



CITY PLANNING COMMISSION

May 20, 2009/Calendar No. 16

C 090283 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. 14a; by changing from an R1-2 District to an R1-2A District property bounded by a line midway between 66th Avenue and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, and 108th Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated March 2, 2009.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on January 13, 2009, to rezone all or portions of 32 blocks from R1-2 to R1-2A in the Cord Meyer-Forest Hills area of Queens.

BACKGROUND

The Cord Meyer-Forest Hills rezoning area is located in central Queens, Community District 6. The rezoning area is located in the Forest Hills neighborhood and is generally bounded by 108th Street to the west, Grand Central Parkway to the east, 66th Avenue to the north and 72nd Road to the south.

Named for the local businessman who developed the area, the Cord Meyer neighborhood consists primarily of low-rise, one-family detached houses, the majority of which were built between 1910 and 1940. Higher-density uses, including multi-family buildings and public facilities, are located at the western and southern peripheries of the area.

The neighborhood is served by public transportation with MTA bus lines running on Queens Boulevard, 108th Street, 69th Road and Jewel Avenue and the Forest Hills-71st Avenue subway station on Queens Boulevard with the E, F, G, R and V lines. The Forest Hills Long Island Rail Road station is located at 71st Avenue and Austin Street. The Grand Central Parkway and

Flushing Meadows Corona Park are immediately to the east of the area.

Over the last several years, the rezoning area has experienced redevelopment pressure largely due to outdated zoning that has remained unchanged since 1961 when the current Zoning Resolution was adopted. Large new houses have been constructed that are out-of-scale with the surrounding context. The proposed contextual residential district would more closely correspond to the rezoning area's built context and ensure that future development would better reflect the established scale and character.

The Cord Meyer-Forest Hills rezoning was undertaken by the Department of City Planning in response to requests from the local city council member, Community Board 6 and local civic associations.

EXISTING ZONING

The Cord Meyer-Forest Hills rezoning area is currently zoned R1-2. The R1-2 district permits one-family, detached residences on lots that have a minimum area of 5,700 square feet and a minimum width of 60 feet. The maximum floor area ratio (FAR) is 0.5. There is no maximum building height; instead, a building's envelope is determined by the sky exposure plane, which has a varying height depending on where the building is located on its zoning lot beyond the minimum required front yard depth of 20 feet. Community facilities are permitted at a maximum FAR of 0.5. The floor area of the entire lowest story may be exempted if it contains a garage. One parking space per dwelling unit is required.

PROPOSED ZONING

R1-2A zoning is proposed to replace the R1-2 district. Like the R1-2 district, the proposed R1-2A district permits only single-family, detached houses at a maximum FAR of 0.5 and requires a

minimum lot width of 60 feet and a minimum lot area of 5,700 square feet. Unlike the R1-2 district, floor area exemptions are more limited in the R1-2A district and include no more than 300 square feet for a one-car garage or 500 square feet for a two-car garage. The R1-2A district would have a maximum building height of 35 feet and a maximum perimeter wall height of 25 feet. In addition to the 20 foot minimum front yard requirement, R1-2A requires a new building's front yard to line up with the front yard depth of an adjacent building up to a depth of 25 feet. Additionally, the new R1-2A district would allow an increase in the maximum floor area if a detached garage is constructed in a rear yard, with a maximum increase of 300 square feet for a one-car garage or 500 square feet for a two-car garage. The maximum lot coverage would be 30 percent and detached garages would not count in the calculation for lot coverage. The proposed R1-2A zoning would curb the development of houses that would be out-of-scale with the surrounding buildings and help ensure that future development is more consistent with the existing built character.

ENVIRONMENTAL REVIEW

This application (C 090283 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 09DCP041Q. The lead agency is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on March 2, 2009.

UNIFORM LAND USE REVIEW

This application (C 090283 ZMQ) was certified as complete by the Department of City Planning on March 2, 2009 and was duly referred to 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 Review

Community Board 6 held a public hearing on this application (C 090283 ZMQ) on March 11, 2009 and on that date, by a vote of 29 to 2 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Review

This application was considered by the Borough President, who issued a recommendation on April 14, 2009 recommending approval of the application.

City Planning Commission Public Hearing

On April 1, 2009 (Cal. No. 3), the Commission scheduled April 22, 2009 for a public hearing. The hearing was duly held on April 22, 2009 (Calendar No. 29). There were seventeen speakers in favor of the application and two in opposition.

Those speaking in favor of the application included the District Manager of Community Board 6, a Vice-President of the Queens Civic Congress and several neighborhood residents, including members of the Association of Old Forest Hills and the Forest Hills Co-op Council.

A Vice-President of the Queens Civic Congress spoke in favor of the rezoning, indicating the widespread support for protecting the low-density character of many neighborhoods in Queens

and the value of the R1-2A contextual zone in preserving the low-scale one-family fabric of Cord Meyer and other neighborhoods in Queens.

The President of the Association of Old Forest Hills testified in support of the proposal, stating that although the civic association had sought even tighter regulations in terms of building heights, they believe the rezoning would provide a more consistent scale for new houses in the neighborhood and that the proposed R1-2A district is an appropriate compromise. Two other members of the Association of Old Forest Hills also testified in support of the rezoning, stating that the proposal is fair.

The District Manager of Community Board 6 stated that the board voted in favor of the proposal. He also stated that outreach efforts were made and public meetings were held to inform neighborhood residents about the proposal.

A member of the Forest Hills Co-op Council testified in favor of the proposal, stating that the proposed district is a modest change and would help to regulate the scale of new development. Ten other residents of the area also spoke in favor of the proposal.

Two residents testified in opposition to the proposal, stating that property values would decrease and more public outreach was needed.

There were no other speakers and the hearing was closed.

CONSIDERATION

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

The Commission believes that this action represents a contextual rezoning strategy for the Cord Meyer neighborhood. The Commission recognizes that the current mismatch between the built character of Cord Meyer and the housing bulk permitted by the existing zoning has increasingly resulted in tear downs of existing houses and the construction of out-of-character buildings. The Commission notes that while the existing R1-2 district in the area only allows single-family detached houses, floor area exemptions and absence of building height regulations have permitted the construction of much taller single-family detached buildings.

The Commission believes that the new R1-2A district, with its height maximums and limited floor area exemptions, would protect the predominant built scale and character of the rezoning area. The Commission notes that the R1-2 district's floor area exemptions and sky exposure plane regulations allow new houses that would be out-of-scale with neighboring buildings. The new R1-2A district would permit the same single-family detached housing types as the R1-2 district, but the R1-2A would better reflect the particular height and bulk characteristics of the area by revising floor area exemptions and establishing firm regulations for perimeter wall and building heights.

The Commission believes that changing the existing zoning to a R1-2A district will more closely match the predominant one-family context of the area, as well as ensure future development is more consistent with established patterns of scale. The Commission notes that the R1-2A maximum lot coverage of 30 percent would enhance flexibility for new development and renovations but provide greater overall predictability in future residential building envelopes. The Commission notes that the proposal had extensive review at the community board and participation from local civic associations.

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. 14a; by changing from an R1-2 District to an R1-2A District property bounded by a line midway between 66th Avenue and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, and 108th Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated March 2, 2009.

The above resolution (C 090283 ZMQ), duly adopted by the City Planning Commission on May 20, 2009 (Calendar No. 16), 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, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.
ANGELA R. CAVALUZZI, AIA, ALFRED C. CERULLO, III, BETTY Y. CHEN,
MARIA M. DEL TORO, RICHARD W. EADDY, NATHAN LEVENTHAL,
SHIRLEY A. McRAE, JOHN MEROLO, KAREN A. PHILLIPS Commissioners