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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 the amendment of the Zoning Map, Section Nos. 21c and 21d:

1. eliminating from within an existing R3-2 district a C2-2 district bounded by a line 150 feet northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Broad Street, and Cedar Street;
2. eliminating from within an existing R4 district a C2-2 district bounded by Canal Street, Wright Street, and Broad Street;
3. changing from an R3X district to an R6 district property bounded by a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, and Baltic Street;
4. changing from an M1-1 district to an R6 district property bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet westerly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, St. Julian Place, Van Duzer Street extension, Swan Street, a line 100 feet northeasterly of Van Duzer Street, Hannah Street, a line midway between Van Duzer Street and Bay Street, and the southwesterly centerline prolongation of Minthorne Street;
5. changing from an R3-2 district to an R6B district property bounded by a line 150 feet northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Broad Street, and Cedar Street;
6. changing from an R3X district to an R6B district property bounded by Van Duzer Street, Baltic Street, a line 100 feet southeasterly of Van Duzer Street, and a line 100 feet northeasterly of Congress Street;
7. changing from an R4 district to an R6B district property bounded by Canal Street, Wright Street, and Broad Street;
8. changing from an M1-1 district to an R6B district property bounded by Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, Hannah Street, a line 100 feet northeasterly of Van Duzer Street, Swan Street, Van Duzer Street Extension, St. Julian Place, a line 100 feet southeasterly of Van

Duzer Street, and Grant Street;

9. establishing within a proposed R6 district a C2-3 district bounded by a line midway between Van Duzer Street and Bay Street, the southwesterly centerline prolongation Minthorne Street, Bay Street, the easterly centerline prolongation Swan Street, the easterly boundary line of the SIRT Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet easterly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, Baltic Street, a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, St. Julian Place, Van Duzer Street Extension, Swan Street, a line 100 feet northeasterly of Van Duzer Street, and Hannah Street;
10. establishing within a proposed R6B district a C2-3 district bounded by:
  - a. Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, Hannah Street, a line 100 feet northeasterly of Van Duzer Street, Swan Street, Van Duzer Street Extension, St. Julian Place, a line 100 feet southeasterly of Van Duzer Street, and Grant Street; and
  - b. a line 150 feet northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Wright Street, Broad Street, and Cedar Street;
11. establishing within a proposed R6 district a C2-4 district bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of SIRT Right-of-Way, the easterly centerline prolongation of Swan Street, and Bay Street; and
12. establishing a Special Bay Street Corridor District (SBSCD) bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet westerly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, a line 100 feet northeasterly of Congress Street, Van Duzer Street, Baltic Street, a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, Grant Street, Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, and the southwesterly centerline prolongation of Minthorne Street;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated November 13, 2018, and subject to the conditions of City Environmental Quality Review (CEQR) Declaration E-429.

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An application for a zoning map amendment (C 190113 ZMR) was filed by the New York City Department of City Planning (DCP) on November 7, 2018, in conjunction with related actions, to

facilitate land use actions associated with the Bay Street Corridor Neighborhood Plan (the “plan”), a comprehensive planning effort to foster a vibrant, mixed-use corridor with opportunities for affordable housing that connects the surrounding communities of St. George, Tompkinsville and Stapleton along a 20-block non-contiguous stretch of Bay Street in Community District 1, Staten Island.

On January 31, 2019, pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure rules, DCP filed an application (N 190114 (A) ZRR) to amend the proposed zoning text change to reflect amendments to the Urban Development Area Action Project (UDAAP) application (C 190179 (A) HAR) made in response to information and feedback gathered during the public review process. These amended applications supersede the initial application, (N 190114 ZRR) and related action (C 190179 HAR), which were withdrawn on April 18, 2019. This report reflects the amended applications.

## **RELATED ACTIONS**

In addition to the application (C 190113 ZMR) for zoning map amendments that are the subject of this report, implementation of the land use actions associated with the plan also required action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- N 190114 (A) ZRR**      Zoning text amendments.
- C 190115 PPR**        Disposition of City-owned property.
- C 190179 (A) HAR**    Urban Development Action Area (UDAA) and UDAAP.

## **BACKGROUND**

DCP, together with the Department of Housing Preservation and Development (HPD) and the Department of Citywide Administrative Services (DCAS), is proposing various land use actions to implement a comprehensive rezoning plan to advance the goals of the Mayor’s *Housing New York: Five-Borough, Ten-Year Plan* (“*Housing New York*”) and to begin the implementation of the Bay Street Corridor Neighborhood Plan. The Bay Street Corridor Neighborhood Plan seeks to

facilitate the creation of additional opportunities for affordable housing through the Mandatory Inclusionary Housing (MIH) program, as well as to foster a vibrant and walkable mixed-use corridor that connects the surrounding communities, facilitate commercial development and align investments in infrastructure, public open spaces and services.

The Bay Street Corridor is an approximately 14-block corridor in Downtown Staten Island that includes portions of the neighborhoods of St. George, Tompkinsville and Stapleton. The Corridor was once home to a thriving maritime industry that supported a range of businesses and residents along the waterfront. Because zoning in the area has not changed since 1961, the range of existing uses is limited to those reflective of land use patterns established decades ago. The Corridor's location and proximity to the St. George Ferry Terminal and multiple Staten Island Railway (SIR) stations is such that it should be a vibrant and active destination, but the current conditions and land uses along the Corridor do not adequately connect or serve the surrounding communities, and the underlying zoning does not provide a framework to facilitate the community's vision for the Corridor.

To develop a vision for the Bay Street Corridor, DCP worked closely with residents, community stakeholders, local advisory committees, elected officials and other City agencies for more than three years through outreach that included a series of public meetings, workshops and visioning sessions on the Bay Street Corridor Neighborhood Study and the resulting Bay Street Corridor Neighborhood Plan. In response to the feedback expressed during this process, DCP, DCAS, and HPD proposed zoning map amendments and zoning text amendments, the disposition of City-owned property, and the designation of a UDAA and UDAAP in order to promote new housing, including permanently affordable housing, encourage a more diverse array of stores and services and provide better connections from the waterfront and surrounding communities.

The proposed actions would rezone approximately 20 blocks comprising approximately 45 acres along Bay Street, including the Canal Street Corridor which is non-contiguous with the Bay Street Corridor. The proposed actions also include the disposition of City-owned property located at 55 Stuyvesant Place, intended to be redeveloped for office use, as well as the designation of a UDAA and UDAAP and zoning text amendments to establish the SBSCD and modify ZR Section 116-00

(Stapleton Waterfront) and Appendix F to map the Bay Street Corridor and Canal Street Corridor as MIH areas. The Bay Street Corridor is generally bounded Victory Boulevard to the north, Van Duzer Street to the west, Staten Island Rapid Transit (SIRT) Right-of-Way to the east and Sands Street to the south. The Canal Street Corridor is an approximately two-block area along Canal Street and is generally bounded by part of Canal Street and Tappen Park and 200 feet of Block 527 to the north, Wright Street to the east, Broad Street to the south, and Cedar Street, Adele Court and part of Block 527 to the west.

The Bay Street Corridor Neighborhood Plan builds upon the foundations of other planning efforts undertaken by DCP and other City agencies, including the establishment of the Special Stapleton Waterfront District (SSWD) in 2006 and the Special St. George District (SSGD) in 2008, and the North Shore 2030 report in 2011. North Shore 2030, a joint master planning effort by DCP, the New York City Economic Development Corporation (EDC) and a consultant team, presented several recommendations, which included supporting mixed-use neighborhood centers, improving connections between communities, and reconnecting residents and visitors to the working waterfront. The plan supports many of the goals and recommendations of these prior planning efforts and reports, and represents the first comprehensive planning process for the area.

As part of a comprehensive planning process to address needs of current and future North Shore residents, the plan was developed in partnership with EDC, HPD, DCAS, the Department of Transportation (DOT), the Department of Parks and Recreation (DPR), the Department of Small Business Services (SBS), the Department of Environmental Protection (DEP), the Department of Sanitation (DSNY), the School Construction Authority (SCA) and the Mayor's Office of Sustainability to prioritize City resources and engage the community. These City agencies worked closely with community partners, including residents, local stakeholders, the Bay Street Corridor Local Advisory Committee, members and subcommittees of Community Board 1, and local elected officials including Councilmember Debi Rose.

The proposed actions have been carefully developed to advance the goals and objectives identified throughout the plan's engagement process. They have been designed to create additional opportunities for affordable housing, encourage a vibrant and resilient downtown providing

stronger connections to the surrounding communities and waterfront, foster new and existing businesses and commercial development by encouraging a pedestrian-friendly commercial corridor, and align investments in infrastructure, public open spaces and services along the Bay Street Corridor. The comprehensive framework and strategies, developed through extensive community engagement and partnership, complement the land use actions and zoning proposal to ultimately fulfill the vision of the Bay Street Corridor Neighborhood Plan.

### *History and Existing Conditions*

The Bay Street Corridor is comprised of portions of the St. George, Tompkinsville and Stapleton neighborhoods, which were historically defined by their proximity to the waterfront. These communities developed in periods of growth during the nineteenth and twentieth centuries, particularly due to the construction of transit infrastructure. In the mid-nineteenth century, the Staten Island Railway (SIR), a heavy rail line which operates on the SIRT Right-of-Way, was built to provide a connection between St. George and Tottenville on Staten Island's South Shore. In the late nineteenth century, the St. George Ferry Terminal provided the first connection between Staten Island's north shore and lower Manhattan through the New York Harbor. As the North Shore became more densely populated due, in part, to a thriving maritime industry, the Verrazzano-Narrows Bridge opened in 1964 and provided Staten Island's first connection to the rest of New York City through Brooklyn's Bay Ridge. The opening of the bridge provided new opportunities for development, and the North Shore continued to grow. Today, the North Shore is twice as dense and contains the most diverse range of development on Staten Island.

The physical character of Staten Island's North Shore is defined by views of Manhattan. The unique topography provides scenic views due to the geologic formation of the Serpentine Ridge, in which development is subject to discretionary review by the City Planning Commission and specific zoning regulations intended to protect the topography and character of the area. As a result, the character of the surrounding area contains historic homes developed on lots with steep slope. Several historic institutions have also contributed to the character of the area. These include the civic center, which is home to the County Seat and Borough Hall, as well as the St. George Branch of the New York Public Library and the Richmond County Courthouse, all of which were designed in the early twentieth century.

Despite ample access to transit, the area is limited by a lack of affordable housing, access to retail and services, and connectivity to both the waterfront and surrounding communities. In large part, this deficit is due to the existing manufacturing zoning and was a large part of the rationale behind DCP's community engagement process. Throughout the planning process, the community identified goals, including the creation of new affordable housing, a vibrant and walkable mixed-use corridor, quality parks and open spaces, and improvements to existing infrastructure. The plan, along with coordinated efforts by other City agencies, was designed to further these goals while capitalizing on the area's existing assets in the communities of St. George, Tompkinsville and Stapleton.

### St. George

St. George is a neighborhood defined in part by access to transit, including the St. George Ferry Terminal, which provides ferry boat access to lower Manhattan, as well as the northernmost terminus of the SIR at the St. George stop, located inside the St. George Ferry Terminal. Several bus routes also serve the area and provide access to the Ferry. As Staten Island's civic center, St. George contains the administrative buildings for the borough and Richmond County, including Staten Island Borough Hall and the Richmond County Courthouse. St. George is the most densely developed neighborhood on Staten Island, and contains a mix of mid-density residential elevator and walk-up buildings, as well as single and two-family homes, including several historic homes. The western portion of St. George is located within the Special Hillside Preservation District.

St. George is generally bounded by its main thoroughfares, which include Richmond Terrace, Jersey Street, Victory Boulevard and Bay Street. The north side of Richmond Terrace, which is adjacent to the waterfront, primarily contains manufacturing uses, while the south side contains a mix of multi-family residential and institutional uses. Historically, Richmond Terrace was a manufacturing corridor, but several portions have since been rezoned. Jersey Street is characterized by primarily multi-family residential development with areas of mixed commercial/residential uses. Victory Boulevard contains a mix of lower-density residential uses, mixed commercial/residential uses and manufacturing.

### Tompkinsville

Tompkinsville is located between St. George and Stapleton, and extends west along Forest Avenue to Brighton Avenue north of Silver Lake Park. Tompkinsville consists primarily of low to mid-density residential housing in zoning districts such as R3X, R3-2 and R1-2, characterized as single and two-family detached, semi-detached and attached homes. Like St. George, a portion of its residential housing stock west of Saint Paul's Avenue is located within the Special Hillside Preservation District, containing lots with homes adapted to the area's unique topography. Mixed-use residential/ commercial development is located along Victory Boulevard. Tompkinsville Park and Haven Esplanade are the community's two parks, though Silver Lake Park and Hero Park are located directly south of Tompkinsville across Forest Avenue. Jones Woods Park is also located just north of the neighborhood boundary across Brighton Avenue. Tompkinsville's public facilities/institutional uses include churches located on Victory Boulevard and Brighton Avenue. Several bus routes serve the area, operating along Victory Boulevard, Forest Avenue, Castleton Avenue and Van Duzer Street. Vacant lots are located along Victory Boulevard and Saint Paul's Avenue.

### Stapleton

Stapleton is bounded by the neighborhoods of Tompkinsville to the north, Silver Lake to the west and Clifton to the south. Stapleton's residential stock is zoned R3X, R3-2 and R4, which allows for low to mid-density housing development. Commercial and mixed-use residential/commercial development exists along Van Duzer Street, Broad Street and Bay Street. Urby, a residential mixed-use development with over 500 units along the waterfront, was facilitated by the creation of the SSWD in 2006 on the redeveloped former US Naval Homeport site. Public institutions in Stapleton include churches on Gordon Street and Targee Street. Tappen Park is located west of Bay Street Corridor between Water Street and Canal Street. The SIR Stapleton station is located east of Bay Street and north of Cross Street. There are several vacant lots located on the west side of Canal Street north of Broad Street.

### *Rezoning Area*

DCP proposes rezoning a contiguous 14-block portion of the Bay Street Corridor, as well as a two-block area along Canal Street not contiguous with the Bay Street Corridor area, in order to better



meet the needs of the surrounding communities.

### Bay Street Corridor

The Bay Street Corridor is located between the St. George and Stapleton town centers, west of the Stapleton Waterfront. Bay Street is a local commercial corridor that connects Tompkinsville Park and Tappen Park, the historic town squares of Tompkinsville and Stapleton. Today, the corridor is characterized by a mix of vehicle sales and repair uses, local retail, a brewery, warehouses, and City offices. Bay Street continues to serve as one of the major thoroughfares on Staten Island's North Shore and runs roughly parallel to the North Shore waterfront.

The Bay Street Corridor is accessible by several express and local bus routes that run along Victory Boulevard and Bay Street and provide access to the St. George Ferry Terminal. The Tompkinsville SIR station is located at the north end of the Bay Street Corridor at the intersections of Bay Street and Victory Boulevard, a major transfer point between buses and the SIR. The Stapleton SIR station is located at the south end of the Bay Street Corridor, which is also within walking distance of the Stapleton Waterfront and Canal Street Corridor. The St. George Ferry Terminal is within walking distance, located approximately 0.25 miles north of the intersection of Victory Boulevard and Bay Street, the northern boundary of the Bay Street Corridor. Pedestrian and vehicular access to the waterfront is limited by the SIR tracks, which run parallel to Bay Street.

