



Legislation Text

File #: Res 2019-2013, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2019

Resolution approving the decision of the City Planning Commission on ULURP No. C 130344 ZMQ, a Zoning Map amendment (L.U. No. 947).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on September 27, 2013 its decision dated September 23, 2013 (the "Decision"), on the application submitted by the New York City 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 Nos. 9c, 9d, 10a, and 10b, to rezone all or portions of 127 blocks in East Elmhurst, Community District 3, and to change or add commercial overlays, on 14 block fronts located on the south side of Roosevelt Avenue between Elmhurst Avenue and 114th Street in Queens, Community District 4. This rezoning will also replace existing R3-2 and R4 districts with R2A, R3A, R3X, R3-1, R4-1, R4B, R4 and R6B zones and update certain commercial overlay districts which are intended to prevent out-of-character development, reinforce established building, and direct opportunities for moderate residential and commercial growth to locations along Astoria Boulevard. The new commercial overlay districts on the south side of Roosevelt Avenue will reinforce the avenue as a major shopping thoroughfare in Community Districts 3 and 4 (ULURP No. C 130344 ZMQ), Borough of Queens (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 22, 2013;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, the negative declaration (CEQR No. 13DCP138Q) issued on June 3, 2013 (the "Negative Declaration") which includes an "E" designation to avoid potential air quality, noise and hazardous materials impacts ("CEQR Designation E-314");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration and subject to CEQR Declaration E-314.

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130344 ZMQ,

incorporated by reference herein, the Council approves the Decision.

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. 9c, 9d, 10a and 10b:

A. CB 3

1. eliminating from within an existing R3-2 District a C1-2 District bounded by:
 - a. a line 150 feet northeasterly of Astoria Boulevard, 95th Street, Astoria Boulevard, 96th Street, a line 150 feet southwesterly of Astoria Boulevard, and 94th Street;
 - b. a line 150 feet northeasterly of Astoria Boulevard, 99th Street, Astoria Boulevard, 100th Street, a line 150 feet southwesterly of Astoria Boulevard, 98th Street, Astoria Boulevard, and 97th Street; and
 - c. a line 150 feet northeasterly of Astoria Boulevard, Gillmore Street, Astoria Boulevard, 105th Street, a line 150 feet southwesterly of Astoria Boulevard, 103rd Street, Astoria Boulevard, and 29th Avenue;
2. eliminating from within an existing R4 District a C1-2 District bounded by a line 150 feet northerly of 31st Avenue, 92nd Street, 31st Avenue, and 90th Street;
3. eliminating from within an existing R3-2 District a C2-2 District bounded by Astoria Boulevard, 88th Street, a line perpendicular to the easterly street line of 88th Street distant 140 feet northerly (as measured along the street line) from the easterly street line of 88th Street and the northeasterly street line of Astoria Boulevard, 89th Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northerly of 25th Avenue, 90th Place, a line 150 feet northerly of 25th Avenue, 92nd Street, 25th Avenue, and 87th Street;
4. eliminating from within an existing R4 District a C2-2 District bounded by:
 - a. Astoria Boulevard, 24th Avenue, 85th Street, a line 150 feet southwesterly of Astoria Boulevard, and 82nd Street; and
 - b. 25th Avenue, 92nd Street, a line 125 feet southwesterly of Astoria Boulevard, 91st Street, a line 150 feet southwesterly of Astoria Boulevard, 90th Street, Astoria Boulevard, the westerly boundary line of a park and its northerly prolongation, a line 150 feet southerly of 25th Avenue, and 88th Street;
5. changing from an R4 District to an R2A District property bounded by:
 - a. 25th Avenue, 84th Street, 30th Avenue, and a line midway between 83rd Street and 84th Street; and
 - b. a line 100 feet southwesterly of Astoria Boulevard, a line midway between 90th Street and 91st Street, 30th Avenue, and a line midway between 89th Street and 90th Street;
6. changing from an R3-2 District to an R3A District property bounded by:
 - a. a line 100 feet southwesterly of Astoria Boulevard, a line midway between 94th Street and 95th

