



CITY PLANNING COMMISSION

August 27, 2008/Calendar No. 21

C 080457 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. 10b, 10c and 10d:**

1. eliminating from within an existing R3-2 District a C1-2 District bounded by Franklin Avenue, a line 150 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street;
3. eliminating from within an existing R7-1 District a C1-2 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 150 feet southwesterly of Bowne Street;
4. changing from an R3-2 District to an R3X District property bounded by a line midway between Sanford Avenue and Franklin Avenue, Parsons Boulevard, Franklin Avenue, a line 80 feet southwesterly of Parsons Boulevard, Beech Avenue, Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, a line 100 feet northeasterly of Parsons Boulevard, Beech Avenue, a line 460 feet southwesterly of 147th Street, the southeasterly street line of Ash Avenue, 147th Street, a line 125 feet southeasterly of Sanford Avenue, 149th Street, Beech Avenue, a line midway between 149th Street and 149th Place, a line 125 feet southeasterly of Sanford Avenue, a line 115 feet southwesterly of Murray Street, Sanford Avenue, a line midway between 155th Street and 156th Street, Beech Avenue, 156th Street, 45th Avenue, a line perpendicular to the southeasterly street line of 45th Avenue distance 150 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 45th Avenue and the northeasterly street line of Parsons Boulevard, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 320 feet northeasterly of Burling Street, 45th Avenue, Parsons Boulevard, Delaware Avenue, Burling Street, a line 380 feet southeasterly of Cherry Avenue, a line midway between Smart Street and Bowne Street, Cherry Avenue, and Bowne Street;
5. changing from an R3-2 District to an R4 District property bounded by Franklin Avenue, Parsons Boulevard, a line 125 feet northwesterly of Beech Avenue, a line 460 feet southwesterly of 147th Street, Beech Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, Parsons Boulevard, Beech Avenue, and a line 80 feet southwesterly of Parsons Boulevard;
6. changing from an R3-2 District to an R4A District property bounded by Sanford Avenue, 156th Street, Beech Avenue, and a line midway between 155th Street and 156th Street;
7. changing from an R3-2 District to an R4-1 District property bounded by:
 - a. Sanford Avenue, a line 115 feet southwesterly of Murray Street, a line 125 feet southeasterly of Sanford Avenue, a line midway between 149th Street and 149th Place, Beech Avenue, 149th Street, a line 125 feet southeasterly of Sanford Avenue,

and 147th Street; and

- b. Cherry Avenue, a line midway between Smart Street and Bowne Street, a line 380 feet southeasterly of Cherry Avenue, Burling Street, 45th Avenue, and Robinson Street;
8. changing from an R3-2 District to an R6A District property bounded by Ash Avenue, 147th Street, the southeasterly street line of Ash Avenue, a line 460 feet southwesterly of 147th Street, a line 125 feet northwesterly of Beech Avenue, and Parsons Boulevard;
9. changing from an R6 District to an R6A District property bounded by Sanford Avenue, 147th Street, Ash Avenue, Parsons Boulevard, a line midway between Sanford Avenue and Franklin Avenue, and Bowne Street;
10. changing from an R6 District to an R7-1 District property bounded by Elder Avenue, Kissena Boulevard, 45th Avenue, and Colden Street;
11. changing from an R7-1 District to an R7B District property bounded by Franklin Avenue, Bowne Street, Cherry Avenue, Robinson Street, a line 250 feet southeasterly of Cherry Avenue, a line 100 feet southwesterly of Union Street, a line 100 feet southeasterly of Cherry Avenue, and a line 150 feet northeasterly of Kissena Boulevard;
12. establishing within a proposed R3X District a C1-3 District bounded by:
 - a. Franklin Avenue, a line 100 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street; and
 - b. Elm Avenue, a line 150 feet northeasterly of 147th Street, 45th Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between 45th Avenue and Hawthorn Avenue, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 100 feet southwesterly of Parsons Boulevard, 45th Avenue and its northeasterly centerline prolongation, and 147th Street;
13. establishing within a proposed R4-1 District a C1-3 District bounded by a line 100 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street; and
14. establishing within a proposed R7B District a C1-3 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 100 feet southwesterly of Bowne Street;

Borough of Queens, Community Districts 7, as shown on a diagram (for illustrative purposes only) dated June 2, 2008 and subject to the conditions of CEQR Declaration E-220.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on May 27, 2008 to rezone all or portions of 44 blocks in and adjacent to the Waldheim neighborhood, located in north-central Queens, Community District 7.

