



Queens Civic Congress

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January 29, 2004

Letter to the Editor:

City Planning's recently proposed amendments of the N.Y.C. Zoning Resolution relating to community facilities is a disappointment. The text amendments fail to deal with the "as of right" bulk bonuses and many of the rear yard bonuses now given to community facilities. Civic associations and communities not only in Queens but throughout the city have complained for the past two decades about the negative impact the "as of right" community facilities pose in their residential neighborhoods. No one questions the value community facilities bring to their neighborhoods or the metropolitan community as a whole. However, the community facility that was envisioned and encouraged by the 1961 Zoning Resolution has changed. Today in the middle of a residential block, we see large institutional buildings which often contain commercial non community facility uses. These buildings overshadow the adjacent residences and bring traffic congestion to streets designed for residential not commercial use.

While the new text amendments will now require parking for houses of worship regardless of whether the seating is fixed or not fixed, the parking requirement will not be based on the total occupancy of the building but only for the single largest room. The new text amendments have removed the existing parking requirements for house of worship in R-6 & 7 zones. In addition, houses of worship will be allowed by way of an application for a variance an exemption from these new parking requirements. On the balance, the proposed new parking requirements will not provide any significant relief and in the case of R 6 & 7 zones goes backwards. By concentrating solely on the parking aspect of the problem, City Planning compounds the problem for the small houses of worship where their congregation walks to services. The "as of right" house of worship building in a residential zone up to double the size of their neighbor's home is not resolved in the proposed text.

The new text amendments propose to eliminate in residential zones the existing right of community facilities to build in the required rear yards. This is significant to low and high-rise residences and the many row house communities in the borough. By allowing a community facility to build as of right into the open rear yard, a community facility destroys an entire block of rear yards. Unfortunately, the community facilities that are the greatest culprits of extending into the rear yard -- schools, houses of worship, universities, and medical facilities -- would still be allowed to encroach "as of right" into the rear yard in every zone except for single or two family houses.

The new text amendments redefine health care facilities under the Zoning Resolution into a new category of community facilities. This change according to City Planning will allow a broader, not less, array of

health care providers to locate in residential zones than is presently permitted, so much for community facility reform. Furthermore, the new text changes would permit a bonus for health care facilities of up to 10,000 square feet in R-3 & 4 zones, an increase the not a decrease.

Only in the City of New York do community facilities get an “as of right” exemption from the Zoning Resolution requirements in residential zones without any consideration as the impact the facility has on the surrounding community. Throughout New York State and most of the rest of the country, community facilities are sited by way of special permit. Group homes, which are not the subject of community facility regulation, are an illustration of how a laudable goal can be integrated into a community when they blend into their neighborhood in scope and size. City Planning needs to go back to the drawing board and think outside the box. We can accommodate community facilities, but we need a process to balance the benefit and the burden on a site by site basis either through a special permit process or a refined criteria in the zoning text.

Yours truly,

Sean M. Walsh,
President Queens Civic Congress

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