The west side of Bay Street north of the Bay Street/Hannah Street intersection, adjacent to Tompkinsville Park, predominantly consists of attached two-to-three story mixed-use buildings on small lots with commercial uses on the ground floor and residential uses above. Commercial uses in this area include discount stores, restaurants, and convenience stores (Use Group 6). On the eastern side of Bay Street opposite Tompkinsville Park, NYC Human Resources Administration (HRA) operates a job center, as well as a Supplemental Nutrition Assistance Program (SNAP) facility. Adjacent to the intersection of Bay Street and Hannah Street is a mix of automobile related uses, including two service stations, a car rental facility, and an auto parts retailer. The area south of Swan Street is characterized by "strip"-style commercial developments with large areas of surface parking, food establishments, limited non-conforming residential uses, automotive

supply/repair shops, and other uses permitted as-of-right within M1-1 zoning districts.

### Canal Street Corridor

The Canal Street Corridor provides a connection between Stapleton Town Center/Tappen Park and Broad Street/Stapleton Houses, a New York City Housing Authority (NYCHA) site, located further inland. Mapped within an R3-2 district with a C2-2 commercial overlay and an R4 district with a C2-2 commercial overlay, the Canal Street Corridor is characterized by undeveloped or vacant lots, parking lots, and auto part shops. It also contains community facility uses, including an Albanian-Islamic cultural center and a daycare center. Canal Street has on-street parking, with parallel parking spaces at the curbs and angled parking spaces along both sides of the center median.

### *Existing Zoning*

The project area is currently mapped with seven zoning districts: M1-1, R3X, R3-2, R4, C2-2, C4-2 (SSGD) and C4-2A (SSWD).

The existing zoning is categorized as a mix of low-density districts in the upland communities and C4-2 mixed-use districts in the town centers and along the Stapleton Waterfront. The M1-1 zoning within the Bay Street Corridor has remained unchanged since 1961 and does not allow new residential development. Portions of the Bay Street Corridor to the west of the existing M1-1 zoning district, as far west as Van Duzer Street, were rezoned in 1985 from an M1-1 to an R3-2 district and again in 2003 to an R3X district. The zoning along Canal Street permits lower density residential and commercial uses, which are not reflective of the surrounding area and its context within the Stapleton Town Center. The current zoning serves as a barrier between St George, Stapleton, upland communities, and the waterfront and ultimately does not contribute to the community's vision and goals.

### M1-1

The Bay Street Corridor is predominately located within an M1-1 district, which permits manufacturing and commercial uses at a maximum floor area ratio (FAR) of 1.0 and community

facilities at a maximum FAR of 2.4. M1 districts have a base height limit of 30 feet, above which a structure must fit within a sky exposure plane. M1-1 zoning districts are subject to parking requirements based on the type of use and size of an establishment. M1 zoning districts generally allow one- or two-story warehouses for light-industrial uses, including repair shops and wholesale service facilities, as well as self-storage facilities and hotels. M1 zoning districts are intended for light industry, however, heavy industrial uses are permitted if the uses meet the strict performance standards set forth in the Zoning Resolution. M1-1 zoning precludes new residential and certain community facility uses unless a variance is granted by the Board of Standards and Appeals (BSA).

### R3X

Portions of the Bay Street Corridor are also mapped within an R3X district, a contextual residential district. R3X zoning districts predominantly facilitate one- and two-family detached homes on lots that must be at least 35 feet wide. The 0.5 FAR in R3X zoning districts may be increased by an attic allowance of up to 20 percent for the inclusion of space beneath a pitched roof. The maximum building height permitted in an R3X district is 35 feet. Two side yards that total at least 10 feet are required and there must be a minimum distance of 8 feet between houses on adjacent lots. The front yard of a new home must be at least 10 feet deep.

### R3-2

Portions of the Canal Street Corridor are mapped with an R3-2 district, which is a residential zoning district that allows low-rise attached houses, small multifamily apartment houses, and detached and semi-detached one- and two-family residences. It is the lowest density zoning district in which multiple dwellings are permitted. R3-2 zoning permits development at a maximum FAR of 0.5 and a maximum building height limited to 35 feet. A minimum of two parking spaces per dwelling unit is required (or three spaces for a two-family residence), in accordance with Lower Density Growth Management Area (LDGMA) provisions.

### R4

Portions of the Canal Street Corridor are also mapped with an R4 district, which allows all types of housing permitted in an R3-2 zoning district at a slightly higher density. An R4 district permits development at a maximum FAR of 0.75, which can be increased up to 20 percent for inclusion of

an attic space under the pitched roof, which usually produces buildings with three stories instead of the two-story homes characteristic of R3 zoning districts. On a block entirely within an R4 district (without a suffix), optional regulations may be used to develop infill housing in predominately built-up areas. On sites that qualify for infill housing, the higher FAR of 1.35 and lot coverage of 55 percent, as well as more relaxed parking requirements, permit developments with greater bulk and more dwelling units than are otherwise permitted in R4 zoning districts. Infill regulations typically produce three-story buildings comprising three dwelling units. Infill regulations can also produce small apartment buildings. Within Staten Island LDGMA areas, parking is required at a rate of two spaces per single-family residence, or three spaces per two-family residence.

## R5

The UDAA and UDAAP site located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) is mapped in an R5 district with a C2-2 commercial overlay. R5 districts are lower-density, general residence districts that allow all housing types, including one- and two-family detached, semi-detached and attached residences, as well as multifamily buildings at a maximum FAR of 1.25. R5 districts typically produce three- to four-story attached houses and small apartment buildings. R5 districts have a base height limit of 30 feet and a maximum building height of 40 feet is permitted after a 15-foot setback. R5 districts require a minimum front yard depth of 10 feet, which is increased to 18 feet if front yard parking is provided. Off-street parking is required for 85 percent of the dwelling units.

## C2-2

A C2-2 commercial overlay is mapped within the Canal Street Corridor. A C2-2 commercial overlay mapped within a residential zoning district typically permits neighborhood retail uses such as grocery stores, movie theaters, restaurants and beauty parlors, as well as funeral homes and repair services. In mixed-use buildings within R6B zoning districts, commercial uses are limited to one floor and the commercial use(s) must be located below any residential use. A C2-2 commercial overlay when mapped in R1 through R5 zoning districts permits commercial use at a maximum FAR of 1.0. Residential bulk within the C2-2 commercial overlay is governed by the underlying residential district regulations. The number of required parking spaces for commercial

use in a C2-2 overlay district is less than that required by C2-1 overlay districts.

#### C4-2 (SSGD)

The disposition site at 55 Stuyvesant Place (Block 9, Lot 9) is mapped in a C4-2 district and the SSGD.

C4 districts allow commercial uses, including offices, at a maximum FAR of 3.4. Residential uses are also permitted in C4 zoning districts at a maximum FAR of 3.44. Typical uses found in C4 districts include specialty and department stores, theaters, and other commercial and office uses serve a larger region. The site is also located within the SSGD, which modifies height and FAR provisions of the underlying zoning district.

The underlying zoning regulations allow a range of residential and commercial uses, including offices. C4-2 districts are typically mapped in regional commercial centers outside central business districts, and allow commercial uses at a maximum FAR of 3.4. Residential uses are permitted in C4-2 districts at a maximum FAR of 3.0, which can be increased up to 3.6 (Inclusionary Housing Bonus) with inclusion of affordable housing. Typical uses found in C4-2 commercial zoning districts include specialty and department stores, theaters, and other commercial and office uses serving a larger region. The SSGD modifies the underlying FAR and height provisions.

The SSGD rules require continuous ground floor commercial uses with large windows and wider sidewalks, as well as special parking and landscaping requirements to enhance commercial streets. To preserve views from upland areas to the waterfront, the building form of towers is also regulated.

#### C4-2A (SSWD)

Stapleton Waterfront Phase III Sites A and B1 are zoned C4-2A within the SSWD, which facilitates medium density development. The C4-2A zoning district within the SSWD is a contextual district that allows commercial and residential uses at a maximum FAR of 2.0. A C4-2A overlay within the SSWD permits development at a maximum building height of 50 feet, however, where the ground floor level of a building provides a qualifying ground floor in

accordance with ZR 35-652, the maximum height may be increased to 55 feet. The SSWD rules include street wall requirements and building heights that, at the time, were intended to respect the scale of Stapleton's upland area. Pedestrian connections to the waterfront esplanade and unobstructed visual corridors are required at regular intervals as extensions of the Stapleton Town Center streets.

### *Proposed Actions*

The proposed actions were developed to support the implementation of the Bay Street Corridor Neighborhood Plan and include zoning map amendments, zoning text amendments, disposition of City-owned property at 55 Stuyvesant Place (Lot 9, Block 9) and designation of a UDAA and UDAAP, project approval and disposition of City-owned property at 539 Jersey Street/100 Brook Street (Block 34, Lot 1).

The proposed zoning map and zoning text amendments would rezone an approximately 20-block area along Bay Street, including the Canal Street Corridor to the south, and establish the BSC District coterminous with the Bay Street Corridor rezoning area.

The disposition of City-owned property at 55 Stuyvesant Place would facilitate the development of additional office space under the existing C4-2 zoning.

The designation of the UDAA and UDAAP, project approval and disposition of City-owned property at 539 Jersey Street/100 Brook Street would facilitate a mixed-use development with approximately 223 affordable residential units.

The proposed actions would support the development of new permanently affordable housing construction by mapping new zoning districts to permit residential development in areas where it is not allowed today, and to increase residential density where it is permitted today. It would also encourage economic development by allowing for a mix of residential and commercial uses, ensure that buildings are responsive to existing neighborhood context, and improve the public realm by encouraging non-residential ground floors, a consistent streetscape and an active waterfront. The proposed actions have been crafted to be responsive to both the area's current and

future needs.

Many sites along the Bay Street Corridor are vacant or underutilized and have the capacity for growth. Zoning changes, including the application of the MIH program, would encourage expansion of the neighborhood's supply of affordable housing and the construction of new permanently affordable housing, particularly in locations that contain few residential units due to existing manufacturing zoning. In recognition of their existing character, low density residential areas in the surrounding neighborhoods would not be rezoned. The proposed zoning changes have been carefully designed to step down from higher-density areas of the Bay Street Corridor to surrounding residential development. The proposed zoning changes were also designed to address the lack of continuity between the Stapleton and St. George neighborhoods, lower the parking requirements for new commercial development and address unique site conditions including irregularly-shaped and sized lots due to the curvature and alignment of the Bay Street Corridor.

### *Neighborhood Plan*

Throughout the process of developing the Bay Street Corridor Neighborhood Plan, four guiding principles arose that have informed and shaped the plan and the proposed actions. These guiding principles and associated strategies are outlined and described in detail below:

#### Create a vibrant, resilient downtown providing stronger connections to the New York Harbor and surrounding neighborhoods:

The communities of St. George, Tompkinsville and Stapleton are defined by their proximity to the waterfront. In years past, Community Board 1 has prioritized strengthening connections to the waterfront to facilitate active usage, but this has remained a challenge due, in part, to existing manufacturing zoning. The proposed actions include rezoning the M1-1 district on the Bay Street Corridor to mixed-use residential/commercial zoning, as well as a portion of Canal Street that serves as a connection from adjacent commercial areas to Tappen Park. In addition, the proposed actions seek to modify the zoning provisions of the Stapleton Waterfront Northern Sites (A & B1), so as to encourage appropriate building form and height that facilitates better site planning, and connectivity to the waterfront and surrounding communities. The full development at the Stapleton Waterfront will facilitate the expansion of a waterfront promenade from Stapleton to the St. George

Ferry Terminal, and support both active and passive recreational uses along the waterfront.

Support the creation of new housing, including affordable housing, for the wide range of North Shore residents:

Housing stock in the area is characterized by a mixture of historic homes on lots with steep slopes, mixed-use residential/commercial, single and two-family detached and semi-detached homes, and multi-family walk-up and elevator buildings. The range of income levels and demographic conditions on the North Shore present a clear need for affordable housing. There are two rent-regulated NYCHA developments located within proximity of the Bay Street Corridor: the Richmond Terrace development (located approximately 0.9 miles northwest of the Bay Street Corridor) and the Stapleton development (located approximately 0.5 miles southwest of the Bay Street Corridor) contain approximately 1,200 housing units for low-income residents. The 125 Edgewater development, approved by the City Planning Commission in May 2017, was Staten Island's first MIH-designated area, which rezoned an M2-1 district to an R6 district with a C2-2 overlay to permit mixed-use residential/commercial development with 371 dwelling units. The development required 25% of the residential floor area provided to be permanently affordable to households with incomes averaging 60% of the area median income (AMI) or 30% of the residential floor provided to be affordable for households and incomes average 80% of AMI.

The proposed actions have been crafted to promote new development in an area that can support additional density given access to transit and surrounding neighborhood context. The proposed actions would support the development of new permanently affordable housing construction by mapping zoning districts to permit residential development in areas where it is not currently permitted, as well as establishing MIH requirements. Within the rezoning area, City and State financing programs would be available to support the creation of new affordable housing. The UDAA and UDAAP designation at 539 Jersey Street/100 Brook Street would facilitate a mixed-use development with approximately 223 affordable residential units. As new housing is created to serve a range of incomes, the application of the MIH requirement would guarantee that a percentage of units developed remain permanently affordable and provide assurance that new



development would address the needs of residents at a variety of income levels even as local housing market conditions change over time.

Foster new and existing businesses and commercial development by encouraging job creation with a pedestrian-friendly retail/commercial corridor between St. George and Stapleton:

The Bay Street Corridor has been zoned M1-1 for manufacturing usage since 1961. The proposed actions have been carefully crafted to identify areas for growth and development to facilitate new residential, commercial and community facility uses. The proposed actions are intended to encourage the creation of new mixed-use development along the Bay Street Corridor by rezoning the existing manufacturing district to mid-density residential districts with commercial overlays in accordance with surrounding character and future potential. The communities of St. George and Stapleton contain some mixed-use residential/commercial development, located primarily along Victory Boulevard west of the Bay Street Corridor to the north, and along Bay Street and Tappen Park to the south. The proposed actions intend to provide connections to this existing surrounding mixed-use character by implementing more flexible zoning envelopes that encourage active ground floor uses and a consistent street wall. Expanding on the recommendations in North Shore 2030, the proposed actions also include the disposition of City-owned property located at 55 Stuyvesant Place in the St. George neighborhood. The disposition and re-use of the currently-vacant office building is intended to facilitate the development of commercial office space to support the growth of in-borough quality jobs. As informed by community visioning and feedback, the proposed actions are intended to support existing businesses and foster a walkable mixed-use corridor that serves as a connection between St. George and Stapleton.

Align investments in infrastructure, public open spaces and services in the Bay Street Corridor to support current demands and future growth:

The Bay Street Corridor Neighborhood Plan identifies the importance of capitalizing on and maintaining existing public open spaces and infrastructure to respond to future growth. The North Shore has seen several large development projects planned and underway within the past several years, such as the Stapleton Waterfront, Empire Outlets Shopping Mall, and Lighthouse Point; in total, the immediate area is seeing approximately \$1 billion in public and private investment. In addition, the zoning text stipulates an exemption of floor area for educational uses in the SSWD

to allow for planning for a future school at the Stapleton Waterfront Development. The proposed actions look to build upon these investments by establishing the framework to provide connections to the waterfront and explore improvements to existing public open spaces.

