

CITY PLANNING COMMISSION

October 4, 1989 /Calendar No. 27

C 890853 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning to Sections 197-c and 200 of the New York City Charter for an amendment of the Zoning Map, Section No. 30b:

- a) changing from an R4 district to an R3A district property bounded by Newport Avenue, a line midway between Beach 124th Street and Beach 125th Street, a line 100 feet south of Newport Avenue, Beach 124th Street, a line 100 feet north of Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, Rockaway Beach Boulevard, and a line midway between Beach 129th Street and Beach 130th Street;
- b) changing from an R4 district to an R3-1 district property bounded by Newport Avenue, Beach 122nd Street, a line 100 feet south of Newport Avenue and a line midway between Beach 124th Street and Beach 125th Street;
- c) changing from an R4 district to an R3-2 district property bounded by Newport Avenue, a line midway between Beach 116th Street and Beach 117th Street, Rockaway Beach Boulevard, Beach 117th Street, a line 100 feet south of Rockaway Beach Boulevard, Beach 120th Street, Rockaway Beach Boulevard, Beach 119th Street, a line 100 feet north of Rockaway Beach Boulevard, Beach 120th Street, a line 400 feet south of Newport Avenue, a line midway between Beach 121st Street and Beach 122nd Street, a line 100 feet south of Newport Avenue, and Beach 121st Street;
- d) changing from an R4 district to an R5 district property bounded by Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, a line 100 feet north of Ocean Promenade, and Beach 117th Street;
- e) changing from an R5 district to an R7A district property bounded by a line 200 feet north of Ocean Promenade, Beach 116th Street, the northerly boundary line of Rockaway Park, and a line midway between Beach 116th Street and Beach 117th Street;
- f) changing from an R4 district to an R7A district property bounded by a line 100 feet north of Ocean Promenade, Beach 121st Street, a line 100 feet north of Ocean Promenade, a line midway between Beach 116th Street and Beach 117th Street, the northerly boundary line of Rockaway Park, and Beach 125th Street;
- g) changing from an R4 district to an R4-1 district property bounded by Rockaway Beach Boulevard, Beach 120th Street, a

line 560 feet north of Ocean Promenade, a line midway between Beach 120th Street and Beach 121st Street, a line 100 feet north of Ocean Promenade, Beach 121st Street, a line 100 feet north of Ocean Promenade, and a line midway between Beach 124th Street and Beach 125th Street; and

- h) changing from an R4 district to an R4A district property bounded by Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, a line 100 feet north of Ocean Promenade, Beach 125th Street, the northerly boundary line of Rockaway Park, an easterly boundary line of Rockaway Beach, a northerly boundary line of Rockaway Beach, and a line midway between Beach 129th Street and Beach 130th Street;

Borough of Queens, Community District 14, as shown on a diagram dated June 26, 1989 and subject to the restrictions of CEQR Declarations E-27 through E-29.

The application for the amendment of the Zoning Map was filed by the Department of City Planning on April 27, 1989 to rezone an R4 district of Rockaway to R3A, R3-1, R3-2, R4A, R4-1, R5, and R7-A districts and to rezone an R5 district in the area to R7A.

BACKGROUND

The Department of City Planning undertook a planning study of Rockaway Park/Belle Harbor in Queens Community District 14 to determine whether the existing zoning reflects the community's development patterns. A report on the findings and recommendations of this study, Rockaway Park/Belle Harbor, Queens: A Planning Proposal, was released in July, 1989.

The study area is generally bounded by Newport Avenue on the north, Beach 116th Street on the east and Beach 130th Street on the west. The southern boundary is the Ocean Promenade, a boardwalk that extends westward to Beach 126th Street and separates the study area from the public beach.

The area's predominant neighborhood character is low-rise residential with a mixture of housing types. Spacious Victorian-style homes on large lots with landscaped front yards coexist with newer ones and two-family, semi-detached and attached houses; six-story apartment buildings front on the Ocean Promenade and walk-up multiple dwellings are scattered throughout the eastern part of the study area.

