



CITY PLANNING COMMISSION

April 22, 2009/Calendar No 25.

N 080253 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, modifying special permit regulations pertaining to the Sunnyside Gardens area in Community District 2, Borough of Queens, and clarifying other regulations in Article X, Chapter 3 (Special Planned Community Preservation District).

This application for an amendment of the Zoning Resolution was filed by the Department of City Planning on January 9, 2008 to modify the provisions of the Special Planned Community Preservation District as they pertain to Sunnyside Gardens. The proposed regulations would establish uniform bulk regulations, eliminate the existing special permit requirements for development, enlargement, or substantial alteration of landscaping or topography, and modify curb cut restrictions.

BACKGROUND

Sunnyside Gardens is a predominantly residential area encompassing about 16 blocks within the Sunnyside neighborhood of Queens. Located between 43rd and 52nd streets, Queens Boulevard and Barnett Avenue, Sunnyside Gardens was developed between 1924 and 1928 by the City Housing Corporation. Architects Clarence Stein, Henry Wright, and Frederick Ackerman and landscape architect Marjorie Cautley based the development's design upon the English Garden City model. The neighborhood is comprised of approximately 600 two-story row houses grouped in clusters of 10 to 12 around a series of courts containing common gardens, in addition to eighteen apartment buildings, two community parks and neighborhood stores. The original common gardens accounted for over 70 percent of the lot area and were a primary defining feature of the site plan, offering residents light, air and greenery. Forty-year covenants were signed by home-owners to protect the communal courts and open spaces from private encroachment. However, as the covenants expired in the 1960s, some individual homeowners enclosed the perimeters of their lot lines, effectively privatizing the communal space.

Sunnyside Gardens is split by four distinct zoning districts which have been in place since 1961. These current zoning districts consist of an R4 district (allowing a maximum FAR of .9 including an attic allowance, or 1.35 FAR with Infill provisions, and a maximum building height of 35 feet) encompassing a total of five full and five partial blocks; an R7-1 district (allowing a maximum FAR of 3.44 for residential uses and 4.8 for community facility uses) spanning one full and three partial blocks; a C4-2 district (allowing a maximum FAR of 2.43 for residential uses, 3.4 for commercial uses, and 4.8 for community facility uses) covering two lots; and an M1-1 district (allowing commercial or light manufacturing uses at a maximum FAR of 1 and community facilities at a maximum FAR of 2.4) encompassing ten row houses on a quarter-block.

In 1974, Sunnyside Gardens, along with Fresh Meadows in Queens, Parkchester in the Bronx, and Harlem River Houses in Manhattan, was designated in the Zoning Resolution as a Special Planned Community Preservation (PC) District to provide special zoning regulations intended to protect its distinct character and site plan. Under the provisions of the PC District, new developments, enlargements of buildings or substantial alterations of landscaping or topography require the grant of a special permit by the City Planning Commission.

Since the enactment of the Special Planned Community Preservation District, only two applications for special permits in Sunnyside Gardens have been received and reviewed by the City Planning Commission. Other property owners in Sunnyside Gardens, however, have enlarged their homes or altered topography without obtaining special permits from the City Planning Commission and enforcement of the special permit requirement has been problematic.

On June 26, 2007, Sunnyside Gardens was designated a Historic District by the New York City Landmarks Preservation Commission. As the Landmarks Preservation Commission now regulates changes to the unique character and site plan of the Sunnyside Gardens Historic District, the proposed text amendment seeks to eliminate duplicative land use controls contained within the provisions of the PC District and ensure a complimentary relationship between zoning provisions and landmark regulations.

In particular, to relieve property owners of the burden of applying both to the Landmarks Preservation Commission and to the City Planning Commission for certain modifications to their properties, the proposed text amendment eliminates the current CPC special permit requirements for new developments, enlargements, or substantial alterations of landscaping or topography in the PC District in Sunnyside Gardens. The proposed text amendment also would establish uniform bulk regulations throughout the PC District's underlying residential and commercial districts. The text proposes a uniform floor area ratio, building height and setback, parking and yard regulations pursuant an R4 district, with a density factor comparable to a predominantly built up area with R4 zoning, but otherwise restricting Infill provisions. Lastly, the proposed text would restrict curb cuts within the Special District, except on the east side of 50th Street, within 100 feet of its intersection with 39th Avenue.