Street, 30th Avenue, and 94th Street; and

- b. Ditmars Boulevard, 102nd Street, Ericsson Street, a line 87 feet southeasterly of 24th Avenue, Curtis Street, a line 100 feet northwesterly of 25th Avenue, Humphreys Street, 100th Street, 24th Avenue, and 101st Street and its northwesterly centerline prolongation;

7. changing from an R4 District to an R3A District property bounded by:

- a. a line 100 feet southwesterly of Astoria Boulevard, 94th Street, 30th Avenue, a line midway between 93rd Street and 94th Street, 31st Avenue, 93rd Street, 30th Avenue, 92nd Street, a line 100 feet northerly of 31st Avenue, and 91st Street; and
- b. 31st Avenue, 92nd Street, 32nd Avenue, and a line midway between 91st Street and 92nd Street;

8. changing from an R3-2 District to an R3X District property bounded by:

- a. Ditmars Boulevard, 100th Street, 23rd Avenue, a line midway between 99th Street and 100th Street, a line 100 feet northerly of 24th Avenue, 98th Street, 24th Avenue, a line 90 feet westerly of 95th Street, a line 400 feet northerly of 24th Avenue, 97th Street, 23rd Avenue, a line midway between 97th Street and 98th Street, a line 600 feet northerly of 23rd Avenue, and 97th Street and its northerly centerline prolongation;

- b. a line 100 feet northerly of 25th Avenue, a line midway between 92nd Street and 93rd Street, a line 340 feet northerly of 25th Avenue, 93rd Street, a line 160 feet southerly of 24th Avenue, 95th Street, a line 100 feet southerly of 24th Avenue, a line midway between 96th Street and 97th Street, a line 100 feet northerly of 25th Avenue, 96th Street, a line 200 feet southerly of 25th Avenue, a line midway between 96th Street and 97th Street, a line 100 feet northeasterly of Astoria Boulevard, 94th Street, 25th Avenue, and 92nd Street; and

- c. i 27th Avenue, Gillmore Street,

- ii 25th Avenue,

- iii Curtis Street,

- iv a line perpendicular to the northeasterly street line of Curtis Street distant 88 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Curtis Street and the northwesterly street line of 25th Avenue,

- v a line 95 feet northeasterly of Curtis Street,

- vi a line connecting two points: the first point on Course v distant 35 feet southeasterly (as measured along such course) from its intersection with Course iv, and the second point on the southwesterly street line of Ditmars Boulevard distant 106 feet northwesterly (as measured along the street line from its point of intersection with the northwesterly street line of 25th Avenue,

- vii Ditmars Boulevard,

- viii a line 125 feet northwesterly of 25th Avenue,

- ix Grand Central Parkway,
- x 31st Drive and its northeasterly centerline prolongation,
- xi Ditmars Boulevard,
- xii Astoria Boulevard, and
- xiii Kearney Street;

9. changing from an R4 District to an R3X District property bounded by 25th Avenue, 94th Street, a line 100 feet northeasterly of Astoria Boulevard, and 92nd Street;

10. changing from an R3-2 District to an R3-1 District property bounded by:

a. Ditmars Boulevard, 97th Street and its northerly centerline prolongation, a line 600 feet northerly of 23rd Avenue, a line midway between 97th Street and 98th Street, 23rd Avenue, a line 100 feet westerly of 92nd Street, a line connecting two points: the first point on the last named course distant 504 feet northerly (as measured on such course) from its intersection with the northerly street line of 23rd Avenue, and the second point on a line perpendicular to the westerly street line of 92nd Street distant 155 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of 92nd Street and the southerly street line of Ditmars Boulevard, and 92nd Street distant 74.5 feet westerly from its intersection with the westerly street line of 92nd Street; and

b. a line 100 feet northerly of 24th Avenue, a line midway between 99th Street and 100th Street, 23rd Avenue, 101st Street, 24th Avenue, 100th Street, Humphreys Street, a line 100 feet northwesterly of 25th Avenue, Curtis Street, 25th Avenue, Gillmore Street, 27th Avenue, a line midway between McIntosh Street and Humphreys Street, a line 425 feet northwesterly of 27th Avenue, McIntosh Street, 100th Street, a line 200 feet southerly of 25th Avenue, 99th Street, a line 100 feet southerly of 25th Avenue, and 98th Street;

