



Legislation Details (With Text)

File #: Res 0964-2011 **Version:** * **Name:** LU 423 - Sidewalk cafés, Along portions of Skillman Ave and Queens Blvd, Queens (N110209 ZRQ)
Type: Resolution **Status:** Adopted
In control: Committee on Land Use

On agenda: 7/28/2011

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on Application No. N 110209 ZRQ, for an amendment of the Zoning Resolution of the City of New York, concerning Article 1, Chapter 4 (Sidewalk Café Regulations), relating to the types of sidewalk cafés permitted along portions of Skillman Avenue and Queens Boulevard in Community District 2, Borough of Queens (L.U. No. 423).

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

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 7-28-11

Date	Ver.	Action By	Action	Result
6/23/2011	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
7/28/2011	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 964

Resolution approving the decision of the City Planning Commission on Application No. N 110209 ZRQ, for an amendment of the Zoning Resolution of the City of New York, concerning Article 1, Chapter 4 (Sidewalk Café Regulations), relating to the types of sidewalk cafés permitted along portions of Skillman Avenue and Queens Boulevard in Community District 2, Borough of Queens (L.U. No. 423).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on June 8, 2011 its decision dated June 6, 2011 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the Zoning Resolution of the City of New York to allow small sidewalk cafés on a portion of Queens Boulevard where currently all cafés are restricted and allow only small sidewalk cafés on portions of Skillman Avenue in Community District 2 (Application No. N 110209 ZRQ), Borough of Queens (the "Application");

WHEREAS, the Application is related to Applications N 110207 ZMQ (L.U. No. 421), an amendment of the Zoning Map, to rezone all or portions of 130 blocks in the Queens neighborhoods of Sunnyside and Woodside from R4, R5, R6, R7-1, C4-2, C8-1 and M1-1 districts to R4, R4-1, R5B, R5D, R6A, R7A, R7X, and C4-5X districts; and N 110208 ZRQ (L.U. No. 422), an amendment of the text of the Zoning Resolution to modify Appendix F to make the Inclusionary Housing Program applicable in R7X and C4-5X districts proposed to be mapped on Queens Boulevard;

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 June 21, 2011;

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 28, 2011, which included (E) designations to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-272), (CEQR No. 11DCP080Q);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 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, N 110209 ZRQ, 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 as follows:

Matter in underline is new, to be added;

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

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

* * * indicates where unchanged text appears in the Zoning Resolution (1/10/80)

Article 1 - General Provisions

* * *

Chapter 4

Sidewalk Cafe Regulations

* * *

14-41

Locations Where Certain Sidewalk Cafes Are Not Permitted

No #enclosed# or #unenclosed sidewalk cafes# shall be permitted on any of the following #streets#, portions of #streets# and areas, except that #small sidewalk cafes# may be permitted pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Queens:

82nd Street - from 34th Avenue to 41st Avenue

Austin Street - from Yellowstone Boulevard to Ascan Avenue

Junction Boulevard - from Northern Boulevard to 41st Avenue

Roosevelt Avenue - from Union Street to Prince Street.

Skillman Avenue- from 43rd Street to 56th Street

14-42

Locations Where Enclosed Sidewalk Cafes Are Not Permitted

* * *

14-43

Locations Where Only Small Sidewalk Cafes Are Permitted

#Small sidewalk cafes# may be located wherever #sidewalk cafes# are permitted, pursuant to Section 14-011 (Sidewalk cafe locations). In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, subject to the underlying zoning.

* * *

Queens:

Queens Boulevard-from a line 100 feet west of 39th Place to 48th Street

Skillman Avenue- from 45th Street to a line 100 feet east of 46th Street, south side only

Skillman Avenue- from 48th Street to 52nd Street

* #Small sidewalk cafes# are not allowed on 14th Street

** #Small sidewalk cafes# are not allowed on 86th Street within the #Special Madison Avenue District.

* * *

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 July 28, 2011, on file in this office.

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