Just east of the study area, Beach 116th Street is one of Rockaway's major commercial districts. Extending for two blocks between the ocean and the bay, its restaurants and shops offer residents and visitors a lively mix of goods and services. The Seaside branch of the Queens Borough Library system is located at the corner of Rockaway Beach Boulevard and Beach 117th Street.

The area is served by the IND "C" train which has its terminus on Beach 116th Street. At the northern end of Beach 116th Street, on Jamaica Bay, a private ferry service offers waterborne transit between Rockaway and lower Manhattan. Local

buses run through the study area along Rockaway Beach Boulevard and on Newport Avenue, its northern boundary.

The study area is zoned R4 with the exception of a parcel at the northeast corner of Beach 116th Street and the Ocean Promenade, which is zoned R5. The area to the west is zoned R2; to the north, R3-1; and to the east, R5.

R4 zoning permits all types of housing with a maximum floor area ratio (FAR) of 0.90 (0.75 plus a 0.15 attic allowance). One off-street parking space is required for each dwelling unit.

R4 infill regulations, applicable on many lots in the study area, permit a maximum FAR of 1.35 and have a 66 percent parking requirement. Infill is not applicable on blocks not entirely zoned R4 and/or R5. Infill regulations also do not apply on lots which were occupied as of October 1987 by one or two-family detached or semi-detached houses, and located on blocks characterized by these housing types.

An R5 zone permits all types of housing with a maximum FAR of 1.25. The height of buildings is limited to 40 feet, with a 15-foot setback or sloping roof above 30 feet at the front perimeter wall. The number of required parking spaces is 85 percent of the dwelling units.

R5 infill regulations, which permit a maximum FAR of 1.65, and have a 66 percent parking requirement are applicable in the same circumstances as R4 infill.

Reflecting the diversity of housing types found in Rockaway Park/Belle Harbor -- detached and semi-detached one and two family houses of various sizes along with areas of multiple dwellings (more than two units per building), attached houses and apartment buildings -- nine subareas with differing characteristics were identified. Each of these areas and their proposed zoning is described below.

Area A: This five-and-a-half block subarea is developed almost exclusively with one and two-family detached houses with maximum FARs of 0.6. Most of the houses have porches overlooking small landscaped front yards. Lots are at least 25 feet wide and one side yard is generally used for a driveway leading to a garage in the rear. It is proposed to be rezoned to R3A, which permits one- and two-family detached houses with a maximum FAR of .6, including the .1 attic allowance.

Area B: Most of the houses in this oceanfront area are detached, one- or two-family houses with FARs below 0.9. It is proposed to be rezoned R4A, which permits one- and two-family detached houses with a maximum FAR of .9, including the .15 attic allowance.

Area C: All twelve lots in this two-and-one-half block long subarea are developed with detached or semi-detached houses. All but one of the houses have one or two units. Nine of the houses have FARs below 0.6. It is proposed to be remapped as an enlargement of the adjoining R3-1 zone, which permits one- and two-family detached and semi-detached houses with a maximum FAR of .6, including the .1 attic allowance.

Area D: Most of the buildings in this subarea are detached or semi-detached one- and two-family houses, have FARs of 0.9 or less and do not exceed three stories in height. It is proposed to be rezoned R4-1, which permits one- and two-family detached and semi-detached houses with a maximum FAR of .9

including a .15 attic allowance.

Area E: This subarea is characterized by detached houses on large lots with parking garages in the rear. Many of these buildings are multiple dwellings. Most buildings are two-and-a-half stories high, on lots at least 40 feet wide, and have FARs of 0.6 or less. Newer semi-detached two-story houses have been constructed along Newport Avenue. This area is proposed to be rezoned R3-2, which permits a wide range of housing types, including multiple dwellings, with a maximum FAR of .6, including a .1 attic allowance.

Area F: This one-block long subarea contains two six-story apartment buildings and two detached houses. Several privately-owned vacant lots extend from the Pickwick Area Apartments to the Ocean Promenade in Area G. This area is proposed to be remapped as an enlargement of the adjoining R5 zone, which permits a wide range of housing types, including small apartment buildings, with a maximum FAR of 1.25.

