



**CITY PLANNING COMMISSION**

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March 1, 2000/Calendar No 23

C 000158 ZMQ

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**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 Nos. 14a and 14b, changing from an R6 District to an R2 District property bounded by a line perpendicular to 76<sup>th</sup> Drive distant 225 feet southwesterly (as measured along the street line) from the intersection of the southwesterly street line of Queens Boulevard and the northwesterly street line of 76<sup>th</sup> Drive, 76<sup>th</sup> Drive, a line 200 feet southwesterly of Queens Boulevard, 77<sup>th</sup> Avenue, a line 100 feet southwesterly of Queens Boulevard, 78<sup>th</sup> Avenue, Kew Forest Lane, 78<sup>th</sup> Avenue, Austin Street, 76<sup>th</sup> Drive, a line perpendicular to 76<sup>th</sup> Drive distant 55 feet northeasterly (as measured along the street line) from the intersection of the northeasterly street line of Austin Street and the northwesterly street line of 76<sup>th</sup> Drive, and a line 100 feet northwesterly of 76<sup>th</sup> Drive, as shown on a diagram (for illustrative purposes only) dated November 22, 1999, Borough of Queens, Community District 6.

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The application for an amendment of the Zoning Map was filed by the Department of City Planning on October 26, 1999, to rezone from R6 to R2 two full blocks and portions of three blocks in an area generally bounded by Kew Forest Lane, 76<sup>th</sup> Drive, 78<sup>th</sup> Avenue and Austin Street in the Forest Hills section of Queens.

**BACKGROUND**

The area proposed for rezoning is a low density community located just south of Queens Boulevard, west of Union Turnpike, in Forest Hills, Community District 6. The subject area comprises 65 tax lots on two full blocks (Blocks 3343 and 3344) and portions of three blocks (Blocks 3341, 3342 and 3346). The area is zoned R6, which allows medium density residences with a maximum Floor Area Ratio (FAR) of 2.43. The maximum community facility FAR is 4.8.

Typical R6 development is a multifamily residential building, usually between three- and 12-stories high. The area's current R6 zoning allows significantly greater FAR and density than exists now.

The subject area is predominantly characterized by one- and two-family detached houses on large lots. There are 57 one-family and seven (7) two-family houses in the area. A one-family house was recently demolished and construction has begun for a seven-story multifamily residential building with medical offices. Fifty-five or 85% of the houses are built to an FAR of 0.5 or less. More than three-fourths (78%) of the lots have an area of at least 3,800 square feet.

The proposed R2 zoning would limit new residential development to one-family detached houses with a maximum residential FAR of 0.5 on lots with a minimum area of 3,800 square feet. The permitted FAR for community facilities would also be 0.5 (or 1.0 FAR for certain community facility uses requiring a special permit).

To the west and south of the subject area are six-story, high lot coverage apartment buildings. Further south are the right-of-way of the Long Island Rail Road's Main Line and Forest Hills Gardens. Retail and office development is located along Queens Boulevard to the north.

#### **ENVIRONMENTAL REVIEW**

This application (C 000158 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 designated CEQR number is 00DCP023Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 22, 1999.

#### **UNIFORM LAND USE REVIEW**

This application (C 000158 ZMQ) was certified as complete by the Department of City Planning on November 22, 1999 and was duly referred to Community Board 6 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

#### **Community Board Public Hearing**

Community Board 6 held a public hearing on this application on December 22, 1999 and on that date by a vote of 31 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on January 1, 2000.

### **City Planning Commission Public Hearing**

On January 19, 2000 (Calendar No. 6), the City Planning Commission scheduled February 2, 2000, for a public hearing on this application (C 000158 ZMQ). The hearing was duly held on February 2, 2000 (Calendar No. 16). There were two speakers in favor of the application and no speakers in opposition.

A representative of the Kew Forest Neighborhood Association described the history of the area, its existing character and the desire of residents to protect the community against out-of-scale new development. A resident of the area testified that all of the residents of the area were united in their desire to preserve the community.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

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

The subject area consists of 65 tax lot on two full blocks and

portions of three blocks located one block south of Queens Boulevard in the Forest Hills section of Queens.

It is a low density area, predominantly characterized by one-family detached houses. Fifty-seven of the 65 tax lots are developed with one-family houses and fifty-five of the lots are built to an FAR of 0.5 or less. The area's current R6 zoning, however, permits multifamily residential development with a maximum FAR of 2.43. Generally, residential development under R6 zoning is a medium density, multifamily building between three and 12 stories high.

