



## CITY PLANNING COMMISSION

---

July 11, 2005/Calendar No. 1

C 050277 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. 10c and 10d:**

1. **eliminating from an existing R4 District a C1-2 District bounded by** a line 100 feet southwesterly of Northern Boulevard, 159<sup>th</sup> Street, a line 150 feet southwesterly of Northern Boulevard, and a line 60 feet westerly of 157<sup>th</sup> Street;
2. **eliminating from an existing R4 District a C2-2 District bounded by:**
  - a. a line 150 feet northerly of 46<sup>th</sup> Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, and 160<sup>th</sup> Street;
  - b. a line 150 feet northerly of 46<sup>th</sup> Avenue, 163<sup>rd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, and a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street; and
  - c. a line 150 feet southerly of 46<sup>th</sup> Avenue, Pidgeon Meadow Road, a line 100 feet southerly of 46<sup>th</sup> Avenue, and 160<sup>th</sup> Street;
3. **changing from an R2 District to an R1-2 District property bounded by** a line 100 feet northerly of 35<sup>th</sup> Avenue, a line midway between 167<sup>th</sup> Street and 168<sup>th</sup> Street, Crocheron Avenue, 164<sup>th</sup> Street, a line 100 feet northerly of Crocheron Avenue, a line 100 feet northeasterly of Northern Boulevard, 158<sup>th</sup> Street, Northern Boulevard, 157<sup>th</sup> Street, a line 150 feet northeasterly of Northern Boulevard, 156<sup>th</sup> Street, a line 100 feet southerly of 35<sup>th</sup> Avenue, and a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street;
4. **changing from an R4 District to an R2 District property bounded by** 45<sup>th</sup> Avenue, 166<sup>th</sup> Street, 46<sup>th</sup> Avenue, and a line 100 feet westerly of 166<sup>th</sup> Street;
5. **changing from an R3-2 District to an R4-1 District property bounded by** 38<sup>th</sup> Avenue, 150<sup>th</sup> Street, a line 150 feet southerly of Northern Boulevard, Murray Street, the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, a line 150 feet northeasterly of 150<sup>th</sup> Street, Roosevelt Avenue, and 149<sup>th</sup> Place;
6. **changing from an R4 District to an R4-1 District property bounded by:**

- a. 43<sup>rd</sup> Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, 160<sup>th</sup> Street, a line 100 feet southerly of 45<sup>th</sup> Avenue, and 156<sup>th</sup> Street;
  - b. a line 100 feet southerly of Sanford Avenue, 166<sup>th</sup> Street, 45<sup>th</sup> Avenue, a line 100 feet easterly of 166<sup>th</sup> Street, 46<sup>th</sup> Avenue, and a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street; and
  - c. a line 100 feet southerly of 46<sup>th</sup> Avenue, 162<sup>nd</sup> Street, a line 100 feet southwesterly of 46<sup>th</sup> Avenue, Pidgeon Meadow Road, Laburnum Avenue, and 160<sup>th</sup> Street;
- 7. changing from an R3-2 District to an R4A District property bounded by:**
- a. a line midway between Northern Boulevard and Roosevelt Avenue, 154<sup>th</sup> Street, Roosevelt Avenue, a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street, the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, and Murray Street; and
  - b. Barclay Avenue, 156<sup>th</sup> Street, Sanford Avenue, and a line 260 feet westerly of 156<sup>th</sup> Street;
- 8. changing from an R4 District to an R4A District property bounded by:**
- a. the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, a line 100 feet westerly of 162<sup>nd</sup> Street, Station Road, 161<sup>st</sup> Street, a line 100 feet northerly of Sanford Avenue, and 156<sup>th</sup> Street and its northerly centerline prolongation; and
  - b. a line 100 feet southerly of Sanford Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, 43<sup>rd</sup> Avenue, and 156<sup>th</sup> Street;
- 9. changing from an R3-2 District to an R5 District property bounded by** Roosevelt Avenue, a line 150 feet northeasterly of 150<sup>th</sup> Street, Barclay Avenue, a line 260 feet westerly of 156<sup>th</sup> Street, Sanford Avenue, and 149<sup>th</sup> Place;
- 10. changing from an M1-1 District to an R5 District property bounded by** the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, 156<sup>th</sup> Street and its northerly centerline prolongation, Barclay Avenue, and a line 150 feet northeasterly of 150<sup>th</sup> Street;

