



# Special Forest Hills District - **Approved!**

## Overview

**Update March 24, 2009:**

On March 24, 2009, the City Council adopted the Special Forest Hills District Rezoning with [modifications](#)<sup>\*\*</sup>. The zoning changes are now in effect.

For the past two years, the Department of City Planning has worked closely with Community Board 6, local elected officials and property owners to provide a much needed zoning update to the commercial core of Forest Hills. The proposal aims to revise current zoning rules to better reflect current uses and development patterns in the area and provide the tools necessary to foster orderly and predictable growth and development.

The ten-block rezoning area is generally bounded by Queens Boulevard to the north, the Long Island Rail Road (LIRR) to the south, Ascan Avenue to the east and Yellowstone Boulevard to the west. The area is currently zoned C8-2, C4-2, and R7-1. This zoning has been in place since 1961. The area is well served by mass transit. The LIRR Station is located at 71st Avenue/Continental Avenue just south of Austin Street. The E, F, V, G, and R subway lines stop at Queens Boulevard and 71st Avenue/Continental Avenue, and several buses to various locations in Queens and Manhattan serve the area. Additionally, the area is located just south of Queens Boulevard, a major east-west thoroughfare



Existing C4-2 at Queens Boulevard and 71st Road

In 1961, the area primarily was zoned C8-2 and C4-2, recognizing the prevalence of automotive uses including repair shops and gas stations in the western portion of the rezoning area and commercial and mixed use buildings in the eastern portion. An R7-1 zone was designated generally to the north of the rezoning area, but this zone included three block portions in the eastern portion of the rezoning area along Queens Boulevard and Austin Street. C4-2 and R7-1 zoning districts allow buildings with no fixed height limits. However, over time many of the auto-related uses have been replaced with successful retail businesses and restaurants. This land use evolution has transformed the area from a secondary shopping area to a vibrant commercial hub serving both local residents of Forest Hills and neighboring communities with much of the activity concentrated along 71st Avenue and Austin Street. The proposal which reflects the department's continued consultation with Community Board 6, elected officials and property owners, seeks to:

- Foster new development with a predictable building envelope that is consistent with established contexts
- Provide a transition in scale and density from south (Austin Street) to north (Queens Boulevard)
- Support a broad and vibrant mix of commercial and residential uses throughout the area
- Promote ground floor commercial/retail development along Austin Street and Queens Boulevard



Existing C4-2 at 71st Avenue (Continental) and Queens Boulevard looking south



Existing C4-2 at 71st Road and Austin Street looking west



Existing C8-2 at 70th Road and Austin Street looking east



### R7-1

Two block front portions along Queens Boulevard as well as the eastern most portion of Austin Street are zoned R7-1. R7-1 is a medium-density residential district. The maximum residential FAR is 3.44 or 4.0 (on wide streets using Quality Housing). Community facilities are permitted an FAR of 4.8. R7-1 is a *height factor* district with no fixed height limits. Building envelopes are regulated by the sky exposure plane. Parking spaces are required for 60% of the dwelling units or 50% if Quality Housing provisions are used.

### C1-2 Overlay

A C1-2 overlay is mapped on the eastern end of Austin Street between 72nd Road and Ascan Avenue. C1 districts are mapped within residential districts and allow Use Groups 1 through 6, which permits the kinds of daily retail and service establishments needed in residential neighborhoods. Maximum commercial floor area can reach 2.0 FAR when the overlay is mapped within an R7-1 district and commercial uses are limited to the ground floor in mixed-use buildings. 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.

## Special Forest Hills District - **Approved!** Proposed Zoning

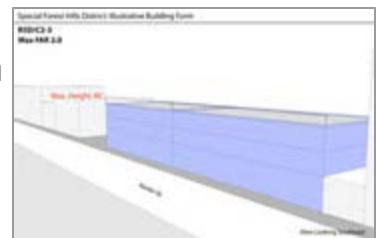
The proposed rezoning is comprised of two components: a Zoning Map change which would replace C8-2, C4-2 and R7-1 zones with contextual zoning districts (R5D/C2-3, C4-4A and C4-5X) and map the proposed Special Forest Hills District (SFHD) on the ten rezoned blocks, and a zoning text change to establish the new Special Forest Hills District. The special district text includes special regulations that would modify the underlying bulk, use, parking, height and setback controls of the proposed zones to appropriately address the area's distinct context. These actions will reinforce the existing built context by providing predictable building envelopes, a broad and vibrant mix of uses and a transition in scale and density from north to south.



Proposed Zoning Map - [View a larger image.](#)

### R5D/C2-3

The proposed R5D/C2-3 zoning includes portions of 2 blocks on the south side of Austin Street between Yellowstone Boulevard on the west and Ascan Avenue on the east. In this proposed zone all residential, commercial and community facility development would have a maximum FAR of 2.0. R5D districts allow a maximum building height of 40 feet and typically produce 1-3-story buildings. The bulk and envelope would reinforce the scale of existing buildings on the south side of Austin Street. Parking would be required for 66% of all dwelling units. Most retail uses in the proposed C2-3 district would require one accessory parking space per 400 square feet of commercial floor area. The range of allowed retail uses would be expanded to include regional retail uses by the proposed special district provisions listed below.



