



## CITY PLANNING COMMISSION

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March 17, 2021 / Calendar No. 8

C 210133 ZMQ

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**IN THE MATTER OF** an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18b:

1. changing from an R3-1 District to a R3X District property bounded by:
  - a. 157th Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-Of-Way (Rockaway Beach Division), 159th Avenue, 102nd Street, a line 370 feet northerly of 160th Avenue, a line midway between 101st Street and 102nd Street, 160th Avenue, 102nd Street, a line 100 feet southerly of 160th Avenue, the northerly prolongation of the U.S. Pierhead and Bulkhead Line of Hawtree Basin (westerly portion), 160th Avenue, 95th Street, 164th Avenue, the U.S. Pierhead and Bulkhead Line of Shellbank Basin (easterly and northerly portions), and the southerly prolongation of the westerly street line of 94th Street; and
  - b. 164th Avenue, the U.S. Pierhead and Bulkhead line of Hawtree Basin (westerly portion), the northerly boundary line of a park (F.M. Charles Memorial Park), the U.S. Pierhead and Bulkhead line of Shellbank Basin (easterly portion), 165th Avenue, and a line midway between 95th Street and 96th Street;
2. changing from an R3-2 District to an R3X District property bounded by 155th Avenue and its northwesterly centerline prolongation, a line midway between Lahn Street and Huron Street, 156th Avenue, a line midway between Huron Street and Bridgeton Street, 155th Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-of-Way (Rockaway Beach Division), 157th Avenue, 94th Street, 156th Avenue, and a line 100 feet northwesterly of Killarney Street; and
3. changing from an R3-2 District to an R3-1 District property bounded by 155th Avenue, a line midway between Huron Street and Bridgeton Street, 156th Avenue, and a line midway between Lahn Street and Huron Street;

Borough of Queens, Community District 10, as shown on a diagram (for illustrative purposes only) dated October 19, 2020.

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This application for a zoning map amendment was filed by the New York City Department of City Planning on October 19, 2020, and would affect all or portions of 48 tax blocks in the Old Howard Beach neighborhood of Queens Community District 10.

## **BACKGROUND**

The New York City Department of City Planning (DCP) seeks a zoning map amendment in the Old Howard Beach neighborhood of Queens. The proposed rezoning would bolster resiliency in a flood-prone area by limiting future development to detached and semi-detached buildings, which are easier to retrofit than larger, attached buildings and would remain consistent with the predominant built context of the neighborhood.

Old Howard Beach is a coastal community located in southern Queens and is generally bounded by the Belt Parkway to the north, the Metropolitan Transit Authority (MTA) A train surface tracks and the Hamilton Beach neighborhood to the east, Jamaica Bay to the south, and the Cross Bay Boulevard commercial corridor to the west. Two canals, Shellbank Basin to the west and Hawtree Basin to the east, physically divide Old Howard Beach from Howard Beach and Hamilton Beach, respectively. The canals are lined with private docks for recreational boating.

While Old Howard Beach is primarily a residential neighborhood, Cross Bay Boulevard, located across Shellbank Basin to the west, is the area's main commercial corridor. Cross Bay Boulevard contains a range of retail uses and acts as the main north-south artery connecting Old Howard Beach to Broad Channel and the Rockaway Peninsula. To the north of Old Howard Beach, the Belt Parkway provides east-west access from Brooklyn to John F. Kennedy Airport and southern Long Island. Charles Memorial Park is located at the southern tip of Old Howard Beach. The surrounding neighborhoods are similarly low-density and also characterized by single- and two-family homes.

Old Howard Beach is well-served by MTA bus routes along Cross Bay Boulevard, including the Q21, Q41, QM-16, and QM-17, which connect the neighborhood to the wider borough. The area is also served by the Q52-SBS and Q53-SBS bus lines, which link the neighborhood to transit hubs and commercial districts in Rego Park and Jackson Heights, respectively, and provide connection to the Rockaway Peninsula. The A train at Coleman Square from the Howard Beach-JFK Subway Station provides an important connection between Queens and Manhattan, and the Howard Beach AirTrain also provides access to nearby JFK Airport, a major employment hub in the area.