Although the area is fully developed, its current R6 zoning would permit substantial change over time as a result of the demolition of the existing one- and two-family houses and their replacement with buildings of greater bulk and density that would be out of character with the area's low rise built form. Recently, a one-family house in the area was demolished and construction has begun on a seven-story multifamily residential building with medical offices.

Rezoning the subject area from R6 to R2 will preserve the area's existing built form as R2 zoning allows only one-family detached houses with a maximum residential FAR of 0.5. The permitted FAR for most community facilities is also 0.5 (or 1.0 FAR for certain community facility uses with a special permit). R2 zoning will

ensure that any new development that might occur in the area will be compatible in scale and density with its existing character.

**RESOLUTION**

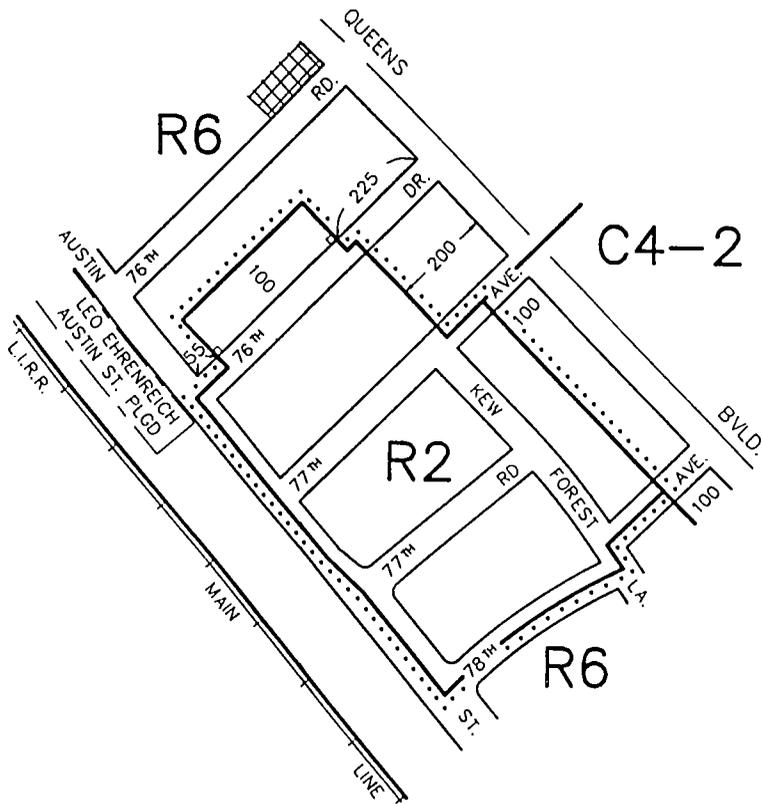
**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**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 Nos. 14a and 14b, changing from an R6 District to an R2 District property bounded by a line perpendicular to 76<sup>th</sup> Drive distant 225 feet southwesterly (as measured along the street line) from the intersection of the southwesterly street line of Queens Boulevard and the northwesterly street line of 76<sup>th</sup> Drive, 76<sup>th</sup> Drive, a line 200 feet southwesterly of Queens Boulevard, 77<sup>th</sup> Avenue, a line 100 feet southwesterly of Queens Boulevard, 78<sup>th</sup> Avenue, Kew Forest Lane, 78<sup>th</sup> Avenue, Austin Street, 76<sup>th</sup> Drive, a line perpendicular to 76<sup>th</sup> Drive distant 55 feet northeasterly (as measured along the street line) from the intersection of the northeasterly street line of Austin Street and the northwesterly street line of 76<sup>th</sup> Drive, and a line 100 feet northwesterly of

76<sup>th</sup> Drive, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated November 22, 1999 (C 000158 ZMQ).

The above resolution (C 000158 ZMQ), duly adopted by the City Planning Commission on March 1, 2000 (Calendar No.23), 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.

