



IN THE MATTER OF an application submitted by Queens Community Board 8 pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 14a and 14c, changing from an R2 district to an R2X district property bounded by:

1. a line 100 feet southeasterly of 72nd Avenue, 141st Street, a line midway between 72nd Drive and 73rd Avenue, a line 100 feet southwesterly of Main Street, 73rd Avenue, Main Street, 73rd Terrace, a line passing through two points: one on the northerly street line of 75th Road distant 375 feet westerly (as measured along the northerly street line) from the northwesterly intersection of 75th Road and 141st Place, and the other on the southerly street line of 73rd Terrace distant 300 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 73rd Terrace and 141st Place, 75th Road, a line passing through two points: one on the northerly street line of 76th Avenue distant 475 feet easterly (as measured along the northerly street line) from the northeasterly intersection of 76th Avenue and 137th Street, and the other on the southerly street line of 75th Road distant 310 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 75th Road and 141st Place, 76th Avenue, 137th Street, 77th Avenue and Park Drive East; and
2. a line 100 feet northerly of 78th Road, Vleigh Place, Union Turnpike and Park Drive East.

Borough of Queens, Community District 8, as shown on a diagram (for illustrative purposes only) dated April 22, 2019.

This application for a zoning map amendment (C 190299 ZMQ) was filed by Queens Community Board 8 on February 20, 2019, to change an R2 zoning district to an R2X district for the entirety or portions of 16 tax blocks (377 tax lots) in two non-contiguous areas located in the southwest portion of the Kew Gardens Hills neighborhood of Queens, Community District 8. Together with the related zoning text amendment (N 190301 ZRQ), this application would allow the enlargement of existing single-family detached homes in this community.

RELATED ACTION

In addition to the zoning map amendment (C 190299 ZMQ) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 190301 ZRQ Modification to Section 21-12 of the Zoning Resolution (ZR) to allow designation of an R2X district in Queens, Community District 8.

BACKGROUND

The applicant, Queens Community Board 8, proposes a zoning map amendment to change an R2 zoning district to an R2X district on the entirety or portions of 377 tax lots, distributed across 16 tax blocks. A related zoning text amendment (N 190301 ZRQ) is also proposed to modify ZR Section 21-12 to include Queens Community District 8 as an area where R2X districts are permitted. The proposed actions would allow the enlargement of detached single-family homes by increasing maximum permitted lot coverage and overall floor area in the Kew Gardens Hills neighborhood of Queens.

The project area consists of two non-contiguous portions (“Area A” and “Area B”) that contain approximately 42 acres of lot area almost exclusively comprised of single-family detached homes. Area A is generally bounded by 72nd Avenue, Main Street, 77th Avenue and Park Drive East and encompasses the entirety or portions of 283 tax lots on ten tax blocks. Area B is generally bounded by Union Turnpike, Park Drive East, 78th Avenue and Vleigh Place and encompasses the entirety or portions of 94 tax lots on six tax blocks.

Both areas being rezoned are currently mapped within separate R2 districts established in 1961. R2 districts permit single-family detached homes at a maximum residential floor area ratio (FAR) of 0.5. Lots developed with such homes must have a minimum lot width of 40 feet, and a minimum rear yard depth of 30 feet. Side yards are required to be a minimum width of 13 feet in total, and no less than five feet in width for any one. The maximum building height is governed by an inward sloping sky exposure plane starting at a height of 25 feet above the street line. One off-street accessory parking space is required for each home. Community facility uses are limited to an as-of-right maximum FAR of 0.5, which can be increased up to a 1.0 FAR by special permit.

The surrounding area contains R2 and R3-2 districts west of Main Street and R4 districts to the east of Main Street. In addition, R4-1 and R4B districts are present to the north. C1-2 commercial overlays are mapped along the R4 and R4B districts fronting Main Street and to the west is a large C8-1 district that currently includes the New York City Transit (NYCT) Jamaica rail yard.

The surrounding area is predominantly developed with detached, semi-detached and attached one-family residences dating to the mid-20th century, with an expanse of multi-family garden apartments located between the two proposed rezoning areas. Main Street, located just east of the rezoning areas, serves as a local shopping corridor and as the area's primary north-south thoroughfare. Commercial uses located along Main Street are primarily local retail including banks, grocery stores, restaurants, a movie theater, pharmacies and a branch of the U.S. Postal Service. Community facilities in the surrounding area include religious and public schools (P.S./M.S. 164 and the North Queens Community High School), as well as numerous houses of worship associated with the Orthodox Jewish community.

