



CITY PLANNING COMMISSION

February 24, 2010/ Calendar No. 12

C 100120 ZMR

IN THE MATTER OF an application submitted by Clove Lakes Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21b:

1. changing from an R3-1 District to an R2 District property bounded by:
 - a. Waldron Avenue, a line 150 feet northeasterly of Clove Road, Victory Boulevard, and Clove Road; and
 - b. a line 140 feet southeasterly of Victory Boulevard, a line 100 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 150 feet northeasterly of Clove Road, Dudley Avenue, and Clove Road;
2. changing from an R3X District to an R2 District property bounded by a southeasterly boundary line of Silver Lake Park and its southwesterly prolongation, a line 230 feet northeasterly of Melrose Avenue and its northwesterly prolongation, Waldron Avenue, a line 270 feet northeasterly of Melrose Avenue, a line midway between Victory Boulevard and Waldron Avenue, Cheshire Place, Victory Boulevard, a line 420 feet northeasterly of Grand Avenue, a line midway between Victory Boulevard and Glenwood Avenue, Highland Avenue, Arlo Road, a line 100 feet easterly of Highland Avenue, Howard Avenue, Highland Avenue, a line 95 feet northwesterly of Sunnyside Terrace and its northeasterly prolongation, a line 95 feet northeasterly of Clove Road, a line 60 feet southeasterly of Van Courtlandt Avenue, Clove Road, Dudley Avenue, a line 150 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 100 feet southwesterly of Grand Avenue, Glenwood Avenue, Grand Avenue, Victory Boulevard, a line 150 feet northeasterly of Clove Road, Waldron Avenue, Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, a line 400 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 145 feet northeasterly of Clove Road, Cheshire Place, and Clove Road;
3. changing from an R3X District to an R3-2 District property bounded by Cheshire Place, a line 145 feet northeasterly of Clove Road, a line 75 feet southeasterly of Cheshire Place, a line 400 feet northeasterly of Clove Road, a line perpendicular to the northeasterly street line of Clove Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Clove Road and the northwesterly street line of Beverly Avenue, and Clove Road; and

4. establishing a Special Hillside Preservation District (HS) bounded by Victory Boulevard, Highland Avenue, Howard Avenue, and Clove Road; Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated November 30, 2009.
-

The application for an amendment to the zoning map was filed by the Clove Lakes Civic Association on October 14, 2009, to rezone an approximately 20 block area from R3X and R3-1 districts to an R2 district, to rezone an R3X to an R3-2 district, and expand the Special Hillside District in the Sunnyside section of Staten Island, Community District 1.

BACKGROUND

The proposed changes in zoning affect a 20-block area generally bounded by Silver Lake Park and a portion of Highland Avenue to the north and east; Sunnyside Terrace to the south; and Clove Road to the west. The proposed Special Hillside Preservation District extension includes the area bordered by Victory Boulevard, Highland Avenue, Howard Avenue and Clove Road.

Sunnyside is a predominantly residential neighborhood on Staten Island's North Shore. The Sunnyside neighborhood is characterized predominantly by single-family homes, with some pockets of attached, semi-detached, and detached two-family homes. The streets within the Sunnyside area are narrow in width, with curves and steep grades.

The proposed rezoning seeks to preserve the established low-density character of the Sunnyside area and ensure that future residential development will reinforce the existing patterns of one-family detached homes. In recent years, the concerns of the residents of Sunnyside have risen as

one- family detached homes have been replaced with two-family homes. Some of the streets in Sunnyside are exceptionally narrow in width and have steep grades that would not accommodate increased traffic easily. The proposed rezoning was undertaken in response to an increase in residential development throughout the larger north shore area that is out of character with the prevailing neighborhood context.

The proposed zoning text change also seeks to establish the Special Hillside Preservation District (HS) over a steeply sloped area that was left out of the original establishment of the Hillside District. The establishment of the HS district will afford review of certain kinds of development in the Sunnyside area that is not required today.

