



CITY PLANNING COMMISSION

October 3, 2007 / Calendar No. 18

C 070521 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No.14b:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by a line 150 feet northerly of Metropolitan Avenue, 70th Avenue, Olcott Street, 71st Avenue, a line 150 feet northerly of Metropolitan Avenue, Nansen Street, 72nd Avenue, Metropolitan Avenue, 71st Avenue, a line 150 feet southerly of Metropolitan Avenue, a line 100 feet westerly of 69th Avenue, Metropolitan Avenue, and Selfridge Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northerly of Metropolitan Avenue, 74th Avenue, Metropolitan Avenue, 72nd Road, a line 150 feet southerly of Metropolitan Avenue, 71st Avenue, Metropolitan Avenue, and 72nd Avenue;
3. changing from an R3-2 District to an R3-1 District property bounded by Kessel Street, Union Turnpike, 75th Road, a line 100 feet northerly of Metropolitan Avenue, a line midway between 75th Avenue and 75th Road, a line 75 feet southerly of Kessel Street, and 75th Road;
4. changing from an R3-2 District to an R3A District property bounded by:
 - a. a line midway between Kessel Street and Loubet Street, 71st Avenue, a line midway between Juno Street and Kessel Street, a line 100 feet northwesterly of Ascan Avenue, Manse Street, 72nd Road, a line 100 feet northerly of Metropolitan Avenue, 71st Avenue, Olcott Street, a line 100 feet northerly of Metropolitan Avenue, and 69th Avenue; and
 - b. a line 100 feet southerly of Metropolitan Avenue, 74th Avenue, Union Turnpike, 71st Avenue, a line 175 feet northerly of Sybilla Street, a line midway between 70th Drive and 70th Road, a line 235 feet northerly of Sybilla Street, a line midway between 70th Road and 70th Avenue, Sybilla Street and its westerly centerline prolongation, a southwesterly street line of Sybilla Street, and its northwesterly prolongation, and a line 100 feet westerly of 69th Avenue;
5. changing from an R3-2 District to an R3X District property bounded by Kessel Street, 75th Road, a line 75 feet southerly of Kessel Street, a line midway between 75th Avenue and 75th Road, a line 100 feet northerly of Metropolitan Avenue, a line 100 feet westerly of 74th Avenue, a line midway between 74th Avenue and Ascan Avenue, a line 75 feet southerly of Kessel Street, and Ascan Avenue;
6. establishing within an existing R3-2 District a C1-3 District bounded by a line 100 feet northerly of Metropolitan Avenue, Olcott Street, 71st Avenue, a line 100 feet northerly of Metropolitan Avenue, 72nd Avenue, Metropolitan Avenue, 71st Avenue, a line 100 feet southerly of Metropolitan Avenue, a line 100 feet westerly of 69th Avenue, Metropolitan Avenue, and Selfridge Street; and

7. establishing within an existing R3-2 District a C2-3 District bounded by a line 100 feet northerly of Metropolitan Avenue, 74th Avenue, Metropolitan Avenue, 72nd Road, a line 100 feet southerly of Metropolitan Avenue, 71st Avenue, Metropolitan Avenue, and 72nd Avenue;

Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated June 18, 2007.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on June 18, 2007, to rezone all or portions of forty-one blocks in the Queens neighborhood of Forest Hills South from R3-2 to R3A, R3X and R3-1 districts.

BACKGROUND

At the request of Community Board 6, the Forest Hills Community and Civic Association, and elected officials the Department of City Planning proposes contextual zoning map changes for forty-one blocks located in the southern end of Forest Hills, Queens Community District 6. The rezoning area is generally bounded by Union Turnpike to the south and east, 69th Avenue to the west and Kessel Street to the north.

The proposed contextual district designations will preserve the area's predominate low-density character and ensure that future residential development is consistent with its surrounding context. The proposed commercial overlay district modifications will reinforce local convenience retail uses in the neighborhood and prevent intrusion of commercial uses onto residential streets.

Neighborhood Character

The neighborhood of Forest Hills South is located south of Forest Hills Gardens and is zoned R3-2 and predominately characterized by one and two-family residences. Retail and commercial uses are found along Metropolitan Avenue from 69th to 74th Avenues where C1-2 and C2-2 commercial overlays are mapped at a depth of 150 feet.

The Forest Hills South community is in close proximity to significant open space parkland. Forest Park is located immediately south of Union Turnpike.

Existing Zoning

The rezoning area is currently zoned R3-2, a residential district that has been in place since 1961. C1-2 and C2-2 commercial overlays, which permit local retail and service uses, are mapped along Metropolitan Avenue from 69th Ave to 74th Ave.

R3-2 is the lowest-density general residence district in which multi-family structures are permitted. A variety of housing types are permitted including garden apartments, row houses and semi-detached and detached houses. A maximum FAR of 0.5 is allowed (plus a 0.1 attic allowance).