11. **changing from an R4 District to an R5B District property bounded by the** centerline of the Long Island Rail Road (Northside Division) Right-Of Way, Northern Boulevard, 166<sup>th</sup> Street, a line 100 feet southerly of Sanford Avenue, a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street, Pidgeon Meadow Road, a line 100 feet southwesterly of 46<sup>th</sup> Avenue, 162<sup>nd</sup> Street, a line 100 feet southerly of 46<sup>th</sup> Avenue, 160<sup>th</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, a line 100 feet southerly of Sanford Avenue, 161<sup>st</sup> Street, Station Road, and a line 100 feet westerly of 162<sup>nd</sup> Street;
  
12. **changing from an R2 District to an R6B District property bounded by:**
  - a. a line 150 feet northeasterly of Northern Boulevard, 157<sup>th</sup> Street, Northern Boulevard, and 155<sup>th</sup> Street;
  
  - b. a line 150 feet southwesterly of Northern Boulevard, a line 60 feet westerly of 157<sup>th</sup> Street, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, and 156<sup>th</sup> Street and its southerly and northerly centerline prolongations;
  
  - c. a line 100 feet northerly of Depot Road, a line 200 feet easterly of 159<sup>th</sup> Street and its southerly prolongation, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, and 159<sup>th</sup> Street and its southerly centerline prolongation; and
  
  - d. a line 100 feet northerly of Crocheron Avenue, 164<sup>th</sup> Street, Crocheron Avenue, and 163<sup>rd</sup> Street;
  
13. **changing from an R3-2 District to an R6B District property bounded by** a line 150 feet northeasterly of Northern Boulevard, 155<sup>th</sup> Street, Northern Boulevard, a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street, Roosevelt Avenue, 154<sup>th</sup> Street, a line midway between Northern Boulevard and Roosevelt Avenue, Murray Street, a line 150 feet southerly of Northern Boulevard, and 150<sup>th</sup> Place;
  
14. **changing from an R4 District to an R6B District property bounded by:**
  - a. a line 100 feet northeasterly of Northern Boulevard, a line 100 feet northerly of Crocheron Avenue, 163<sup>rd</sup> Street, Crocheron Avenue, 165<sup>th</sup> Street, Northern Boulevard, the centerline of the Long Island Rail Road (Northside Division) Right-Of-Way, a line 200 feet easterly of 159<sup>th</sup> Street, a line 100 feet northerly of Depot Road, 159<sup>th</sup> Street, a line 100 feet southwesterly of Northern Boulevard, a line 60 feet westerly of

157<sup>th</sup> Street, a line 150 feet southwesterly of Northern Boulevard, the northerly centerline prolongation of 156<sup>th</sup> Street, Northern Boulevard, and 158<sup>th</sup> Street; and

- b. a line 100 feet northerly of Sanford Avenue, 161<sup>st</sup> Street, a line 100 feet southerly of Sanford Avenue, and 156<sup>th</sup> Street;
- 15. **changing from an R5 District to an R6B District property bounded by** Northern Boulevard, the northerly centerline prolongation of 156<sup>th</sup> Street, 41<sup>st</sup> Avenue, a line 100 feet easterly of 155<sup>th</sup> Street, Roosevelt Avenue, and a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street;
- 16. **establishing within a proposed R5 District a C1-2 District bounded by the** southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, Murray Street, Barclay Avenue, and a line 150 feet northeasterly of 150<sup>th</sup> Street;
- 17. **establishing within a proposed R6B District a C1-2 District bounded by** a line 100 feet northerly of Depot Road, a line 200 feet easterly of 159<sup>th</sup> Street, Depot Road, and 159<sup>th</sup> Street; and
- 18. **establishing within an existing and proposed R5 District a C2-2 District bounded by** the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, 156<sup>th</sup> Street and its northerly centerline prolongation, Barclay Avenue, and Murray Street;

Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes) dated January 31, 2005, and subject to the conditions of CEQR Declaration E-144.

---

The application for an amendment of the Zoning Map was filed by the Department of City Planning on January 25, 2005, to rezone all or portions of 103 blocks in East Flushing, Community District 7. The proposed rezoning will protect area side streets from out-of-character development and reinforce existing contexts and development patterns.