A previous version of the proposed text (N 080052 ZRQ) was filed by the Department of City Planning on August 14, 2007 and on October 19, 2007 duly referred to Community Board 2 and the Borough President for comment under a concurrent 60-day period in accordance with the procedure for referring non-ULURP matters. On December 6, 2007, by a vote of 15-8 with no abstentions, Community Board 2 voted to approve the application with certain conditions.

In response to the community board's recommendations, the Department withdrew the former application (N 080052 ZRQ) on January 9, 2008 and simultaneously filed the current application (N 080253 ZRQ) which has revised floor area regulations. Whereas the previous application stipulated a maximum allowable floor area ratio (FAR) of .9 (equivalent to an R4B district), the currently proposed text amendment contains floor area provisions that are equivalent to R4 districts, with a maximum FAR of 0.75, plus an attic allowance of 0.15 for the inclusion of floor space under a pitched roof.

ENVIRONMENTAL REVIEW

The application (N 080253 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 agency is the City Planning Commission. The designated CEQR number is 08DCP037Q. After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on February 11, 2008.

PUBLIC REVIEW

The application (N 080253 ZRQ) was referred on January 12, 2008, to Community Board 2 and the Borough President in accordance with the procedure for referring non-ULURP matters.

Community Board Review

The community board did not submit a recommendation on this application.

Borough President Review

This application was considered by the Borough President, who issued a recommendation in favor of the application on February 15, 2008.

City Planning Commission Public Hearing

On January 30, 2008 (Calendar No. 23), the City Planning Commission scheduled February 13, 2008 for a public hearing on this application (N 080253 ZRQ). The hearing was duly held on February 13, 2008 (Calendar No. 54).

There were two speakers in opposition to the application.

A representative of the Historic Districts Council spoke in opposition to the application. The representative stated that the special permit requirement should not be eliminated until the Landmarks Preservation Commission has drafted specific rules for the oversight and regulation

of the Sunnyside Gardens Historic District. He also voiced concerns about the regulation of landscaping in Sunnyside Gardens.

A second representative of the Historic Districts Council read the testimony of a Sunnyside Gardens resident in opposition to the application equating the proposal to an “upzoning” in that it would allow changes that are currently required to obtain a special permit under the Special District regulations.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed text amendment to the Zoning Resolution is appropriate.

The Commission believes the existing Special District regulations, along with the Landmarks Preservation Commission’s designation of Sunnyside Gardens as a Historic District, create a duplicative regulatory framework causing undue burden to property owners wishing to make modifications to their property. The Commission believes that the proposed amendment would eliminate duplicative reviews while preserving the appropriate roles for both CPC and LPC in the protection of Sunnyside Gardens. Furthermore, the Commission believes that the proposed bulk regulations would protect Sunnyside Gardens from new development which is out of character with its existing scale.

During its review, the Commission was concerned about clarifying its and LPC’s role in regulating Sunnyside Gardens to assure adequate protection for the historic site plan, particularly its landscaping and open space qualities. The Commission notes that the Department of City Planning has worked closely with the Landmarks Preservation Commission to review how the new Historic District regulations, combined with the proposed zoning regulations, would protect these features. The Commission is pleased to note, that in a letter dated March 9, 2009, the LPC Chair stated that:

While it is beyond the purview of the LPC to regulate plantings or landscaping, the Commission and its staff will review applications for new hardscape in both the private and common garden areas. Our goal in such reviews will be to retain to the greatest extent possible the openness, garden quality and visual access of what historically constituted the common garden portion of the yards.

The Commission believes that the Landmarks Preservation Commission is able to effectively protect the unique site plan of Sunnyside Gardens and encourages it to issue the Homeowner's Guide cited in the above mentioned correspondence in order to advise property owners about issues pertaining to the original common open space portions of courts and rear yards.

The Commission therefore believes that the combination of CPC and LPC regulations will vigorously protect the distinct character of Sunnyside Gardens, and simplify the process for property owners to seek required agency reviews.