Flushing Meadows-Corona Park is a regional recreation resource located to the west of the project area. The surrounding area contains four other public parks, including Judge Moses Weinstein Playground, Mauro Playground, Freedom Square Playground and Queens Valley Playground. To the immediate southwest of the project area is the Kew Gardens Interchange, a major junction that provides vehicular access to major roads and highways including the Grand Central Parkway, the Van Wyck Expressway, the Jackie Robinson Parkway, Queens Boulevard and Union Turnpike. The project area is served by several bus lines, including the Q20A and Q20B local buses, and the Q44 Select Bus Service, which run along Main Street, providing service between College Point and Jamaica. In addition, the local and limited Q46 route travels along Union Turnpike between Kew Gardens and Nassau County. The Kew Gardens-Union Turnpike subway station is located to the southwest of the Kew Gardens Interchange, providing access to the E and F lines.

The proposed R2X district would increase the maximum allowable residential FAR from 0.5 to 0.85. An attic allowance of 20 percent would also be permitted. The total effective maximum residential FAR would be 1.02. The R2X district would reduce minimum required side yard widths from 13 feet (total) and five feet (minimum) to ten feet and two feet, respectively. An open area with a minimum total width of eight feet would be required between buildings containing residences on adjacent zoning lots. The minimum rear yard depth would decrease from 30 feet to 20 feet. The minimum front yard depth would remain 15 feet. The R2X district is a contextual district that limits perimeter wall heights to 21 feet, and sets total building height at a maximum of 35 feet.

The R2X district was established in 1989 as part of the *Lower Density Contextual Zoning* text amendment (N 890552 ZRY), which, at that time, only permitted the district to be mapped in the Special Ocean Parkway District. The intent of the R2X district was to allow bulkier, detached single-family homes with a higher allowable lot coverage and maximum floor area ratio than in other single-family districts. Later in 1989, the R2X district was mapped within an eight-block area surrounding Kings Highway in Brooklyn (C 890919 ZMK), and in 1991, within a six-block area (C 910255 ZMK) in Midwood, Brooklyn. In 2008, all or portions of 22 blocks in Far Rockaway, Queens (C 080371 ZMQ) were mapped R2X, along with a text amendment to allow the district to be mapped in Queens, Community District 14.

There is no known development or specific project that will be facilitated by the proposed actions. The proposed actions are intended to provide more flexible bulk regulations for existing and future single-family, detached homes located within this portion of Kew Gardens Hills. The existing R2 district bulk regulations restrict the ability of residents to expand homes horizontally into the rear yards (minimum depth of 30 feet). Currently, residents can enlarge their homes vertically within the established sky exposure plane but are still restricted to the maximum residential FAR of .5.

The proposed change from R2 to R2X would continue to limit residential development to detached, single-family homes, maintaining the existing low-density neighborhood character, and access to light and air.

The applicant also requests a zoning text amendment (N 190301 ZRQ) to modify ZR Section 21-12 to allow designation of an R2X district within Queens, Community District 8. This action is required to permit the related zoning map amendment request (C 190299 ZMQ).

ENVIRONMENTAL REVIEW

This application (C 190299 ZMQ), in conjunction with the application for the related action (N 190301 ZRQ), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 19DCP089Q.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on April 22, 2019.

UNIFORM LAND USE REVIEW

On April 22, 2019, this application (C 190299 ZMQ) was certified as complete by the Department of City Planning and duly referred to Queens Community Board 8 and the Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 190301 ZRQ), which was referred for information and review in according with the procedures for non-ULURP matters.

Community Board Public Hearing

Queens Community Board 8 held a public hearing on this application (C 190299 ZMQ) on May 8, 2018, and on that date, by a vote of 38 in favor, two opposed and with none abstaining, adopted a resolution recommending approval of the application.

Borough President Recommendation

The Queens Borough President held a public hearing on this application (C 190299 ZMQ) on May 23, 2019, and on May 28, 2019, issued a recommendation to approve the application.

City Planning Commission Public Hearing

On June 3, 2019 (Calendar No. 4), the City Planning Commission scheduled June 19, 2019, for a public hearing on this application (C 190299 ZMQ), in conjunction with the related application (N 190301 ZRQ). The hearing was duly held on June 19, 2018 (Calendar No. 22). Two speakers testified in favor of the application, and none in opposition.

The applicant's land use attorney described the requested zoning map amendment and the extent of enlargements that would be facilitated by the proposed actions. He stated that the requested R2X zoning change would permit horizontal enlargements of existing homes, generally within rear yards, to accommodate current and future larger families in the community. He noted that the community board decided to become the applicant of record following outreach from area residents.

