



Legislation Text

File #: Res 2028-2001, Version: \*

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 2028

Resolution approving the decision of the City Planning Commission on Application No. N 000407 (A) ZRQ, an amendment to the text of the Zoning Resolution regarding Article XI, Chapter 7, (Special Hunters Point Mixed Use District) and related sections, renaming such district The Special Long Island City Mixed Use District, and establishing new subdistricts and related regulations, Queens (L.U. No. 1120).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on June 1, 2001 its decision dated May 23, 2001 (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 000407 (A) ZRQ) (the "Application");

WHEREAS, the Application is related to Application Numbers C 010260 PPQ (L.U. No. 1118), a disposition of city-owned property; C 000266 MMQ (L.U. No. 1119), an amendment to the City Map; C 000406 (A) ZMQ (L.U. No. 1121), an amendment to the Zoning Map; and C 000483 ZSQ (L.U. No. 1122), a special permit pursuant to Section 117-56 of the Zoning Resolution;

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 20, 2001, recessed until June 26, 2001 and recessed until June 28, 2001;

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 Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on May 11, 2001 (CEQR No. 00DCP055Q);

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:

- Matter in Graytone 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
- Underline indicates City Council's additions
- [Brackets] indicates City Council's deletions

11-12  
Establishment of Districts

\* \* \*

Establishment of the Special Hillside Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

Establishment of the Special Hunters Point Mixed Use District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 7, the #Special Hunters Point Mixed Use District# is here by established.

Establishment of the Special Jacob K. Javits Convention Center District

\* \* \*

Establishment of the Special Little Italy District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 9, the #Special Little Italy District# is hereby established.

Establishment of the Special Long Island City Mixed Use District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 7, the #Special Long Island City Mixed Use District# is hereby established.

Establishment of the Special Lower Manhattan District

\* \* \*

12-10  
DEFINITIONS

\* \* \*

Plaza, urban

\* \* \*

Predominantly built-up area

\* \* \*

Furthermore, the regulations applicable to a #predominantly built-up area# shall continue to apply in the #Special Coney Island Mixed Use District#, the #Special Hunters Point Mixed Use District#, and the #Special Ocean Parkway District#, and in areas subject to the provisions of Section 23-146 (Optional provisions for certain R5 and R6 Districts in Brooklyn).

\* \* \*

Public park

\* \* \*

Special Hillside Preservation District

\* \* \*

Special Hunter's Point Mixed-Use District (10/25/95)

The "Special Hunter's Point Mixed-Use District" is a Special Purpose District designated with the letters "HP" in which regulations set forth in Article XI, Chapter 7, apply. The #Special Hunter's Point Mixed-Use District# and its regulations supplement or supersede those of the districts on which it is superimposed.

The Court Square Subdistrict of the #Special Hunter's Point Mixed-Use District# is identified in Appendix A. Special regulations set forth in Sections 117-40 through 117-46, inclusive, shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-30, inclusive.

Special Jacob K. Javits Convention Center District

\* \* \*

Special Little Italy District

\* \* \*

Special Long Island City Mixed Use District

The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are three special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

Special Lower Manhattan District

\* \* \*

21-15  
R3-2, R4, R4B, R5, R6, R7, R8, R9 and R10 - General Residence Districts  
\* \* \*

R7-3 and R9-1 Districts may be mapped only within the #waterfront area# and in the #Special Mixed Use District# and, in addition, R7-3 Districts may be mapped in the #Special Long Island City Mixed Use District#.  
\* \* \*

ARTICLE XI  
Chapter 7  
Special Hunters Point Long Island City Mixed Use District

117-00  
GENERAL PURPOSES

The "Special Hunters Point Long Island City Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Hunters Point Long Island City community. These general goals include, among others, the following specific purposes:

- (a) to stabilize the future support the continuing growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial, community facility and light manufacturing uses where adequate environmental standards are assured;
- (b) to encourage the development of moderate to high density commercial uses within a compact transit-oriented area;
- (b c) to strengthen traditional retail streets in Hunters Point by allowing the development of new residential and retail uses;
- (c d) to promote the opportunity for people to work in the vicinity of their residences;
- (d e) to retain jobs within New York City;
- (e f) to provide an opportunity for the improvement of Hunters Point Long Island City in a manner consistent with the objectives of the comprehensive plan for the City of New York; and
- (f g) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

117-01  
Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

\* \* \*

Special Hunters Point Mixed Use District  
(repeated from Section 12-10)

The "Special Hunters Point Mixed Use District" is a Special Purpose District designated with the letters "HP" in which regulations set forth in Article XI, Chapter 7, shall apply. The #Special Hunters Point Mixed Use District# and its regulations supplement or supersede those of the districts on which it is superimposed.

The Court Square Subdistrict of the #Special Hunters Point Mixed Use District# is identified in Appendix A. Special regulations set forth in Sections 117-40 through 117-46, inclusive, shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-30, inclusive.