Old Howard Beach's waterfront setting and location within the high-risk flood zone make it vulnerable to large coastal storm events. The neighborhood was badly damaged by Hurricane Sandy in 2012, with most streets experiencing an average of three to six feet of inundation. According to the New York Panel on Climate Change's 2050s high-end sea-level rise projections, the entirety of Old Howard Beach is expected to fall within the high-risk flood zone within the next few decades, making the neighborhood more vulnerable to frequent tidal flooding. In addition, the neighborhood contains numerous low-lying street ends with infrastructure that varies considerably from natural and rubble shorelines to street-ends with structural bulkhead protection. The low-lying topography of the neighborhood, in addition to the uneven levels of flood protection on each street, put residents at even greater risk.

In order to reduce this risk in the floodplain, the City has updated its regulations governing building design and development as part of a multifaceted plan for resiliency. These updates have included strategies to enhance coastal protections, harden infrastructure systems, and promote community preparedness. A temporary, emergency citywide text amendment (N 130331[A] ZRY) was adopted in October 2013 to align zoning regulations with the most recent Federal Emergency Management Agency (FEMA) and NYC Building Code standards for flood resistant construction and to support post-Sandy recovery.

In the same year, DCP launched Resilient Neighborhoods, a place-based initiative to work directly with coastal communities to evaluate their vulnerability to coastal flooding and identify local strategies to support neighborhood vitality and resiliency. Old Howard Beach, Hamilton Beach and Broad Channel, Queens, along with other coastal areas within the five boroughs, were identified as among the most vulnerable neighborhoods in the city to flooding and as constrained in their potential for resilient development due to land use and zoning conditions. DCP identified instances where local zoning updates could address specific neighborhood conditions and risks. In some of the most at-risk areas of the floodplain—particularly Broad Channel and Hamilton Beach, which have significant risk of future daily tidal flooding from sea level rise—zoning changes were recommended so that future development could not substantially increase the population of these increasingly vulnerable areas. Zoning strategies proposed through Resilient

Neighborhoods for Old Howard Beach, which is also susceptible to daily tidal flooding as sea levels rise, were developed to make it easier to build and retrofit structures to meet floodplain-construction standards.

On June 21, 2017, the Hamilton Beach Resiliency Rezoning (C 170255 ZMQ, N 170267 ZRQ) and the Broad Channel Resiliency Rezoning (C 170256 ZMQ and N 170257 ZRQ) were approved to establish lower-density contextual zoning districts to increase resiliency along the Queens coastline. Hamilton Beach and Broad Channel were also designated as Special Coastal Risk Districts, which further limit development to protect against future flood damage. Since 2017, lower-density zoning in Hamilton Beach and Broad Channel has encouraged retrofitting efforts while limiting growth in these neighborhoods.

The proposed Old Howard Beach rezoning would seek to respond to the recommendations of the Resilient Neighborhoods initiative and would be the next step in improving resiliency along the Queens coastline. The proposed rezoning would bolster flood protection by prohibiting future development of semi-detached residences, which are difficult to elevate and retrofit to flood-resilient standards because of their shared party walls. The proposal reflects a plan that was developed in close consultation with a Community Advisory Committee comprised of representatives from Community Board 10, local elected officials, and other organizations over the course of three years through the Resilient Neighborhoods initiative for Old Howard Beach, Hamilton Beach, and Broad Channel.

