



CITY PLANNING COMMISSION

June 23, 2004/Calendar No. 24

C 040273 ZMQ

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. 8d and 9b:

1. eliminating from an existing R6A District a C1-5 District bounded by:
 - a. 51st Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard; and
 - b. 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street
2. eliminating from an existing R7A District a C1-5 District bounded by 44th Drive, a line 45 feet westerly of 23rd Street, a line midway between 44th Drive and 45th Avenue, and a line 100 feet westerly of 11th Street;
3. eliminating from an existing R7A District a C2-5 District bounded by Jackson Avenue, 21st Street, and 47th Road;
4. eliminating a Special Long Island City Mixed Use District (LIC) bounded by 51st Avenue, Jackson Avenue, and Vernon Boulevard;
5. changing from an M1-4 District to an R6B District property bounded by 44th Drive, 23rd Street, 45th Avenue, a line 90 feet westerly of 23rd Street, a line midway between 45th Avenue and 45th Road, a line 90 feet easterly of 21st Street, a line midway between 44th Drive and 45th Avenue, and a line 45 feet westerly of 23rd Street;
6. changing from an R6A District to an R7X District property bounded by 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street;
7. changing from an R7A District to an R7X District property bounded by:
 - a. a line 100 feet northerly of 46th Avenue and its easterly prolongation, 23rd Street, Jackson Avenue, 21st Street, 46th Road, a line 90 feet easterly of 21st Street, 46th Avenue, and a line 215 feet westerly of 23rd Street; and

- b. 47th Avenue, Jackson Avenue, the northerly boundary line of the Long Island Railroad right-of-way, 11th Street, 50th Avenue, a line 100 feet southeasterly of Jackson Avenue, 51st Avenue, Vernon Boulevard, 50th Avenue, a line 250 feet easterly of Vernon Boulevard, a line 100 feet northwesterly of Jackson Avenue, 49th Avenue, a line 120 feet westerly of 11th Street, 48th Avenue, 11th Street, 47th Road, a line 235 feet easterly of 11th Street, and a line 100 feet northwesterly of Jackson Avenue;
8. changing from an M1-4 District to an M1-4/R6A District property bounded by:
- a. the southerly boundary of a Canal, a line 100 feet easterly of 5th Street and its northerly prolongation, a line midway between 47th Road and 48th Avenue, and 5th Street and its northerly centerline prolongation;
 - b. 48th Avenue, a line 100 feet easterly of 5th Street, Borden Avenue, and 5th Street; and
 - c. the northerly boundary line of John F. Murray Playground, a line 90 feet westerly of 21st Street, 46th Road, and a line 60 feet easterly of 11th Street;
9. changing from an M1-4 District to an M1-4/R6B District property bounded by:
- a. 45th Avenue, 23rd Street, a line 100 feet northerly of 46th Avenue, a line 215 feet westerly of 23rd Street, 46th Avenue, a line 90 feet westerly of 21st Street, a line midway between 45th Avenue and 45th Road, and a line 90 feet westerly of 23rd Street;
 - b. 46th Road, a line 90 feet westerly of 21st Street, 47th Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 235 feet easterly of 11th Street, 47th Road, and a line 60 feet easterly of 11th Street;
 - c. 49th Avenue, a line 90 feet westerly of 21st Street, 50th Avenue, 21st Street, the Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, 11th Street, 51st Avenue, a line 100 feet southeasterly of Jackson Avenue, 50th Avenue, and 11th Place;
 - d. 46th Road, a line 100 feet westerly of 11th Street, 48th Avenue, a line 120 feet westerly of 11th Street, 49th Avenue, a line 100 feet

northwesterly of Jackson Avenue, a line 250 feet easterly of Vernon Boulevard, 50th Avenue, and a line 100 feet easterly of Vernon Boulevard;

- e. 47th Avenue, a line 100 feet westerly of Vernon Boulevard, a line midway between 47th Road and 48th Avenue, and a line 100 feet easterly of 5th Street;
 - f. 48th Avenue, a line 100 feet westerly of Vernon Boulevard, a line midway between 51st Avenue and Borden Avenue, and a line 100 feet easterly of 5th Street; and
 - g. 51st Avenue, 5th Street, a line 50 feet southerly of the northerly street line of Borden Avenue, and 2nd Street;
10. changing from an R7A District to an M1-4/R7A District property bounded by 44th Drive, a line 45 feet westerly of 23rd Street, a line midway between 44th Drive and 45th Avenue, and a line 100 feet westerly of 11th Street;
11. changing from an M1-4 District to an M1-4/R7A District property bounded by:
- a. a line 100 feet northerly of 44th Drive, 23rd Street, 44th Drive, and a line 100 feet westerly of 11th Street;
 - b. a line midway between 44th Drive and 45th Avenue, a line 90 feet westerly of 21st Street, the northerly boundary line of John F. Murray Playground, a line 60 feet easterly of 11th Street, 47th Road, 11th Street, 48th Avenue, and a line 100 feet westerly of 11th Street;
 - c. a line midway between 47th Road and 48th Avenue, a line 100 feet westerly of Vernon Boulevard, 48th Avenue, and 5th Street; and
 - d. 49th Avenue, 5th Street, 51st Avenue, and a line 100 feet westerly of 5th Street;
12. changing from an R6A District to an M1-5/R7X District property bounded by 51st Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard;
13. changing from an R7A District to an M1-5/R7X District property bounded by 21st Street, 47th Road, and Jackson Avenue;