117-02  
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Hunters Point Long Island City Mixed Use District# and, in accordance with the provisions of this Chapter, the regulations of the #Special Hunters Point Long Island City Mixed Use District# shall supplement or supersede the underlying district regulations apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Long Island City Mixed Use District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

(a) For the purposes of this Chapter, all lawful principal #uses# in enclosed #buildings# that existed on October 25, 1995 shall be considered conforming. Such #uses# may be #enlarged# only as provided in this Chapter. Notwithstanding the provisions of Section 54-40 (Damage or Destruction in Non-complying Buildings), W when an existing a #building# that existed on October 25, 1995, within the Hunters Point or Court Square Subdistricts, is damaged or demolished by any means, it may be reconstructed to its #bulk# prior to such damage or destruction or to the #bulk# permitted by this Chapter, whichever is greater.

(b) For #developments# or #enlargements# containing both #residential# and non-#residential uses#, or for changes in #use# that would result in a #building# occupied by #residential# and non-#residential uses#, the #residential use# shall be located on a #story# above the highest #story# occupied, in whole or in part, by a non-#residential use#. Non-#residential uses# may, however, be located on the same #story#, or on a #story# higher than that occupied by #residential uses#, provided that the non-#residential uses#:

(1) are located in a portion of the #mixed use building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and

(2) are not located directly over any portion of the #building# containing #dwelling units#.

In the granting of special permits or authorizations, the City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.

(c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the #Special Hunters Point Long Island City Mixed Use District#, and the Court Square Subdistrict are set forth in Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and in Portions of Community Districts 1 and 2 in the Borough of Queens).

(d) In the granting of special permits or authorizations within the #Special Long Island City Mixed Use District#, the City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.

(e) Where references are made to #block# numbers within this Chapter, such numbers are to be found on the maps appended to this Chapter.

(f) In areas within the #Special Long Island City Mixed Use District# that are not within a Subdistrict, the regulations of the underlying zoning district shall apply.

117-03  
District Plan and Maps

The regulations of this Chapter implement the #Special Long Island City Mixed Use District# Plan.

The District Plan includes the following maps in Appendices A, B and C:

- Appendix A Map of the #Special Long Island City Mixed Use District# and Subdistricts
- Appendix B Court Square Subdistrict Plan Map and Description of Improvements (Note: formerly Appendix A and Appendix B)
- Appendix C Queens Plaza Subdistrict Plan Maps

- Map 1 - Designated Districts of the Queens Plaza Subdistrict
- Map 2 - Ground Floor Uses
- Map 3 - Area A-1 Sidewalk Widening, Street Wall Location and Ground Floor Uses

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

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 (#Special Long Island City Mixed Use District# and Subdistricts).

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

The Court Square Subdistrict Plan Map is within Appendix B. Special regulations set forth in Sections 117-40 through 117-45 shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03.

The Queens Plaza Subdistrict Plan Maps are included in Appendix C. Special regulations set forth in Sections 117-50 through 117-57, inclusive, shall apply to the Queens Plaza Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03.

117-05  
HUNTERS POINT SUBDISTRICT

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

(Note: There are no proposed changes in the existing Hunters Point regulations within the Hunters Point Subdistrict except for Sections 117-10 (title) and 117-23.)

117-10  
SPECIAL USE REGULATIONS FOR M1-4 DISTRICTS

\* \* \*

117-20  
SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS

\* \* \*

117-23  
Commercial and Manufacturing Uses

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

\* \* \*

117-40  
COURT SQUARE SUBDISTRICT

117-401  
General provisions

The regulations governing #developments#, #enlargements#, #extensions# or changes of #use# within the Court Square Subdistrict of the #Special Long Island City Mixed Use District# are contained within Sections 117-40 through 117-46 45. These regulations supplement or supersede the provisions of Sections 117-01 through 117-32 of the #Special Hunters Point Mixed Use District# 117-03 of the #Special Long Island City Mixed Use District# and supersede the underlying districts. Except as modified by the express provisions of Sections 117-40 through 117-46, the regulations of Sections 117-00 through 117-36 remain in effect.

\* \* \*

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 the following appendices Appendix B, which consists of the Subdistrict Plan Map and the Description of Improvements, and are is incorporated into the provisions of this Chapter: .

(a) Subdistrict Plan (Appendix A)

(b) Description of Improvements (Appendix B)

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.

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, as modified by Sections 117-00 through 117-24.

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) are subject to the underlying district provisions of C5-3, except as modified by Sections 117-40 through 117-46, 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 are subject to the provisions of Sections 117-00 through 117-30 and shall not exceed the maximum #floor area ratios# set forth in Sections 117-20 through 117-23, inclusive, for the applicable #use#.

[Note: (b) and (c) have been clarified and moved from Section 117-451]

(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.