DCP is currently also proposing a permanent, citywide text amendment, Zoning for Coastal Flood Resiliency (ZCFR) (N 210095 ZRY). This amendment is intended to update the 2013 and 2015 flood text provisions that were adopted temporarily to aid in Sandy recovery, while making selected provisions permanent. ZCFR's four main objectives are to encourage resiliency throughout the city's 1% and 0.2% annual chance floodplains, support long-term resilient design of all building types by offering flexibility in the zoning framework, allow for adaptation over time through partial resiliency strategies, and facilitate future storm recovery by reducing regulatory obstacles. The proposed zoning change in Old Howard Beach would complement

ZCFR, and the proposals are intended to work in tandem. However, the proposed actions for Old Howard Beach are under separate public review and can function independently.

The proposed rezoning in Old Howard Beach would affect all or portions of 48 blocks and approximately 1,037 residential buildings within two areas:

- Area 1) Property bounded by the Belt Parkway, the elevated A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, 156th Avenue, and Killarney Street (excluding Huron Street) and the area bounded by 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street; and
- Area 2) The eastern half of Block 11590 and western half of Block 11591 along Huron Street bounded by 156th Avenue, Bridgeton Street, 156th Avenue, and Lahn Street.

The majority of the Old Howard Beach project area is located within R3-1 and R3-2 zoning districts. The R3-1 district includes the area bounded by 157th Avenue, the A Train right-of-way, 160th Avenue, and 95th Street, as well as 164th Avenue, Hawtree Basin, and 96th Street. The R3-2 district is concentrated around Huron Street north of 157th Avenue and is bounded by the Belt Parkway, A train right-of-way, and 95th Street. A small portion of Huron Street would be located within an R3X zoning district mapped where the R3-1 and R3-2 districts currently exist, and the northern R3-2 zoning district along Huron Street would be changed to an R3-1 zoning district.

R3-1 zoning districts allow for detached and semi-detached residences. In R3-1 districts, the maximum permitted residential Floor Area Ratio (FAR) is 0.6, which includes a 20 percent attic allowance. The maximum street wall height is 21 feet and the overall maximum building height is 35 feet. One off-street parking space is required for each dwelling unit.

R3-2 districts allow for detached, semi-detached, and attached residences, as well as low-rise multifamily apartments. In R3-2 districts, the maximum permitted residential FAR is 0.6, which includes a 20 percent attic allowance. The maximum street wall height is 21 feet and the overall maximum building height is 35 feet. One off-street parking space is required for each dwelling unit.

R3X districts permit detached single- and two-family homes, and the permitted maximum residential FAR is 0.6, which includes a 20 percent attic allowance. The maximum street wall height is 21 feet and the maximum building height is 35 feet. One off-street parking space is required for each dwelling unit.

The proposed zoning map amendments are intended to maintain the low-density, residential character of Old Howard Beach while providing flexibility for resilient retrofit and design. The proposed rezoning would restrict future development in the R3X district to detached single- and two-family homes that can be more easily elevated above future flood water levels than semi-detached and attached homes. The proposed action would also permit semi-detached homes along Huron Street, which is located farther inland and outside of the one percent annual chance floodplain, through the proposed zoning map amendment to an R3-1 district. This action would maintain continuity with the existing built context.

## **ENVIRONMENTAL REVIEW**

This application (C 210133 ZMQ) was reviewed 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) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 21DCP052Q.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on October 19, 2020.

## **UNIFORM LAND USE REVIEW**

This application (C 210133 ZMQ) was certified as complete by the Department of City Planning on October 19, 2020 and was duly referred to Queens Community Board 10 and the Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

## **Community Board Public Hearing**

Queens Community Board 10 held a public hearing on this application (C 210133 ZMQ) on December 3, 2020 and on that date, by a vote of 31 in favor, none opposed, and with none abstaining, adopted a resolution recommending approval of the application with the following conditions:

“-That no future development of Community Facilities with sleeping accommodations be permitted.

-That all other restrictions listed in the "Special Coastal Risk District Plan" last amended on 9/2017 and added to the Zoning Resolution be applied for future Ambulatory Diagnostic or Treatment Health Care Facilities developments. It should include similar floor area limits, and maximum floor area ratios for zoning lots containing residential and community facility uses in the district.”