Illustrative Building Form:  
R5D/C2-3 - [View a larger image.](#)



Typical commercial development on the south side of Austin Street



Typical commercial development on the south side of Austin Street



Typical commercial development on the south side of Austin Street

### C4-4A

A C4-4A district is proposed for five block portions located on the north side of Austin Street between 70th Avenue and 72nd Road. In the proposed C4-4A district, commercial, residential and community facility development would have a maximum FAR of 4.0. The C4-4A is a contextual zoning district. As part of the special district regulations, maximum street wall height would be 60 feet and maximum building height would be 70 feet to reinforce the scale of 4-6 story buildings typically found in the midblock portions from 70th Avenue on the west and 72nd Road on the east. Parking would be required for 50% of the residential units. Most retail uses in the proposed C4-4A district would require one accessory parking space per 400 square feet of commercial floor area as part of the special district regulations.



Illustrative Building Form: C4-4A - [View a larger image.](#)



Typical development on Austin Street and 72nd Avenue



Typical development on Austin Street and 72nd Road

### C4-5X

A C4-5X district is proposed for eight blocks or block portions from Yellowstone Boulevard to 72nd Road south of Queens Boulevard. The C4-5X is a [contextual zoning](#) district. In the proposed C4-5X district residential and community facility development would have a maximum FAR of 5.0. The special district regulations would also allow a 5.0 FAR for commercial uses to support the area's broad mix of uses, particularly regional commercial activities such as offices and hotels. The special district regulations would modify the underlying C4-5X base height of 60-85 feet to be 40-60 feet for all zoning lots west of 70th Road. The maximum height of buildings shall be 150 feet, except for buildings or portions of buildings within 60 feet of the northerly side of Austin Street between Yellowstone Boulevard and 70th Avenue, where the maximum height shall be 80 feet. These special regulations would reinforce the scale of existing 6- to 14-story buildings along Queens Boulevard and strengthen the mixed residential and commercial character of this portion of the rezoning area. Parking would be required for 50% of the dwelling units. Most retail uses in the proposed C4-5X district would require one accessory parking space per 400 square feet of commercial floor area as part of the special district regulations.



Illustrative Building Form: C4-5X - [View a larger image.](#)



72nd Road and Queens Boulevard



71st Road and Queens Boulevard

### Proposed Zoning Text Amendment

The [proposed zoning text amendment](#) would create the Special Forest Hills District (SFHD) which would modify certain regulations of the proposed underlying zones pertaining to bulk, use, height, setback and parking. It would include the following provisions:

- In the proposed R5D/C2-3 district:
  - Allow the full range of C4 commercial uses to be consistent with the range of uses allowed throughout the rest of the proposed district. The additional allowed uses include larger clothing and department stores which would normally be limited to 10,000 square feet.
- In the proposed C4-4A district:
  - The maximum base height would be 60 feet instead of 65 feet and the maximum building height would be 70 feet instead of 80 feet.
- In the proposed C4-5X district:
  - The maximum FAR for commercial uses would be 5.0 instead of 4.0.
  - The base height for buildings west of 70th Road would be 40-60 feet instead of 60-85 feet.
  - The maximum building height will be 150 instead of 125 to allow a lower base for properties fronting Gerald MacDonald Park and on the north side of Austin Street as well as to accommodate commercial and office buildings which typically require taller floor to ceiling heights.

Other district wide regulations:

- To support a vibrant street character, ground floor commercial or community facility uses would be required on the portion of Austin Street between 70th Avenue and 72 Road and on 71st-Continental Avenue between Austin Street and Queens Boulevard.
- To foster an inviting pedestrian environment, seventy percent of ground floor facades for commercial uses and fifty percent for community facility use (excluding schools) would be required to be glazed and transparent.
- Special parking requirements to ensure adequate off-street parking for commercial uses larger than 16,000 square feet and reduce parking waivers and exemptions for residential uses. Most retail uses would require one accessory parking space per 400 square feet of commercial floor area as part of the special district regulations, but this requirement would be waived if fewer than 40 spaces are required. For residential uses the required off-street parking would be waived if fewer than 5 spaces are required.
- Curb cuts for accessory off-street parking and loading in specified locations would not be allowed unless the Chairperson of the City Planning Commission certifies that a curb cut in that location would not be hazardous to traffic safety.

 [View the proposed zoning text modified by the Commission on January 21, 2009.](#)


## Special Forest Hills District - **Approved!**


### Public Review

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The Special Forest Hills District began formal public review on September 22, 2008 with the Department of City Planning's certification of the [Uniform Land Use Review Procedure \(ULURP\)](#) application (C 090104 ZMQ) and referral of the related non-ULURP zoning text amendment (N 090103 ZRQ).


For more information, contact the Queens Office of the Department of City Planning at (718) 286-3170.

Milestone	Date
Department of City Planning Certification	September 22, 2008
Community Board 6 Approval with conditions	October 22, 2008
Queens Borough President Approval	December 4, 2008
City Planning Commission Hearing	December 17, 2008
City Planning Commission Approval (with modifications*)  <a href="#">Read the CPC Reports.</a>	January 21, 2009
City Council Approval (with modifications**)	March 24, 2009

\* In response to testimony at the Commission's public hearing relating to a special permit approved by the Board of Standards and Appeals for property located at 68-60 Austin, the Commission modified the text of the proposed Special District to allow the special permit to remain in effect if the proposal is adopted.  [View the modified proposed zoning text.](#)


\*\* City Council Modifications

On March 24, 2009, the City Council approved the actions with the following zoning text modification: the maximum height of a building within the C4-5X District shall be 120 feet, except that the maximum height for buildings or portions of buildings on zoning lots located wholly or partly within 60 feet of the northerly side of Austin Street between Yellowstone Boulevard and 70th Avenue, shall be 80 feet.

The original proposal allowed for a maximum building height of 150 feet within the C4-5X District.  [View the adopted zoning text.](#)

## 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.