Area G: Extending along the Ocean Promenade from Beach 116th Street to Beach 125th Street, this subarea is developed primarily with six-story apartment buildings constructed under the more permissive zoning in effect prior to 1961. Many of the apartment buildings have FARs as high as 4.0. Their frontages are on the Ocean Promenade and the public beach. Most of the apartment buildings have basement parking garages. This area is proposed to be rezoned R7A, which permits high lot coverage, mid-rise apartment buildings, with a maximum FAR of 4.0. In addition to the apartment buildings, the area contains a vacant lot on Ocean Promenade between 116th and 117th streets, and three other vacant/underbuilt lots along Ocean Promenade. These lots provide opportunities for housing development at a greater scale and density than the current R4 zoning permits. By rezoning to R7A, a modest increase in density would be allowed and potential new development would be consistent with the existing context along Ocean Promenade.

Area H and I: These two subareas are characterized by a variety of housing types, most with FARs up to 0.9. Small apartment buildings and large detached frame houses, built around the turn of the century on large lots, coexist with newer two- and three-story, semi-detached and attached structures. Many of the large frame houses are multiple dwellings. R4 zoning is proposed to be maintained in these areas. R4 permits a wide range of housing types with a maximum FAR of .9, including a .15 attic allowance. The lots in these subareas will no longer qualify for "infill" development.

ENVIRONMENTAL REVIEW

This application (C 890853 ZMQ) was reviewed by the Department of Environmental Protection and the Department of City Planning pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., and the New York City Environmental Quality Review (CEQR) procedures set forth in Executive Order No. 91 of 1977. The designated CEQR number is 89-289Q.

The Department of Environmental Protection and the Department of City Planning submitted to the Commission for its consideration the results of their study of the potential environmental impact of the proposed action. A negative declaration with the provision for an E designation on the zoning maps for the provision of noise attenuation in new developments was issued on June 26, 1989.

UNIFORM LAND USE REVIEW

This application was certified as complete by the City Planning Commission on June 26, 1989, and was duly referred to Community Board 14 in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 14 held a public hearing on this application on August 8, 1989, and adopted the following resolution on that date recommending approval by a vote of 27 in favor and 1 in opposition with 0 abstentions.

"The Board accepted the recommendation of their Committee on Housing, Real Estate & Zoning to approve the application with the following provisos:

- 1) The vacant property on the southwest corner of Beach 116th Street and Ocean Promenade remain as currently zoned (R5) and,
- 2) That all property within the area of Newport Avenue on the north, Beach 116th Street on the east, Ocean Promenade on the south and Beach 129th Street on the west be included, without exception, in the new zoning parameters as proposed."

City Planning Commission Public Hearing

On August 21, 1989 (Calendar No. 12), the City Planning Commission scheduled September 6, 1989, for a public hearing on this application (C 890853 ZMQ). The hearing was duly held on September 6, 1989 (Calendar No. 38).

There were no appearances, and the hearing was closed.

CONSIDERATION

The Commission finds the proposed zoning to be appropriate.

The existing R4 zoning does not reflect the diversity of development patterns in most of Rockaway Park/Belle Harbor. The study area's various housing types are clustered in a way that allows distinctions to be drawn among its subareas. The R4 zone permits a wider variety of housing types, as well as greater

density and bulk, than are found in many sections of the study area. At the same time, the existing bulk and density of the apartment buildings in Area G exceeds that permitted by R4 regulations. The objectives of the rezoning plan are to preserve the character of Rockaway Park/Belle Harbor and to provide for compatible development. The rezoning plan will also reduce the incentive, in some instances, to demolish sound housing and replace it with out-of-character development.

The areas where one- and two-family houses predominate are proposed to be rezoned to R3A, R3-1, R4A or R4-1, which permit no more than two units per building. Those areas characterized by a variety of housing types or multiple dwellings would remain R4 or be rezoned to R3-2, R5, and R7A. These zones allow a wide range of housing types at different bulks and densities.

