



Legislation Details (With Text)

**File #:** Res 2019-2013      **Version:** \*      **Name:** LU 947 - Zoning, Rezone all or portions of approximately 127 blocks in East Elmhurst, Queens (C 130344 ZMQ)

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 10/30/2013

**Enactment date:**      **Enactment #:**

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

**Sponsors:** Leroy G. Comrie, Jr., Mark S. Weprin

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 10-30-13

Date	Ver.	Action By	Action	Result
10/24/2013	*	Committee on Land Use	Approved by Committee	
10/30/2013	*	City Council	Approved, by Council	Pass

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 114<sup>th</sup> 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, 95<sup>th</sup> Street, Astoria Boulevard, 96<sup>th</sup> Street, a line 150 feet southwesterly of Astoria Boulevard, and 94<sup>th</sup> Street;
  - b. a line 150 feet northeasterly of Astoria Boulevard, 99<sup>th</sup> Street, Astoria Boulevard, 100<sup>th</sup> Street, a line 150 feet southwesterly of Astoria Boulevard, 98<sup>th</sup> Street, Astoria Boulevard, and 97<sup>th</sup> Street; and
  - c. a line 150 feet northeasterly of Astoria Boulevard, Gillmore Street, Astoria Boulevard, 105<sup>th</sup> Street, a line 150 feet southwesterly of Astoria Boulevard, 103<sup>rd</sup> Street, Astoria Boulevard, and 29<sup>th</sup> Avenue;
2. eliminating from within an existing R4 District a C1-2 District bounded by a line 150 feet northerly of 31<sup>st</sup> Avenue, 92<sup>nd</sup> Street, 31<sup>st</sup> Avenue, and 90<sup>th</sup> Street;
3. eliminating from within an existing R3-2 District a C2-2 District bounded by Astoria Boulevard, 88<sup>th</sup> Street, a line perpendicular to the easterly street line of 88<sup>th</sup> Street distant 140 feet northerly (as measured along the street line) from the easterly street line of 88<sup>th</sup> Street and the northeasterly street line of Astoria Boulevard, 89<sup>th</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northerly of 25<sup>th</sup> Avenue, 90<sup>th</sup> Place, a line 150 feet northerly of 25<sup>th</sup> Avenue, 92<sup>nd</sup> Street, 25<sup>th</sup> Avenue, and 87<sup>th</sup> Street;
4. eliminating from within an existing R4 District a C2-2 District bounded by:
  - a. Astoria Boulevard, 24<sup>th</sup> Avenue, 85<sup>th</sup> Street, a line 150 feet southwesterly of Astoria Boulevard, and 82<sup>nd</sup> Street; and
  - b. 25<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 125 feet southwesterly of Astoria Boulevard, 91<sup>st</sup> Street, a line 150 feet southwesterly of Astoria Boulevard, 90<sup>th</sup> Street, Astoria Boulevard, the westerly

boundary line of a park and its northerly prolongation, a line 150 feet southerly of 25<sup>th</sup> Avenue, and 88<sup>th</sup> Street;

5. changing from an R4 District to an R2A District property bounded by:

- a. 25<sup>th</sup> Avenue, 84<sup>th</sup> Street, 30<sup>th</sup> Avenue, and a line midway between 83<sup>rd</sup> Street and 84<sup>th</sup> Street; and
- b. a line 100 feet southwesterly of Astoria Boulevard, a line midway between 90<sup>th</sup> Street and 91<sup>st</sup> Street, 30<sup>th</sup> Avenue, and a line midway between 89<sup>th</sup> Street and 90<sup>th</sup> 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 94<sup>th</sup> Street and 95<sup>th</sup> Street, 30<sup>th</sup> Avenue, and 94<sup>th</sup> Street; and
- b. Ditmars Boulevard, 102<sup>nd</sup> Street, Ericsson Street, a line 87 feet southeasterly of 24<sup>th</sup> Avenue, Curtis Street, a line 100 feet northwesterly of 25<sup>th</sup> Avenue, Humphreys Street, 100<sup>th</sup> Street, 24<sup>th</sup> Avenue, and 101<sup>st</sup> 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, 94<sup>th</sup> Street, 30<sup>th</sup> Avenue, a line midway between 93<sup>rd</sup> Street and 94<sup>th</sup> Street, 31<sup>st</sup> Avenue, 93<sup>rd</sup> Street, 30<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 100 feet northerly of 31<sup>st</sup> Avenue, and 91<sup>st</sup> Street; and
- b. 31<sup>st</sup> Avenue, 92<sup>nd</sup> Street, 32<sup>nd</sup> Avenue, and a line midway between 91<sup>st</sup> Street and 92<sup>nd</sup> Street;