BACKGROUND

The Department of City Planning is proposing Zoning Map amendments encompassing approximately 44 blocks in and adjacent to the Waldheim neighborhood in Queens, Community District 7. The rezoning area generally is bounded by Sanford and Franklin Avenues to the north; 156th Street to the east; 45th Avenue to the south; and by Colden Street and Kissena Boulevard to the west. The rezoning area is located southeast of downtown Flushing and adjoins the Kissena Park and East Flushing neighborhoods rezoned in 2005.

The proposed rezoning is the result of close consultation with Community Board 7, elected officials, local civic groups, and area residents that dates back to July 2005. The rezoning proposal responds to community concerns that recent development is increasingly inconsistent with the established scale and character of the neighborhood. The proposed contextual district designations would ensure that housing types and densities will be more reflective of the neighborhood's various development patterns. The proposed commercial overlay modifications would reinforce local retail uses in their respective neighborhoods, bring existing commercial uses into conformance, and prevent intrusion of commercial uses onto residential streets.

The planning process commenced in July 2005 with a community visioning meeting at Flushing Hospital, held in coordination with the local City Councilmember (20th District) and the Councilmember from the 19th District. Attendees included representatives from the local State Senator (11th District), local Assemblymember (22nd District), Community Board 7, the Waldheim Neighborhood Association, Holly Civic Association, and about 200 area residents. In May 2006, the Department presented preliminary zoning recommendations at a Town Hall meeting organized by the local Councilmember and Community Board 7, which was again attended by over 200 persons. The Department solicited community feedback and suggestions, and promised to fully consider the input before moving forward. After considerable study, data analysis and fieldwork, in February 2008 the Department presented a revised proposal to stakeholder civic associations, members of Community Board 7, and representatives from the 45th Avenue Homeowner's Association. Representatives from the Holly Civic Association raised strong objections to the proposed rezoning of 45th Avenue from R6 to R7-1, as well as the proposed contextual rezoning for areas south of 45th Avenue, ultimately demanding to be removed from the rezoning study. The Department took these objections under consideration and reformulated the study area boundaries. In May 2008, the Department presented this revised plan at another Town Hall meeting organized by the local Councilmember and Community Board 7. Over 200 residents attended this meeting, and the rezoning proposal was finalized by the Department shortly thereafter.

LAND USE & NEIGHBORHOOD CHARACTERISTICS

Waldheim is located in the greater Flushing area of north central Queens, southeast of downtown Flushing. Residential development in the outskirts of Flushing began in the early 1900s, as the burgeoning population of downtown Flushing moved outward into land formerly occupied by botanical nurseries. The Waldheim neighborhood is an early 20th-century subdivision still characterized by horticultural street names. Today, downtown Flushing hosts an extensive transportation hub northwest of the rezoning area, connecting the #7 IRT line, the Long Island Rail Road, and multiple bus lines; buses along Kissena Boulevard carry passengers from the rezoning area to this hub and other locations throughout Queens.

The Waldheim neighborhood is characterized by a several distinct building patterns. The central and eastern portions of the rezoning area, between Bowne and 156th streets, are predominantly developed with one- and two-family detached and semi-detached homes. Several blockfronts along Parsons Boulevard are primarily developed with two- and three-story apartment buildings. The northwest portion of the rezoning area, closer to the downtown core, consists primarily of six- and seven-story apartment buildings. Blocks Kissena Boulevard, the western edge of the rezoning area, are developed with a mix of single-story commercial taxpayers, six- and seven-story apartments, and 17- to 26-story residential towers. There are also nodes of commercial activity at several key intersections. The rezoning area is in close proximity to open space and recreational opportunities in Kissena Corridor Park, the Queens Botanical Garden, and Flushing Meadows-Corona Park. Notable institutions providing services to area residents include Flushing Hospital, the Flushing YWCA, the New York Armenian Home, the Kissena Jewish Center, and the Bowne Street Hindu Center.