### *Zoning Map Amendments*

The proposed zoning map amendments would implement the objectives of the Bay Street Corridor Neighborhood Plan by creating opportunities for permanently affordable housing and establishing zoning districts to ensure mixed-use development that encourage non-residential ground floor uses and consistent streetscapes along the Bay Street and Canal Street Corridors. A R6/C2-3 district is proposed along Bay Street, with a C2-4 commercial overlay concentrated on large sites adjacent to St George and the Tompkinsville SIR station. An R6B district is proposed for sites along Van Duzer Street to allow for lower height and density, and a transition to adjacent lower-density neighborhoods. Use, bulk, and parking regulations would be modified by the new BSC District.

A R6B/C2-3 district is proposed for Canal Street would allow for slightly higher-density residential and retail uses than are currently permitted, and would encourage a retail connection between the Stapleton Waterfront and Broad Street. The underlying zoning would apply.

### Proposed R6

*(Existing M1-1 district – Bay Street Corridor)*

R6 districts are medium-density residential districts that typically permit a diverse range of building heights and types. In the Bay Street Corridor, underlying R6 district use and bulk provisions are proposed to be modified through the SBSCD regulations. The proposed R6 and special district regulations would facilitate residential development that would support existing and future commercial development in the area, take advantage of existing public transportation in the area and match similar densities in the areas surrounding the Bay Street Corridor.

The proposed R6 district, in conjunction with text amendments to designate an MIH area and the new SBSCD, is proposed to permit a range of FARs between 2.0 and 4.6 for residential and community facility uses, depending on location and configuration of sites, as discussed below.

Special provisions may allow for greater FARs to be achieved for HPD’s Affordable Independent Residences for Seniors (AIRS) developments. The maximum base height before setback would range between 40 and 65 feet, with a maximum building height that would range between 55 and 145 feet, depending on site configuration and location. The Quality Housing Program would be mandatory, and the Height Factor regulations typically applicable in a non-contextual R6 zoning district would not be permissible. Within R6 Quality Housing developments citywide, off-street parking, which is not permitted in front of a building, is required for 50 percent of unregulated dwelling units and 25 percent of affordable units. These underlying citywide parking regulations would be applicable to new developments within areas proposed to be mapped as R6.

The underlying R6 district bulk provisions are proposed to be modified through special district controls, which would be made possible by creation of the SBSCD. This new special district is proposed to provide tailored urban design controls that respond to the unique context of the Bay Street Corridor. The proposed R6 and special district regulations would facilitate additional residential development that would support existing and future commercial development in the area, take advantage of the area’s existing public transportation, and match similar densities in the areas surrounding the Bay Street Corridor.

#### Proposed R6B

*(Existing M1-1, R3X, R3-2, R4 districts – Bay Street Corridor and Canal Street Corridor)*

R6B districts are typically row house districts consisting of four-story attached buildings that reflect the scale and context of neighborhoods often developed during the 19th century. The proposed R6B zoning district, in conjunction with the zoning text amendments to designate an MIH area and establish the SBSCD, is proposed to permit residential and community facility uses at a maximum FAR of 2.2. The mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale.

In a designated MIH area, the base height of a new R6B building before setback must be between 30 and 45 feet, with the maximum building height limited to 55 feet at no more than five stories. Curb cuts are prohibited on frontages less than 40 feet. The street wall of a new building, on any

lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. The area between a building's street wall and the street line must be planted.

Within R6B zoning districts citywide, off-street parking is required for 50 percent of unregulated dwelling units and 25 percent of inclusionary (affordable) dwelling units. Parking is not allowed in front of a building. These underlying citywide parking regulations would be applicable to new developments within areas proposed to be mapped R6B.

The proposed contextual R6B district within the Bay Street Corridor project area reflects the residential scale of adjacent R3-2 and R3X zoning districts to the west. The proposed zoning map amendment would apply to the area of the Bay Street Corridor Project Area, generally within 100 feet of Van Duzer Street.

The proposed contextual R6B district within the Canal Street Corridor project area reflects the nearby residential scale, and would increase the permitted residential floor area within the Corridor to facilitate mixed-use development.

#### Proposed Commercial Overlays: C2-3 and C2-4

*(Existing M1-1, R3-2/C2-2, R3X, and R4 districts – Bay Street Corridor and Canal Street Corridor)*

C2-3 and C2-4 commercial overlays are mapped within residential zoning districts, generally along streets that serve local retail needs, with typical retail uses including neighborhood grocery stores, restaurants, and beauty parlors. Compared to C1 commercial overlay districts, C2 commercial overlay districts permit a slightly more flexible range of uses, such as funeral homes and repair services. In mixed-use buildings, commercial uses are limited to one floor and must be located below the residential use. When commercial overlays are mapped in R6 through R10 zoning districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules. The following underlying parking provisions would apply for general retail and service establishments:

- In C2-3 zoning districts, parking is required at one space per 400 square feet of zoning floor area of commercial space, with a waiver if fewer than 25 parking spaces are required; and
- In C2-4 zoning districts, parking is required at one space per 1,000 square feet of commercial space, with a waiver if fewer than 40 spaces are required.

These proposed commercial overlays and associated zoning text amendments would help facilitate development consistent with the urban design goals identified by the community, and balance the desire for active uses at the ground floor with required parking. Within the R6 district, the depth of the overlays is proposed to cover the entire Bay Street Corridor project area to allow for flexibility between commercial and residential spaces. Ground floor use requirements of the SBSCD would require ground floor non-residential spaces within 50 feet of Bay Street for any development on a zoning lot greater than 5,000 square feet, and would be optional in other locations, such as side streets and Van Duzer Street.

Within the Canal Street Corridor, a C2-3 commercial overlay, which generally requires one space per 400 square feet of commercial use, with a waiver if fewer than 25 parking spaces are required, is proposed to facilitate mixed-use development with locally oriented commercial activity in this Corridor. The ground-floor use requirements stipulated in ZR Section 32-433 would require non-residential use on the ground floor and promote the urban design goals identified by the community.

### *Zoning Text Amendments*

A series of text amendments are proposed to facilitate the land use objectives of the Bay Street Corridor Neighborhood Plan. The following is a list and description of the proposed zoning text amendments.

#### ZR Section 135-00: Special Bay Street Corridor District (SBSCD)

Through outreach conducted as part of the plan, special zoning provisions have been crafted to establish specific urban design and bulk controls to respond to the unique context of the Bay Street Corridor. The proposed text amendment would establish the SBSCD (ZR Section 135-00) and would modify the underlying use, setback, height, bulk, and parking regulations; view corridors; and street wall and vehicular access provisions, as described below.

- Maximum permissible building heights range between 55 and 145 feet, dependent on lot configuration and location.
- Maximum permissible FAR range between 2.0 and 4.6 depending on location and lot size.
  - Greater FARs may be achieved for HPD AIRS developments or long-term care facilities.
- Use regulations are proposed to be modified from underlying zoning as follows.
  - Non-residential uses would be required at the ground floor within 50 feet of Bay Street.
  - Underlying zoning requirements for ground floor uses within the C2 district would not apply to existing zoning lots below a certain size, or in certain locations within the Corridor.
  - In a mixed-use building, commercial uses would be permitted up to and including the second story;
  - Use Group 6b (office) would be permitted up to the full permitted FAR in certain locations along Bay Street and in commercial only buildings.
  - Physical Culture and Health Establishments (PCEs), as defined in Zoning Resolution Section 12-10, would be permitted in commercial districts as-of-right.
  - Use Group 18a (breweries) would be permitted as-of-right on commercially-zoned lots up to 30,000 square feet of floor area, and would be required to contain an accessory eating or drinking establishment.
- Parking requirements are proposed to be modified from underlying zoning as follows.
  - A portion of non-office commercial use floor area could be exempted from parking

calculations in mixed-use and commercial-only buildings to recognize lower parking needs for more locally-oriented retail uses that serve the immediate residents and workers in the area.

- Underlying residential parking waivers would only apply to zoning lots with a lot area equal to or greater than the lot area of that zoning lot on the date of adoption.
  - Accessory parking spaces may be provided within parking facilities anywhere in the SBSCD.
- 
- Visual corridors are proposed to be open from the ground to the sky and would have to either be improved to minimum DOT standards for public streets, with specific requirements for improvements, or serve as public open spaces. Visual corridors are proposed at the following locations east of Bay Street:
    - In the prolongation of Swan Street (for any new residential or commercial development);
    - In a flexible zone near the prolongation of Grant Street; and
    - In the prolongation of Clinton Street.
  
  - Loading requirements are proposed to be modified to reduce the underlying requirements for C2 commercial overlays within R6 districts.

#### ZR Section 116-00 - Stapleton Waterfront

A zoning text amendment is proposed to the Zoning Resolution to modify the underlying building height regulations within the existing SSWD. The proposed zoning text amendment would alter the maximum building height on Stapleton Waterfront Northern Sites A and B1 from 55 feet to 125 feet. The setback and street wall locations are also proposed to be modified to better accommodate resiliency and ADA accessibility requirements.

With a proposed 125-foot height limit, the same floor area permitted by existing zoning would be permitted; however, the increase in maximum allowable building height would provide flexibility in the building envelope. Rather than restrict development to a single, long building mass parallel to Front Street and the shoreline, the increased allowable building height would permit a taller

building with a reduced floor plate in order to enhance waterfront viewsheds.

The text amendment is also proposed to permit an exemption of up to 100,000 square feet of floor area for school uses within the Northern Sites (Subareas A & B1) of the SSWD. The exemption of floor area for education uses is intended to allow for the planning for a future school to be located at the Stapleton Waterfront Development to respond to projected future need, while retaining the opportunity to create the same amount of retail and affordable housing on City-owned property necessary to activate the area. The proposed text amendment would also modify the maximum height of buildings on subareas A & B1 to allow for the flexibility needed to accommodate the additional floor area for educational uses.

#### ZR Appendix F: Mandatory Inclusionary Housing Areas (MIHA)

Both the Bay Street Corridor and Canal Street Corridor project areas are proposed to be mapped as MIHAs in ZR Appendix F. This proposed text amendment would mandate that a minimum percentage of new residential floor area in qualifying developments be provided as permanently affordable to households at low and moderate incomes. The MIH program would require the provision of permanently affordable housing in developments exceeding 10 dwelling units or 12,500 square feet of residential floor area.

#### *Proposed Disposition of City-Owned Property*

In accordance with Sections 197-c(10) and 384(b)(4) of the New York City Charter, the City seeks to dispose of property located at 55 Stuyvesant Place (Block 9, Lot 9), which is under the jurisdiction of the Department of Citywide Administrative Services (DCAS). The approximately 11,500 square-foot site is developed with a vacant, five-story (37,675 square-foot) building. The City intends to dispose of the lot, including the building, to the New York City Land Development Corporation, then to EDC. EDC will repurpose the property for use by a private tenant for office uses as proposed in a Request for Proposal (RFP) issued in 2015. The site is located in a C4-2 zoning district in the SSGD which allows a range of residential and commercial uses including offices.



## *UDAA and UDAAP Designation and Project Approval and Disposition of City-owned Property*

The proposed actions include the UDAA and UDAAP designation and project approval and disposition of City-owned property at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) to facilitate a mixed-use affordable housing development. The site is currently developed with a Department of Sanitation (DSNY) garage serving Staten Island Community District 1. The proposed actions are intended to facilitate the redevelopment of the site as a five-story, mixed-use building containing approximately 173,443 square feet of residential use and approximately 14,700 square feet of commercial or community facility uses. The proposed development is anticipated to contain approximately 223 affordable dwelling units, including approximately 90 AIRS units. The DSNY sanitation garage is proposed to move to a new facility to be located within Freshkills Park, Community Board 3.

### **ENVIRONMENTAL REVIEW**

The original application (C 190113 ZMR), in conjunction with the related applications (N 190114 ZRR, N 190115 PPR, and C 190179 HAR) and modified applications (N 190114 (A) ZRR and C 190179 (A) HAR), were 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 CEQR Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 16DCP156R. The lead agency is the City Planning Commission (CPC).

It was determined that this application, in conjunction with the applications for related actions may have a significant effect on the environment and that an Environmental Impact Statement would be required. A Positive Declaration was issued on May 13, 2016, and was distributed, published and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statements (DEIS) was issued on May 13, 2016. A public scoping meeting was held on June 15, 2016 and the Final Scope of Work was issued November 9, 2018.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on November 9, 2018. Pursuant to SEQRA regulations and the CEQR procedures, a joint public hearing was held on the

DEIS on February 27, 2019, in conjunction with the public hearing on the related Uniform Land Use Review Procedure (ULURP) items (N 190114 ZRR, C 190115 PPR and C 190179 HAR) and the modified applications (N 190113(A) ZMR and C 190179(A) HAR). A Final Environmental Impact Study (FEIS) reflecting the comments made during the public review process was completed, and a Notice of Completion of the FEIS was issued on April 11, 2019.

The original application as analyzed in the FEIS identified significant adverse impacts with respect to community facilities (child care, public schools), open space (total and active recreation space), historic and cultural resources (archaeology), transportation (traffic, bus transit, pedestrian) and construction activities related to historic resources and noise. In addition, the FEIS analyzed the modified application (N 190114(A) ZRR and C 190179(A) HAR), called the A-Text Alternative, as an alternative to the original application. This alternative was included in Chapter 22 of the FEIS, “Alternatives.” The analysis concludes that the modified application would result in the same or similar significant adverse impacts identified for the original application.

Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designations (E-429) on selected projected and potential development sites as specified in Appendix F, Appendix H and Appendix I, respectively, of the FEIS.

The proposed actions and A-Text Alternative as analyzed in the FEIS identified significant adverse impacts related to community facilities, open space, historic and cultural resources, transportation and construction.

The identified significant adverse impacts and proposed mitigation measures under the proposed actions and A-Text Alternative are summarized in Chapter 21 “Mitigation” and Chapter 22 “Alternatives” of the FEIS.

## **UNIFORM LAND USE REVIEW**

The application (C 190113 ZMR) was certified as complete by DCP on November 13, 2018. The application was duly referred to Community Board 1 and the Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

## **Community Board Public Hearing**

Community Board 1 held a public hearing on January 8, 2019 on the application and by a vote of 37 in favor, 3 against and 0 abstentions, adopted a resolution recommending disapproval of the application with conditions.

In conjunction with a recommendation to disapprove the application, the resolution recommends that the following 12 conditions be met:

1. 20 acres be preserved as parkland.
2. Reassess affordability with consistent statistics for North Shore seniors and the disabled.
3. Preserve and provide waterfront public access.
4. Six-floor maximum height for all buildings.
5. Upgrade the Port Richmond sewage treatment plant.
6. Upgrade Bay Street sewer and mitigate flooding conditions that already exist.
7. Reassess the already inadequate transportation infrastructure.
8. Retract Cromwell Center facility from the application and fund Cromwell Center separately.
9. Request for a new K-8 school and high school.
10. Preserve lots A & B1 as parkland and waterfront esplanade.
11. That the Stapleton Waterfront Phase III sites (A & B1) not be rezoned at this time in this action.
12. Site a Health and Hospitals Corporation (HHC) hospital in the Bay Street Corridor.

The Community Board supported the disposition (C 190115 PPR) of City-owned property located at 55 Stuyvesant Place (Block 9, Lot 9) in order to repurpose the space for office uses and recommended that the at least 20% of the site be made available for a maritime school or a City University of New York (CUNY) College library.

