Project Description (LR Item 3)
Project ID: 2024Q0192

247-56 90th Avenue

March 2025

1. Introduction

Philip Mathai (the "Applicant") seeks a zoning map amendment in the Bellerose neighborhood of Queens Community District #13. The Applicant seeks a zoning map amendment from R4-1 to R4 (the "Proposed Action") that would affect Block 8662, Lot 28 as well as portions of ("p/o") Lots 24, 25, 27, 30, 31, 32, 33, 37, 137, 138, 40 and 41 (the "Rezoning Area"), which is oriented along the south side of 90th Avenue near Commonwealth Boulevard.

The Proposed Action would enable the development of Lot 31, which is currently vacant, with a new two-family dwelling on a single zoning lot with Lot 30 (the "Development Site"). The total zoning lot would contain 3,201 zoning square feet or 0.77 FAR (the "Proposed Development").

2. Background

The Development Site was zoned R4 at the inception of the 1961 Zoning Resolution ("ZR"). In addition to the R4 zoning, the area lining nearby Jericho Turnpike to the south was mapped with C2-2 commercial overlays. That zoning remained until 1989 when portions of the underlying R4 district was amended to R3A (A-1543), to the north of Jericho Turnpike. However, the Rezoning Area remained as R4.

Subsequently in August of 1991, the Rezoning Area was amended from R4 to R4-1as part of the Bellerose Rezoning (C 910165 ZMQ). In addition, the 100-foot commercial overlay along Jericho Turnpike, that dates from the original 1961 ZR, was changed from a C2-2 to a C1-3 district with the 2013 Bellerose-Floral Park-Glen Oaks Rezoning (C 130188 ZMQ).

It should be noted; the 1991 Bellerose Rezoning mapped the boundary between the R4-1 district and the R4 district in a way that resulted in a series of split lots on the south side of 90th Avenue.

Most recently, the City of Yes for Housing Opportunity (CHO*)* text amendments were approved in December of 2024 (N 240290 ZRY). The text changes aim to facilitate the development of more housing across the city by creating floor area incentives and removing development barriers. As

a result of this text amendment, Rezoning Area was added to a new Outer Transit Zone (OTZ), which is part of a larger Greater Transit Zone. The OTZ reduces parking requirements in proximity to transit and waives qualifying affordable units. In addition, lower-rise districts such as R4 and R4-1 were amended for modest increases in permitted bulk, as well as providing a new optional Qualifying Site criteria for parcels larger than 5,000 square feet in lot area and located along wide roadways in the Greater Transit Zone. This new criteria permits additional height and floor area, as well as waives parking, as further outlined below.

There are no other approved land use actions or changes in the last 10 years of the Rezoning Area within 1000 feet.

3. Description of the Surrounding Area

The Rezoning Area is located along 90th Avenue near Commonwealth Boulevard in the Queens Community District #13. To the immediately south of the Rezoning Area is Jericho Turnpike and the boundary between Queens and Nassau County. 90th Avenue is a 'narrow' local street (50 feet wide) while Commonwealth Boulevard is a 'wide' north-south neighborhood arterial (80 feet in width). Jericho Turnpike is another 'wide' arterial with 100 feet in width and extends into Long Island. To the west is the Cross Island Parkway.

The surrounding area is defined as the 600-foot radius from the Rezoning Area, which is bound by 88th Drive to the north, 247th Street in the west, Jericho Turnpike in the south and 249th Street in the east (the "Surrounding Area"). The Surrounding Area is mixed in use with predominantly residential uses to the north of Jericho Turnpike and commercial uses lining Jericho Turnpike, both mixed-use buildings with ground-floor retail (and residences above) and one- and two-story commercial, automotive-related uses and a single community facility use. These uses include retail spaces (a bank, , laundromat, several eating and drinking establishments, smoke shops, a spa, a pet store and barbershop) as well as office space. Non-retail uses include a lumber supply depot, automotive repair and a small warehouse. Notable community facilities include a house of worship located at 91-19 247th Street (Living Water Pentecostal Church) at St. Gregory the Great Catholic Academy at 244-44 87th Avenue. The closest public open space is the 3.4-acre Breininger Park located to the west at 240th Street, which is a Department of Parks and Recreation (DPR) controlled and managed public open space.