EXISTING ZONING

The neighborhood's current zoning has been in place since the Zoning Resolution was adopted in 1961. In general, the existing zoning does not closely correspond to the area's predominant housing types.

R3-2

The majority of the rezoning area, between Bowne Street and 156th Street, is zoned R3-2, a lower-density general residence district. The R3-2 District is the lowest-density general residence district in which multi-family structures are permitted. A variety of housing types are permitted, including garden apartments, row houses, semi-detached homes and detached houses. The maximum floor area ratio (FAR) is 0.6 (including a 20% attic allowance); community facilities are permitted an FAR of 1.0. For residences, the maximum perimeter wall height is 21 feet and the maximum building height is 35 feet. Minimum lot width and lot area

depend upon the housing configuration: one- and two-family detached structures require a 40-foot lot frontage and 3,800 square feet of lot area; other housing types require a lot width of at least 18 feet and lot area of at least 1,700 square feet. One parking space is required for each dwelling unit.

R6

Sanford Avenue between Bowne Street and 147th Street, as well as the block between Kissena Boulevard and Colden Street, are zoned R6, a medium-density height factor district that allows high-rise developments. The maximum residential FAR is 2.43 or 3.0 (on wide streets) if Quality Housing provisions are used. Community facilities are permitted an FAR of 4.8. R6 is a height factor district with no fixed height limits; building envelopes are regulated by the sky exposure plane. The minimum required lot area is 1,700 square feet and the minimum lot width is 18 feet. Off-street parking spaces are required for 70% of the dwelling units or 50% if Quality Housing provisions are used.

R7-1

The western portion of the rezoning area, generally bounded by Franklin Avenue, Bowne Street, 45th Avenue and Kissena Boulevard, is zoned R7-1, another medium-density height factor district, with a slightly higher residential FAR than R6. The maximum residential FAR is 3.44 or 4.0 (on wide streets) if Quality Housing provisions are used. Community facilities are permitted an FAR of 4.8. R7-1 is a height factor district with no fixed height limits; building envelopes are regulated by the sky exposure plane. The minimum required lot area is 1,700 square feet and the minimum lot width is 18 feet. Parking spaces are required for 60% of the dwelling units or 50% if Quality Housing provisions are used.

Commercial Overlays

Commercial districts found in the rezoning area are C1-2 commercial overlays located at the intersections of Kissena Boulevard and Cherry Avenue, as well as Franklin Avenue and Bowne Street, and C2-2 commercial overlays located at the intersection of 45th Avenue and Bowne Street. C1 overlays are mapped within residential districts and permit Use Groups 1 through 6, which allow the types of local retail and service establishments necessary for vibrant residential neighborhoods. Maximum commercial floor area can reach 1.0 FAR in R1 – R5 residence districts and 2.0 in R6 and R7 Districts, with commercial uses limited to the first or second floors in mixed-use buildings. Most retail uses require one accessory parking space per 300 square feet of commercial floor space, though the requirements may range from one space per 200 square feet to one space per 800 square feet of commercial floor area. The C2-2 overlay at the intersection of 45th Avenue and Bowne Street allows a wider range of uses: Use Groups 1 through 9, which include local retail

and services, as well as retail and services that serve a broader area.

PROPOSED ZONING

The proposal, encompassing all or part of 44 blocks in and adjacent to the Waldheim neighborhood, is comprised of three components:

- **Lower-density Contextual Rezoning:** Rezoning all or portions of 36 blocks from R3-2 to lower-density and contextual zoning districts (R3X, R4A, R4-1 and R4);
- **Medium-density Contextual Rezoning:** Rezoning of seven block portions from R6 and R7-1 districts to R6A and R7B contextual zoning districts. Also rezoning one block from R6 to R7-1 and two lots from R3-2 to R6A to permit a moderate increase in housing opportunities in areas best able to support it; and
- **Commercial Overlay Rezoning and Changes to Existing Commercial Overlays:** Rezoning C1-2 and C2-2 commercial overlays to C1-3 and reducing the overlay depth to preclude extension of commercial use into the residential midblocks and to better reflect existing commercial development patterns, and establishing new C1-3 commercial overlays to bring existing commercial uses into conformance.