JOSEPH B. ROSE, Chairman  
VICTOR G. ALICEA, Vice-Chairman  
ALBERT ABNEY, ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,  
ANGELA R. CAVALUZZI, R.A., KATHY HIRATA CHIN, ESQ.,  
ALEXANDER GARVIN, ANTHONY I. GIACOBBE, ESQ., WILLIAM J. GRINKER,  
EDWARD T. ROGOWSKY, JACOB B. WARD, ESQ., Commissioners



14c  
14b

14a  
14b

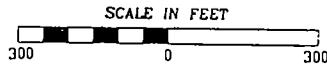


CITY PLANNING COMMISSION  
CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAPS  
**14a & 14b**  
 BOROUGH OF  
**QUEENS**

*[Signature]*  
 Director of Technical Review

New York, Certification Date  
NOVEMBER 22, 1999



**NOTE:**

- Indicates Zoning District boundary.
- The area enclosed by the dotted line is proposed to be rezoned by changing an R6 District to an R2 District.
- Indicates a C1-2 District.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

# Queens Borough President Recommendation

APPLICATION: ULURP # 000158 ZMQ

COMMUNITY BOARD: Q06

## DOCKET DESCRIPTION

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, Nos. 14a and 14b, changing from an R6 District to an R2 District property bounded by a line perpendicular to 76<sup>th</sup> Drive distant 225 feet southwesterly (as measured along the street line) from the intersection of the southwesterly street line of Queens Boulevard and the northwesterly street line of 76<sup>th</sup> Drive, 76<sup>th</sup> Drive, a line 200 feet southwesterly of Queens Boulevard, 77<sup>th</sup> Avenue, a line 100 feet southwesterly of Queens Boulevard, 78<sup>th</sup> Avenue, Kew Forest Lane, 78<sup>th</sup> Avenue, Austin Street, 76<sup>th</sup> Drive, a line perpendicular to 76<sup>th</sup> Drive distant 55 feet northeasterly (as measured along the street line) from the intersection of the northeasterly street line of Austin Street and the northwesterly street line of 76<sup>th</sup> Drive, and a line 100 feet northwesterly of 76<sup>th</sup> Drive, Borough of Queens, Community District: 6 as shown on a diagram dated November 22, 1999.

## PUBLIC HEARING

A Public Hearing was scheduled in the Conference Room at Borough Hall, located at 120-55 Queens Boulevard on Thursday, December 23, 1999 at 10:30 AM pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (l) of the New York City Charter. The applicant made a presentation. The Borough President's representative thanked the Department of City Planning for their cooperation and effort in submitting the rezoning application in such a timely manner. Councilmember Karen Koslowitz spoke in support of the application and the hearing was closed.

## CONSIDERATION

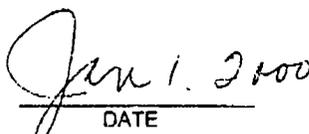
Subsequent to a review of the application, the following issues and impacts have been identified:

- o The proposal is to rezone two full blocks (Block 3343 and 3344) and three half blocks (Blocks 3341, 3342 and 3346) from R6 to R2 in the Forest Hills section of Community Board 6;
- o The subject area is developed predominantly with single-family detached homes;
- o The R6 district permits medium-density housing and up to 12-story high buildings;
- o The current zoning is clearly inconsistent with the existing building form and scale;
- o The impetus for the rezoning was the demolition of a single-family home to make room for a six-story, 18-unit apartment building with medical offices on the first floor;
- o Community Board 6 at their December 22, 1999 public hearing, unanimously supported the application. The vote was 31-0-0.

## RECOMMENDATION

Based on the above consideration, I hereby recommend approval of the proposed action.

  
PRESIDENT, BOROUGH OF QUEENS

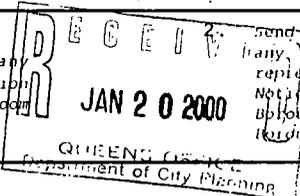
  
DATE

**Community/Borough Board  
Recommendation**

**CITY PLANNING COMMISSION**  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3244

**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.



Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

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**COMMUNITY BOARD NO.** 6

**BOROUGH** Queens

**BOROUGH BOARD** \_\_\_\_\_

**DATE OF PUBLIC HEARING** 12/22/99

**LOCATION** 80-02 Kew Forest Rd. Kew Gardens NY Rm 202

**WAS QUORUM PRESENT?**  YES  NO

(A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

**VOTE ADOPTING RECOMMENDATION TAKEN**  
**DATE** 12/22/99

**LOCATION** 80-02 Kew Gardens Rd Rm 202 Kew Gardens NY

**RECOMMENDATION**

**APPROVE**  **APPROVE WITH MODIFICATIONS/CONDITIONS**  
 **DISAPPROVE**  **DISAPPROVE WITH MODIFICATIONS/CONDITIONS**

**EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS** (Attach additional sheets if necessary)

**VOTING**

**IN FAVOR** 31 **AGAINST** 0 **ABSTAINING** 0

**TOTAL MEMBERS** 40

**COMMUNITY/BOROUGH BOARD OFFICER**  
[Signature]

**DATE** 12/23/99 **TITLE** Chair