



CITY PLANNING COMMISSION

February 8, 2006/Calendar No. 21

C 060153 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. 13c, 13d and 14b:**

1. eliminating from within an existing R4 District a C1-2 District bounded by 64th Road, Dry Harbor Road, and 80th Street;
2. eliminating from within an existing R4 District a C2-2 District bounded by Juniper Boulevard South, 69th Place and 69th Street;
3. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a. a line 150 feet northerly of Metropolitan Avenue, 74th Street, 66th Drive, a line 100 feet northerly of Metropolitan Avenue, 78th Street, a line 150 feet northerly of Metropolitan Avenue, 79th Place, Metropolitan Avenue, 78th Street, a line midway between Metropolitan Avenue and 67th Road, 73rd Place, a line 100 feet southerly of Metropolitan Avenue, the easterly boundary line of Lutheran Cemetery and its northerly prolongation, Metropolitan Avenue, and 73rd Place;
 - b. 67th Drive, a line 150 feet easterly of 75th Street, 68th Avenue, and a line 150 feet westerly of 75th Street;
 - c. a line 150 feet northerly of Myrtle Avenue, 70th Street, a line 150 feet southeasterly of Cooper Avenue, and 69th Place;
 - d. a line 150 feet northerly of Myrtle Avenue, 82nd Street, Myrtle Avenue, and 74th Street; and
 - e. a line 150 feet northerly of Myrtle Avenue, 81st Road, Myrtle Avenue, and 81st Avenue,
4. eliminating from within an existing R5 District a C2-2 District bounded by:
 - a. a line 150 feet northerly of Metropolitan Avenue, 70th Street, Metropolitan Avenue, and 69th Street;
 - b. Juniper Valley Road, 80th Street, 67th Road, a line 100 feet westerly of 80th Street, a line midway between Metropolitan Avenue and 67th Road, 78th Street, Metropolitan Avenue, 79th Place, a line 150 feet northerly of Metropolitan Avenue, and a line 100 feet westerly of 80th Street;
 - c. 69th Avenue, 80th Street, Cooper Avenue, 69th Drive, 78th Street, a line 100 feet northerly of 69th Drive, a line 100 feet northwesterly of Cooper Avenue, 69th Road, and a line 150 feet westerly of 80th Street;

- d. a line 150 feet northerly of Myrtle Avenue, 71st Street, Cooper Avenue, a line midway between 71st Place and 72nd Street, Myrtle Avenue, 72nd Street, a line 150 feet southerly of Myrtle Avenue, and 70th Street; and
 - e. 83rd Avenue, Woodhaven Boulevard, a line midway between 83rd Avenue and Myrtle Avenue, 98th Street, Myrtle Avenue, Woodhaven Boulevard, a northwesterly boundary line of Forest Park, 89th Street, a line 150 feet southerly of Myrtle Avenue, 88th Lane, Myrtle Avenue, and a line 100 feet westerly of Woodhaven Boulevard;
5. changing from an R4 District to an R3X District property bounded by 74th Street, a line 300 feet northwesterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 100 feet northwesterly of Penelope Avenue, 75th Street, Penelope Avenue, 75th Place, the westerly centerline prolongation of Furmanville Avenue, a line 100 feet westerly of 75th Place, a line 100 feet southeasterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 250 feet southeasterly of Penelope Avenue, a line midway between 73rd Place and 74th Street, a line 100 feet southeasterly of Penelope Avenue, 73rd Place, and a line 100 feet easterly of Pleasantview Street;
6. changing from an R4 District to an R4A District property bounded by:
- a. Furmanville Avenue, a line 100 feet westerly of 77th Street, a line midway between 65th Drive and Juniper Valley Road, and 75th Place; and
 - b. a line 165 feet northerly of Juniper Valley Road, 79th Street, a line 300 feet northerly of Juniper Valley Road, a line midway between 79th Street and 79th Place, Juniper Valley Road, and 78th Street;
7. changing from an R5 District to an R4A District property bounded by:
- a. Juniper Valley Road, a line midway between 79th Street and 79th Place, the easterly centerline prolongation of 66th Drive, and 78th Street;
 - b. a line 300 feet southeasterly of Central Avenue, a line midway between 69th Place and 70th Street, a line 210 feet southeasterly of Central Avenue, 70th Street, a line 100 feet southeasterly of Central Avenue, 71st Street, a line 160 feet southeasterly of Central Avenue, a line midway between 71st Street and 71st Place, a line 100 feet northwesterly of Cooper Avenue, 71st Street, a line 150 feet northerly of Myrtle Avenue, 70th Street, a line 100 feet northerly of Myrtle Avenue, and 69th Place; and
 - c. a line 100 feet northwesterly of 78th Avenue, a line 100 northeasterly of 88th Street, 78th Avenue and its northeasterly centerline prolongation, a southerly boundary line of the Long Island Rail Road (Rockaway Beach Division) right-of way, a line 100 feet northeasterly of Woodhaven Boulevard, Union Turnpike, a southwesterly boundary line of the Long Island Rail Road (Rockaway Beach Division) right-of way, 82nd Avenue, Trotting Course Lane, Margaret Place, a line 225 feet southeasterly of 81st Road, Woodhaven Boulevard, a line midway between Union Turnpike and 81st Avenue, and 88th Street ;

8. changing from an R4 District to an R4B District property bounded by :
 - a. Juniper Boulevard South, Dry Harbor Road, 80th Street, a line 130 feet northerly of Furmanville Avenue, a line 80 feet northeasterly of 79th Street, Furmanville Avenue, a line midway between 79th Street and 79th Place, a line 300 feet northerly of Juniper Valley Road, 79th Street, a line 165 feet northerly of Juniper Valley Road, 78th Street, Juniper Valley Road, 75th Place, a line midway between 65th Drive and Juniper Valley Road, a line 100 feet westerly of 77th Street, Furmanville Avenue, 75th Place, Penelope Avenue, 75th Street, a line 100 feet northwesterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 300 feet northwesterly of Penelope Avenue, 74th Street, a line 100 feet easterly of Pleasantview Street, Penelope Avenue, 71st Street, Juniper Valley Road, and 69th Street; and
 - b. a line 100 feet southeasterly of Penelope Avenue and its southwestery prolongation, a line midway between 73rd Place and 74th Street, a line 250 feet southeasterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 100 feet southeasterly of Penelope Avenue, a line 100 feet westerly of 75th Place, the westerly centerline prolongation of Furmanville Avenue, 75th Place, Juniper Valley Road, a line 100 feet easterly of Pleasantview Street, and 73rd Place;

9. changing from an R5 District to an R4B District property bounded by:
 - a. Juniper Valley Road, 71st Street, 66th Road, and 70th Street;
 - b. Juniper Valley Road, 78th Street, a line 120 feet southerly of Juniper Valley Road, 77th Street, the northeasterly prolongation of a line 350 feet northwesterly of 66th Drive, Gray Street, a line 500 feet northwesterly of 66th Drive, and 74th Street;
 - c. a southerly boundary line of the Long island Rail Road (Montauk Division) right-of-way, 88th Street, 77th Avenue, a line 100 feet easterly of 87th Street, 78th Avenue, a line 100 feet westerly of 82nd Street, a line 100 feet southerly of 77th Avenue, 81st Street, 77th Avenue, and 80th Street; and
 - d. 78th Avenue, 78th Street, Myrtle Avenue, and 74th Street;

10. changing from an R4 District to an R4-1 District property bounded by:
 - a. Penelope Avenue, a line 100 feet easterly of Pleasantview Street, Juniper Valley Road, and 71st Street; and
 - b. a line 130 feet northerly of Furmanville Avenue, 80th Street, Juniper Valley Road, a line midway between 79th Street and 79th Place, Furmanville Avenue, and a line 80 feet northeasterly of 79th Street;

11. changing from an R5 District to an R4-1 District property bounded by:
 - a. Juniper Valley Road, 70th Street, 66th Road, 71st Street, Juniper Valley Road, 74th Street, a line 500 feet northwesterly of 66th Drive, Gray Street, the northeasterly prolongation of a line 350 feet northwesterly of 66th Drive, 77th Street, a line 100 feet southerly of Juniper Valley Road, 78th Street, 66th Drive and its southwestery

