14-10 BEACH CHANNEL DRIVE REZONING
14-10 BEACH CHANNEL DRIVE AND 21-22 – 21-08 NAMEOKE AVENUE, QUEENS
SEPTEMBER 8, 2023

1. INTRODUCTION

14-10 Beach LLC (the "Applicant") proposes the following actions (the "Proposed Actions"):

1. a zoning map amendment to change an existing R5 zoning district to R6A/C2-4 and R6A zoning districts on a portion of Queens Block 15525, Lots 1, 51, 49, 47, 44 and 40 (the "Proposed Project Area") in the Far Rockaway neighborhood of Queens Community District 14; and

2. a zoning text amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 14 to designate a Mandatory Inclusionary Housing ("MIH") Area with MIH Options 1 and 2 conterminous with the Proposed Project Area.

The Proposed Actions will facilitate the development of a new six-story plus cellar mixed-use commercial, community facility and residential building with approximately 95,608 square feet of floor area (3.33 FAR) (the "Proposed Development") at 14-10 Beach Channel Drive, Block 15525, Lots 1 and 51 (the "Proposed Development Site"). The Proposed Development will include approximately 97 dwelling units, including approximately 24 permanently affordable dwelling units pursuant to MIH Option 1.

2. BACKGROUND

The Proposed Project Area was initially mapped with an R5 zoning district in 1961 and has remained.

The Downtown Far Rockaway Rezoning (C 170243 ZMQ, effective September 2017) was an application by the NYC Economic Development Corporation which requested a series of land use actions, including a zoning map amendment, which sought to facilitate the Downtown Far Rockaway Development Plan aimed to support new, mixed-use development and the development of permanently affordable housing, to ensure that new development blends into the existing neighborhood fabric, and to re-establish Downtown Far Rockaway as the commercial and transportation hub of the Rockaway peninsula. To that end, it rezoned areas around the A train terminus to R6A and R7-1 zoning districts, subject to Special District-imposed controls. The rezoning would ultimately result in up to 3,123 units of mixed-income housing, 240,000 square feet of new commercial and community facility space and 30,000 square feet of publicly accessible open space in Queens Community District 14.

3. DESCRIPTION OF SURROUNDING AREA

The Proposed Project Area is located in Far Rockaway neighborhood of Queens Community District 14.

<u>Zoning</u>
The existing zoning districts in the surrounding area include:

<u>R3X</u>
R3X zoning districts are contextual districts mapped extensively in lower-density neighborhoods and permit only one- and two-family detached homes on lots that must be at least 35 feet wide. The maximum permitted FAR of 0.5 may be increased by an attic allowance of up to 20% for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. The amount of required open space on a lot is governed by yard requirements. Two side yards that total at least 10 feet are required and there must be a minimum distance of eight feet between houses

on adjacent lots. The front yard of a new home must be at least 10 feet deep and must be at least as deep as an adjacent front yard but need not exceed a depth of 20 feet. An in-house garage is permitted within the building provided the driveway is at least 18 feet deep. One off-street parking space is required for each dwelling unit.

R5

The Proposed Project Area is within an R5 zoning district, established in 1961, which extends beyond the Proposed Project Area generally to the north and south. R5 zoning districts typically produce three-and four-story attached houses and small apartment houses at maximum FAR of 1.25. R5 districts have a height limit of 40 feet and provide a transition between lower- and higher-density neighborhoods. The maximum street wall height of a new building is 30 feet, and the maximum building height is 40 feet. Above 30 feet, a setback of 15 feet is required from the street wall of the building and any portion of the building that exceeds a height of 33 feet must be stet back from a rear or side yard line. Detached houses must have two side yards that a total at least 13 feet, each with a minimum width of 5 feet. Semi-detached houses need one 8-foot-wide side yard. Apartment houses need two side yards, each at least 8 feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon. Parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is required for 85% of the dwelling units in the building, but requirements are lower for income-restricted housing (IRHU) units and are further modified within the Transit Zone.