The Commission concurs with the findings of the DCP study. The specific consideration for the various subareas follows:

- o Rezone from R4 to R3A (Area A) and R4A (Area B).

Rezoning to R3A and R4A will ensure that these areas remain one- and two-family detached house neighborhoods. New semi-detached and attached developments, and multiple dwellings would not be permitted under the rezoning. In addition, permitted

bulk and density would be reduced in Area A. In Area B, the permitted FAR would be the same as the existing R4, although infill would be eliminated on those lots where it is currently applicable. In both areas, the incentive to demolish sound housing and replace it with out-of-character development would be reduced.

o Rezone from R4 to R3-1 (Area C) and R4-1 (Area D).

These areas are currently zoned R4, which does not restrict housing type or occupancy. The proposed zoning would restrict housing types to one- and two-family detached and semi-detached houses, and would ensure that these areas also remain one- and two-family neighborhoods. In addition, the permitted bulk and density would be reduced in Area C. In Area E, the permitted FAR would be the same as the existing R4, although the higher density infill would be eliminated on those lots where it is currently applicable. In both areas, the incentive to demolish sound housing and replace it with out-of-character development would be reduced.

o Rezone from R4 to R3-2 (Area E).

Although the area is characterized by detached houses, many are multiple dwellings and a contextual zone

limiting occupancy would not be appropriate. By rezoning to R3-2, the bulk of new development would be more consistent with the built character of the area.

o Rezone from R4 to R5 (Area F) and R7A (Area G).

Residential development in subareas F and G is characterized by a variety of building types, of which many are built at a higher bulk and density than permitted under the existing R4 zoning. The proposed R5 and R7A zones would be mapped in these areas to better reflect existing development and to permit higher density development where appropriate.

Under the current zoning, Area F, to be rezoned R5, is subject to R4 infill provisions which permit a maximum FAR of 1.35. The 1.25 FAR maximum of the proposed R5 zone would better match the bulk of existing buildings and retain the development potential of this area on underbuilt lots. Infill regulations would no longer be applicable because the block would not be entirely zoned R4 or R5 under the rezoning plan.

The R7A zone proposed for Area G is a medium density contextual zone with a 4.0 maximum FAR. Most of the buildings in the area to be rezoned R7A are built to

this bulk. New development built at maximum bulk on the four vacant or underbuilt lots in this area would be six~~to~~ to seven-story apartment buildings, similar in scale to the existing apartment buildings which line Ocean Promenade. While increased development is possible in Area G, the overall development potential of the study area is reduced, and potential traffic and land use impacts would be less than under the current blanket R4 zoning. X

The community board recommended retaining the existing R5 zoning for the vacant lot at Beach 116th Street and Ocean Promenade. After careful review, the Commission believes that R7A zoning is appropriate in Area G and on this site. R7A would provide for development which is consistent with the existing development along the boardwalk. This site fronts on Ocean Promenade and 116th Street (a wide street) and is also within close proximity to the subway. The Commission notes that one of the goals of a well conceived land use plan is to balance preservation with increased opportunities for new housing development. The Commission believes the rezoning plan achieves this goal by reducing the development capacity in many parts of the study area, by providing for more compatible development throughout

the area, and by providing for a modest increase in bulk and density in the proposed R7A area. Moreover, the Commission believes the scale and density permitted by R7A is appropriate and in context with the built character of the subarea.

- o Maintain the R4 district where appropriate (Areas H and I).

The R4 district would remain in the two subareas characterized by a range of housing types that generally match the R4 permitted floor area ratio of 0.9, including the attic allowance. Infill provisions would no longer apply in these areas because the blocks would not be entirely zoned R4. Thus, new development would be of a bulk and density more characteristic of the built context in these areas.

The Community Board also recommended that the "new zoning parameters" apply to all lots in the study area. The Commission notes that the lower density regulations, as amended and adopted by the Board of Estimate on June 30, 1989, apply to all lots in the study area.

