



## CITY PLANNING COMMISSION

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June 23, 2004/Calendar No. 27

C 040115 ZMQ

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**IN THE MATTER OF** an application submitted by Queens Community Board 13 and the Royal Ranch Civic Association, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11d, changing from an R3-2 District to an R2 District, property bounded by:

- a) Bridgewater Avenue, a line 100 feet northerly of 267<sup>th</sup> Street, 73<sup>rd</sup> Avenue, and 267<sup>th</sup> Street; and
- b) 267<sup>th</sup> Street, a line 100 feet easterly of 73<sup>rd</sup> Avenue, the easterly prolongation of the southerly street line of 260<sup>th</sup> Place, and 73<sup>rd</sup> Avenue;

as shown on a diagram (for illustrative purposes only) dated March 22, 2004, Borough of Queens, Community District 13.

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The application for an amendment of the Zoning Map was filed by Community Board 13 and the Royal Ranch Civic Association on September 18, 2003, to rezone 13 properties from R3-2 to ensure that future construction would be consistent with the neighborhood's residential development patterns.

### **BACKGROUND**

Queens Community Board 13 and the Royal Ranch Civic Association propose Zoning Map rezoning portions of 2 blocks in the Glen Oaks neighborhood in Community District 13. The area to be rezoned encompasses ten properties located on the east side of 267<sup>th</sup> Street between Bridgewater Avenue and 73<sup>rd</sup> Avenue and three properties along the south side of 73<sup>rd</sup> Avenue between 267<sup>th</sup> Street and Langston Avenue.

The rezoning area is part of the Royal Ranch development which consists of about 120 single-family, split-level ranch style homes that were constructed on large lots in the mid 1950s. The development is situated on a terminal moraine, close to the highest point in Queens and is separated from the Little Neck neighborhood to the north by the Grand Central Parkway. The North Shore Towers complex which consists of three 32-story buildings and a golf course, is east of the rezoning area and the Glen Oaks Village garden apartment complex is located to the south. The subject properties are part of a larger R3-2 zoning district that was established in 1961 and includes both Glen Oaks Village and the North Shore Towers. The southern boundary for that R3-2 district runs along the centerline of 267<sup>th</sup> Street and 73<sup>rd</sup> Avenue, effectively separating the subject properties from the remainder of the Royal Ranch development, which is zoned R2.

The area to be rezoned was developed exclusively with single-family detached homes until last year. One lot, formerly occupied by a single-family home, was subdivided and two semi-detached, two-family residential buildings were constructed as-of-right under the existing R3-2 zoning. In addition, a third home was converted from a one- to a two-family structure. The proposed rezoning responds to community concerns that the R3-2 zoning permits housing types that are out of character with the predominantly single-family, detached housing type in the Royal Ranch development.

The existing R3-2 zoning permits all housing types including detached and semi-detached homes, garden apartments and row houses. The maximum floor area ratio (FAR) is 0.5 plus a 0.1 attic allowance. Minimum lot width and lot area depend upon the housing configuration. Detached residences require a minimum lot frontage of 40 feet and a minimum lot area of 3,800 square feet. Attached and semi-detached homes require lots that are at least 18 feet wide with 1,700 square feet of lot area. Community facilities are permitted an FAR of 1.0.

The proposed R2 zoning district permits only single-family, detached homes on 3,800 square-foot lots that have a minimum width of 40 feet. Side, front and rear yard requirements are the same as the R3-2 regulations for detached homes. A maximum FAR of 0.5 is permitted. The maximum number of dwelling units is determined by dividing the maximum permitted floor area by 1,900. One parking space is required per dwelling unit. Community facilities are permitted an FAR of 0.5.

The Royal Ranch rezoning area is comprised of 13 lots. Eleven lots are residentially developed with one- and two-story ranch and bi-level houses with side and back yard garages. Two lots are developed with two-family semi-detached homes. The built FAR of these homes is generally well below the allowable 0.5, ranging between 0.17 and 0.39. There are no vacant lots in the rezoning area.

## **ENVIRONMENTAL REVIEW**

This application (C 040115 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 040DCP016Q. 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 March 22, 2004.

The modification to the Zoning Map amendment, as discussed in the Consideration of this report, would not alter the conclusions presented in the Environmental Assessment Statement dated March 4, 2004 and the Negative Declaration issued on March 22, 2004.