R6

R6 districts are residential districts which are widely mapped in built-up, medium-density areas. Developers can choose between two sets of bulk regulations. Height factor regulations, introduced in 1961, typically produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Quality Housing regulations, introduced in 1987, typically produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood. Buildings developed pursuant to height factor regulations are often tall buildings set back from the street and surrounded by open space and on-site parking. The FAR in R6 districts range from 0.78 (for a single-story building) to 2.43 at a typical height of 13 stories. There are no height limits for height factor buildings, although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Off-street parking is required for 70% of a building’s dwelling units or can be waived if five or fewer spaces are required, but requirements are lower for IRHU and are further modified within the Transit Zone or for lots less than 10,000 square feet. The Quality Housing regulations produce lower, high lot coverage buildings set at or near the street line. For buildings on or within 100 feet of a wide street, the maximum FAR is 3.0 or 3.6 with Inclusionary Housing, the maximum base height before setback is 65 feet with a maximum building height of 70 feet (75 feet with QGF) or 115 feet with Inclusionary Housing. On a narrow street, the maximum FAR is 2.2 or 2.42 with Inclusionary Housing, the maximum base height before setback is 45 feet or 65 feet with Inclusionary Housing with a maximum building height of 55 feet or 115 feet with Inclusionary Housing. Off-street parking is required for 50% of a building’s dwelling units or can be waived if five or fewer spaces are required, but requirements are lower for IRHU and are further modified within the Transit Zone or for lots less than 10,000 square feet.

R7-1

R7-1 zoning districts are medium-density apartment house districts. The height factor regulations for R7-1 districts encourage lower apartment buildings on smaller zoning lots and, on larger lots, taller buildings with less lot coverage. As an alternative, developers may choose the optional Quality Housing regulations to build lower buildings with greater lot coverage. Height factor buildings are often set back from the street and surrounded by open space and on-site parking. The FAR in R7-1 districts ranges from 0.87 to a high of 3.44. There are no height limits for height factor buildings, although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Off-street parking is required for 60% of a building’s dwelling units or can be waived if five or fewer spaces are required, but requirements are lower for IRHU and are further modified within the Transit Zone or for lots less than 15,000 square feet. The Quality Housing regulations produce lower, high lot coverage buildings set at or near the street line. For

buildings on or within 100 feet of a wide street, the maximum FAR is 4.0 or 4.6 with Inclusionary Housing, the maximum base height before setback is 75 feet with a maximum building height of 80 feet (85 feet with QGF) or 135 feet with Inclusionary Housing. On a narrow street, the maximum FAR is 3.44, the maximum base height before setback is 65 feet with a maximum building height of 75 feet. Off-street parking is required for 50% of a building's dwelling units or can be waived if five or fewer spaces are required, but requirements are lower for IRHU and are further modified within the Transit Zone or for lots less than 15,000 square feet.

M1-1
M1-1 zoning districts permit light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses, and commercial uses. Residential use is not permitted in M1-1 zoning districts. The maximum FAR for permitted manufacturing and commercial uses within the M1-1 zoning district is 1.0 and 2.4 for permitted community facility uses. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area. In M1-1 zoning districts, the off-street parking requirement may be waived if fewer than fifteen spaces are required.

C1-2 & C2-4
C1-2 and C2-4 districts are commercial overlays mapped within residential districts. These districts are mapped along streets that serve local retail needs and found throughout lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include grocery stores, restaurants and salons. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. When mapped in R1 – R5 districts, the maximum commercial FAR is 1.0; when mapped in R6 – R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk regulations.

Special District
The Proposed Project Area is located just west across Redfern Avenue from the Special Downtown Far Rockaway District (DFR) and DFR Subdistrict A.

FRESH
The Proposed Project Area is located in a FRESH zone allowing zoning and discretionary tax incentives.

Coastal Zone Boundary
The Proposed Project Area is located within the Coastal Zone Boundary, partially within 100 year and partially within 500 year flood plains.