14. changing from an M1-4 District to an M1-5/R7X District property bounded by:
 - a. the northerly boundary line of the Long Island Railroad right-of-way, 11th Place and its northerly centerline prolongation, 50th Avenue, and 11th Street; and
 - b. a line midway between 51st Avenue and Borden Avenue, a line 100 feet westerly of Vernon Boulevard, Borden Avenue, and a line 100 feet easterly of 5th Street;
15. changing from an M1-6 District to an M1-5/R7X District property bounded by 47th Road, 21st Street, the northerly boundary line of the Long Island Railroad right-of-way, and Jackson Avenue;
16. changing from an M3-1 District to an M1-5/R7X District property bounded by Jackson Avenue, Crane Street, a line 250 feet southeasterly of Jackson Avenue, and 21st Street;
17. changing from an M1-4 District to an M1-5/R8A District property bounded by 49th Avenue, a line 100 feet westerly of 5th Street, 51st Avenue, 2nd Street, 50th Avenue, and a line 400 feet westerly of 5th Street;
18. establishing within a proposed R7X District a C2-5 District bounded by 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street; and
19. establishing a Special Long Island City Mixed Use District (LIC) bounded:
 - a. a line 100 feet northerly of 44th Drive, a line 90 feet westerly of 21st Street, 44th Drive, and a line 100 feet westerly of 11th Street;
 - b. a line 100 feet northerly of 44th Drive, a line 115 feet westerly of 23rd Street, 44th Drive, and 21st Street;
 - c. a line midway between 44th Drive and 45th Avenue, 11th Street, 45th Avenue, and a line 100 feet westerly of 11th Street;
 - d. 46th Avenue, 11th Street, 46th Road, and a line 100 feet westerly of 11th Street;
 - e. Jackson Avenue, Crane Street, a line 250 feet southeasterly of Jackson Avenue, 21st Street, the northerly boundary line of the Long Island Railroad right-of-way, the northerly centerline

prolongation of 11th Place, 49th Avenue, 11th Street, Jackson Avenue, 47th Road, and 21st Street;

- f. the service road of the Queens Midtown Tunnel Plaza, 21st Street, Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, and 11th Street;
- g. the southerly boundary of a Canal, a line 100 feet easterly of 5th Street and its northerly prolongation, 47th Avenue, and 5th Street and its northerly centerline prolongation; and
- h. 49th Avenue, 5th Street, a line 50 feet southerly of the northerly street line of Borden Avenue, 2nd Street, 50th Avenue and a line 400 feet westerly of 5th Street;

within the Special Long Island City Mixed Use District, as shown on a diagram (for illustrative purposes only) dated February 9, 2004, and subject to the conditions of CEQR Declaration E-129, Community Board 2, Borough of Queens.

This application for an amendment of the Zoning Map was filed by the Department of City Planning on February 4, 2004, to establish new mixed-use zoning districts throughout a 43-block area of Hunters Point in Long Island City, Queens Community District 2.

On June 15, 2004, the Department filed revisions of the certified application for an amendment of the Zoning Map and the Zoning Resolution pertaining to five partial blocks located within the proposed rezoning area. The revisions reflect requests that were made during the public review process by residents and property owners in the rezoning area.

RELATED ACTION

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

with this application:

1. N 040272 ZRQ Amendments to the Zoning Resolution concerning Article XI, Chapter 7, (Special Long Island City Mixed Use District) expanding the boundaries of the existing Long Island City Mixed Use District and the Hunters Point Subdistrict therein and establishing new regulations with regard to the Hunters Point Subdistrict.

BACKGROUND

The Department of City Planning is proposing amendments to the Zoning Map and Zoning Resolution to promote a vibrant mix of housing, light industry, commercial enterprises and cultural activities in Hunters Point, a neighborhood located in Long Island City between the Citigroup office tower at Court Square and Queens West on the East River waterfront. Generally, the area proposed for zoning changes is bounded by 2nd, 5th and 11th streets on the west, 47th Avenue, 46th Road and 44th Drive on the north, 23rd Street, Jackson Avenue and the Sunnyside Yard on the east, and Borden Avenue and the Queens-Midtown Tunnel on the south. The rezoning area encompasses the existing mixed-use Hunters Point Subdistrict of the Special Long Island City Mixed Use District. The rezoning area also includes several adjoining blocks and lots to be included in the special district and subdistrict. These include three blocks between 2nd and 5th streets, 49th and Borden avenues, frontages along 5th Street to 46th Avenue, the eastern side of Jackson Avenue and the northern frontage of 44th Drive to 11th Street.

The proposal would create opportunities for about 300 new housing units throughout the

rezoning area over a ten-year period. While continuing to sustain light manufacturing development in the area, the zoning changes would also allow a broad range of commercial uses, including stores, restaurants, artist studios, small theaters and custom printers more widely throughout the neighborhood.

In addition to promoting a dynamic mix of uses, zoning controls would set height limits so that new buildings will fit in with their surroundings. Fostering new residential and mixed-use development sensitive to the existing built environment will strengthen Hunters Point's sense of place, enhance its street vitality, and contribute to the city's plans for creating a successful business district in the Long Island City core centered around Queens Plaza and Court Square. The neighborhood's fortified identity and lively streetscapes would also help to link Hunters Point and the Long Island City core to the waterfront and the dynamic development occurring at Queens West.

The rezoning proposal embodies a strategy that will (1) remove restrictions on residential development and conversions; (2) retain light manufacturing businesses while supporting the growing entrepreneurial activities restricted by current zoning; (3) maintain the existing scale of three- and four-story residential buildings within the neighborhood midblocks; and (4) encourage new residential and mixed-use development at moderately higher densities along wide streets close to public transit and adjoining the Long Island City core and Queens West. The proposal would generally replace the current Hunters Point Subdistrict zoning regulations with the Zoning Resolution's Special Mixed Use District provisions, and the changes would add certain adjacent areas to the Hunters Point Subdistrict within the Special Long Island City Mixed Use District.

Rezoning Area

A mix of residences and industry has characterized Hunters Point since the middle of the nineteenth century when the area became a major rail transportation hub. Recently, the neighborhood has become known for its cultural resources, such as the P.S. 1 Contemporary Art Center, and for its entrepreneurial activities, including building contracting services, custom manufacturing and graphics concerns. As a result, Hunters Point remains today a patchwork of residences, public institutions, local retail, and small industrial and commercial businesses, with many buildings dating from the late nineteenth and early twentieth centuries.

Vernon Boulevard, Jackson Avenue, and 21st Street serve as the main streets of Hunters Point. These north-south thoroughfares are lined with three- and four-story late nineteenth century brick buildings with restaurants and cafes, convenience and variety stores, offices and small industrial uses on the ground floor with residential uses above.