117-422

Special use regulations

In the Court Square Subdistrict, permitted #uses# shall be limited to the following:

Colleges or universities, except dormitories, fraternities or sororities

Libraries, museums, or non-commercial art galleries

All #uses# listed in Use Group 4, except:  
Monasteries, convents or novitiates

#Non-profit hospital staff dwellings#

Use Group 5

All #uses# listed in Use Group 6, except:

Electric or gas utility substations

Public utility stations

Telephone exchanges or other communications equipment structures

Terminal facilities at river crossings

Water or sewage pumping stations

Use Group 9

Use Group 10

Use Group 11

4/8/98

117-423 422

Sign regulation

\* \* \*

117-44

Mandatory Subway Improvements

#Developments# or #enlargements# containing at least 70,000 square feet of total #floor area# on #zoning lots# of at least 10,000 square feet shall provide mandatory subway improvements as shown described in Appendices Appendix A and B of this Chapter.

In addition, on #Block# 3, any #development# or #enlargement# containing at least 300,000 square feet of total #floor area# or any #development# or #enlargement# on a #zoning lot# of at least 30,000 square feet of #lot area# shall provide all the mandatory subway

improvements for the #block#.

\* \* \*

8/6/98

117-441

Standards and procedures for mandatory subway improvements

\* \* \*

(3) Prior to the granting of certification by the Chairperson of the City Planning Commission pursuant to Section 117-4645 (Developer's Notice), the Transit Authority shall have submitted a letter to the Chairperson of the City Planning Commission stating the drawings and other documents submitted by the applicant have been determined by the Transit Authority to be of sufficient scope and detail to fix and describe the size and character of the subway improvement as to architectural, structural, mechanical and electrical systems; materials; relationship to existing site conditions; and other such elements as may be appropriate.

\* \* \*

(Note: The regulations contained in Section 117-45 are moved to Section 117-421, the Court Square bulk regulations section.)

10/25/95

117-45

Special Regulations Within the Court Square Subdistrict

8/27/98

117-451

Bulk regulations

(a) Within the Court Square Subdistrict, the following provisions affecting #Commercial Districts# shall not apply:

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).

(b) Within the Court Square Subdistrict, the underlying height and setback regulations of C5-3 Districts shall apply. In addition, no #building or other structure# shall exceed a height of 85 feet above #curb level# 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.

10/25/95

117-46 117-45

Developer's Notice

\* \* \*

117-50

QUEENS PLAZA SUBDISTRICT

117-501

General provisions

In Areas A-1, A-2, B and C of the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#, as indicated on Map 1 of Appendix C of this Chapter. For the purposes of this Chapter, such #Residence# and M1 Districts are referred to as the "designated districts."

For the purposes of this Chapter, in the Queens Plaza Subdistrict, the area referred to as the "Sunnyside Yard" shall include: Yard A, the Arch Street Yard and the Sunnyside Yard, which are located generally between Crane Street, Jackson Avenue, 21st Street, 49th Avenue, Skillman Avenue, 43rd Street and the North Railroad property line.

117-502

Queens Plaza Subdistrict Plan

The Queens Plaza Subdistrict Plan partly consists of the following three maps located within Appendix C of this Chapter:

Map 1 - Designated Districts within the Queens Plaza Subdistrict

Map 1 of the Queens Plaza Subdistrict Plan identifies special areas comprising the Queens Plaza Subdistrict in which an M1 District is paired with a Residence District as indicated on the Subdistrict Map. These areas are as follows:

Area	Designated Districts
A-1, A-2	M1-6/R10
B	M1-5/R9
C	M1-5/R7-3

#### Map 2 - Ground Floor Use and Frontage

Map 2 of the Queens Plaza Subdistrict Plan specifies locations where the special ground floor #use# and frontage regulations, as set forth in Section 117-512, apply.

#### Map 3 - Area A-1 Sidewalk Widening, Street Wall Location and Ground Floor Use

Map 3 of the Queens Plaza Subdistrict Plan specifies the locations in Area A-1 where special #street wall#, mandatory sidewalk widening and ground floor #use# regulations, as set forth in Sections 117-531 and 117-554, apply.

#### 117-503 Definitions

Definitions specifically applicable to the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District# are set forth in this Section. Other defined terms are set forth in Section 117-01 (Definitions) of the #Special Long Island City Mixed Use District# and Section 12-10 (DEFINITIONS).

#### Accessory use

In addition to those "accessory uses" listed in Section 12-10, for the purposes of this Section, an #accessory use# shall also include a #dwelling unit# in connection with any commercial, manufacturing or community facility establishment permitted in the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District# pursuant to Section 117-51 (Special Use Regulations), provided that no more than one such unit shall be permitted in connection with any establishment, and provided further that each such unit shall not exceed a gross area of 1,200 square feet or contain more than one kitchen.

