



## Dutch Kills - Approved!

### Overview

#### Update October 7, 2008:

On October 7, 2008 the City Council adopted the Department's Dutch Kills zoning map changes as proposed and the zoning text changes with [modifications](#) (view the [adopted text](#)). The changes are now in effect.

The Department of City Planning is proposing a rezoning for the Dutch Kills neighborhood in Queens, Community District 1. After working closely with community residents, local elected officials and civic organizations, the Department proposes a finely grained rezoning strategy using mixed-use and contextual zoning districts to support the wide range of uses found in Dutch Kills. The rezoning would remove current restrictions on residential development and provide incentives to promote affordable housing.

The rezoning area encompasses 40 blocks adjacent to Sunnyside Yards and just north of Queens Plaza and the Long Island City core and is generally bounded by 36th Avenue on the north, Northern Boulevard on the east, 41st Avenue on the south, and 23rd Street on the west. The rezoning area is highly accessible by mass transit and is served by eight subway lines including the N, R, W, V, G, E and #7 trains at Queens Plaza and the F train at Queensbridge.

The proposal, which reflects the Department's continuing consultation with community groups and elected officials, seeks to:

- Provide residential and mixed-use development at an appropriate scale with the surrounding context;
- Provide incentives for affordable housing in areas proposed for higher density mixed-use development;
- Direct new development at higher densities to wide streets;
- Support existing light industrial businesses; and
- Reinforce the mixed-use residential and light-industrial/commercial context.



Study Area

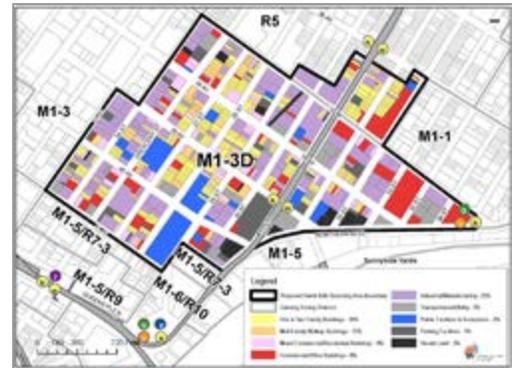


Mixed residential, community facility, commercial, and light industrial uses on 29th Street between 40th Avenue & 29th Avenue

## Dutch Kills - **Approved!** Existing Context and Zoning

Dutch Kills is a lively mixed-use residential, commercial and light industrial community located directly north of the Queensboro Bridge and the Special Long Island City Mixed-Use District. Approximately half of all zoning lots in the rezoning area are residential and mixed-use, and about one-third are in light industrial, wholesale, warehouse or parking use.

The current zoning in the Dutch Kills, M1-1 and M1-3D, severely restricts development of new residential uses. The M1-1 permits no new residential uses.



Existing Zoning and Land Use Map

[View a larger image](#)

### **M1-3D**

M1-3D zoning is located on thirty-six blocks generally bounded by 41st Avenue, Northern Blvd., 23rd Street and 37th Avenue. M1-3D is primarily a light manufacturing district that allows light manufacturing and commercial uses at a maximum FAR of 5.0 and limited community facilities at a maximum FAR of 6.5. The maximum height for light manufacturing and commercial buildings is regulated by the sky exposure plane.

Under the existing M1-3D zoning, new residential uses are only permitted by City Planning Commission authorization with a maximum FAR of 1.65 and residential enlargements are limited to 500 square feet per dwelling unit, with no change in the number of dwelling units permitted on a zoning lot. Maximum residential building height is 32 feet. There has been only one authorization granted by the City Planning Commission in Dutch Kills since the establishment of the M1-3D district in 1989 and there are four pending applications.



Fischer Landau Center for Art and 1-2 family residential uses on 30th Street



Mixed residential and commercial uses at corner of 29th Street and 39th Avenue



Light industrial, residential and community facility uses on 41st Avenue

### **M1-1**

M1-1 zoning is located on four blocks generally bounded by 36th Avenue, 33rd Street, 37th Avenue and 29th Street. New residential uses are prohibited and only light manufacturing and commercial uses are allowed at a maximum FAR of 1.0. Limited community facilities are allowed at a maximum FAR of 2.4. The maximum height is regulated by the sky exposure plane and parking requirements vary by use.