The traditional center of Hunters Point at the intersection of Jackson Avenue, Vernon Boulevard and 50th Avenue remains a community gathering place. Contributing to pedestrian activity here are the entrances to the Vernon-Jackson Avenues #7 subway station, a tree-planted seating area in the center of Vernon Boulevard, small restaurants and delicatessens and commuter parking lots. The brick and brownstone steeple of St. Mary's Roman Catholic Church presides over this neighborhood hub on Vernon Boulevard at 49th Avenue. Nearby, the neo-Baroque 108th Precinct of the NYC Police Department provides a bold municipal presence.

Most prominent among the area's parks and open spaces is the Hunters Point Community Park

on 48th Avenue between 5th Street and Vernon Boulevard and the John F. Murray Playground which occupies an entire block between 11th and 21st streets, 45th Road and 45th Avenue. The park includes a children's playground, basketball courts, and open seating areas.

The area contains 2,115 dwelling units; most blocks contain an array of residential, industrial, community facility and commercial buildings. In particular, there are sizeable clusters of late nineteenth and early twentieth century Romanesque Revival and Greco-Italianate Revival Style row houses and multi-story apartment buildings primarily located on the midblocks, many of which are lined with mature trees. Among the most notable of these residences in the area is a concentration of nineteenth century row houses along 45th Avenue between 21st and 23rd streets comprising the Hunters Point Historic District designated in 1968 by the Landmarks Preservation Commission.

A variety of warehouse, industrial service and light manufacturing businesses are interspersed throughout the neighborhood; there is a total of approximately 3,300 industrially-classified jobs in 90 firms. Approximately 73 percent of all industrially-classified activities surveyed in the rezoning area consists of semi-industrial uses. Most notably, building construction and contracting services represent 62 percent of the total industrially-classified employment in the area with 2,055 jobs in 32 firms. These semi-industrial service uses are often housed in buildings with small footprints, many of which operate as central offices while most employees perform contractor services at work sites. Other semi-industrial uses include wholesale, distribution, automotive service and storage uses which account for about 11 percent of the rezoning area's total industrially-classified employment.

Furthermore, there are 890 manufacturing jobs in 26 firms in the rezoning area, accounting for 27 percent of all industrially-classified activities. Typical activities include jewelry production, woodworking, theatrical equipment assembly, wholesale baking, and metal plating and polishing. Generally, these light manufacturing uses in the rezoning area are small scale and typically occupy one-story buildings with high lot coverage.

Most of the area proposed for rezoning currently lies within the existing Hunters Point Subdistrict, which is part of the Special Long Island City Mixed Use District. Those areas proposed for rezoning outside of, but adjacent to the existing subdistrict boundaries are primarily zoned M1-4.

The M1-4 district allows a broad range of light industrial, commercial and retail uses, but it prohibits new housing developments. Providing a maximum floor area ratio (FAR) of 2.0, the M1-4 district generally produces two- to three-story light industrial, warehouse and commercial buildings.

In the Hunters Point Subdistrict, light industrial uses are also generally allowed as-of-right subject to M1-4 bulk regulations, but new commercial uses are only allowed on certain streets, namely, 5th Street, 21st Street, Vernon Boulevard, Jackson Avenue and 44th Drive. New housing is allowed as-of-right on these last four streets, which are designated with contextual residential zoning districts (and commercial overlay zones) that have maximum floor area ratios of 3.0 or 4.0. A contextual zone having an FAR of 3.0 typically produces five- to seven-story buildings; an FAR of 4.0 typically produces six- to eight-story buildings.

In other portions of the Hunters Point Subdistrict, new housing is allowed as-of-right under very limited circumstances where zoning lots are surrounded by residential, commercial, or community facility uses. In these locations where new residential uses, as well as community facility uses, are allowed, they are subject to R6B contextual bulk provisions. An R6B zone allows a maximum FAR of 2.0, which typically produces three- to five-story buildings. Residential and commercial uses not allowed as-of-right are allowed by special permit of the City Planning Commission.

Proposed Zoning Map Amendment

The proposed Zoning Map Amendment would extend the boundaries of the existing Hunters Point Subdistrict of the Special Long Island City Mixed Use District. The proposed Zoning Map Amendment would also include several adjoining blocks and lots to be included in the special district and subdistrict. These include three blocks between 2nd and 5th streets, 49th and Borden avenues, frontages along 5th Street to 46th Avenue, the eastern side of Jackson Avenue and the northern frontage of 44th Drive to 11th Street.

The proposed Zoning Map amendment would pair a light manufacturing district (M1) and a residence district (R) to regulate uses and building size within the rezoning area. These paired mixed-use contextual zones would include M1-4/R6B, M1-4/R6A, M1-4/R7A, M1-5/R7X, and M1-5/R8A. For these proposed mixed-use districts, regulations would generally allow a broad range of residential, community facility, commercial, and most light manufacturing uses as-of-right in most circumstances. These contextual zones would also be tailored to insure that new buildings will fit in with their surroundings.

Most of the east-west streets or midblocks of the neighborhood – approximately 40 percent of the rezoning area – would be zoned M1-4/R6B. For this zoning designation, building bulk regulations for residential and light manufacturing and commercial uses would remain unchanged, and existing patterns of development on the midblocks would be reinforced. The allowable FAR for new residential buildings in the midblocks would remain at 2.0 with a height limit of 50 feet. This zoning generally leads to four-story buildings, perhaps with space above the fourth floor for duplex apartments, and yard space at the rear. For industrial and commercial uses, the allowable FAR would remain at 2.0.

In addition, the zoning governing the midblock frontages along 45th Avenue comprising the Hunters Point Historic District and the westerly frontage of 23rd Street between 45th Avenue and 44th Drive would be changed from M1-4 to R6B. This zoning designation would not change the current FAR and height provisions for residential uses (2.0 FAR; 50-foot maximum building height). The R6B district, however, would not allow light manufacturing uses and therefore would be more consistent with the exclusively residential uses characterizing these block fronts.