## **BACKGROUND**

The Department of City Planning proposes to rezone all or portions of 103 blocks in Flushing, Community District 7, Queens. The zoning map amendment will affect an area generally bounded by Northern Boulevard and 35th Avenue on the north, 166<sup>th</sup> and 167<sup>th</sup> streets on the east, portions of Laburnum, 45<sup>th</sup>, 46<sup>th</sup>, and Sanford avenues on the south, and portions of 160<sup>th</sup> Street, 156<sup>th</sup> Street, and 149<sup>th</sup> Place on the west.

The rezoning was initiated in response to concerns raised by the East Flushing Civic Association, the Off-Broadway Homeowners' Association, Community Board 7, and the Borough President's Zoning Task Force about the ability of the area's current zoning, in place since 1961, to accurately reflect existing built form and appropriately guide future development to be compatible with established neighborhood contexts. Recently, a number of new developments have been completed that are out-of-character with surrounding development patterns.

### ***Existing Context and Zoning***

The East Flushing neighborhood is located one mile east of Downtown Flushing. Settled primarily from 1890 to 1920, after the construction of the Long Island Rail Road's Murray Hill station, the area is characterized by two- and two-and-one-half-story residences, mostly one and two-family homes, with a corridor of four- and five-story apartment buildings along Sanford Avenue. The area was almost entirely developed before World War II, with current development replacing the older housing stock. The Broadway and Murray Hill stations of the Long Island Rail Road's Port Washington Line are

located just off Northern Boulevard at the eastern and western ends of the rezoning area, respectively.

An R4 district encompasses the bulk of the rezoning area, located primarily in the portion between 156th and 166th streets, as well as a large portion of the Northern Boulevard corridor. The R4 zone is a general residential district that allows a variety of housing types, including detached, semi-detached or attached one-, two- or multi-family buildings. The R4 district has a maximum floor area ratio (FAR) of 0.75, with a 0.15 FAR attic allowance, and the maximum building height is 35 feet. Minimum lot width and lot area requirements depending upon the housing type. Detached structures require at least a 40-foot lot width and 3,800 square feet of lot area. Attached and semi-detached structures require lots that are at least 18 feet wide, with 1,700 square feet of lot area.

R5 and R3-2 districts occupy the western section of the rezoning area between 149th Place and 156th Street. These two zones are also general residence districts, and like the R4 zone, they allow a variety of housing types. The R5 district has a maximum FAR of 1.25, and the R3-2 district allows a maximum 0.5 FAR, with a 0.1 FAR attic allowance. The maximum building height is 40 feet in the R5 district and 35 feet in the R3-2 district. Minimum lot area and lot width requirements are the same as in the R4 district.

R2 districts are located just south and north of Northern Boulevard, and they generally extend from 156<sup>th</sup> Street to 167<sup>th</sup> Street for the tier of blocks above Northern Boulevard. The R2 district limits new development to detached, single-family residences, with maximum FAR of 0.5. The maximum building

height is determined by a sky exposure plane that has a minimum height of 25 feet and rises one foot in height for each additional foot the sky exposure plane is distant from the front yard line. The minimum required lot width is 40 feet, and the minimum required lot area is 3,800 square feet.

Commercial uses are primarily located within the C1-2 and C2-2 commercial overlays along Northern Boulevard and 162nd Street/46th Avenue. Northern Boulevard is developed with one- and two-story commercial buildings containing a mix of national chain and local stores, eating and drinking establishments and automobile-oriented businesses, as well as several four- to six-story apartment buildings. 162nd Street and 46th Avenue primarily feature local retail stores and some service related businesses. There are also commercial overlays on blocks surrounding the Murray Hill Station developed with neighborhood retail and restaurants.

A small area is zoned M1-1, a light manufacturing district. It is located between Barclay Avenue and the LIRR tracks and extends for a little more than one block from the west side of Murray Street to 156<sup>th</sup> Street. This zone is out of character with development trends in the study area as a whole, and it contains few remaining light industrial uses. It allows commercial and light manufacturing uses with a maximum FAR of 1.0.

### ***Proposed Zoning***

The goals and objectives of the rezoning proposal as certified are to protect side streets from out-of-character multi-family residential development; reinforce existing building patterns; and support

in-character residential and mixed-use development along primary corridors. Proposed changes to the area's commercial overlay zones would better reflect existing land use patterns.