RESOLUTION

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

Matter in graytone or underlined is new, to be added;

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

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

* * * indicate where unchanged text appears in the Zoning Resolution.

Article I General Provisions

Chapter 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

12-10

DEFINITIONS

* * *

Special Planned Community Preservation District

The "Special Planned Community Preservation District" is a Special Purpose District designated by the letters "PC" in which special regulations set forth in Article X, Chapter 3, apply to all districts ~~which~~ that are at least 1.5 acres and contain a minimum of three #buildings#; ~~were~~ substantially designed and developed as a unit with substantial clustered #open space# and related #commercial uses# available to all residents of the District under the regulations of the Zoning Resolution prior to December 15, 1961; ~~which was~~ were considered to be worthy of such preservation by the City Planning Commission and the Board of Estimate, or its successor ; and established ~~designated~~ pursuant to Section 103-05-01. The Special ~~PC~~ Planned Community Preservation District and its regulations supplement or modify those of the districts on which it is superimposed.

* * *

Article X Special Purpose Districts

Chapter 3 Special Planned Community Preservation District

103-00 GENERAL PURPOSES

The "Special Planned Community Preservation District" (hereinafter referred to as the "Special District"), established in this Resolution, is designed to promote and protect the public interest, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to preserve and protect the Special Districts as superior examples of town planning or large-scale development;
- (b) to preserve and protect the character and integrity of these unique communities which, by their existing site plan, pedestrian and vehicular circulation system, balance between buildings and open space, harmonious scale of the development, related commercial uses, open space arrangement and landscaping add to the quality of urban life;
- (c) to preserve and protect the variety of neighborhoods and communities that presently exist which contribute greatly to the livability of New York City;

- (d) to maintain and protect the environmental quality that the Special District offers to its residents and the City-at-large; and
- (e) to guide ~~future~~ development within ~~the~~ each of the Special Districts that is consistent with the existing character, quality and amenity of the Special Planned Community Preservation District.

103-01

Definitions

~~Special Planned Community Preservation District~~
(repeated from Section 12-10)

~~The "Special Planned Community Preservation District" is a Special Purpose District designated by the letters "PC" in which special regulations set forth in Article X, Chapter 3, apply to all districts which are at least 1.5 acres and contain a minimum of 3 #buildings#, are substantially designed and #developed# as a unit with substantial clustered #open space# and related #commercial uses# available to all residents of the District under the regulations of the Zoning Resolution prior to December 15, 1961, which were considered to be worthy of such preservation by the City Planning Commission and the Board of Estimate, or its successor, and were designated pursuant to Section 103-05. The Special PC Planned Community Preservation District and its regulations supplement or modify those of the districts on which it is superimposed.~~

Establishment of Special Planned Community Preservation District

The City Planning Commission has established the #Special Planned Community Preservation District# in areas that:

- (a) have a land area of at least 1.5 acres;
- (b) contain a minimum of three #buildings#;
- (c) were designed and substantially #developed# as a unit under the regulations of the Zoning Resolution prior to December 15, 1961; and
- (d) include considerable clustered #open space# and related #commercial uses# available to all residents of the District.

The Commission has found that the existing site plan resulted in superior functional relationships of #buildings#, #open spaces#, pedestrian and vehicular circulation systems, including parking facilities, and other amenities all together creating an outstanding planned #residential# community.

103-02

Special Planned Community Preservation District Areas

The #Special Planned Community Preservation District# areas are as follows, and are each indicated by the letters "PC" on the #zoning maps#:

Fresh Meadows in the Borough of Queens

The Harlem River Houses in the Borough of Manhattan

Parkchester in the Borough of the Bronx

Sunnyside Gardens in the Borough of Queens.

103-10

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Planned Community Preservation District#, ~~and in accordance with the provisions of this Chapter,~~ no new #development#, #enlargement# which may include demolition of #buildings#, or substantial alteration of landscaping or topography, is shall be permitted within the Fresh Meadows, Harlem River Houses and Parkchester areas, designated as a #Special Planned Community Preservation District# except by special permit of the City Planning Commission, pursuant to Sections 103-11 (Special Permits for Bulk and Parking Modifications) and 103-12 (Special Permit for Landscaping and Topography Modifications).

