Reform Temple Forest Hills Rezoning
71-11 112th Street, Forest Hills, Queens

April 1, 2022

1. Introduction

This is an application by Werber Management, Inc., and the Reform Temple of Forest Hills ("RTFH"; collectively referred to herein as the "Applicant") with respect to Queens Block 2246, Lots 31 and p/o 41 (the "Project Area") for the following actions (the "Proposed Actions"):

1. Zoning Map Amendment to change an R1-2A zoning district to an R7D zoning district; and
2. a related Zoning Text Amendment to the New York City Zoning Resolution (the "Zoning Resolution" or "ZR") to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") Area in Appendix F.

The Proposed Actions would facilitate the development of a new residential and community facility building (the "Proposed Development") on Queens Block 2246, Lot 31 (the "Development Site").

2. Background

The Development Site is located within the southwestern portion of the Cord Meyer-Forest Hills rezoning that was approved by the City Planning Commission ("CPC") on May 20, 2009 (C 090283 ZMQ) and adopted by the City Council on June 30, 2009 (Res. 2065-2009). The area was rezoned from an R1-2 zoning district to an R1-2A zoning district. While the purpose of the rezoning was to limit the development of out-of-scale single family detached homes by replacing the non-contextual R1-2 zoning district with the contextual R1-2A zoning district, the CPC report notes that there are higher density buildings located at the southwestern peripheries of the area which was rezoned, where the Project Area is located.

Additionally, the CPC has recently approved two higher density rezonings within the 600 foot radius of the Development Site (also within the southwestern portion of the Cord Meyer-Forest Hills rezoning area):

1) The Former Parkway Hospital Site Rezoning was approved by the CPC on January 30, 2019 (C 180447 ZMQ, N 180448 ZRQ) and adopted by the City Council on April 9, 2019 (Res. 0842-2019 and 0843-2019). This zoning map amendment rezoned the former site of the Parkway Hospital and the lot directly across the street from the former Parkway Hospital site, from an R1-2A zoning district to R7A and R7X zoning districts (and amended the text of the Zoning Resolution to establish a corresponding MIH district).
2) The 112-06 71st Road Rezoning was approved by the CPC on September 11, 2019 (C 190422 ZMQ) and adopted by the City Council on October 17, 2019 (Res. 1113-2019). This zoning map amendment rezoned the lots on the block immediately south of the

Development Site within 100 feet of 112th Street, from an R1-2A zoning district to an R3-2 zoning district.

A reform temple has been a neighborhood fixture at the Development Site, serving the spiritual and cultural needs of the local community since 1963, when the existing building was completed. In 1994, four historic congregational communities came together to form RTFH. Unfortunately, the existing building located at the Development Site no longer meets the needs of the congregation. It is out of step with current ADA regulations, prompting RTFH to partner with developer Werber Management, Inc. to develop the Proposed Development, which would include a new facility for RTFH and residential use above. Being able to provide their congregants with ADA accessible facilities is of utmost importance to RTFH because the inaccessibility of the existing building prevents certain populations of the congregation from attending services and community programming. It also creates potentially dangerous situations, such as evacuating the building in the event of an emergency. Additionally, the existing building is not a flexible, efficient space. It is comprised of mostly single-use spaces, such as an approximately 900 square foot "lower ballroom" on the ground floor, and an approximately 875 square foot "upper lobby" on the second floor. The second floor additionally contains an approximately 5,916 square foot event space, which is used a handful of times throughout the year and otherwise remains vacant. Furthermore, the existing building, due to its age, is costly to maintain and expensive to repair.

The Proposed Development would enable RTFH to stay at their current location, something that is important to their congregants, and it would enable them to update their facility to a space that is ADA compliant, flexible, efficient, and less costly to maintain. The Applicant intends that the new facility would be designed in such a way that spaces will be able to be utilized for a variety of uses, at different timeframes. For example, movable walls could be utilized to create classroom spaces that may be adjusted for size, or removed, depending on the need. Furthermore, a modern facility that utilizes less space, but in a more efficient way, would be cost-effective to maintain, another important consideration for RTFH.