In order to reflect the predominant one- and two-family character along most of the area's side streets several zoning changes are proposed. An R4-1 district is proposed to replace R4 and R3-2 zoning for all or portions of 30 blocks located in four discrete sections of the rezoning area. These areas are located south of 46<sup>th</sup> Avenue, east and west of 162<sup>nd</sup> Street and west of Murray Street above the LIRR viaduct. These areas have similar residential development patterns, and the proposed R4-1 zone would limit development to detached and semi-detached, one- and two-family residences. As a majority of the housing within these areas consists of one- or two-family detached or semi-detached residences, the R4-1 would more closely match existing development patterns than the current R4 and R3-2 zones, which allow all types of residences. The R4-1 district has a maximum FAR of 0.75, with a 0.15 FAR attic allowance. It has a minimum lot width of 25 feet for detached buildings and 18 feet for semi-detached ones, and the minimum lot area is 2,375 square feet for detached houses and 1,700 square feet for semi-detached buildings. The maximum building height is 35 feet.

An R4A district is proposed to replace R4 and R3-2 zoning in three sections of the rezoning area. Two sections are located just north and south of Sanford Avenue from just west of 156<sup>th</sup> Street to just east of 161<sup>st</sup> Street and encompass all or portions of 13 blocks. The third section is located just east of Murray Street above the LIRR viaduct, and it includes one full block and portions of three other blocks. These areas are generally developed with detached housing, mostly occupied by one or two families.



The proposed R4A zone would more closely match the built form and character of these areas. It only allows for detached, one- and two-family residences unlike, the existing R3-2 and R4 zones that allow for all residence types. The R4A designation has a maximum FAR of 0.75, with a 0.15 FAR attic allowance. It has a minimum required lot width of 30 feet, and the minimum required lot area is 2,375 square feet. The maximum building height is 35 feet.

In order to reinforce existing building patterns several zoning changes are proposed. An R1-2 district is proposed to replace R2 zoning on all or portions of 17 blocks located north of Northern Boulevard, generally extending from 156th Street on the west to 167th Street on the east. A majority of residences on these blocks occupy lots that are at least 60 feet wide, and the proposed R1-2 district would more closely reflect this development pattern. The R1-2 district has the same maximum 0.5 FAR as R2 zoning, but it has a larger lot width and area requirements. The R2 district requires a minimum 40-foot lot width and 3,800 square feet of lot area, while the R1-2 zone requires a minimum 60-foot lot width and 5,700 square feet of lot area.

For the R2 zone located on portions of four blocks south of Northern Boulevard, from 156<sup>th</sup> Street on the west to east of 159<sup>th</sup> Street, the proposed rezoning would set the western boundary of the R2 district at a depth of 60 feet west of 157<sup>th</sup> Street, the northern boundary at a distance of 100 feet south of Northern Boulevard and the eastern boundary at 159<sup>th</sup> Street in order to more closely reflect the lots in this area that are developed with detached residences.

An existing R2 zone located immediately east of 166<sup>th</sup> Street is proposed to be extended to the blockfront on the west side of 166<sup>th</sup> Street between 45<sup>th</sup> and 46<sup>th</sup> avenues. This blockfront is developed almost entirely with single-family detached homes. The R2 district would replace R4 zoning and more closely match the existing single-family detached residential character. The maximum FAR would be reduced to 0.5, but the requirements for lot area and lot width in the R2 district are the same for detached houses in the R4 zone, at 3,800 square feet and 40 feet, respectively.

An R5 district is proposed to replace R3-2 and M1-1 zoning on all or portions of nine blocks generally located south of Roosevelt Avenue and LIRR viaduct, north of Sanford Avenue, and east of 149<sup>th</sup> Place. This area is primarily residential, with ground floor neighborhood retail and restaurants located in commercial overlays on blocks surrounding the Murray Hill LIRR station and only non-residential uses on the portions of two blocks with M1-1 zoning on the north side of Barclay Avenue. The proposed R5 district would extend from an existing R5 district west of 149<sup>th</sup> Place to an existing R5 district at 155<sup>th</sup> Street and 41<sup>st</sup> Avenue. It would more closely match existing development patterns and support more compatible uses in the buildings within the former light manufacturing zone. The R5 district allows a range of housing types, including detached, semi-detached and attached buildings with a maximum floor area ratio of 1.25. The minimum lot area and lot width requirements are the same as for the R3-2 zone. The maximum building height is 40 feet.