Special regulations for the Sunnyside Gardens area are set forth in Section 103-20, inclusive.

103-11

Special Permits for Bulk and Parking Modifications

- (a) For any new #development#, or #enlargement# which may include demolition, within a #Special Planned Community Preservation District#, the City Planning Commission, by special permit, may allow:
- (1) the unused total #floor area#, #dwelling units# or #rooming units# permitted by the applicable district regulations for all #zoning lots# within the #development# to be distributed without regard for #zoning lot lines#;
 - (2) the total #open space# or #lot coverage# required by the applicable district regulations for any #zoning lots# within the #development# to be distributed without regard for #zoning lot lines#;

- (3) minor variations in the #yard# regulations required by the applicable district regulations;
 - (4) minor variations in the height and setback regulations required by the applicable district regulations;
 - (5) modifications of the minimum spacing requirements consistent with the intent of the provisions of Section 23-71 (Minimum Distance Between Buildings on a Single Lot); or
 - (6) permitted or required #accessory# off-street parking spaces, driveways or curb cuts to be located anywhere within the #development#, without regard to #zoning lot lines# or the provisions of Sections 25-621 (Location of parking spaces in certain districts) and 25-631 (Location and width of curb cuts in certain districts), subject to the findings of Section 78-41 (Location of Accessory Parking Spaces).
- (b) In order to grant such special permits, the City Planning Commission shall make the following findings:
 - (1) that the new #development# or #enlargement# relates to the existing #buildings or other structures# in scale and design, and that the new #development# will not seriously alter the scenic amenity and the environmental quality of the community;
 - (2) that the new #development# or #enlargement# be sited in such a manner as to preserve the greatest amount of #open space# and landscaping that presently exists, consistent with the scale and design of the existing #development#, the landscaping surrounding the new landscaping arrangement, and conditions of the community;
 - (3) that the new #development# or #enlargement# be sited in such a manner that it will not require at that time, or in the foreseeable future, new access roads or exits, off-street parking or public parking facilities that will disrupt or eliminate major portions of #open space# and landscaping or will generate large volumes of traffic that will diminish the environmental quality of the community; and
 - (4) that minimal landscaping be removed during construction and such areas will be fully restored upon completion of construction.
- (c) Notwithstanding the provisions of paragraph (a)(6) of this Section, where the requirement for #accessory# off-street parking spaces, driveways or curb cuts can only be accommodated in such a manner that the functioning of the existing planned community is substantially injured, the City Planning Commission shall authorize waiver of all or part of the required parking.
- (d) No demolition permit shall be issued by the Department of Buildings for any #building# within the Special District after July 18, 1974, unless it is an unsafe #building# and

demolition is required pursuant to the provisions of Chapter 26, Title C, Part I Article 8, of the New York City Administrative Code, or its successor, except pursuant to a #development# plan for which a special permit has been granted under the provisions of this Section and Section 103-12.

The City Planning Commission may prescribe appropriate conditions and safeguards, including covenants running with the land which shall permit public or private enforcement reflecting terms, conditions and limitations of any special permit in order to minimize adverse effects on the character and quality of the community. The Commission may advise and recommend special conditions or modifications in the plans submitted by applicants in order to conform with the intentions of the #Special Planned Community Preservation District#.

103-12

Special Permit for Landscaping and Topography Modifications

No substantial modifications of existing topography or landscaping, including plantings, shall be permitted within the Special District except where such modifications are approved by special permit of the City Planning Commission.

103-04-103-13

Requirements for Application

An application to the City Planning Commission for the grant of a special permit respecting any #development# or #enlargement# or substantial ~~alteration~~ modification of landscaping or topography to be made within the Special District, shall include the existing and proposed site plan showing the location and the scale of the existing and proposed #buildings or other structures#, the location of all vehicular entrances and exits and off-street parking facilities, the changes that will be made in the location and size of the #open space#, and such other information as may be required by the Commission. The submission shall include a landscaping plan, building sections and elevation and an appropriate model of the planned community.

103-14

Recordation

At the time of any transfer of development rights which has been authorized by special permit under Section 103-11, the owners of #zoning lots# to which and from which development rights are transferred shall submit to the City Planning Commission a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer.

