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.



An (E) designation for air quality would be placed on Block 6857, Lots 67, 69 as follows:

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 75 feet from the lot line facing Union Turnpike, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

A technical memorandum, dated June 6, 2006, was prepared in connection with the submission of the related revised text amendment N 060338 (A) ZRY, and the modifications to the zoning map changes discussed later in this report. The technical memorandum concluded that the revisions incorporated in the action were minor in nature and that the Negative Declaration issued on February 21, 2006 remained valid.

#### **UNIFORM LAND USE REVIEW**

This application (C 060337 ZMQ) was certified as complete by the Department of City Planning on February 21, 2006, and was duly referred to Community Board 8 and the Queens Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related non-ULURP text change application (N 060338 ZRY), which was sent to the affected community boards and borough presidents for information and review.

On December 22, 2004 the modified text change application (N 060338 (A) ZRY) was duly referred to Community Board 8 and Queens Borough President for information and review.

#### **Community Board Public Hearing**

Community Board 8 held a public hearing on this application (C 060337 ZMQ) on March 28, 2006 and on April 5, 2006, by a vote of 37 in favor, 0 opposed and 0 abstentions, adopted a resolution recommending approval of this application with the following condition:

...that 164<sup>th</sup> Street, Union Turnpike proposed to be rezoned R5D and Parsons Boulevard from Union Turnpike to the Grand Central Parkway Service Road and the west side of Parsons Boulevard. from 84<sup>th</sup> Avenue to 84<sup>th</sup> place not be rezoned and that all lots on the North side of Goethals Avenue be rezoned R2-A and that all lots on the South side of Goethals Avenue and North side of 82 Road west of 164<sup>th</sup> Place with 1 or 2 family houses be rezoned R3A.

### **Borough President Recommendation**

This application (C 060337 ZMQ) was considered by the Borough President who issued a recommendation on May 9, 2006, approving the application with the following conditions:

The Department of City Planning should review the concerns of Community Board 8 and refine the rezoning proposal as necessary to address any potential negative impacts that may be generated.

The Borough President recommended approval for related action N 060338 (A) ZRY.

### **City Planning Commission Public Hearing**

On April 26, 2006 (Calendar No. 3) the City Planning Commission scheduled May 10, 2006 for a public hearing on this application (C 060337 ZMQ). The hearing was duly held on May 10, 2006 (Calendar No. 28). There were two speakers in favor of the applications and six speakers in favor of the applications with modifications.

A resident of Jamaica Hill spoke in favor of the application, stating that his community was experiencing dramatic changes that impacted the character of the community. A property owner

in Hillcrest spoke in favor of the application, stating that the proposed R5D would provide an opportunity for higher quality development on his property with a more predictable bulk that better addresses the streetscape.

Six residents of Hillcrest and the adjacent neighborhood of Parkway Village spoke in support of the application, but requested the removal of the proposed R5D from 164<sup>th</sup> Street, Union Turnpike and Parsons Boulevard north of the Grand Central Parkway. The residents were concerned that their community is adjacent to several large institutions and several nearby sites that have been proposed for significant development, and that any new development under the proposed R5D rezoning in this action would create additional congestion and limit already inadequate public services.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map, in conjunction with the amendments to the Zoning Resolution, as modified herein, is appropriate.

The Commission believes that this action represents a comprehensive zoning strategy for the neighborhoods of Jamaica Hill and Hillcrest and will help to preserve the area's predominant lower-density character and ensure that future residential development will be more consistent with surrounding neighborhood contexts.

The Commission notes that the existing R2, R3-2, R4 and R5 districts found in the rezoning area permit housing that is not within the existing character of the neighborhoods. The Commission

believes that the proposed lower-density and contextual districts of R2, R2A, R3A, R4-1, R4A and R4B would produce development that better fits within the existing character of the area.

In addition to rezoning to lower-density and contextual zoning districts, the Commission believes that a new contextual district is also needed that allows for moderate-density multifamily housing in appropriate locations. The Commission believes the creation of the new R5D zoning district provides a better moderate density development pattern in areas with high automotive dependency. It would recognize the particular height and bulk characteristics of these areas by imposing height limitations, require a significant amount of accessory parking and require street tree and front yard planting. The Commission believes that the R5D would provide new housing opportunities while recognizing the character of the surrounding lower density areas.

The proposed R5D district on Union Turnpike and Parsons Boulevard, wide streets that are served by transit, will facilitate residential development. The Commission believes that new development under the proposed zoning will help establish Union Turnpike and reinforce Parsons Boulevard as active residential-commercial corridors.

