



CITY PLANNING COMMISSION

April 28, 2010/Calendar No. 20

N 100200 ZRQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-144, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts, Borough of Queens, Community District 1.

This application for an amendment to the Zoning Resolution was filed by the Department of City Planning on January 15, 2010. The proposed text amendment will allow the Inclusionary Housing program to be used in the proposed R7A and C4-4A districts on Vernon Boulevard, 21st Street, and 31st Street in the Borough of Queens, Community District 1.

RELATED ACTION

In addition to the amendment of the Zoning Map which is the subject of this report, implementation of the proposed rezoning also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 100199ZMQ Application for an amendment of the Zoning Map, to rezone all or portions of 238 blocks in the Queens neighborhood of Astoria from R4, R5, R6, and R6B districts to R4, R4-1, R4B, R5, R5B, R5D, R6A, R6B, R7A, C4-2A, C4-3, and C4-4A districts.

BACKGROUND

A full background discussion and description of this application appears in the report on the related zoning map amendment application (C 100199 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 100200 ZRQ) in conjunction with the related application (C 100100 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 10DCP019Q. 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 January 25, 2010. The Negative Declaration included (E) designations to avoid the potential for hazardous material impacts and air quality impacts. A summary of the environmental review and the Environmental Assessment Statement appears in the report on the related zoning map amendment application (C 100199 ZMQ).

UNIFORM LAND USE REVIEW

On January 25, 2010 this application was referred to Brooklyn Community Board 7 and the Brooklyn Borough President in accordance with the procedures for non-ULURP matters.

The related action (C 100199 ZMQ) was certified as complete by the Department of City Planning on January 25, 2010, and was duly referred to Community Board 1 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 1 held a public hearing on this application (N 100200 ZRQ) in conjunction with the public hearing on the application for the related action (C 100199 ZMQ) on February 16, 2010. On that day, by a vote of 26 to 1 with 1 abstention, the Board adopted a resolution recommending approval of the application. A summary of Community Board 1's recommendation appears in the report on the related zoning map amendment application (C 100199 ZMQ).

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on June 22, 2009 approving the application with conditions. A summary of the Borough President's recommendation appears in the report on the related zoning map amendment application (C 100199 ZMQ).

City Planning Commission Public Hearing

On March 22, 2010 (Calendar No. 1), the City Planning Commission scheduled March 24, 2010 for a public hearing on this application (N 100200 ZRQ). The hearing was duly held on March 24, 2010 (Calendar No. 10) in conjunction with the public hearing on the application for the related zoning map change (C 100199 ZMQ). There were a number of speakers, as described in the report on the related zoning map amendment application (C 100199 ZMQ), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application, in conjunction with the application for the related action, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et. seq.). The designated WRP number is 09-082.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this amendment to the zoning text (N 100200 ZRQ) is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the report on the related zoning map amendment application (C 100199 ZMQ).

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, that the City planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 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 as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article 2

Residence District Regulations

Chapter 3

Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-144

In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratios# shall be as set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). The locations of such areas are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

<u>Community District</u>	<u>Zoning District</u>
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 4, Bronx	R8A R9D
Community District 1, Brooklyn	R6 R6A R6B R7A R7-3
Community District 2, Brooklyn	R7A R8A R9A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R7A R8A
Community District 14, Brooklyn	R7A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
<u>Community District 1, Queens</u>	<u>R7A</u>

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**APPENDIX F
Inclusionary Housing Designated Areas**

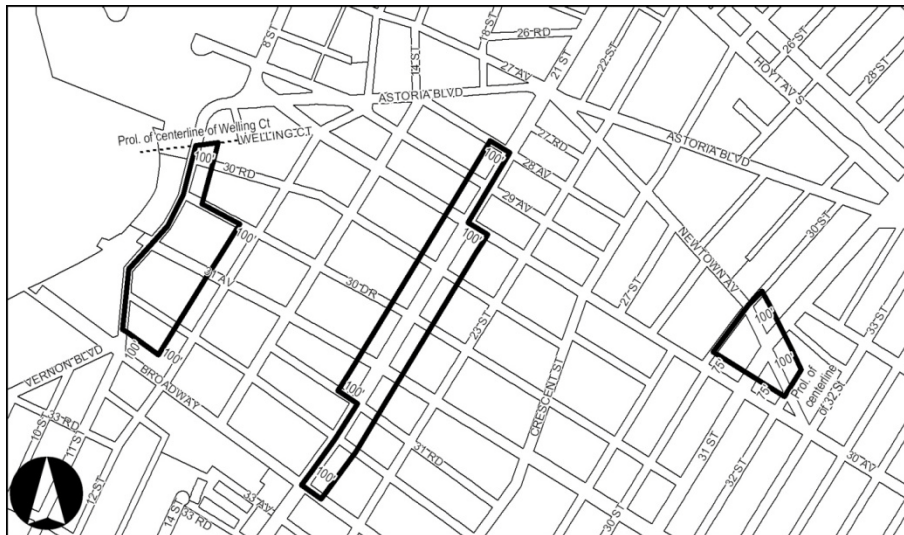
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Queens

Queens Community District 1

In the R7A Districts within the areas shown on the following Map 1:

Map 1 – (2/24/10)



Portion of Community District 1, Queens

- AMANDA M. BURDEN, FAICP, Chair**
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHIRLEY A. McRAE, KAREN A. PHILLIPS, Commissioners