The Community Board supported the proposed UDAA and UDAAP designation (C 190179 HAR) for the site located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) in order to facilitate the relocation of the DSNY garage and mixed-use redevelopment of the site into affordable housing and commercial or community facility. The Community Board recommended that a full environmental remediation of the site be performed, and that prospective uses for the first floor include a daycare center, a supermarket or a community facility with on-site parking.

### **Borough President Recommendation**

The application (C 190113 ZMR), in conjunction with the related applications (N 190114 ZRR, N 190114 (A) ZRR, C 190115 PPR, C 190179 HAR) were considered by the Borough President who issued a recommendation on February 21, 2019 disapproving the application. The following conditions were recommended for the zoning map and text amendments (C 190113 ZMR and N 190114 ZRR):

1. “That in order to address all infrastructure deficiencies throughout the Bay Street Corridor (BSC), and establish a hierarchy of improvements based on need and future demand, the Department of Environmental Protection (DEP) commit in writing, prior to the City Council hearing, to undertaking a work plan with a definitive timeline to upgrade all relevant infrastructure including water and sewer, road and drainage facilities, and treatment plant capacity; as well as identifying strategic opportunities for green infrastructure to improve street drainage and storm storage capacity. An investigation of all existing drainage facilities at known locations of flooding throughout the corridor should be included and funded as required. DEP should commit, in writing, to a substantial capital improvement strategy with a funded budget that includes the acquisition of all properties required to execute the work needed to address the identified deficiencies. Infrastructure historically deemed outdated or unreliable, such as old unlined cast iron distribution water mains, outdated trunk mains, non-working hydrants, older undersized sanitary piping and insufficient storm drainage that contributes to localized street flooding, should be included for upgrades or alternative improvements. Existing streets that do not have sanitary sewers should become part of an immediate capital plan.
2. That in order to address street and transportation deficiencies throughout the corridor, the Department of Transportation (DOT) commit in writing, prior to the City Council hearing, to a street evaluation and redevelopment initiative, as well as interim design strategies to improve roadways and public spaces in the near term. This effort should be coordinated with the infrastructure plan, to ensure that all area streets are mapped, accessible, outfitted with public sidewalks, curbs, strategically-planted street trees and lighting. Unopened portions of mapped streets and privately-owned portions of Bay Street that can mitigate specific traffic issues, or provide direct throughput, should be considered for acquisition under this plan. A streetscape improvement plan should be implemented that includes, but is not limited to, all options for extended sidewalks and intermittent curbside parking, curb extensions at corners, requirements for publicly-accessible open spaces adjoining the public sidewalks at strategic locations, protected cycle lanes (where reasonable), distinctive pedestrian crosswalks, dedicated left turn lanes, speed restrictions, traffic controls, and signage and signal modifications. Improved streetscapes and pedestrian and vehicular connectivity from Bay Street to the waterfront should also be a priority. All of these community considerations contribute to public safety, the viability of the streetscape, and the efficiency of local commuter and traffic flow through the BSC. The aforementioned

conditions establish the public realm, expected community services and desirability for economic investment and long-term residency.

3. That in order to address public transportation deficiencies and future impacts throughout the North Shore transportation corridor, the City Planning Commission (CPC) and City Council compel the Metropolitan Transit Authority (MTA) and the Staten Island Railway (SIR) to commit in writing to an evaluation and redevelopment initiative to ensure safe and efficient movement in each mode. The current bus service should be modified to address existing overcrowded conditions on the S78, the S74, and other buses utilizing the corridor, and a review of existing bus stop locations must be undertaken to identify the increased service that will be required to accommodate anticipated new residents to the area generated by this proposal. SIR service should also be evaluated to better serve the Stapleton and Tompkinsville communities. SIR infrastructure and stations should be refurbished to provide a safe environment for commuters. Areas of safety, lighting, barrier-free access and connectivity to existing streets from multiple locations at these SIR stations should become part of the Bay Street Neighborhood Plan.

The CPC and City Council should ensure that a dialogue continues with the Economic Development Corporation (EDC) to establish a permanent fast ferry route from an agreed-upon Stapleton location to a designated Brooklyn landing or multiple landings. Fast ferry service between Staten Island and Brooklyn will provide new commuter and job opportunities, as well as creating an economic synergy for both boroughs. A definitive timeline should be established to keep the transportation corridor options and service levels in step with increasing demands created through future development.

4. That in order to address additional deficiencies in the delivery of services for police, fire, emergency response, local hospitals and sanitation, created by the addition of more than 6,500 residents within the BSC, the Administration provide a written commitment, prior to the City Council hearing, to quantify how service levels will be affected. In addition, thresholds should be identified as indicators used to trigger new capital allotments in response to the extent of the need. The level of service at local hospital emergency departments should also be included as the additional residents represent an 8% increase in the Stapleton population.
5. That in order to facilitate the creation of new school seats and the required increase in the total number of seats anticipated to adequately serve the existing and future demands, the Department of Education (DOE) and the School Construction Authority (SCA) provide written commitments, prior to the City Council hearing, of each agency's intent and timeline to complete an evaluation of all elementary, intermediate and high school capacities proximate to the BSC. This report should include and make definitive determinations regarding the appropriateness of constructing enlargements at specific relevant locations. It should also identify the current number of available seats and the projected number of new seats required in the short and long-term.

The Draft Environmental Impact Statement (DEIS) identified that the proposed actions would not have a significant impact on elementary, intermediate or high schools within the

borough. With an estimated increase of 2,632 dwelling units under this proposal, and at least an additional 1,000 more currently being planned or under construction, current hard attendance data for each school should also be presented and reviewed prior to the City Council hearing to confirm the DEIS assumptions being presented in response to future conditions. Data shows that the current enrollment for schools servicing the BSC identifies capacities as follows: six elementary schools ranging from 101 % to 154% capacity, two intermediate schools at an average of 70% capacity, and Curtis High School, which is at 172% capacity.

Further, a review of existing school and public bus routes should also be included to guarantee coordination with road and transportation improvements and modifications.

6. With regard to the 'A Text' modification to include a new floor area deduction of 100,000 sf. for schools located in the Subareas A and B1 in the Special Stapleton Waterfront District (SSWD), now filed as N 190114(A) ZRR, in addition to the text originally filed under N 190114 ZRR, it is necessary to denote that all floor area constructed under this exemption should be jointly designed with the DOE and SCA and approved by Department of City Planning (DCP). This requirement should be memorialized in ZR 116-22. The exemption should not become a pass to "overbuild" the site without thoughtful consideration for the short- and long-term public school strategies, including anticipated student enrollment at all age levels, dedicated attendant school facilities and open spaces, program specialization, student transportation, building maintenance and responsibilities for shared building services. Each of these concerns should be addressed in the written commitments of the agencies.
7. With regard to Physical Culture (PCE) or Health Establishments within the BSC pursuant to the 'A' text amendment to ZR 135-13, the uses permitted under this section should be limited to establishments providing services that include physical exercise, aerobics, yoga, martial arts, and boxing or provide access to exercise equipment focused solely on improving physical conditions. The DCP should agree in writing, prior to the City Council hearing to better define exemptions from ZR 73-36 in lieu of declaring all PCE uses an as-of-right development within the BSC under this section.
8. That in order to make housing available to the broadest sample of end-users and include the widest band of incomes, the CPC and City Council should support and impose all available Mandatory Inclusionary Housing (MIH) options. The BSC market conditions will support new construction, but not the feasibility of reaching low income levels without the use of subsidy. With the creation of moderate-income housing contributing to neighborhood housing affordability in the BSC, CPC and the City Council should choose to apply the Workforce Option and other available options in addition to Options 1 and 2. Imposing all available options to provide availability from 40% to 115% of Area Median Income (AMI) establishes the broadest housing plan with opportunities for both affordability and workforce housing. Subsidy should also be considered for workforce housing when deeper affordability is pursued in response to specific needs. These options will provide permanent affordability and galvanize diverse BSC housing opportunities into the future.

9. That in order to make affordable housing on city-owned properties within the BSC available to the broadest spectrum of the Stapleton community, the CPC and City Council should support and require application of MIH Options 1 & 2 for all city-owned properties within the New Stapleton Waterfront (NSW), Phases 2 and 3 (Parcels A, B1, B4 & BS) and to any other city-owned parcel within the BSC. This requirement would provide the greatest opportunity for affordability to families within all income bands on properties where the city can directly control the most diversified and desired outcomes.
10. That in order to facilitate the adequate availability of publicly-funded child care centers, Administration for Children's Services (ACS) provide a written commitment, prior to the City Council hearing, to identify new opportunities to mitigate impacts and anticipated shortages identified through the DEIS. Sites supporting mixed uses within the BSC should be considered by DCP for zoning incentives to create additional child care opportunities as appropriate.
11. That in order to support the skilled men and women that represent the building service workers, EDC commit in writing, prior to the City Council hearing, to ensuring that all development on city-owned properties under Phase 2 and 3 of the NSW or other city-owned parcels, disposed of as part of this effort, must be developed utilizing prevailing wage standards and protections for workers. Additional commitments must be made to include local hiring requirements and registered apprenticeship opportunities for local residents.
12. That in order to address the displacement of existing residents along the BSC, the New York City Department of Housing Preservation and Development (HPD) and the DCP commit, in writing, to an interim program exploring the possibility of creating an exclusive BSC program assisting in the short-term relocation of residents within the same neighborhood and providing assistance and priority opportunities to displaced families in order for them to remain within their chosen community at no additional cost for housing. The risk of displacement is a reality that should be addressed before this rezoning is considered.
13. That in order to address commercial and industrial displacement and foster new and existing business development and job creation throughout the BSC, the Department of Small Business Services (SBS) shall commit, in writing, prior to the City Council hearing, to a toolbox of incentives that can assist small business owners looking to remain within the corridor and landlords that want to retain longtime tenants. Incentives might include business tax exemptions, low-cost financing opportunities, reduction of water and sewer charges, forgiveness of civil penalties for violations that have been cured, etc. In addition to financial support, the SBS should provide business counseling and legal assistance to existing retailers. Services should be provided to assist with understanding new leases, to provide education for the establishment of Locally-Based Enterprise (LBE) or Minority- and Women-owned Business Enterprise (M/WBE), to provide insight on how to grow a business in the BSC, etc. The SBS should also commit to conducting business owner's roundtable discussions to monitor evolving issues and concerns, regardless of the rezoning

application status.

14. That in order to facilitate continued public open space improvements, shoreline stabilization, development of the North Shore Promenade, including the pedestrian connection to the ferry terminal and North Shore Esplanade and the completion of the public open spaces for Phase 2 (adjoining parcels B4, BS, dog park, playground, barbeque/picnic area, maintenance facility and public art display) and Phase 3 (adjoining parcels B1, A, Pier Place and court game venue) of the NSW, the Department of Parks and Recreation (DPR), DCP & EDC should, prior to the City Council hearing, provide written commitments, for the entire anticipated scope of work, current project funding and budget shortfalls, projected phasing and timelines, and how the public interest will be served through the review and approval process of the remaining development parcels.

Specifically, DCP should state its intent to oversee the entire design and planning process and ensure that the final site and building designs meet the general purpose of the Special Bay Street Corridor District (SBSCD) as proposed in ZR 135-00. EDC should commit to the completion of all technical tasks associated with shepherding each piece of the public waterfront commitment throughout the BSC, Special St. George District (SSGD) and the SBSCD. Tasks should include establishing a budget and timeline for required street mappings (Victory Boulevard, Murray Hulbert Street and the acquisition of Front Street, south of Phase 2 of the NSW), including acquisition when necessary, removing all street areas from tax lots under the jurisdiction of agencies that have no control or jurisdiction over the public safety of streets or delivery of services for street maintenance, installation of required sewer and water infrastructure for all negotiated development fronting or adjoining waterfront streets, from Victory Boulevard to the southernmost end of Phase 2 of the NSW, establish a working group that includes utility companies to identify service projections and future utility improvements and anticipated timelines, address projected traffic and identify a long-term neighborhood traffic plan for DOT review prior to the installation of a two-way bicycle lane along Front Street. EDC should also evaluate existing city contracts for waterfront leases to guarantee that waterborne uses situated on city-owned properties are not displaced and that the lessees are treated properly and given fair and equitable alternatives to continue operations supporting the greater good.

15. That in order to meet the Administration's pre-existing commitment to include the replacement of all community services previously offered at the George M. Cromwell Recreational Center, DCP, EDC and DPR commit in writing, prior to the City Council hearing, to a new project, in the same general location, replacing previous community activities with sports venues for basketball, volleyball, boxing, dance and fitness classes, the establishment of family fitness club memberships, arts and crafts programs and theater programs specifically designed for all age groups. Commitment should include site location, intended scope of work and services and the total funding necessary to recognize the importance of re-establishing the tradition of community services historically offered to all Staten Islanders since 1936. This new facility should build upon the 74 years of community dependability synonymous with "Cromwell Center". This is a debt the city owes to the residents of the North Shore and all Staten Islanders, and it should remain an essential part of the BSC effort.



16. That in order to audit progress on all agency commitments and recommendations and to keep community representatives, elected officials and Community Board 1 informed, the Administration should commit, in writing, prior to the City Council hearing, to an oversight committee consisting of representatives from each of the aforementioned stakeholder groups that will meet quarterly to monitor intended progress on capital initiatives and city-owned and all other BSC parcels.
17. To address the highest and best future use of the city-owned property at Tax Block 6, Tax Lot 20, fronting Central Avenue and St. Marks Place, DCP should confirm that this site has, in fact, been removed from the disposition portion of the greater ULURP application. EDC should commit, in writing, to undertake a market study determining appropriate community needs and a hierarchy of uses supported by the neighborhood. This parcel was earmarked as an economic development site prior to the construction of the adjacent Supreme Court Building. While originally included as part of the courthouse site, it was determined to have a greater community value as an independent site that would be utilized in response to a unique community need. The documentation submitted as part of this rezoning is a mere distraction from the real issues of the BSC proposal and does not make a compelling case that the disposition, at this time, is a worthwhile effort. While included in the DEIS, I understand it may have since been removed. I do not support the disposition of this site for the aforementioned reasons.
18. That in order to facilitate the disposition of city-owned property at Tax Block 9, Tax Lot 9, known as 55 Stuyvesant Place, CPC and EDC provide a written commitment, prior to the City Council hearing, to advance the work of the previous Request for Proposals (RFP) issued by EDC to facilitate a 21st century tech hub and job incubator. The site can serve as a catalyst for local and citywide technology startup success and be utilized to develop new products, services and technologies. This use, combined with direct access to St. George, New Brighton, Tompkinsville and the BSC, via mass transit, will add unique employment to the palette of other opportunities actively existing or being created along the BSC to live, work and recreate within the borough. At this time, I do not support the inclusion of housing in any future development program at this location.
19. That in order to facilitate the rezoning application being presented, a commitment must be made by DCP, in writing prior to the City Council hearing, to equally study the downzoning of other borough communities where, though already zoned for less density, there is little or no infrastructure and fewer mass transit options, and where new as-of-right development is inconsistent with the neighborhood character, existing street fabric and the built environment. This acknowledgement informs borough residents that DCP will not only strive to encourage medium-density, mixed-use development in appropriate areas, but also remove the possibility of inappropriate development of out-of-character buildings, and protect the suburban character of other communities as part of their mission to plan for the future.
20. That in order to reimagine the BSC consistent with the desired goals of the proposed rezoning, the aforementioned issues must be sufficiently addressed to deliver on previous

commitments to the borough and serve the future demands of more people, businesses, vehicles and the constant demand for more services. To address the public health, safety and general welfare, establish social equity and promote economic investment and the highest quality of life for all residents, the CPC and City Council must disapprove this application and demand commitments from related agencies that are consistent with the known challenges that all Staten Islanders will face in the future.”