#### Home occupation

Within the Queens Plaza Subdistrict, the #home occupation# provisions of Section 12-10 shall apply, except that:

- (a) up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#;
- (b) such #home occupation# may occupy more than 500 square feet of #floor area#; and
- (c) businesses operated as #home occupations# may have up to three non-#residential# employees.

#### 117-51 Queens Plaza Subdistrict Special Use Regulations

The special #use# provisions of Sections 123-20 through 123-50, inclusive, of the #Special Mixed Use District# shall apply in the Queens Plaza 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.

#### 117-511 Large retail establishments

The following #uses# as listed in Section 42-30 (USES PERMITTED BY SPECIAL PERMIT) shall be permitted as-of-right in the Queens Plaza Subdistrict with no limitation on #floor area# per establishment:

Department stores; carpet, rug, linoleum or other floor covering stores; clothing or clothing accessory stores; dry goods or fabric stores; food stores; furniture stores; television, radio, phonograph or household appliance stores; or variety stores.

#### 117-512 Ground floor use and frontage regulations

On designated #streets# in the Queens Plaza Subdistrict, as shown on Map 2 in Appendix C of this Chapter, the special ground floor #use# and frontage regulations of this Section shall apply to any #building or other structure# fronting on such #streets#.

#Uses# located on the ground floor level or within five feet of #curb level# shall be limited to #commercial#, #manufacturing# or #community



facility uses# permitted by the designated district regulations except as modified by the special #use# provisions of Sections 117-51 and 117-511. A building's ground floor frontage shall be allocated exclusively to such #uses#, except for lobby space or entrance space.

In no event shall the length of #street# frontage occupied by lobby space, entrance space and/or a building entrance recess exceed in total 50 percent of the building's total #street# frontage or 30 feet, whichever is less. However, the total length of #street# frontage occupied by lobby space and/or entrance space need not be less than 25 feet.

117-513  
Transparency requirement

Within the Queens Plaza Subdistrict the transparency requirements of this Section shall apply to all #developments# and to #enlargements# where the enlarged portion of the ground floor of the #building# is within eight feet of the #street line#. Transparency requirements shall not apply to any #building# where the ground floor is occupied by #uses# listed in Use Groups 16 or 17.

At least 50 percent of a building's #street wall# surface shall be glazed and transparent at the ground floor level. For the purpose of the glazing requirements, the building's #street wall# surface at the ground floor level shall be measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less. The lowest point at any point of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above #curb level#. Door or window openings within such walls shall be considered as transparent. Such openings shall have a minimum width of two feet.

In addition, the remaining portion of such building wall that is 50 feet or more in length and contains no transparent element between #curb level# and 14 feet above #curb level# or the ceiling of the ground floor, whichever is higher, or to its full height if such wall is less than 14 feet in height, shall be covered with vines or similar planting or contain artwork or be treated so as to provide visual relief. Plantings shall be planted in soil having a depth of not less than 2 feet, 6 inches and a minimum width of 24 inches.

117-52  
Queens Plaza Subdistrict Special Bulk Regulations

117-521  
General provisions

All #buildings and other structures# within the Queens Plaza Subdistrict shall comply with the #bulk# regulations of this Section. The regulations of the designated #Residence# and M1 Districts shall apply as set forth below.

In Areas A-1, A-2, B and C of the Queens Plaza Subdistrict, the #bulk# regulations set forth in Article II, Chapter 3, shall apply to all #residential uses# in a #building or other structure# in accordance with the regulations of the designated #Residence District#, and the #bulk# regulations set forth in Article IV, Chapter 3, shall apply to all #manufacturing#, #community facility# and #commercial uses# in a #building or other structure# in accordance with the regulations of the designated M1 District, except as modified in the special #bulk# regulations of Sections 117-522 through 117-533.

When two or more #buildings# on a single #zoning lot# are used in any combination for #uses# which, if located in a single #building#, would make it a #mixed use building#, the regulations set forth in this Section shall apply as if such #buildings# were a single #mixed use building#.

117-522  
Maximum floor area ratio for all uses

The maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# and #residential uses# in accordance with the applicable designated district shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# or #residential uses#, separately or in combination, is specified in the following table:

MAXIMUM FLOOR AREA RATIO FOR ALL USES  
IN THE QUEENS PLAZA SUBDISTRICT

Maximum Area	FAR
A-1, A-2	12.0
B	8.0
C	5.0

117-523  
Lot coverage and open space ratio requirements

(a) #Lot coverage# requirements for #residential buildings#

In the Queens Plaza Subdistrict, where the designated #Residence District# is an R7 or R9 District, the provisions of Sections 23-142 (In R6, R7, R8 or R9 Districts) through 23-144 regulating minimum required #open space ratios# and maximum #floor area ratios# shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the #lot coverage# requirements set forth for the designated district in Section 23-145, or Section 23-147

for #non-profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R7 Districts without a letter suffix, shall comply with the provisions for R7A Districts, as set forth in Section 23-147.