### **Borough President Recommendation**

The Queens Borough President held a public hearing on this application (C 210133 ZMQ) on January 14, 2021 and on February 17, 2021 issued a recommendation to approve the application with the following condition:

“CB 10’s conditions to further exclude community facilities with overnight sleeping accommodations the application.”

### **City Planning Commission Public Hearing**

On January 20, 2021 (Calendar No. 5), the City Planning Commission scheduled February 3, 2021 for a public hearing on this application (C 210133 ZMQ). The hearing was duly held on February 3, 2021 (Calendar No. 27). There was one speaker in favor of the application and none in opposition.

The President of the New Hamilton Civic Association described his involvement in and support for the previous rezoning of Hamilton Beach . He noted that community feedback had been incorporated into both the Hamilton Beach and Old Howard Beach neighborhood studies and that the current proposal is aimed at preparing homes in flood zones for extreme weather, which

the residents support. He also stated that this application would affect approximately 50 blocks and 1,000 buildings in order to help elevate and retrofit detached homes.

There were no other speakers, and the hearing was closed.

## **WATERFRONT REVITALIZATION PROGRAM**

This application (C 210133 ZMQ) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 20-006.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

## **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 210133 ZMQ) is appropriate.

The requested action will promote the retrofitting and construction of buildings to resilient standards in an area of the city that is among the most vulnerable to future flooding while maintaining the existing built character of the neighborhood. The current R3-1 and R3-2 zoning districts in Old Howard Beach have remained largely unchanged since the implementation of the Zoning Resolution in 1961. The R3-1 zoning district and the majority of the area's R3-2 zoning district will be changed to an R3X zoning district, which will limit future residential development to detached single- and two-family homes. The majority of the existing homes in the neighborhood are detached buildings, which are more easily elevated than semi-detached and detached buildings, and many of the existing homes have already been elevated above the height of current one percent chance flood plain. The R3-2 zoning district along one block of Huron Street will be changed to an R3-1 zoning district in order to limit future residential development

to detached and semi-detached single- and two-family homes, reflecting the character of the block. The Commission believes that the proposed action will limit future new or redeveloped housing to typologies that can be raised above rising sea levels in an already flood-prone area.

Regarding the Community Board's concerns about whether community facilities should be allowed to be located in the flood plain, the Commission understands that these uses, which include psychiatric and other health facilities, generally do not serve a resident population that experiences negative health and mortality outcomes when subject to evacuation orders due to flood risk. In contrast, due to the need for continual medical care, nursing home residents can be at risk of severe health consequences whether nursing homes shelter-in-place or evacuate prior to a coastal storm event. Therefore, under new zoning regulations proposed through ZCFR (N 2100295 ZRY), the development of long-term care facilities will be prohibited within the floodplain citywide.

Regarding the Community Board's request to implement Special Coastal Risk District provisions, the Commission notes that DCP conducted extensive research and outreach during the neighborhood planning process to determine the appropriate zoning treatment for Old Howard Beach. The proposal, which was developed through the Resilient Neighborhoods study for Old Howard Beach, Hamilton Beach, and Broad Channel in 2017, was refined in close collaboration with a Community Advisory Committee, Community Board 10, the Howard Beach-Lindenwood Civic Association, local property owners, and local elected officials. A map amendment, rather than a Special Coastal Risk District, was determined appropriate for Old Howard Beach due to the neighborhood's higher elevation, wider and more regularly-sized zoning lots, and lower susceptibility to daily tidal flooding as compared to nearby Hamilton Beach.

