



## Legislation Details (With Text)

<b>File #:</b>	Res 0528-2004	<b>Version:</b>	*	<b>Name:</b>	LU 115 - ULURP, Hunters Point Subdistrict, Queens (040272ZRQ)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>In control:</b>	Adopted Subcommittee on Zoning and Franchises
<b>On agenda:</b>	8/12/2004				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on Application No. N 040272 ZRQ, an amendment to the text of the Zoning Resolution concerning Article XI, Chapter 7 (Special Long Island City Mixed Use District), relating to the revision of mixed use zoning regulations within the Hunters Point Subdistrict and expansion of the Special Long Island City Mixed Used District and the Hunters Point Subdistrict boundaries, Queens (L.U. No. 115).				
<b>Sponsors:</b>	Melinda R. Katz				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 8/12				

Date	Ver.	Action By	Action	Result
8/10/2004	*	Committee on Land Use	Approved by Committee	
8/12/2004	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 528

**Resolution approving the decision of the City Planning Commission on Application No. N 040272 ZRQ, an amendment to the text of the Zoning Resolution concerning Article XI, Chapter 7 (Special Long Island City Mixed Use District), relating to the revision of mixed use zoning regulations within the Hunters Point Subdistrict and expansion of the Special Long Island City Mixed Used District and the Hunters Point Subdistrict boundaries, Queens (L.U. No. 115).**

**By Council Members Katz and Avella**

WHEREAS, the City Planning Commission filed with the Council on June 29, 2004 its decision dated June 23, 2004 (the "Decision"), on the application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 040272 ZRM) (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 040273 ZMQ, amendment of the Zoning Map;

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 August 9, 2004;

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 and the Negative Declaration, issued on February 9, 2004 (CEQR No. 04DCP011Q);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision; and

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Underlined matter 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

## CHAPTER 7 SPECIAL LONG ISLAND CITY MIXED USE DISTRICT

\* \* \*

~~7/26/01~~

**117-04**

**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, three subdistricts are established within the #Special Long Island City Mixed Use District#. In each of these subdistricts certain regulations apply that do not apply within the remainder of the #Special Long Island City Mixed Use District#. The Special District and Subdistricts are shown in Appendix A of this Chapter.

Special regulations set forth in Sections 117-~~05~~ **-10** through 117-30, inclusive, shall apply to the Hunters Point Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.

\* \* \*

~~7/26/01~~

**117-05 10**

~~Hunters Point Subdistrict~~ **HUNTERS POINT SUBDISTRICT**

In the #Special Long Island City Mixed Use District#, the special regulations of Sections 117-10 through 117-30, inclusive, shall apply within the Hunters Point Subdistrict and, where noted in Sections 117-40 through 117-45, inclusive, shall also apply within the Court Square Subdistrict.

*(Note: the proposed amendment would delete the contents of Sections 117-10 through 117-24 pertaining to the Hunters Point Subdistrict and new regulations would be inserted in some of those section numbers.)*

~~7/26/01~~

~~117-10~~

~~SPECIAL USE REGULATIONS FOR M1-4 DISTRICTS~~

~~10/25/95~~

~~117-11~~

~~Residential Use Regulations~~

~~#Uses# listed in Use Groups 1 and 2 are allowed subject to the conditions set forth in Sections 117-111 through 117-114, inclusive, and subject to the #bulk# regulations set forth in Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS).~~

~~10/25/95~~

~~117-111~~

~~Residential enlargements~~

~~A #residential building# may be #enlarged# provided that the #enlargement# does not result in a new #dwelling unit#.~~

~~10/25/95~~

~~117-112~~

~~Residential developments~~

~~#Residential developments# are permitted, provided that:~~

- ~~(a) the #side lot lines# of the #zoning lot#, on which such #development# will be located, abut #zoning lots# occupied by #residential#, #community facility# or #commercial uses# other than #uses# listed in Use Groups 13 or 16;~~
- ~~(b) the frontage along the #street line# of such #zoning lot# does not exceed 60 feet and the total area of such #zoning lot# does not exceed 7,800 square feet; and~~
- ~~(c) no #use# listed in Use Groups 16, 17 or 18 is located on such #zoning lot#, or on the #zoning lot# or lots abutting the rear #lot line# of such #zoning lot#.~~

~~10/25/95~~

## **117-113**

### **Changes in use**

A ~~#residential use#~~ may be changed to a ~~#community facility use#~~.