- centerline prolongation, 73rd Place, a line 100 feet southerly of 66th Drive, 71st Street, a line 100 feet northerly of Metropolitan Avenue, 70th Street, a line 225 feet northerly of Metropolitan Avenue, and a line 180 feet northeasterly of 69th Street;
- b. Juniper Valley Road, 79th Place, a line 200 feet southerly of Juniper valley Road, a line 100 feet easterly of 79th Place, the easterly centerline prolongation of 66th Drive, and a line midway between 79th Street and 79th Place;
 - c. 67th Road, 78th Street, a line midway between Metropolitan Avenue and 67th Road, 80th Street, 68th Avenue, 79th Street, 67th Drive, 78th Street, a line midway between 67th Drive and 67th Road, 75th Street, a line 100 feet southerly of 68th Avenue, a line midway between 75th Street and 76th Street, 69th Road, 75th Street, a line 200 feet southeasterly of 69th Road, 74th Street, 70th avenue, 73rd Place, the northeasterly boundary line of a Lutheran Cemetery and its easterly prolongation, 67th Drive and its westerly centerline prolongation, and a line 100 feet easterly of 73rd Place;
 - d. Otto Road, 69th Place, and 70th Avenue;
 - e. 70th Avenue, Edsall Avenue, 73rd Place, Central Avenue, Edsall Avenue, 76th Street, 77th Avenue, 79th Street, 77th Avenue, 79th Place, 77th Avenue, 80th Street, 77th Avenue, 81st Street, a line 100 feet southerly of 77th Avenue, a line 100 feet westerly of 82nd Street, 78th Avenue, a line 100 feet easterly of 87th Street, 77th Avenue, 88th Street, a line midway between Union Turnpike and 81st Avenue, Woodhaven Boulevard, 83rd Avenue, a line 80 feet westerly of Woodhaven Boulevard, Myrtle Avenue, 89th Street, a northerly boundary line of Forest Park and its southwesterly prolongation, 88th Lane, 83rd Drive, 88th Place, Myrtle Avenue, a line midway between 83rd Street and 84th Street, a line 100 feet northerly of Myrtle Avenue, 78th Street, 78th Avenue, 74th Street, Myrtle Avenue, 73rd Place, a line 100 feet northerly of Myrtle Avenue, 71st Place, a line 100 feet northwesterly of Cooper Avenue, a line midway between 71st Street and 71st Place, a line 160 feet southeasterly of Central Avenue, 71st Street, a line 100 feet southeasterly of Central Avenue, 70th Street, a line 210 feet southeasterly of Central Avenue, a line midway between 69th Place and 70th Street, a line 300 feet southeasterly of Central Avenue, and 69th Place; and
 - f. a line 100 feet southeasterly of Cooper Avenue, a line 100 feet southerly of Myrtle Avenue, 72nd Street, Myrtle Avenue, the northerly boundary line of Mount Lebanon Cemetery and its northwesterly prolongation and Cypress Cemetery, 69th Place and its southeasterly centerline prolongation, a line perpendicular to the northeasterly street line of 69th Place distant 225 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 69th Place and the southeasterly street line of Cooper Avenue, and a line midway between 69th Place and 70th Street;
12. changing from an M1-1 District to an R4-1 District property bounded by a line 100 feet northwesterly of 70th Avenue, a line 100 feet northeasterly of 69th Place, 70th Avenue, and 69th Place;
 13. changing from an R5 District to an R5B District property bounded by a line 100 feet northerly of Myrtle Avenue, a line midway between 83rd Street and 84th street, Myrtle Avenue, and 78th Street;

14. changing from an R5 District to an R6B District property bounded by a line 225 feet northerly of Metropolitan Avenue, 70th Street, a line 100 feet northerly of Metropolitan Avenue, 71st Street, a line 100 feet southerly of 66th Drive, a line 260 feet southwesterly of 73rd Place, Metropolitan Avenue, and 69th Street;
15. establishing within an existing R5 District a C1-3 District bounded by:
 - a. 66th Drive and its southwesterly centerline prolongation, 75th Street, a line 100 feet northerly of Metropolitan Avenue, 79th Place, Metropolitan Avenue, 78th Street, a line midway between Metropolitan Avenue and 67th Road and its westerly prolongation, an easterly boundary line of Lutheran Cemetery and its northerly prolongation, and Metropolitan Avenue;
 - b. 67th Drive, a line 100 feet easterly of 75th Street, 68th Avenue, and 75th Street; and
 - c. a line 100 feet northerly of Myrtle Avenue, 70th Street, a line 100 feet southeasterly of Cooper Avenue, a line midway between 70th Street and 69th Place, a line perpendicular to the northeasterly street line of 69th Place distant 225 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 69th Place and the southeasterly street line of Cooper Avenue, and 69th place;
16. establishing within an existing R5 District a C2-3 District bounded by:
 - a. Juniper Valley Road, 80th Street, Metropolitan Avenue, 79th Place, a line 100 feet northerly of Metropolitan Avenue, and a line 100 feet easterly of 79th Place;
 - b. 69th Avenue, 80th Street, Cooper Avenue, 69th Drive, 79th Street, a line 100 feet northerly of 69th Drive, a line 100 feet northwesterly of Cooper Avenue, 69th Road, and a line 100 feet westerly of 80th Street;
 - c. a line 150 feet northerly of Myrtle Avenue, 71st Street, Cooper Avenue, 71st Place, a line 100 feet northerly of Myrtle Avenue, 72nd Street, a line 100 feet southerly of Myrtle Avenue, a line 100 feet southeasterly of Cooper Avenue, and 70th Street; and
 - d. 83rd Avenue, Woodhaven Boulevard, a line midway between 83rd Avenue and Myrtle Avenue, a line 100 feet easterly of Woodhaven Boulevard, Myrtle Avenue, Woodhaven Boulevard, a northerly boundary line of Forest Park and its northeasterly prolongation, 89th Street, Myrtle Avenue, and a line 80 feet westerly of Woodhaven Boulevard;
17. establishing within a proposed R4B District a C1-3 District bounded by:
 - a. 64th Road, Dry Harbor Road, and 80th Street; and
 - b. a line 100 feet northerly of Myrtle Avenue, 78th Street, Myrtle Avenue, and 74th Street;
18. establishing within a proposed R4-1 District a C1-3 District bounded by:

- a. a line 100 feet northerly of Metropolitan Avenue, 74th Street, the southwesterly centerline prolongation of 66th Drive, Metropolitan Avenue, and 73rd Place;
 - b. 67th Drive, 75th Street, 68th Avenue, and a line 100 feet westerly of 75th Street; and
 - c. 81st Avenue, a line 100 feet northerly of Myrtle Avenue, 81st Road, and Myrtle Avenue;
19. establishing within a proposed R5B District a C1-3 District bounded by a line 100 feet northerly of Myrtle Avenue, 82nd Street, Myrtle Avenue, and 78th Street;
20. establishing within a proposed R4B District a C2-3 District bounded by Juniper Boulevard South, 69th Place, and 69th Street;
21. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. a line midway between Metropolitan Avenue and 67th Road, 80th Street, 67th Road, and a line 100 feet westerly of 80th Street;
 - b. Cooper Avenue, a line midway between 71st Place and 72nd Street, a line 100 feet northerly of Myrtle Avenue, and 71st Place; and
 - c. Myrtle Avenue, 89th Street, a line 100 feet southerly of Myrtle Avenue, and 88th Lane; and
22. establishing within a proposed R6B District a C2-3 District bounded by a line 150 feet northerly of Metropolitan Avenue, 70th Street, Metropolitan Avenue, and 69th Street;

as shown on a diagram (for illustrative purposes only) dated September 26, 2005, and subject to the conditions of CEQR Declaration E-140, Community District 5, Borough of Queens.

The application for an amendment of the Zoning Map was filed by The Department of City Planning on September 22, 2005, to rezone all or portions of 161 blocks in an area generally bounded by Juniper Boulevard South, Dry Harbor Road, the Long Island Rail Road tracks, Margaret Place, Myrtle Avenue and 69th Place, and an area bounded by Otto Road and 70th Avenue. The proposed Zoning Map amendments would rezone areas within these boundaries from R3-2, R4 and R5 districts to R3X, R4A, R4B, R4-1, R5B, and R6B districts.

BACKGROUND

The Department of City Planning is proposing Zoning Map amendments encompassing approximately 161 blocks in the Middle Village and Glendale neighborhoods of Queens, Community District 5. The proposed

rezoning is the result of close consultation with civic associations in Middle Village and Glendale and Community Board 5. The rezoning study was initiated by the Department of City Planning following community concerns that recent residential development was inconsistent with the established scale and character of the neighborhoods. The proposed rezoning and proposed changes to existing commercial overlays aim to preserve the area's predominant low-density character and ensure that future residential development will be consistent with surrounding neighborhood contexts. Additionally, the proposed rezoning would establish a higher density residential district along a portion of Metropolitan Avenue in order to address the need for new housing opportunities.