Existing Zoning

The present R3X zoning district permits one- and two-family detached homes on lots of a minimum of 35 feet wide, with a minimum lot area of 3,325 square feet. The R3X zoning district allows a maximum FAR of .5 plus .1 attic allowance. A ten-foot front yard and thirty-foot rear yard are required.

The present R3-1 zoning district permits one- and two-family detached and semi-detached homes. One- and two-family detached homes require a minimum lot width of 40 feet and minimum lot area of 3,800 square feet. One-family semi-detached homes require a minimum lot width of 18 feet and minimum lot area of 1,700 square feet. The R3-1 zoning district allows a maximum FAR of .5 plus .1 attic allowance. A fifteen-foot front yard and thirty-foot rear yard are required.

The area to be rezoned is bordered by an R3-2 zoning district to the north, an R3-1 zoning district to the east, R3-1 and R3-2 zoning districts to the south, and R2 and R1-2 zoning districts to the west.

Proposed Zoning

The R2 district permits one-family detached houses on lots a minimum of 40 feet wide, with a minimum lot size of 3,800 square feet, which best reflects the one-family detached character of the rezoning area. The R2 zoning district allows a maximum FAR of .5 and no attic allowance. A fifteen-foot front yard and thirty-foot rear yard are required, except on corner lots. Two side yards are required for a total of 13 feet, with a 5 foot minimum. Under the proposed R2, conformance to the one-family detached requirement would be 81%, while the lot width compliance would be 86.5% and the lot area compliance would be 78.1%.

Additionally, the proposed action would rezone an existing R3X district to R3-2. The proposed R3-2 district permits attached, semi-detached and detached houses, as well as multi-family buildings. The attached houses require 18-foot lot widths with a minimum lot area of 1,700 square feet. Semi-detached homes require a minimum lot width of 18 feet and minimum lot area of 1,700 square feet. The detached homes require a minimum lot width of 40 feet and minimum lot area of 3,800 square feet. This portion of the area to be rezoned contains an existing townhouse development that is non-conforming because the existing R3X zone permits only detached one- and two-family homes. Under the proposed R3-2 zone, all of the townhouses would become conforming, and the lot area and lot width compliance rate would be 100%.

The proposed action also seeks to extend the Special Hillside Preservation District (HS) over an area bordered by Victory Boulevard, Highland Avenue, Howard Avenue and Clove Road. The HS is a special purpose-zoning district established to guide development to preserve hillside on sites where new construction, grading or tree removal is proposed. The district seeks to minimize the effects of development on hillside by conserving vegetation and protecting the natural terrain, particularly steep slopes. Tree removal, altering the topography and construction on steep slope would now be reviewed and limited under certain circumstances. The proposed expansion area would be contiguous with the existing HS on three sides. Like most of the existing HS, the area proposed for the HS extension is steeply sloped. It is also characterized by large specimen trees, mature vegetation, and tight narrow roads. The proposed HS district will require City Planning Commission review where there would be no review under existing zoning. For example, the development of a new house might involve tree removal and consequently require City Planning Commission approval or the enlargement of an existing house might necessitate alterations to steep slope and again require City Planning Commission approval.

ENVIRONMENTAL REVIEW

This application (C 100120 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 10DCP009R. The lead is the City Planning Commission.

After a study of the environmental impact of the subject application (C 100120 ZMR), a negative declaration was issued on November 30, 2009.

UNIFORM LAND USE REVIEW

This application (C 100120 ZMR) was certified as complete by the Department of City Planning on November 30, 2009 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 100120 ZMR) on December 7, 2009, and on December 8, 2009, by a vote of 23 to 0 with 1 abstention, adopted a resolution recommending approval of the application.

Borough President Recommendation

The application (C 100120 ZMR) was considered by the Borough President, who issued on December 8, 2009 a recommendation approving the proposed zoning map change.

City Planning Commission Public Hearing

On January 6, 2010, (Calendar No. 7), the City Planning Commission scheduled January 27, 2010, for a public hearing on the application (C 100120 ZMR). The hearing was duly held on January 27, 2010 (Calendar No. 17).

