



## **CITY PLANNING COMMISSION**

---

September 28, 2005 / Calendar No. 11

C 050190 ZMQ

---

**IN THE MATTER OF** an application submitted by Rose Connection pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10b, establishing within an existing R3-2 District a C2-3 District bounded by the southerly service road of Horace Harding Expressway, a line 100 feet westerly of the southerly prolongation of the westerly street line of Lawrence Street, and a northerly boundary line of Mt. Hebron Cemetery and its westerly prolongation. Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated May 23, 2005.

---

The application for amendment of the zoning map was filed by Rose Connection on November 24, 2004, to establish within an existing R3-2 zoning district, a C2-3 district on properties located on the south side of the Horace Harding Expressway, between 134<sup>th</sup> Street and College Point Boulevard in Queens, Community District 7.

### **BACKGROUND**

The applicant, Rose Connection, is proposing to establish within an existing R3-2 zoning district, a C2-3 district on properties located on the south side of Horace Harding Expressway between 134<sup>th</sup> Street and College Point Boulevard in Queens, Community District 7. The C2-3 overlay would be mapped at an irregular depth over the lots fronting on the Horace Harding Expressway and abutting Mt. Hebron Cemetery, and would bring the applicant's existing florist shop business into conformance. The proposal would also bring into conformance a monument store adjacent to the florist shop.

---

Board of Standards and Appeals variances were issued for the florist shop (199-97BZ, granted in 1998) and for the monument store (111-75BZ, granted in 1975) to allow both uses. Neither the applicant nor the monument store owner plans any significant changes to their property if the C2-3 overlay is approved.

The area proposed for rezoning consists of four lots, two of which are owned by the applicant. The applicant's property --- Block 6451, Lots 12 and 16 --- consists of a single story building. Adjacent properties on this block affected by the rezoning include a monument shop (Lot 18) and vacant land (Lot 1).

The surrounding neighborhood is zoned R3-2 and R4, and is generally developed with two- and three-story residential uses. There are no other commercial uses in the immediate vicinity. Both of the existing uses primarily serve visitors and clients of Mt. Hebron Cemetery, which abuts the rezoning area on its south side.

Commercial, residential, and community facilities uses are permitted in C2 districts, which are intended to provide for a wide range of essential local services not involving regular local shopping. The maximum FAR of 1.0 is allowed when C2 overlays are mapped in R3 districts.

## **ENVIRONMENTAL REVIEW**

This application (C 050190 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05DCP045Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on May 23, 2005.

### **UNIFORM LAND USE REVIEW**

This application (C 050190 ZMQ) was certified as complete by the Department of City Planning on May 23, 2005, and was duly referred to Community Board 7 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 7 held a public hearing on this application on June 27, 2005, and on that date, by a vote of 27 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on July 26, 2001.

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

On August 10, 2005 (Calendar No. 5), the City Planning Commission scheduled August 24, 2005 for a public hearing on this application (C 050190 ZMQ). The hearing was duly held on August 24, 2005 (Calendar No. 23). There was one speaker in favor of the application and no speakers in opposition.

The applicant's representative spoke in favor and described the proposed action and stated that it would facilitate the continuation of her client's florist shop business.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

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

This application proposes the mapping of a C2-3 commercial overlay, onto two non-conforming commercially developed properties and one vacant lot currently zoned R3-2. These properties are located on Horace Harding Expressway on an isolated block which is characterized by a mix of commercial and residential uses. The proposed rezoning would increase conformance within the rezoning area and allow for the continuation of the existing land use pattern along this major thoroughfare.

The proposed C2-3 overlay is appropriate for the area because it would be mapped over existing commercial uses that serve the needs of visitors and clients of Mt. Hebron

Cemetery. Furthermore, residential development on these lots is unlikely due to their small size and irregular shape.

## **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, establishing within an existing R3-2 District a C2-3 District bounded by the southerly service road of Horace Harding Expressway, a line 100 feet westerly of the southerly prolongation of the westerly street line of Lawrence Street, and a northerly boundary line of Mt. Hebron Cemetery and its westerly prolongation, Community District 7, Borough of Queens, as shown on a diagram (for illustrative purposes only) dated May 23, 2005.

The above resolution (C 050190 ZMQ), duly adopted by the City Planning Commission on September 28, 2005 (Calendar No. 11), 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**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,**  
**RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI,**  
**JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**