25-46 FAR ROCKAWAY BOULEVARD REZONING
COMMUNITY DISTRICT 14, QUEENS
JUNE 21, 2022

1. INTRODUCTION

Queens Realty Holdings of NY, Ltd., (the "Applicant") proposes a zoning map amendment from an R4-1 zoning district to an R6B zoning district for 25-46 and 25-40 Far Rockaway Boulevard and 25-47, 25-43 and 25-40 Beach Channel Drive (Block 15737, Lots 1 and 10; Block 15785, Lots 4, p/o 7, p/o 54, and 55) (the "Proposed Project Area"), in the Far Rockaway neighborhood of Queens Community District 14. The Proposed Project Area is located on Hartman Lane between Far Rockaway Boulevard and Ocean Crest Boulevard. The proposed zoning map amendment would facilitate the development of an approximately 32,520 square foot (2.16 FAR), five-story plus cellar multifamily residential development (the "Proposed Development") with 40 dwelling units (approximately 10 permanently affordable units) on Block 15785, Lots 55 and 4 (the "Proposed Development Site"). The Proposed Development would also include approximately 20 parking spaces.

The applicant also proposes a zoning text map amendment to amend Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 14, to establish the Proposed Project Area as a Mandatory Inclusionary Housing ("MIH") Designated Area. The applicant proposes mapping both Options 1 and 2 to provide maximum flexibility.

2. BACKGROUND

The Proposed Project Area was originally zoned both R3-2 (Block 15737) and R4 (Block 15785) zoning districts at the adoption of the Zoning Resolution in 1961. Block 15785 was rezoned to an R4 zoning district in 1962. The project area was rezoned to the current R4-1 zoning district in 2008, as part of the Rockaway Neighborhood Rezoning. The Rockaway Neighborhood Rezoning (C 080371 ZMQ, effective August 14, 2008) affected approximately 280 blocks of the Rockaway Peninsula reinforcing and protecting the special character of the five Rockaway neighborhoods. The rezoning changed the existing R3, R3-2, R4, R5, and R6 zoning districts to contextual zoning districts and permitted a moderate increase in residential and commercial density along the peninsula's major corridors. There have been no recent land use actions relating to the Proposed Development Site since then.

In 2006, the area to the north and south of the Proposed Project Area was rezoned as part of the Bayswater Far Rockaway Rezoning (C 060259 ZMQ, effective April 26, 2006). The rezoning affected approximately 82 blocks in response to overdevelopment concerns relating to the subdivision of large lots and replacement of one- and two-family homes with out of character multifamily buildings. The area was rezoned from existing lower density zoning districts (R3-2, R4, and R5 zoning districts) to contextual and lower density zoning districts (R3A, R3X, R4A, and R4-1 zoning districts).

3. DESCRIPTION OF THE SURROUNDING AREA

Zoning
The area within a 600-foot radius of the Proposed Project Area (the "Surrounding Area") is zoned R2, R3-2, R4A, R4-1 and R6.

R2 zoning districts are non-contextual residential districts that only permit single-family detached houses. The maximum FAR is 0.5 and the minimum lot width is 40 feet. The maximum height of the buildings is governed by the sky exposure plane. One off -street parking space is required for each dwelling unit.

R3-2 is a non-contextual district and is intended for neighborhoods with a variety of low-density housing types. These districts allow single-or-two family homes along with small multi-family apartment buildings in a range of housing types. Zero lot line buildings are not permitted. The

FAR in this district for all residential types is 0.50 plus an attic allowance up to 20%. The maximum building height is 35 feet and the perimeter wall may rise up to 21 feet before providing a setback. The minimum front yard requirement is 15 feet and two side yards are required in this district for detached homes. The rear yard requirement is 30 feet. One off-street parking space is required for each dwelling unit.

R4A is a contextual district and is intended preserve or establish the character of older neighborhoods with pitched roof homes on smaller zoning lots. This district only allows single- or two- family detached homes. Zero Lot Line buildings are not permitted. The FAR in this district for all residential types is 0.75 plus an attic allowance up to 20%. The maximum height is 35 feet. The minimum front yard requirement is 10 feet or as deep as an adjacent lot but not to exceed a depth of 20 feet. Two side yards are required in this district and must total at least 10 feet with a minimum width of two feet . The rear yard requirement is 30 feet. One off-street parking space is required for each dwelling unit.