11. changing from an R3-2 District to an R4 District property bounded by:

a. Astoria Boulevard, 87th Street, 25th Avenue, and 85th Street; and

b. a line 100 feet southwestery of Astoria Boulevard, 100th Street, 31st Avenue, and a line midway between 94th Street and 95th Street;

12. changing from an R3-2 District to an R4B District property bounded by 30th Avenue, a line midway between 94th Street and 95th Street, 31st Avenue, a line midway between 95th Street and 96th Street, Jackson Mill Road, and 94th Street;

13. changing from an R4 District to an R4B District property bounded by a line 100 feet southwestery of Astoria Boulevard, 85th Street, 25th Avenue, 86th Street, a line 100 feet northerly of 30th Avenue, 88th Street, 25th Avenue, a line midway between 88th Street and 89th Street, a line 100 feet southerly of 25th Avenue, a line 100 feet southwestery of Astoria Boulevard, a line midway between 89th Street and 90th Street, 30th Avenue, a line midway between 90th Street and 91st Street, a line 100 feet southwestery of Astoria Boulevard, 91st Street, a line 100 feet northerly of 31st Avenue, 92nd Street, 30th Avenue, 93rd Street, 31st Avenue, a line midway between 93rd Street and 94th Street, 30th Avenue, 94th Street, 32nd

Avenue, 92nd Street, 31st Avenue, 86th Street, 30th Avenue, 84th Street, 25th Avenue, a line midway between 83rd Street and 84th Street, 30th Avenue, a line midway between 82nd Street and 83rd Street, 25th Avenue, and 82nd Street;

14. changing from an R3-2 District to an R4-1 District property bounded by 31st Avenue, 103rd Street, a line 100 feet southerly of 31st Avenue, a line 100 feet southwesterly of Astoria Boulevard, 108th Street, 32nd Avenue, 94th Street, Jackson Mill Road, and a line midway between 95th Street and 96th Street;
15. changing from an R3-2 District to an R6B District property bounded by:
 - a. a line 100 feet northeasterly of Astoria Boulevard, 99th Street, Astoria Boulevard, 108th Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 31st Avenue, 103rd Street, 31st Avenue, 100th Street, a line 100 feet southwesterly of Astoria Boulevard, and 94th Street;
 - b. Astoria Boulevard, 88th Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northerly of 25th Avenue, 92nd Street, 25th Avenue, and 87th Street;
16. changing from an R4 District to an R6B District property bounded by 25th Avenue, 92nd Street, a line 100 feet northeasterly of Astoria Boulevard, 94th Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 25th Avenue, and a line midway between 88th Street and 89th Street;
17. establishing within an existing R3-2 District a C1-3 District bounded by:
 - a. 24th Avenue, a line midway between 85th Street and 86th Street, Astoria Boulevard, and 85th Street;
 - b. 23rd Avenue, 94th Street, a line 125 feet southerly of 23rd Avenue, and 93rd Street;
 - c. 23rd Avenue, 97th Street, a line 125 feet southerly of 23rd Avenue, and 96th Street; and
 - d. a line perpendicular to the southwesterly street line of Kearney Street distant 130 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Kearney Street and the northeasterly street line of Astoria Boulevard, Kearney Street, Astoria Boulevard, and 100th Street;
18. establishing within a proposed R4 District a C1-3 District bounded by 30th Avenue, 98th Street, 31st Avenue, and a line 125 feet westerly of 96th Street;
19. establishing within a proposed R4B District a C1-3 District bounded by:
 - a. a line 100 feet northerly of 31st Avenue, 89th Street, 31st Avenue, and a line midway between 88th Street and 89th Street; and
 - b. a line 100 feet northerly of 31st Avenue, 92nd Street, 31st Avenue, and 90th Street;
20. establishing within a proposed R6B District a C1-3 District bounded by Astoria Boulevard, 88th Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northerly of 25th Avenue, 92nd Street, a line 100 feet northeasterly of Astoria Boulevard, 99th Street, Astoria Boulevard, 31st Avenue, 100th Street, a line 100 feet southwesterly of Astoria Boulevard, 98th Street, Astoria Boulevard, 96th Street, a

line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 25th Avenue, a line midway between 88th Street and 89th Street, 25th Avenue, and 87th Street;