R3X (R3-2 to R3X)

35 full or partial blocks currently zoned R3-2 and generally bounded by Franklin and Ash Avenues to the north; 156th Street to the east; 45th Avenue to the south; and Bowne Street to the west are proposed to be rezoned to an R3X District.

The proposed R3X District would require new residential developments to be one- and two-family detached homes. The maximum FAR would be 0.6 (including a 20% attic allowance); community facilities would be allowed an FAR of 1.0. For residences, the maximum perimeter wall height would be 21 feet and the maximum building height would be 35 feet, similar to the existing R3-2 district. The minimum required lot size would be 3,325 square feet with a minimum lot width of 35 feet. One parking space per dwelling unit would be required.

The proposed change from R3-2 to R3X would more closely reflect the predominant development pattern of one- and two-family detached homes in the central and eastern portions of the rezoning area.

R4A (R3-2 to R4A)

One partial blockfront along 156th Street south of Sanford Avenue, currently zoned R3-2, is proposed to be rezoned to R4A by extending an existing R4A District on the east side of 156th Street.

The proposed R4A District would require new restrict residential developments to be one- and two-family detached homes. The maximum FAR would be 0.9 (including a 20% attic allowance); community facilities would be permitted an FAR of 2.0, but mixed-use buildings would be limited to the residential building envelope. For residences, the R4A District has a maximum perimeter wall height of 21 feet and a maximum building height of 35 feet, similar to the existing R3-2 district. The minimum required lot size would be 2,850 square feet with a minimum lot width of 30 feet. One parking space per dwelling unit would be required.

The proposed change from R3-2 to R4A would more closely reflect the prevailing context of one- and two-family detached homes on relatively narrow lots.

R4-1 (R3-2 to R4-1)

Portions of three blocks in a “T” configuration centered around the intersection of Sanford Avenue and 149th Street, and portions of three blocks generally bounded by Cherry Avenue, Burling Street, 45th Avenue and Robinson Street are proposed to be rezoned from an R3-2 District to an R4-1 District.

The proposed R4-1 District would limit new developments to one- and two-family detached and semi-detached homes. The maximum FAR would be 0.9 (including a 20% attic allowance); community facilities would be permitted an FAR of 2.0, but mixed-use buildings would be limited to the residential building envelope. Both detached and semi-detached residences would have a maximum perimeter wall height of 25 feet and a maximum building height of 35 feet. The minimum lot size and lot width requirements would depend upon the housing configuration: detached structures would require a 25-foot lot frontage and 2,375 square feet of lot area, and semi-detached buildings would require a lot width of at least 18 feet and lot area of at least 1,700 square feet. One parking space would be required for each dwelling unit.

The proposed R4-1 District would ensure that future development will more closely match the existing

context of one- and two-family detached and semi-detached homes in these two sections of the rezoning area.

R4 (R3-2 to R4)

Portions of five block fronts along Parsons Boulevard, developed with two- and three-story apartment buildings or community facilities, are proposed to be rezoned from R3-2 to R4.

R4 is a general residence district that allows a wide variety of housing configurations, including detached, attached and small-scale multifamily apartment buildings. The maximum FAR is 0.9 (including a 20% attic allowance); community facilities are permitted an FAR of 2.0. Residences in R4 Districts have a maximum perimeter wall height of 25 feet and a maximum building height of 35 feet. One- and two-family detached residences are required to have a minimum lot area of 3,800 square feet and a minimum lot width of 40 feet; all other structures must have a minimum lot area of 1,700 square feet and a minimum lot width of 18 feet. One parking space is required for each dwelling unit.

Currently, buildings on these block fronts generally exceed R3-2 District bulk regulations, having FARs greater than 0.6. The proposed R4 zoning would more closely match the existing higher density of buildings on these block fronts.

