



CITY PLANNING COMMISSION

August 11, 2004/Calendar No. 28

C 040189 ZMR

IN THE MATTER OF an application submitted by Gifford's Civic Association and Councilman Andrew J. Lanza pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 26d and 33c:

1. changing from an R3-1 District to an R2 District property bounded by:
 - a. Arthur Kill Road, Miles Avenue, Daleham Street, and Giffords Lane;
 - b. Arthur Kill Road, Corbin Avenue, a line 100 feet southeasterly of Daleham Street, and Greaves Avenue;
 - c. Barlow Avenue, Greaves Avenue, Jumel Street, a line 100 feet northeasterly of Miles Avenue, Kennington Street, Miles Avenue, Leverett Avenue, Greaves Avenue, the southerly boundary line of the New York City Railroad Right-of-Way (leased by Staten Island Rapid Transit (SIRT)), Giffords Lane, Woodland Avenue, a line midway between Brookfield Avenue and Colon Avenue, Leverett Avenue, Colon Avenue, a line 165 feet northerly of Woodland Avenue, Stieg Avenue, the westerly centerline prolongation of Howton Avenue, and Giffords Lane; and
 - d. the southwesterly centerline prolongation of Hereford Street, Giffords Lane, Barlow Avenue, Elverton Avenue, Arkansas Avenue, and Pemberton Avenue;
2. changing from an R3-1 District to an R3X District property bounded by Nahant Street, Corbin Avenue, a line 200 feet southeasterly of Dewey Avenue, and Greaves Avenue;
3. changing from an R3-1 District to an R3A District property bounded by Woodland Avenue, Giffords Lane, a line 100 feet southerly of Margaret Street and its westerly prolongation, a line midway between Brookfield Avenue and Colon Avenue, and Genesee Avenue;
4. changing from an R3-2 District to an R2 District property bounded by Arthur Kill Road, a line 135 feet northeasterly of Corbin Avenue, the northeasterly centerline prolongation of Fairfield Street, and Corbin Avenue; and
5. changing from an R3-2 District to an R3A District property bounded by:
 - a. the northeasterly centerline prolongation of Fairfield Street, a southwesterly boundary line of United Hebrew Cemetery, a southwesterly boundary line of Ocean View Cemetery,

Country Woods Lane and its northeasterly centerline prolongation, and Corbin Avenue;
and

- b. a line 100 feet southerly of Margaret Street and its westerly prolongation, Giffords Lane, Baltimore Street, Lamoka Avenue, and a line midway between Brookfield Avenue and Colon Avenue;

within the Special South Richmond Development District, as shown on a diagram (for illustrative purposes only) dated June 7, 2004, Community District 3, Borough of Staten Island.

The application for an amendment of the Zoning Map was filed by Gifford's Lane Civic Association and Council Member Lanza on November 12, 2003, to be rezone an approximately 62 block area from R3-1 to R2, R3A and R3X and from R3-2 to R3A and R2. In the Great Kills section of Staten Island, Community District 3.

BACKGROUND

The area proposed to be rezoned from R3-1 to R2, R3A and R3X and from R3-2 to R3A and R2, consists of an approximately 62 block area generally bounded by Lamoka (Baltimore) Avenue to the south, Colon Avenue to the west, Arthur Kill Road to the north, and Ocean View Cemetery to the east in the northern Great Kills section of Staten Island, Community District 3. The area consists primarily of one- and two-family detached houses built between 1940 and 1970. The area was subject to a contextual rezoning in 1989 (C 890156 ZMR) which changed the zoning from R3-2 to R3-1. The proposed rezoning area surrounds an area approved for a rezoning in August 2003, which changed the

zoning from R3-1 to an R2 District. (Northen Great Kills Rezoning (C 030149 ZMR). The proposed rezoning area is bordered to the north by an R3-2 district, to the east by an R3-2 district, to the south by an R3-2 and a C4-1 district, and to the west by an R3-1 district.

The rezoning is proposed in response to community concerns that the R3-2 district allows attached and semi-detached development and the R3-1 allows semi-detached development that is not in character with the predominant detached existing housing on large lots.

The present R3-1 zoning permits one- and two-family semi-detached and detached houses. The detached houses require 40-foot lot widths for one- and two-story buildings, and 45- foot lot widths for three- and four-story buildings. The semi-detached houses require 24-foot lot widths for one- and two-story buildings and 40-foot lot widths for three- and four-story buildings. The present R3-2 has the same requirements as the R3-1 for detached and semi-detached buildings, but also allows attached housing. The attached housing requires a lot width of 18 feet for one and two stories and 24 four feet for three and four stories. The Special South Richmond Development District requires 20-foot rear yards with ten foot setbacks after the first story, 18-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR with a .1 additional attic allowance.

The proposed R3A zoning district within the Special South Richmond Development District permits one- and two-family detached houses. The detached houses require 35-foot lot widths. The Special South Richmond Development District also requires 20-foot rear yards with ten foot setbacks after the

first story, 18-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR with a .1 additional attic allowance.

The proposed R3X zoning within the Special South Richmond Development District permits one- and two-family detached homes that require 40-foot lot widths for one and two stories, 50 feet for three stories and 60 feet for four stories. The Special South Richmond Development also District requires 20-foot rear yards with ten foot setbacks after the first story, 18 foot front yards and a maximum of .5 FAR with a .1 additional attic allowance.