The proposed zoning changes would also allow new residential and mixed-use development at moderately higher densities on wide streets and principal corridors close to public transit and as transition buffers to the adjoining Long Island City core and Queens West. New developments would be appropriately scaled to complement these contexts and reinforce the height and bulk of notable structures in these areas. For example, portions of two blocks adjacent to the planned commercial core of Queens West between 2nd and 5th streets and 49th and 51st avenues would be rezoned from M1-4 (2.0 FAR) to M1-5/R8A (5.0/6.02 FAR). Notably, this area contains the

long-vacant Pennsylvania Railroad Power Plant and the underutilized Schwartz Chemical building with existing heights ranging from 85 feet to 116 feet. For residential buildings, the proposed M1-5/R8A district would allow maximum street walls of 85 feet and maximum building heights of 120 feet. This change would insure a good transition from the high-rise residential and commercial development occurring at Queens West to the lower-scale development of the Hunters Point neighborhood. The FAR for industrial and commercial uses on these blocks would be 5.0 allowing similarly scaled six- to ten-story buildings.

Changes in use and bulk are also proposed for Jackson Avenue, a principal street that slices diagonally through the rezoning area. Presently, the westerly frontage of the Jackson Avenue corridor lies within an R7A zoning district (FAR 4.0) with a C2-5 commercial overlay; the easterly frontage of Jackson Avenue generally lies within M1-4 (FAR 2.0), M1-6 (FAR 5.0), and M3-1(FAR 2.0) zoning districts. An objective of the rezoning proposal is to allow similarly scaled development on both sides of the avenue with a mix of residential, commercial and light manufacturing uses on the eastern frontage that is compatible with the residential and commercial zones along the western frontage.

Accordingly, the existing R7A residence district along the westerly frontage of the Jackson Avenue corridor would be replaced with an R7X district, and the existing C2-5 commercial overlay would be retained. This would increase the permitted residential FAR to 5.0. Additionally, an M1-5/R7X (FAR 5.0) zone is proposed along the easterly frontage of Jackson Avenue and along part of Borden Avenue. The proposed M1-5/R7X and R7X/C2-5 zoning districts on Jackson Avenue would allow the tallest new residential and mixed-use buildings in the rezoning area: 10- to 12-story buildings with maximum street wall heights of 85 feet and

maximum building heights of 125 feet. These changes would facilitate a strong, defining edge and a cohesive urban form along a wide avenue where such development is appropriate.

M1-4/R7A zoning districts (2.0 FAR for manufacturing and commercial uses, 4.0 FAR for residential uses) are proposed for other principal streets in the area - 11th Street, 44th Drive and the section of 48th Avenue between Vernon Boulevard and 5th Street that is a “gateway” between Queens West and the Hunters Point neighborhood. Residential developments under R7A are likely to produce six- to eight-story buildings with maximum street walls of 65 feet. For industrial and commercial uses, the allowable FAR would remain at 2.0 resulting in two-story buildings.

In other areas, the changes in zoning would result in modest increases in allowable FAR and heights. In particular, an M1-4/R6A zoning district (2.0 FAR for manufacturing and commercial uses, 3.0 FAR for residential uses) is proposed for 5th Street and for the midblocks south of John F. Murray Playground. The allowable FAR for manufacturing and commercial uses would remain at 2.0 resulting in two-story buildings. For residential uses, the 1.0 FAR increase in bulk with maximum base heights of 60 feet and maximum building heights of 70 feet would lead to five- to seven-story buildings. This zoning recognizes 5th Street as a “transition zone” between Queens West and Hunters Point.

Proposed Zoning Text Amendment

Various zoning text amendments are necessary to facilitate the proposed amendments to the Zoning Map.

The text amendment would extend the Hunters Point Subdistrict boundaries to include several additional blocks and lots. The amendment would also replace the existing Hunters Point Subdistrict regulations set forth in Section 117-00 of the Zoning Resolution with mixed-use zoning provisions adapted from Zoning Resolution Section 123-00 (Special Mixed Use District). In accordance with these provisions, the pairing of an M1 district and a residence district would determine the use and bulk regulations for the area. Consequently, residential, community facility, commercial and the majority of M1 uses would be allowed as-of-right in most circumstances. Of particular note, a modification to the mixed-use zoning regulations with regard to special permit uses would allow food stores and supermarkets as-of-right with no limitation on floor area per establishment. (Without this modification, food stores and supermarkets with over 10,000 square feet of floor area would require a City Planning Commission special permit.) This provision would support the needs of current and future residents in Hunters Point.

There would also be an amendment with regard to the Court Square Subdistrict to reflect the proposed changes for the Hunters Point Subdistrict. In the Court Square Subdistrict, developments with less than 70,000 square feet of floor area are presently governed by the use provisions of the underlying C5-3 district and the M1-4 bulk regulations of the Hunters Point Subdistrict. (That is, residential and community facility uses are governed by R6B regulations, and commercial and manufacturing uses are controlled by the M1-4 bulk envelope.) While use and bulk provisions for these developments would generally be retained with the amendment, the Court Square Subdistrict text would explicitly reference the M1-4/R6B district as proposed in the Zoning Map amendment.

Additionally, zoning text amendments are proposed for the Queens Plaza Subdistrict of LIC. Specifically, the special density regulations of Section 117-525 of the Queens Plaza Subdistrict would be deleted to make the density regulations consistent with the citywide density regulations adopted July 26, 2001.