An R5B district is proposed to replace R4 zoning on three whole blocks and twelve blockfronts located from Northern Boulevard to 46<sup>th</sup> Avenue generally along the 162<sup>nd</sup> Street corridor. This area is a

primarily a mixed-use corridor with ground level stores and service businesses and residential units located throughout the area, many located above stores. The proposed R5B zone would more closely reflect the predominate development patterns in the area of two- to three-story semi-attached and attached buildings, including several recent developments. The proposed R5B district allows detached, semi-detached and attached buildings, with a maximum FAR of 1.35. This level of development is equivalent to that allowed by R4 infill provisions, which are available where attached residences, multi-family buildings or commercial uses predominate on facing blockfronts. The maximum building height is 33 feet in the R5B district.

In order to support in-character residential and mixed-use development along primary corridors, an R6B district is proposed to replace R2, R3-2, R4 and R5 zones on five whole blocks and 28 blockfronts located along Northern Boulevard and Crocheron Avenue from 150<sup>th</sup> Place to 165<sup>th</sup> Street and the portion of Sanford Avenue from 156<sup>th</sup> to 161<sup>st</sup> streets. As described previously, Northern Boulevard is developed with one- and two-story commercial buildings containing a mix of national chain and local stores, eating and drinking establishments and automobile-oriented businesses, as well as several four- to six-story apartment buildings. The portion of Sanford Avenue between 156<sup>th</sup> 161<sup>st</sup> streets contains numerous four- and five-story pre-war apartment buildings. The R6B zoning district allows multi-family housing pursuant to the Quality Housing program with a maximum FAR of 2.0, a maximum streetwall height of 40 feet and building height limit of 50 feet. This district would complement existing residential buildings on Northern Boulevard and Sanford Avenue.

Commercial overlay districts, which allow retail, service and other commercial uses, are proposed to be

modified in several portions of the rezoning area. The C1-2 commercial overlay that runs along Northern Boulevard, is proposed to be extended to down the east side of 159<sup>th</sup> Street to match accessory parking use of for the adjacent Flushing Savings Bank. Conversely, the depths of commercial overlays are proposed to be adjusted from 150 feet to 100 feet to match the depth of commercial development on the south side of Northern Boulevard between 157<sup>th</sup> and 159<sup>th</sup> streets, thereby, preventing incursion of commercial uses into the residential area. Similar depth reductions are proposed for the blockfronts along 46<sup>th</sup> Avenue between 160<sup>th</sup> Street and Pigeon Meadow Road. Finally, new C1-2 and C2-2 overlays are proposed in conjunction with the R5 district that is proposed to replace M1-1 zoning along the north side of Barclay Avenue.

## **ENVIRONMENTAL REVIEW**

This application (C 050277 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 05DCP052Q. 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 January 31, 2005, which includes an (E) designation for hazardous materials on:

Block 5264, Lots 1 and 29  
Block 5265, Lot 1  
Block 5266, Lot 1

Block 5326, Lots 70 and 72  
Block 5395, Lot 22;

for air quality on:

Block 5263, Lot 30  
Block 5264, Lots 1 and 29  
Block 5265, Lot 1  
Block 5326, Lots 70 and 72  
Block 5333, Lot 8  
Block 5395, Lot 22;

for noise on:

Block 5326, Lots 70 and 72

## **UNIFORM LAND USE REVIEW**

This application (C 050277 ZMQ) was certified as complete by the Department of City Planning on January 31, 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 April 11, 2005, and on that date, by a vote of 42 to 0 with 0 abstentions, adopted a resolution recommending approval of the application, with the following application with conditions:

- \$ Include N/W corner of 45<sup>th</sup> Avenue and 166<sup>th</sup> Street to 100' in depth to proposed R2 zoning district.
- \$ Reduce the C2-2 commercial overlay and R5B zone located on the N/W corner of Northern Blvd. And 157<sup>th</sup> Street from 150' to 100' in order to reflect the existing single family usage

(zone R1-2). Extend R1-2 district 50'.

\$ Change proposed R6B zone to R5B zone as proposed by Department of City Planning.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation on May 23, 2005, approving the application with the following conditions:

\$ The proposed R6B district on Northern Boulevard and Sanford Avenue should be changed to R5B. The R5B better reflects the existing built character of the area and would result in less potential development.

\$ The proposed R5B district with the C2-2 overlay on the northwest corner of Northern Boulevard and 157<sup>th</sup> Street should be reduced from 150' to 100' and extend proposed R1-2 to this area to reflect the existing single-family detached residential uses.

\$ The proposed R2 district located along 166<sup>th</sup> Street between 45<sup>th</sup> and 46<sup>th</sup> avenues should be extended 100' to the northwest corner of 45<sup>th</sup> Avenue and 166<sup>th</sup> Street to include existing detached single-family houses.