R4-1 zoning districts are contextual districts which permit only one-and two-family detached and semi-detached residences. The FAR in this district for all residential buildings are 0.75 plus an attic allowance. The maximum perimeter wall height is 25 feet, before sloping back to a maximum building height of 35 feet. Two side yards are required one must be at least a total of eight feet for a detached residence and there must be eight feet between buildings on adjacent zoning lots. One four-foot side yard is required for each semi-detached residence, which must be on lot at least 18 feet wide. Zero Lot Line buildings require only one eight-foot side yard. A minimum ten-foot front yard is required, or must also be at least as deep as the adjacent front yard not to exceed a depth of 20 feet. One off-street parking space must be provided for each dwelling unit and parking must be located within the side yard or rear yard.

R6 zoning districts are residential districts which are widely mapped in built-up, medium-density areas in Brooklyn, Queens and the Bronx. 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 ranges 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. The optional Quality Housing regulations produce 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 (up to 3.6 FAR is allowed in MIH areas), and the maximum base height before setback is 65 feet with a maximum building height of 70 feet (75 feet with a qualifying ground floor). On a narrow street, the maximum FAR is 2.2, and the maximum base height before setback is 45 feet with a maximum building height of 55 feet. Off-street parking is required for 50% of all dwelling units, or can be waived if five or fewer spaces are required.

Land Uses

The land uses within the Surrounding Area consist primarily of residential and community facility uses. The residential uses are predominantly one- and two-family detached and semi-detached residences. Also included in the Surrounding Area are multifamily residential buildings ranging from three to six stories. The northeastern corner of Beach Channel Drive and Bay 32nd Street consists of two multifamily buildings, one five-stories and the other six-stories. The tallest multifamily buildings (20 stories) in the area are the Seaview Towers located south of the Rockaway Freeway. Located to the north of the Proposed Project Area is an approximately 46,170 square foot, four-story educational campus consisting of the Frederick Douglass Academy VI High School (255 students in 9th – 12th Grades), Knowledge and Power Preparatory Academy VI, Academy of Medical Technology (283 students in 6th – 8th Grades) and the Queens High School for Information, Research, and Technology (534 Students in 9th – 12th grades). The four-story, approximately 44,950 square foot Bezalel Rehabilitation and Nursing Center and AdvantageCare (ambulatory diagnostic treatment facility) is located to the south of the Proposed Project Area. There are a few commercial uses within the Surrounding Area including two supermarkets (Freeway Food and Genesis Grocery both located 0.1 miles from the Proposed Project Area) and other local retail located to the south of the Proposed Project Area.

Mass Transit

The Surrounding Area is accessible by mass transit. The Beach 25th Street Wavecrest A train station is located within two blocks of the Proposed Development Site. This branch of the A train connects to the Far Rockaway -Mott Avenue stop connecting to numerous bus lines and the Long Island Railroad and connects to Brooklyn and Manhattan. The Q22 provides east/west bus service along Seagirt Boulevard and Beach Channel Drive and is located approximately 0.5 miles from the Proposed Project Area.

Other Zoning Designations
On December 15, 2021, the Surrounding Area was included in the FRESH program expansion and provides zoning incentives within Community District 14 (FRESH II Text Amendment, N 210380 ZRY, effective December 15, 2021).

Coastal Zone Boundary
The Proposed Project Area and the Surrounding Area are located within the Coastal Zone Boundary.

Floodplain
A portion of the Proposed Project Area (Block 15737, Lots 1 and 10) is partially located within the 1% and 0.2% annual floodplain, however the Proposed Development Site is not.

4. DESCRIPTION OF THE PROPOSED PROJECT AREA

The Proposed Project Area (Block 15785, Lots 55, 4, part of Lots 54 and 7; Block 15737, Lots 1 and 10) is located in the Far Rockaway neighborhood of Queens in Community District 14. The Proposed Project Area is zoned R4-1, a contextual zoning district that permits a maximum permitted FAR of 0.75. The Proposed Project Area is located on the eastern portion of Hartman Lane from Far Rockaway Boulevard to Ocean Crest Boulevard.