Notice of the restrictions upon further #development# of the lots to which development rights and from which development rights are transferred shall be filed by the owners of the respective lots in the place and county designated by law for the filing of deeds and restrictions on real property, a certified copy of which shall be submitted to the Commission.

Both the instrument of transfer and the notice of restrictions shall specify the total amount of #floor area# to be transferred, and shall specify, by lot and #block# numbers, the lots from which and the lots to which such transfer is made.

103-05 *(text incorporated into 103-01)*

Designation of Special Planned Community Preservation Districts

The City Planning Commission and the Board of Estimate may designate as ~~# Special Planned Community Preservation Districts#~~ areas of at least 1.5 acres which contain a minimum of three ~~#buildings#~~ designed and substantially ~~#developed#~~ as a unit under the regulations of the Zoning Resolution prior to December 15, 1961, with substantial clustered ~~#open space#~~ and related ~~#commercial uses#~~ available to all residents of the District, where the Commission finds that the existing site plan results in superior functional relationships of ~~#buildings#, #open spaces#,~~ pedestrian and vehicular circulation systems, including parking facilities, and other amenities all together creating an outstanding planned ~~#residential#~~ community.

103-06 *(text incorporated into 103-11(a). Portion of paragraph (f) incorporated into 103-11(c).*

Special Permit Provisions

For any new ~~#development#~~ or ~~#enlargement#~~ which may include demolition within a ~~#Special Planned Community Preservation District#,~~ the City Planning Commission, by special permit, may allow:

- (a) ~~the unused total #floor area#, #dwelling units# or #rooming units# permitted by the applicable district regulations for all #zoning lots# within the #development# to be distributed without regard for #zoning lot lines#;~~
- (b) ~~the total #open space# or #lot coverage# required by the applicable district regulations for any #zoning lots# within the #development# to be distributed without regard for #zoning lot lines#;~~
- (c) ~~minor variations in the #yard# regulations required by the applicable district regulations;~~
- (d) ~~minor variations in the height and setback regulations required by the applicable district regulations;~~
- (e) ~~modifications of the minimum spacing requirements consistent with the intent of the provisions of Section 23-71 (Minimum Distance Between Buildings on a Single Lot);~~
- (f) ~~permitted or required #accessory# off street parking spaces, driveways or curb cuts to be located anywhere within the #development#, without regard to #zoning lot lines# or the provisions of Section 25-621 (Location of parking spaces in certain districts), and Section 25-631 (Location and width of curb cuts in certain districts), subject to the~~

~~findings of Section 78-41 (Location of Accessory Parking Spaces). Where such requirement substantially injures the functioning of the existing planned community, waiver of all or part of the required parking may be authorized.~~

~~103-061~~ *(text incorporated into 103-11(b))*

Findings

~~As a condition precedent to the granting of a special permit under the provisions of Section 103-06, the City Planning Commission shall make the following findings:~~

- ~~(a) — that the new #development# or #enlargement# relates to the existing #buildings or other structures# in scale and design; and that the new #development# will not seriously alter the scenic amenity and the environmental quality of the community;~~
- ~~(b) — that the new #development# or #enlargement# be sited in such a manner as to preserve the greatest amount of #open space# and landscaping that presently exists, consistent with the scale and design of the existing #development#, the landscaping surrounding the new landscaping arrangement, and conditions of the community;~~
- ~~(c) — that the new #development# or #enlargement# be sited in such a manner that it will not require at that time, or in the foreseeable future, new access roads or exits, off-street parking or public parking facilities that will disrupt or eliminate major portions of #open space# and landscaping or will generate large volumes of traffic which will diminish the environmental quality of the community; and~~
- ~~(d) — that minimal landscaping be removed during construction and such areas will be fully restored upon completion of construction.~~

~~The City Planning Commission may prescribe appropriate conditions and safeguards, including covenants running with the land which shall permit public or private enforcement reflecting terms, conditions and limitations of any special permit hereunder to minimize adverse effects on the character and quality of the community. The Commission may advise and recommend special conditions or modifications in the plans submitted by applicants in order to conform with the intentions of the #Special Planned Community Preservation Districts#.~~