Mixed light manufacturing and residential uses on 32nd Street



Mixed commercial and residential uses on 31st Street

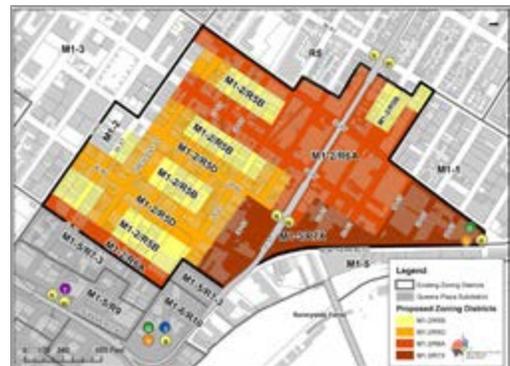


Mixed commercial and residential uses below the N/W train on 31st Street

## Dutch Kills - **Approved!** Proposed Zoning

The proposal is a finely tuned rezoning strategy for 40 blocks in Dutch Kills that will remove restrictions on residential development and conversions, while continuing to permit light manufacturing and commercial businesses. The proposal includes the establishment of the Dutch Kills subdistrict within the adjacent Special Long Island City Mixed Use District. It also proposes rezoning the existing M1-3D and M1-1 areas with a range of mixed-use districts (M1-2/R5B, M1-2/R5D, M1-2/R6A and M1-2/R7X) with different floor area maximums and height and setback regulations.

This rezoning is the first undertaken for the area since the M1-3D district was designated in 1989. It would meet the Department's goals of creating new residential opportunities, encouraging moderate and higher density development near public transportation and wide streets, and supporting continued economic growth in a mixed-use residential, commercial and light industrial community.



Proposed Rezoning Map

[View a larger image](#)

### **M1-2/R5B**

M1-2/R5B zoning is being proposed for all or portions of 20 midblocks throughout the rezoning area and will allow a maximum FAR of 2.0 for non-residential uses and 1.65 for residential uses. The maximum building height is 33 feet for residential uses. The maximum building height for light manufacturing and commercial buildings is governed by the sky-exposure plane. Parking will be required for 66% of the dwelling units. This district reflects the predominant 1-3 story scale of the subject areas.

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Proposed M1-2/R5B mixed-use zoning along Crescent Street

### **M1-2/R5D**

M1-2/R5D zoning is being proposed for all or portions of 19 blocks on both sides of 40th & 39th Avenues and along the east side of 29th Street. It will allow a maximum FAR of 2.0 for all uses and a maximum building height of 40 feet for residential uses. Parking is required for 66% of the dwelling units. This district reflects the slightly taller scale of the built fabric along these avenues.



Proposed M1-2/R5D mixed-use zoning along 29th Street

### **M1-2/R6A**

M1-2/R6A zoning is being proposed for all or portions of 22 blocks on both sides of 38th and 37th Avenues, the north side of 41st Av and along 31st Street between 39th and 36th Avenues. The maximum FAR is 2.0 for

non-residential uses and 3.0 for residential uses. Residential buildings must be developed pursuant to the [Quality Housing Program](#).

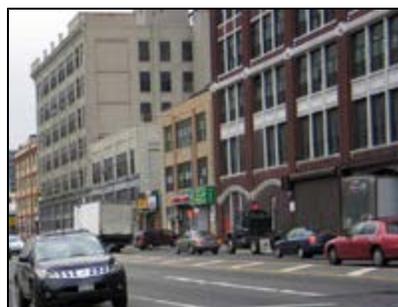
The maximum building height for residential uses is 70 feet with a minimum base height of 40 feet and maximum base height of 60 feet. The maximum building height for light manufacturing and commercial buildings is governed by the sky-exposure plane. Parking is required for 50% of the units. This moderate density district permits greater flexibility for development along wide streets and major transportation corridors such as 31st Street.



Proposed M1-2/R6A mixed-use zoning on corner of 29th Street and 38th Avenue

### **M1-3/R7X**

M1-3/R7X zoning is being proposed for all or portions of 11 blocks with frontage along Northern Boulevard. The maximum FAR for manufacturing and commercial uses is 5.0. The maximum base FAR for residential I uses is 3.75. The proposed zoning text amendment will make the [Inclusionary Housing](#) provisions applicable in this area. A maximum FAR of 5.0 would be achievable if affordable housing is provided on or off-site. The maximum building height for residential uses is 125 feet. The maximum building height of light manufacturing and commercial buildings is governed by the sky-exposure plane. This higher-density district closely matches the scale of the buildings on the east side of Northern Blvd, a wide street and takes advantage of the under-built nature of many of the sites which could be developed for residential and other mixed-uses in the near future.