ENVIRONMENTAL REVIEW

This application (C 040273 ZMQ), in conjunction with the application for the related action (N 040272 ZRQ), 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 designated CEQR number is 04DCP011Q. 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 9, 2004. The Negative Declaration includes (E) designations for hazardous materials on the following parcels:

Block 15, Lot 44
Block 16, Lots 1, 6, 39
Block 29, Lots 21, 22, 23
Block 30, Lots 5, 9, 16, 22, 29
Block 31, Lot 21
Block 32, Lots 20, 24, 28, 29, 31, 34
Block 33, Lots 9, 21, 24
Block 34, Lots 1, 14
Block 42, Lot 28

Block 45, Lot 28
Block 47, Lots 10, 21, 25, 28
Block 52, Lots 7, 8, 12
Block 54, Lot 20
Block 56, Lots 1, 51
Block 57, Lot 18
Block 62, Lot 46
Block 76, Lot 11
Block 438, Lot 6
Block 447, Lot 40

The Negative Declaration also includes (E) designations for industrial source air quality impacts on the following parcels:

Block 47, Lots 25 and 28
Block 57, Lot 18
Block 54, Lot 20
Block 438, Lot 6

In addition, the Negative Declaration includes (E) designations for air quality impacts from HVAC systems on the following parcels:

Block 16, Lot 6
Block 30, Lot 9

UNIFORM LAND USE REVIEW

This application (C 040273 ZMQ) was certified as complete by the Department of City Planning on February 9, 2004, and was duly referred to Community Board 2 and the 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 040272 ZRQ), which was sent to the board and the Borough President for information and review.

Community Board Public Hearing

Community Board 2 (CB2) held a public hearing on this application on April 1, 2004, and on that date, by a vote of 27 to three, with four abstentions, adopted a resolution recommending approval of the application with conditions. The CB2 Chair was present but not voting. CB2's approval of the application is subject to the following conditions:

- No type of signage of any type shall be allowed more than 30' above street level, and
- Consideration must be applied to preserve historic residential structures within Hunters Point, and
- The DCP will establish an Industrial Employment Zone in Long Island City to create appropriate zoning that will protect and promote the growth of industrial jobs in Long Island City.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on May 25, 2004, with the following conditions:

- The Department of City Planning, working with the NYC Economic Development Corporation, should expedite all efforts to strengthen the manufacturing district of the greater Long Island City area to assure the future health and vitality of the manufacturing sector and to retain employment in the area. This is to include immediate formulations and implementation of policies (i.e., new programs or zoning tools) to achieve these goals.

This policy should address the many factors affecting manufacturing businesses in Long Island City and New York City. These include: availability of land, difficulty of movement of goods and materials; labor and energy costs; and regulatory environment. To this end the working group that has been meeting should take these, and other pertinent issues under consideration and develop protections for manufacturing businesses in designated areas. The protections should be implemented as a comprehensive package to protect the precious manufacturing jobs prior to the enactment of the new zoning;

- The rezoning area and a large part of the Long Island City area are located within an

existing In Place Industrial Park. The programs and incentives that are available to businesses located within In Place Industrial Parks should be reviewed and strengthened to further enhance and retain manufacturing in Long Island City.

The Borough President's recommendation, however, was submitted after the 30-day review period.

City Planning Commission Public Hearing

On May 12, 2004 (Calendar No. 7), the City Planning Commission scheduled May 26, 2004 for a public hearing on this application (C 040273 ZMQ). The hearing was duly held on May 26, 2004 (Calendar No. 25), in conjunction with the public hearing on the application for the related action (N 040272 ZRQ). There was one speaker in favor of the application, five speakers in favor of the application with modifications and three speakers in opposition.

A resident of Hunters Point who spoke in favor of the rezoning asserted that other areas of the city are better suited to industrial uses and development. The speaker expressed support that the zoning changes would provide an opportunity for the Hunters Point neighborhood to reach its potential given its advantageous location and unique characteristics.

Those speakers in favor of the application with modifications included a representative of the Municipal Arts Society Planning Center (MAS) and four owners of property within the rezoning area. Several speakers expressed their support for the rezoning of a targeted, 43-block area of Hunters Point, noting that the area has long been characterized by a mix of uses and would benefit from flexible zoning that would allow it to evolve.

Speaking in favor of the rezoning but requesting a modification to the application was a representative of a firm that manufactures plastic products in Hunters Point and owns several properties in the rezoning area. The representative described his firm's difficulty in securing rentals from manufacturing concerns and asserted that there has been limited market demand for industrial use in the area. In addition, the representative requested that one parcel located at the edge of the rezoning area on 5th Street along Anable Basin be removed from the proposed rezoning area. The representative contended that without this change the proposal would split the zoning for the site from adjoining sites under the firm's ownership which would not be rezoned.

In addition, a representative of homeowners residing on a two-block stretch along the west side of 11th Street between 45th and 46th avenues expressed support for the rezoning initiative but voiced concern that the higher density zone proposed for these blocks could lead to the demolition and replacement of the nineteenth century, two-story row houses with new six- to eight-story buildings. Accordingly, the representative requested revisions to the proposal to limit the extent of the proposed changes on these two block fronts to more closely match the scale of the existing buildings. Specifically, the representative suggested that the proposed M1-4/R7A (4.0 FAR) be changed to M1-4/R6B (2.0 FAR). Additionally, the representative asked for zones of lower density than those proposed on block fronts along the north and south sides of the J.F. Murray Playground to protect the light and air to this open space resource.

Two owners of properties on a block bounded by 48th Avenue, 5th Street, 47th Road and Vernon Boulevard testified that the rezoning proposal did not go far enough in increasing densities to promote new housing in the area. The homeowner of a multiple family dwelling on 47th Road

argued for a higher FAR than the 2.0 FAR (M1-4/R6B) proposed for the midblock. The homeowner maintained that the additional allowable floor area would facilitate redevelopment of the property while retaining existing tenants.

Furthermore, the owner of industrial and commercial properties on 48th Avenue stated that greater densities than those proposed for the block are necessary to stimulate development potential for residential and commercial uses. Citing the higher density of developments at Battery Park City and the adjacent Queens West, the property owner asserted that comparable densities are necessary for this block to insure availability of more affordable housing and a critical mass that would support new businesses in the area.

Those speaking in opposition of the proposal were the Executive Director and Director of Research of the New York Industrial Retention Network (NYIRN) and a business owner whose artisan and embroidery company is located outside of the rezoning area. The business owner expressed concerns for escalating real estate speculation as a result of the rezoning that places undue pressure on manufacturers in the area. The testimony supported the creation of Industrial Employment Districts to help prevent existing businesses from being forced to move out of the city.

The Executive Director of NYIRN conceded that the proposed rezoning of Hunters Point might have some merit in the larger planning context aimed at transforming Long Island City. Nevertheless, the speaker asserted that, in the absence of an overall industrial policy for the area, the rezoning would lead to further real estate speculation and drive out viable businesses, either directly, should development actually occur, or indirectly through rent increases. Arguing that

programmatic incentives are insufficient to stabilize and foster industrial development in Long Island City, the speaker emphasized the necessity for the establishment of Industrial Employment Districts as overlays in manufacturing districts surrounding the rezoning area concomitant to the proposed rezoning action.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application, in conjunction with the application for the related action, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 03-068.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

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

The Commission believes that the proposed zoning changes will foster a vital, compatible mix of housing, light industry, commercial enterprises and cultural activities in Hunters Point that

reflects current trends and activities in the area. With regard to density and built form, the Commission considers the proposed zoning controls to be fitting and sensitive to the existing built fabric of the neighborhood, particularly in the midblocks. The Commission also believes that the amendment to the Zoning Map, in conjunction with the amendments of the Zoning Resolution, will permit appropriate levels of residential and mixed-use development and reinvestment along important corridors, such as Jackson Avenue, that are well-positioned in relation to mass transit and adjacent development areas and will allow for the future growth of Long Island City. Establishing contextual zoning districts throughout the rezoning area will strengthen Hunters Point's sense of place, enhance its street vitality, and contribute to the city's plans for creating a successful business district in the Long Island City core centered around Queens Plaza and Court Square. The Commission further asserts that reinforcing and enhancing the neighborhood's built environment and identity will help to link Hunters Point and the Long Island City core to the waterfront and the pivotal development occurring at Queens West.

The Commission believes that the rezoning proposal carefully targets the areas of the Hunters Point neighborhood that have long been characterized by a mix of housing and industry. The proposed zoning changes will expand the boundaries of the current Special Long Island City Mixed Use District and the Hunters Point Subdistrict to create buffers and transitions to and from the adjacent development areas of Queens West and the Long Island City core centered around Court Square and Queens Plaza. Specifically, three blocks between 2nd and 5th streets, 49th and Borden avenues – one of which contains the vacant Pennsylvania Railroad Power Plant and the Schwartz Chemical building – would be included within the mixed-use subdistrict as a result of the rezoning. The subdistrict would also extend along the frontages of 5th Street to 46th Avenue. The Commission believes that these areas included within the special district and subdistrict

would fittingly serve as a transition zone and buffer between the high density residential development anticipated at Queens West and the lower-scaled mix of uses of Hunters Point. The Commission also believes that extending the subdistrict to include the eastern side of Jackson Avenue and the northern frontage of 44th Drive to 11th Street would help to create defining edges and transitions along the district's major corridors leading to and from the Long Island City core.

The Commission believes that the current zoning regulations in Hunters Point have not adequately supported the community's sizeable housing stock by placing significant restrictions and hard-to-administer requirements on new residential construction and residential enlargements. Accordingly, the Commission believes that the proposed amendments to the Zoning Map and Zoning Resolution would aptly remove the complex zoning regulations restricting new housing and consequently allow existing homeowners to more easily enlarge and secure funding to upgrade their buildings. Moreover, the Commission believes that the moderate increases in density would create appropriate opportunities for new housing units that would further support the sizeable existing residential community and bring foot traffic and vitality to the neighborhood.

The Commission believes that the proposed mixed-use zoning provisions for the Hunters Point Subdistrict would promote a broad range of new cultural, commercial and light industrial activities in the area. Currently, the special zoning regulations governing the subdistrict only allow commercial and retail uses as-of-right along 5th Street and on the residential/commercial corridors of Vernon Boulevard, Jackson Avenue, 21st Street and 44th Drive. The City Planning Commission currently must grant special permits or authorizations for commercial and retail uses to be developed elsewhere in the subdistrict. Recognizing the area's current trends marked

by an important growing arts and creative community, the Commission notes that the proposed zoning would allow a much more diverse range of commercial uses consistent with areawide developments, including stores, restaurants, artist studios, small theaters and graphic design offices more widely throughout the neighborhood.

In addition, the Commission notes that the mixed-use provisions of the Hunters Point Subdistrict would make existing light industrial uses conforming uses, allowing them to expand, and would permit new light industrial uses to locate in the subdistrict. The Commission also notes that the mixed-use zones and their corresponding bulk regulations will either maintain or increase the allowable densities for light industrial and commercial uses throughout the subdistrict.

The new zoning would retain the existing density in over 40 percent of the rezoning area, primarily located in the midblocks. Currently, the predominant housing type along these east-west streets is attached three- and four-story buildings; industrial uses generally occupy one- and two-story buildings. The Commission believes that the M1-4/R6B zoning district proposed for most of the area's midblocks would encourage new three- to five-story buildings that will blend in with the existing neighborhood scale. The Commission also believes that the proposed R6B zoning district replacing an M1-4 light manufacturing zone primarily for the 45th Avenue Historic District would further insure that existing patterns of development on the midblocks would be reinforced.

In addition, the Commission believes that the proposal establishes appropriate, moderately higher density zoning districts along wide streets and edge areas close to public transit. These zones, the Commission believes, would facilitate new residential and mixed-use developments

that would afford appropriate transitions from Queens West to Hunters Point. The moderately higher density zones would also provide continuous and substantial street wall buildings for block fronts along the neighborhood's important corridors leading to and from Queens West and the Long Island City core including Jackson Avenue, 44th Drive, 5th Street and 11th Street.

In response to concerns raised during the public review process, the zoning map and zoning text amendment applications were revised and filed by the Department of City Planning on June 15, 2004. Specifically, the revisions involve 1) the removal from the rezoning area the 100-foot deep block front of Block 26, Lot 21 on 5th Street between 46th Avenue and Anable Basin; 2) a change from the originally proposed M1-4/R7A zoning district to an M1-4/R6B on the two westerly block fronts along 11th Street between 45th and 46th avenues; and 3) a change from the originally proposed M1-4/R7A zoning district to an M1-4/R6A on the easterly block front along 11th Street between 45th Road and 46th Avenue and on the northerly block front of 45th Avenue 100 feet west of 21st Street. The Commission believes that these revisions provide refinements that further the planning goals and objectives of the area.