Land Use, Zoning and Neighborhood Characteristics

The neighborhoods of Middle Village and Glendale are located in western Queens, just north of Forest Park. Cooper Avenue is the boundary between the two neighborhoods, with Middle Village to the north and Glendale to the south. These neighborhoods, though adjacent, developed at different times. Middle Village, located to the north of the Long Island Rail Road, originated just after the opening of Metropolitan Avenue in 1816, serving as a resting place for those traveling between Jamaica and Williamsburg. After the first of many cemeteries to be developed in the area opened in 1852, the town then catered to cemetery visitors. Only in the 1920's did the neighborhood become primarily residential, and a great deal of this 1920's housing stock remains today along with row houses built in the 1940's, 1950's and 1960's. Glendale, which lies to the south of the Long Island Rail Road tracks, was developed as a residential neighborhood in 1869. Farms were sold and laid out with blocks and lots after a rail line was extended to the area in 1867. Much of Glendale's housing stock dates to the 1920's and 1930's.

Land Use

In the Middle Village – Glendale rezoning area, residential uses predominate, with ninety percent of the lots within the rezoning area holding residential uses. Mixed-use residential and commercial buildings as well as single-use commercial and office buildings are concentrated along Metropolitan and Myrtle avenues and comprise a total of four percent of the rezoning area's lots. Light industrial and transportation uses are found along the Long Island Rail Road tracks and Cooper Avenue and these uses are found on one and one-half percent of the lots in the rezoning area. Vacant land and parking lots constitute about three percent of the land

uses and are located throughout the study area. Public facilities/schools and open spaces account for less than one percent of the lots in the rezoning area. The area, however, adjoins significant open space parklands, including Forest Park to the south of the rezoning area and Juniper Valley Park to the north.

The rezoning area is served by public transportation, with the final stop of the M subway line located on Metropolitan Avenue one-quarter mile to the west of the rezoning area, and buses run along Metropolitan and Myrtle avenues and Dry Harbor Road.

Existing Zoning

The existing zoning of the Middle Village and Glendale neighborhoods has been in place since the current Zoning Resolution was adopted in 1961. In general, the existing zoning is not representative of the current built bulk and density of the study area, and it is not representative of the current housing types and uses in the area. The area north of Juniper Valley Road is zoned R4, which allows all housing types. Detached residences in this district are limited to lots with a minimum of 3,800 square feet in area, and a minimum lot width of 40 feet. Semi-detached and attached residences are limited to lots with a minimum of 1,700 square feet in area, and a minimum lot width of 18 feet. The maximum allowable floor area ratio (FAR) is 0.9, which includes a 0.15 attic allowance. The maximum perimeter wall height is 25 feet, and the maximum building height is 35 feet. On blocks that qualify for R4 infill provisions, a maximum FAR of 1.35 is permitted. One parking space is required per residential unit.

The remainder of the rezoning area south of Juniper Valley Road is zoned R5, which is also a general residence district that allows all housing types. Detached residences in this district are limited to lots with a minimum of 3,800 square feet in area and a minimum lot width of 40 feet. All other housing types are limited to lots with a minimum of 1,700 square feet in area and a minimum lot width of 18 feet. The maximum FAR for all housing types is 1.25. The maximum perimeter wall height is 30 feet and the maximum building height 40 feet. On blocks that qualify for the R5 infill provisions, a maximum FAR of 1.65 is permitted. One parking space per residential unit is required, or 85% of units when parking is grouped.

One block within the rezoning area south of Myrtle Avenue and east of Forest Park is zoned R3-2. 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 and semi-detached and detached houses. The maximum FAR is 0.5, plus a 0.1 attic allowance. Minimum lot width and lot area depend upon the housing configuration: detached structures require a 40-foot lot width and 3,800 square feet of lot area; other housing types require lots that have at least 18 feet of frontage and 1,700 square feet of area. One parking space is required per residential unit.

Commercial activity is concentrated along Metropolitan Avenue, Myrtle Avenue, 80th Street and 69th Street in locations where C1-2 and C2-2 commercial overlays are currently located. C1 districts permit local retail uses in Use Group 6, while C2 districts permit a wider range of uses in Use Groups 6-9 and 14. In both districts, commercial uses have a maximum FAR of 1.0. Most retail uses require one accessory off-street parking space per 300 square feet of commercial floor area, although the requirements may range between one space per 200 square feet and one space per 800 square feet.

Proposed Zoning Map Amendments

To ensure that new development better matches the existing housing types and densities found in Middle Village and Glendale, the Department of City Planning is proposing to replace the existing general residence districts (R3-2, R4 and R5) with lower-density, contextual districts (R3X, R4A, R4B, R4-1 and R5B) and a medium-density, contextual district that will allow higher densities on a portion of Metropolitan Avenue (R6B). Infill zoning provisions would not be applicable in the proposed zoning districts.

Proposed R3X (R4 to R3X)

Portions of five blocks in Middle Village, in the vicinity of Penelope Avenue and 74th Street, are proposed to be rezoned from an R4 district to an R3X district.

In the proposed R3X zoning district, residential development would be limited to one- and two-family, detached houses with a maximum building height of 35 feet. The minimum lot size and lot width requirements for detached buildings are 3,325 square feet and 35 linear feet. The maximum allowable FAR is

0.6, which includes a 0.1 attic allowance. One parking space per residential unit is required. The proposed change from R4 to R3X would more closely reflect the predominant character of houses in this area, of which 97 percent are one- and two-family detached buildings and 90 percent would comply with the reduced maximum FAR of 0.6.

Proposed R4A (R4 and R5 to R4A)

The proposed R4A zoning includes portions of 19 blocks in four discrete locations: north of Juniper Valley Road and south of Penelope Avenue; north of Metropolitan Avenue and east of 78th Street; south of Central Avenue and west of 71st Place; and along Woodhaven Boulevard and Union Turnpike at the easternmost edge of the rezoning area.

In the proposed R4A zoning districts, residential development would be limited to one- and two-family detached houses, in keeping with the character of these areas. The buildings in the proposed R4A zones have higher FARs and are located on smaller lots than those in the proposed R3X district. New semi-detached, attached and multi-family residences currently allowed under the existing R4 and R5 zoning would no longer be permitted. The minimum lot size and lot width requirements are 2,850 square feet and 30 linear feet for new detached development. The maximum allowable FAR is 0.9 and the maximum building height is 35 feet. One parking space is required per residential unit. In areas proposed to be rezoned R4A, 76 percent of lots are developed with one- and two-family detached buildings.

Proposed R4B (R4 and R5 to R4B)

The proposed R4B zoning includes all or portions of 60 blocks in three separate locations: north of Juniper Valley Road and south of Juniper Boulevard South; south of 78th Avenue and west of 78th Street; and north of 78th Avenue east of 80th Street. These areas are predominantly built with attached one- and two-family residences with parking in the rear.

In the proposed R4B zoning districts, residential development would be limited to one- and two-family detached, semi-detached, and attached houses and, unlike the existing R4 and R5 designations, multifamily buildings would not be permitted. The minimum lot size and lot width requirements are 2,375 square feet and 25 linear feet for detached residences and 1,700 square feet and 18 linear feet for semi-detached and attached residences. The maximum allowable FAR is 0.9 and the maximum building height is 24 feet. One parking space per residential unit is required, and parking is not allowed in the front yard. In areas proposed to be rezoned R4B, 95 percent of lots would conform to both the allowable building type and occupancy regulations.

Proposed R4-1 (R3-2, R4 and R5 to R4-1)

The proposed R4-1 zoning district would cover all or portions of 105 blocks in three areas: north of Metropolitan Avenue and south of Juniper Valley Road; south of Metropolitan Avenue and north of Cooper Avenue; and most of the rezoning area south of the LIRR tracks. These areas are predominantly built with one- and two-family detached and semi-detached buildings.

In the proposed R4-1 zoning district, only one- and two-family detached and semi-detached residential development would be permitted. The minimum lot size and lot width requirements are 2,375 square feet and 25 linear feet for new residential detached development and 1,700 square feet and 18 linear feet for semi-detached development. The maximum FAR is 0.9 and the maximum building height is 35 feet. One parking space is required per residential unit. In areas proposed to be rezoned R4-1, 66 percent of lots would conform to the allowable building type and the one- and two-family use regulations.

Proposed R5B (R5 to R5B)

The proposed R5B zoning district would include portions of eight blocks along Myrtle Avenue from 78th Street east to 84th Street. These blockfronts are predominantly developed with two- or three-story mixed-use commercial and residential buildings.