Land Uses
The existing land uses within the surrounding area consist of one-, two- and multi-family residences, mixed-use commercial and residential buildings, industrial buildings and community facilities, including several houses of worship.

Located generally to the north, south, west and east of the Proposed Project Area, within the R5 and R3X zoning districts, are two- and three-story, one-, two- and multi-family residential buildings. There are also one- and three-story mixed-use commercial and residential buildings, one-story community facilities, one-story transportation/utility buildings and several vacant lots or parking lots. The subject block includes a bodega, a car dealership, a church and residences. Just north of the subject block, is the New York City Housing Authority's Redfern Housing campus located on a 2 million+ square foot lot (Block 15501, Lot 2), including approximately 604 residential units in nine, six- and seven-story buildings. A one-story commercial building complex (including a general store, hair salon, pharmacy, money transferring center, restaurants, laundromat and doctor's office) is located further northwest of the Proposed Project Area on Block 15650.

Located to the east of the Project Area, within the R6/C2-4 zoning district, is a new nine-story residential building currently under construction at 20-50 Nameoke Avenue (Block 15529, Lot 10). The Far Rockaway Long Island Railroad (LIRR) stop is located in the midblock, with entrance along Nameoke Avenue. Surface parking is also included for the LIRR station, running north through the midblock and within the adjacent M1-1 zoning district.

The M1-1 zoning district to the northeast of the Project Area is improved with a series of one-story commercial and industrial buildings, including a construction company, a packing group, a shipping company, an interior design company and a mini market fronting along Redfern and Brunswick avenues. LIRR surface parking runs through the midblock, running parallel with the train tracks.

Located to the southeast of the Project Area, and running south along Redfern Avenue, within the R7-1/C2-4 district and DFR, is a series of vacant lots currently under construction, or newly constructed, with residential and commercial developments. A new 12-story mixed-use development is under construction at 16-25 Redfern Avenue (Block 15537, Lot 65). The Rockaway Village Apartments (Block 15537, Lot 7501) includes five buildings ranging between 10- and 12-stories with a total of 1,693 affordable housing units.

Mass Transit

The Proposed Project Area well served by public transportation including commuter rail service, bus and subway. The terminal station of the LIRR's Far Rockaway branch is located just 200 feet east of the Proposed Project Area along Nameoke Avenue. The station serves the Far Rockaway Branch line, which runs through Nassau County (Long Island), Queens, and ending at Atlantic Terminal, Brooklyn. The Q 114 bus runs on Beach Channel Drive with a northbound stop just across Nameoke Street and a southbound stop directly across Beach Channel Drive from the Proposed Project Area. The Far Rockaway – Mott Avenue subway stop, serving the A train, is located just south of the surrounding area (within 1/3 of a mile from the Project Area) at Mott Avenue and Beach Channel Drive.

4. DESCRIPTION OF THE PROPOSED PROJECT AREA

The Proposed Project Area consists of Block 15525, Lots 1, 51, 49, 47, 44 and 40. The Proposed Project Area is located on the southern portion of Block 15525, a triangular shaped block bounded by Beach Channel Drive to the west, Nameoke Avenue to the south and Hassock Street to the north.

The Proposed Project Area fronts on Beach Channel Drive, one of the Rockaways major thoroughfares. Because of its importance, it is one of the streets undergoing renovation as part of the Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project. This Department of Transportation project commenced in 2015 and is currently underway. It will provide a safer, more inviting pedestrian experience while employing sustainable, energy-efficient and visually appealing street design elements. It will include full street reconstruction in conjunction with new storm and sanitary sewers, new curbs, sidewalks and expanded pedestrian spaces and better connect the Proposed Project Area to the downtown.

The Proposed Project Area is approximately 48,651 square feet and is improved as follows:

14-10 Beach Channel Drive (Block 15525, Lots 1 and 51, the "Proposed Development Site"), has a combined lot area of approximately 28,625 square feet. Lot 1 contains two buildings, a one-story car dealership and a one-story house of worship with a total of approximately 3,888 square feet of floor area (4.95 FAR). Lot 51 is a vacant lot.