The following condition was recommended for the disposition of City-owned property located at 55 Stuyvesant Place (N 190115 PPR):

21. “That in order to facilitate the disposition of city-owned property at Tax Block 9, Tax Lot 9, known as 55 Stuyvesant Place, City Planning Commission (CPC), Department of Citywide Administrative Services (DCAS) and the Economic Development Corporation (EDC) provide a written commitment, prior to the City Council hearing, to advance the work of the previous Request for Proposals (RFP) issued by EDC to facilitate a 21st century tech hub and job incubator. The site can serve as a catalyst for local and citywide technology startup success and be utilized to develop new products, services and technologies. This use, combined with direct access to St. George, New Brighton, Tompkinsville and the Bay Street Corridor (BSC), via mass transit, will add unique employment to the palette of other opportunities actively existing or being created along the BSC to live, work and recreate within the borough. At this time, I do not support the inclusion of housing in any future development program at this location.”

The following conditions were recommended for the UDAA/UDAAP designation, project approval and disposition of City-owned property located at 539 Jersey Street/100 Brook Street (N 190179 HAR):

22. “That in order to facilitate the disposition of city-owned property at Tax Block 34, Tax Lot 1, known as 539 Jersey Street, and to make housing available to the broadest sample of end-users and include the widest band of incomes, the City Planning Commission (CPC), the New York City Department of Housing Preservation and Development (HPD) and City Council support and require all available Mandatory Inclusionary Housing (MIH) options for the re-development of this city-owned property. The current housing market conditions will support new construction but not the feasibility of reaching lower-income levels without the use of subsidy. With the creation of moderate-income housing contributing to neighborhood housing affordability, CPC and the City Council should choose to apply the Workforce Option and other available options in addition to Options 1 and 2. Imposing all available options to provide availability from 40% to 115% of Area Median Income (AMI) establishes the broadest housing plan with opportunities for both affordability and workforce housing. Subsidy should also be considered for workforce housing when deeper affordability is pursued in response to specific needs. These options will provide permanent affordability and the greatest opportunities for affordability to families of all income bands where the city can control the most diversified and desired outcomes into the future.
23. That prior to the Urban Development Action Area Program (UDAAP) designation, the CPC and City Council require and articulate restrictions to be incorporated in the property

deed, including the addition of mandatory design requirements, facilities and community needs into the development programming for the city-owned property, prior to disposition as indicated herein:

- All open spaces are publicly accessible from dawn to dusk.
- All access walkways be connected to the city sidewalk system at all street frontages
- Outdoor play areas and minimum equipment and accessibility standards be developed and required
- A neighborhood recreation center is designed and programmed in concert with community input and constructed with direct accessibility from appropriate public open spaces
- All proposed retail facilities along Jersey and Brook Streets meet the diverse service and community facility needs of the local community”

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

On February 13 (Calendar No. 11), the City Planning Commission scheduled February 27, 2019 for a public hearing on the application (C 190113 ZMR). The hearing was duly held on February 27, 2019 (Calendar No. 34), in conjunction with the hearings for the related actions. There were 13 speakers in favor and 23 in opposition.

Speakers in favor included representatives from HPD, EDC, DOT, SBS, DPR, DEP and representatives from Cassandra Property, the CUNY College of Staten Island (CSI), a resident/former Chair of Community Board 1, a resident/representative from Transportation Alternatives, and a representative from BFC Partners, the developer of the Empire Outlets.

An HPD representative provided an overview of the state of affordable housing on the North Shore, the strategies outlined in the Draft Bay Street Corridor Housing Plan and HPD’s efforts to conduct outreach and both preserve and create new affordable housing options. A second HPD representative spoke to the application for the designation of a UDAA/UDAAP at the Jersey Street DSNY garage, outlining the details of HPD’s proposal to redevelop the site and planning process and answered questions regarding affordability levels, MIH options and proposed senior housing.

The EDC representative described EDC’s contributions to the Bay Street Corridor Plan, which included Urby and multiple phases of the Stapleton Waterfront, and highlighted EDC’s involvement in some of the recent investments in Staten Island, including the addition of the Fast

Ferry stop on the North Shore. The speaker also noted that the proposed zoning changes would facilitate future development, including school uses and affordable housing.

The DOT Staten Island Borough Commissioner described several planned upgrades to multiple modes of transportation infrastructure and technology in the area in order to better support future density. The speaker also noted key safety measures and outreach efforts.

An SBS representative provided an overview of several economic development programs and services, the Community District Needs Assessment process, and outreach efforts and resources available for residents and small business owners.

A DPR representative addressed the need to provide additional open space opportunities in the project area. This representative also listed several open space commitments planned for the Bay Street Corridor area, including the proposed parkland and waterfront esplanade along the Stapleton Waterfront, and improvements to existing facilities in Tompkinsville Park and Tappen Park.

A DEP representative answered questions regarding planned improvements to infrastructure in the project area, including upgrades to the existing drainage plan, and sewage treatment facilities and pump stations.

A CUNY CSI Trustee and Staten Island resident highlighted potential positive impacts that the proposed plan would have on CUNY students, including increasing the amount of student housing.

A representative of Cassandra Properties highlighted several challenges with the existing zoning of the Bay Street Corridor, as well as potential positive impacts on the surrounding community. The speaker also noted the importance of providing affordable housing that is reflective of the socioeconomic needs of the community.

A former Chair of Community Board 1 and Staten Island resident stated that the proposed plan would affect positive change along the Bay Street Corridor by fostering commercial growth and economic development. The speaker also testified that additional affordable housing options are

needed in the area and recommended that MIH Option 2 be sought.

A representative for BFC Partners indicated the potential to develop additional units of affordable housing on an underutilized site along the Bay Street Corridor, and advocated for the proposed zoning framework to allow for higher residential development and lower parking requirements.

A representative from Transportation Alternatives and local resident expressed support for the rezoning. The testimony also highlighted concerns regarding residential and commercial displacement, and a need to improve transportation infrastructure and mitigation measures.

Speakers in opposition included representatives from the Municipal Arts Society of New York (MAS), a representative from the 32BJ SEIU union, a representative from the Association for Neighborhood and Housing Development (ANHD), and representatives of local civic groups including the Let's Rebuild Cromwell Recreation Center Coalition, Make the Road New York (MRNY), the St. George Civic Association, the Housing Dignity Coalition (HDC), Staten Island against Racism and Police Brutality (SIARAPB), and local houses of worship, as well as several area residents.

An MAS representative said that the plan could result in negative impacts to the surrounding area due to an existing deficit of public school seats, open space resources and adequate traffic infrastructure. The speaker also noted concerns regarding a lack of flood resiliency measures in the plan and requested that the City explore measures to address the properties located within the 100-year floodplain.

A representative from the 32BJ SEIU union expressed support for key elements of the rezoning and the City's commitment to ensure prevailing wage at the Northern Phase of Stapleton Waterfront. However, the speaker expressed concerns that the plan would not ensure that private development within the project area will retain union workers earning the prevailing wage and urged private developers to hire local workers at fair wages. The speaker requested that a commitment from private developers who require service jobs be made to local service workers.

A representative from ANHD stated that the rezoning would facilitate displacement by creating housing that would likely be unaffordable to most area residents based on socioeconomic statistics. The speaker advocated for both MIH Option 1 and the Deep Affordability Option in order to maximize the amount affordable options accessible to the surrounding community.

A representative of Let's Rebuild Cromwell Community Coalition said that the area needs additional units of affordable housing at the deepest levels of affordability, and that City-owned sites should not be used for private development. The speaker also stated a need for economic and community development, including maritime education, as well as infrastructure improvements and capital commitments prior to the approval of the plan. The speaker also asserted that the rebuilding of the Cromwell Community Center should be facilitated by the City independently of the plan.

Representatives from MRNY indicated their opposition to the plan due to a lack of housing that would be affordable to rent-burdened area residents that make less than the AMI, particularly on City-owned sites being disposed of, and a lack of tenant protection for low-income renters. One speaker stated that public land should remain public and that a mitigation plan for housing displacement should be produced. Another speaker noted the disproportion of privately-owned housing stock on the North Shore, and stated that the ratio of publicly-owned to privately-owned housing stock should be approximately equal.

A representative from the St. George Civic Association and local resident spoke about community opposition to the plan due to the lack of full information on the infrastructure commitments, and asserted that their feedback was not taken into account prior to the beginning of the ULURP process, particularly regarding infrastructure, school capacity, waterfront public access and public facilities.

Several representatives from the HDC, including residents and members of the Staten Island Interreligious Clergy Leadership, highlighted concerns regarding residential displacement due to rising housing costs. The speakers emphasized a need for additional senior housing, greater housing equity and deeper affordability levels by selecting MIH Option 1 and the Deep

Affordability option. Speakers stated that many residents and members of local congregations are rent-burdened and require more affordable options in order to stay in their communities.

A representative of SIARAPB outlined concerns regarding the preservation of existing affordable housing, and stated that development along Bay Street has led to traffic concerns, school capacity constraints and homelessness. The speaker advocated for additional public open space and social services.

A representative from the Lyons Pool Lap Swimmers group stated that a larger zoning envelope would facilitate the development of taller buildings that would cast shadows on Lyons Pool. He asserted that this was incorrectly captured in the environmental review process. The speaker stated that taller buildings would cause a temperature drop in the pool for several hours during the day, and that Lyons Pool relies on sunlight as a primary heat source. He reiterated the hours of Lyons Pool.

Other local residents reiterated concerns regarding resiliency of the waterfront properties and housing affordability, and the need for parks and open space.

There was no other testimony, and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application (C 190113 ZMR) 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 is 15-123.

This action was determined to be consistent with the policies of the WRP.

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 190113 ZMR), in conjunction with the applications for related actions, is appropriate.

The Commission believes that the Bay Street Corridor Neighborhood Plan provides a comprehensive land use strategy to support the neighborhoods of St. George, Tompkinsville and Stapleton on Staten Island's North Shore. It presents a unique opportunity to maintain and create a range of affordable housing options responsive to the needs of the surrounding communities. The proposed actions expand on previous planning efforts for the North Shore and are a critical component of the multidimensional effort to achieve the community's vision for a vibrant, walkable corridor that fosters commercial development and provides connections to both the surrounding communities and the waterfront.

The conditions that exist along the Corridor today are not reflective of the community's goals, priorities or vision for its future. The existing zoning of the Corridor does not allow residential uses, limiting development in the most transit-rich part of Staten Island. This zoning has remained unchanged since 1961 and has resulted in vacant storefronts and lots, limited opportunities for mixed-use development and a separation from the surrounding residential communities. These conditions hinder the Corridor's ability to serve the needs the community as a connected core, to provide opportunities for affordable housing and mixed-use development, and to capitalize on its access to transit.

The plan, including the requested land use actions, presents a unique opportunity to transform the Bay Street Corridor. The proposed actions are intended to facilitate new residential and mixed-use development at appropriate densities along the Corridor, as well as to support the maintenance of existing and creation of new affordable housing opportunities. The Commission recognizes that the vision of the Bay Street Corridor requires tools outside of zoning in order to be fully realized. But the Commission ultimately believes that the proposed actions present an opportunity to capitalize on the existing strengths of the neighborhood by creating the potential to spur new housing development, including permanently affordable housing and housing for seniors, promote economic development by providing opportunities for commercial and community facility uses, create a more inviting and vibrant Corridor by tailoring zoning regulations that include active



ground floor uses, and promote opportunities for public access along the waterfront.

The goals, vision and subsequent recommendations, including the proposed actions, were refined through a comprehensive public planning process. The Commission commends DCP's efforts in spearheading a thorough and inclusive planning process that took place over the course of nearly four years. Through outreach events (including roundtables, open houses, walking tours, visioning sessions and workshops), local residents and stakeholders were engaged in establishing goals, identifying opportunities for growth and crafting a vision for the future of the neighborhoods along the Bay Street Corridor. The planning process resulted in zoning and land use actions, which are documented as part of the plan. As described in further detail below, the Commission supports the plan's goals and recommendations as they relate to zoning, land use, affordable housing and the public realm.

#### *Zoning Map Amendment*

The Commission recognizes that the zoning along the Bay Street Corridor has not changed since 1961, is reflective of dated land use patterns established over 100 years ago, and does not adequately support the needs of the surrounding communities. In much of the Corridor, conditions are discordant and unpleasant, and conflict with the community's vision for the Corridor and for the North Shore. The Commission notes that the opportunities for new housing development near transit resources are constrained by existing M1-1 zones, which do not permit any residential uses. Where residential zoning districts are mapped, including R3X, R3-2 and R4, the districts are subject to density and height regulations that do not encourage the creation of mixed-use development nor support new affordable housing. These neighborhoods would benefit from more predictable bulk and height limits regulated by contextual districts.

The Commission understands that the current M1-1, R3X, R3-2, R4, C2-2 zoning throughout the rezoning area needs to be updated to successfully bolster the Corridor's vitality. The Commission believes that the proposed R6 and R6B zoning districts, along with the proposed C2-3 and C2-4 commercial overlays, will promote new development at appropriate heights and densities to support the vision for the Bay Street Corridor and enhance its qualities.

The proposed mapping of medium-density residential districts with commercial overlays along the Bay Street Corridor is appropriate and will create opportunities for housing, community facilities, and ground-floor retail and commercial uses along the Corridor. The intended outcome is greater connectivity to adjacent neighborhoods and to the waterfront, rather than the current stretches of underused and vacant lots and pedestrian-unfriendly uses. The proposed zoning has been carefully crafted to bridge the existing gap between the higher-density commercial uses in the SSGD north of the Corridor, the higher-density mixed-use town center of Stapleton to the south, the lower-density residential districts to the west of the Corridor and development along the waterfront. The proposed rezoning will permit residential and retail uses along the Bay Street Corridor, knitting together the neighborhoods and uses surrounding the Corridor. Commercial overlays will provide opportunities for a more diverse array of ground floor commercial uses and services.

### *Zoning Text Amendment*

#### Mandatory Inclusionary Housing

The proposed zoning text is appropriate. It will ensure that a portion of newly-built residential development will be permanently affordable.

The zoning text amendment will designate an MIH area that encompasses the entirety of the Bay Street and Canal Street corridors. Options 1 and 2 are proposed, along with Options 3 (Deep Affordability) and 4 (Workforce).

The Commission acknowledges that local market conditions may warrant using the full flexibility envisioned by the MIH programs to support housing development in the near-term. The Commission believes that inclusion of all four MIH options is responsive to these conditions, and to the concerns and recommendations of the community and local elected officials.

#### Special Bay Street Corridor District

The establishment of the SBSCD, coterminous with the Bay Street rezoning area, is appropriate. The Commission believes that the proposed special district will complement the proposed zoning map changes by imposing additional controls that will result in appropriately designed, scaled and

programmed spaces within the rezoning area.