Where the designated district is an R7-3 District, the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

(b) #Lot coverage# and #open space ratio# requirements for #mixed use buildings#

#Lot coverage# and #open space ratio# requirements shall not apply to any portion of a #mixed use building# in the Queens Plaza Subdistrict.

117-524

Floor area bonus for a residential plaza, urban plaza or arcade

Any #floor area# bonus for a #residential plaza#, #urban plaza# or #arcade# permitted under the regulations of the designated #Residence# or M1 District shall not apply in the Queens Plaza Subdistrict.

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 #lot area per room# 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#.

117-526

Special yard regulations

(a) Residential buildings

No #front yards# or #side yards# are required in the Queens Plaza Subdistrict. However, if any open area extending along a #side lot line# is provided at any level, such open area shall have a minimum width of eight feet.

(b) Mixed use buildings

No #front yards# or #side yards# are required in the Queens Plaza Subdistrict. For a #residential# portion of a #mixed use building#, the required #rear yard# shall be provided at any level not higher than the floor level of the lowest #story# containing #dwelling units# or #rooming units#.

(c) Manufacturing or commercial buildings

The #rear yard# provisions of the designated M1 District shall apply, except that such #rear yard# provisions shall not apply to #manufacturing# or #commercial developments# or #enlargements# on #through lots#.

(d) Zoning lots adjacent to the Sunnyside Yard

On a #zoning lot# sharing a #lot line# with the Sunnyside Yard, no #yards# are required for any #development# within a distance of 100 feet from the shared #lot line#.

(e) For zoning lots occupying an entire #block#

No #rear yard# or #rear yard equivalent# shall be required for any #development# on a #zoning lot# occupying an entire #block#.

117-53

Height and Setback and Street Wall Location Regulations

The height and setback regulations of the designated #Residence# and M1 Districts shall not apply, except for permitted obstructions pursuant to Sections 23-62 or 43-42, as applicable. In lieu thereof, all #buildings or other structures# shall comply with the regulations set forth in Sections 117-531 (Street wall location) and 117-532 (Setback regulations for buildings that exceed the maximum base height). Such regulations, however, shall not apply along the #street frontage# of that portion of a #zoning lot# occupied by existing #buildings#, unless the #street walls# of such existing #buildings# are vertically extended by more than 15 feet. The height of all #buildings or other structures# shall be measured from the #base plane#.

117-531  
Street wall location

- (a) On a #wide street#, and on a #narrow street# within 50 feet of its intersection with a #wide street#, the #street wall# of a #building# shall be located on the #street line# and extend along the entire #street frontage# of the #zoning lot# up to at least the applicable minimum base height specified in the table in Section 117-532 or the height of the #building#, whichever is less. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.
- (b) On a #narrow street# within 100 feet of its intersection with a #wide street#, #street walls# shall extend along the entire width of such #narrow street# frontage of the #zoning lot# and shall rise without setback up to at least the applicable minimum base height specified in the table in Section 117-532, or the height of the #building#, whichever is less. Beyond 100 feet of the intersection of a #wide street#, #street walls# shall extend along at least 70 percent of such #narrow street# frontage of the #zoning lot# and shall rise without setback up to at least the applicable minimum base height specified in such table, or the height of the #building#, whichever is less. Beyond 50 feet of the intersection of a #wide street#, all #street walls# required pursuant to this paragraph, (b), shall be located within eight feet of the #street line#.
- (c) On a #wide street# above the ground floor level, up to 30 percent of the #aggregate width of street walls# may be located beyond the #street line# in compliance with #outer court# regulations.
- (d) On a #narrow street#, recesses are permitted at any level in the #street wall# of a base for #outer courts# or balconies. The aggregate length of such recesses shall not exceed 50 percent of the length of the entire #street wall# at any level. However, not more than 30 percent of the aggregate length of such recesses shall exceed a depth of eight feet.
- (e) In Area A-1 on the #blocks# specified in Map 3 of Appendix C, a #development# or #enlargement# shall comply with the provisions of paragraphs (a) through (d) of this Section as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #development# or #enlargement# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, developed in accordance with the provisions of Section 117-555, and located adjacent to a public sidewalk or mandatory sidewalk widening.
- (f) For any #development# or #enlargement# fronting on Queens Plaza South in Area A-1 or Area B as shown on Map 1 of Appendix C, any #street wall# along Queens Plaza South shall be set back five feet from the #street line# except as otherwise specified on Map 3.

117-532  
Setback regulations for buildings that exceed the maximum base height.

All portions of #buildings or other structures# that exceed the maximum base height specified in the table in this Section shall comply with the following provisions:

- (a) At a height not lower than the minimum base height or higher than the maximum base height specified in the table for the applicable area, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street# and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.