In terms of densities and built form, the area to the north of Jericho Turnpike is predominantly residential, as referenced above, and comprises a mix of detached and semi-detached one and two-family homes typically rising between 2- and 3-stories. The area lining Jericho Turnpike – only the north side of the street, as the southern side of the street is located in Nassau County – is lined with commercial and mixed-use developments. These buildings typically rise between 1- and 2-

stories. Some lots contain surface parking, such as bank branch at 247-53 Jericho Turnpike, a diner at 248-27 Jericho Turnpike and the automotive use at 248-55 Jericho Turnpike.

As noted above, the Rezoning Area is located in a R4-1 district, which is an irregular district mapped north and west of the Rezoning Area. The Surrounding Area also contains an R4 district, an R4/C1-3 district and R2A district.

The underlying R4-1 districts permit one- and two-family detached and semi-detached residences at a maximum FAR of 1.0 A minimum lot width of 25 feet and a minimum lot area of 2,375 square feet are required for detached houses, and a minimum lot width of 18 feet and minimum lot area of 1,700 square feet are required for semi-detached residences. The perimeter wall may rise 25 feet before sloping back to a maximum height of 35 feet. Under Qualifying Residential Site Criteria, lots with 5,000 square feet in lot area and a location on a wide roadway (or short end of a block) can permit all types of residences at a maximum FAR of 1.5 FAR and an increased height of 45 feet. In the Greater Transit Zone, R4-1 districts require parking for 50% of dwelling units and Qualifying Residential Sites typically waive out of parking.

The surrounding R4 district generally surrounds the Rezoning Area to the north, south and west. R4 districts allow all types of residences including multifamily residential development at a maximum FAR of 1.0.

A minimum lot width of 30 feet and a minimum lot area of 2,850 square feet are required for detached houses, and a minimum lot width of 18 feet and minimum lot area of 1,700 square feet are required for attached or semi-detached residential buildings. The perimeter wall may rise 25 feet before being set back to achieve a maximum building height of 35 feet. R4 Infill provisions permit an increased FAR of 1.35. Under Qualifying Residential Site Criteria, lots with 5,000 square feet in lot area and a location on a wide roadway (or short end of a block) can permit all types of residences at a maximum FAR of 1.5 FAR and an increased height of 45 feet. In the Greater Transit Zone, R4 districts require parking for 35% of dwelling units and Qualifying Residential Sites typically waive out of parking. When a C1-3 district is mapped in R4 districts. 1.0 FAR is commercial use is permitted (Use Groups I, IV, VI, VII, VIII, IX and X). This typically results in either single-story commercial buildings of mixed-use buildings with ground-floor commercial use and residential units above.

The R2A district is located to the northeast and extends further eastward. R2A districts are low-density contextual districts characterized by single-family detached homes on lots with a minimum width of 40 feet. They permit a maximum FAR of 0.75 FAR. Detached homes require side yards of at least 5 feet each. A minimum of 15-foot front yards is required. The maximum building height is fixed at 35 feet. One off-street parking space is required for each dwelling unit. Under Qualifying Residential Site Criteria, all types of residences at a maximum FAR of 1.0.

The Rezoning Area is served by rail with a Long Island Railroad (LIRR) stop approximately four blocks south at Commonwealth Boulevard and Atlantic Avenue, providing service to Manhattan, as well as points west in Queens and points east in Long Island. New York City Transit (NYCT) provides bus service along Jamaica Avenue with the Q36, which provides service between Jamaica and Floral Park/Little Neck. In addition, there is Nassau Inter-County Express bus service with the N24 providing stops along Jericho Turnpike. Accordingly, the Rezoning Area (and Surrounding Area) are located in the Outer Transit Zone, which is part of the Greater Transit Zone.