Proposed M1-3/R7X mixed-use zoning along Northern Boulevard

### **Proposed Zoning Text Amendment**

A zoning text amendment is being proposed to create the Dutch Kills Subdistrict as an extension of the existing Special Long Island City Mixed-Use District. The proposed Subdistrict would be generally bounded by Queens Plaza North on the south, 23rd Street on the west, 36th Avenue on the north and Northern Boulevard on the east. Adjustments in bulk and parking requirements are being proposed to allow development with a mix of residential, commercial and light manufacturing uses that would be most compatible with the residential and commercial context of this unique area.

The text amendment will also make the Inclusionary Housing Program applicable in the proposed M1-3/R7X district along Northern Boulevard to provide incentives for the creation and preservation of affordable housing in conjunction with the development of new residential units.

For residential development without an affordable housing component, the maximum FAR would be limited to 3.75. Under the Inclusionary Housing Program, developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations tailored to this area. Developments could qualify for a maximum FAR of 5.0 (within the 60'-85' street wall limit and the 125' overall building height limit) in the designated district by providing 20 percent of the residential floor area in the development as permanently affordable housing for low-income households, or by constructing or preserving off-site affordable units for low-income households. Off-site units must be located within Community District 1, or within one half-mile of the bonused development if outside of Community District 1. Other city, state and federal housing finance programs may be used to provide further assistance in creation of affordable units.

View the [adopted text amendment](#) as modified by City Council on October 7, 2008.

## Dutch Kills - **Approved!** Public Review

On May 19, 2008 the Department of City Planning certified the Uniform Land Use Review ([ULURP](#)) application (C 080429 ZMQ) and referred the related text change application (N 080428 ZRQ) for the Dutch Kills Rezoning to begin the formal public review process. In addition to the applications for zoning text and zoning map amendments, a draft Environmental Impact Statement (DEIS) was issued on May 16, 2008. On July 23, 2008, a public hearing was held for both the DEIS and ULURP applications. Comments were accepted at the hearing and for ten days following the hearing, until August 4th, 2008. All relevant comments were incorporated into the [Final Environmental Impact Statement \(FEIS\)](#) and a  [Notice of Completion](#) for the FEIS was issued on August 29th, 2008.

For more information about this proposal please contact the Department of City Planning, Queens Office, at 718-520-2100.

### Project Milestones

Milestone	Date
Notice of Draft Scope of Work	November 2007
Public scoping meeting on the Draft Scope of Work for an <a href="#">Environmental Impact Statement (EIS)</a>	November 19, 2007
Completion of the draft EIS	May 16, 2008
Department of City Planning Certification	May 19, 2008
Community Board 1 Approval (with conditions)	June 17, 2008
Queens Borough President Hearing	July 10, 2008
City Planning Commission Public Hearing	July 23, 2008
Completion of Final EIS	August 29th, 2008
City Planning Commission Approval (with modifications*) <a href="#">Read the CPC Reports</a>	September 8, 2008
City Council Approval (with modifications**)	October 7, 2008

#### \*CPC Modifications

On September 8, 2008, the City Planning Commission approved the actions with the following zoning text modification: that within the Dutch Kills Subdistrict in areas not zoned M1-3/R7X and within the proposed M1-2 District outside of the Subdistrict, the maximum FAR would be 3.0 for certain uses listed in Use Groups 16A, 16D, 17A and 17B and photographic or motion picture production studios or radio and television stations listed in Use Group 10A. These uses would continue to be subject to the height and setback regulations of an M1-2 District.

The original proposal allowed a maximum FAR of 2.0 for all light industrial and commercial uses in areas not zoned M1-3/R7X. This modification to an FAR of 3.0 would allow reasonable expansion opportunities to production oriented businesses that have traditionally been part of the mixed-use character of Dutch Kills, and it would allow them to build under a flexible envelope of up to 60 feet before setback for the purposes of expansion or maintaining their business.

#### \*\*City Council Modifications

On October 7, 2008, the City Council approved the actions with the following zoning text modification: that within the Dutch Kills Subdistrict in areas zoned M1-2/R6A and within the proposed M1-2 District outside of the Subdistrict, the maximum FAR would be increased to 4.0 for certain uses listed in Use Groups 16A, 16D, 17A and 17B and photographic or motion picture production studios or radio and television stations listed in Use Group 10A.

The original proposal as modified by the City Planning Commission allowed a maximum FAR of 3.0 for certain uses listed in Use Groups 16A, 16D, 17A and 17B and photographic or motion picture production studios or radio and television stations listed in Use Group 10A.

## Related Notes

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-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (\*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.