~~103-07~~ *(text incorporated into 103-11(d))*

Special Provisions for Demolition of Buildings

~~No demolition permit shall be issued by the Department of Buildings for any #building# within the Special District after July 18, 1974, unless it is an unsafe #building# and demolition is required pursuant to the provisions of Chapter 26, Title C, Part I Article 8 of the New York City Administrative Code, or its successor, except pursuant to a #development# plan for which a special permit has been granted under Section 103-06 (Special Permit Provisions).~~

103-08 *(text incorporated into 103-12)*

Special Provisions for Alterations of Landscaping or Topography

~~No substantial alterations of existing topography or landscaping, including plantings, shall be permitted within the Special District except where such alterations are approved by special permit by the City Planning Commission after public notice and hearing and subject to Board of Estimate action.~~

103-09 *(text renumbered 103-14)*

Recordation

~~At the time of any transfer of development rights which have been authorized by special permit under Section 103-06, the owners of #zoning lots# to which and from which development rights are transferred shall submit to the City Planning Commission a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer.~~

~~Notice of the restrictions upon further #development# of the lots to which development rights and from which development rights are transferred shall be filed by the owners of the respective lots in the place and county designated by law for the filing of deeds and restrictions on real property, a certified copy of which shall be submitted to the Commission.~~

~~Both the instrument of transfer and the notice of restrictions shall specify the total amount of #floor area# to be transferred, and shall specify, by lot and #block# numbers, the lots from which and the lots to which such transfer is made.~~

103-20

Special Regulations for Sunnyside Gardens

In order to further protect and enhance the character of the Sunnyside Gardens area within the #Special Planned Community Preservation District#, the regulations of this Section, inclusive, shall supersede the regulations of the #Special Planned Community Preservation District# and the underlying zoning districts, as applicable

The special permit provisions of Sections 103-11 (Special Permits for Bulk and Parking Modifications) and 103-12 (Special Permit for Landscaping and Topography Modifications) shall not apply within the Sunnyside Gardens area of the Special District.

103-21

Special Bulk Regulations

Notwithstanding any other provisions of this Resolution, #bulk# regulations applicable to the underlying #Residential# and #Commercial Districts# or modified within the Special District are hereby further modified to the extent set forth in this Section, inclusive.

103-211

Special Floor Area Regulations

In the Sunnyside Gardens area of the Special District, the #floor area# regulations of the underlying #Residential# and #Commercial Districts# shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #residential#, #commercial# and #community facility uses#, separately or in combination, shall be 0.75, which may be increased by up to 20 percent to a maximum #floor area ratio# of .9, provided that any such increase in #floor area# is located under a sloping roof which rises at least three and one half inches in vertical distance for each foot of horizontal distance, and the structural headroom of such #floor area# is between five and eight feet.

103-212

Special Density Regulations

In the Sunnyside Gardens area of the Special District, the density regulations of the underlying #Residential# and #Commercial Districts# shall not apply. In lieu thereof, for all #residential developments# or #enlargements#, the density factor for #dwelling units# shall be 900.

103-213

Special Height Regulations

In the Sunnyside Gardens area of the Special District, the height and setback regulations for R4 Districts as set forth in Article II, Chapter 3, shall apply to all #developments# or #enlargements# in #Residential# and #Commercial Districts#.

103-214

Special Yard Regulations

In the Sunnyside Gardens area of the Special District, the #yard# regulations for R4 Districts as set forth in Article II, Chapter 3, shall apply to all #developments# or #enlargements# in #Residential# and #Commercial Districts#.

103-22

Special Parking Regulations

In the Sunnyside Gardens area of the Special District, the off-street parking regulations of Article II, Chapter 5, pertaining to R4 Districts, shall be applicable for all #residential# and #community facility uses#, subject to the provisions of Section 103-23 pertaining to curb cuts.

103-23
Curb Cuts

Curb cuts shall not be permitted within the Sunnyside Gardens area of the Special District, except on the east side of 50th Street, within 100 feet of its intersection with 39th Avenue.

* * *

The above resolution (N 080253 ZRQ), duly adopted by the City Planning Commission on April 22, 2009 (Calendar No. 25), 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, FAICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman
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