A current resident of the project area described the need for a more flexible building envelope to better meet the needs of her growing family. She described herself as a third-generation resident of the Kew Gardens Hills neighborhood and stated that she represents several other residents who feel constrained by the existing R2 bulk regulations.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 190299 ZMQ), in conjunction with the related application (N 190301 ZRQ), is appropriate.

The proposed zoning map amendment will change existing R2 zoning districts to R2X districts, to allow modest enlargement of the existing, single-family detached homes, while maintaining the low-density character of the neighborhood. The project area is situated within the boundaries of two non-contiguous existing R2 districts located in the southwest portion of the Kew Gardens Hills neighborhood. The proposed rezoning would allow the existing residences to be enlarged due to the increased bulk regulations of the R2X zoning district, and allow these homes to be more easily adapted to modern living standards and to accommodate growing families. Due to the decrease in the minimum depth of the rear yards from 30 to 20 feet, enlargements are not likely to occur within front yards, since the minimum front yard will be maintained at 15 feet.

The zoning text amendment to modify ZR section 21-12 will enable the designation of the R2X district in Queens Community District 8. Currently, the R2X district can only be mapped in the Special Ocean Parkway District in Brooklyn and Queens Community District 14.

The Commission appreciates that the proposed rezoning effort was initiated by, and led by, members of the Kew Gardens Hills community in response to concerns that residents could not currently alter their homes to meet the needs of their growing families. The Commission believes that mapping the R2X district in this portion of Queens Community District 8 will allow appropriate expansion opportunities for single-family, detached homes and that such expansions will be governed by zoning provisions that set perimeter wall heights at no taller than 21 feet and maximum building heights of 35 feet, which are consistent with the character of the surrounding area

The Commission believes this mapping of the R2X district is consistent with the intent of the *Lower Density Contextual Zoning* text amendment (N 890552 ZRY) that established the R2X district in 1989.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on April 22, 2019 with respect to this application (CEQR No. 19DCP089Q), 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 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. 14a and 14c, changing from an R2 district to a R2X district property bounded by:

1. a line 100 feet southeasterly of 72nd Avenue, 141st Street, a line midway between 72nd Drive and 73rd Avenue, a line 100 feet southwesterly of Main Street, 73rd Avenue, Main Street, 73rd Terrace, a line passing through two points: one on the northerly street line of 75th Road distant 375 feet westerly (as measured along the northerly street line) from the northwesterly intersection of 75th Road and 141st Place, and the other on the southerly street line of 73rd Terrace distant 300 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 73rd Terrace and 141st Place, 75th Road, a line passing through two points: one on the northerly street line of 76th Avenue distant 475 feet easterly (as measured along the northerly street line) from the northeasterly intersection of 76th Avenue and 137th Street, and the other on the southerly street line of 75th Road distant 310 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 75th Road and 141st Place, 76th Avenue, 137th Street, 77th Avenue and Park Drive East; and
2. a line 100 feet northerly of 78th Road, Vleigh Place, Union Turnpike and Park Drive East.

Borough of Queens, Community District 8, as shown on a diagram (for illustrative purposes only) dated April 22, 2019.

The above resolution (C 190299 ZMQ), duly adopted, by the City Planning Commission on July 31, 2019 (Calendar No. 24), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