R6A (R3-2 and R6 to R6A)

The proposed R6A District would include portions of two blocks currently zoned R6, generally bounded by Sanford Avenue, 147th Street, Franklin Avenue and Bowne Street, as well as two lots currently zoned R3-2, but adjacent to the R6 District at the northeast corner of Parsons Boulevard and Ash Avenue. The lots currently zoned R6 are developed with a mix of six- and seven-story apartment buildings and multi-family rowhouses, and the two lots on Parsons Boulevard currently zoned R3-2 include a community facility use (the Flushing YWCA) and a vacant building.

The proposed R6A District would permit all residential building types within a predictable building envelope. The maximum allowable FAR would be 3.0 for all uses, including community facilities. The proposed R6A District has a maximum building height of 70 feet, with a base height of 40 to 60 feet, and requires street walls of new buildings to line up with abutting buildings. Parking would be required for 50% of the total dwelling units.

The proposed R6A District is intended to establish contextual building envelope controls that more closely

reflect the prevailing character of six- and seven-story apartment buildings in the northern portion of the rezoning area. The proposed R6A District would also permit limited new housing opportunities on the two lots currently zoned R3-2.

R7B (R7-1 to R7B)

The proposed R7B District would include five block portions currently zoned R7-1, generally bounded by Franklin Avenue, Bowne Street, Cherry Avenue and Kissena Boulevard. These lots are primarily developed with six- and seven-story apartment buildings.

The proposed R7B District would permit all residential building types within a predictable building envelope. The maximum allowable FAR would be 3.0 for all uses, including community facilities. The proposed R7B District has a maximum building height of 75 feet, with a base height of 40 to 60 feet, and requires street walls of new buildings to line up with abutting buildings. Parking would be required for 50% of the total dwelling units.

The proposed R7B District would provide contextual building envelope controls that more closely reflect this prevailing pattern of six- and seven-story apartment buildings in the northwestern portion of the rezoning area.

R7-1 (R6 to R7-1)

One block bounded by Kissena Boulevard, 45th Avenue, Colden Street and Elder Avenue is proposed to be rezoned from R6 to R7-1.

The R7-1 District is a medium-density height factor district with a higher residential FAR than R6 zoning. The maximum residential FAR is 3.44 or 4.0 (on wide streets) if Quality Housing provisions are used. Community facilities are permitted an FAR of 4.8. R7-1 is a height factor district with no fixed height limits; building envelopes are regulated by the sky exposure plane. The minimum required lot area is 1,700 square feet and the minimum lot width is 18 feet. Parking spaces are required for 60% of the dwelling units or 50% if Quality Housing provisions are used.

This proposed one-block extension of an existing R7-1 District would allow moderate growth on a block located along Kissena Boulevard, a wide street well-served by buses connecting to downtown Flushing. The block is primarily developed with residential buildings ranging from 7 – 19 stories.

Commercial Overlays

The proposal includes the establishment of new commercial overlays and changes to certain existing commercial overlays in order to more closely match existing land use patterns and prevent the intrusion of commercial uses onto residential side streets. Changing the existing C1-2 and C2-2 commercial overlays to C1-3 commercial overlays and reducing their mapped dimensions would moderately reduce the parking requirement for commercial uses, generally from one parking space per 300 square feet of commercial floor area to one space per 400 square feet of commercial floor area. Mapping new C1-3 overlays at the intersection of Parsons Boulevard and 45th Avenue would bring existing commercial uses into conformance.

The changes for commercial overlays in the rezoning area are as follows:

- Changing the existing C1-2 commercial overlays to C1-3 commercial overlays on the south side of Franklin Avenue at Bowne Street, and reducing the depth of the overlays from 150 feet to 100 feet.
- Changing the existing C2-2 commercial overlays to C1-3 commercial overlays on the north side of 45th Avenue at Bowne Street, and reducing the depth of the overlays from 150 feet to 100 feet.
- Mapping new C1-3 commercial overlays on three partial blockfronts at the intersection of Parsons Boulevard and 45th Avenue, across from Flushing Hospital, at a general depth of 100 feet.

ENVIRONMENTAL REVIEW

This application (C 080457 ZMQ) 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 08DCP074Q. The lead agency is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on June 2, 2008. The Negative Declaration included an (E) designation (E-220) that has been mapped on one

selected development site in order to preclude future air quality impacts which could occur as a result of the proposed action.