10/25/95

## **117-114**

### **Authorizations for residential uses**

~~The City Planning Commission may authorize a #residential enlargement# resulting in additional #dwelling units# or a #residential development# on a #zoning lot# that does not comply with the requirements of Section 117-112 (Residential developments) provided it finds that the #residential use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from #commercial# or #manufacturing uses# on the same or abutting #zoning lot#.~~

~~In addition, for #residential developments#, the Commission shall find that:~~

- ~~(a) the #zoning lot# on which such #development# would be located has been vacant or #land with minor improvements#, continuously, for the five years immediately prior to the date of application for such authorization; and~~
- ~~(b) the #development# will not preempt any #zoning lot# which is essential to the normal functioning or growth of #manufacturing uses# within the District.~~

10/25/95

## **117-12**

### **Community Facility Use Regulations**

~~#Uses# in Use Groups 3 and 4 may be #developed# or #enlarged# subject to the #bulk# regulations set forth in Section 117-20.~~

10/25/95

## **117-121**

### **Changes of use**

A ~~#community facility use#~~ may be converted to a ~~#residential use#~~ provided a ~~#use#~~ listed in Use Group 16, 17 or 18 is not located within the ~~#building#~~.

~~The City Planning Commission may authorize the change of a #community facility use# in a #building# also occupied by a #residential use# to a #commercial use# or a #manufacturing use#, pursuant to Section 117-122 (Authorizations for community facility uses).~~

~~The Commission may authorize the change of a #community facility use# in a #building# also occupied by a #use# listed in Use Group 16, 17 or 18 to a #residential use# pursuant to Section 117-122.~~

10/25/95

## **117-122**

### **Authorizations for community facility uses**

The City Planning Commission may authorize the following changes of ~~#use#~~ provided it finds that the ~~#residential use#~~ will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from new or existing ~~#commercial#~~ or ~~#manufacturing uses#~~:

- (a) from a ~~#community facility use#~~ to a ~~#use#~~ listed in Use Group 5, 6, 7, 8, 9, 10, 12, 14, 16 or 17 in a ~~#building#~~, or portion thereof, occupied by a ~~#residential#~~ and ~~#community facility use#~~; or
- (b) from a ~~#community facility use#~~ to a ~~#residential use#~~ in a ~~#building#~~ also occupied by a ~~#use#~~ listed in Use Group 16, 17 or 18.

10/25/95

## **117-13**

### **Commercial and Manufacturing Use Regulations**

~~#Commercial#~~ and ~~#manufacturing uses#~~ are permitted subject to the provisions set forth in Sections 117-131 through 117-134, inclusive, and subject to the ~~#bulk#~~ regulations set forth in Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS), except that ~~#uses#~~ listed in Use Groups 13, 15 and 18 are not permitted.

10/25/95

## **117-131**

### **Developments, enlargements and extensions**

~~#Developments#~~ containing ~~#uses#~~ listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12 or 14 are permitted, provided that the ~~#zoning lot#~~ on which such ~~#development#~~ will be located has a ~~#street line#~~ abutting Fifth Street.

~~#Developments#~~ containing ~~#uses#~~ listed in Use Group 16 or 17 are permitted, provided that the ~~#zoning lot#~~ on which such ~~#development#~~ will be located is not occupied by a ~~#residential building#~~.

These restrictions shall not apply to the ~~#enlargement#~~ or ~~#extension#~~ of such ~~#uses#~~.

10/25/95

## **117-132**

### **Changes of use**

Any ~~#commercial#~~ or ~~#manufacturing use#~~ may be changed to a ~~#community facility use#~~.

On ~~#zoning lots#~~ not exceeding 2,500 square feet, any ~~#commercial#~~ or ~~#manufacturing use#~~ may be converted to a ~~#residential use#~~. On ~~#zoning lots#~~ exceeding 2,500 square feet, a ~~#commercial#~~ or ~~#manufacturing use#~~ may be converted to a ~~#residential use#~~ only pursuant to the provisions of Section 117-134 (Special permit for changes in use).

10/25/95

## **117-133**

## Authorizations for commercial or manufacturing uses

The City Planning Commission may authorize a ~~#development#~~ containing ~~#uses#~~ listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12 or 14 to locate on a ~~#zoning lot#~~ with no ~~#street line#~~ abutting Fifth Street, provided it finds that the ~~#use#~~ will be ~~#developed#~~ on a ~~#zoning lot#~~ that has been vacant or ~~#land with minor improvements#~~, continuously, for the five years immediately prior to the date of application for such authorization.