There were two speakers in favor of the application.

A representative of the applicant spoke in favor of the application. She said that the proposed zoning and Special Hillside expansion would help preserve the neighborhood and help protect its unique hilly topography. An area resident also spoke in favor of the application. He stated that the roads were narrow, the area has steep topography and the proposed rezoning and Special Hillside expansion would bring oversight to future development.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map (C 100120 ZMR) is appropriate.

The Commission notes that the rezoning proposal was developed in response to concerns of the Sunnyside community that the current R3X zoning district designation without a Special Hillside designation allows for development that is out of character with the existing Sunnyside neighborhood.

The proposed R2 designation will limit future development options to those that will be more in character with the existing neighborhood, eighty-one percent of which are single-family

detached homes. The proposed R3-2 district would bring an existing townhouse development into conformity. The expansion of the Special Hillside district would bring additional review to certain kinds of development which would ensure that the hillsides and natural features of this area are developed appropriately.

The Commission further believes that the proposed rezoning and expansion of the Special Hillside district will protect neighborhood character and enhance the quality of life.

RESOLUTION

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

RESOLVED, 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. 21b:

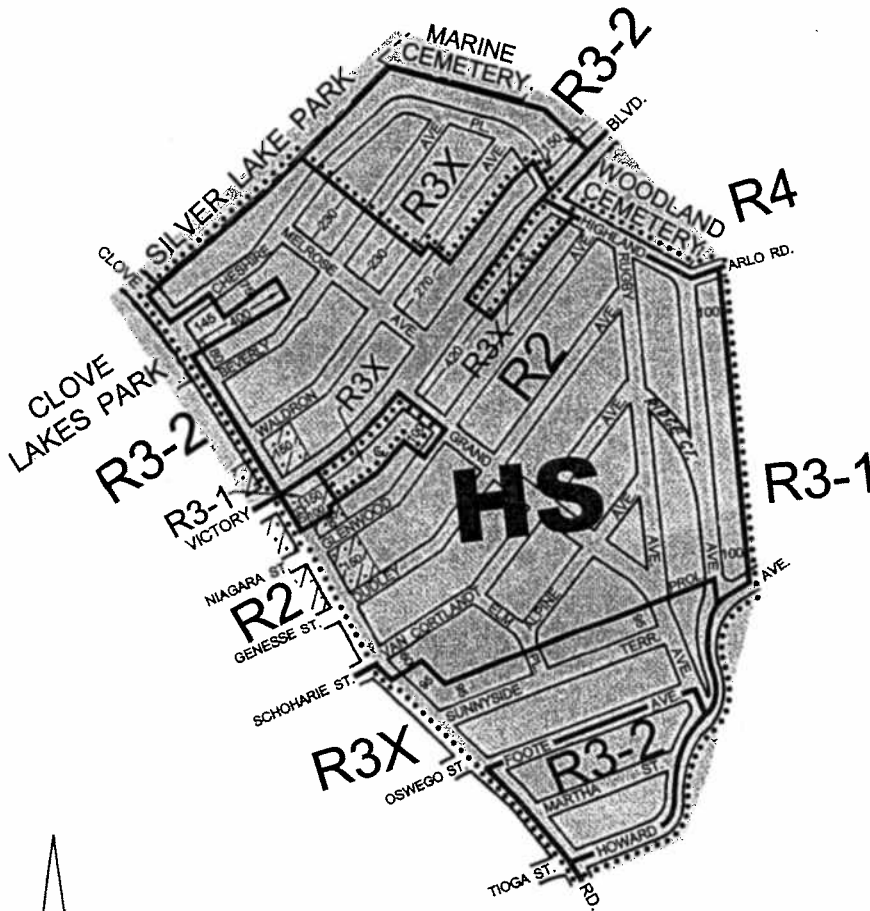
1. changing from an R3-1 District to an R2 District property bounded by:
 - a. Waldron Avenue, a line 150 feet northeasterly of Clove Road, Victory Boulevard, and Clove Road; and
 - b. a line 140 feet southeasterly of Victory Boulevard, a line 100 feet northeasterly of Clove Road, a line midway between Victory Boulevard and Glenwood Avenue, a line 150 feet northeasterly of Clove Road, Dudley Avenue, and Clove Road;

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4. establishing a Special Hillside Preservation District (HS) bounded by Victory Boulevard, Highland Avenue, Howard Avenue, and Clove Road;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated November 30, 2009.