In the proposed R5B zoning district, all residence types are permitted. The minimum lot size and lot width requirements for detached buildings are 2,375 square feet and 25 linear feet. For semi-detached and attached residences, the minimum lot size and lot width requirements would be 1,700 square feet and 18 linear feet. The maximum allowable FAR would be 1.35, compared to the 1.65 FAR allowed for R5 infill development. The R5B maximum street wall and building heights are 30 and 33 feet respectively. One parking space per residential unit is required, or 66% of units if parking is grouped. Parking spaces are not permitted in front of the building. The R5B district would ensure that new development would better match the existing built environment. In areas proposed to be rezoned R5B, 100 percent of lots would conform to the allowable building type and 100 percent of lots would comply with FAR regulations.

Proposed R6B (R5 to R6B)

The proposed R6B district would include portions of four blockfronts on Metropolitan Avenue from 69th Street east to 73rd Place. These blockfronts are developed with multi-family apartment houses, auto repair shops and light manufacturing uses. The final stop of the M subway line is located less than a quarter of a mile to the west of 69th Street.

In the proposed R6B zoning district, all residence types are permitted, and the Quality Housing program is mandatory. The maximum allowable FAR is 2.0, compared to the maximum of 1.25 permitted in R5 districts, or 1.65 FAR permitted for R5 infill development. The maximum building height is 50 feet, and the maximum street wall height is 40 feet. One parking space per residential unit is required, or 50% of units if parking is grouped. Parking spaces are not permitted in front of the building. The R6B district would provide for higher-density residential or residential and commercial development in a location that can best support it. In areas proposed to be rezoned R6B, 100 percent of lots would conform to the allowable building type and 100 percent of lots would comply with FAR regulations.

Commercial Overlay Changes

The Department proposes to rezone commercial overlays within the rezoning area to more closely match existing land use and development patterns. C1-2 and C2-2 commercial overlays which generally have a

depth of 150 feet along portions of Metropolitan, Myrtle and Cooper avenues, Dry Harbor Road and 69th Street, would be reduced to 100 feet to prevent the intrusion of commercial uses onto residential side streets, and rezoned to C1-3 and C2-3 commercial overlays. The change would result in a reduction of off-street parking requirements for most retail establishments, generally from one space per 300 square feet of floor area to one space per 400 square feet. No new commercial overlay districts are proposed as part of the rezoning actions.

ENVIRONMENTAL REVIEW

This application (C 060153 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 06DCP021Q. 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 September 26, 2005. The Negative Declaration included (E) designations for hazardous materials, air quality and noise. A Revised Negative Declaration was issued on February 8, 2006. Based on modifications to the proposal by the City Planning Commission, it was determined the proposal would not induce development on the (E) designated sites, and the Revised Negative Declaration removed all of the (E) designations from the proposal.

UNIFORM LAND USE REVIEW

This application (C 060153 ZMQ) was certified as complete by the Department of City Planning on September 26, 2005, and was duly referred to Community Board 5 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 5 held a public hearing on this application on October 27, 2005, and on November 9, 2005, by a vote of 36 to 0 with 0 abstentions, adopted a resolution recommending approval of the application

subject to the following conditions:

- The residential portion of south Middle Village bordered by Metropolitan Avenue on the north; Cooper Avenue, 71st Avenue and 70th Avenue to the south; 80th Street to the east and 73rd Place to the west be zoned R4-1 in its entirety. This area was presented by the Department of City Planning as an “All R4-1 Zone” at numerous community meetings and discussions prior to certification. Much of this south Middle Village area was changed back to an R5 zone by the Department of City Planning, without any discussion with those civic leaders and community board members who had regularly met with representatives of the Queens Office of the Department of City Planning throughout the process prior to certification. The Committee believes that this entire south Middle Village residential area meets the R4-1 standards, and therefore should be rezoned R4-1.
- The north side of Metropolitan Avenue, from 69th Street to 73rd Place, be rezoned as follows to maintain neighborhood character and to prevent overdevelopment:
 - For the block between 69th Street and 70th Street, the zoning should be changed to R5B, which is more appropriate;
 - For the block between 70th Street and 71st Street, the zoning should be changed to R4-1, which would be more in line with the character of the immediate area;
 - For the blocks between 71st Street and 80th Street, the zoning should be changed to R5B, which would be more in line with the character of the immediate area.
- The south side of Metropolitan Avenue, from 69th Street to 70th Street, be rezoned R4-1.
- The section of Glendale which is east of Woodhaven Boulevard, south of the Jackie Robinson Parkway, north of Myrtle Avenue and west of Forest Park be rezoned R4-1, which better reflects this portion of the community.
- The east and west sides of 80th Street and 81st Street, from 77th Avenue to 78th Avenue, the zoning should be changed to R4A to more accurately be in line with existing housing.
- Myrtle Avenue, from 69th Place to 73rd Place, be rezoned R5B to reflect the character for that area, and so that future development which is out-of-character with this part of the community is not encouraged.

Borough President Recommendation

This application was considered by the Borough President on November 17, 2005, who issued a recommendation on December 15, 2005 approving the application with the following condition:

The Department of City Planning should reevaluate the proposed R5 area defined by Cooper Avenue to the south, 76th Street, 69th Road, 79th Street and a mid-block line between 68th Road and 69th Avenue and Dry Harbor Road to the east, to better match the existing housing types and character of the neighborhood in a follow-up study.

City Planning Commission Public Hearing

On December 7, 2005 (Calendar No. 6), the City Planning Commission scheduled December 21, 2005, for a public hearing on this application (C 060153 ZMQ). On December 21, 2005 (Calendar No. 36) the hearing

was continued to January 11, 2006 (Calendar No. 34). There were two speakers in favor of the application and two speakers in opposition.

A representative for the Council Member of Council District 30 read a statement from the Council Member stating his general support to the rezoning proposal, but stated his opposition to the proposed R6B district on Metropolitan Avenue and the retention of the existing R5 district in the South Middle Village area bounded by Metropolitan Avenue, Cooper Avenue, 80th Street and 73rd Place. The Council Member requested a follow-up rezoning application be filed to propose lower-density and contextual zoning districts in these two areas.

The district manager of Community Board 5 reiterated the community board's conditions for the approval of the rezoning application and also stated that a separate, follow-up rezoning application be submitted to address the retained R5 zone in the South Middle Village area.

The owner of a property at 81-01 Myrtle Avenue testified that his property lies within the proposed R5B district on Myrtle Avenue. He stated that the unusual shape of his lot and its 145-foot depth would cause him hardship in developing the site as the R5B zoning district and C1-3 commercial overlay are proposed to extend 100 feet over the depth of the lot, producing a lot split by an R5B/C1-3 zone and an R4-1 zone.

A representative for the owner of the property at 81-01 Myrtle Avenue explained that access to the site is limited within the first 100 feet because of an existing bus stop located on 81st Street, the western boundary of the site. He explained that if the R5B/C1-3 zone was extended, access to the lot could be more efficiently laid out, giving more parking spaces.

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

CONSIDERATION

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

The Commission believes that this action represents a comprehensive zoning strategy for the neighborhoods of Middle Village and Glendale and will help to preserve the area's predominant low-density character and ensure that future residential development will be more consistent with surrounding neighborhood contexts. The Commission notes that the existing, general residence districts of R3-2, R4 and R5 found in the rezoning area produce housing types and densities not within the existing character of the neighborhoods. The Commission believes that the proposed lower-density and contextual districts of R3X, R4-1, R4A, R4B and R5B would produce development that better fits within the existing built environment of the area.

In addition, the Commission believes that the proposed commercial overlay changes better reflect existing commercial development and will keep commercial uses from encroaching on midblock residential uses.

The Commission acknowledges the several requests of Community Board 5, but notes that these are for the most part beyond the scope of the application. The request that the R6B zoning district proposed for a portion of Metropolitan Avenue be changed to lower-density R5B and R4-1 zones, is beyond scope, but the Commission agrees that the proposed R6B is not appropriate for the area because it will produce buildings with a density that will not be consistent with the area's existing built environment. Consequently, the Commission is modifying this application to leave this portion of Metropolitan Avenue between 69th Street and 73rd Place zoned R5. The Commission notes that the Department will further study this area to address the board's concerns.

The Commission also recognizes the request of the community board and the Queens Borough President to re-evaluate the retention of the R5 zoning district in the South Middle Village area bounded by Metropolitan Avenue, 80th Street, Cooper Avenue and 73rd Place. The Department will also study this area to determine the appropriate zoning.

Regarding the testimony of the property owner at 81-01 Myrtle Avenue, the Commission notes that the boundary of the proposed R5B district with a C1-3 commercial overlay is placed at a depth of 100 feet north of Myrtle Avenue, and that the property is unusually shaped, with a depth of 144 feet at its deepest point.