3. Description of Surrounding Area

The Project Area is located in Queens Community District 6 within Forest Hills. Forest Hills is bordered by Middle Village and Rego Park to the west, Kew Gardens and Forest Park to the south, Flushing Meadow Corona Park to the east, and Corona to the north. The Project Area is located on the eastern edge of the Forest Hills neighborhood, within two blocks of the Grand Central Parkway and Flushing Meadow Corona Park.

The area is generally characterized by residential buildings and some institutional uses. The residential buildings consist of a diverse mix of larger apartment buildings with elevators, and single family detached homes.

The site that occupies the remainder of the block where the Proposed Development is to be located (Block 2246, Lot 41), is comprised of educational institutions, including Bnos Malka Academy, which is a private elementary school for girls, and a satellite campus for Touro College. P.S. 196 Grand Central Parkway public school is located on the block to the immediate east of the Development Site.

Flushing Meadows Corona Park, a park comprised of approximately 1,255 acres containing numerous sports facilities, Willow Lake, numerous trails, a zoo, and museums, is located less than a quarter-mile to the east of the Development Site.

A number of the residential buildings in the area predate the current zoning and consist of low- to medium-density, multi-story apartment buildings constructed throughout the 1940s and 1950s. The area located west of the Development Site, between the Development Site and the IND Queens Boulevard 71st Avenue subway station, comprises a mix of 3-story, 6-story, 11-story, and 13-story apartment buildings. There is also a 7-story nursing home constructed in 1970. Several 6-story apartment buildings are located south of the Project Area, between the Project Area and the intersection of 112th Street and Queens Boulevard, which is the location of the IND Queens Boulevard 75th Avenue subway station.

The area is well served by mass transit (a Transit Zone is mapped directly across the street from the Development Site). The IND Queens Boulevard subway (the E, F, M and R lines) runs along Queens Boulevard with the nearest station entrance two blocks west of the Project Area at 71st Avenue and Queens Boulevard. Express bus service in the area connects residential areas of Queens to major job and transit hubs in Manhattan. The QM11 express bus runs along Queens Boulevard, with service between Downtown Manhattan and Rego Park; the QM18 express bus also runs along Queens Boulevard, connecting South Ozone Park to Midtown Manhattan at East 57th Street. The QM4 and QM44 express buses run along Jewel Avenue and 69th Road, connecting the Electchester housing complex in Pomonok to Midtown Manhattan. Local bus service is provided by the Q23 bus, which runs along 108th Street, and connects East Elmhurst to Forest Hills; the local Q64 bus runs along Jewel Avenue and 69th Road with service between Pomonok and Forest Hills. Major vehicle roadways in the area include the Grand Central Parkway and the Van Wyck Expressway to the east and Queens Boulevard to the west. The Forest Hills LIRR train station is located across Queens Boulevard at Austin Street and 71st (Continental) Avenue, approximately 0.4 miles from the Project Area.

The surrounding area within this portion of Forest Hills contains a mix of low-, medium-, and higher density zoning districts:

R1-2A

As mentioned above, the proposed Project Area and much of the Surrounding Area was rezoned from an R1-2 zoning district to an R1-2A zoning district pursuant to the Cord Meyer-Forest Hills rezoning, adopted in 2009. Permitted uses in an R1-2A zoning district include residential (Use Group 1) and community facility (Use Groups 3 and 4). Residential uses are limited to single-family, detached houses with a maximum floor area ratio ("FAR") of 0.5. The maximum FAR for community facility use is 1.00. The height of a development may not exceed 35 feet, with a maximum perimeter wall height of 25 feet.

R7-1

In 1961, an R7-1 zoning district was mapped on the blocks immediately west of the Development Site to reflect the then recently developed multi-family buildings. The R7-1 zoning district is a non-contextual zoning district. The maximum FAR for height factor residential buildings is 3.44.

The maximum FAR for quality housing buildings is 3.44 on narrow streets and 4.0 on wide streets. The maximum FAR for most community facility uses is 4.8. The total FAR may not exceed the highest FAR of the constituent uses. The height of a development may not exceed 80 feet for quality housing buildings within 100 feet of a wide street, or 75 feet when beyond 100 feet of a wide street. The height of the development may not exceed 85 feet for quality housing buildings with qualifying ground floors. Height factor buildings are subject to sky exposure plane regulations, with a front setback required at 60 feet or six stories, whichever is less.