The minimum lot width and lot area depend upon the housing configuration. Detached structures require a 40-foot lot frontage and 3,800 square feet of lot area. Other housing types require lots that have at least 18 feet of frontage and 1,700 square feet of lot area. The maximum

building height is 35 feet with a perimeter wall height of 21 feet. Community facilities are permitted at a maximum FAR of 1.0. One parking space is required for each dwelling unit.

Commercial Overlays

C1-2 and C2-2 overlays are mapped within the underlying R3-2 district along Metropolitan Avenue at a depth of 150 feet. C1 districts are generally mapped within residential districts and permit Use Groups 1 through 6, which allow the kinds of daily retail and service establishments needed in residential neighborhoods. C2 districts are mapped within residential districts and permit a wider range of local retail and service establishments, including Use Groups 1 through 9 and 14. A maximum commercial FAR of 1.0 is allowed. Residential and community facility development are also permitted and are subject to regulations governing the underlying residential district. Most retail uses require one accessory parking space per 300 square feet of commercial floor space, although the requirements may range between one space per 200 square feet and one space per 800 square feet.

PROPOSED ZONING

In an effort to preserve the area's predominately low-density character and ensure that future residential development is consistent with its surrounding context, the Department of City Planning proposes to rezone from R3-2 to contextual districts (R3A, R3X and R3-1). The proposed commercial overlay district modifications will reinforce local convenience retail uses in the neighborhood and prevent intrusion of commercial uses on residential streets.

R3A The proposed R3A includes all or portions of thirty-one blocks in the areas north of Metropolitan Avenue west of Ascan Avenue and south of Metropolitan Avenue west of 74th

Avenue. In the areas proposed to be rezoned R3A, ninety-two percent of the lots are one- and two- family detached homes.

The proposed R3A district would limit future development to one- and two-family detached houses. R3A districts allow a maximum FAR of 0.5 (or 0.6 with the attic allowance). A minimum lot width of 25 feet and a minimum lot area of 2,375 square feet are required. Yard regulations require a front yard line-up with adjacent property at a minimum depth of ten feet and two side yards totaling eight feet. The maximum building height would be 35 feet and the perimeter wall height would be 21 feet. One parking space per dwelling unit must be provided.

R3X The proposed R3X zoning area includes portions of three contiguous blocks, in an area south of Kessel Street east of Ascan Avenue. The proposed change to R3X would more closely reflect the predominant character of houses in this area, of which ninety-two percent are one- and two-family detached residences on larger lots.

In the proposed R3X zoning district, residential development would be limited to one- and two-family, detached houses. R3X districts allow a maximum FAR of 0.5 (or 0.6 with the attic allowance). A minimum lot width of 35 feet and a minimum lot area of 3,325 square feet are required. Yard regulations require a front yard line-up with adjacent property at a minimum depth of ten feet and two side yards totaling ten feet. The maximum building height would be 35 feet and the maximum perimeter wall height would be 21 feet. One parking per dwelling unit must be provided.

R3-1 One block at the eastern edge of the rezoning area at Union Turnpike and Kessel Street and a portion of the block just to west across 75th Avenue would be rezoned to R3-1. All of the homes in this area are one or two family semi-detached residences.

In the proposed R3-1 zoning district, residential development would be limited to one- and two-family detached and semi-detached residential development. The minimum lot size and lot width requirements would be 3,800 square feet and 40 feet for detached homes and 1,700 square feet and 18 feet for semi-detached homes. The maximum FAR would be 0.5 (0.6 with the attic allowance). All residences would require front yards with a minimum depth of 15 feet; detached homes would also require two side yards totaling 13 feet, while all other building types would require one eight-foot side yard. The maximum building height would be 35 feet and the maximum perimeter wall height would be 21 feet. One parking space per dwelling unit must be provided.

Commercial Overlays

The Department proposes to rezone commercial overlays within the rezoning area to more closely match existing land use and development patterns. C1-2 and C2-2 overlays which generally have a depth of 150 feet along Metropolitan Avenue would be reduced to 100 feet to prevent commercial uses from encroaching on residential side streets and rezoned to C1-3 and C2-3 commercial overlays. The change would result in a reduction of off-street parking requirements for most retail establishments, generally from one space per 300 square feet of floor area to one space per 400 square feet.

ENVIRONMENTAL REVIEW

This application (C 070521 ZMQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the City Planning Commission. The designated CEQR number is 07DCP091Q.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 18, 2007.

UNIFORM LAND USE REVIEW

This application (C 070521 ZMQ) was certified as complete by the Department of City Planning

on June 18, 2007 and was duly referred to Queens Community Board 6 and the Queens Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 6 held a public hearing on this application on August 8, 2007, and on that date, by a vote of 31 in favor, 0 opposed with 0 abstentions adopted the resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Queens Borough President, who issued a recommendation approving the application on September 19, 2007.

City Planning Commission Public Hearing

On September 5, 2007 (Calendar No. 5), the City Planning Commission scheduled September 19, 2007 for a public hearing on this application (C 070521 ZMQ). The hearing was duly held on September 19, 2007 (Calendar No.26). There was one speaker in favor of the application and none in opposition.