Given the property covers the entire blockfront of Myrtle Avenue between 81st and 82nd streets, and the unusual depth of the property compared to other properties fronting Myrtle Avenue in the proposed R5B district, the Commission is modifying this application to increase the depth of the proposed R5B zoning district and C1-3 commercial overlay from 100 feet to 125 feet between 81st and 82nd streets.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 13c, 13d and 14b:

1. eliminating from within an existing R4 District a C1-2 District bounded by 64th Road, Dry Harbor Road, and 80th Street;
2. eliminating from within an existing R4 District a C2-2 District bounded by Juniper Boulevard South, 69th Place and 69th Street;
3. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a. a line 150 feet northerly of Metropolitan Avenue, 74th Street, 66th Drive, a line 100 feet northerly of Metropolitan Avenue, 78th Street, a line 150 feet northerly of Metropolitan Avenue, 79th Place, Metropolitan Avenue, 78th Street, a line midway between Metropolitan Avenue and 67th Road, 73rd Place, a line 100 feet southerly of Metropolitan Avenue, the easterly boundary line of Lutheran Cemetery and its northerly prolongation, Metropolitan Avenue, and 73rd Place;
 - b. 67th Drive, a line 150 feet easterly of 75th Street, 68th Avenue, and a line 150 feet westerly of 75th Street;
 - c. a line 150 feet northerly of Myrtle Avenue, 70th Street, a line 150 feet southeasterly of Cooper Avenue, and 69th Place;
 - d. a line 150 feet northerly of Myrtle Avenue, 82nd Street, Myrtle Avenue, and 74th Street; and
 - e. a line 150 feet northerly of Myrtle Avenue, 81st Road, Myrtle Avenue, and 81st Avenue,
4. eliminating from within an existing R5 District a C2-2 District bounded by:

- a. a line 150 feet northerly of Metropolitan Avenue, 70th Street, Metropolitan Avenue, and 69th Street;
 - b. Juniper Valley Road, 80th Street, 67th Road, a line 100 feet westerly of 80th Street, a line midway between Metropolitan Avenue and 67th Road, 78th Street, Metropolitan Avenue, 79th Place, a line 150 feet northerly of Metropolitan Avenue, and a line 100 feet westerly of 80th Street;
 - c. 69th Avenue, 80th Street, Cooper Avenue, 69th Drive, 78th Street, a line 100 feet northerly of 69th Drive, a line 100 feet northwesterly of Cooper Avenue, 69th Road, and a line 150 feet westerly of 80th Street;
 - d. a line 150 feet northerly of Myrtle Avenue, 71st Street, Cooper Avenue, a line midway between 71st Place and 72nd Street, Myrtle Avenue, 72nd Street, a line 150 feet southerly of Myrtle Avenue, and 70th Street; and
 - e. 83rd Avenue, Woodhaven Boulevard, a line midway between 83rd Avenue and Myrtle Avenue, 98th Street, Myrtle Avenue, Woodhaven Boulevard, a northwesterly boundary line of Forest Park, 89th Street, a line 150 feet southerly of Myrtle Avenue, 88th Lane, Myrtle Avenue, and a line 100 feet westerly of Woodhaven Boulevard;
5. changing from an R4 District to an R3X District property bounded by 74th Street, a line 300 feet northwesterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 100 feet northwesterly of Penelope Avenue, 75th Street, Penelope Avenue, 75th Place, the westerly centerline prolongation of Furmanville Avenue, a line 100 feet westerly of 75th Place, a line 100 feet southeasterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 250 feet southeasterly of Penelope Avenue, a line midway between 73rd Place and 74th Street, a line 100 feet southeasterly of Penelope Avenue, 73rd Place, and a line 100 feet easterly of Pleasantview Street;
6. changing from an R4 District to an R4A District property bounded by:
- a. Furmanville Avenue, a line 100 feet westerly of 77th Street, a line midway between 65th Drive and Juniper Valley Road, and 75th Place; and
 - b. a line 165 feet northerly of Juniper Valley Road, 79th Street, a line 300 feet northerly of Juniper Valley Road, a line midway between 79th Street and 79th Place, Juniper Valley Road, and 78th Street;
7. changing from an R5 District to an R4A District property bounded by:
- a. Juniper Valley Road, a line midway between 79th Street and 79th Place, the easterly centerline prolongation of 66th Drive, and 78th Street;
 - b. a line 300 feet southeasterly of Central Avenue, a line midway between 69th Place and 70th Street, a line 210 feet southeasterly of Central Avenue, 70th Street, a line 100 feet southeasterly of Central Avenue, 71st Street, a line 160 feet southeasterly of Central Avenue, a line midway between 71st Street and 71st Place, a line 100 feet

northwesterly of Cooper Avenue, 71st Street, a line 150 feet northerly of Myrtle Avenue, 70th Street, a line 100 feet northerly of Myrtle Avenue, and 69th Place; and

- c. a line 100 feet northwesterly of 78th Avenue, a line 100 northeasterly of 88th Street, 78th Avenue and its northeasterly centerline prolongation, a southerly boundary line of the Long Island Rail Road (Rockaway Beach Division) right-of way, a line 100 feet northeasterly of Woodhaven Boulevard, Union Turnpike, a southwesterly boundary line of the Long Island Rail Road (Rockaway Beach Division) right-of way, 82nd Avenue, Trotting Course Lane, Margaret Place, a line 225 feet southeasterly of 81st Road, Woodhaven Boulevard, a line midway between Union Turnpike and 81st Avenue, and 88th Street ;

8. changing from an R4 District to an R4B District property bounded by :

- a. Juniper Boulevard South, Dry Harbor Road, 80th Street, a line 130 feet northerly of Furmanville Avenue, a line 80 feet northeasterly of 79th Street, Furmanville Avenue, a line midway between 79th Street and 79th Place, a line 300 feet northerly of Juniper Valley Road, 79th Street, a line 165 feet northerly of Juniper Valley Road, 78th Street, Juniper Valley Road, 75th Place, a line midway between 65th Drive and Juniper Valley Road, a line 100 feet westerly of 77th Street, Furmanville Avenue, 75th Place, Penelope Avenue, 75th Street, a line 100 feet northwesterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 300 feet northwesterly of Penelope Avenue, 74th Street, a line 100 feet easterly of Pleasantview Street, Penelope Avenue, 71st Street, Juniper Valley Road, and 69th Street; and
- b. a line 100 feet southeasterly of Penelope Avenue and its southwesterly prolongation, a line midway between 73rd Place and 74th Street, a line 250 feet southeasterly of Penelope Avenue, a line midway between 74th Street and 75th Street, a line 100 feet southeasterly of Penelope Avenue, a line 100 feet westerly of 75th Place, the westerly centerline prolongation of Furmanville Avenue, 75th Place, Juniper Valley Road, a line 100 feet easterly of Pleasantview Street, and 73rd Place;

9. changing from an R5 District to an R4B District property bounded by:

- a. Juniper Valley Road, 71st Street, 66th Road, and 70th Street;
- b. Juniper Valley Road, 78th Street, a line 120 feet southerly of Juniper Valley Road, 77th Street, the northeasterly prolongation of a line 350 feet northwesterly of 66th Drive, Gray Street, a line 500 feet northwesterly of 66th Drive, and 74th Street;
- c. a southerly boundary line of the Long island Rail Road (Montauk Division) right-of-way, 88th Street, 77th Avenue, a line 100 feet easterly of 87th Street, 78th Avenue, a line 100 feet westerly of 82nd Street, a line 100 feet southerly of 77th Avenue, 81st Street, 77th Avenue, and 80th Street; and
- d. 78th Avenue, 78th Street, Myrtle Avenue, and 74th Street;

10. changing from an R4 District to an R4-1 District property bounded by:
 - a. Penelope Avenue, a line 100 feet easterly of Pleasantview Street, Juniper Valley Road, and 71st Street; and
 - b. a line 130 feet northerly of Furmanville Avenue, 80th Street, Juniper Valley Road, a line midway between 79th Street and 79th Place, Furmanville Avenue, and a line 80 feet northeasterly of 79th Street;