21-22 Nameoke Avenue (Block 15525, Lot 49) has a lot area of approximately 4,999 square feet and is improved with a two-story, multi-family residential building with approximately 2,568 square feet of floor area (1.9 FAR) and three dwelling units.

21-18 Nameoke Avenue (Block 15525, Lot 47) has a lot area of approximately 4,999 square feet and is improved with a two-story, two-family residential building with approximately 2,382 square feet of floor area (2.1 FAR) and two dwelling units.

21-12 Nameoke Avenue (Block 15525, Lot 44) has a lot area of approximately 5,062 square feet and is improved with two-story, mixed-use building with approximately 1,600 square feet of floor area (3.2 FAR) with a ground floor house of worship and two dwelling units.

21-08 Nameoke Avenue (Block 15525, Lot 40) has a lot area of approximately 4,968 square

feet and is improved with a two-story, multi-family residential building with approximately 2,500 square feet of floor area (2.0 FAR) and four dwelling units.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE

The Proposed Development Site consists of 14-10 Beach Channel Drive (Block 15525, Lots 1 and 51, the "Proposed Development Site"), with a total combined lot area of approximately 28,625 square feet. It is located at the intersection of Beach Channel Drive (80' wide) and Nameoke Avenue (50' wide). The Proposed Development Site has approximately 175 feet of frontage on Beach Channel Drive and 185 feet of frontage Nameoke Avenue. Lot 1 contains two buildings, a one-story car dealership and a one-story house of worship with a total of approximately 3,888 square feet of floor area (4.95 FAR). Lot 51 is a vacant lot primarily used for parking.

6. THE PROPOSED DEVELOPMENT

The Proposed Development at the Proposed Development Site is a new six-story plus cellar, mixed-use residential, commercial and community facility building. The Proposed Development will have a total floor area of approximately 95,608 square feet (3.33 FAR) and will include a total of 97 residential units (16 studios, 74 one-bedrooms, and 7 two-bedrooms), including approximately 24 permanently affordable housing units pursuant to MIH Option 1.

The cellar and ground floor levels will contain a total of 102 parking spaces. The cellar and enclosed grand floor parking spaces will be accessed by a curb cut along Nameoke Avenue. While the unenclosed ground floor parking spaces may be accessed by the curb cut along Nameoke Avenue or a curb cut along Beach Chanell Drive leading to a driveway to parking spaces located within 36' and 39'rear yard areas. The ground floor will contain an approximately 4,881 square foot commercial space, an approximately 4,440 square foot community facility space (house of worship for the Glory Light Tabernacle congregation currently located at the Proposed Development Site), and a residential lobby and storage/laundry room. The second through sixth floors will contain residential units. The roof will contain recreation space. The Proposed Development will have a street wall height of five stories/54'-6" and will setback 15'-0" at the 6th floor before rising to a total height of 67'-0".

The Proposed Development will contain resiliency measures including elevation of all habitable spaces above the design flood elevation, dry floodproofing of the ground floor and the installation of flood gates.

7. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The actions necessary to facilitate the project are: 1) a zoning map amendment to map R6A/C2-4 and R6A zoning districts within the Proposed Project Area, and 2) a text amendment of ZR Appendix F to establish an MIH Area coterminous with the Proposed Project Area.

<u>Zoning Map Amendment to R6A/C2-4 and R6A Zoning Districts</u>
The Proposed Project Area has been zoned R5 since 1961. The Proposed Project Area is well suited for additional residential development due to its proximity to transit and its location within an existing residential community supported by nearby commercial and institutional uses.