In summary, the Commission believes that the proposed rezoning and the maintenance of the existing R4 zone without

infill will preserve the character and diversity of Rockaway Park/Belle Harbor while providing, in appropriate locations, opportunities for new housing compatible with its neighbors.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant effect on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 30b:

- a) changing from an R4 district to an R3A district property bounded by Newport Avenue, a line midway between Beach 124th Street and Beach 125th Street, a line 100 feet south of Newport Avenue, Beach 124th Street, a line 100 feet north of Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, Rockaway Beach Boulevard, and a line midway between Beach 129th Street and Beach 130th Street;

- b) changing from an R4 district to an R3-1 district property bounded by Newport Avenue, Beach 122nd Street, a line 100 feet south of Newport Avenue and a line midway between Beach 124th Street and Beach 125th Street;
- c) changing from an R4 district to an R3-2 district property bounded by Newport Avenue, a line midway between Beach 116th Street and Beach 117th Street, Rockaway Beach Boulevard, Beach 117th Street, a line 100 feet south of Rockaway Beach Boulevard, Beach 120th Street Rockaway Beach Boulevard, Beach 119th Street, a line 100 feet north of Rockaway Beach Boulevard, Beach 120th Street, a line 400 feet south of Newport Avenue, a line midway between Beach 121st Street and Beach 122nd Street, a line 100 feet south of Newport Avenue, and Beach 121st Street;
- d) changing from an R4 district to an R5 district property bounded by Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, a line 100 feet north of Ocean Promenade, and Beach 117th Street;
- e) changing from an R5 district to an R7A district property bounded by a line 200 feet north of Ocean Promenade, Beach 116th Street, the northerly boundary line of Rockaway Park, and a line midway between Beach 116th Street and Beach 117th

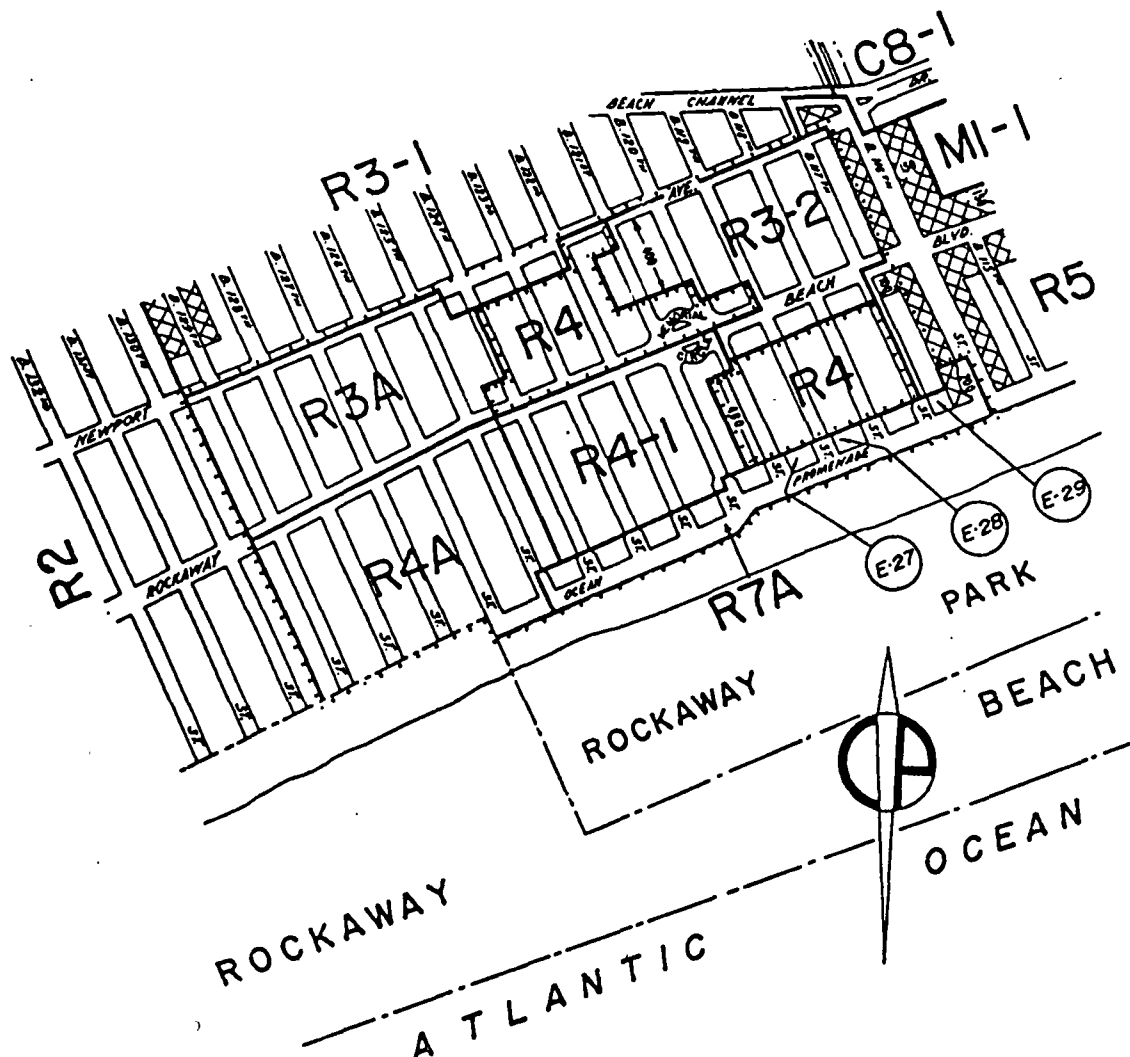
Street;