## **RESOLUTION**

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

**RESOLVED**, that the City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that it will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 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 hereby amended by changing the Zoning Map, Section No. 18b:

1. changing from an R3-1 District to a R3X District property bounded by:
  - a. 157th Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-Of-Way (Rockaway Beach Division), 159th Avenue, 102nd Street, a line 370 feet northerly of 160th Avenue, a line midway between 101st Street and 102nd Street, 160th Avenue, 102nd Street, a line 100 feet southerly of 160th Avenue, the northerly prolongation of the U.S. Pierhead and Bulkhead Line of Hawtree Basin (westerly portion), 160th Avenue, 95th Street, 164th Avenue, the U.S. Pierhead and Bulkhead Line of Shellbank Basin (easterly and northerly portions), and the southerly prolongation of the westerly street line of 94th Street; and
  - b. 164th Avenue, the U.S. Pierhead and Bulkhead line of Hawtree Basin (westerly portion), the northerly boundary line of a park (F.M. Charles Memorial Park), the U.S. Pierhead and Bulkhead line of Shellbank Basin (easterly portion), 165th Avenue, and a line midway between 95th Street and 96th Street;
2. changing from an R3-2 District to an R3X District property bounded by 155th Avenue and its northwesterly centerline prolongation, a line midway between Lahn Street and Huron Street, 156th Avenue, a line midway between Huron Street and Bridgeton Street, 155th Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-of-Way (Rockaway Beach Division), 157th Avenue, 94th Street, 156th Avenue, and a line 100 feet northwesterly of Killarney Street; and
3. changing from an R3-2 District to an R3-1 District property bounded by 155th Avenue, a line midway between Huron Street and Bridgeton Street, 156th Avenue, and a line midway between Lahn Street and Huron Street;

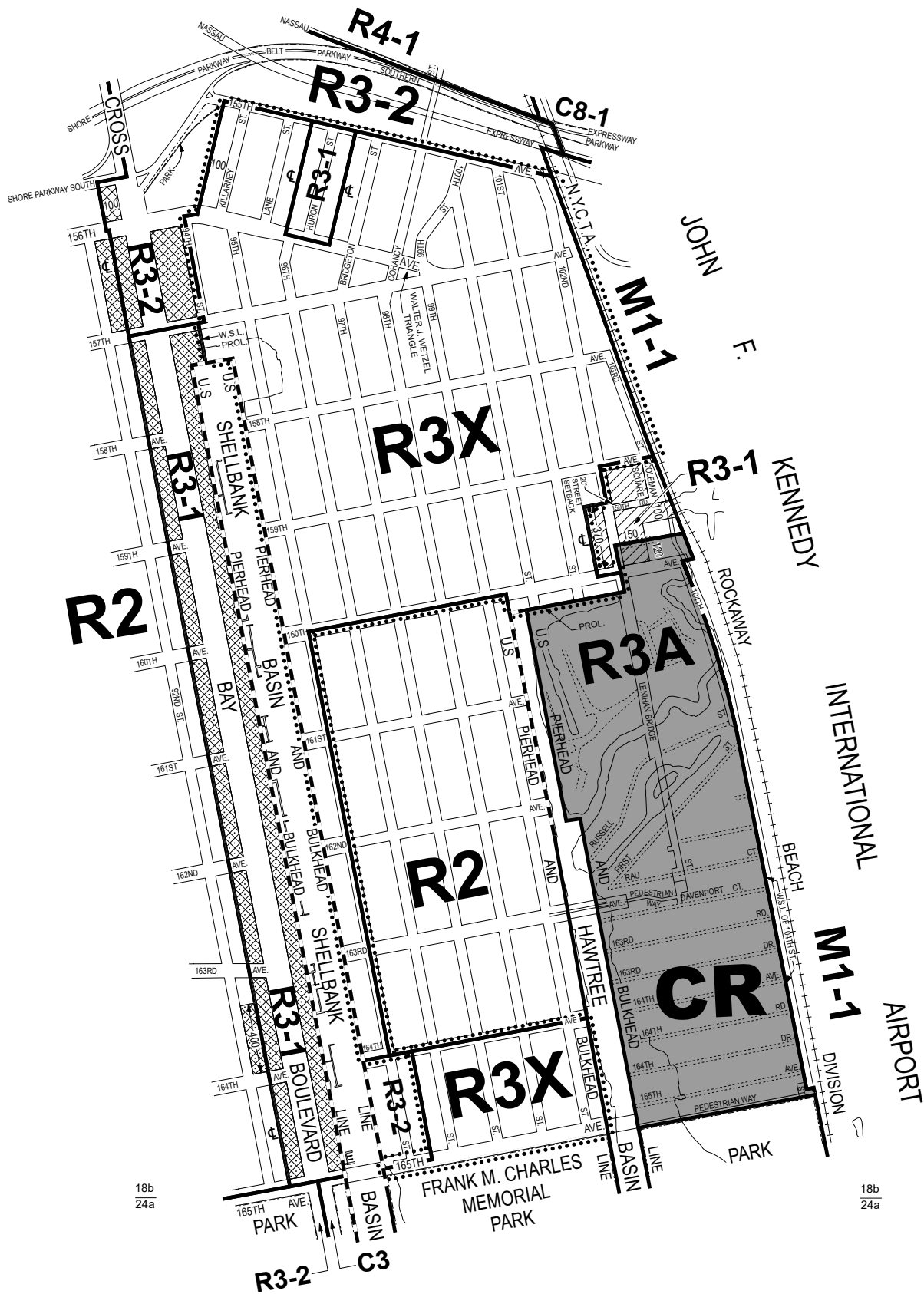
Borough of Queens, Community District 10, as shown on a diagram (for illustrative purposes only) dated October 19, 2020.