R7A

An R7A zoning district is mapped on the blocks to the immediate north and northeast of the Development Site (pursuant to the aforementioned Parkway Hospital Site Rezoning). The R7A zoning district is a contextual zoning district. Permitted uses include residential (Use Groups 1 and 2) and community facility (Use Groups 3 and 4). The maximum FAR for residential use pursuant to MIH is 4.6. The maximum FAR for community facility use is 4.0. The total FAR may not exceed the highest FAR of the constituent uses. For quality housing buildings with qualifying ground floors and pursuant to MIH, the height of a development may not exceed 95 feet.

R7X

An R7X zoning district is mapped to the immediate east of the R7A zoning district, northeast of the Development Site (pursuant to the Parkway Hospital Site Rezoning). The R7X zoning district is a contextual zoning district. Permitted uses include residential (Use Groups 1 and 2) and community facility (Use Groups 3 and 4). The maximum FAR for residential use pursuant to MIH is 6.0. The maximum FAR for community facility use is 5.0. The total FAR may not exceed the highest FAR of the constituent uses. For quality housing buildings with qualifying ground floors and pursuant to MIH, the height of a development may not exceed 145 feet.

R3-2

An R3-2 zoning district is mapped on the western edge of the block to the immediate south of the Development Site (pursuant to the aforementioned 112-06 71st Street Rezoning). The R3-2 zoning district is a non-contextual zoning district. Permitted uses include residential (Use Groups 1 and 2) and community facility (Use Groups 3 and 4).The maximum FAR for residential use is 0.5. The maximum FAR for most community facility uses is 1.0. The total FAR may not exceed the highest FAR of the constituent uses. The height of a development may not exceed 35 feet.

R6

An R6 zoning district is mapped to the south of the Development Site. The R6 zoning district is a non-contextual zoning district. Permitted uses include residential (Use Groups 1 and 2) and community facility (Use Groups 3 and 4). The maximum FAR for height factor residential buildings is 2.43. The maximum FAR for quality housing buildings is 2.20 on narrow streets and 3.0 on wide streets. The maximum FAR for most community facility uses is 4.8. The total FAR may not exceed the highest FAR of the constituent uses. The height of a development may not exceed 55 feet on narrow streets or 70 feet on wide streets for quality housing buildings (height factor buildings are subject to sky exposure plane regulations). For quality housing buildings with

a qualifying ground floor and on a wide street, the height of a development may not exceed 75 feet.

4. Description of the Proposed Project Area and Proposed Development Site

The Project Area is comprised of Block 2246, Lot 31 and p/o Lot 41. It is bounded by 112th Street to the west, 71st Avenue to the north, a line running parallel to and 175 feet to the east of 112th Street, and 71st Road to the south. The Project Area consists of approximately 35,000 square feet of lot area.

The parcel of land to the north and east of the Development Site is owned by Touro College (71-02 113th Street, Forest Hills, NY (Block 2246, Lot 41); the "Touro Parcel"). The Touro Parcel is improved with three 3-story community facility buildings and a 20-space surface parking lot. Approximately 12,500 square feet of 31,000 square feet of the Touro Parcel is within the Project Area. A portion of a building comprising of an approximately 11,115 square feet of ZFA (containing classrooms and a gymnasium) and the surface parking lot, are located within the Project Area.

The Development Site (Block 2246, Lot 31) is located on the northeast corner of 112th Street and 71st Road with approximately 150 feet of frontage along 112th Street and approximately 175 feet of frontage along 71st Road with a total lot area of 22,500 square feet.