Minimum Base Area #Wide Streets#*	[Minimum Base Height* [on #Narrow Streets#**]	Maximum Base Height on All Streets]	Height [on
A-1	60	23	---
A-2	60	23	150
B	100	23	150
C	60	23]	100

\* On a #wide street# and on a #narrow street# within 50 feet of its intersection with a #wide street#]

\*\* On a #narrow street# beyond 50 feet of its intersection with a #wide street#]

[\* except for those blocks in area C adjacent to a narrow street along which there is an elevated structure.]

\* except that there shall be no Minimum Base Height for #buildings or other structures# on those blocks in Area C adjacent to a [narrow street] #Narrow Street# along which there is an elevated structure.

(b) On the #blocks# in Area A-1 shown on Map 3 of Appendix C, no setbacks are required above the applicable minimum base height specified in the table in paragraph (a). However, if a setback is provided, it shall comply with the provisions of paragraph (a) of this Section.

(c) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section.

117-533

Special permit to modify use or bulk regulations

For any #development#, #enlargement# or change of #use# on a #zoning lot# within the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# requirements, provided the Commission shall find that:

- (a) such modification will aid in achieving the general purposes and intent of the Special District;
- (b) such #use# modification will encourage a lively pedestrian environment along the #street# or mandatory sidewalk widening, or is necessary for the programmatic requirements of the #development#;
- (c) such #bulk# modifications will enhance the distribution of #bulk# on the #zoning lot#;
- (d) such #bulk# modifications will permit adequate access of light and air to surrounding #streets# and properties; and
- (e) such #development# or #enlargement# will relate harmoniously to the character of the surrounding area.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

117-54

Off-street Parking and Loading Regulations

- (a) The off-street parking provisions of Article I, Chapter 3, shall apply except that:
  - (1) the provisions of paragraph (b) of Section 13-142 (Additional Regulations for Permitted Accessory Off-Street Parking Spaces) shall also apply to Northern Boulevard, Crescent Street and 23rd Street; and
  - (2) the provisions of Section 13-133 (Community facility, commercial or manufacturing developments) shall be modified as follows: the maximum number of #accessory# off-street parking spaces permitted for a #development# or #enlargement# shall not exceed one space per 2,000 square feet of #floor area# or 250 spaces whichever is less.
- (b) Curb cuts for #developments# shall not be permitted within 40 feet of a #zoning lot line# that abuts the Sunnyside Yard.
- (c) #Public parking garages# shall be permitted on #Blocks# 86/72 and 403 pursuant to Section 117-56 (Special Permit for Bulk Modifications on Blocks 86/72 and 403).

117-541

Indoor bicycle parking

A designated area for bicycle parking shall be provided in Areas A-1 and A-2 for #commercial developments# or #enlargements# with a minimum #floor area ratio# of 5.0, except where more than 50 percent of the #floor area# of such #development# or #enlargement# is occupied by a #use# listed in Use Groups 16 or 17. Such designated area shall be provided at a ratio of one square foot per 1,000 square feet of #floor area#. Such facility must be enclosed, accessible and secure. Up to 25 percent of the designated bicycle parking area may be used for #accessory# facilities.

117-55

Mandatory Plan Elements for the Queens Plaza Subdistrict

117-551

General provisions

Within the Queens Plaza Subdistrict, the provisions of Sections 117-552 (Street trees) and 117-553 (Central refuse storage area) shall apply to any #development# or #enlargement# except where more than 50 percent of the #floor area# of such #development#, #enlargement#, alteration or change of #use# is occupied by a #use# listed in Use Groups 16 or 17.

The provisions of Sections 117-554 (Area A-1 mandatory sidewalk widening and ground floor uses) and 117-555 (Area A-1 mandatory sidewalk widening design requirements) apply to Area A-1 as identified in Map 3 in Appendix C of this Chapter.

117-552  
Street trees

#Street# trees shall be planted in the #street# adjacent to the #zoning lot#, except that #street# trees shall not be planted along Northern Boulevard and Queens Boulevard. At least one tree of 2.5 inch caliper or more shall be planted for each 25 feet of the entire #street# frontage of the #zoning lot#, excluding the frontage occupied by driveways or as required by the Department of Transportation. Trees shall be planted with gratings flush to grade in at least 200 cubic feet of soil per tree, with a depth of soil of at least 3 feet, 6 inches. Species shall be selected, installed and maintained in accordance with the specifications established by the Department of Parks and Recreation and the Department of Transportation.

If the Commissioner of Buildings determines that the tree planting requirements of this Section cannot be met in part or in whole because of subsoil conditions or the presence of an elevated structure, the number of required #street# trees that cannot be planted as required in this Section shall be planted in the #street# on the same #block# as the #zoning lot# to which it has frontage or at an alternative site approved by the Department of Parks and Recreation and the Department of Transportation.