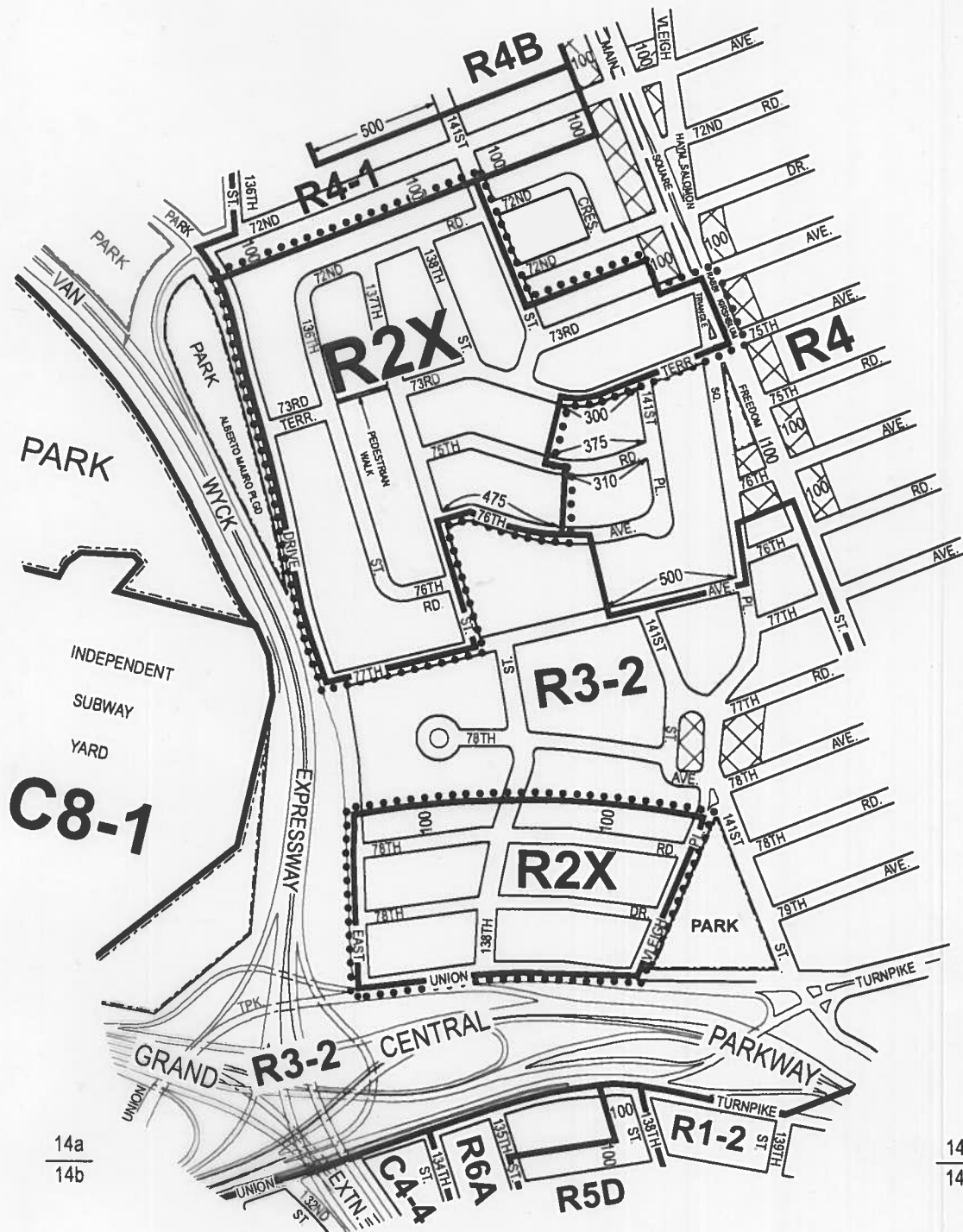
KENNETH J. KNUCKLES, Esq., *Vice Chairman*

DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., MICHELLE R. DE LA UZ,

HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN,

LARISA ORTIZ, RAJ RAMPERSHAD

Commissioners



14a
14b

14c
14d

14b | 14d

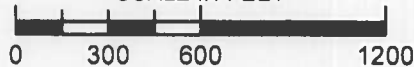
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
14a & 14c
 BOROUGH OF
QUEENS



New York, Certification Date:
 APRIL 22, 2019

S. Lenard, Director
 Technical Review Division

SCALE IN FEET



NOTE:

- Indicates Zoning District Boundary
- The areas enclosed by the dotted line is proposed to be rezoned by changing existing R2 Districts to an R2X Districts.
- Indicates a C1-2 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #:	Project Name:
CEQR Number:	Borough(s):
	Community District Number(s):

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ" ~~XXXXXXXXXX~~
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing:		Location:	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote:		Location:	
RECOMMENDATION			
<input type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting			
# In Favor:	# Against:	# Abstaining:	Total members appointed to the board:
Name of CB/BB officer completing this form		Title	Date

Queens Borough President Recommendation

APPLICATION: ULURP #190299 ZMQ

COMMUNITY BOARD: Q08

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Jay Goldstein on behalf of Queens Community Board 8, pursuant to Sections 197-c and 201 of the NYC Zoning Resolution, for the amendment of the Zoning Map, Sections Nos. 14a and 14c changing from an R2 District to an R2X District property bounded by:

1. a line 100 feet southeasterly of 72nd Avenue, 141st Street, a line midway between 72nd Drive and 73rd Avenue, a line 100 feet southwesterly of Main Street, 73rd Avenue, Main Street, 73rd Terrace, a line passing through two points: one on the northerly street line of 75th Road distant 375 feet westerly (as measured along the northerly street line) from the northwesterly intersection of 75th Road and 141st Place, and the other on the southerly street line of 73rd Terrace distant 300 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 73rd Terrace and 141st Place, 75th Road, a line passing through two points: one on the northerly street line of 76th Avenue distant 475 feet easterly (as measured along the northerly street line) from the northeasterly intersection of 76th Avenue and 137th Street, and the other on the southerly street line of 75th Road distant 310 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 75th Road and 141st Place, 76th Avenue, 137th Street, 77th Avenue and Park Drive East; and
2. a line 100 feet northerly of 78th Road, Vleigh Place, Union Turnpike and Park Drive East;