The proposed R2 zoning permits single-family detached homes that require 40-foot lot widths. The Special South Richmond Development District requires 20-foot rear yards with ten foot setbacks after the first story, 18 foot front yards and a maximum of .5 FAR.

There are 1156 lots in the rezoning area: 1105 of the lots (95.6%) are developed residentially, seven lots (.6%) are developed commercially, three of the lots (.3%) are developed as community facilities; 41 of the lots (3.5%) are vacant.

Of the residentially developed lots, 886 (80.2%) contain detached one and two-family homes, 148 (13.4%) are semi-detached homes and 71 lots (6.4%) contain attached homes.

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In the area proposed to rezoned to an R2 district, 524 (72%) lots are developed with one-family detached residences.

In the area proposed to be rezoned to an R3X district, 101 (92.7%) lots are developed with the one- or two- family residences. One hundred and three (90.4%) comply to the lot width requirement.

ENVIRONMENTAL REVIEW

This application (C 040189 ZMR) 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 04DCP022R. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on June 7, 2004.

UNIFORM LAND USE REVIEW

This application (C 040189 ZMR) was certified as complete by the Department of City Planning on June 7, 2004, and was duly referred to Community Board 3 and the Borough President, in accordance

with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 3 held a public hearing on this application on June 16, 2004, and on June 22, 2004, by a vote of 37 to 0 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on June 25, 2004.

City Planning Commission Public Hearing

On July 14, 2004 (Calendar No. 14), the City Planning Commission scheduled July 28, 2004, for a public hearing on this application (C 040189 ZMR). The hearing was duly held on July 28, 2004 (Calendar No. 22). There were two speakers in favor of the application and none in opposition.

The council member from Council District 51, who is an applicant spoke in favor. He stated that the single biggest threat to quality of life on Staten Island is overdevelopment. He noted that amending the zoning resolution under Lower Density Growth Management was helpful, but the changing the underlying zoning is necessary to curb overdevelopment. He stated that Staten Island has overburdened sewers, dangerous intersections, and crowded schools. He also noted that there was no

opposition against the rezoning proposal.

A resident of the area spoke. He stated that it was important to protect the neighborhood character in order to preserve Staten Island's quality of life. He noted that the rezoning proposal would help accomplish this task.

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

Waterfront Revitalization Program Consistency Review

This application (C 040189 ZMR) was reviewed by the Department of City Planning 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 13, 1999 and by the New York State Department of State on May 28, 2002, 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 WRP 04-05.

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

CONSIDERATION

The Commission believes that this amendment of the Zoning Map is appropriate.

The proposed zoning map change recognizes the established character of this part of the Northern Great Kills community. The existing development patterns are primarily the result of Department of Environmental Protection septic regulations which restricted development to detached homes on large lots in areas without sanitary sewers. Most of the area proposed for rezoning was developed prior to sanitary sewer improvements. Hence the area is characterized by detached homes on large lots.

The proposed R2, R3X and R3A districts would limit future residential development to one- and two-family detached residences compatible with the present development pattern. Eighty percent of the existing homes in the area proposed to be rezoned are detached one- and two-family homes. The Commission is aware that the rezoning proposal would limit the opportunity to build a variety of housing types, however, there are adjacent R3-2 zoning districts that would accommodate a variety of housing types that are attractive to a broader range of home buyers.

The Commission also notes that Lower Density Growth Management is described in this area. The Commission believes the mapping of the contextual districts will reinforce Lower Density Growth Management, whose intent is to protect neighborhood character, encourage more appropriate development, and enhance the quality of life.

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, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

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, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed 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 further amended by changing the Zoning Map, Section Nos. 26d and 33c:

1. changing from an R3-1 District to an R2 District property bounded by:

- a. Arthur Kill Road, Miles Avenue, Daleham Street, and Giffords Lane;
 - b. Arthur Kill Road, Corbin Avenue, a line 100 feet southeasterly of Daleham Street, and Greaves Avenue;
 - c. Barlow Avenue, Greaves Avenue, Jumel Street, a line 100 feet northeasterly of Miles Avenue, Kennington Street, Miles Avenue, Leverett Avenue, Greaves Avenue, the southerly boundary line of the New York City Railroad Right-of-Way (leased by Staten Island Rapid Transit (SIRT)), Giffords Lane, Woodland Avenue, a line midway between Brookfield Avenue and Colon Avenue, Leverett Avenue, Colon Avenue, a line 165 feet northerly of Woodland Avenue, Stieg Avenue, the westerly centerline prolongation of Howton Avenue, and Giffords Lane; and
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within the Special South Richmond Development District, as shown on a diagram (for illustrative purposes only) dated June 7, 2004 (C 040189 ZMR), Community District 3, Borough of Staten Island.

The above resolution (C 040189 ZMR), duly adopted by the City Planning Commission on August 11, 2004 (Calendar No. 28), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH KNUCKLES, Esq., Vice-Chair

ANGELA M. BATTAGLIA, ANGELA R. CAVALUZZI, R.A.,

RICHARD W. EADDY, JANE D. GOL, CHRISTOPHER KUI,

JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners