



CITY PLANNING COMMISSION

February 13, 2008/Calendar No. 26

C 080091 HAR

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 551 and 571 Bay Street (Block 491, Lots 11 and 1) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property located at 551 Bay Street (Block 491, Lot 11) to a developer selected by HPD;

to facilitate development of two, five-story mixed-use buildings, tentatively known as Stapleton Court, with approximately 160 residential units and commercial space, to be developed under the New York City Housing Development Corporation's Affordable Cooperative Housing Program, Community District 1, Borough of Staten Island.

Approval of three separate matters is required:

1. The designation of property located at 551 and 571 Bay Street (Block 491, Lots 11 and 1) as an Urban Development Action Area; and
2. An Urban Development Action Area Project for such area; and
3. The disposition of property located at 551 Bay Street (Block 491, Lot 11) to a developer selected by HPD.

The application for the Urban Development Action Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on September 19, 2007.

Approval of this application would facilitate the development of two, five-story mixed-use buildings with approximately 160 residential units and commercial space. The proposed project is tentatively known as Stapleton Court.

The Department of Housing Preservation and Development states in its application that:

The project area consists of underutilized property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

BACKGROUND

The Department of Housing Preservation and Development (HPD) is seeking approval of the disposition of one city-owned property (Block 491, Lot 11) and the UDAAP designation and project approval of two properties (Block 491, Lots 11 and 1). The requested actions would facilitate the construction of two, five-story residential buildings with commercial and parking uses on the ground floor. The subject site is located on the east side of Bay Street between Prospect and Cross Streets in Stapleton within Staten Island Community District 1.

The subject site is within a C4-2 district just west of the area rezoned as the Special Stapleton Waterfront District in 2006. The 75,619-square-foot site is currently occupied by a 128-space municipal parking lot and a one-story commercial building with approximately 19 parking spaces. The site is located on the commercial corridor of Bay Street and is adjacent to the Stapleton station of the Staten Island Railway. Neighboring properties include three-story mixed-use buildings, low-rise commercial buildings, a vacant movie theater, and a produce market. The site has frontage on Bay Street, Cross Street, and Prospect Street. Prospect Street allows through access to Front Street and the Stapleton waterfront, while Cross Street dead ends at the elevated railroad. A portion of Lot 11 was previously city-owned and was approved for disposition pursuant to zoning in 1988 (C 860607 PPR).

The project, proposed to be built in two phases, will have 160 residential units (160,345 square feet) and 15,800 square feet of ground-floor commercial space within two, five-story buildings. Phase I, which will be constructed on Lot 11, will consist of one building with 90 residential

units and 9,500 square feet of ground-floor retail. Phase II, which will be constructed on Lot 1, will consist of a second building with 70 residential units and 6,300 square feet of ground-floor retail. The phasing of the project will allow for the current commercial tenant on Lot 1 to be relocated within the new development once the first building is constructed in Phase I. After both phases are complete, the project will have the appearance of one building.

The existing site contains 128 parking spaces on Lot 11 and approximately 19 parking spaces on Lot 1. The proposed development will have 208 spaces, with 156 spaces in an attended garage on the ground floor and 52 in an at-grade parking lot in the rear. The garage will consist of 152 accessory residential spaces and 4 accessory commercial spaces for employee parking. The at-grade parking lot will contain 52 accessory commercial spaces. Both the parking lot and garage will be accessed through proposed curb cuts on Cross and Prospect Streets.

The retail stores will primarily front Bay Street, while the residential units will be accessed through lobbies on Cross and Prospect Streets. The applicant is providing street trees and sidewalks which range in width from 8'-8" to 11'-5" on all three street frontages. There will also be a planted buffer at the rear of the site which ranges in width from four feet to 19 feet.

The project will be developed according to the Quality Housing Program. Phase I will provide 10% of its units affordable to households earning up to 130% Area Median Income (AMI), 65% of its units affordable to households earning up to 175% AMI, and the remaining 25% of the units affordable to households earning up to 250% AMI. Phase II will have 25% of its total units affordable to 175% AMI and the balance to households earning no more than 250% AMI. Amenities include laundry rooms, community and meeting rooms, and a common courtyard and landscaped garden on the second floor. Some units will also have private terraces.