Borough of Queens, Community District 8, as shown on a diagram (for illustrative purposes only) dated April 22, 2019. (Related item: ULURP #N190301 ZRQ)

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on May 23, 2019 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 speakers in favor. The hearing was closed.

CONSIDERATION

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

- The applicant is proposing to rezone two areas of Kew Gardens Hills generally located between 72nd Avenue and Union Turnpike generally bounded by Park Drive East and Main Street from R2 to R2X. The proposed rezoning would accommodate growing families in larger single-family detached homes;
- Another application, filed by this applicant, concurrently under ULURP review proposes a zoning text amendment that would add Queens Community District 8 as an area where the R2X District could be mapped. Currently, the Zoning Resolution only allows the R2X District in the Special Ocean Parkway District and Queens Community District 14;
- The R2 District allows single-family detached homes with a .50 FAR, requires two side yards totaling 13 feet with a minimum width of 5 feet, a 30 feet rear yard, and a 21 feet perimeter wall and sky exposure plane to determine the building height. The R2X allows single-family detached homes with a base .85 FAR that combined with a 20% attic allowance would allow a maximum 1.02 FAR, requires two side yards totaling 10 feet with a minimum width of 2 feet, a 20 feet rear yard, a maximum building height of 35 feet.
- The areas of Kew Gardens Hills to be rezoned delineated as Area A affecting 284 properties on 10 tax blocks and Area B affecting 94 properties on 6 tax blocks are developed with single-family detached homes. Other development in the area includes detached and semi-detached one- & two-family housing, garden apartments and a school.
- Community Board 8 approved this application by a vote of thirty-eight (38) in favor with two (2) against and none (0) abstaining at a public meeting held on May 8, 2019. The public hearing for this application was held on May 6, 2019.

Continued.....

QUEENS BOROUGH PRESIDENT RECOMMENDATION

ULURP #190299 ZMQ

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RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application.



PRESIDENT, BOROUGH OF QUEENS

5/28/19

DATE

Queens Borough President Recommendation

APPLICATION: ULURP #190301 ZRQ

COMMUNITY BOARD: Q08

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Jay Goldstein, Esq. on behalf of Queens Community Board 8, pursuant to Sections 200 and 201 of the NYC Charter, for a zoning text amendment to Section 21-12 designating Queens Community District 8 as an area where the R2X District may be mapped.
(Related item: ULURP #190299 ZMQ)

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on May 23, 2019 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 speakers in favor. The hearing was closed.

CONSIDERATION

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

- The applicant is proposing a zoning text amendment that would add Queens Community District 8 as an area where the R2X District could be mapped. Currently, the Zoning Resolution only allows mapping of the R2X District in the Special Ocean Parkway District in Brooklyn and Queens Community District 14;
- Another application, filed by this applicant, concurrently under ULURP review proposes to rezone two areas of Kew Gardens Hills generally located between 72nd Avenue and Union Turnpike generally bounded by Park Drive East and Main Street from R2 to R2X. The proposed rezoning would accommodate growing families in larger single-family detached homes;
- The R2 District allows single-family detached homes with a .50 FAR, requires two side yards totaling 13 feet with a minimum width of 5 feet, a 30 feet rear yard, and a 21 feet perimeter wall and sky exposure plane to determine the building height. The R2X allows single-family detached homes with a base .85 FAR that combined with a 20% attic allowance would allow a maximum 1.02 FAR, requires two side yards totaling 10 feet with a minimum width of 2 feet, a 20 feet rear yard, a maximum building height of 35 feet;
- The areas of Kew Gardens Hills to be rezoned delineated as Area A affecting 284 properties on 10 tax blocks and Area B affecting 94 properties on 6 tax blocks are developed with single-family detached homes. Other development in the area includes detached and semi-detached one- & two-family housing, garden apartments and a school;
- Community Board 8 approved this application by a vote of thirty-eight (38) in favor with two (2) against and none (0) abstaining at a public meeting held on May 8, 2019. The public hearing for this application was held on May 6, 2019.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application.


PRESIDENT, BOROUGH OF QUEENS

5/28/19
DATE