The Commission carefully considered the testimony at its public hearing regarding the areas where the R5D district is proposed, and consequently is modifying the application to retain R4 zoning along 164<sup>th</sup> Street from 82<sup>nd</sup> Road to 81<sup>st</sup> Avenue and modifies the proposed R5D to R4 on the portion of 164<sup>th</sup> Street between 81<sup>st</sup> Avenue up to a line 100 feet south of Union Turnpike. The Commission believes that the R4 zoning appropriately reflects existing patterns of development along this portion of 164<sup>th</sup> Street as well as sets reasonable parameters for future development. The Commission believes the R5D district is the appropriate zoning designation

for frontages of Union Turnpike and Parsons Boulevard, which are the primary thoroughfares in the rezoning area.

Finally, the Commission believes that the proposed commercial overlay changes better reflect existing commercial development, and will prevent the expansion of potentially incompatible commercial uses onto residential side streets.

## **RESOLUTION**

**RESOLVED**, that 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 the 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 further amended by changing the Zoning Map, Section Nos. 14c and 14d:

1. eliminating from within an existing R2 District a C1-2 District bounded by Parsons Boulevard, Union Turnpike, 161st Street, a line 150 feet southerly of Union Turnpike;
2. eliminating from within an existing R3-2 District a C1-2 District bounded by:
  - a. 161st Street, Union Turnpike, a line midway between 164th Street and 164th Place, 81st Avenue and its westerly centerline prolongation, a line midway between 162nd Street and 164th Street, and a line 150 feet southerly of Union Turnpike; and
  - b. 168th Street, Union Turnpike, 169th Street, and a line 150 feet southerly of Union Turnpike;
3. eliminating from within an existing R4 District a C1-2 District bounded by Parsons Boulevard, 82nd Drive, a line 150 feet easterly of Parsons Boulevard, and Grand Central Parkway;

4. changing from an R3-2 District to an R2 District property bounded by:
  - a. 161st Street, a line 100 feet southerly of Union Turnpike, a line midway between 162nd Street and 164th Street, a line 150 feet southerly of Union Turnpike; and
  - b. 168th Street, a line 100 feet southerly of Union Turnpike, 169th Street, and a line 150 feet southerly of Union Turnpike;
5. changing from an R2 District to an R2A District property bounded by a line midway between 164th Street and 164th Place, a line 100 feet southerly of Union Turnpike, 164th Place, Union Turnpike, a line midway between 164th Place and 165th Street, a line 100 feet southerly of Union Turnpike, 168th Street, a line 150 feet southerly of Union Turnpike, 169th Street, Union Turnpike, 170th Street, Goethals Avenue, a line 100 feet westerly of 164th Place, and 81st Avenue;
6. changing from an R4 District to an R2A District property bounded by:
  - a. a line 120 feet westerly of 164th Place, 81st Avenue, a line 100 feet westerly of 164th Place, and Goethals Avenue;
  - b. a line midway between 165th Street and 166th Street, Goethals Avenue, a line midway between 166th Street and 167th Street, and 82nd Road; and
  - c. 164th Place, a line 100 feet northerly of Grand Central Parkway, a line 120 feet easterly of 167th Street, 82nd Road, a line 100 feet easterly of 167th Street, Goethals Avenue, 168th Street, and Grand Central Parkway;
7. changing from an R4 District to an R3A District property bounded by 164th Street, 82nd Road, a line 140 feet westerly of 164th Place, Goethals Avenue, 164th Place, and a line 120 feet northerly of Grand Central Parkway;
8. changing from an R2 District to an R3-2 District property bounded by a line midway between 164th Place and 165th Street, Union Turnpike, 168th Street, and a line 100 feet southerly of Union Turnpike;
9. changing from an R3-2 District to an R4 District property bounded by a line 100 feet southerly of Union Turnpike, a line midway between 164th Street and 164th Place, 81st Avenue and its westerly centerline prolongation, and a line midway between 162nd Street and 164th Street;
10. changing from an R4 District to an R4A District property bounded by 84th Road, Parsons Boulevard, 84th Drive, a line perpendicular to the northerly street line 84th Drive distant 130 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 84th Drive and the easterly street line of Parsons Boulevard, a line 100 feet southerly of 84th Road, 164th Street, a line 100 feet southerly of Grand Central Parkway, 164th Place and its southerly centerline prolongation, Chapin Parkway, a line perpendicular to the southwesterly street line Chapin Parkway distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Chapin Parkway and the northwesterly street line of Chapin Court, a line 100 feet northeasterly of Chapin Parkway, the northeasterly prolongation of the southeasterly street line of Chapin Court, Chapin Parkway, 85th Avenue, 164th