The Commission acknowledges that the unique conditions of the Bay Street Corridor, such as the alignment of Bay Street, proximity to the SIR, wide range of lot sizes, and adjacency to lower-density neighborhoods, require a more tailored approach to zoning than is achieved through the underlying zoning regulations alone.

The Commission agrees that local context, such as proximity to transit and parks, and adjacency to areas with greater permissible height and density, such as the SSGD, provide a rational basis on which to determine appropriate height and density. Accordingly, the Commission supports the provisions of the SBSCD that allow greater height and density on those sites that are closest to parks, transit, and existing high-density neighborhoods.

The Commission agrees that the provisions of the SBSCD require a consistent building setback, and articulation of the streetwall, and regulate transparency for non-residential uses support the plan's objective of creating a walkable, pedestrian-oriented commercial corridor to provide better pedestrian connections between the St George and Stapleton neighborhoods.

Furthermore, the Commission believes that the proposed use modifications provide the opportunity for a range of jobs and services to be created within the SBSCD. The Commission finds that the provisions to require commercial uses along Bay Street and allow commercial uses on the second story of a building, the creation of commercial office buildings on large sites, and brewery uses as-of-right within the SBSCD contribute to the economic development objectives of the plan, and promote the development of new jobs in the area.

#### *UDAA and UDAAP Designations and Project Approval and Dispositions of City-owned Property*

The Commission believes that the proposed UDAA and UDAAP designation, project approval and disposition of City-owned property for the site located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) is appropriate. The Commission acknowledges that the relocation of the existing DSNY facility to a new facility has long been a priority for elected officials and the community,

and will better serve the future needs of DSNY. The proposed mixed-use redevelopment will have three buildings that contain a total of 223 units of affordable housing, including 90 AIRS units, and approximately 14,700 square feet of commercial or community facility uses. The Commission believes that the proposed UDAA/UDAAP designations and project approval will facilitate the redevelopment of the site and result in the creation of much-needed affordable housing and public services, including affordable housing for seniors.

The Commission also believes that the proposed disposition of City-owned property at 55 Stuyvesant Place (Block 9, Lot 9) is appropriate. The disposition would repurpose a vacant office building in the heart of the St George neighborhood to facilitate the development of additional office space under the existing C4-2 zoning. The action will help bring new jobs and support new businesses within the North Shore.

#### *Community Board Conditions*

The Commission heard testimony and notes the conditions from Community Board 1 on a variety of issues.

#### Zoning and Land Use

The Commission acknowledges Community Board 1's request to limit the height of all buildings to a maximum of six stories within the SBSCD. The Commission believes that this request would be contrary to the land use objectives of the plan, which seeks to align height and density of buildings along the Corridor with the conditions and context of the area, such as proximity to transit, unique site conditions, proximity to the SIR, and the height and density permitted in the adjacent St George and Stapleton communities. The Commission believes that restricting the height of buildings to six stories would limit the creation of housing along the Corridor and would diminish the effectiveness of the SBSCD provisions that are intended to have a positive impact on the pedestrian realm.

The Commission acknowledges the Community Board's recommendation that subareas A and B1 of the Special Stapleton Waterfront District be mapped as parkland, and not considered for the

development of housing. The Commission recognizes the need for open space and waterfront public access in this community. Nonetheless, the Commission believes that this must be balanced with other appropriate land uses that meet community needs. The Commission heard testimony at its Public Hearing that, in addition to the creation of residential and commercial development as part of EDC's New Stapleton Waterfront Development, EDC's plan also includes the creation of 12 acres of waterfront open space that will include both passive and active recreational opportunities where none exists today. Additionally, the Commission recognizes that the subareas A and B1 of the Special Stapleton Waterfront District provide the opportunity for the creation of hundreds of affordable housing units, and the development of a new school to serve the North Shore's education needs.

#### Housing and Affordability

The Commission recognizes the recommendation from Community Board 1 to consider the housing affordability needs of the North Shore's senior and disabled population. The Commission supports the creation of housing for these groups through the plan. Based on this feedback, HPD submitted an Amended Application (C 190179 (A) HAR) that seeks to include an AIRS development as part of the terms of the UDAAP designation, project approval and disposition of City-owned property at 539 Jersey Street/100 Brook Street. The Commission believes that the Amended Application better meets the housing needs of the community, and aligns with the Community Board's objectives.

#### Infrastructure and Services

The Commission recognizes the recommendations from Community Board 1 to address the sewer and wastewater infrastructure needs of the community. The Commission acknowledges that improvement and modernization of the sewer and wastewater treatment systems are critical infrastructure needed to support current and future residents of the area.

The Commission heard testimony at its Public Hearing from DEP that outlines how the City will be responsive to this request. The Commission believes that the Amended Drainage Plan, that will be finalized upon adoption of the rezoning, will identify the necessary infrastructure to enable the area to accommodate future growth, including supporting the modernization of the outdated

Combined Sewer system.

### Schools and Education

The Commission heard testimony regarding the need for educational facilities and additional school seats in the area. The Commission acknowledges that the existing school need in the subdistrict is great and that the need would increase over time by the residential growth permitted through the rezoning. In response to this need, an Amended Application (N 190114 (A) ZRR) was filed that, through a floor area exemption limited to school uses, would allow for a future school to be developed on subareas A or B1 of the SSWD. The Commission acknowledges the efforts of EDC and SCA in advancing planning for these sites so that they can accommodate a new school upon completion of the required infrastructure and street improvements associated with the New Stapleton Waterfront Development. Additionally, the Commission acknowledges the substantial commitment to school seats within Community School District 31 Sub-district 4 contained in SCA's 2020-2024 capital plan, with over 1,700 new school seats funded. The Commission believes that these efforts represent a comprehensive approach to meet both current and future school needs in the area.

### Recreation and Open Space

The Commission recognizes the recommendations from Community Board 1 regarding the creation of new open space and recreational opportunities in the area. The Commission believes that the importance of these facilities and uses to communities must be appropriately balanced with the plan's objectives of creating new housing.

The Commission heard testimony that the development of a recreation center to replace the former Cromwell Center is a high priority of the community and elected officials. The Commission agrees that replacing this facility, in proximity to its former location, would provide valuable health, recreational, and educational opportunities for existing and future residents. The Commission believes that replacement of this facility would provide great benefit to the community.

Additionally, the Commission acknowledges Community Board 1's recommendation that the plan should add an additional 20 acres of open space to the area. The Commission agrees that passive

and active open space are important components of a neighborhood. The Commission heard testimony its Public Hearing that a major component of EDC's New Stapleton Waterfront Development is the creation of 12 acres of waterfront open space. The planned esplanade and plaza areas will provide the community with access to passive and active recreational opportunities along the waterfront, where none previously existed. The Commission believes that improvements to existing parks, such as Tappen Park, Stapleton Playground, and Tompkinsville Park, will greatly improve the community's access to open space. Furthermore, the Commission notes that substantial regional active and passive recreational spaces exist in close proximity to the area, at large regional parks, including Silver Lake Park and Clove Park. These resources provide valuable recreational opportunities not just to current and future residents of the area, but to the entire Borough.

### **Borough President Conditions**

#### *Zoning and Land Use*

The Commission acknowledges the Borough President's recommendation that the SBSCD should modify the use provisions which would allow PCEs as-of-right within the SBSCD, limiting them to only establishments that focus solely on improving physical condition. The Commission believes that creating a distinction between specific PCEs within the SBSCD would not align with citywide land use objectives and policy, which have been implemented in other special districts throughout the City, including the neighboring SSWD, nor align with efforts to support uses that promote public health.

The Commission acknowledges the Borough President's request to confirm that the disposition of City-owned property located at Block 6, Lot 20 (Central Avenue) is not included in the land use application at this time. While the disposition of this property was analyzed as both a residential and commercial development in the FEIS, the future disposition would require additional discretionary actions and public review.

#### *Housing and Affordability*

The Commission acknowledges the Borough President's recommendations that the proposed actions should make available Mandatory Inclusionary Housing Option 1, Option 2, Option 3

(Deep Affordability), and Option 4 (Workforce) to future development. The Commission recognizes that the inclusion of all available MIH options is a priority for segments of the community, and believes that the application is responsive to this request.

Additionally, the Commission acknowledges the Borough President's request that Mandatory Inclusionary Housing Options 1 and 2 be made available to subareas A, B1, B4, and B5 of the SSWD to allow for future development to provide affordable housing to the greatest range of incomes. The Commission notes that MIH only applies to areas that experience additional residential capacity through zoning actions, and thus will not be applicable to sites in the SSWD as they are not proposed to increase residential floor area. Nonetheless, the Commission believes that the development of City-owned property should strive to create affordable housing units that exceed the requirements of the MIH program.

#### Infrastructure and Services

The Commission acknowledges the recommendations from the Borough President to address the water, sewer, and wastewater infrastructure needs of the community. The Commission recognizes that improvement and modernization of the sewer and wastewater treatment systems are critical infrastructure needed to support current and future residents of the area. The Commission heard testimony at its Public Hearing from DEP that outlines how the agency will be responsive to this request. The Commission believes that the Amended Drainage Plan, that will be finalized upon adoption of the rezoning, will identify the necessary infrastructure to enable the area to accommodate future growth, including supporting the modernization of the outdated Combined Sewer system.

The Commission also acknowledges the Borough President's recommendation that emergency services agencies assess the impact on quality of service that could be introduced by the increased population over time in the area. The Commission accepts that the FEIS concluded that the actions would not have an adverse impact on emergency services. Additionally, the Commission received written testimony from the New York City Police Department stating support for the plan, and expressing its continued commitment to improving safety in the area. The New York City Fire Department provided information to the Commission stating that the existing fire stations in the



area have adequate equipment and are familiar with the standards and procedures to service the types of buildings that could be constructed under the proposed zoning.

### Transportation and Public Realm

The Commission acknowledges the Borough President's recommendation that the City should evaluate and identify design strategies to improve roadways, streetscapes, and public spaces. The Commission recognizes that a streetscape improvement plan can improve the quality of the public realm, improve pedestrian and vehicular safety, and aid in achieving the goals of the plan, which aims to encourage a walkable, pedestrian-oriented neighborhood. During ULURP, the Commission was informed of one such design strategy at the intersection of Victory Boulevard and Bay Street. DCP and DOT jointly announced the creation of new public spaces, improvements to pedestrian safety, and increased seating, lighting, and planting in the area. The Commission believes that this project is responsive to the Borough President's recommendation, and encourages the City to continue to explore other interventions that would respond to the multimodal transportation needs of the area.

Additionally, the Commission acknowledges the Borough President's request for improved public transportation, including additional ferry service, MTA bus and SIR train service, and infrastructure in the area, and recognizes the importance of promoting the use of mass transit in these communities. At its public hearing, the Commission heard testimony from EDC about the announcement of additional ferry service from the St George Ferry Terminal to the west side of Manhattan. The Commission believes that implementing this ferry route provides valuable alternatives to the existing Staten Island Ferry route, and that additional service to other boroughs should be explored as the system expands.

### Schools and Education

The Commission acknowledges the Borough President's recommendation regarding the need for educational facilities and additional school seats in the area, as well as a request for an evaluation of the area's school needs. The Commission acknowledges that the existing school need in the subdistrict is great and that the need would be increased over time by the residential growth permitted through the rezoning. The Commission acknowledges that the FEIS provides a thorough

analysis of existing school need and the incremental increase in students potentially created through the rezoning. Additionally, the Commission recognizes that, during the ULURP process, the SCA released its 2020-2024 capital plan, which identifies funding for 1,776 school seats for the North Shore school district over the next five years.

In addition, the Commission notes that the Amended Application (N 190114 (A) ZRR) allows for the creation of a new school to be located in subareas A or B1 of the Special Stapleton Waterfront District. The Commission believes that designating a portion of this site for the creation of a future school, upon completion of the required infrastructure and street improvements associated with the New Stapleton Waterfront Development, will help to address the school seat need in the area.

### Recreation and Open Space

The Commission acknowledges the Borough President's request for a continuous waterfront public esplanade from the St George Ferry Terminal to the southern boundary of the development at New Stapleton Waterfront. During the ULURP process, the Commission heard testimony that outlined the progress and potential scope of these efforts. The Commission believes that the implementation of the publicly-accessible waterfront open space created by the New Stapleton Waterfront Development and identified in the 2006 SSWD, will provide valuable public open space. The Commission also acknowledges EDC's efforts to provide shoreline stabilization and improved public access at the Tompkinsville Esplanade will fill the gaps in waterfront public open space connecting the neighborhoods of St George and Stapleton.

Additionally, the Commission recognizes the Borough President's recommendations regarding the development of a recreation center to replace the former Cromwell Center, and acknowledges that this is a priority of the community and elected officials. The Commission agrees that replacing this facility, in proximity to its former location, would provide valuable health, recreational, and educational opportunities for existing and future residents. The Commission believes that replacement of this facility would provide great benefit to the community, and encourages the City to work towards realizing its implementation.

### Economic Development

The Commission acknowledges the Borough President's recommendations regarding the economic vitality and small businesses needs along the Bay Street Corridor. At its Public Hearing, the Commission heard testimony from SBS regarding the services and programs offered to small businesses, and the successes of existing grant programs to improve the quality of the Bay Street Corridor. The Commission believes that in addition to the continued support of SBS, the proposed rezoning and creation of the SBSCD will provide the opportunity for new businesses and services to be created in the area, as well as increase the residential population over time, which will bring additional customers to existing small businesses.

The Commission recognizes the Borough President's recommendation that the disposition of City-owned property at Block 9, Lot 9, known as 55 Stuyvesant Place, should be used to bring new businesses and jobs to the St. George neighborhood. The Commission believes that the application, which seeks the disposition of the property for commercial office uses and job creation, will allow EDC to continue to seek interested tenants, and aligns with the Borough President's recommendation.

### Additional Considerations

The Commission had comments from other stakeholders on a range of issues, including written comments in favor of the plan from the President and CEO of the Staten Island Chamber of Commerce which summarized the importance of the zoning framework allowing for commercial uses along the Corridor, noting the potential for economic development and creation of new jobs.

The Commission acknowledges the comments by various parties with a range of views regarding the inclusion of all four MIH options in the application. Comments provided by members of the HDC and MRNY opposed the inclusion of the MIH Workforce option, and expressed a priority to seek the deepest affordability levels to serve existing residents. The Commission also recognizes the feedback from the Community Board, Borough President, and other segments of the community calling for the inclusion of the MIH Workforce option, and notes that local market conditions suggest that greater flexibility may better support development in the near-term. The Commission believes that the application, by including all four options, is responsive to the broad

array of community input and the varied needs of potential future occupants of new housing.

The Commission also acknowledges comments regarding the need for traffic and transportation improvements in the community. The Commission recognizes that the proposed rezoning areas are in close proximity to multiple SIR stations, MTA bus lines, and the Staten Island Ferry, providing many transit options to area residents. However, the Commission encourages City agencies to continue to explore additional methods to encourage the type of transit-oriented neighborhood envisioned by the plan. To that end, the Commission encourages EDC to continue to study the feasibility of additional ferry service from Stapleton to Brooklyn.