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

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

On May 11, 2005 (Calendar No. 4), the City Planning Commission scheduled May 25, 2005, for a

public hearing on this application (C 050277 ZMQ). The hearing was duly held on May 25, 2005 (Calendar No. 35). There were eight speakers in favor of the application, and three speakers in opposition.

Representatives from the Off-Broadway Homeowners Association, the Broadway-Flushing Homeowners Association and private homeowners spoke in favor of the application with the exception of the proposed R6B along Northern Boulevard and Sanford Avenue. Both groups expressed concern that the proposed R6B district would allow too many potential developments and not enough parking to support these new developments.

Three private homeowners from the area spoke in opposition to the rezoning. One of them felt that the rezoning of the area should not occur because the rezoning was not clearly justified. Another felt that the R6B proposed for Northern Boulevard was too much of a high-density zone to be proposed for the community. The last speaker did not want any change to the area to occur.

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

## **CONSIDERATION**

The Commission believes that the application for amendment of the Zoning Map, as modified herein, is appropriate.

The Commission notes that the properties in the rezoning area are characterized predominantly by two- and two-and-one-half-story residences, mostly containing one or two families, with the exception of several apartment buildings (generally four and five stories) along Sanford Avenue and Northern Boulevard. The Commission also notes that the existing zoning designations of R5, R4, R3-2, R2 and M1-1, which date to 1961, do not closely reflect development patterns in the East Flushing community and in many instances, are allowing out-of-character new developments. The Commission believes that comprehensively updating the area's zoning designations is required to protect the established character and quality of life in the neighborhood and ensure that new development is consistent with the scale of surrounding buildings.

The Commission believes that replacing the R2 district on the tier of blocks north of Northern Boulevard between 156<sup>th</sup> and 167<sup>th</sup> street with an R1-2 district will more accurately reflect the larger lot sizes in this area and prevent the replacement of existing structures with two dwellings through lot subdivisions. The Commission also believes the other changes to consolidate the boundaries of the R2 district south of Northern Boulevard and to extend R2 zoning to the west side of 166<sup>th</sup> Street south of 45<sup>th</sup> Avenue are consistent with the character of development in these areas.

The Commission believes that the proposed extension of an R5 district to replace R3-2 and M1-1 zoning and the related changes to commercial overlays will more closely match the patterns of current land use and development types in the area south of Roosevelt Avenue and west of 155<sup>th</sup> and 156<sup>th</sup> streets.



The Commission believes that the proposed R4-1 and R4A districts would generally ensure that future residential development would be consistent with the prevailing one- and two-family development patterns and prevent out-of-character multiple-family or attached developments. The Commission carefully considered the testimony at its public hearing that certain of the proposed R4A blocks have a less consistent one- and two-family detached development pattern, and consequently is modifying the application in the area south of Station Road and north of Sanford Avenue between 156<sup>th</sup> Street and 161<sup>st</sup> Street to remove this area from the rezoning and retain the existing R4 zoning. The Commission believes this modification is appropriate given the existing mix of residential development on these blocks.

The Commission notes that since the R4A district will be retained on the easterly portion of the block bounded by Barclay Avenue on the north, 156<sup>th</sup> Street on the east, Sanford Avenue on the south and Murray Street on the west, that the remainder of this block, which contains a primary school, should have a consistent zoning treatment, and the Commission is modifying the application to replace the proposed R5 district with R4A on the westerly portion of this block.

In response to the concerns of Community Board 7 and the Borough President regarding the proposed R6B district on portions of Northern Boulevard and Sanford Avenue, the Commission is modifying the application by changing the proposed zoning to R5B on these blockfronts. The Commission believes that the R5B zoning district, which allows detached, semi-detached and attached houses, with a

maximum FAR of 1.35, would ensure that future development would complement the existing character of the Sanford Avenue and Northern Boulevard, as well as the 162<sup>nd</sup> Street corridor where it is also proposed. The Commission notes that building types and maximum FAR allowed by the R5B district are consistent with the existing provisions for R4 infill zoning which is available along many of these blockfronts. The Commission believes that extending the R5B district to apply on more portions of Northern Boulevard and Sanford Avenue will provide a consistent building scale and street wall condition along these corridors.