The above resolution (C 210133 ZMQ), duly adopted by the City Planning Commission on March 17, 2021 (Calendar No. 8) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

**KENNETH J. KNUCKLES, Esq.**, *Vice Chairman*

**DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,  
JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,  
ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD**, *Commissioners*



CITY PLANNING COMMISSION  
CITY OF NEW YORK  
DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
ON SECTIONAL MAP

New York, Certification Date:  
October 19, 2020

**18b**  
BOROUGH OF  
**QUEENS**

*S. Lenard*  
S. Lenard, Director  
Technical Review Division

SCALE IN FEET  
0 150 300 600

- NOTE:**
- Indicates Zoning District Boundary
  - The area enclosed by the dotted line is proposed to be rezoned by changing R3-1 and R3-2 Districts to an R3X District, and by changing an R3-2 District to an R3-1 District.
  - Indicates a C1-2 District
  - Indicates a C1-3 District
  - Indicates a C2-2 District
  - CR** Indicates a Special Coastal Risk District (**CR**).



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> Resilient Neighborhoods: Old Howard Beach			
<b>Applicant:</b>	DCP - NYC Department of City Planning Queens Office	<b>Applicant's Primary Contact:</b>	DCP - NYC Department of City Planning Queens Office
<b>Application #</b>	210133 ZMQ	<b>Borough:</b>	
<b>CEQR Number:</b>	21DCP052Q	<b>Validated Community Districts:</b>	Q10

**Docket Description:**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 18b:

1.changing from an R3-1 District to a R3X District property bounded by:

a.157th Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-Of-Way (Rockaway Beach Division), 159th Avenue, 102nd Street, a line 370 feet northerly of 160th Avenue, a line midway between 101st Street and 102nd Street, 160th Avenue, 102nd Street, a line 100 feet southerly of 160th Avenue, the northerly prolongation of the U.S. Pierhead and Bulkhead Line of Hawtree Basin (westerly portion), 160th Avenue, 95th Street, 164th Avenue, the U.S. Pierhead and Bulkhead Line of Shellbank Basin (easterly and northerly portions), and the southerly prolongation of the westerly street line of 94th Street; and

b.164th Avenue, the U.S. Pierhead and Bulkhead line of Hawtree Basin (westerly portion), the northerly boundary line of a park (F.M. Charles Memorial Park), the U.S. Pierhead and Bulkhead line of Shellbank Basin (easterly portion), 165th Avenue, and a line midway between 95th Street and 96th Street;