The above resolution (C 100120 ZMR), duly adopted by the City Planning Commission on February 24, 2010 (Calendar No. 12), 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, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice-Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO III, BETTY Y.CHEN, MARIA M. DEL TORO
RICHARD W. EADDY, ANNA HAYES LEVIN,
SHIRELY A. McRAE, KAREN A. PHILLIPS, Commissioners

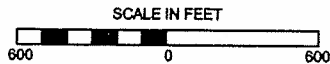


CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
21b





BOROUGH OF
STATEN ISLAND

S. Voyages
S. Voyages, R.A. Director
Technical Review Division

New York, Certification Date
NOVEMBER 30, 2009



NOTE:

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by changing from R3-1 and R3X Districts to R2 and R3-2 Districts, and by establishing a Special Hillside Preservation District (HS).
-  Indicates a C2-1 District.
-  Indicates a Special Hillside Preservation District.

SV/SO/JH/SI/20

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

C 100120 ZMR

Application #
CEQR #Community District No. 1 Borough: SI
Community District No. Borough:

Sunnyside Rezoning Project Name:

INSTRUCTIONS

1. Complete this form and return one copy to the
Calendar Information Office, City Planning Commission,
Room 2E, at the above address.

2. 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:

C 100120 ZMR and C 100120 ZMR Sunnyside Rezoning - See attached

Applicant(s):

Clove Lake Civic Association
23 Cypress Avenue
Staten Island, NY 10301
1-718-273-4654

Applicant's Representative:

Mary Ann McGowan
Clove Lake Civic Assn.
P.O. Box 100085
Staten Island, New York 10310
1-718-273-4654

Community Board No. 1 Borough: Staten Island
Borough BoardDate of public hearing: 12/7/09Location: Board Office

1 Edgewater Plaza, Suite #217
Staten Island, NY 10305

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

Was a quorum present? YES ☒ NO ☐Vote adopting recommendation taken: 12/8/09Location: All Saints Episcopal Church
2329 Victory Blvd.**RECOMMENDATION**☒ Approve☐ Approve With Modifications/Conditions☐ Disapprove☐ Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

Motion to approve as presented.

VotingIn Favor: 23 Against: 0 Abstaining: 1Total members appointed to the board: 38

Stefania Romano
Community/Borough Board Officer

Chairwoman
Title

December 10, 2009
Date

v.012006w

DEC 15 2009



Uniform Land Use Review Procedure
New York City Department of City Planning
Staten Island Borough President Recommendation

ULURP NO.

COMMUNITY DISTRICT:

C 100120 ZMR & C 100121 ZRR
SUNNYSIDE REZONING

1

DOCKET DESCRIPTION:

In the matter of an application submitted by Clove Lakes Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21b.

1. Changing from an R3-1 District to an R2 District property bounded by:
 - a. Waldron Avenue, a line 130 feet northeasterly of Clove Road, Victory Boulevard and Clove Road; and
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4. Establishing a Special Hillside Preservation District (HS) bounded by Victory Boulevard, Highland Avenue, Howard Avenue and Clove Road.

RECOMMENDATION:

☒ **APPROVE**

☐ **DISAPPROVE**

☐ **WITH CONDITIONS/MODIFICATIONS**

EXPLANATION OF RECOMMENDATION, CONDITION OR MODIFICATIONS


JAMES P. MOLINARO

PRESIDENT, BOROUGH OF STATEN ISLAND

DATE: December 8, 2009