- f) changing from an R4 district to an R7A district property bounded by a line 100 feet north of Ocean Promenade, Beach 121st Street, a line 100 feet north of Ocean Promenade, a line midway between Beach 116th Street and Beach 117th Street, the northerly boundary line of Rockaway Park, and Beach 125th Street;
- g) changing from an R4 district to an R4-1 district property bounded by Rockaway Beach Boulevard, Beach 120th Street, a line 560 feet north of Ocean Promenade, a line midway between Beach 120th Street and Beach 121st Street, a line 100 feet north of Ocean Promenade, Beach 121st Street, a line 100 feet north of Ocean Promenade, and a line midway between Beach 124th Street and Beach 125th Street;
- h) changing from an R4 district to an R4A district property bounded by Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, a line 100 feet north of Ocean Promenade, Beach 125th Street, the northerly boundary line of Rockaway Park, an easterly boundary line of Rockaway Beach, a northerly boundary line of Rockaway Beach, and a line midway between Beach 129th Street and Beach 130th Street;

Borough of Queens, Community District 14, as shown on a diagram dated June 26, 1989 and subject to the restrictions of CEQR Declarations E-27 through E-29.

The above resolution, duly adopted the City Planning Commission on (Calendar No. 27), is filed with the Secretary of the Board of Estimate in accordance with the requirements of Sections 197-c and 200 of the New York City Charter.

SYLVIA DEUTSCH, Chairperson
DENISE M. SCHEINBERG, Vice-Chairperson
SALVATORE C. GAGLIARDO, MARILYN MAMMANO, Wm. GARRISON McNEIL,
Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP

30b
BOROUGH OF
QUEENS

New York, Certification Date
June 26, 1989

SCALE IN FEET
0 100 200

Alan Puma
Director for Technical Review,
Land Use Review Division
Anthony J. Paterni, P.E.
Chief Engineer

NOTE:

- indicates Zoning District boundary.
- The areas enclosed by the fine dotted lines are proposed to be changed from R4 and R5 Districts to R3-1, R3-2, R3A, R4-1, R4A, R5 and R7A Districts.
- XXXX indicates a C1-2 District.
- (E) Indicates a City Environmental Quality Review Declaration, for detail refer to C.E.Q.R. sheet.