The Proposed Development Site, 25-46 Far Rockaway Boulevard and 25-47 Beach Channel Drive, consists of Block 15785, Lots 55 and 4, and has a total lot area of approximately 15,034 square feet. 25-46 Far Rockaway Boulevard is improved with a three-story approximately 4,968 square foot multifamily walk-up building with four residential dwelling units which have been vacant for over a decade. 25-47 Beach Channel Drive is currently vacant.

25-43 Beach Channel Drive (Block 15785, Lot 7) has a lot area of approximately 3,750 square feet and is improved with a two-family, approximately 2,828 square foot (1.33) FAR residential building.

25-40 Far Rockaway Boulevard (Block 15785, Lot 54) has a lot area of approximately 5,445 square feet and is improved with a two-family approximately 2,277 square foot (0.42 FAR) residential building.

25-40 Beach Channel Drive (Block 15737, Lot 1) has a lot area of approximately 25,813 square feet and is improved with a two story, 38,760 square foot (1.5 FAR) Use Group 3 charter school building. Challenge Preparatory Charter School is a 930 student Kindergarten – 9th Grade charter school.

Block 15737, Lot 10 has a lot area of approximately 1,173 square feet and is vacant. The lot measures approximately 5 feet wide and fronts Hartman Lane.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE

The Proposed Development Site is comprised of 25-46 Far Rockaway Boulevard and 25-47 Beach Channel Drive (Block 15785, Lots 55 and 4). The Proposed Development Site has approximately 201 feet of frontage along Hartman Lane and has a depth of approximately 80 feet on Far Rockaway Boulevard and 70 feet along Beach Channel Drive for a total lot area of approximately 15,034 square feet. The Proposed Development Site has been applicant controlled since 2006 and is currently improved with 4,968 square foot multifamily residential building with four vacant units. Lot 4 is vacant after the residence that previously stood there was destroyed by a fire in 2009. The Proposed Development Site's ground surface is approximately five feet above street

level and slopes downward to the northeast. Ground cover consists primarily of concrete sidewalk, a small driveway cut out, the building , and vegetated soil. Lot 4 is overgrown with vegetation.

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed rezoning would map an R6B zoning district over the Proposed Project Area. R6B zoning districts are contextual zoning districts designed to encourage residential growth. R6B zoning districts are moderate-density zoning districts which serve as a transition between lower-density zoning districts and medium-density districts.

The proposed rezoning will facilitate the development of a new five-story plus cellar rental residential building with approximately 32,500 square feet of floor area (2.16 FAR) at the Proposed Development Site. The Proposed Development would consist of 32,500 square feet of residential floor area with 40 rental dwelling units (10 of which will be permanently affordable) on first through fifth floors. Attended parking for 20 vehicles will be located within the cellar. The proposed building will rise to a total height of 50'-0". There will be one 9-foot wide curb cut along Far Rockaway Boulevard to access the cellar level parking. The cellar parking will be accessed by two car elevators. Landscaping will be proposed along the entire building's frontage. While the Proposed Development is not in the flood zone, the applicant intends to provide flood mitigation measures including: the cellar walls and flooring would be constructed of concrete or CMU, the cellar level outlets would be elevated, cellar level parking will allow for automatic entry and exit of floodwaters by means of breakaway enclosures, elevator pits would incorporate elastomeric waterproofing and sump pumps and flood alarms, elevator controls would be set to prevent the cab from lowering into floodwater, and building controls would be located on the roof. The existing sloped nature of the site would not impact the Proposed Development as the proposed parking would be located in the cellar (not residential units).

7. ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

A zoning map amendment to rezone the Proposed Project Area from an R4-1 zoning district to an R6B zoning district is required to facilitate the Proposed Development.

a. Rationale for the Zoning Map Amendment from an R4-1 zoning district to an R6B zoning district.