11. changing from an R5 District to an R4-1 District property bounded by:
 - a. Juniper Valley Road, 70th Street, 66th Road, 71st Street, Juniper Valley Road, 74th Street, a line 500 feet northwesterly of 66th Drive, Gray Street, the northeasterly prolongation of a line 350 feet northwesterly of 66th Drive, 77th Street, a line 100 feet southerly of Juniper Valley Road, 78th Street, 66th Drive and its southwesterly centerline prolongation, 73rd Place, a line 100 feet southerly of 66th Drive, 71st Street, a line 100 feet northerly of Metropolitan Avenue, 70th Street, a line 225 feet northerly of Metropolitan Avenue, and a line 180 feet northeasterly of 69th Street;
 - b. Juniper Valley Road, 79th Place, a line 200 feet southerly of Juniper valley Road, a line 100 feet easterly of 79th Place, the easterly centerline prolongation of 66th Drive, and a line midway between 79th Street and 79th Place;
 - c. 67th Road, 78th Street, a line midway between Metropolitan Avenue and 67th Road, 80th Street, 68th Avenue, 79th Street, 67th Drive, 78th Street, a line midway between 67th Drive and 67th Road, 75th Street, a line 100 feet southerly of 68th Avenue, a line midway between 75th Street and 76th Street, 69th Road, 75th Street, a line 200 feet southeasterly of 69th Road, 74th Street, 70th avenue, 73rd Place, the northeasterly boundary line of a Lutheran Cemetery and its easterly prolongation, 67th Drive and its westerly centerline prolongation, and a line 100 feet easterly of 73rd Place;
 - d. Otto Road, 69th Place, and 70th Avenue;
 - e. 70th Avenue, Edsall Avenue, 73rd Place, Central Avenue, Edsall Avenue, 76th Street, 77th Avenue, 79th Street, 77th Avenue, 79th Place, 77th Avenue, 80th Street, 77th Avenue, 81st Street, a line 100 feet southerly of 77th Avenue, a line 100 feet westerly of 82nd Street, 78th Avenue, a line 100 feet easterly of 87th Street, 77th Avenue, 88th Street, a line midway between Union Turnpike and 81st Avenue, Woodhaven Boulevard, 83rd Avenue, a line 80 feet westerly of Woodhaven Boulevard, Myrtle Avenue, 89th Street, a northerly boundary line of Forest Park and its southwesterly prolongation, 88th Lane, 83rd Drive, 88th Place, Myrtle Avenue, a line midway between 83rd Street and 84th Street, a line 100 feet northerly of Myrtle Avenue, 82nd Street, a line 125 feet northerly of Myrtle Avenue, 81st Street, a line 100 feet northerly of Myrtle Avenue, 78th Street, 78th Avenue, 74th Street, Myrtle Avenue, 73rd Place, a line 100 feet northerly of Myrtle Avenue, 71st Place, a line 100 feet northwesterly of Cooper Avenue, a line midway between 71st Street and 71st Place, a line 160 feet southeasterly of Central Avenue, 71st Street, a line 100 feet southeasterly of Central Avenue, 70th Street, a line 210 feet southeasterly of Central

Avenue, a line midway between 69th Place and 70th Street, a line 300 feet southeasterly of Central Avenue, and 69th Place; and

- f. a line 100 feet southeasterly of Cooper Avenue, a line 100 feet southerly of Myrtle Avenue, 72nd Street, Myrtle Avenue, the northerly boundary line of Mount Lebanon Cemetery and its northwesterly prolongation and Cypress Cemetery, 69th Place and its southeasterly centerline prolongation, a line perpendicular to the northeasterly street line of 69th Place distant 225 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 69th Place and the southeasterly street line of Cooper Avenue, and a line midway between 69th Place and 70th Street;
12. changing from an M1-1 District to an R4-1 District property bounded by a line 100 feet northwesterly of 70th Avenue, a line 100 feet northeasterly of 69th Place, 70th Avenue, and 69th Place;
 13. changing from an R5 District to an R5B District property bounded by a line 100 feet northerly of Myrtle Avenue, 81st Street, a line 125 feet northerly of Myrtle Avenue, 82nd Street, a line 100 feet northerly of Myrtle Avenue, a line midway between 83rd Street and 84th Street, Myrtle Avenue, and 78th Street;
 14. establishing within an existing R5 District a C1-3 District bounded by:
 - a. 66th Drive and its southwestery centerline prolongation, 75th Street, a line 100 feet northerly of Metropolitan Avenue, 79th Place, Metropolitan Avenue, 78th Street, a line midway between Metropolitan Avenue and 67th Road and its westerly prolongation, an easterly boundary line of Lutheran Cemetery and its northerly prolongation, and Metropolitan Avenue;
 - b. 67th Drive, a line 100 feet easterly of 75th Street, 68th Avenue, and 75th Street; and
 - c. a line 100 feet northerly of Myrtle Avenue, 70th Street, a line 100 feet southeasterly of Cooper Avenue, a line midway between 70th Street and 69th Place, a line perpendicular to the northeasterly street line of 69th Place distant 225 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 69th Place and the southeasterly street line of Cooper Avenue, and 69th place;
 15. establishing within an existing R5 District a C2-3 District bounded by:
 - a. a line 150 feet northerly of Metropolitan Avenue, 70th Street, Metropolitan Avenue, and 69th Street;
 - b. Juniper Valley Road, 80th Street, Metropolitan Avenue, 79th Place, a line 100 feet northerly of Metropolitan Avenue, and a line 100 feet easterly of 79th Place;
 - c. 69th Avenue, 80th Street, Cooper Avenue, 69th Drive, 79th Street, a line 100 feet northerly of 69th Drive, a line 100 feet northwesterly of Cooper Avenue, 69th Road,

and a line 100 feet westerly of 80th Street;

- d. a line 150 feet northerly of Myrtle Avenue, 71st Street, Cooper Avenue, 71st Place, a line 100 feet northerly of Myrtle Avenue, 72nd Street, a line 100 feet southerly of Myrtle Avenue, a line 100 feet southeasterly of Cooper Avenue, and 70th Street; and
 - e. 83rd Avenue, Woodhaven Boulevard, a line midway between 83rd Avenue and Myrtle Avenue, a line 100 feet easterly of Woodhaven Boulevard, Myrtle Avenue, Woodhaven Boulevard, a northerly boundary line of Forest Park and its northeasterly prolongation, 89th Street, Myrtle Avenue, and a line 80 feet westerly of Woodhaven Boulevard;
16. establishing within a proposed R4B District a C1-3 District bounded by:
- a. 64th Road, Dry Harbor Road, and 80th Street; and
 - b. a line 100 feet northerly of Myrtle Avenue, 78th Street, Myrtle Avenue, and 74th Street;
17. establishing within a proposed R4-1 District a C1-3 District bounded by:
- a. a line 100 feet northerly of Metropolitan Avenue, 74th Street, the southwesterly centerline prolongation of 66th Drive, Metropolitan Avenue, and 73rd Place;
 - b. 67th Drive, 75th Street, 68th Avenue, and a line 100 feet westerly of 75th Street; and
 - c. 81st Avenue, a line 100 feet northerly of Myrtle Avenue, 81st Road, and Myrtle Avenue;
18. establishing within a proposed R5B District a C1-3 District bounded by a line 100 feet northerly of Myrtle Avenue, 81st Street, a line 125 feet northerly of Myrtle Avenue, 82nd Street, Myrtle Avenue, and 78th Street;
19. establishing within a proposed R4B District a C2-3 District bounded by Juniper Boulevard South, 69th Place, and 69th Street; and
20. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. a line midway between Metropolitan Avenue and 67th Road, 80th Street, 67th Road, and a line 100 feet westerly of 80th Street;
 - b. Cooper Avenue, a line midway between 71st Place and 72nd Street, a line 100 feet northerly of Myrtle Avenue, and 71st Place; and
 - c. Myrtle Avenue, 89th Street, a line 100 feet southerly of Myrtle Avenue, and 88th Lane;

as shown on a diagram (for illustrative purposes only) dated September 26, 2005, and modified on February 8, 2006, Community District 5, Borough of Queens.

The above resolution (C 060153 ZMQ), duly adopted by the City Planning Commission on February 8, 2006 (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, AICP, Chair

KENNETH J. KNUCKLES, Esq. Vice Chair

ANGELA BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,

CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS,

DOLLY WILLIAMS, Commissioners

Community/Borough Board
Recommendation

CITY PLANNING COMMISSION
22 Reads Street, New York, NY 10007
FAX # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.

2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 060153 2005

DOCKET DESCRIPTION

SEE ATTACHED

COMMUNITY BOARD NO. 5

BOROUGH Queens

BOROUGH BOARD _____

DATE OF PUBLIC HEARING October 27, 2005

LOCATION 63-70 Dry Harbor Road
Middle Village, NY 11379

WAS QUORUM PRESENT? YES NO

(A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN

DATE November 9, 2005

LOCATION 68-02 Metropolitan Avenue
Middle Village, NY 11379

RECOMMENDATION

APPROVE APPROVE WITH MODIFICATIONS/CONDITIONS
 DISAPPROVE DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

Please see the attached Resolution (5 pages).