### **UNIFORM LAND USE REVIEW**

This application (C 040115 ZMQ) was certified as complete by the Department of City Planning on March 22, 2004, and was duly referred to Community Board 13 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

#### **Community Board Public Hearing**

Community Board 13 held a public hearing on this application on April 22, 2004, and on April 26, 2004, by a vote of 27 in favor, 0 opposed and 8 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 1, 2004, approving the application with the following modifications:

The proposed rezoning would make three of the lots within the rezoning area non-complying. The proposed R2 district should be replaced with another zoning district that would allow up to two-family homes. Development of up to two-family homes would be consistent with development in the surrounding area and would serve to preserve the low density character to the Royal Ranch area.

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

On May 26, 2004 (Calendar No.7), the City Planning Commission scheduled June 9, 2004, for a public hearing on this application (C 040115 ZMQ). The hearing was duly held on June 9, 2004 (Calendar No.10). There were two speakers in favor of the application and none in opposition.

The Chair of the Community Board, which is a co-applicant of the proposed rezoning, described the

intent of the rezoning action, the potential effects the existing R3-2 zoning would have on the neighborhood with respect to housing character, traffic impact and congestion and addressed the need to retain single-family areas in the city. The secretary of the Royal Ranch Civic Association, also a co-applicant, spoke about the efforts made to reach an agreement with the affected property owners who wanted to retain the R3-2 zoning. She advised the Commission that at a June 4, 2004 meeting, members of the association, including most of the affected property owners, voted in favor of modifying the proposed zoning district from R2 to R3X. She submitted a copy of a petition in support of the modification with signatures of seven of the affected property owners.

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 were developed about 50 years ago as single-family detached houses, along with just over 100 other properties in the rest of the Royal Ranch development. The Commission also notes that most of the Royal Ranch community is zoned R2, but these 13 properties are part of a larger R3-2 district established in 1961 that covers the surrounding area, effectively separating the rezoning area from the rest of the Royal Ranch development.

The Commission is aware that under the R3-2 zoning designation, single-family homes can be replaced with multi-family structures that would be out of context with the surrounding development. It is also aware that one of the single-family properties proposed for rezoning was redeveloped as-of-right with four units in two semi-detached structures and that one of the other properties proposed

for rezoning was converted from a one- to two-family home.

The Commission acknowledges that the intent of the civic association in filing this application was to prevent replacement of the remaining eleven detached homes with semi-detached structures and it shares their concern about preserving the character of the neighborhood. The Commission was informed that affected property owners testified at both the community board and Borough President public hearings that they purchased their properties knowing that the R3-2 zoning would allow additional dwelling units as-of-right and that the proposed R2 zoning designation would limit their ability to expand.

The Commission carefully considered the interests of the affected property owners but also shares the concerns of the Borough President that retaining the existing R3-2 could possibly diminish the future character of the Royal Ranch neighborhood. The Commission recognizes that the need to protect low-density neighborhoods is critical to the strength and diversity of the city. For these reasons, the Commission has modified the application to rezone the subject properties from R2 to R3X. The Commission believes that the R3X zoning district, which allows only one- or two-family detached homes on 35 foot wide lots with a minimum lot area of 3,325 square feet, would best reflect the detached character of the homes in the Royal Ranch development. The R3X district, with an FAR of 0.6 and its lot width and lot area requirements, would eliminate the possibility of subdivision on most of the lots and allow the affected property owners of one-family homes in the rezoning area to add an additional unit as-of-right. The Commission believes the modification would be consistent with the residential character of the neighborhood and would meet the needs and goals of both the co-applicants and affected property owners. The Commission believes the modification will also ensure that future residential development would be consistent in scale and context with the area's detached homes.

## **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 and findings described in this report, the application of Community Board 13 and the Royal Ranch Civic Association for amendment of the Zoning Map, as modified herein, changing from an R3-2 District to an R3X District, property bounded by:

- a) Bridgewater Avenue, a line 100 feet northerly of 267<sup>th</sup> Street, 73<sup>rd</sup> Avenue, and 267<sup>th</sup> Street; and
- b) 267<sup>th</sup> Street, a line 100 feet easterly of 73<sup>rd</sup> Avenue, the easterly prolongation of the southerly street line of 260<sup>th</sup> Place, and 73<sup>rd</sup> Avenue;

Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated March 22, 2004 and modified on June 23, 2004, is approved.

The above resolution (C 040115 ZMQ), duly adopted by the City Planning Commission on June 23, 2004 (Calendar No. 27), 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**, Vice-Chairman

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., RICHARD W. EADDY,  
ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO,  
KAREN A. PHILLIPS, DOLLY WILLIAMS.**, Commissioners