In response to the concerns of Community Board 7 and the Borough President regarding the 50-foot extension of the proposed R1-2 district on the west side of 157<sup>th</sup> Street and the removal of the C2-2 overlay in this section, the Commission notes that this change is beyond the scope of the proposed action. Similarly the request of the board and the Borough President to extend the proposed R2 district 100 feet north of 45<sup>th</sup> Avenue is also beyond the project scope.

Lastly, the Commission notes that the proposed reduction in depth from 150 feet to 100 feet of certain existing C1-2 and C2-2 overlays along Northern Boulevard and 46<sup>th</sup> Avenue will better reflect existing land use patterns and prevent the intrusion of commercial uses onto residential side streets.

Overall, the Commission recognizes that the need to protect low-density neighborhoods from overdevelopment is important to continue to provide a range of housing choices to the City's residents, and the Commission believes that modified rezoning proposal for East Flushing appropriately ensure that

future development will be more consistent with the area's development patterns and character.

## **RESOLUTION**

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

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 10c and 10d:

- 1. eliminating from an existing R4 District a C1-2 District bounded by** by a line 100 feet southwesterly of Northern Boulevard, 159th Street, a line 150 feet southwesterly of Northern Boulevard, and a line 60 feet westerly of 157th Street;
- 2. eliminating from an existing R4 District a C2-2 District bounded by:**
  - a.** a line 150 feet northerly of 46<sup>th</sup> Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, and 160<sup>th</sup> Street;
  - b.** a line 150 feet northerly of 46<sup>th</sup> Avenue, 163<sup>rd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, and a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street; and
  - c.** a line 150 feet southerly of 46<sup>th</sup> Avenue, Pidgeon Meadow Road, a line 100 feet southerly of 46<sup>th</sup> Avenue, and 160<sup>th</sup> Street;
- 3. changing from an R2 District to an R1-2 District property bounded by** a line 100 feet northerly of 35<sup>th</sup> Avenue, a line midway between 167<sup>th</sup> Street and 168<sup>th</sup> Street, Crocheron Avenue, 164<sup>th</sup> Street, a line 100 feet northerly of Crocheron Avenue, a line 100 feet northeasterly of Northern Boulevard, 158<sup>th</sup> Street, Northern Boulevard, 157<sup>th</sup>

Street, a line 150 feet northeasterly of Northern Boulevard, 156<sup>th</sup> Street, a line 100 feet southerly of 35<sup>th</sup> Avenue, and a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street;

4. **changing from an R4 District to an R2 District property bounded by** 45<sup>th</sup> Avenue, 166<sup>th</sup> Street, 46<sup>th</sup> Avenue, and a line 100 feet westerly of 166<sup>th</sup> Street;
5. **changing from an R3-2 District to an R4-1 District property bounded by** 38<sup>th</sup> Avenue, 150<sup>th</sup> Street, a line 150 feet southerly of Northern Boulevard, Murray Street, the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, a line 150 feet northeasterly of 150<sup>th</sup> Street, Roosevelt Avenue, and 149<sup>th</sup> Place;
6. **changing from an R4 District to an R4-1 District property bounded by:**
  - a. 43<sup>rd</sup> Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, 160<sup>th</sup> Street, a line 100 feet southerly of 45<sup>th</sup> Avenue, and 156<sup>th</sup> Street;
  - b. a line 100 feet southerly of Sanford Avenue, 166<sup>th</sup> Street, 45<sup>th</sup> Avenue, a line 100 feet easterly of 166<sup>th</sup> Street, 46<sup>th</sup> Avenue, and a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street; and
  - c. a line 100 feet southerly of 46<sup>th</sup> Avenue, 162<sup>nd</sup> Street, a line 100 feet southwesterly of 46<sup>th</sup> Avenue, Pidgeon Meadow Road, Laburnum Avenue, and 160<sup>th</sup> Street;
7. **changing from an R3-2 District to an R4A District property bounded by:**
  - a. a line midway between Northern Boulevard and Roosevelt Avenue, 154<sup>th</sup> Street, Roosevelt Avenue, a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street, the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, and Murray Street; and
  - b. Barclay Avenue, 156<sup>th</sup> Street, Sanford Avenue, and Murray Street;
8. **changing from an R4 District to an R4A District property bounded by** a line 100 feet southerly of Sanford Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, 43<sup>rd</sup> Avenue, and 156<sup>th</sup> Street;
9. **changing from an R3-2 District to an R5 District property bounded by** Roosevelt Avenue, a line 150 feet northeasterly of 150<sup>th</sup> Street, Barclay Avenue, Murray Street, Sanford Avenue, and 149<sup>th</sup> Place;