VOTING

IN FAVOR 36 AGAINST -0- ABSTAINING -0-

TOTAL MEMBERS APPOINTED TO BOARD 48

Mary Giordano - Gary Giordano
COMMUNITY/BOROUGH BOARD OFFICER

November 16, 2005
DATE

District Manager
TITLE



Community Board No. 5

Borough of Queens
Ridgewood, Maspeth, Middle Village and Glendale
61-23 Myrtle Avenue • Glendale, NY 11385
(718) 366-1834
E-mail: qnscb5@nyc.rr.com



Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

Nov. 14, 2005
GG

RESOLUTION / RECOMMENDATION

Re: **ULURP No. 060153 ZMQ & CEQR No. 06DCP021Q**
PROPOSED MIDDLE VILLAGE & GLENDALE REZONING STUDY

The Zoning and Land Use Review Committee of Community Board 5, Queens respectfully reports the following:

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. 13c, 13d, and 14b, related to the Middle Village and Glendale, Queens communities.

WHEREAS, Community Board 5, Queens conducted a Public Hearing regarding this Application on Thursday, October 27, 2005, at 7:30pm, in the Trinity Lutheran Church Parish Hall, which is located at 63-70 Dry Harbor Road in Middle Village, Queens.

At this Public Hearing, Mr. John Young, Director of the Queens Office of the Department of City Planning and Ms. Erika Sellke, Planner for the Department of City Planning, presented the Application.

Mr. Young thanked all the civic activists who greatly helped to accomplish this zoning study, by surveying the housing stock in their community. He explained that these areas of Middle Village and Glendale have not been rezoned in more than 40 years. Mr. Young said that a major goal of this rezoning study is to change area zoning to better match the existing housing stock, especially related to sections having one or two family homes, in this 160 block study.

Ms. Sellke displayed a large map of the area proposed for rezoning, and distributed copies of area maps to community residents. She explained to those present the existing zoning in the study area, and the new zoning proposed. John Young stated that a main goal of this proposed rezoning is to curb residential overdevelopment and multi-family housing in the great majority of the study area. He said that the Department

of City Planning is trying to stabilize the communities in this proposed rezoning, and to keep the character of the neighborhoods.

Walter Sanchez, Chairman of the Zoning and Land Use Review Committee, then opened the floor to questions and comments.

City Council Member Dennis Gallagher stated that he supports the majority of the rezoning proposed in this Application, but he is strongly opposed to the proposed R6B designation along Metropolitan Avenue and the proposed R5 district in the Middle Village area that is south of Metropolitan Avenue. The Councilman said that he believes an R4-1 District would be much more appropriate in these parts of the community. He said that there has been significant overdevelopment in the community which needs to be curtailed. Several community board members echoed Councilman Gallagher's feelings for reduced zoning along Metropolitan Avenue and in South Middle Village.

Katherine Masi, a member of Community Board 5, Queens, stressed that the R4 area in Glendale that is essentially bounded by Cooper Avenue and Metropolitan Avenue on the North; 76 Avenue to the South; Woodhaven Boulevard on the East; and 83 Street to the West should be rezoned to R4-1. She said that the second phase of this rezoning needs to be expedited so that these changes can occur.

John Young, Director of the Queens Office of the Department of City Planning, said that this section of Glendale will be included in a Phase 2 Rezoning Study which will include portions of Middle Village, Glendale and Maspeth. He stated that every effort will be made to complete the survey of areas to be included in the Phase 2 Rezoning by the end of calendar year 2005.

Fred Haller, a Board 5 member, stated that the R5 area that is East of Woodhaven Boulevard and North of Myrtle Avenue should be rezoned to an R4-1 to better match existing homes, and to reduce possibilities for overdevelopment.

Catherine Sumsky, a Board 5 member who lives in South Middle Village, stated that on a recent tour of the Middle Village area that is south of Metropolitan Avenue it was clear that the area that was left as R5 would allow more development than the existing housing stock. She said that she hopes that an amendment to R4-1 in this area can be expedited.

A man from 67th Drive, in South Middle Village, said that there are 2 parcels along 67th Drive where he fears the possibility of overdevelopment, since together they have 150 feet of frontage. He said that one of these parcels has a one-family house and the other lot has a two-family home, and he is unhappy with what could be built on these lots under the existing R5 zoning.

Robert Holden, a Board 5 member, stressed that in numerous instances three-family homes are being built with less than the required number of parking spaces. He

Recommendation RE: ULURP No. 060153 ZMQ

said that this is an example of abuse by developers against zoning and Building Department laws.

Vincent Arcuri, Chairman of Community Board 5, Queens, asked residents to call their City Council representatives and advocate for the passage of Council Intro No. 679, which proposes that a moratorium be placed on much new construction where there is a current rezoning proposed.

In response to questions, John Young, Director of the Queens Office of the Department of City Planning, stated that, between now and the time that proposed rezonings legally take effect, if a builder obtains a permit from the Department of Buildings, they can build according to the current zoning if they have their foundation properly completed prior to the effective date of the rezoning.

Several community leaders at the hearing asked why the Department of City Planning changed a large portion of the proposed zoning in South Middle Village, from the originally proposed R4-1 back to R5, without notifying the Community Board or seeking input prior to certification.

Mr. Young explained that when this section of Middle Village underwent final Department of City Planning Review, the Department estimated that not enough of the homes met the one and two family home criteria for an R4-1 zone, and,

WHEREAS, the Zoning and Land Use Review Committee met on Monday, November 7, 2005, at 7:30pm, regarding this Application. Committee members discussed issues raised at the October 27th Public Hearing, including:

- That the R5 zone proposed by the Department of City Planning in their certified Application for the Rezoning of Middle Village and Glendale, as it relates to the portion of Middle Village south of Metropolitan Avenue and north of the LIRR, should be rezoned R4-1 in its entirety; and
- That the R6B zone proposed by the Department of City Planning for Metropolitan Avenue, from 69 Street to 73 Place, would allow for development that is out-of-character with the surrounding community, and the zoning in this area should be reduced to more appropriate zoning.

Committee members were hopeful that many of the modifications/conditions that they will recommend to the full Board, after tonight's discussions, could be included in an amendment to the current Middle Village and Glendale Rezoning Proposal so that these important zoning changes would not have to wait for the Phase 2 study.

After continued discussion, the members of the Zoning and Land Use Review Committee unanimously voted in favor of approving this Application to Rezone Portions of the Middle Village and Glendale, Queens communities with the following modifications/conditions:

1) That the residential portion of South Middle Village bordered by Metropolitan Avenue on the north; Cooper Avenue, 71 Avenue and 70 Avenue to the south; 80 Street on the east and 73 Place to the west be zoned R4-1, in its entirety. This area was presented by the Department of City Planning as an "All R4-1 Zone" at numerous community meetings and discussions prior to certification.

Much of this South Middle Village area was changed back to an R5 zone by the Department of City Planning, without any discussion with those civic leaders and community board members who had regularly met with representatives of the Queens Office of the Department of City Planning throughout the process prior to certification. The Committee believes that this entire South Middle Village residential area meets the R4-1 standards, and therefore should be rezoned to R4-1.

2) That the north side of Metropolitan Avenue, from 69 Street to 73 Place, be rezoned as follows, to maintain neighborhood character and to prevent overdevelopment:

- For the block between 69 Street and 70 Street, the zoning should be changed to R5B, which is more appropriate;
- For the block between 70 Street and 71 Street, the zoning should be changed to R4-1, which would be more in line with the character of the immediate area;
- For the blocks between 71 Street and 80 Street, the zoning should be changed to R5B, which would be more in line with the character of the immediate area.

3) That the south side of Metropolitan Avenue, from 69 Street to 70 Street, be rezoned R4-1.

4) That the section of Glendale which is east of Woodhaven Boulevard, south of the Jackie Robinson Parkway, north of Myrtle Avenue and west of Forest Park be rezoned R4-1, which better reflects this portion of the community.

5) That for both the east and west sides of 80 Street and 81 Street, from 77 Avenue to 78 Avenue, the zoning be changed to R4A to more accurately be in line with existing housing.

6) That Myrtle Avenue, from 69 Place to 73 Place, be rezoned R5B to reflect the character of that area, and so that future development which is out-of-character with this part of the community is not encouraged.

THEREFORE, BE IT RESOLVED, that Community Board 5, Queens adopts the report of their Zoning and Land Use Review Committee. The foregoing is a copy of a Resolution/Recommendation adopted by the members of Community Board 5, Queens at their meeting of Wednesday, November, 9, 2005. 36 in favor, 0 opposed, 0 abstaining and 0 not voting.