A member of the Lyons Pool Lap Swimmers also commented about the effects of incremental shadows that could be created by certain sites within the SBSCD. The Commission acknowledges that the FEIS identifies the potential for an incremental increase in shadows that could be cast on the Lyons Pool property. The Commission notes that the FEIS concludes that there will be no significant adverse impact to the pool. The Commission is satisfied that the incremental increase in shadow on the Main Pool itself is limited to a small portion during the late afternoon, and that the Main Pool will remain in full sunlight throughout the majority of the day.

SBS and EDC also commented on the viability of new commercial development in the corridor and the commercial use provisions of the SBSCD. Their comments stated that, despite high ground floor commercial vacancy rates in the area today, factors such as lack of quality commercial spaces, lack of continuous commercial streetscapes, and leakage among certain retail sectors provide evidence that requiring non-residential ground floor uses along Bay Street will improve the overall quality of the commercial corridor. Furthermore, the Commission received comments regarding the inclusion of commercial office space provisions in the proposed SBSCD. The Commission acknowledges that, while today's market may not justify the creation of additional office space in the North Shore, the inclusion of this provision allows the zoning framework to accommodate future market conditions and allow for the creation of jobs in the area.

The Commission other comments received were beyond the purview of this application. The Commission acknowledges these views and appreciates the relationship among some non-land use

-related factors and the advancement of community goals.

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 11, 2019, with respect to this application (CEQR No. 16DCP156R), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those project components related to environmental and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of this decision, pursuant to Section 617.11(d) of the SEQRA regulations; 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 will not substantially hinder the achievement of the Waterfront Revitalization Program (WRP) policy and hereby determines that this 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 hereby amended by changing the Zoning Map, Section an application submitted by the NYC Department of City Planning pursuant to Section Nos. 21c and

21d:

1. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Broad Street, and Cedar Street;
2. eliminating from within an existing R4 District a C2-2 District bounded by Canal Street, Wright Street, and Broad Street;
3. changing from an R3X District to an R6 District property bounded by a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, and Baltic Street;
4. changing from an M1-1 District to an R6 District property bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet westerly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, St. Julian Place, Van Duzer Street extension, Swan Street, a line 100 feet northeasterly of Van Duzer Street, Hannah Street, a line midway between Van Duzer Street and Bay Street, and the southwesterly centerline prolongation of Minthorne Street;
5. changing from an R3-2 District to an R6B District property bounded by a line 150 feet northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Broad Street, and Cedar Street;
6. changing from an R3X District to an R6B District property bounded by Van Duzer Street, Baltic Street, a line 100 feet southeasterly of Van Duzer Street, and a line 100 feet northeasterly of Congress Street;
7. changing from an R4 District to an R6B District property bounded by Canal Street, Wright Street, and Broad Street;
8. changing from an M1-1 District to an R6B District property bounded by Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, Hannah Street, a line 100 feet northeasterly of Van Duzer Street, Swan Street, Van Duzer Street Extension, St. Julian Place, a line 100 feet southeasterly of Van Duzer Street, and Grant Street;
9. establishing within a proposed R6 District a C2-3 District bounded by a line midway between Van Duzer Street and Bay Street, the southwesterly centerline prolongation Minthorne Street, Bay Street, the easterly centerline prolongation Swan Street, the easterly

boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet easterly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, Baltic Street, a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, St. Julian Place, Van Duzer Street Extension, Swan Street, a line 100 feet northeasterly of Van Duzer Street, and Hannah Street;

10. establishing within a proposed R6B District a C2-3 District bounded by:
  - a. Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, Hannah Street, a line 100 feet northeasterly of Van Duzer Street, Swan Street, Van Duzer Street Extension, St. Julian Place, a line 100 feet southeasterly of Van Duzer Street, and Grant Street; and
  - b. a line 150 feet northwesterly of Canal Street, a line 700 feet southwestery of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwestery of Wright Street, Canal Street, Wright Street, Broad Street, and Cedar Street;
11. establishing within a proposed R6 District a C2-4 District bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, the easterly centerline prolongation of Swan Street, and Bay Street; and
12. establishing a Special Bay Street Corridor District (BSC) bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet westerly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, a line 100 feet northeasterly of Congress Street, Van Duzer Street, Baltic Street, a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, Grant Street, Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, and the southwestery centerline prolongation of Minthorne Street;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated November 13, 2018 and subject to the conditions of CEQR Declaration E-429.

The above resolution (C 190113 ZMR), duly adopted by the City Planning Commission on April 22, 2019 (Calendar No. 1), 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.

**MARISA LAGO**, *Chair*

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

**ALLEN P. CAPPELLI, ESQ., JOSEPH DOUEK, RICHARD W. EADDY,  
HOPE KNIGHT, ANNA HAYES LEVIN, LARISA ORTIZ**, *Commissioners*

**ALFRED C. CERULLO, III, ORLANDO MARIN, RAJ RAMPERSHAD**, *Commissioners*,  
VOTING NO

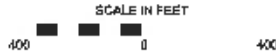




CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**21c & 21d**  
 BOROUGH OF  
 STATEN ISLAND

New York, Certification Date  
 NOVEMBER 13, 2016

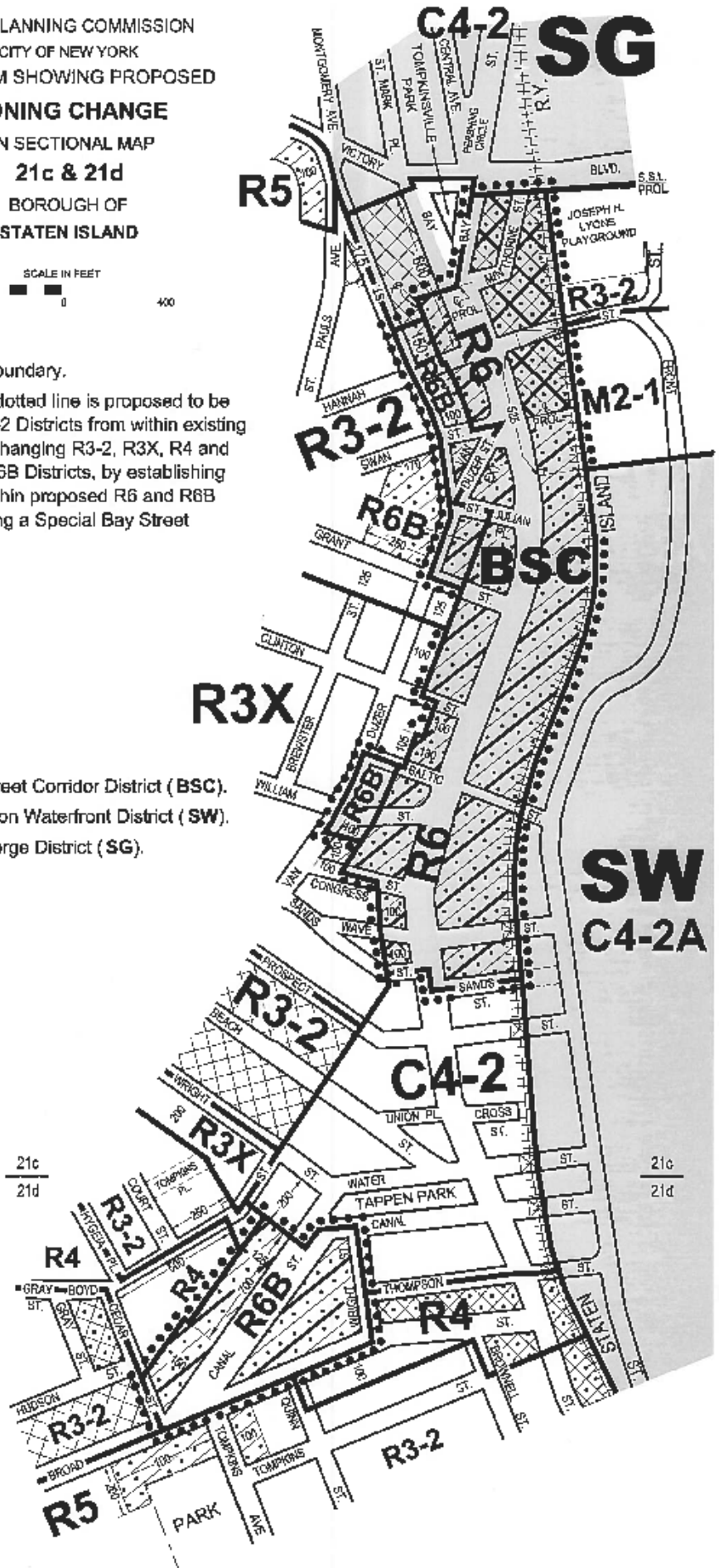
*S. Lehard*  
 S. Lehard, Director  
 Technical Review Division



NOTE:

- Indicates Zoning District Boundary.
- The area enclosed by the dotted line is proposed to be rezoned by eliminating C2-2 Districts from within existing R3-2 and R4 Districts, by changing R3-2, R3X, R4 and M1-1 Districts to R6 and R6B Districts, by establishing C2-3 and C2-4 Districts within proposed R6 and R6B Districts, and by establishing a Special Bay Street Corridor District (BSC).

- Indicates a C1-2 District.
- Indicates a C2-1 District.
- Indicates a C2-2 District.
- Indicates a C2-3 District.
- Indicates a C2-4 District.
- BSC** Indicates a Special Bay Street Corridor District (BSC).
- SW** Indicates a Special Stapleton Waterfront District (SW).
- SG** Indicates a Special St. George District (SG).



NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

Application #: **C 190113 ZMR**

Project Name: **Bay Street Corridor**

CEQR Number: 16DCP156R

Borough(s): **Staten Island**

Community District Number(s): **01**

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

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

**SEE ATTACHED**

Applicant(s):

Department of City Planning  
 120 Broadway  
 New York, NY 10271

Applicant's Representative:

Christopher Hadwin  
 Department of City Planning  
 130 Stuyvesant Place, 6th Fl  
 Staten Island, NY 10301

Recommendation submitted by:

Staten Island Community Board 1

Date of public hearing: January 8, 2019

Location: All Saints Episcopal Church, 2329 Victory Blvd.

Was a quorum present? YES  NO

*A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: January 8, 2019

Location: All Saints Episcopal Church, 2329 Victory Blvd.

**RECOMMENDATION**

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

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

**Voting**

# In Favor: 37 # Against: 3 # Abstaining:

Total members appointed to the board: **46**

Name of CB/BB officer completing this form

*Melba J. Saleri*

Title

Chairman

Date

1/22/2019

- C 190113 ZMR – Bay Street Corridor multiple zoning changes:

Motion made and seconded to deny the application with the following conditions:

1. 20 acres be preserved as park land; and,
2. Reassess affordability with consistent statistics for north shore seniors and disabled; and,
3. Preserve and provide waterfront public access; and,
4. 6 floor maximum of all buildings; ,
5. Upgrade the Port Richmond Sewage Treatment Plant; and,
6. Upgrade Bay Street Sewer and mitigate flooding conditions that already exist; and,
7. Reassess the already inadequate transportation infrastructure; and,
8. Retract Cromwell Center facility from the application and fund Cromwell Center separate; and,
9. Request for a new K-8 school and a High School; and,
10. Preserve lots A1 & B as parkland and Waterfront Esplanade; and,
11. That the Stapleton Waterfront Phase III Sites (A and B1) should not be rezoned at this time in this action.
12. Site an HHC hospital in the Bay Street Corridor

**Roll call vote taken, vote passed to deny with conditions 37-3-0.**

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Application #: <b>C 190113 ZMR</b>	Project Name: <b>BAY STREET CORRIDOR Zoning Map Amendment</b>
CEQR Number: 16DCP156R	Borough(s): STATEN ISLAND
	Community District Number(s): 1

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

**Docket Description:**

**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 the amendment of the Zoning Map, Section Nos. 21c and 21d:

1. Eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Broad Street, and Cedar Street;
2. Eliminating from within an existing R4 District a C2-2 District bounded by Canal Street, Wright Street, and Broad Street;
3. Changing from an R3X District to an R6 District property bounded by a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, and Baltic Street;
4. Changing from an M1-1 District to an R6 District property bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the State Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet westerly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, St. Julian Place, Van Duzer Street Extension, Swan Street, a line 100 feet northeasterly of Van Duzer Street, Hannah Street, a line midway between Van Duzer Street and Bay Street, and the southwesterly centerline prolongation of Minthorne Street;
5. Changing from an R3-2 District to an R6B District property bounded by a line 150 feet northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Broad Street, and Cedar Street;
6. Changing from an R3X District to an R6B District property bounded by Van Duzer Street, Baltic Street, a line 100 feet southeasterly of Van Duzer Street, and a line 100 feet northeasterly of Congress Street;
7. Changing from an R4 District to an R6B District property bounded by Canal Street, Wright Street, and Broad Street;
8. Changing from an M1-1 District to an R6B District property bounded by Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, Hannah Street, a line 100 feet northeasterly of Van Duzer Street, Swan Street, Van Duzer Street Extension, St. Julian Place, a line 100 feet southeasterly of Van Duzer Street, and Grant Street;
9. Establishing within a proposed R6 District a C2-3 District bounded by a line midway between Van Duzer Street and Bay Street, the southwesterly centerline prolongation of Minthorne Street, Bay Street, the easterly centerline prolongation of Swan Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet easterly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, Baltic Street, a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, St. Julian Place, Van Duzer Street Extension, Swan Street, a line 100 feet northeasterly of Van Duzer Street, and Hannah Street;
10. Establishing within a proposed R6B District a C2-3 District bounded by:
  - a. Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, Hannah Street, a line 100 feet northeasterly of Van Duzer Street, Swan Street, Van Duzer Street Extension, St. Julian Place, a line 100 feet southeasterly of Van Duzer Street, and Grant Street; and
  - b. A line 150 northwesterly of Canal Street, a line 700 feet southwesterly of Wright Street, a line 125 feet northwesterly of Canal Street, a line 200 feet southwesterly of Wright Street, Canal Street, Wright Street, Broad Street, and Cedar Street;

Continued on Page 2

**Docket Description (continued):**

11. Establishing within a proposed R6 District a C2-4 District bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the State Island Rapid Transit (SIRT) Right-of-Way, the easterly centerline prolongation of Swan Street, and Bay Street; and

12. Establishing a Special Bay Street Corridor District (BSC) bounded by Bay Street (easterly portion), the southerly street line of Victory Boulevard, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Sands Street, Bay Street, Sands Street, a line 100 feet westerly of Bay Street, Congress Street, a line 100 feet southeasterly of Van Duzer Street, a line 100 feet northeasterly of Congress Street, Van Duzer Street, Baltic Street, a line 130 feet northwesterly of Bay Street, a line 105 feet northeasterly of Baltic Street, a line 100 feet northwesterly of Bay Street, Clinton Street, a line 100 feet southeasterly of Van Duzer Street, Grant Street, Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, and the southwesterly centerline prolongation of Minthorne Street;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 22, 2017, and subject to conditions of CEQR Declaration E-429.