Street, Glenn Avenue, the centerline of former Glenn Avenue, Parsons Boulevard, 86th Avenue, and a line 100 feet westerly of Parsons Boulevard;

11. changing from an R5 District to an R4A District property bounded by the centerline of former Glenn Avenue, Glenn Avenue, 164th Street, 85th Avenue, Chapin Parkway, Gothic Drive, a line 125 feet southwesterly of 167th Street, a line 100 feet southeasterly of 86th Road and its northeasterly prolongation, 164th Street, 86th Road, 162nd Street, Highland Avenue, a line 220 feet southwesterly of 162nd Street, and 86th Crescent and its northwesterly centerline prolongation (at the straight line portion);
12. changing from an R4 District to an R4B District property bounded by:
  - a. Goethals Avenue, a line midway between 165th Street and 166th Street, 82nd Road, a line midway between 166th Street and 167th Street, Goethals Avenue, a line 100 feet easterly of 167th Street, 82nd Road, a line 120 feet easterly of 167th Street, a line 100 feet northerly of Grand Central Parkway, and 164th Place; and
  - b. 82nd Drive, 161st Street, Grand Central Parkway, 164th Street, a line 120 feet northerly of Grand Central Parkway, 164th Place, a line 100 feet southerly of Grand Central Parkway, 164th Street, a line 100 feet southerly of 84th Road, 160th Street, 84th Road, 160th Street, a line 100 feet northerly of 84th Avenue, 161st Street, Grand Central Parkway, and 159th Street;
13. changing from an R4 District to an R4-1 District property bounded by 82nd Drive, 159th Street, Grand Central Parkway, 161st Street, a line 100 feet northerly of 84th Avenue, 160th Street, 84th Road, 160th Street, a line 100 feet southerly of 84th Road, a line perpendicular to the northerly street line 84th Drive distant 130 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 84th Drive and the easterly street line of Parsons Boulevard, 84th Drive, Parsons Boulevard, 84th Road, and a line 100 feet easterly of Parsons Boulevard;
14. changing from an R4 District to an R5 District property bounded by 86th Avenue, Parsons Boulevard, 87th Avenue, and a line 100 feet southwesterly of Parsons Boulevard;
15. changing from an R2 District to an R5D District property bounded by:
  - a. Union Turnpike, 161st Street, a line 100 feet southerly of Union Turnpike, a line 100 feet easterly of Parsons Boulevard, Goethals Avenue, and Parsons Boulevard; and
  - b. Union Turnpike, 164th Place, a line 100 feet southerly of Union Turnpike, and a line midway between 164th Street and 164th Place;
16. changing from an R3-2 District to an R5D District property bounded by Union Turnpike, a line midway between 164th Street and 164th Place, a line 100 feet southerly of Union Turnpike, and 161st Street;
17. changing from an R4 District to an R5D District property bounded by 82nd Drive, a line 100 feet easterly of Parsons Boulevard, 84th Road, a line 100 feet westerly of Parsons Boulevard, Hoover Avenue, and Parsons Boulevard;

18. establishing within a proposed R4 District a C1-3 District bounded by a line 100 feet southerly of Union Turnpike, a line midway between 164th Street and 164th Place, 81st Avenue and its westerly centerline prolongation, and a line midway between 162nd Street and 164th Street;
19. establishing within an existing R3-2 District a C1-3 District bounded by Union Turnpike, 169th Street, a line 100 feet southerly of Union Turnpike, and 168th Street; and
20. establishing within a proposed R5D District a C1-3 District bounded by
  - a. Parsons Boulevard, Union Turnpike, a line midway between 164th Street and 164th Place, and a line 100 feet southerly of Union Turnpike; and
  - b. Parsons Boulevard, 82nd Drive, a line 100 feet easterly of Parsons Boulevard, and Grand Central Parkway;

Borough of Queens, Community District 8, as shown on a diagram (for illustrative purposes only) dated February 26, 2006, and modified on June 7, 2006, which includes CEQR Designation E-165.

The above resolution (C 060337 ZMQ), duly adopted by the City Planning Commission on June 7, 2006 (Calendar No. 10), 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.

**AMANDA M. BURDEN, AICP, Chair**

**KENNETH J. KNUCKLES, Esq., Vice Chairman**

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**

**ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,**

**RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI,**

**JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**