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

- a. Ditmars Boulevard, 100<sup>th</sup> Street, 23<sup>rd</sup> Avenue, a line midway between 99<sup>th</sup> Street and 100<sup>th</sup> Street, a line 100 feet northerly of 24<sup>th</sup> Avenue, 98<sup>th</sup> Street, 24<sup>th</sup> Avenue, a line 90 feet westerly of 95<sup>th</sup> Street, a line 400 feet northerly of 24<sup>th</sup> Avenue, 97<sup>th</sup> Street, 23<sup>rd</sup> Avenue, a line midway between 97<sup>th</sup> Street and 98<sup>th</sup> Street, a line 600 feet northerly of 23<sup>rd</sup> Avenue, and 97<sup>th</sup> Street and its northerly centerline prolongation;
- b. a line 100 feet northerly of 25<sup>th</sup> Avenue, a line midway between 92<sup>nd</sup> Street and 93<sup>rd</sup> Street, a line 340 feet northerly of 25<sup>th</sup> Avenue, 93<sup>rd</sup> Street, a line 160 feet southerly of 24<sup>th</sup> Avenue, 95<sup>th</sup> Street, a line 100 feet southerly of 24<sup>th</sup> Avenue, a line midway between 96<sup>th</sup> Street and 97<sup>th</sup> Street, a line 100 feet northerly of 25<sup>th</sup> Avenue, 96<sup>th</sup> Street, a line 200 feet southerly of 25<sup>th</sup> Avenue, a line midway between 96<sup>th</sup> Street and 97<sup>th</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, 94<sup>th</sup> Street, 25<sup>th</sup> Avenue, and 92<sup>nd</sup> Street; and
- c.
  - i 27<sup>th</sup> Avenue, Gillmore Street,
  - ii 25<sup>th</sup> 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 25<sup>th</sup> 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 25<sup>th</sup> Avenue,
  - vii Ditmars Boulevard,
  - viii a line 125 feet northwesterly of 25<sup>th</sup> Avenue,
  - ix Grand Central Parkway,
  - x 31<sup>st</sup> 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 25<sup>th</sup> Avenue, 94<sup>th</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, and 92<sup>nd</sup> Street;
10. changing from an R3-2 District to an R3-1 District property bounded by:
- a. Ditmars Boulevard, 97<sup>th</sup> Street and its northerly centerline prolongation, a line 600 feet northerly of 23<sup>rd</sup> Avenue, a line midway between 97<sup>th</sup> Street and 98<sup>th</sup> Street, 23<sup>rd</sup> Avenue, a line 100 feet westerly of 92<sup>nd</sup> 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 23<sup>rd</sup> Avenue, and the second point on a line perpendicular to the westerly street line of 92<sup>nd</sup> Street distant 155 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of 92<sup>nd</sup> Street and the southerly street line of Ditmars Boulevard, and 92<sup>nd</sup> Street distant 74.5 feet westerly from its intersection with the westerly street line of 92<sup>nd</sup> Street; and
  - b. a line 100 feet northerly of 24<sup>th</sup> Avenue, a line midway between 99<sup>th</sup> Street and 100<sup>th</sup> Street, 23<sup>rd</sup> Avenue, 101<sup>st</sup> Street, 24<sup>th</sup> Avenue, 100<sup>th</sup> Street, Humphreys Street, a line 100 feet northwesterly of 25<sup>th</sup> Avenue, Curtis Street, 25<sup>th</sup> Avenue, Gillmore Street, 27<sup>th</sup> Avenue, a line midway between McIntosh Street and Humphreys Street, a line 425 feet northwesterly of 27<sup>th</sup> Avenue, McIntosh Street, 100<sup>th</sup> Street, a line 200 feet southerly of 25<sup>th</sup> Avenue, 99<sup>th</sup> Street, a line 100 feet southerly of 25<sup>th</sup> Avenue, and 98<sup>th</sup> Street;
11. changing from an R3-2 District to an R4 District property bounded by:
- a. Astoria Boulevard, 87<sup>th</sup> Street, 25<sup>th</sup> Avenue, and 85<sup>th</sup> Street; and
  - b. a line 100 feet southwesterly of Astoria Boulevard, 100<sup>th</sup> Street, 31<sup>st</sup> Avenue, and a line midway between 94<sup>th</sup> Street and 95<sup>th</sup> Street;
12. changing from an R3-2 District to an R4B District property bounded by 30<sup>th</sup> Avenue, a line midway