To avoid the potential for air quality impacts, the proposed rezoning includes an (E) designation for air quality on the following property: **Block 5145 Lot 90**. The text of the (E) designation for Block 5145, Lot 90 is as follows:

Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) stack(s) are located at least 174, 125, and 33 feet for Oil No. 4, Oil No. 2, and Natural Gas from the lot line facing Kissena Boulevard to avoid any potential significant adverse air quality impacts.

With the implementation of the above (E) designation, no significant adverse impacts related to air quality would be expected.

UNIFORM LAND USE REVIEW

This application (C 080457 ZMQ) was certified as complete by the Department of City Planning on June 2, 2008 and was duly referred to Community Board 7 and the Queens Borough President for information and review, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Review

Community Board 7 held a public hearing on this application on June 16, 2008, and on that date, by a vote of 27 to 7 with 1 abstention, adopted a resolution recommending approval of the application subject to the following condition:

To leave the following as the existing zone of R6 instead of the proposed zone of R7-1: 45th Avenue from Colden Street to Kissena Boulevard to Elder Avenue from Colden Street to Kissena Boulevard.

Borough President Review

This application was considered by the Borough President, who issued a recommendation on July 15, 2008 recommending approval of the application.

City Planning Commission Public Hearing

On July 2, 2008 (Cal. No. 8), the Commission scheduled July 23, 2008 for a public hearing on this application (C 080457 ZMQ). The hearing was duly held on July 23, 2008 (Calendar No. 33). There were 19 speakers in favor of the application and 26 speakers in opposition.

Persons speaking in support included the Chair of Community Board 7, the Vice-Chair and Land Use Committee Chair for CB 7, the president and several officers of the Waldheim Neighborhood Association, representatives from the New York Armenian Home and Flushing YWCA, and 10 neighborhood residents. A representative of the City Councilmember from the 20th District also appeared in favor.

The Councilmember's representative acknowledged the efforts of community members and involved stakeholders who worked with his office and the Department of City Planning to ensure an informed rezoning process. He indicated the public outreach undertaken to inform the community about the rezoning and stated that the proposed rezoning is a collaborative effort that represents the best attempt to preserve the community's valuable character.

Community Board 7's Chair also highlighted the necessity of approving the proposal in order to preserve the community's built fabric. He also testified as to the collaborative effort in formulating the rezoning proposal, and he explained the request of the Holly Civic Association to be removed from the rezoning, the history and rationale for reformulating the rezoning area boundary lines, and the concerns raised about the proposed R7-1 zoning.

The secretary of the Waldheim Neighborhood Association recommended approval of the proposal as quickly as possible. He noted that most of the area is developed with one- and two-family homes, and that recent developments allowed by the existing zoning, threaten the neighborhood's character and historic fabric. Ten neighborhood residents, some members of the WNA, echoed these statements.

The Chair of the New York Armenian Home explained that the facility needs to meet updated New York State codes, and that the proposed R7-1 zoning would allow the Home to redevelop its property with a 19-story mixed-use community facility and market rate residential building and offer market-rate housing in order to subsidize the necessary facility upgrades. Representatives from the Flushing YWCA also testified in support of the rezoning and noted their long-standing involvement and history of service to the community.

Speakers in opposition included members of the Holly Civic Association and residents of 45th Avenue, including members of the 45th Avenue Homeowner's Association, who focused their concerns on the proposed extension of an R7-1 District across Kissena Boulevard to encompass the block bounded by 45th Avenue, Colden Street, Elder Avenue and Kissena Boulevard. The speakers expressed concern over the potential impact of new development and residential growth on their quality of life. These speakers generally stated that they wanted the zoning on this block to remain R6, but many expressed support for the remainder of the proposed rezoning.

Other speakers opposed the proposed R3X district, especially those residents living in close proximity to proposed R4A, R4-1 and R4 districts. These speakers expressed concern that some neighboring properties would not have similar zoning as their property and worried about the potential impact of the proposed R3X zoning on their property values. They requested that their properties be rezoned R4 or R5, or at a minimum retain the existing R3-2 general residence district.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map is appropriate.