The Development Site is owned and occupied by RTFH, the co-applicant, and is currently improved with a 2-story building at approximately 34 feet in height containing approximately 22,800 square feet of zoning floor area ("ZFA") (1.01 FAR). Of this total, approximately 10,800 square feet of ZFA (0.48 FAR) comprises Use Group 3 classroom and offices uses on the ground floor, and approximately 12,000 square feet of ZFA (0.53 FAR) comprises Use Group 4 house of worship uses on the second floor and mezzanine. The eight classrooms located on the ground floor, which total approximately 4,618 square feet of ZFA,[1] are used by RTFH for religious school on Wednesday evenings and on Sunday mornings. RTFH also leases classroom space to the NYC Department of Education ("DOE"), which can be used by DOE on an as needed basis, such as when a local DOE school is undergoing renovations, during Monday through Friday school hours. Attendance numbers vary when DOE is utilizing the classroom space, but it is estimated that attendance includes approximately 100 students. The ground floor also contains five small office rooms, totaling approximately 1,025 square feet of ZFA, which are used by RTFH staff. Approximately 5,157 square feet of ZFA of the existing building comprises inefficient large lobby spaces, small storage closets, and miscellaneous spaces. The second floor and mezzanine comprises a sanctuary space used by RTFH for religious services, which is approximately 1,970 square feet of ZFA. The majority of the second floor and mezzanine comprise a large ballroom and an accessory kitchen, which totals approximately 5,916 square feet of ZFA, and is infrequently used. The remainder of the second floor and mezzanine space, approximately 4,114 square feet of ZFA, comprises another substantial lobby and entry way space, two small lounge areas, and a small library. The Development Site also currently contains a four-space surface parking lot, which

[1] The classrooms vary in size from approximately 373 square feet of ZFA to approximately 670 square feet of ZFA.

is accessed via an existing curb cut approximately 15 feet wide located on the north side of the Development Site fronting 112th Street.

5. Description of the Proposed Development

The Applicant intends to construct a new building with community facility uses, affordable housing units, market rate units, and below grade parking. The illustrative Proposed Development would contain approximately 126,000 square feet of ZFA (5.6 FAR). Of this total, approximately 16,600 square feet of ZFA (0.74 FAR) would comprise community facility uses (the new RTFH sanctuary and facilities) and 109,400 square feet of ZFA (4.86 FAR) would comprise residential uses.

The proposed R7D zoning district is a contextual zoning district in which Quality Housing regulations are mandatory. Developments in R7D zoning districts typically result in high lot coverage apartment buildings that are set at or near the street line. R7D zoning districts permit a range of both residential and community facility uses (Use Groups 1 through 4). The maximum residential FAR permitted is 5.60 with the provision of affordable housing pursuant to MIH, which would be required in the Project Area. Through the provision of affordable housing pursuant to MIH, the maximum base height is 95 feet. The maximum building height is 110 feet without the provision of a qualifying ground floor and 115 feet with the provision of a qualifying ground floor (11 stories maximum). Above the maximum base height, the building must be set back at least 10 feet from wide streets and 15 feet from narrow streets. The R7D zoning district permits 100 percent lot coverage on corner lots and 65 percent lot coverage on interior and through lots.

Illustrative plans for the Proposed Development show a new 10-story building, which would comply with the proposed R7D zoning district requirements and the MIH program requirements. The base height of the Proposed Development is approximately 95 feet, after which it would set back 15 feet along 112th Street and 71st Road and then rise to 113 feet.

The Applicant plans to include a sanctuary/multipurpose space, classrooms, and offices for RTFH as part of the Proposed Development on the first floor, with the entrance located along the 71st Road frontage. The proposed space for RTFH would be fully ADA compliant and accessible to all congregants, employees, and visitors to the space.

The ground floor would include approximately 7,020 square feet of ZFA as sanctuary/multipurpose space and classrooms. Movable partitions would be utilized to create additional classroom space, as needed, which could then be removed when a larger sanctuary space is needed during peak time periods, or to hold an event.

The new classroom space would consist of seven fixed classrooms and flex spaces which could be subdivided, resulting in two additional classroom spaces or a small event space, for a total of approximately 3,305 square feet of ZFA.[2] The remaining approximately 6,275 square feet of ZFA, would comprise meeting rooms, storage space, a lobby space, a kitchen, offices and an administrative space.

[2] The classrooms vary in size from approximately 280 square feet of ZFA to approximately 700 square feet of ZFA.

An entrance and lobby for the residential portion of the building is proposed to be located on 112th Street. The Applicant proposes to have 153 dwelling units located on floors 2 through 10 and plans to utilize either MIH Option 1 or MIH Option 2. If MIH Option 1 is utilized, the Proposed Development would include approximately 38 dwelling units affordable to households with incomes at or below sixty percent (60%) of the Area Median Income ("AMI"), and, if MIH Option 2 is utilized, the Proposed Development would include approximately 46 dwelling units affordable to households with incomes at or below eighty percent (80%) of the AMI. On the 10th floor, an approximately 5,605 square foot recreation space for all residents, required pursuant to the Quality Housing regulations, would be provided.