117-553  
Central refuse storage area

The provisions of Section 28-23 (Refuse Storage and Disposal) shall apply.

117-554  
Area A-1 mandatory sidewalk widening and ground floor uses

The sidewalk widening and ground floor #use# provisions of this Section shall apply to all #developments# or #enlargements# with a #floor area ratio# of 3.0 or more:

(a) Sidewalk widening accessible to the public must be provided in the locations specified on Map 3 of Appendix C of this Chapter. Such mandatory sidewalk widening is subject to the design requirements of Section 117-555.

(b) Ground floor commercial use restriction

For any #development# or #enlargement# fronting on the mandatory sidewalk widening required in paragraph (a) of this Section, #uses# located on the ground floor level or within five feet of #curb# level shall be limited to #commercial uses# listed in Use Groups 5, 6A, 6C, 7A, 7B, 8A, 8B, 9, 10, 11A, 12A and 12B, where such #uses# are permitted by the special #use# regulations of Section 117-51 (Queens Plaza Subdistrict Special Use Regulations). Any #development# or #enlargement# fronting on such mandatory sidewalk widening shall be allocated exclusively to such #uses# except for lobby space, entrance space, or frontage used for subway access.

117-555  
Area A-1 mandatory sidewalk widening design requirements

(a) Access

All mandatory sidewalk widenings shall be accessible directly from an adjoining public sidewalk and unobstructed along at least 50 percent of the total #street# frontage. Driveways and vehicular accessways included as part of the total #street# frontage may not be counted as providing access. All mandatory sidewalk widenings shall be accessible to the public at all times.

There shall be at least one unobstructed pedestrian path of travel providing access to each of the following:

- (1) at least 70 percent of the mandatory sidewalk widening's total area;
- (2) any building lobby accessible to the mandatory sidewalk widening; and
- (3) any #use# that may be present on or adjacent to and having an entrance on the mandatory sidewalk widening.

(b) Access for persons with disabilities

The mandatory sidewalk widening shall be accessible to persons with disabilities in accordance with the Americans with Disabilities Act and the American National Standards (ANSI) design standards.

(c) Elevation

All mandatory sidewalk widenings shall be located at an elevation not more than three feet above or below the #curb level# of the nearest adjoining sidewalk.

A mandatory sidewalk widening shall be at the same elevation as the adjoining public sidewalk along the #street# frontage providing access, pursuant to paragraph (a) of this Section, for a minimum depth of 10 feet measured perpendicular to the #street line#.

When the size of a mandatory sidewalk widening is 8,000 square feet or more, a maximum of 25 percent of its area may be located at an elevation more than three feet above or below the nearest adjoining sidewalk, which area however may not be located within a depth of 10 feet from the sidewalk measured perpendicular to the #street line#.

Where an existing subway station entry is located on the sidewalk area abutting a mandatory sidewalk widening, the mandatory sidewalk widening shall be developed at the same elevation as the adjoining sidewalk for a distance of at least 15 feet in all directions from the entry except as required for drainage. No obstruction shall be permitted within such portion of the mandatory sidewalk widening.

(d) Permitted obstructions

The provisions of paragraphs (g)(1), (g)(2), (g)(3), (g)(5) and (g)(6) of Section 37-04 (Requirements for Urban Plazas) shall apply, except that in the case of kiosks, the provisions of paragraph (g)(3) shall be modified as follows: the aggregate area occupied by such kiosks shall not exceed 60 square feet or 1.5 percent of the area occupied by the sidewalk widening.

(e) Driveways, parking spaces, loading berths, exhaust vents and building trash storage facilities

The provisions of paragraph (h) of Section 37-04 shall apply.

(f) Trees

One tree per 500 square feet of sidewalk widening is required. Each tree shall measure at least 2.5 inches in caliper at the time of planting. Each tree shall be planted in at least 200 cubic feet of soil with a depth of at least 3 feet, 6 inches.

(g) Paving

The provisions of paragraph (l) of Section 37-04 shall apply.

(h) Seating

One linear foot of seating for every 150 square feet of mandatory sidewalk widening shall be provided. In addition, the provisions of Section 62-672 (Seating), shall apply.

(i) Bicycle parking facilities

The provisions of Section 27-123 (Bicycle parking facilities) shall apply.

(j) Drinking fountains

The provisions of Section 27-124 (Drinking fountains) shall apply.

(k) Aesthetic amenities

One of the following amenities shall be provided:

(1) prominent lighting that enhances the architectural features of the upper stories of the #building#;

(2) an ornamental water feature within the mandatory sidewalk widening; or

(3) artwork, such as sculpture, within the mandatory sidewalk widening.

(l) Lighting

The provisions of paragraph (n) of Section 37-04 shall apply, except that the minimum level of illumination shall be not less than two horizontal foot candles throughout the entire mandatory sidewalk widening.