4. Description of the Proposed Rezoning Area

The Proposed Rezoning Area comprises affect Block 8662, Lot 28 as well as p/o Lots 24, 25, 27, 30, 31, 32, 33, 37, 137, 138, 40 and 41. The Development Site (described below) is limited to Block 8662, Lots 30 and 31. The Rezoning Area is zoned R4-1 and comprises the following:

- Lot 24 (247-44 90th Avenue; portions of) is a 2,916 square foot lot with 27 feet of frontage and a depth of approximately 107 feet The lot is improved with a two-family home in 2,625 square feet of space. The parcel is zoned R4-1 and R2A.
- Lot 25 (247-46 90th Avenue; portions of) is a 2,781 square foot lot with 27 feet of frontage and a depth of approximately 102 feet. The lot is improved with a two-family home in 2,625 square feet of space. The parcel is zoned R4-1 and R2A.
- Lot 27 (247-50 90th Avenue; portions of) is a 2,646 square foot lot with 27 feet of frontage and approximately 97 feet of depth. The lot is improved with a two-family home in 2,887 square feet of space. The parcel is zoned R4-1, R4 and contains a small area with a C1-3 overlay.
- Lot 28 (247-54 90th Avenue) is a 2,870 square foot lot with 41 feet of frontage and approximately 70 feet in depth. The lot is improved with a single-family home in 1,740 square feet. The lot is zoned R4-1.
- Lot 32 (247-77 Jericho Turnpike; portions of) is a 2,050 square foot lot with approximately 20 feet of frontage and 100 feet in depth. The lot is improved with a two-floor mixed-use building with 3 residential units and ground floor commercial retail in 4,120 square feet of space. The lot is zoned R4/C1-3.
- Lot 33 (247-75 Jericho Turnpike; portions of) is 7,400 square foot lot with approximately 85 feet of frontage and 106 feet in depth. The lot is improved with a single-story commercial retail building with 6,072 square feet of space. The lot is zoned R4-1 and R4/C1-3.
- Lot 37 (247-70 90th Avenue; portions of) is a 2,180 square foot lot with 20 feet in frontage and 110 feet in depth. The lot is improved with a two-floor mixed-use building with 1 residential unit and ground floor commercial retail in 2,601 square feet. The lot is zoned

R4-1 and R4/C1-3.

- Lot 137 (247-66 90th Avenue; portions of) is a 2,300 square foot lot with approximately 20 feet in frontage and a depth of 115 feet. The lot is improved with a two-floor mixed-use building with 1 residential unit and ground floor commercial retail in 2,591 square feet. The lot is zoned R4-1 and R4/C1-3.
- Lot 138 (247-64 90th Avenue; portions of) is a 2,400 square foot lot with 20 feet of frontage and a depth of approximately 120 feet. The lot is improved with a two-floor mixed-use building with 1 residential unit and ground floor commercial retail in 2,711 square feet. The lot is zoned R4-1 and R4/C1-3.
- Lot 40 (247-61 Jericho Turnpike; portions of) is a 2,480 square foot lot with approximately 20 feet of frontage and a depth of approximately 127 feet. The lot is improved with a single-story commercial retail building with 970 of space. The lot is zoned R4-1 and R4/C1-3.
- Lot 41 (247-53 Jericho Turnpike; portions of) is a 16,650 square foot lot with an irregular frontage of approximately 185 feet and a depth of 105 feet. The lot is improved with a single-story commercial retail building with 2,280 of space. The lot is zoned R4-1 and R4/C1-3.

5. Description of the Proposed Development Site

The Development Site is located on the south side of 90th Avenue between 247th Street and Commonwealth Boulevard. It is identified on the City's tax map as Block 8662 Lots 30 and 31, which is a single zoning lot with approximately 4,136 square feet of lot area and front 90th Street, which is a "narrow" street per ZR §12-10, mapped at 50 feet in this location.

Lot 30 is known by the street address 247-56 90th Avenue. Lot 30 is trapezoidal in shape, containing approximately 2,242 square feet of area, and measuring approximately 30.5 feet wide by 80.38 feet in depth. The property is improved with two-family home with approximately 1,725 square feet. Lot 30 is zoned R4 and R4-1.