- between 94<sup>th</sup> Street and 95<sup>th</sup> Street, 31<sup>st</sup> Avenue, a line midway between 95<sup>th</sup> Street and 96<sup>th</sup> Street, Jackson Mill Road, and 94<sup>th</sup> Street;
13. changing from an R4 District to an R4B District property bounded by a line 100 feet southwesterly of Astoria Boulevard, 85<sup>th</sup> Street, 25<sup>th</sup> Avenue, 86<sup>th</sup> Street, a line 100 feet northerly of 30<sup>th</sup> Avenue, 88<sup>th</sup> Street, 25<sup>th</sup> Avenue, a line midway between 88<sup>th</sup> Street and 89<sup>th</sup> Street, a line 100 feet southerly of 25<sup>th</sup> Avenue, a line 100 feet southwesterly of Astoria Boulevard, a line midway between 89<sup>th</sup> Street and 90<sup>th</sup> Street, 30<sup>th</sup> Avenue, a line midway between 90<sup>th</sup> Street and 91<sup>st</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, 91<sup>st</sup> Street, a line 100 feet northerly of 31<sup>st</sup> Avenue, 92<sup>nd</sup> Street, 30<sup>th</sup> Avenue, 93<sup>rd</sup> Street, 31<sup>st</sup> Avenue, a line midway between 93<sup>rd</sup> Street and 94<sup>th</sup> Street, 30<sup>th</sup> Avenue, 94<sup>th</sup> Street, 32<sup>nd</sup> Avenue, 92<sup>nd</sup> Street, 31<sup>st</sup> Avenue, 86<sup>th</sup> Street, 30<sup>th</sup> Avenue, 84<sup>th</sup> Street, 25<sup>th</sup> Avenue, a line midway between 83<sup>rd</sup> Street and 84<sup>th</sup> Street, 30<sup>th</sup> Avenue, a line midway between 82<sup>nd</sup> Street and 83<sup>rd</sup> Street, 25<sup>th</sup> Avenue, and 82<sup>nd</sup> Street;
  14. changing from an R3-2 District to an R4-1 District property bounded by 31<sup>st</sup> Avenue, 103<sup>rd</sup> Street, a line 100 feet southerly of 31<sup>st</sup> Avenue, a line 100 feet southwesterly of Astoria Boulevard, 108<sup>th</sup> Street, 32<sup>nd</sup> Avenue, 94<sup>th</sup> Street, Jackson Mill Road, and a line midway between 95<sup>th</sup> Street and 96<sup>th</sup> Street;
  15. changing from an R3-2 District to an R6B District property bounded by:
    - a. a line 100 feet northeasterly of Astoria Boulevard, 99<sup>th</sup> Street, Astoria Boulevard, 108<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 31<sup>st</sup> Avenue, 103<sup>rd</sup> Street, 31<sup>st</sup> Avenue, 100<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, and 94<sup>th</sup> Street;
    - b. Astoria Boulevard, 88<sup>th</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northerly of 25<sup>th</sup> Avenue, 92<sup>nd</sup> Street, 25<sup>th</sup> Avenue, and 87<sup>th</sup> Street;
  16. changing from an R4 District to an R6B District property bounded by 25<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, 94<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 25<sup>th</sup> Avenue, and a line midway between 88<sup>th</sup> Street and 89<sup>th</sup> Street;
  17. establishing within an existing R3-2 District a C1-3 District bounded by:
    - a. 24<sup>th</sup> Avenue, a line midway between 85<sup>th</sup> Street and 86<sup>th</sup> Street, Astoria Boulevard, and 85<sup>th</sup> Street;
    - b. 23<sup>rd</sup> Avenue, 94<sup>th</sup> Street, a line 125 feet southerly of 23<sup>rd</sup> Avenue, and 93<sup>rd</sup> Street;
    - c. 23<sup>rd</sup> Avenue, 97<sup>th</sup> Street, a line 125 feet southerly of 23<sup>rd</sup> Avenue, and 96<sup>th</sup> 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 100<sup>th</sup> Street;
  18. establishing within a proposed R4 District a C1-3 District bounded by 30<sup>th</sup> Avenue, 98<sup>th</sup> Street, 31<sup>st</sup> Avenue, and a line 125 feet westerly of 96<sup>th</sup> Street;
  19. establishing within a proposed R4B District a C1-3 District bounded by:

- a. a line 100 feet northerly of 31<sup>st</sup> Avenue, 89<sup>th</sup> Street, 31<sup>st</sup> Avenue, and a line midway between 88<sup>th</sup> Street and 89<sup>th</sup> Street; and
  - b. a line 100 feet northerly of 31<sup>st</sup> Avenue, 92<sup>nd</sup> Street, 31<sup>st</sup> Avenue, and 90<sup>th</sup> Street;
20. establishing within a proposed R6B District a C1-3 District bounded by Astoria Boulevard, 88<sup>th</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northerly of 25<sup>th</sup> Avenue, 92<sup>nd</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, 99<sup>th</sup> Street, Astoria Boulevard, 31<sup>st</sup> Avenue, 100<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, 98<sup>th</sup> Street, Astoria Boulevard, 96<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 25<sup>th</sup> Avenue, a line midway between 88<sup>th</sup> Street and 89<sup>th</sup> Street, 25<sup>th</sup> Avenue, and 87<sup>th</sup> 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, 83<sup>rd</sup> Street, 24<sup>th</sup> Avenue, 85<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, and 82<sup>nd</sup> Street;
22. establishing within a proposed R6B District a C2-3 District bounded by Astoria Boulevard, 108<sup>th</sup> Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet southerly of 31<sup>st</sup> Avenue, 103<sup>rd</sup> Street, and 31<sup>st</sup> Avenue;

**B. CB 4**

1. eliminating from within an existing R6B District a C1-2 District bounded by:
  - a. Roosevelt Avenue, Junction Boulevard, 40<sup>th</sup> Road, and Warren Street; and
  - b. Roosevelt Avenue, 104<sup>th</sup> Street, 41<sup>st</sup> 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, 98<sup>th</sup> Street, a line 100 feet southerly of Roosevelt Avenue, a line midway between Junction Boulevard and 97<sup>th</sup> Street, 40<sup>th</sup> 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 94<sup>th</sup> Street;
5. eliminating from within an existing R6 District a C2-2 District bounded by Roosevelt Avenue, 94<sup>th</sup> 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, 41<sup>st</sup> Avenue, and a line 150 feet westerly of National Street; and

- b. Roosevelt Avenue, 114<sup>th</sup> Street, a line midway between Roosevelt Avenue and 41<sup>st</sup> Avenue, and a line 100 feet southwesterly of 111<sup>th</sup> Street;
7. establishing within an existing R6B District a C1-4 District bounded by:
    - a. Roosevelt Avenue, 98<sup>th</sup> Street, a line 100 feet southerly of Roosevelt Avenue, a line midway between Junction Boulevard and 97<sup>th</sup> Street, 40<sup>th</sup> Avenue, Junction Boulevard, 40<sup>th</sup> Road, and Warren Street; and
    - b. Roosevelt Avenue, 111<sup>th</sup> Street, a line midway between Roosevelt Avenue and 41<sup>st</sup> Avenue, a line 100 feet northeasterly of 108<sup>th</sup> Street, 41<sup>st</sup> Avenue, 108<sup>th</sup> Street, a line midway between Roosevelt Avenue and 41<sup>st</sup> Avenue, a line 100 feet northeasterly of 104<sup>th</sup> Street, 41<sup>st</sup> Avenue, 104<sup>th</sup> Street, 41<sup>st</sup> Avenue, National Street, 41<sup>st</sup> Avenue, 102<sup>nd</sup> Street, a line 100 feet westerly of National Street, a line 100 feet southerly of Roosevelt Avenue, 102<sup>nd</sup> Street, Spruce Avenue, and 100<sup>th</sup> 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 94<sup>th</sup> Street;
  9. establishing within an existing R6 District a C2-4 District bounded by Roosevelt Avenue, 94<sup>th</sup> 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, 114<sup>th</sup> Street, a line midway between Roosevelt Avenue and 41<sup>st</sup> Avenue, and 111<sup>th</sup> 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