(m) Sidewalk widening signs

The provisions of paragraph (o)(2) of Section 37-04 shall apply.

(n) Maintenance

The provisions of paragraph (q) of Section 37-04 shall apply.

117-56

Special permit for bulk modifications on #Blocks# 86/72 and 403

For any #development# or #enlargement# on a #zoning lot# that has at least 50,000 square feet of #lot area#, located on #Block# 86/72 or #Block# 403 in Area C as shown on Map 1 of Appendix C of this Chapter, the City Planning Commission may increase the #floor area ratio# up

to a maximum of 8.0 and may modify the #street wall# regulations of paragraphs (a) and (b) of Section 117-531(Street wall location) and paragraph (a) of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) provided that:

- (a) a public open area of not less than 20,000 square feet and a #public parking garage# containing no fewer than 250 spaces shall be included on the #zoning lot#; and further provided the Commission finds that:
- (1) the public open area is designed so that it provides recreational opportunities for the community;
  - (2) the portion of the #development# or #enlargement# adjacent to the public open area shall be either a retail #use#, other #use# or treatment that complements the open area;
  - (3) such modification of the #street wall# requirements is necessary to accommodate the public open area or the #public parking garage# and will result in a better site plan;
  - (4) the #public parking garage# is located and designed in such a way so that it shall not adversely affect the quality of the design, access to, or use of the public open area; and
  - (5) where the Commission permits parking on the roof of such #public parking garage#, such roof parking shall be so located as not to impair the essential character or future use or development of adjacent areas.

Design elements of the open area including lighting, paving, seating, #signs#, and planting areas shall be specified in the application. The provisions of paragraph (o) (Public space signage systems), and of paragraph (q) (Maintenance), of Section 37-04 (Requirements for Urban Plazas) shall apply.

- (b) The #public parking garage# shall be subject to the following conditions:
- (1) the floor space on one or more #stories# of the #public parking garage#, up to a height of 23 feet above #curb level# shall be exempt from the definition of #floor area# as set forth in Section 12- 10 (DEFINITIONS);
  - (2) the entrances and exits shall be located so that they will not be hazardous to traffic safety nor likely to unduly inhibit pedestrian movement; and
  - (3) at the vehicular entrances a minimum of 12 reservoir spaces shall be provided and the total number of reservoir spaces shall be equivalent to five percent of any spaces in excess of 250, up to a maximum of 50 reservoir spaces.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for sanitation and security, which may include conditions for lighting and landscaping or limitations on the manner and/or hours of operation.

117-57  
Modification of Article V, Chapter 4

The provisions of Section 123-80 (Modification of Article V, Chapter 4), of the Special Mixed Use District shall apply within the Queens Plaza Subdistrict.

APPENDIX A  
Hunters Point Subdistrict Map Special Long Island City Mixed Use District and Subdistricts Map

(SPECIAL DISTRICT AND SUBDISTRICT MAP)

8/14/86

APPENDIX A B  
Court Square Subdistrict Plan Map

(SUBDISTRICT PLAN MAP)

8/17/89  
APPENDIX B

Description of Improvements

This Appendix lists describes the mandatory lot improvements which that are designated on the District Plan Map (Appendix A B) for the Court Square Subdistrict. The appendix This description refers to the text for requirements and standards for the following improvements.

#Block# 1

- (1) A subway improvement, to consist of a connection between the G and 7 lines and maintenance of glass partitions in the control area

of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine which are to be installed by the developer of #Block# 2. The developer shall notify the Chairperson of the City Planning Commission upon both application for and issuance of a first building permit for the #development# on this #block#.

#Block# 2

(1) A subway improvement, to consist of a connection between the E/F and G lines preparation of preliminary plans for a G/7 connection and installation of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine upon receipt of a written request by the Chairperson of the City Planning Commission, which shall occur only after the issuance of a first building permit for the #development# on #Block# 1.

#Block# 3

(1) A subway improvement, to consist of construction of a building entrance within the #lot line# at the northwestern corner of the #block#, a direct link to the 7 platform, and construction of a new mezzanine area; and/or

(2) A subway improvement, to consist of a substantial physical improvement to the G platform and mezzanine areas, including reconfiguration of control areas as necessary and acoustical upgrading.

APPENDIX C

Queens Plaza Subdistrict:

Map 1 - Designated Districts

(MAP 1: DESIGNATED DISTRICTS)

Map 2 - Ground Floor Uses

(MAP 2: GROUND FLOOR USES)

Map 3 - Area A-1 Sidewalk Widening, Street Wall Location and Ground Floor Use

(MAP 3: AREA A-1 SIDEWALK WIDENING AND STREET WALL LOCATION)

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 26, 2001, on file in this office.

.....  
City Clerk, Clerk of Council