Lot 31 is known by the street address 247-58 90th Avenue and is trapezoidal in shape, containing approximately 1,893 square feet of lot area, and measuring approximately 30 feet wide by 54.32–66.19 feet deep; it has 30.53 feet of street frontage on the south side of 90th Avenue. The parcel is currently vacant. Lot 31 is zoned R4 and R4-1.

The Development Site is under common ownership with, and was formerly a part of, tax lot 30. Former tax lot 30 was subdivided on January 6, 2008 (Document ID: 2008011700800001) to create current tax lots 30 and 31, and the pre-existing home on lot 30 was thereafter altered from a one- to two-family home (DOB Job No: 402539525).

6. Description of the Proposed Development

The Proposed Action would enable the development of Lot 31, which is currently vacant, with a new two-family dwelling on a shared zoning lot with Lot 30. The new building would contain two floors (and cellar) in 1,475 zoning square feet. Accounting for the pre-existing two-family home on adjacent Lot 30 (which contains 1,725 zoning square feet), the total zoning lot would contain 3,201 zoning square feet or 0.77 FAR. The new home on Lot 31 would contain a compliant front of 12 yard (where 10 feet is required) and a 20-foot rear yard and 5-foot side yard and rise to 24 feet in height. In total, the Development Site would comprise 3,201 zoning square feet (0.77 FAR) where 4,135 zoning square feet is permitted (1.0 FAR).

7. Actions Necessary to Facilitate the Project

The Proposed Actions consist of a zoning map amendment from R4-1 to R4, which would affect an area oriented along the south side of 90th Avenue near Commonwealth Boulevard. This would include the Development Site, as well as the larger Rezoning Area, which includes Block 8662, Lot 28 as well as p/o Lots 24, 25, 27, 30, 31, 32, 33, 37, 137, 138, 40 and 41 (the "Proposed Action"). The proposed zoning map amendment would relocate the southern boundary of the R4-1 district to the centerline of 90th Avenue—effectively removing it from the subject block and resolving the split lot condition of the several lots on the south side of 90th Avenue that were bisected when the R4-1 district was established in 1991.

As noted above, the Rezoning Area was originally zoned R4 from 1961 until 1991, when the area was amended to R4-1 as part of the Bellerose Rezoning. For no known reason, the 1991 rezoning mapped the boundary between the new R4-1 district and the R4 district in a way that resulted in a series of split lots on the south side of 90th Avenue. As a result of the split lot zoning, the R4-1 regulations applicable do not permit further development in the Rezoning Area, as the regulations limit construction to a single, two-family detached dwelling on the overall zoning lot, where Qualifying Residential Site criteria cannot be applied. The proposed rezoning will allow development of an additional semi-detached two-family dwelling on the Development Site, which will otherwise remain vacant under the split lot regulations. The Proposed Action would serve to resolve this split lot status and enable more flexible residential use and bulk regulations for the affected properties primarily fronting 90th Avenue (and Jericho Turnpike).

Given that the properties in the Rezoning Area that are located west of the Development Site are all mostly developed (have little unspent development potential), and that those to the east of the Development Site are already primarily in the R4/C1-3 district and also mostly developed, the Proposed Action is limited in immediate effect to the Development Site. However, should the

remaining properties in the Rezoning Area ever seek to develop, they will be able to do so under consistent zoning regulations, improving the zoning and land use patterns for this block.

8. Conclusion

The Proposed Action would relocate the southern boundary of the R4-1 district to the centerline of 90th Avenue and resolve the split lot condition of the several lots on the south side of 90th Avenue, that resulted from the Bellerose Rezoning of 1991. The Proposed Action will enable the Applicant to fully develop the the Site with a new home that is otherwise not possible, given the split lot status of the Rezoning Area. Absent the Proposed Action, the Development Site is likely to remaining vacant and undeveloped. Therefore, the Proposed Action would serve to promote the highest and best use of the Development Site and enable consistent zoning regulations for subject block and Rezoning Area.