The proposed R6A zoning district is appropriate within the Proposed Project Area. R6A districts are contextual residential districts where the Quality Housing bulk regulations are mandatory. These regulations produce high lot coverage, six- or seven-story apartment buildings set at or near the street line. Above a maximum base height of 60 feet (65 feet with qualifying ground floor) or 65 feet with inclusionary housing, a 10-foot setback is required on a wide street and a 15-foot setback is required on a narrow street, before rising to a maximum height of 70 feet (75 feet with qualifying ground floor) or 80 feet (85 feet with qualifying ground floor) with inclusionary housing. Off-street parking is required for 50% of all dwelling units, with lower requirements for income-restricted housing units (IRHU). Parking can be waived if five or fewer spaces are required.

The proposed R6A zoning district is consistent with the scale of existing buildings located within the immediate area. These include the existing six-story Redfern Housing complex located north of the Proposed Project Area and the existing/future middle-density developments located east of the Proposed Project Area in the DFR. The proposed zoning map amendment would promote the development of medium-density, contextual housing that includes affordable housing at the Proposed Development Site, an underutilized site, that would be consistent with the scale and character of the surrounding area and would further the City's goals for Downtown Far Rockaway. It would build on the existing and planned middle-density residential community and would be supported by and support the adjacent public transit links. The Proposed Project Area is an underutilized area primarily used for parking, contains a modest low-rise building and would benefit from the development of a mixed-use commercial, community facility and residential building to help meet demand for additional housing.

The proposed rezoning would provide for the productive use of underutilized property and provide for moderate growth in a transit-accessible area.

Zoning Text Amendment to ZR Appendix F

The proposed zoning text amendment would provide the Far Rockaway neighborhood with new permanently affordable housing, which would support the City's effort to increase the overall supply of affordable housing.

The shortage of affordable housing and housing in general has been highlighted by the current administration as an urgent issue that needs addressing. *Housing New York 2.0* is an extension of the City's comprehensive housing development policy (*Housing New York: A Five-Borough, Ten-Year Plan*) that includes a primary goal of building or preserving 200,000 units of high-quality affordable housing by 2022 and 300,000 homes by 2026. *Housing New York 2.0* was developed in conjunction with the New York City Department of Housing and Preservation (HPD) to create housing opportunities for New Yorkers with a range of incomes, while fostering vibrant and diverse neighborhoods. Framed by the policy goals and objectives in *Housing New York*, the City Council adopted an amendment to the ZR to establish the Mandatory Inclusionary Housing program, which requires areas rezoned for residential growth to include a minimum of 20 to 30 percent of dwelling units be affordable in new developments.

The proposed zoning text amendment to ZR Appendix F will support the policies and goals of *Housing New York 2.0* by creating permanently affordable dwelling units within the Proposed Development, will permit the applicant to develop the Proposed Development Site in accordance with the MIH program and will ensure that any future residential development at the Proposed Project Area will address the need for housing to serve a broad range of the City's diverse incomes. The applicant proposes mapping MIH Options 1 and 2 within the Proposed Project Area to provide maximum flexibility for non-applicant-controlled sites. Option 1 requires 25% of residential floor area to be set aside for affordable housing units for residents with incomes averaging 60% AMI, with a minimum of 10% of housing to be affordable at 40% AMI. Option 2 requires 30% of residential floor area to be set aside for affordable housing units for residents with incomes averaging 80% AMI. The Proposed Development currently contemplates providing approximately 24 affordable housing units pursuant to Option 1 of the MIH program. The applicant will seek additional input from Queens Community Board 14 and the local City Council Member regarding the level of affordability for the Proposed Development.

8. CONCLUSION

The Applicant proposes a zoning map amendment to rezone the Proposed Project Area from an R5 zoning district to R6A/C2-4 and R6A zoning districts. The proposed zoning map amendment will facilitate the development of a new six-story, plus cellar mixed-use residential, commercial and community facility building with 97 dwelling units. The applicant also proposes a zoning text amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 14, to designate the Proposed Project Area as an MIH Area. The proposed zoning text amendment will facilitate the development of approximately 24 permanently affordable housing units within the Proposed Development pursuant to the City's MIH program, thereby ensuring that it addresses the need for housing to serve a broad range of the City's diverse needs and incomes.