2.changing from an R3-2 District to an R3X District property bounded by 155th Avenue and its northwesterly centerline prolongation, a line midway between Lahn Street and Huron Street, 156th Avenue, a line midway between Huron Street and Bridgeton Street, 155th Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-of-Way (Rockaway Beach Division), 157th Avenue, 94th Street, 156th Avenue, and a line 100 feet northwesterly of Killarney Street; and

3.changing from an R3-2 District to an R3-1 District property bounded by 155th Avenue, a line midway between Huron Street and Bridgeton Street, 156th Avenue, and a line midway between Lahn Street and Huron Street;

Borough Of Queens, Community District 10, as shown on a diagram (for illustrative purposes only) dated October 19, 2020.

*Please use the above application number on all correspondence concerning this application*

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 31	<b># Against:</b> 0	<b># Abstaining:</b> 0	<b>Total members appointed to the board:</b> 45
<b>Date of Vote:</b> 12/3/2020 12:00 AM		<b>Vote Location:</b> via Zoom	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 12/3/2020 6:45 PM	
<b>Was a quorum present?</b> Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
<b>Public Hearing Location:</b>	Via Zoom

**CONSIDERATION:** It is requested that the Proposed Old Howard Beach Rezoning be modified to include:

- That no future development of Community Facilities with sleeping accommodations be permitted.
- That all other restrictions listed in the "Special Coastal Risk District Plan" last amended on 9/2017 and added to the Zoning Resolution be applied for future Ambulatory Diagnostic or Treatment Health Care Facilities developments. It should include similar floor area limits, and maximum floor area ratios for zoning lots containing residential and community facility uses in the district.

Recommendation submitted by	QN CB10	Date: 12/28/2020 3:15 PM
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# Queens Borough President Recommendation

**APPLICATION: ULURP #210133 ZMQ**

**COMMUNITY BOARD: Q10**

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section of 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 18b:

1. changing from an R3-1 District to an R3X District property bounded by:
  - a. 157<sup>th</sup> Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-Of-Way (Rockaway Beach Division), 159<sup>th</sup> Avenue, 102<sup>nd</sup> Street, a line 370 feet northerly of 160<sup>th</sup> Avenue, a line midway between 101<sup>st</sup> Street and 102<sup>nd</sup> Street, 160<sup>th</sup> Avenue, 102<sup>nd</sup> Street, a line 100 feet southerly of 160<sup>th</sup> Avenue, the northerly prolongation of the U.S. Pierhead and Bulkhead Line of Hawtree Basin (westerly portion), 160<sup>th</sup> Avenue, 95<sup>th</sup> Street, 164<sup>th</sup> Avenue, the U.S. Pierhead and Bulkhead Line of Shellbank Basin (easterly and northerly portions), and the southerly prolongation of the westerly street line of 94<sup>th</sup> Street; and
  - b. 164<sup>th</sup> Avenue, the U.S. Pierhead and Bulkhead line of Hawtree Basin (westerly portion), the northerly boundary line of a park (F.M. Charles Memorial Park), the U.S. Pierhead and Bulkhead line of Shellbank Basin (easterly portion), 165<sup>th</sup> Avenue, and a line midway between 95<sup>th</sup> Street and 96<sup>th</sup> Street;
2. changing from an R3-2 District to an R3X District property bounded by 155<sup>th</sup> Avenue and its northwesterly centerline prolongation, a line midway between Lahn Street and Huron Street, 156<sup>th</sup> Avenue, a line midway between Huron Street and Bridgeton Street, 155<sup>th</sup> Avenue, a southwesterly boundary line of the NYC Transit Authority Railroad Right-of-Way (Rockaway Beach Division), 157<sup>th</sup> Avenue, 94<sup>th</sup> Street, 156<sup>th</sup> Avenue, and a line 100 feet northwesterly of Killarney Street; and
3. changing from an R3-2 District to an R3-1 District property bounded by 155<sup>th</sup> Avenue, a line midway between Huron Street and Bridgeton Street, 156<sup>th</sup> Avenue, and a line midway between Lahn Street and Huron Street;

Community District 10, Borough of Queens as shown on a diagram (for illustrative purposes only) dated October 19, 2020.