The Commission notes that rezoning the 100-foot deep block front on 5th Street between 46th Avenue and Anable Basin would result in an illogical split zoning lot condition. Furthermore, the Commission believes that the density adjustments on the two westerly block fronts on 11th Street between 45th and 46th avenues from an M1-4/R7A (4.0 FAR) zoning district to an M1-4/R6B (2.0 FAR) are appropriate considering the built form and scale of the block fronts. The Commission notes that the lower density zone allowing for residential buildings with maximum street wall heights of 40 feet and maximum building heights of 50 feet would more closely match

the scale of the existing nineteenth century, two-story row houses. The Commission also notes that this further fine-tuning of the proposal effectively responds to the community board's condition that consideration be given to preserve historic residential structures in Hunters Point.

Additionally, the Commission notes that the change from the M1-4/R7A (4.0 FAR) zone to the M1-4/R6A (3.0 FAR) zone on the easterly block front of 11th Street between 45th Road and 46th Avenue and on the northerly block front of 45th Avenue 100 feet west of 21st Street would encourage new residential and mixed-uses buildings with maximum street wall heights of 60 feet and maximum building heights of 70 feet, typically resulting in five-to seven-story buildings. The Commission believes that this more modest density would strike a balance between maintaining an appropriate scale surrounding the John F. Murray Playground and providing housing that is comparable in floor area to existing apartment buildings on or in the vicinity of these block fronts.

The Commission shares the concerns of Community Board 2, the Borough President, the MAS, NYIRN and a number of speakers regarding existing light industrial activities in Long Island City. It notes that the broader Long Island City area contains sizeable sections to the north and east of the rezoning area that can serve as a resource for industrial development. The Commission, therefore, believes that the proposed zoning is an opportunity to strike a desirable balance between responding to evolving land use activity in Hunters Point and fortifying Long Island City's concentrations of light industrial operations. The Commission notes that the zoning proposal limits the zoning changes to the Hunters Point neighborhood which has always been characterized by a mix of housing, small businesses and industrial activity. The adjacent Hunters Point Industrial Core to the north and the Sunnyside Yard East area to the east would retain their

light manufacturing zoning designation. Accordingly, the Commission believes that by clearly establishing an area with flexible, mixed-use zoning rules and boundaries that match predominant development patterns in Hunters Point, the industrial precincts to the north and east would thereby be reinforced in their distinctive roles as active manufacturing districts.

In response to suggestions that Industrial Employment Districts be established as overlays in manufacturing zones as an appropriate way to provide for industry, the Commission notes that the Department of City Planning is presently reviewing the text for Industrial Employment Districts as proposed by MAS and NYIRN to evaluate pertinent issues and concerns for further discussion with these organizations. Moreover, the Commission notes that the Department of City Planning will continue to work closely with the New York City Economic Development Corporation, the Long Island Business Development Corporation and local businesses to identify additional steps that would insure that the area's industrial precincts retain their concentration of active manufacturing uses.

In response to Community Board 2's stipulation that no type of signage shall be allowed more than 30 feet above street level, the Commission notes that the proposed changes will substantially reduce the maximum height of signs from the current limit of 75 feet above curb level to a new limit of 40 feet above curb level. The new height limit will be consistent with changes implemented for the adjacent Queens Plaza Subdistrict in 2001, and the Commission believes it is desirable to maintain consistency with this height, especially along the Jackson Avenue corridor, which is a key thoroughfare in the Queens Plaza and Hunters Point subdistricts.

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, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; 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. 8d and 9b:

1. eliminating from an existing R6A District a C1-5 District bounded by:
 - a. 51st Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard; and
 - b. 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street
2. eliminating from an existing R7A District a C1-5 District bounded by 44th Drive, a line 45 feet westerly of 23rd Street, a line midway between 44th Drive and 45th Avenue, and a line 100 feet westerly of 11th Street;
3. eliminating from an existing R7A District a C2-5 District bounded by Jackson Avenue, 21st Street, and 47th Road;
4. eliminating a Special Long Island City Mixed Use District (LIC) bounded by 51st Avenue, Jackson Avenue, and Vernon Boulevard;
5. changing from an M1-4 District to an R6B District property bounded by 44th

Drive, 23rd Street, 45th Avenue, a line 90 feet westerly of 23rd Street, a line midway between 45th Avenue and 45th Road, a line 90 feet easterly of 21st Street, a line midway between 44th Drive and 45th Avenue, and a line 45 feet westerly of 23rd Street;

6. changing from an R6A District to an R7X District property bounded by 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street;
7. changing from an R7A District to an R7X District property bounded by:
 - a. a line 100 feet northerly of 46th Avenue and its easterly prolongation, 23rd Street, Jackson Avenue, 21st Street, 46th Road, a line 90 feet easterly of 21st Street, 46th Avenue, and a line 215 feet westerly of 23rd Street; and
 - b. 47th Avenue, Jackson Avenue, the northerly boundary line of the Long Island Railroad right-of-way, 11th Street, 50th Avenue, a line 100 feet southeasterly of Jackson Avenue, 51st Avenue, Vernon Boulevard, 50th Avenue, a line 250 feet easterly of Vernon Boulevard, a line 100 feet northwesterly of Jackson Avenue, 49th Avenue, a line 120 feet westerly of 11th Street, 48th Avenue, 11th Street, 47th Road, a line 235 feet easterly of 11th Street, and a line 100 feet northwesterly of Jackson Avenue;
8. changing from an M1-4 District to an M1-4/R6A District property bounded by:
 - a. 46th Avenue, a line 100 feet easterly of 5th Street, a line midway between 47th Road and 48th Avenue, and 5th Street;
 - b. 48th Avenue, a line 100 feet easterly of 5th Street, Borden Avenue, and 5th Street; and
 - c. a line midway between 44th Drive and 45th Avenue, a line 90 feet westerly of 21st Street, 46th Road, and a line 60 feet easterly of 11th Street, 46th Avenue, and 11th Street;
9. changing from an M1-4 District to an M1-4/R6B District property bounded by:
 - a. 45th Avenue, 23rd Street, a line 100 feet northerly of 46th Avenue, a line 215 feet westerly of 23rd Street, 46th Avenue, a line 90 feet westerly of 21st Street, a line midway between 45th Avenue and 45th Road, and a line 90 feet westerly of 23rd Street;