The Commission notes that the existing zoning in Waldheim has been unchanged since 1961, which has allowed new construction that is inconsistent with the area's traditional building patterns. The Commission notes that the existing R3-2 general residence district allows housing types and densities that are out-of-character in the central and eastern portions of the rezoning area primarily developed with one- and two-family detached and semi-detached homes. The Commission also notes that the existing R6 and R7-1 districts found in the northwest portion of rezoning area allow high-rise developments under flexible building envelopes that are out-of-scale with primarily six- and seven-story apartment buildings. The Commission believes that this action is a comprehensive zoning update for the area in order to curb out-of-character buildings and ensure more orderly and predictable development in the future that reflects and reinforces the area's distinct contexts.

The Commission notes that the proposed R3X and R4A districts permit only detached one- or two-family structures on lots with a minimum width of 35 feet and 30 feet, respectively. The Commission notes that the potential for subdivision of the area's lots will be reduced and development of out-of-context semi-detached

and row house structures will be prevented in these portions of the rezoning area. The Commission further notes that the proposed R4-1 zoning in two sections reflects the one- and two-family, detached and semi-detached structures that predominate in these portions of the rezoning area. The Commission believes that these zoning designations reflect the existing one- and two-family neighborhood character that predominates and will ensure new development to be at densities more compatible with existing conditions.

The Commission believes that the R6A and R7B districts proposed for the northwestern portion of the rezoning area will prevent out-of-scale high-rise development and reinforce the six- and seven-story heights of existing apartment buildings. The Commission believes the proposed extension of an R7-1 district for the block bounded Kissena Boulevard, 45th Avenue, Colden Street and Elder Avenue reflects the existing context of this block, which contains apartment buildings of 7 to 19 stories in height, and will reinforce the pattern of higher rise buildings located on the west side of Kissena Boulevard, a major thoroughfare leading to downtown Flushing.

The Commission believes that the proposed C1-3 overlays will reinforce existing land use patterns where convenience retail and service uses are located, including the three partial block fronts at Parsons Boulevard and 45th Avenue near Flushing Hospital which had previously lacked commercial overlay zoning. The Commission also believes that reducing the depth of existing overlay districts on portions of Bowne Street will prevent the encroachment of potentially incompatible commercial uses into the residential side streets.

The Commission acknowledges Community Board 7's recommendation and the concerns expressed by speakers at the Commission's public hearing requesting to retain the R6 district rather than change to an R7-1 district for the block bounded Kissena Boulevard, 45th Avenue, Colden Street and Elder Avenue. The Commission notes that the subject block currently is developed with a mix of multi-family apartment buildings up to 19 stories in height and densities that range from 2.5 to 3.75 FAR. The Commission believes that typical developments allowed by the proposed R7-1 district would match the existing character of the area, and that its location along the Kissena Boulevard corridor makes the block suitable for a moderate increase in residential units. The Commission also acknowledges support for this element of the proposed rezoning from the Borough President.

The Commission also recognizes the concerns expressed by residents and property owners regarding the proposed R3X district. The Commission notes that the proposed R3X district allows the same maximum 0.6 FAR and maximum 35-foot building height as the existing R3-2 zoning, and it would allow the conversion of

one-family buildings to two-family buildings. The Commission believes that the proposed R3X zone would appropriately provide flexibility for current property owners to enlarge or even add a residential unit while protecting the detached building context that defines the area where this zoning is proposed.

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 No. 10b, 10c and 10d:

1. **eliminating from within an existing R3-2 District a C1-2 District** bounded by Franklin Avenue, a line 150 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street;
2. **eliminating from within an existing R3-2 District a C2-2 District** bounded by a line 150 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street;
3. **eliminating from within an existing R7-1 District a C1-2 District** bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 150 feet southwesterly of Bowne Street;
4. **changing from an R3-2 District to an R3X District** property bounded by a line midway between Sanford Avenue and Franklin Avenue, Parsons Boulevard, Franklin Avenue, a line 80 feet southwesterly of Parsons Boulevard, Beech Avenue, Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, a line 100 feet northeasterly of Parsons Boulevard, Beech Avenue, a line 460 feet southwesterly of 147th Street, the southeasterly street line of Ash Avenue, 147th Street, a line 125 feet southeasterly of Sanford Avenue, 149th Street, Beech Avenue, a line midway between 149th Street and 149th Place, a line 125 feet southeasterly of Sanford Avenue, a line 115 feet southwesterly of Murray Street, Sanford Avenue, a line midway between 155th Street and 156th Street, Beech Avenue, 156th Street, 45th Avenue, a line perpendicular to the southeasterly street line of 45th Avenue distance 150 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 45th Avenue and the northeasterly street line of Parsons Boulevard, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 320 feet northeasterly of Burling Street, 45th Avenue, Parsons Boulevard, Delaware Avenue, Burling Street, a line 380 feet southeasterly of Cherry Avenue, a line midway between Smart Street and Bowne Street, Cherry Avenue, and Bowne Street;
5. **changing from an R3-2 District to an R4 District** property bounded by Franklin Avenue, Parsons Boulevard, a line 125 feet northwesterly of Beech Avenue, a line 460 feet southwesterly of 147th Street, Beech Avenue, a line 100 feet northeasterly of Parsons

Boulevard, a line midway between Cherry Avenue and Delaware Avenue, Parsons Boulevard, Beech Avenue, and a line 80 feet southwesterly of Parsons Boulevard;

6. **changing from an R3-2 District to an R4A District** property bounded by Sanford Avenue, 156th Street, Beech Avenue, and a line midway between 155th Street and 156th Street;
7. **changing from an R3-2 District to an R4-1 District** property bounded by:
 - a. Sanford Avenue, a line 115 feet southwesterly of Murray Street, a line 125 feet southeasterly of Sanford Avenue, a line midway between 149th Street and 149th Place, Beech Avenue, 149th Street, a line 125 feet southeasterly of Sanford Avenue, and 147th Street; and
 - b. Cherry Avenue, a line midway between Smart Street and Bowne Street, a line 380 feet southeasterly of Cherry Avenue, Burling Street, 45th Avenue, and Robinson Street;
8. **changing from an R3-2 District to an R6A District** property bounded by Ash Avenue, 147th Street, the southeasterly street line of Ash Avenue, a line 460 feet southwesterly of 147th Street, a line 125 feet northwesterly of Beech Avenue, and Parsons Boulevard;
9. **changing from an R6 District to an R6A District** property bounded by Sanford Avenue, 147th Street, Ash Avenue, Parsons Boulevard, a line midway between Sanford Avenue and Franklin Avenue, and Bowne Street;
10. **changing from an R6 District to an R7-1 District** property bounded by Elder Avenue, Kissena Boulevard, 45th Avenue, and Colden Street;
11. **changing from an R7-1 District to an R7B District** property bounded by Franklin Avenue, Bowne Street, Cherry Avenue, Robinson Street, a line 250 feet southeasterly of Cherry Avenue, a line 100 feet southwesterly of Union Street, a line 100 feet southeasterly of Cherry Avenue, and a line 150 feet northeasterly of Kissena Boulevard;
12. **establishing within a proposed R3X District a C1-3 District** bounded by:
 - a. Franklin Avenue, a line 100 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street; and
 - b. Elm Avenue, a line 150 feet northeasterly of 147th Street, 45th Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between 45th Avenue and Hawthorn Avenue, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 100 feet southwesterly of Parsons Boulevard, 45th Avenue and its northeasterly centerline prolongation, and 147th Street;
13. **establishing within a proposed R4-1 District a C1-3 District** bounded by a line 100 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street; and

- 14. establishing within a proposed R7B District a C1-3 District** bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 100 feet southwesterly of Bowne Street;

Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated June 2, 2008, and which includes CEQR designation E-220.

The above resolution (C 080457 ZMQ), duly adopted by the City Planning Commission on August 27, 2008 (Calendar No. 21), 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, FAICP, Chair
ANGELA BATTAGLIA, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO III,
MARIA DEL TORO, NATHAN LEVENTHAL, SHIRLEY A. MCRAE, JOHN MEROLO,
KAREN PHILLIPS, Commissioners