ENVIRONMENTAL REVIEW

This application (C 080091 HAR) 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 07HPD005R. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on September 25, 2007.

UNIFORM LAND USE REVIEW

This application (C 080091 HAR) was certified as complete by the Department of City Planning on October 1, 2007, and was duly referred to Staten Island Community Board 1 and the Staten Island 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 this application on November 5, 2007 and on November 13, 2007, by a vote of 27 to 8 with no abstentions, adopted a resolution recommending approval of this application with the following conditions:

CB1 approves City Planning Application C 080091 HAR, subject to the terms and conditions of the Memorandum of Understanding modified by the changes imposed by City Planning, for: (a) the designation of the property located at 551-571 Bay Street as an Urban Development Action Area; (b) the designation of an Urban Development Action Area Project for that area, consisting of two five-story mixed-use buildings with approximately 160 residential units and commercial space; and (c) the disposition of the city-owned property at that location, which includes the Stapleton Municipal Parking Lot, to a developer selected by HPD (BFC) to facilitate that development.

Borough President Recommendation

This application was considered by the Staten Island Borough President who issued a recommendation approving the application on November 29, 2007.

City Planning Commission Public Hearing

On December 19, 2007, (Calendar No. 9), the City Planning Commission scheduled January 9, 2008 for a public hearing on this application (C 080091 HAR). The hearing was duly held on January 9, 2008 (Calendar No. 25). There were two speakers in favor and none in opposition.

A representative from HPD described the proposal and how HPD had worked with Community Board 1 to address concerns over the loss of the Stapleton Municipal Parking Lot. He stated that the project is of critical importance to revitalizing the neighborhood and that it will activate the Prospect Street corridor leading to the Stapleton waterfront. The project architect also appeared in support.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the proposed Urban Development Action Area designation and project (UDAAP) and the disposition of city-owned property, as modified herein, is appropriate.

The application would facilitate the development of two, five-story mixed-use buildings, with approximately 160 affordable cooperative units. In addition, the building would contain ground floor commercial space, an accessory parking garage with 156 spaces, and an at-grade parking lot with 52 spaces to serve the commercial uses. The proposed project would provide much needed affordable home ownership opportunities to the residents of this community.

The Commission notes that subsequent to its public hearing HPD informed the Commission of a mapped widening line on Bay Street that may alter the final design of the building. The widening line would require an additional, approximately 20-foot setback along the Bay Street frontage. In order to assure that any redesign of the project does not result in reduction of the originally

proposed parking, the Commission is approving the disposition of the subject property with the conditions that:

- a) A minimum of 152 accessory residential spaces and 56 commercial accessory spaces shall be provided. None of the spaces shall be located along the Bay Street frontage of the lot or in any front yard.
- b) Of the total 208 spaces provided, there shall be a minimum of 52 parking spaces accessible to, and for use by the general public.

Disposition would with these conditions make possible the return of this property to productive use and the elimination of its blighting influence on the neighborhood. The project also complements ongoing public and private redevelopment efforts in the Stapleton area.

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of 551 and 571 Bay Street (Block 491, Lots 11 and 1) as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, BE IT FURTHER RESOLVED, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) The designation of 551 and 571 Bay Street (Block 491, Lots 11 and 1) as an Urban Development Action Area;
- b) An Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

- a) The present status of the area tends to impair or arrest the sound development of the municipality;
- b) The financial aid in the form of tax incentives, if any, to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act is necessary to enable the project to be undertaken; and
- c) The project is consistent with the policy and purposes stated in Section 691 of Urban Development Action Area Act; and

BE IT FURTHER RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 551 Bay Street (Block 491, Lot 11), Community District 1, Borough of Staten Island, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080091 HAR), with the following conditions:

- a) A minimum of 152 accessory residential spaces and 56 commercial accessory spaces shall be provided. None of the spaces shall be located along the Bay Street frontage of the lot or in any front yard.
- b) Of the total 208 spaces provided, there shall be a minimum of 52 parking spaces accessible to, and for use by the general public.

The above resolution (C 080091 HAR), duly adopted by the City Planning Commission on February 13, 2008 (Calendar No. 26) 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
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