



CITY PLANNING COMMISSION

July 12, 2006/Calendar No. 22

C 060411 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 No. 13d:**

1. changing from an R5 District to an R4 District property bounded by:
 - a. a line midway between 67th Road and 67th Drive, 78th Street, 67th Drive, a line 200 feet easterly of 78th Street, 68th Avenue, 78th Street, 69th Road, 76th Street, a line 200 feet southeasterly of 69th Road, 75th Street, 69th Road, a line midway between 75th Street and 76th Street, a line 100 feet southerly of 68th Avenue, and 75th Street; and
 - b. 67th Drive, 79th Street, 68th Avenue, a line 100 feet easterly of 79th Street, a line midway between 68th Avenue and 68th Road, a line perpendicular to the southerly street line of 68th Avenue distant 110 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of 68th Avenue and the westerly street line of 80th Street, 68th Avenue, 80th Street, Cooper Avenue, 69th Drive, a line 100 feet easterly of 79th Street, a line 100 feet northerly of 69th Drive, a line 100 feet northwesterly of Cooper Avenue, 69th Road, a line 100 feet westerly of 80th Street, a line midway between 68th Road and 69th Avenue, a line 100 feet easterly of 79th Street, 69th Road, a line 100 feet westerly of 79th Street, 69th Avenue, a line perpendicular to the northerly street line of 69th Avenue distant 100 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 69th Avenue and the northeasterly street line of 78th Street, a line midway between 68th Road and 69th Avenue, and a line 100 feet westerly of 79th Street;
2. changing from an R5 District to an R4-1 District property bounded by:
 - a. a line 100 feet northerly of Metropolitan Avenue, 71st Street, a line 100 feet southerly of 66th Drive, a line 200 feet westerly of Pleasantview Street, Metropolitan Avenue, and 70th Street;
 - b. a line midway between Metropolitan Avenue and 67th Road, a line 125 feet easterly of 75th Street, 67th Road, and a line 100 feet easterly of 73rd Place;
 - c. 67th Drive, a line 100 feet westerly of 79th Street, a line midway between 68th Road and 69th Avenue, a line perpendicular to the northerly street line of 69th Avenue distant 100 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 69th Avenue and the northeasterly street line of 78th Street, 69th Avenue, a line 100 feet westerly of 79th Street, 69th Road, a line 100 feet easterly of 79th Street, a line midway between 68th Road and 69th Avenue, a line 100 feet westerly of 80th Street, 69th Road, a line 100 feet northwesterly of Cooper Avenue, a line 100 feet northerly of 69th Drive, a line 100 feet easterly of 79th Street, 69th Drive and its westerly centerline prolongation, a line 200 feet southeasterly of 69th Road, 76th Street,

69th Road, 78th Street, 68th Avenue, and a line 200 feet easterly of 78th Street;
and

- d. 68th Avenue, a line perpendicular to the southerly street line of 68th Avenue distant 110 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of 68th Avenue and the westerly street line of 80th Street, a line midway between 68th Avenue and 68th Road, and a line 100 feet easterly of 79th Street; and
3. changing from an R5 District to an R5B District property bounded by:
- a. a line 225 feet northerly of Metropolitan Avenue, 70th Street, Metropolitan Avenue, and 69th Street; and
 - b. a line 100 feet southerly of 66th Drive, a line 425 feet easterly of Pleasantview Street, Metropolitan Avenue, and a line 200 westerly Pleasantview Street;

Borough of Queens, Community District 5, as shown on a diagram (for illustrative purposes only) dated April 3, 2006.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on March 28, 2006, to rezone all or portions of 21 blocks in two locations in Middle Village, from R5 districts to R4, R4-1, and R5B districts.

BACKGROUND

The Department of City Planning is proposing zoning map amendments encompassing approximately 21 blocks in the Middle Village neighborhood of Community District 5, Queens. The proposed rezoning is the result of close consultation with civic associations in Middle Village and Community Board 5. The rezoning study was initiated by the Department of City Planning following community concerns that the Middle Village – Glendale Rezoning (C 060153 ZMQ), that became effective on March 22, 2006, omitted certain areas appropriate for rezoning. These areas are generally bounded by Metropolitan Avenue, 80th Street, Cooper Avenue and 75th Street and along Metropolitan Avenue between 69th Street and 73rd Place. The existing R5 zoning districts found in these locations would allow development that is inconsistent with the established scale and character of the neighborhood. The new contextual district designations would permit housing types and densities that more closely correspond to a given rezoning area's residential context.

Land Use, Zoning and Neighborhood Characteristics

The neighborhood of Middle Village is located in western Queens. Middle Village originated just after the opening of Metropolitan Avenue in 1816. The hamlet served as a place to rest for those traveling between Jamaica and Williamsburg along Metropolitan Avenue. The first of many cemeteries to be developed in the area opened in 1852, and the town then catered to cemetery visitors. Today, the neighborhood is bounded by St. John's Cemetery on the east and Lutheran Cemetery to the west. Since the 1920's a variety of housing has been built in the neighborhood, including semi-detached and attached structures built in the 1940's, 1950's and 1960's.

In the proposed rezoning area, residential uses predominate, with ninety percent of the lots within the rezoning area containing residential uses. Mixed-use buildings and commercial buildings are concentrated along Metropolitan Avenue and comprise a total of four and one-half percent of the rezoning area's lots. Light industrial and transportation uses are found along Metropolitan Avenue, the Long Island Rail Road tracks and Cooper Avenue, and these uses are found on two percent of the lots in the rezoning area. Vacant land and parking lots constitute about two percent of the land uses, and public facilities/schools account for one percent of the lots in the rezoning area.

Within the existing R5 zoning district, which was established in 1961, a range of housing types can be constructed. 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 floor area ratio (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 percent of units when parking is grouped.

Commercial overlay districts are found within the rezoning area on Metropolitan Avenue between 69th and 70th streets, on 75th Street between 67th Drive and 68th Avenue, on 80th Street between 69th Avenue

and 69th Road, and on Cooper Avenue between 69th Road and 79th Street. No changes are proposed for commercial overlays in this application.

In general, the existing zoning is not representative of the current built bulk and density of the rezoning area, and it is not representative of the current housing types in the area.

Proposed Zoning Map Amendments

To ensure that new development better matches the existing housing types and densities found in portions of Middle Village, the Department of City Planning is proposing to replace the existing general residence district (R5) with lower-density, and contextual districts (R4, R4-1 and R5B).

R4

The proposed R4 zoning includes portions of 13 blocks, generally bounded by 67th Drive, 80th Street, Cooper Avenue and 75th Street. These blocks are predominantly developed with a mix of lower-density housing types.

In the proposed R4 zoning district, all types of residential development are permitted, but at a lower FAR of 0.9 and at a lower density than in the existing R5 district. Detached residences 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 FAR is 0.9, which includes a 0.15 attic allowance, and the maximum building height is 35 feet. On blocks that are predominantly developed and zoned entirely R4, a maximum FAR of 1.35 is permitted with the R4 infill provision. One parking space is required per residential unit. In areas proposed to be rezoned R4, 100 percent of the lots conform to housing type and use.

R4-1

The proposed R4-1 zoning district would cover all or portions of 14 non-contiguous blocks. The two locations of the proposed R4-1 zoning change are located on the block fronts on the north side of Metropolitan Avenue between 70th Street and Pleasantview Street and in an area south of Metropolitan Avenue and north of Cooper Avenue. These areas are predominantly built with one- and two-family detached and semi-detached homes.

In the proposed R4-1 zoning district, 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 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, 76.5 percent of residential lots are developed with one- and two-family detached or semi-detached homes.

R5B

The proposed R5B zoning districts would include portions of three blocks fronting Metropolitan Avenue from 69th Street to 73rd Street.

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, 30 and 33 feet respectively, are the same as R5 infill. One parking space per residential unit is required, or 66 percent 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.

ENVIRONMENTAL REVIEW

This application (C 060411 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 06DCP091Q. 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 April 3, 2006.

UNIFORM LAND USE REVIEW

This application (C 060411 ZMQ) was certified as complete by the Department of City Planning on April 3, 2006, 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 May 10, 2006, and on that day, by a vote of 33 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 on June 14, 2006 approving the application.

City Planning Commission Public Hearing

On June 7, 2006 (Calendar No. 3), the City Planning Commission scheduled June 21, 2006, for a public hearing on this application (C 060411 ZMQ). The hearing was duly held on June 21, 2006 (Calendar No. 19). There were no speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment of the zoning map is appropriate.

The Commission believes that this action represents a rezoning strategy for two areas in Middle Village that will help to preserve their predominant lower-density character and ensure that future residential development will be more consistent with established building patterns.

The Commission notes that this application extends lower-density and contextual zones that the Commission approved on February 8, 2006, and the City Council approved on March 22, 2006, as part of a broader rezoning effort for the Middle Village and Glendale neighborhoods. At that time the Commission recognized that the R5 areas not included in that rezoning would still produce housing types and densities inconsistent with the existing character of those areas. The proposed lower-density and contextual districts of R4, R4-1 and R5B will more closely match the existing built context of these areas.

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. 13d:

1. changing from an R5 District to an R4 District property bounded by:
 - a. a line midway between 67th Road and 67th Drive, 78th Street, 67th Drive, a line 200 feet easterly of 78th Street, 68th Avenue, 78th Street, 69th Road, 76th Street, a line 200 feet southeasterly of 69th Road, 75th Street, 69th Road, a line midway between 75th Street and 76th Street, a line 100 feet southerly of 68th Avenue, and 75th Street; and
 - b. 67th Drive, 79th Street, 68th Avenue, a line 100 feet easterly of 79th Street, a line midway between 68th Avenue and 68th Road, a line perpendicular to the southerly street line of 68th Avenue distant 110 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of 68th

Avenue and the westerly street line of 80th Street, 68th Avenue, 80th Street, Cooper Avenue, 69th Drive, a line 100 feet easterly of 79th Street, a line 100 feet northerly of 69th Drive, a line 100 feet northwesterly of Cooper Avenue, 69th Road, a line 100 feet westerly of 80th Street, a line midway between 68th Road and 69th Avenue, a line 100 feet easterly of 79th Street, 69th Road, a line 100 feet westerly of 79th Street, 69th Avenue, a line perpendicular to the northerly street line of 69th Avenue distant 100 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 69th Avenue and the northeasterly street line of 78th Street, a line midway between 68th Road and 69th Avenue, and a line 100 feet westerly of 79th Street;

2. changing from an R5 District to an R4-1 District property bounded by:
 - a. a line 100 feet northerly of Metropolitan Avenue, 71st Street, a line 100 feet southerly of 66th Drive, a line 200 feet westerly of Pleasantview Street, Metropolitan Avenue, and 70th Street;
 - b. a line midway between Metropolitan Avenue and 67th Road, a line 125 feet easterly of 75th Street, 67th Road, and a line 100 feet easterly of 73rd Place;
 - c. 67th Drive, a line 100 feet westerly of 79th Street, a line midway between 68th Road and 69th Avenue, a line perpendicular to the northerly street line of 69th Avenue distant 100 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 69th Avenue and the northeasterly street line of 78th Street, 69th Avenue, a line 100 feet westerly of 79th Street, 69th Road, a line 100 feet easterly of 79th Street, a line midway between 68th Road and 69th Avenue, a line 100 feet westerly of 80th Street, 69th Road, a line 100 feet northwesterly of Cooper Avenue, a line 100 feet northerly of 69th Drive, a line 100 feet easterly of 79th Street, 69th Drive and its westerly centerline prolongation, a line 200 feet southeasterly of 69th Road, 76th Street, 69th Road, 78th Street, 68th Avenue, and a line 200 feet easterly of 78th Street; and
 - d. 68th Avenue, a line perpendicular to the southerly street line of 68th Avenue distant 110 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of 68th Avenue and the westerly street line of 80th Street, a line midway between 68th Avenue and 68th Road, and a line 100 feet easterly of 79th Street; and
3. changing from an R5 District to an R5B District property bounded by:
 - a. a line 225 feet northerly of Metropolitan Avenue, 70th Street, Metropolitan Avenue, and 69th Street; and
 - b. a line 100 feet southerly of 66th Drive, a line 425 feet easterly of Pleasantview Street, Metropolitan Avenue, and a line 200 westerly Pleasantview Street;

Borough of Queens, Community District 5, as shown on a diagram (for illustrative purposes only) dated April 3, 2006.

The above resolution (C 060411 ZMQ), duly adopted by the City Planning Commission on July 12, 2006 (Calendar No. 22), 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, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI,
JOHN MEROLO, DOLLY WILLIAMS, Commissioners**