



## CITY PLANNING COMMISSION

---

September 27/ Calendar No. 8

C 060536 ZMR

---

**IN THE MATTER OF** an application submitted by the Rosebank Homeowners and Tenants Association and Council Member Michael E. McMahon pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21d,

**changing from an R3-2 District to an R3X District property bounded by** Vanderbilt Avenue, a line 200 feet southwesterly of Bay Street, Townsend Avenue, a line perpendicular to the southeasterly street line of Townsend Avenue distant 225 feet southwesterly (as measured along the street line) from the intersection of the southwesterly line of Bay Street and the southeasterly street line of Townsend Avenue, a line 110 feet southeasterly of Townsend Avenue, a line perpendicular to the northwesterly street line of Greenfield Avenue distant 390 feet northeasterly (as measured along the street line) from the intersection of the northwesterly street line of Greenfield Avenue and the northeasterly street line of Tompkins Avenue, Greenfield Avenue, Tompkins Avenue, the southwesterly prolongation of the southeasterly street line of Townsend Avenue, a line 90 feet northeasterly, southeasterly, and southwesterly of Park Hill Court, a line 90 feet southeasterly of Fairway Avenue, a line 375 feet northeasterly of Park Hill Lane, Park Hill Circle, a line 150 feet northeasterly of Osgood Avenue, Fairway Avenue, and Park Hill Court;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 19, 2006.

---

The application for an amendment to the zoning map was filed by the Rosebank Homeowners Association and Council Member Michael McMahon on June 8, 2006, to rezone an approximately 9 block area from R3-2 to R3X in the Clifton section of Staten Island, Community District 1.

### **BACKGROUND**

The proposed rezoning area is approximately nine blocks generally bounded by Vanderbilt Avenue to the north, Bay Street to the east, Greenfield Avenue to the south, and Park Hill Lane to the west. It is located in the Clifton section of Staten Island, Community District 1 and

consists of primarily older, detached houses on large lots, some dating back to the late 1800s, and many built before 1940. The proposed rezoning area is bordered to the north, east and south by R3-2 zoning districts, and to the west by R5 and R3-2, and R3A zoning districts.

The rezoning is proposed by the Rosebank Homeowners Association and Council Member McMahan in response to community concerns that the R3-2 zoning district allows attached housing that is out of character with the existing neighborhood, which consists of older detached homes. Because the neighborhood is located just to the south of the Bayley Seton Hospital Campus, during the early 1900s many homes in the area were built to house doctors employed at the hospital.

### ***Existing Zoning***

The rezoning area is currently zoned R3-2. The present R3-2 zoning permits one- and two-family attached, semi-detached and detached houses. Detached houses require 40-foot lot widths and attached and semi-detached houses require a minimum 18-foot lot width. The minimum front yard is fifteen feet. Two on-site parking spaces are required for a single family home; three are required for a two-family home. Maximum allowable FAR is .5, with a .1 attic allowance.

### ***Proposed Zoning***

The proposed R3X district permits one- and two-family detached homes on lots with a minimum width of 35 feet. The minimum front yard is 10 feet. As in the R3-2 district, two on-site parking spaces are required for a single family home; three are required for a two-family home. Maximum allowable FAR is .5, with a .1 attic allowance.

In the area to be rezoned 78% of the residential lots contain detached one-and two-family homes, 16% contain semi-detached homes, and 6% contain attached homes.

Seventy-eight percent of the lots in the study area will comply with the 35 foot minimum lot-width requirement, and 79% will comply with the 3,325 square foot minimum lot area requirement.

## **ENVIRONMENTAL REVIEW**

This application (C 060536 ZMR) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 06DCP106R. The lead is the City Planning Commission.

After a study of the environmental impact of the subject application (C 060536 ZMR), a negative declaration was issued on June 19, 2006.

## **UNIFORM LAND USE REVIEW**

This application (C 060536 ZMR) was certified as complete by the Department of City Planning on June 19, 2006 and was duly referred to Community Board 1 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on the application (C 060536 ZMR) on July 13, 2006, and on that date, by a vote of 18 to 0 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

The application (C 060536 ZMR) was considered by the Borough President, who issued on July 18, 2006 recommendation approving the proposed zoning map change subject to the following condition:

- Include a portion of Tax Block 2840, fronting Greenfield Avenue and located outside the commercial overlay as part of this application. This addition, consisting of approximately 9 lots, is believed to be contiguous with the study area should be afforded the same consideration as the balance of the existing neighborhood.

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

On August 9 (Calendar No. 8), the City Planning Commission scheduled August 23, 2006, for a public hearing on the application (C 060536 ZMR). The hearing was duly held on August 23, 2006 (Calendar No. 17).

There was one speaker in favor of the application.

A representative for the Council Member from the 49th District, who is also the co-applicant, spoke in favor of the application. She said that the R3-2 zoning undermines the character of the neighborhood resulting in parking problems, noise, pollution, and traffic. She also said that the R3-2 was never appropriate for this area.

There were no other speakers and the hearing was closed.

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

This application, in conjunction with those for the related action, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is WRP 06-016.

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

## **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map (C 060536 ZMR) is appropriate.

The Commission notes that the rezoning proposal was developed in response to concerns of the Clifton community that the current R3-2 zoning district designation allows for development that is out of character with the existing older Clifton neighborhood.

The proposed R3X designation will limit future development options to those that will be more in character with the existing neighborhood, seventy-eight percent of which are detached single- and two-family homes.

The Commission believes this rezoning will protect neighborhood character, encourage more appropriate development, and enhance the quality of life.

The Commission recognizes the Borough President's recommendation, but notes that it would require a subsequent ULURP application.

The Commission believes that the mapping of the contextual district in this portion of Clifton is consistent with the character of existing development.

## **RESOLUTION**

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

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

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 21d,

**changing from an R3-2 District to an R3X District property bounded by** Vanderbilt Avenue, a line 200 feet southwesterly of Bay Street, Townsend Avenue, a line perpendicular to the southeasterly street line of Townsend Avenue distant 225 feet southwesterly (as measured along the street line) from the intersection of the southwesterly line of Bay Street and the southeasterly street line of Townsend Avenue, a line 110 feet southeasterly of Townsend Avenue, a line perpendicular to the northwesterly street line of Greenfield Avenue distant 390 feet northeasterly (as measured along the street line) from the intersection of the northwesterly street line of Greenfield Avenue and the northeasterly street line of Tompkins Avenue, Greenfield Avenue, Tompkins Avenue, the southwesterly prolongation of the southeasterly street line of Townsend Avenue, a line 90 feet northeasterly, southeasterly, and southwesterly of Park Hill Court, a line 90 feet southeasterly of Fairway Avenue, a line 375 feet northeasterly of Park Hill Lane, Park Hill Circle, a line 150 feet northeasterly of Osgood Avenue, Fairway Avenue, and Park Hill Court ;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 19, 2006.

The above resolution (C 060536 ZMR), duly adopted by the City Planning Commission on (Calendar No. 8), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, AICP, Chair**

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

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**

**ALFRED C. CERULLO III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,**

**CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**