- 10. changing from an M1-1 District to an R5 District property bounded by the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, 156<sup>th</sup> Street and its northerly centerline prolongation, Barclay Avenue, and a line 150 feet northeasterly of 150<sup>th</sup> Street;**
- 11. changing from an R2 District to an R5B District property bounded by:**
- a.** a line 150 feet northeasterly of Northern Boulevard, 157<sup>th</sup> Street, Northern Boulevard, and 155<sup>th</sup> Street;
  - b.** a line 150 feet southwesterly of Northern Boulevard, a line 60 feet westerly of 157<sup>th</sup> Street, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, and 156<sup>th</sup> Street and its southerly and northerly centerline prolongations;
  - c.** a line 100 feet northerly of Depot Road, a line 200 feet easterly of 159<sup>th</sup> Street and its southerly prolongation, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, and 159<sup>th</sup> Street and its southerly centerline prolongation; and
  - d.** a line 100 feet northerly of Crocheron Avenue, 164<sup>th</sup> Street, Crocheron Avenue, and 163<sup>rd</sup> Street;
- 12. changing from an R3-2 District to an R5B District property bounded by a line 150 feet northeasterly of Northern Boulevard, 155<sup>th</sup> Street, Northern Boulevard, a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street, Roosevelt Avenue, 154<sup>th</sup> Street, a line midway between Northern Boulevard and Roosevelt Avenue, Murray Street, a line 150 feet southerly of Northern Boulevard, and 150<sup>th</sup> Place;**
- 13. changing from an R4 District to an R5B District property bounded by a line 100 feet northeasterly of Northern Boulevard, a line 100 feet northerly of Crocheron Avenue, 163<sup>rd</sup> Street, Crocheron Avenue, 165<sup>th</sup> Street, Northern Boulevard, a line 100 feet southerly of Sanford Avenue, a line midway between 162<sup>nd</sup> Street and 163<sup>rd</sup> Street, 47<sup>th</sup> Avenue, Pidgeon Meadow Road, a line 100 feet southwesterly of 46<sup>th</sup> Avenue, 162<sup>nd</sup> Street, a line 100 feet southerly of 46<sup>th</sup> Avenue, 160<sup>th</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, a line midway between 161<sup>st</sup> Street and 162<sup>nd</sup> Street, a line 100 feet southerly of Sanford Avenue, 156<sup>th</sup> Street, a line 100 feet northerly of Sanford Avenue, 161<sup>st</sup> Street, Station Road, a line 100 feet westerly of 162<sup>nd</sup> Street, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, a line 200 feet easterly of 159<sup>th</sup> Street, a line 100 feet southwesterly of Northern Boulevard, a line**

60 feet westerly of 157<sup>th</sup> Street, a line 150 feet southwesterly of Northern Boulevard, the northerly centerline prolongation of 156<sup>th</sup> Street, Northern Boulevard, and 158<sup>th</sup> Street;

14. **changing from an R5 District to an R5B District property bounded by** Northern Boulevard, the northerly centerline prolongation of 156<sup>th</sup> Street, 41<sup>st</sup> Avenue, a line 100 feet easterly of 155<sup>th</sup> Street, Roosevelt Avenue, and a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street;
15. **establishing within a proposed R5 District a C1-2 District bounded by** the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, Murray Street, Barclay Avenue, and a line 150 feet northeasterly of 150<sup>th</sup> Street;
16. **establishing within a proposed R5B District a C1-2 District bounded by** a line 100 feet northerly of Depot Road, a line 200 feet easterly of 159<sup>th</sup> Street, Depot Road, and 159<sup>th</sup> Street; and
17. **establishing within an existing and proposed R5 District a C2-2 District bounded by** the southerly boundary line of the Long Island Rail Road (Northside Division) Right-Of Way, a line midway between 154<sup>th</sup> Street and 155<sup>th</sup> Street, the centerline of the Long Island Rail Road (Northside Division) Right-Of Way, 156<sup>th</sup> Street and its northerly centerline prolongation, Barclay Avenue, and Murray Street;

Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes) dated January 31, 2005, modified by the City Planning Commission on July 11, 2005, and subject to the conditions of CEQR Designation E-144.

The above resolution (C 050277 ZMQ), duly adopted by the City Planning Commission on July 11, 2005 (Calendar No. 1), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

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

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

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**

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

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