In addition, the Commission may authorize a ~~#development#~~ containing ~~#uses#~~ listed in Use Groups 16, 17 or 18 to locate on a ~~#zoning lot#~~ that is also occupied by a ~~#residential building#~~ provided it finds that the ~~#development#~~ will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on ~~#residential uses#~~ located on the same ~~#zoning lot#~~ or on abutting ~~#zoning lots#~~.

10/25/95

### 117-134

#### Special permit for changes in use

On a ~~#zoning lot#~~ exceeding 2,500 square feet, the City Planning Commission may permit the conversion of a ~~#building#~~, or portion thereof, in ~~#manufacturing#~~ or ~~#commercial use#~~ to ~~#residential use#~~, provided it finds that:

- (a) such ~~#building#~~, or portion thereof, has been vacant, continuously, for a period of one year immediately prior to the date of such application;
- (b) such ~~#residential use#~~ will not preempt any ~~#building#~~, or portion thereof, that is essential to the normal functioning or growth of ~~#manufacturing uses#~~ within the District; and
- (c) such ~~#residential use#~~ will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from ~~#commercial#~~ or ~~#manufacturing uses#~~ located either on the same ~~#zoning lot#~~ or on abutting ~~#zoning lots#~~.

10/25/95

### 117-14

#### Authorizations for Mixed Use Buildings

The regulations set forth in Sections 117-141 and 117-142, inclusive, apply to ~~#mixed use buildings#~~, as defined in Section 117-01 (Definitions).

10/25/95

### 117-141

#### Developments and enlargements

The City Planning Commission may, subject to the ~~#use#~~ regulations of Section 117-13 (Commercial and Manufacturing Use Regulations) and the ~~#bulk#~~ regulations of Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS), authorize a mixed ~~#use development#~~ or an ~~#enlargement#~~ of an existing ~~#mixed use building#~~, provided it finds that:

- (a) the ~~#street wall#~~ of the ~~#development#~~ or ~~#enlargement#~~ shall align with the ~~#street wall#~~ of an adjacent existing ~~#building#~~;

- (b) ~~the #commercial# or #manufacturing use# in the #development# or #enlargement# will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on #residential uses# located either on the same #zoning lot# or on abutting #zoning lots#; and~~
- (c) ~~in the case of an #enlargement# of the portion of an existing #mixed use building# that is in #residential use#, such #use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from #commercial# or #manufacturing uses# located on the same #zoning lot# or on abutting #zoning lots#.~~

~~10/25/95~~

~~117-142~~

### ~~Changes of use~~

~~The City Planning Commission may authorize a change of #use# in the portion of a #mixed use building# in #commercial use# to a #use# listed in Use Groups 16 or 17, provided it finds that the new #use# will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on #residential uses# located on the same #zoning lot# or on abutting #zoning lots#.~~

~~10/25/95~~

~~117-20~~

### ~~SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS~~

~~10/25/95~~

~~117-21~~

### ~~Residential Uses~~

~~The #bulk# regulations for #residential uses# in R6B Districts shall apply.~~

~~10/25/95~~

~~117-22~~

### ~~Community Facility Uses~~

~~The #bulk# regulations for #community facility uses# in R6B Districts shall apply.~~

~~7/26/01~~

~~117-23~~

### ~~Commercial and Manufacturing Uses~~

~~The #bulk# regulations of an M1-4 District shall apply to #commercial# or #manufacturing uses#.~~

~~10/25/95~~

~~117-24~~

### ~~Mixed-use Buildings~~

~~The maximum #floor area ratio# for a #mixed use building# shall be 2.0.~~

## 117-11

### General provisions

In special areas of the Hunters Point Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of this Chapter, such #Residence# and M1 Districts are referred to as the “designated districts.” The designated districts within the Hunters Point Subdistrict are indicated on the #zoning map# and are as follows:

M1-4/R6A

M1-4/R6B

M1-4/R7A

M1-5/R7X

M1-5/R8A

## **117-20**

### **SPECIAL PROVISIONS IN THE DESIGNATED DISTRICTS**

## **117-21**

### **Special Provisions for Use, Bulk and Parking**

M1-4/R6A M1-4/R6B M1-4/R7A M1-5/R7X M1-5/R8A

The special #use#, #bulk# and parking provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Hunters Point Subdistrict, except where modified by the provisions of this Section, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

## **117-22**

### **Modification of Use Group 6A**

M1-4/R6A M1-4/R6B M1-4/R7A M1-5/R7X M1-5/R8A

The provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, &D, 7E, 8, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12 E, 13, 14, and 16) pertaining to Use Group 6A shall be modified as follows:

Food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to #floor area# per establishment.