## PUBLIC HEARING

A Public Hearing was held by the Queens Borough President via Zoom webinar and livestreamed on [www.queensbp.org](http://www.queensbp.org) on Thursday, January 14, 2021 at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were two (2) speakers. The hearing was closed.

## CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:


- The Department of City Planning (DCP) is proposing to rezone parts of Old Howard Beach from an existing R3-2 District to an R3-1 District, and two existing R3-1 Districts and an existing R3-2 District to an R3X District. The areas of Old Howard Beach to be rezoned were studied as part of the DCP "Resilient Neighborhoods" initiative in flood-prone areas after Hurricane Sandy which identified several difficulties encountered by home and business owners attempting to floodproof semi-detached and multi-unit buildings during recovery and rebuilding of their properties;
- The proposed Old Howard Beach rezoning would apply the zoning text amendments of the Zoning for Coastal Flood Resiliency (ULURP #210095 ZRY) application that is also concurrently undergoing public review. The proposed citywide text amendment would give building owners more flexibility to retrofit or develop residential and commercial buildings that meet or exceed flood resiliency standards in flood-prone areas;
- The proposed rezoning would replace existing R3-1 and R3-2 Districts of Old Howard Beach with a R3X District, around an existing R2 District (bounded by 160<sup>th</sup> Avenue to the north, 95<sup>th</sup> Street to the west, 164<sup>th</sup> Avenue to the south, and the westerly portion of the U.S. Pierhead and Bulkhead Line of Hawtree Basin to the east) to better reflect the existing residences and prohibit new development of semi-detached and two-family residential buildings. Part of Huron Street between 155<sup>th</sup> and 156<sup>th</sup> Avenues would be rezoned from R3-2 to R3-1 to reflect the current semidetached character along the street and prohibit new development of multi-unit buildings. Both R3X and R3-1 Districts permit 0.6 Floor Area Ratio (FAR) with a 0.1 FAR attic allowance;

- There is no proposed development within this application. The purpose is to limit density and facilitate resilient retrofitting of existing buildings within the 0.2% and 1% flood plains of the neighborhood. Old Howard Beach is located in southern Queens, west of Hamilton Beach. Two canals, Shellbank Basin and Hawtree Basin, divide Old Howard Beach from adjacent communities. The applicant conducted land use studies of the aforementioned rezoning areas and 600-ft radii surrounding each rezoning area. Of 82% residential buildings found in the overall study area, 44% are one-family detached residences, 53% are two-family detached residences and less than 1% are developed with multi-family buildings;
- Community Board 10 (CB10) approved this application with conditions by a vote of thirty-one (31) in favor, with none (0) against or abstaining at a public meeting held on December 3, 2020. CB 10's conditions were: (1) that no future development of community facilities with sleeping accommodations be permitted and (2) that all other restrictions listed in the "Special Coastal Risk District Plan" last amended in September 2017 be applied for future ambulatory diagnostic or treatment health care facility developments;
- At the Borough President Land Use Public Hearing on January 14, 2021, the Borough President asked the applicant to consider Board 10's conditions for approval. There were two (2) speakers, the CB 10 Chairperson and another CB 10 member, who testified in favor of the application with conditions. Both speakers also noted that the Department of City Planning had done extensive community outreach and consultation with the community on the Old Howard Beach rezoning and the Zoning for Coastal flood Resiliency zoning text amendment.

**RECOMMENDATION**

Based on the above consideration, I hereby recommend approval of this application with the following condition:

CB 10's conditions to further exclude community facilities with overnight sleeping accommodations the application.

  
PRESIDENT, BOROUGH OF QUEENS

February 16, 2021  
DATE