The Proposed Development would require 61 accessory off-street parking spaces. However, because of the demand for parking in the area, the Applicant plans to provide an additional 5 spaces, for a total of 66 parking spaces, all of which would be provided in the cellar and would be attended parking. The existing approximately 15-foot curb cut on 112th Street would be used to access the cellar-level parking. This curb cut is located approximately 90 feet from the intersection of 112th Street and 71st Avenue and approximately 140 feet from the intersection of 112th Street and 71st Road.

6. Actions Necessary to Facilitate the Project

To facilitate the Proposed Development, the following actions are necessary: (1) a zoning map amendment from an R1-2A zoning district to an R7D zoning district and (2) a related text amendment to the Zoning Resolution to establish the Development Site as an MIH Area in Appendix F.

The Proposed Development would improve the Development Site with a new 10-story building that will contain a new sanctuary, offices, and multi-purpose spaces for RTFH and 153 residential dwelling units, including approximately 38 to 46 permanently affordable units, pursuant to the MIH Option utilized.

Zoning Map Amendment

The zoning map amendment seeks to rezone the Project Area from the existing R1-2A zoning district to an R7D zoning district, the boundary of which would extend 175 feet in depth from 112th street. The zoning map amendment would facilitate the Proposed Development, which would conform to and comply with the proposed R7D zoning district requirements.

The area surrounding the Project Area contains a mix of low-, medium-, and higher density residential districts. Adjacent to the existing R1-2A zoning district and R3-2 zoning district, there are several R7 zoning districts, predominantly comprised of medium-density apartment buildings.

The proposed R7D zoning district would foster a coherent transition between the R7X zoning district along Flushing Meadow Corona Park to the R7-1 zoning district along Queens Boulevard. The R7D zoning district would permit a greater residential FAR than the adjacent R7A zoning district, which is appropriate along 112th Street due to the proximity of the Transit Zone. Further, it would promote new contextual development in this transit-rich environment, unlike the adjacent R7-1 zoning district, where quality housing regulations are not mandatory. With a proposed depth of 175 feet from 112th Street, the R7D zoning district would further reinforce the existing built

context along 112th Street and up to Flushing Meadow Corona Park, adjacent to existing medium- and higher-density residential buildings. Additionally, the proposed rezoning would foster more consistent development in this portion of Forest Hills.

Zoning Text Amendment

Pursuant to the MIH text amendment adopted by the CPC on February 2, 2016 (N 160051 ZRY) and the City Council on March 22, 2016 (Res. 1022-2016), properties that are rezoned to permit greater residential bulk must be designated as MIH Areas. Within MIH Areas, developments, enlargements, and conversions above 10 units or 12,500 square feet are required to set aside a percentage of floor area for permanently affordable housing. The Proposed Actions include a zoning map amendment from an R1-2A zoning district to an R7D zoning district, which permits greater residential bulk; therefore Appendix F of the Zoning Resolution would need to be amended to add the rezoning area as an MIH Area under Option 1 and Option 2.

The introduction of permanently affordable housing will help meet the goals and objectives of the Mayor's housing plan to build and preserve affordable homes for 300,000 New York families[3]. Pursuant to MIH, the provision of affordable housing at the Development Site would be mandatory and ensure that it remains permanently affordable. Furthermore, the Proposed Development would reinforce the existing built context along the 112th Street corridor and along 71st Road.

7. Conclusion

The Applicant requests a zoning map amendment to change an R1-2A zoning district to an R7D zoning district and a zoning text amendment to establish an MIH area. As discussed above, the existing building that houses RTFH no longer meets the needs of their congregants and the community at large. The Proposed Development would provide a new home for RTFH, and include a new residential development that is harmonious with the surrounding neighborhood while also providing much needed affordable housing. Furthermore, the proposed R7D zoning district would promote contextual development along 112th Street, which would reinforce the existing built context and provide housing within blocks of a transit hub.

[3] https://www1.nyc.gov/site/housing/index.page; as of March 24, 2022.