A copy of this Resolution shall be sent to: the NY City Planning Commission, the Department of City Planning; to the Hon. Helen Marshall, Queens Borough President; and to the Hon. Dennis Gallagher, Council Member.

Queens Borough President Recommendation

APPLICATION: ULURP # 060153 ZMQ

COMMUNITY BOARD: Q05

DOCKET DESCRIPTION

IN THE MATTER of an application submitted by the Department of City Planning, pursuant to Sections 197-c and 201 of the NYC Charter, for an amendment of the zoning map to rezone approximately one-hundred sixty-one (161) blocks generally bounded by Juniper Boulevard South, Dry Harbor Road, the Long Island Railroad tracks, Margaret Place, Myrtle Avenue and 69th Place, and an area bounded by Otto Road and 70th Avenue, Zoning Maps 13c, 13d, and 14b, Middle Village and Glendale, Borough of Queens.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on November 17, 2005 at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were two (2) speakers in favor and one (1) speaker opposed to the application. The hearing was closed.

CONSIDERATION

Subsequent to review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- o The Department of City Planning (DCP) proposes to contextually rezone one hundred sixty-one (161) blocks in Middle Village and Glendale. The purpose of the rezoning is to preserve the established low-density character of the area and ensure that future residential development will reinforce the existing patterns of one- and two-family, detached, semi-detached and attached housing areas and that multi-family residential development will occur in areas that can most support it;
- o The existing land uses in the rezoning area are predominantly residential. Approximately eighty percent (80%) of the lots within the area are developed with one- and two-family residential uses. Approximately ten percent (10%) of the lots in the rezoning area are developed with multi-family residential buildings. Commercial and mixed-use buildings are located along Metropolitan and Myrtle avenues. (4%) Light industrial and transportation uses are found along the Long Island Railroad tracks and Cooper Avenue. (1.5%) Vacant land and parking lots constitute about three percent (3%) of the lots throughout the area;
- o The rezoning area is divided into the following sub-areas:
 - R3-2 → R4-1: A portion of one (1) block (14 lots) on the south side of Myrtle Avenue from 88th Place west to Forest Park. Attached houses and multi-family dwellings currently allowed under the R3-2 zoning would no longer be permitted;
 - R4 → R3X: Portions of five (5) blocks generally described as follows: the lots front Penelope Avenue from 73rd Street to 75th Place; and the lots front 74th Street from Pleasantview Street to Juniper Valley Road. Residential development would be limited to one- and two-family detached houses, as compared with the existing R4 designation which permits all residence types;
 - R4 → R4-1: A portion of six (6) blocks generally bounded as follows: from Penelope Avenue south to Juniper Valley Road and 71st Street east to Pleasantview Street; and north of Juniper Valley Road between 78th Street and Dry Harbor Road. Residential development would be limited to one- and two-family detached and semi-attached houses as compared with the existing R4 designation;
 - R4 → R4A: Portions of four (4) blocks generally bounded as follows: from Penelope Avenue south to Juniper Valley Road and 75th Place east to 77th Street; and from Penelope Avenue south to Juniper Valley Road and 78th Street east to 70th Place. Residential development would be limited to one- and two-family detached houses as compared with the existing R4 designation;
 - R4 → R4B: Thirty Seven (37) blocks, whole or in part and generally bounded by Juniper Boulevard South, south to Juniper Valley Road and 69th Street east to Dry Harbor Road. Residential development would be limited to one- and two-family detached, semi-attached, and attached houses as compared with the existing R4 district;

Continued...

R5 → R4-1: A portion of one hundred six (106) blocks generally bounded as follows: from Juniper Valley Road south to 66th Drive, and 69th Street east to 68th Street; the lots fronting 79th Place from Juniper Valley Road to Metropolitan Avenue; blocks fronting 75th Street and 67th Drive south of Metropolitan Avenue and north of Cooper Avenue; from Otto Road south to 79th Avenue; and from the Long Island Railroad tracks south to Myrtle Avenue and 69th Place east to Woodhaven Boulevard. Residential development would be limited to one- and two-family detached and semi-attached houses as compared with the existing R5 designation which permits all residence types;

R5 → R4A: Portions of sixteen (16) blocks, generally bounded as follows: from Juniper Valley Road south to Metropolitan Avenue and 78th Street east to 79th Place; from Central Avenue south to Myrtle Avenue and 69th Place east to 71st Place; and from 78th Avenue south to the Jackie Robinson Parkway and from 88th Street east to Margaret Place. Residential development would be limited to one- and two-family detached houses as compared with the existing R5 designation which permits all residence types;

R5 → R4B: Eleven (11) blocks whole or in part and generally bounded as follows: from 78th Avenue south to Myrtle Avenue and 74th Street east to 78th Street, from the Long Island Railroad tracks south to 78th Avenue and from 81st Street east to 88th Street. Residential development would be limited to one- and two-family detached, semi-attached, and attached houses as compared with the existing R5 designation. Multi family dwellings currently allowed under the R5 would no longer be permitted;

R5 → R5B: Parts of eight (8) blocks, the lots fronting Myrtle Avenue from 78th Street east to 84th Street. Like the existing R5 designation, all residence types are permitted. The maximum allowable FAR would be 1.35 higher than the maximum of 1.25 permitted in R5 districts;

R5 → R6B: Parts of four (4) blocks, the lots fronting Metropolitan Avenue from 69th Street east to 73rd Place. In R6B districts, like the existing R5 designation, all residence types are permitted. However, the Quality Housing Program is mandatory.

Commercial Overlays: DCP proposes the following changes to the Commercial overlays in the area which would reflect existing commercial development, and ensure that future development is in keeping with its surrounding or adjacent neighborhood context. Commercial overlays proposed to be removed is the existing C2-2 commercial overlay along south-facing block front on Myrtle Avenue between Forest Park and Woodhaven Boulevard, except for 100' on the west end of the block. In many cases the existing commercial overlays were mapped to the depth of 150 ft. The proposed rezoning would reduce the depth of commercial overlays from 150 ft to 100 ft where appropriate. The rezoning would change the existing C1-2 commercial overlays to C1-3 commercial overlays and the existing C2-2 commercial overlays to C2-3 commercial overlays to increase the amount of floor area per commercial unit that requires one parking space, which will allow future development to more closely follow existing commercial development within these zones:

- o This rezoning study was initiated by DCP following community concerns that recent residential development was inconsistent with the established scale and character of the neighborhoods. The Queens Office of the Department of City Planning has worked closely with neighborhood residents, Community Board 5, the Queens Borough President's Zoning Task Force and local elective officials and civic associations on the Middle Village and Glendale Rezoning Study. The proposed rezoning would not have been possible without the diligence and hard work of the Department of City Planning;
- o Community Board 5 approved this application with conditions by a vote of thirty-six (36) in favor with none (0) against and none (0) abstaining at a public hearing held on November 9, 2005. The CB 5's conditions of approval were as follows: the residential portion of South Middle Village bordered by Metropolitan Avenue on the north, Cooper Avenue, 71st Avenue and 70th Avenue to the south, 80th Street on the east and 73rd Place to the west be zoned R4-1 in its entirety; the north side of Metropolitan Avenue between 69th Street and 70th Street should be zoned R5B; the north side of Metropolitan Avenue for the block between 70th Street and 71st Street should be changed to R4-1; the north side of Metropolitan Avenue, blocks between 71st Street and 80th Street should be changed to R5B; the south side of Metropolitan Avenue, from 89th Street to 70th Street be rezoned R4-1; the section of Glendale which is east of Woodhaven Boulevard, south of the Jackie Robinson Parkway, north of Myrtle Avenue and west of Forest Park be rezoned R4-1; both the east and west sides of 80th Street and 81st Street from 77th Avenue to 78th Avenue be zoned R4A; Myrtle Avenue, from 69th Place to 73rd Place be zoned R5B;
- o John Young, the Director of the Department of City Planning Queens Office, responded to the conditions of CB5 at the Queens Borough President's Land Use Public Hearing that DCP would include the areas of concern in the Phase II study and would work with the community throughout the process.

QUEENS BOROUGH PRESIDENT RECOMMENDATION

ULURP # 060153 ZMQ

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RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application with the following condition:

- DCP should reevaluate the proposed R5 area defined by Cooper Avenue to the south, 76th Street, 69th Road, 79th Street and a mid-block line between 68th Road and 69th Avenue and Dry Harbor Road to the east, to better match the existing housing types and character of the neighborhood in the Phase II of the Middle Village and Glendale Rezoning study.


PRESIDENT, BOROUGH OF QUEENS


DATE