- b. 46th Road, a line 90 feet westerly of 21st Street, 47th Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 235 feet easterly of 11th Street, 47th Road, and a line 60 feet easterly of 11th Street;
 - c. 49th Avenue, a line 90 feet westerly of 21st Street, 50th Avenue, 21st Street, the Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, 11th Street, 51st Avenue, a line 100 feet southeasterly of Jackson Avenue, 50th Avenue, and 11th Place;
 - d. 46th Road, a line 100 feet westerly of 11th Street, 48th Avenue, a line 120 feet westerly of 11th Street, 49th Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 250 feet easterly of Vernon Boulevard, 50th Avenue, and a line 100 feet easterly of Vernon Boulevard;
 - e. 47th Avenue, a line 100 feet westerly of Vernon Boulevard, a line midway between 47th Road and 48th Avenue, and a line 100 feet easterly of 5th Street;
 - f. 48th Avenue, a line 100 feet westerly of Vernon Boulevard, a line midway between 51st Avenue and Borden Avenue, and a line 100 feet easterly of 5th Street;
 - g. 51st Avenue, 5th Street, a line 50 feet southerly of the northerly street line of Borden Avenue, and 2nd Street; and
 - h. 45th Avenue, 11th Street, 46th Avenue, and a line 100 feet westerly of 11th Avenue;
10. changing from an R7A District to an M1-4/R7A District property bounded by 44th Drive, a line 45 feet westerly of 23rd Street, a line midway between 44th Drive and 45th Avenue, and a line 100 feet westerly of 11th Street;
11. changing from an M1-4 District to an M1-4/R7A District property bounded by:
- a. a line 100 feet northerly of 44th Drive, 23rd Street, 44th Drive, and a line 100 feet westerly of 11th Street;
 - b. a line midway between 44th Drive and 45th Avenue, 11th Street, 45th Avenue, and a line 100 feet westerly of 11th Street;

- c. 46th Avenue, a line 60 feet easterly of 11th Street, 47th Road, 11th Street, 48th Avenue, and a line 100 feet westerly of 11th Street;
 - d. a line midway between 47th Road and 48th Avenue, a line 100 feet westerly of Vernon Boulevard, 48th Avenue, and 5th Street; and
 - e. 49th Avenue, 5th Street, 51st Avenue, and a line 100 feet westerly of 5th Street;
12. changing from an R6A District to an M1-5/R7X District property bounded by 51st Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard;
 13. changing from an R7A District to an M1-5/R7X District property bounded by 21st Street, 47th Road, and Jackson Avenue;
 14. changing from an M1-4 District to an M1-5/R7X District property bounded by:
 - a. the northerly boundary line of the Long Island Railroad right-of-way, 11th Place and its northerly centerline prolongation, 50th Avenue, and 11th Street; and
 - b. a line midway between 51st Avenue and Borden Avenue, a line 100 feet westerly of Vernon Boulevard, Borden Avenue, and a line 100 feet easterly of 5th Street;
 15. changing from an M1-6 District to an M1-5/R7X District property bounded by 47th Road, 21st Street, the northerly boundary line of the Long Island Railroad right-of-way, and Jackson Avenue;
 16. changing from an M3-1 District to an M1-5/R7X District property bounded by Jackson Avenue, Crane Street, a line 250 feet southeasterly of Jackson Avenue, and 21st Street;
 17. changing from an M1-4 District to an M1-5/R8A District property bounded by 49th Avenue, a line 100 feet westerly of 5th Street, 51st Avenue, 2nd Street, 50th Avenue, and a line 400 feet westerly of 5th Street;
 18. establishing within a proposed R7X District a C2-5 District bounded by 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street; and
 19. establishing a Special Long Island City Mixed Use District (LIC) bounded:

- a. a line 100 feet northerly of 44th Drive, a line 90 feet westerly of 21st Street, 44th Drive, and a line 100 feet westerly of 11th Street;
- b. a line 100 feet northerly of 44th Drive, a line 115 feet westerly of 23rd Street, 44th Drive, and 21st Street;
- c. a line midway between 44th Drive and 45th Avenue, 11th Street, 45th Avenue, and a line 100 feet westerly of 11th Street;
- d. 46th Avenue, 11th Street, 46th Road, and a line 100 feet westerly of 11th Street;
- e. Jackson Avenue, Crane Street, a line 250 feet southeasterly of Jackson Avenue, 21st Street, the northerly boundary line of the Long Island Railroad right-of-way, the northerly centerline prolongation of 11th Place, 49th Avenue, 11th Street, Jackson Avenue, 47th Road, and 21st Street;
- f. the service road of the Queens Midtown Tunnel Plaza, 21st Street, Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, and 11th Street;
- g. 46th Street, a line 100 feet easterly of 5th Street, 47th Avenue, and 5th Street; and
- h. 49th Avenue, 5th Street, a line 50 feet southerly of the northerly street line of Borden Avenue, 2nd Street, 50th Avenue and a line 400 feet westerly of 5th Street;

within the Special Long Island City Mixed Use District, as shown on a diagram (for illustrative purposes only) dated February 9, 2004, revised June 15, 2004, and which includes the CEQR designation E-129.

The above resolution (C 040273 ZMQ), duly adopted by the City Planning Commission on June 23, 2004 (Calendar No. 24), 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 Vice-Chairman

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., RICHARD W. EADDY,
ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO,
DOLLY WILLIAMS**, Commissioners

KAREN A. PHILLIPS, Commissioner Voted No