This application seeks to rezone the Proposed Project Area from an R4-1 zoning district to an R6B zoning district. R4-1 districts are general residential districts that allow for a mix of housing types with a maximum FAR of 0.75. R6B districts are contextual residential zoning districts designed to encourage the development of Quality Housing buildings with a maximum permitted FAR of 2.0, or 2.2 with inclusionary housing. R6B districts typically consist of four- to five-story apartment buildings and four-story attached buildings. The base height must be between 30 and 40 feet, a 10-foot setback is required on a wide street and a 15-foot setback is required on a narrow street, and the maximum permitted height is 50 feet. Off-Street parking is required for 50% of the dwelling units, but 25% income-restricted housing units.

The proposed zoning map amendment would facilitate a residential development on an underutilized site, in furtherance of the City's goals of promoting development on underutilized lots. Additionally, the existing 1.5 FAR school located at 25-40 Beach Channel Drive would continue to remain in compliance within the R6B zoning district. The zoning map amendment will allow for the redevelopment (and development) of the Proposed Development Site with a new residential building. The proposed R6B zoning district is appropriate in terms of permitted bulk and density. The R6B zoning district accommodates a maximum of FAR of 2.2 (with a maximum height of five-stories) in a form which is consistent with the built form within the Surrounding Area. Buildings in the Surrounding Area range in height from one – twenty stories. To the south of the Proposed Project Area is the 20-story Seaview Towers, to the north is a fourth-story educational campus, to the west are five- and six-story multifamily residential buildings and to the south are four-story community facility buildings. The proposed R6B zoning district would permit a building with a maximum height of 55 ft (five-stories).

The Project Area is located two blocks from the Beach 25th Street subway stop and the Q22 bus line. The proposed R6B zoning district encompasses fronts Hartman Lane (60-ft wide), Far Rockaway Boulevard (75-ft wide), Beach Channel Drive (70-ft) and Ocean Crest Boulevard (60-ft).

b. Rationale for the ZR Appendix F Text Map Amendment to map an MIH Designated Area at the Proposed Project Area

The shortage of affordable housing and housing in general has been highlighted by the current administration as an urgent issue that needs addressing. The administration has released Housing New York, A Five-Borough, Ten-Year Housing Plan, which calls for the production and preservation of 200,000 affordable housing units within a decade. According to the 2014-2018 ACS Profile, total population grew by 8.8 percent in the local Census Tract encompassing the Project Area, Queens 1008.02. The proposed development would add 40 new housing units to help meet the demand.

The proposed text map amendment to ZR Appendix F 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. 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. Under the City's MIH program, the Proposed Development will provide fourteen affordable housing units (25%) pursuant to Option 1. Approximately 10 permanently affordable housing units would be added in a neighborhood where the cost of housing has been rising rapidly. According to the Furman Center's State of New York City's Housing and Neighborhoods in 2019, median monthly rent in Community District 14 has risen from $1,040 in the year 2006 to $1,260 in 2019 as the demand for housing has placed upward pressure on the supply of housing.[1] It reports that in 2019, 25.6% of renter households in the Community District were severely rent burdened (spending 50% of household income on rent). In 2019, the average income for Community District 14 was approximately $55,970. The proposed rezoning would thus promote the development of new moderate-density housing needed in the neighborhood. .

8. CONCLUSION

As discussed above, Queens Realty Holdings of NY Ltd., proposes a zoning map amendment to rezone the Proposed Project Area in the Far Rockaway neighborhood of Queens Community District 14 from an R4-1 zoning district to an R6B zoning district. The proposed zoning map amendment will facilitate the development of a new 5-story plus cellar residential building with approximately 40 residential dwelling units at the Proposed Development Site. The proposed rezoning will bring the existing buildings within the Proposed Project Area into compliance. The applicant also proposes a zoning text map amendment to amend ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 14, to establish the Proposed Project Area as an MIH Designated Area. The proposed zoning text map amendment of Appendix F will facilitate the development of 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.

[1] *See* NYU Furman Center, Neighborhood Profiles at https://furmancenter.org/neighborhoods/view/rockaway-broad-channel. *Last visited on* August 5, 2021.