The speaker in favor was the President of the Forest Hills Community and Civic Association, who supported the proposed rezoning as it protects the neighborhood's context.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this amendment of the Zoning Map is appropriate.

The Commission believes that the rezoning proposal for forty-one blocks will support and reinforce the existing scale and character of the Forest Hills South neighborhood.

The Commission acknowledges that regulations governing the existing R3-2 District provide for all types of housing, including low-rise apartment buildings, and could encourage the replacement of existing single and two - family homes with multifamily structures thereby altering the character of this community which is predominantly developed with one- and two-family residences. The Commission notes that the proposed R3A, R3X and R3-1 districts will limit future development to one- or two- family homes, and place restrictions on the types of buildings that could be developed in the future. The proposed zoning districts would more appropriately reflect the area's existing development patterns.

The Commission believes that the proposed reduction in the depth of the existing commercial overlays along Metropolitan Avenue from 150 feet to 100 feet would accommodate commercial and retail uses along Metropolitan Avenue while preventing these uses from encroaching further into residential blocks.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED by the City Planning Commission, pursuant to Sections 197-c and 200 of the New

York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map Section No. 14b,

1. eliminating from within an existing R3-2 District a C1-2 District bounded by a line 150 feet northerly of Metropolitan Avenue, 70th Avenue, Olcott Street, 71st Avenue, a line 150 feet northerly of Metropolitan Avenue, Nansen Street, 72nd Avenue, Metropolitan Avenue, 71st Avenue, a line 150 feet southerly of Metropolitan Avenue, a line 100 feet westerly of 69th Avenue, Metropolitan Avenue, and Selfridge Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northerly of Metropolitan Avenue, 74th Avenue, Metropolitan Avenue, 72nd Road, a line 150 feet southerly of Metropolitan Avenue, 71st Avenue, Metropolitan Avenue, and 72nd Avenue;
3. changing from an R3-2 District to an R3-1 District property bounded by Kessel Street, Union Turnpike, 75th Road, a line 100 feet northerly of Metropolitan Avenue, a line midway between 75th Avenue and 75th Road, a line 75 feet southerly of Kessel Street, and 75th Road;
4. changing from an R3-2 District to an R3A District property bounded by:
 - a. a line midway between Kessel Street and Loubet Street, 71st Avenue, a line midway between Juno Street and Kessel Street, a line 100 feet northwesterly of Ascan Avenue, Manse Street, 72nd Road, a line 100 feet northerly of Metropolitan Avenue, 71st Avenue, Olcott Street, a line 100 feet northerly of Metropolitan Avenue, and 69th Avenue; and
 - b. a line 100 feet southerly of Metropolitan Avenue, 74th Avenue, Union Turnpike, 71st Avenue, a line 175 feet northerly of Sybilla Street, a line midway between 70th Drive and 70th Road, a line 235 feet northerly of Sybilla Street, a line midway between 70th Road and 70th Avenue, Sybilla Street and its westerly centerline prolongation, a southwesterly street line of Sybilla Street, and its northwesterly prolongation, and a line 100 feet westerly of 69th Avenue;
5. changing from an R3-2 District to an R3X District property bounded by Kessel Street, 75th Road, a line 75 feet southerly of Kessel Street, a line midway between 75th Avenue and 75th Road, a line 100 feet northerly of Metropolitan Avenue, a line 100 feet westerly of 74th Avenue, a line midway between 74th Avenue and Ascan Avenue, a line 75 feet southerly of Kessel Street, and Ascan Avenue;
6. establishing within an existing R3-2 District a C1-3 District bounded by a line 100 feet northerly of Metropolitan Avenue, Olcott Street, 71st Avenue, a line 100 feet northerly of Metropolitan Avenue, 72nd Avenue, Metropolitan Avenue, 71st Avenue, a line 100 feet southerly of Metropolitan Avenue, a line 100 feet westerly of 69th Avenue, Metropolitan Avenue, and Selfridge Street; and
7. establishing within an existing R3-2 District a C2-3 District bounded by a line

100 feet northerly of Metropolitan Avenue, 74th Avenue, Metropolitan Avenue, 72nd Road, a line 100 feet southerly of Metropolitan Avenue, 71st Avenue, Metropolitan Avenue, and 72nd Avenue;

Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated June 18, 2007.

The above resolution (C 070521 ZMQ), duly adopted by the City Planning Commission on October 3, 2007 (Calendar No 18.), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman
ANGELA M. BATTAGLIA, **IRWIN G. CANTOR**, P.E.,
ANGELA CAVALUZZI, R.A., **III**, **BETTY CHEN**,
RICHARD W. EADDY, **LISA A.GOMEZ**, **NATHAN LEVENTHAL**, **JOHN MEROLO**,
KAREN A. PHILLIPS, **DOLLY WILLIAMS**, Commissioners