~~10/25/95~~

## **117-30**

### **SPECIAL PROVISIONS FOR C1 AND C2 DISTRICTS**

~~10/25/95~~

## **117-31**

### **Special Use Regulations**

For #residential developments# or #enlargements#, #uses# on the ground floor shall be limited to non-#residential uses# and lobby space. Not more than 8,000 square feet of the ground floor shall be devoted to #uses# listed in Use Group 6B.



10/25/95

**117-32**

**Special Bulk Regulations**

For #developments# or #enlargements#, any #street wall# shall be built coincident with the #street line#.

10/25/95

**117-40**

**COURT SQUARE SUBDISTRICT**

7/26/01

**117-401**

**General provisions**

\* \* \*

7/26/01

**117-41**

**Court Square Subdistrict Plan**

The Subdistrict Plan for the Court Square Subdistrict identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix B of this Chapter, which consists of the Subdistrict Plan Map and the Description of Improvements, and is incorporated into the provisions of this Chapter.

~~7/26/01~~

**117-42**

**Special Bulk and Use Regulations in the Court Square Subdistrict**

#Developments# or #enlargements# containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

Other #developments# or #enlargements# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an ~~M1-4 District~~ M1-4/R6B designated district pursuant to the regulations of Article XII, Chapter 3 (#Special Mixed Use District#), as modified by Sections 117-00 through ~~117-24~~ 117-22, inclusive.

~~7/26/01~~

**117-421**

**Special bulk regulations**

(a) #Developments# or #enlargements# that meet the minimum #floor area# and #zoning lot# standards of Section 117-44 (Mandatory subway improvements) and provide mandatory subway improvements as required by Section 117-44, may #develop# to a #floor area ratio# of 15.0. #Developments# or

~~#enlargements#~~ that do not meet the minimum standards of Section 117-44 shall not exceed the maximum ~~#floor area ratios#~~ set forth in Sections 117-20 through 117-23, inclusive, of the designated district for the applicable ~~#use#~~.

(b) The following provisions shall not apply within the Court Square Subdistrict:

Section 33-14 (Floor Area Bonus for an Urban Plaza)

Section 33-15 (Floor Area Bonus for Arcades)

Section 33-26 (Minimum Required Rear Yards)

Section 34-223 (Floor area bonus for a residential plaza)

Section 34-224 (Floor area bonus for an urban plaza)

Section 34-225 (Floor area bonus for an arcade)

Section 34-23 (Density Bonus for a Residential Plaza, Urban Plaza or Arcade).

(c) The height and setback regulations of the underlying C5-3 District shall apply, except that no ~~#building or other structure#~~ shall exceed a height of 85 feet above the ~~#base plane#~~ within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road.

\* \* \*

~~7/26/01~~

## **117-50 QUEENS PLAZA SUBDISTRICT**

\* \* \*

~~7/26/01~~

~~117-525~~

### **~~Density regulations for residential and mixed-use buildings in Areas A-1, A-2, B and C~~**

In Areas A-1, A-2, B and C of the Queens Plaza Subdistrict, the density requirements of Section 23-20 (DENSITY REGULATIONS) shall not apply. In lieu thereof, the ~~#lot area per dwelling unit#~~ requirements of this Section shall apply as set forth for the applicable designated ~~#Residence District#~~, as specified in the following table:

#### **MINIMUM LOT AREA PER DWELLING UNIT REQUIREMENTS IN THE DESIGNATED RESIDENCE DISTRICTS**

Designated Residence District

Minimum Lot Area per Dwelling Unit (square feet)

---

R7-3	135
R9	98
R10	-79

In addition, each #dwelling unit# shall have at least 400 square feet of #floor area#.

7/26/01

117- 526 525

Special yard regulations

\* \* \*

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 August 12, 2004, on file in this office.

.....  
City Clerk, Clerk of The Council