21. establishing within an existing R4 District a C2-3 District bounded by Astoria Boulevard, a westerly boundary line of a park and its southerly prolongation, a northerly boundary line of a park and its easterly prolongation, 83rd Street, 24th Avenue, 85th Street, a line 100 feet southwesterly of Astoria Boulevard, and 82nd Street;
22. establishing within a proposed R6B District a C2-3 District bounded by Astoria Boulevard, 108th Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 31st Avenue, 103rd Street, and 31st Avenue;

B. CB 4

1. eliminating from within an existing R6B District a C1-2 District bounded by:
 - a. Roosevelt Avenue, Junction Boulevard, 40th Road, and Warren Street; and
 - b. Roosevelt Avenue, 104th Street, 41st Avenue, and National Street;
2. eliminating from within an existing R6 District a C1-3 District bounded by Roosevelt Avenue, Aske Street, Whitney Avenue, a line 100 feet southerly of Roosevelt Avenue, a line perpendicular to the northeasterly street line of Case Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Case Street and the southeasterly street line of Elmhurst Avenue, Case Street, and Elmhurst Avenue;
3. eliminating from within an existing R6B District a C1-3 District bounded by Roosevelt Avenue, 98th Street, a line 100 feet southerly of Roosevelt Avenue, a line midway between Junction Boulevard and 97th Street, 40th Road, and Junction Boulevard;
4. eliminating from within an existing R5 District a C2-2 District bounded by Roosevelt Avenue, Warren Street, a line 100 feet southerly of Roosevelt Avenue, and 94th Street;
5. eliminating from within an existing R6 District a C2-2 District bounded by Roosevelt Avenue, 94th Street, a line 100 feet southerly of Roosevelt Avenue, and Aske Street;
6. eliminating from within an existing R6B District a C2-2 District bounded by:
 - a. Roosevelt Avenue, National Street, 41st Avenue, and a line 150 feet westerly of National Street; and
 - b. Roosevelt Avenue, 114th Street, a line midway between Roosevelt Avenue and 41st Avenue, and a line 100 feet southwesterly of 111th Street;
7. establishing within an existing R6B District a C1-4 District bounded by:
 - a. Roosevelt Avenue, 98th Street, a line 100 feet southerly of Roosevelt Avenue, a line midway between Junction Boulevard and 97th Street, 40th Avenue, Junction Boulevard, 40th Road, and

Warren Street; and

- b. Roosevelt Avenue, 111th Street, a line midway between Roosevelt Avenue and 41st Avenue, a line 100 feet northeasterly of 108th Street, 41st Avenue, 108th Street, a line midway between Roosevelt Avenue and 41st Avenue, a line 100 feet northeasterly of 104th Street, 41st Avenue, 104th Street, 41st Avenue, National Street, 41st Avenue, 102nd Street, a line 100 feet westerly of National Street, a line 100 feet southerly of Roosevelt Avenue, 102nd Street, Spruce Avenue, and 100th Street;
- 8. establishing within an existing R5 District a C2-4 District bounded by Roosevelt Avenue, Warren Street, a line 100 feet southerly of Roosevelt Avenue, and 94th Street;
- 9. establishing within an existing R6 District a C2-4 District bounded by Roosevelt Avenue, 94th Street, a line 100 feet southerly of Roosevelt Avenue, a line perpendicular to the northeasterly street line of Case Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Case Street and the southeasterly street line of Elmhurst Avenue, Case Street, and Elmhurst Avenue; and
- 10. establishing within an existing R6B District a C2-4 District bounded by Roosevelt Avenue, 114th Street, a line midway between Roosevelt Avenue and 41st Avenue, and 111th Street;

as shown on a diagram (for illustrative purposes only) dated June 3, 2013 and subject to the conditions of CEQR Declaration E-314, Community Districts 3 and 4, Borough of Queens.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on October 30, 2013, on file in this office.

City Clerk, Clerk of The Council