**RECOMMENDATION:**

Approve

Approve with Modifications / Conditions

Disapprove

Disapprove with Modifications / Conditions

**Explanation of Recommendation, Conditions or Modification:**

**Be it resolved** that the Borough President of Staten Island, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council **disapprove** the referenced land use actions based on the following conditions:

1. That in order to address all infrastructure deficiencies throughout the Bay Street Corridor (BSC), and establish a hierarchy of improvements based on need and future demand, the Department of Environmental Protection (DEP) commit in writing, prior to the City Council hearing, to undertaking a work plan with a definitive timeline to upgrade all relevant infrastructure including water and sewer, road and drainage facilities, and treatment plant capacity; as well as identifying strategic opportunities for green infrastructure to improve street drainage and storm storage capacity. An investigation of all existing drainage facilities at known locations of flooding throughout the corridor should be included and funded as required. DEP should commit, in writing, to a substantial capital improvement strategy with a funded budget that includes the acquisition of all properties required to execute the work needed to address the identified deficiencies. Infrastructure historically deemed outdated or unreliable, such as old unlined cast iron distribution water mains, outdated trunk mains, non-working hydrants, older undersized sanitary piping and insufficient storm drainage that contributes to localized street flooding, should be included for upgrades or alternative improvements. Existing streets that do not have sanitary sewers should become part of an immediate capital plan.

2. That in order to address street and transportation deficiencies throughout the corridor, the Department of Transportation (DOT) commit in writing, prior to the City Council hearing, to a street evaluation and redevelopment initiative, as well as interim design strategies to improve roadways and public spaces in the near term. This effort should be coordinated with the infrastructure plan, to ensure that all area streets are mapped, accessible, outfitted with public sidewalks, curbs, strategically-planted street trees and lighting. Unopened portions of mapped streets and privately-owned portions of Bay Street that can mitigate specific traffic issues, or provide direct throughput, should be considered for acquisition under this plan. A streetscape improvement plan should be implemented that includes, but is not limited to, all options for extended sidewalks and intermittent curbside parking, curb extensions at corners, requirements for publically accessible open spaces adjoining the public sidewalks at strategic locations, protected cycle lanes (where reasonable), distinctive pedestrian crosswalks, dedicated left turn lanes, speed restrictions, traffic controls, and signage and signal modifications. Improved streetscapes and pedestrian and vehicular connectivity from Bay Street to the waterfront should also be a priority. All of these community considerations contribute to public safety, the viability of the streetscape, and the efficiency of local commuter and traffic flow through the BSC. The aforementioned conditions establish the public realm, expected community services and desirability for economic investment and long-term residency.

3. That in order to address public transportation deficiencies and future impacts throughout the North Shore transportation corridor, the City Planning Commission (CPC) and City Council compel the Metropolitan Transit Authority (MTA) and the Staten Island Railway (SIR) to commit in writing to an evaluation and redevelopment initiative to ensure safe and efficient movement in each mode. The current bus service should be modified to address existing overcrowded conditions on the S78, the S74, and other buses utilizing the corridor, and a review of existing bus stop locations must be undertaken to identify the increased service that will be required to accommodate anticipated new residents to the area generated by this proposal. SIR service should also be evaluated to better serve the Stapleton and Tompkinsville communities. SIR infrastructure and stations should be refurbished to provide a safe environment for commuters. Areas of safety, lighting, barrier-free access and connectivity to existing streets from multiple locations at these SIR stations should become part of the Bay Street Neighborhood Plan.

Continued on Page 3

*Explanation of Recommendation, Conditions or Modification (continued):*

3. (continued) The CPC and City Council should ensure that a dialogue continues with the Economic Development Corporation (EDC) to establish a permanent fast ferry route from an agreed-upon Stapleton location to a designated Brooklyn landing or multiple landings. Fast ferry service between Staten Island and Brooklyn will provide new commuter and job opportunities, as well as creating an economic synergy for both boroughs. A definitive timeline should be established to keep the transportation corridor options and service levels in step with increasing demands created through future development.

4. That in order to address additional deficiencies in the delivery of services for police, fire, emergency response, local hospitals and sanitation, created by the addition of more than 6,500 residents within the BSC, the Administration provide a written commitment, prior to the City Council hearing, to quantify how service levels will be affected. In addition, thresholds should be identified as indicators used to trigger new capital allotments in response to the extent of the need. The level of service at local hospital emergency departments should also be included as the additional residents represent an 8% increase in the Stapleton population.

5. That in order to facilitate the creation of new school seats and the required increase in the total number of seats anticipated to adequately serve the existing and future demands, the Department of Education (DOE) and the School Construction Authority (SCA) provide written commitments, prior to the City Council hearing, of each agency's intent and timeline to complete an evaluation of all elementary, intermediate and high school capacities proximate to the BSC. This report should include and make definitive determinations regarding the appropriateness of constructing enlargements at specific relevant locations. It should also identify the current number of available seats and the projected number of new seats required in the short and long-term.

The Draft Environmental Impact Statement (DEIS) identified that the proposed actions would not have a significant impact on elementary, intermediate or high schools within the borough. With an estimated increase of 2,632 dwelling units under this proposal, and at least an additional 1,000 more currently being planned or under construction, current hard attendance data for each school should also be presented and reviewed prior to the City Council hearing to confirm the DEIS assumptions being presented in response to future conditions. Data shows that the current enrollment for schools servicing the BSC identifies capacities as follows: six elementary schools ranging from 101% to 154% capacity, two intermediate schools at an average of 70% capacity, and Curtis High School, which is at 172% capacity.

Further, a review of existing school and public bus routes should also be included to guarantee coordination with road and transportation improvements and modifications.

6. With regard to the 'A Text' modification to include a new floor area deduction of 100,000 sf. for schools located in the Subareas A and B1 in the Special Stapleton Waterfront-District (SSWD), now filed as N190114(A) ZRR, in addition to the text originally filed under N190114 ZRR, it is necessary to denote that all floor area constructed under this exemption should be jointly designed with the DOE and SCA and approved by Department of City Planning (DCP). This requirement should be memorialized in ZR 116-22. The exemption should not become a pass to "overbuild" the site without thoughtful consideration for the short- and long-term public school strategies, including anticipated student enrollment at all age levels, dedicated attendant school facilities and open spaces, program specialization, student transportation, building maintenance and responsibilities for shared building services. Each of these concerns should be addressed in the written commitments of the agencies.

7. With regard to Physical Culture (PCE) or Health Establishments within the BSC pursuant to the 'A' text amendment to ZR135-13, the uses permitted under this section should be limited to establishments providing services that include physical exercise, aerobics, yoga, martial arts, and boxing or provide access to exercise equipment focused solely on improving physical conditions. The DCP should agree in writing, prior to the City Council hearing to better define exemptions from ZR 73-36 in lieu of declaring all PCE uses an as-of-right development within the BSC under this section.

8. That in order to make housing available to the broadest sample of end-users and include the widest band of incomes, the CPC and City Council should support and impose all available Mandatory Inclusionary Housing (MIH) options. The BSC market conditions will support new construction, but not the feasibility of reaching low-income levels without the use of subsidy. With the creation of moderate-income housing contributing to neighborhood housing affordability in the BSC, CPC and the City Council should choose to apply the Workforce Option and other available options in addition to Options 1 and 2. Imposing all available options to provide availability from 40% to 115% of Area Median Income (AMI) establishes the broadest housing plan with opportunities for both affordability and workforce housing. Subsidy should also be considered for workforce housing when deeper affordability is pursued in response to specific needs. These options will provide permanent affordability and galvanize diverse BSC housing opportunities into the future.

9. That in order to make affordable housing on city-owned properties within the BSC available to the broadest spectrum of the Stapleton community, the CPC and City Council should support and require application of MIH Options 1 & 2 for all city-owned properties within the New Stapleton Waterfront (NSW), Phases 2 and 3 (Parcels A, B1, B4 & B5) and to any other city-owned parcel within the BSC. This requirement would provide the greatest opportunity for affordability to families within all income bands on properties where the city can directly control the most diversified and desired outcomes.

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*Explanation of Recommendation, Conditions or Modification (continued):*

10. That in order to facilitate the adequate availability of publically-funded child care centers, Administration for Children's Services (ACS) provide a written commitment, prior to the City Council hearing, to identify new opportunities to mitigate impacts and anticipated shortages identified through the DEIS. Sites supporting mixed uses within the BSC should be considered by DCP for zoning incentives to create additional child care opportunities as appropriate.

11. That in order to support the skilled men and women that represent the building service workers, EDC commit in writing, prior to the City Council hearing, to ensuring that all development on city-owned properties under Phase 2 and 3 of the NSW or other city-owned parcels, disposed of as part of this effort, must be developed utilizing prevailing wage standards and protections for workers. Additional commitments must be made to include local hiring requirements and registered apprenticeship opportunities for local residents.

12. That in order to address the displacement of existing residents along the BSC, the New York City Department of Housing Preservation and Development (HPD) and the DCP commit, in writing, to an interim program exploring the possibility of creating an exclusive BSC program assisting in the short-term relocation of residents within the same neighborhood and providing assistance and priority opportunities to displaced families in order for them to remain within their chosen community at no additional cost for housing. The risk of displacement is a reality that should be addressed before this rezoning is considered.

13. That in order to address commercial and industrial displacement and foster new and existing business development and job creation throughout the BSC, the Department of Small Business Services (SBS) shall commit, in writing, prior to the City Council hearing, to a toolbox of incentives that can assist small business owners looking to remain within the corridor and landlords that want to retain longtime tenants. Incentives might include business tax exemptions, low-cost financing opportunities, reduction of water and sewer charges, forgiveness of civil penalties for violations that have been cured, etc. In addition to financial support, the SBS should provide business counseling and legal assistance to existing retailers. Services should be provided to assist with understanding new leases, to provide education for the establishment of Locally Based Enterprise (LBE) or Minority- and Women-owned Business Enterprise (M/WBE), to provide insight on how to grow a business in the BSC, etc. The SBS should also commit to conducting business owner's roundtable discussions to monitor evolving issues and concerns, regardless of the rezoning application status.

14. That in order to facilitate continued public open space improvements, shoreline stabilization, development of the North Shore Promenade, including the pedestrian connection to the ferry terminal and North Shore Esplanade and the completion of the public open spaces for Phase 2 (adjoining parcels B4, B5, dog park, playground, barbeque/picnic area, maintenance facility and public art display) and Phase 3 (adjoining parcels B1, A, Pier Place and court game venue) of the NSW, the Department of Parks and Recreation (DPR), DCP & EDC should, prior to the City Council hearing, provide written commitments, for the entire anticipated scope of work, current project funding and budget shortfalls, projected phasing and timelines, and how the public interest will be served through the review and approval process of the remaining development parcels.

Specifically, DCP should state its intent to oversee the entire design and planning process and ensure that the final site and building designs meet the general purpose of the Special Bay Street Corridor District (SBSCD) as proposed in ZR 135-00. EDC should commit to the completion of all technical tasks associated with shepherding each piece of the public waterfront commitment throughout the BSC, Special St. George District (SSGD) and the SBSCD. Tasks should include establishing a budget and timeline for required street mappings (Victory Boulevard, Murray Hulbert Street and the acquisition of Front Street, south of Phase 2 of the NSW), including acquisition when necessary, removing all street areas from tax lots under the jurisdiction of agencies that have no control or jurisdiction over the public safety of streets or delivery of services for street maintenance, installation of required sewer and water infrastructure for all negotiated development fronting or adjoining waterfront streets, from Victory Boulevard to the southernmost end of Phase 2 of the NSW, establish a working group that includes utility companies to identify service projections and future utility improvements and anticipated timelines, address projected traffic and identify a long-term neighborhood traffic plan for DOT review prior to the installation of a two-way bicycle lane along Front Street. EDC should also evaluate existing city contracts for waterfront leases to guarantee that waterborne uses situated on city-owned properties are not displaced and that the lessees are treated properly and given fair and equitable alternatives to continue operations supporting the greater good.

15. That in order to meet the Administration's pre-existing commitment to include the replacement of all community services previously offered at the George M. Cromwell Recreational Center, DCP, EDC and DPR commit in writing, prior to the City Council hearing, to a new project, in the same general location, replacing previous community activities with sports venues for basketball, volleyball, boxing, dance and fitness classes, the establishment of family fitness club memberships, arts and crafts programs and theater programs specifically designed for all age groups. Commitment should include site location, intended scope of work and services and the total funding necessary to recognize the importance of re-establishing the tradition of community services historically offered to all Staten Islanders since 1936. This new facility should build upon the seventy four years of community dependability synonymous with "Cromwell Center". This is a debt the city owes to the residents of the North Shore and all Staten Islanders, and it should remain an essential part of the BSC effort.

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**Explanation of Recommendation, Conditions or Modification (continued):**

16. That in order to audit progress on all agency commitments and recommendations and to keep community representatives, elected officials and Community Board 1 informed, the Administration should commit, in writing, prior to the City Council hearing, to an oversight committee consisting of representatives from each of the aforementioned stakeholder groups that will meet quarterly to monitor intended progress on capital initiatives and city-owned and all other BSC parcels.

17. To address the highest and best future use of the city-owned property at Tax Block 6, Tax Lot 20, fronting Central Avenue and St. Marks Place, DCP should confirm that this site has, in fact, been removed from the disposition portion of the greater ULURP application. EDC should commit, in writing, to undertake a market study determining appropriate community needs and a hierarchy of uses supported by the neighborhood. This parcel was earmarked as an economic development site prior to the construction of the adjacent Supreme Court Building. While originally included as part of the courthouse site, it was determined to have a greater community value as an independent site that would be utilized in response to a unique community need. The documentation submitted as part of this rezoning is a mere distraction from the real issues of the BSC proposal and does not make a compelling case that the disposition, at this time, is a worthwhile effort. While included in the DEIS, I understand it may have since been removed. I do not support the disposition of this site for the aforementioned reasons.

18. That in order to facilitate the disposition of city-owned property at Tax Block 9, Tax Lot 9, known as 55 Stuyvesant Place, CPC and EDC provide a written commitment, prior to the City Council hearing, to advance the work of the previous Request for Proposals (RFP) issued by EDC to facilitate a 21st century tech hub and job incubator. The site can serve as a catalyst for local and citywide technology startup success and be utilized to develop new products, services and technologies. This use, combined with direct access to St. George, New Brighton, Tompkinsville and the BSC, via mass transit, will add unique employment to the palette of other opportunities actively existing or being created along the BSC to live, work and recreate within the borough. At this time, I do not support the inclusion of housing in any future development program at this location.

19. That in order to facilitate the upzoning application being presented, a commitment must be made by DCP, in writing prior to the City Council hearing, to equally study the downzoning of other borough communities where, though already zoned for less density, there is little or no infrastructure and fewer mass transit options, and where new as-of-right development is inconsistent with the neighborhood character, existing street fabric and the built environment. This acknowledgement informs borough residents that DCP will not only strive to encourage medium-density, mixed-use development in appropriate areas, but also remove the possibility of inappropriate development of out-of-character buildings, and protect the suburban character of other communities as part of their mission to plan for the future.

20. That in order to reimagine the BSC consistent with the desired goals of the proposed rezoning, the aforementioned issues must be sufficiently addressed to deliver on previous commitments to the borough and serve the future demands of more people, businesses, vehicles and the constant demand for more services. To address the public health, safety and general welfare, establish social equity and promote economic investment and the highest quality of life for all residents, the CPC and City Council must **disapprove** this application and demand commitments from related agencies that are consistent with the known challenges that all Staten Islanders will face in the future.

**Related Application(s):** C 190114 ZRR, C 190114A ZRR, C 190115 PPR, C 190179 HAR

*Address all questions about this Recommendation to:*

**OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT  
ATTN: LAND USE DIRECTOR**

**Address:** 10 Richmond Terrace, Room G-12  
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**James S. Oddo**  
**President, Borough of Staten Island**

02/21/2019

**Date**