



CITY PLANNING COMMISSION

March 20, 2006/Calendar No. 1

C 060134 ZSR

IN THE MATTER OF an application submitted by Gateway Cathedral pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 25-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility accessory to uses in a large-scale community facility development with a maximum of 941 spaces on property located at 200 Boscombe Avenue (Block 7577, Lot 3), in an R3X District, within the Special South Richmond Development District, Community District 3, Borough of Staten Island.

The application for the special permit was filed by Gateway Cathedral on September 15, 2005, to allow a group parking facility accessory to a large scale community facility development in order to exceed the maximum number of allowed parking spaces.

RELATED ACTIONS

In addition to the special permit, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. N 060135 RAR Authorization for the removal of trees pursuant to Section 107-64 and authorization for the modification of existing topography pursuant to Section 107-65.

2. N 060136 RAR Authorization for modification of group parking facility and access regulations pursuant to Section 107-68.

BACKGROUND

The site is a 22.5 acre rectangularly shaped through zoning lot with 760 feet of frontage on Boscombe Avenue and 864 feet of frontage on Richmond Valley Road. The site is in an R3X zoning district within the Special South Richmond Development District and is bounded by residential homes to the east and west, the West Shore Expressway (Route 440) to the north and wetlands to the south. The site currently contains a 34,493 square foot church, 27,180 square foot school and a 2,400 square foot maintenance building with a 225 space accessory parking lot. On June 12, 1991, City Planning Commission approval (N 900589 RAR) was granted for the authorization for the removal of trees (107-64), modification of topography (107-65) and modification of an accessory group parking facility (107-68) for the construction of the existing church and parking area. The existing school was constructed as-of-right in early 2004.

The applicant is proposing to expand the church an additional 87,870 square feet, the school 12,648 square feet and provide an additional 716 accessory parking spaces, for a total of 941 spaces. The capacity for the expanded church will be 3,454 people, up from 820. The number of students attending the school will remain at 827 students. An outdoor athletic field will also be constructed on the southwest corner of the site. A memorial gazebo garden will be constructed across from the church in the center of a parking lot island. The parking lot islands will be landscaped with 256 trees.

Main access to the site is from Boscombe Avenue and Richmond Valley Road. The site currently has three points of ingress and egress. Two curb cuts on Boscombe Avenue (37 and 60 feet wide) and one on Richmond Valley Road (30 feet wide). No new curb cuts are proposed.

Richmond Valley Road is partly owned by the applicant, mapped to a width of between 80 and 100 feet and is partially improved to approximately 32 feet. Boscombe Avenue is built to a width of approximately 75 feet. An 80 foot deep naturally wooded area will remain fronting Boscombe Avenue along with a 58 foot deep naturally wooded area along the western property line, intended to buffer the site from adjacent properties.

The applicant intends on constructing the development in two phases. Phase One is intended to be completed within 18 months after approval and will consist of the construction of the chapel, 338 parking spaces, the internal access roadway to Richmond Valley Road and all improvements to Richmond Valley Road. Phase Two should be complete by the year 2010 and would consist of the construction of the cathedral and the remaining 378 parking spaces.

Land Use Actions

The applicant requests a special permit (C 060134 ZSR) pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 25-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility as an accessory to uses in a large-scale community facility development with a maximum of 941 spaces. The existing development currently has the maximum allowed accessory group parking facility for a community facility, 225 spaces. The enlargement of the church requires an additional 250 parking spaces, totaling 475 required parking spaces. (Zoning regulations require a minimum of one space per ten persons rated capacity of the largest room of assembly; $2,500/10 = 250$ spaces.) No parking is required for a school in an R3 zoning district. The applicant is requesting a total of 941 spaces, an addition of 466 above the required amount. An internal road, approximately 960 feet in

length will provide access into the expanded parking lot. Fifty reservoir spaces are required and 76 are being provided. The Commission must make findings related to the effects of this proposal on the surrounding area's ability to handle the traffic for the development.

The project also requires authorization (N 060135 RAR) for the Removal of Trees and Modification of Topography and (N 060136 RAR) for the Modification of Group Parking Facilities and Access Regulations. Trees to be removed are located in the proposed building's footprints and in the accessory parking area or areas that will be regraded by more than two feet of cut or fill, which makes the retention of these trees impractical.

Modification of topography by more than two feet of cut or fill is required to develop the site in a safe manner and minimize traffic and pedestrian hazards. Areas that require cut and fill are located in the proposed building footprints, portions of the parking lot and the new athletic field. Modification for a group parking facility is required in the South Richmond District for any parking lot with more than 30 accessory spaces. The applicant is proposing to enlarge the existing 225 space parking lot with an additional 716 parking spaces, for a total of 941 parking spaces.

ENVIRONMENTAL REVIEW

This application (C 060134 ZSR), in conjunction with the applications for the related actions (N 060135 RAR) and (N 060136 RAR), 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 06DCP027R. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 14, 2005.

UNIFORM LAND USE REVIEW

This application (C 060134 ZSR), was certified as complete by the Department of City Planning on November 14, 2005, and was duly referred to Community Board 3 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, in conjunction with the related non ULURP applications N 060135 RAR and N 060136 RAR.

Community Board Public Hearing

Community Board 3 held a public hearing on this application on December 7, 2005, and on December 13, 2005, by a vote of 23 to 0 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on December 23, 2005, subject to:

Recommendation that approval be contingent upon full width improvement of Richmond Valley Road. Installation of curbs, sidewalks and street improvements should be accurately depicted on approved Department of City Planning documents and referenced in all declarations that may accompany the approval regardless of construction phasing. The filing and approval of a builder's pavement plan, for all street frontages, is required, prior to commencement of any work. To that end, existing trees located within the widened area should be approved for removal under this application.

City Planning Commission Public Hearing

On January 11, 2006 (Calendar No. 9), the City Planning Commission scheduled January 25, 2006, for a public hearing on this application (C 060134 ZSR). The hearing was duly held on January 25, 2006 (Calendar No. 14). There were five speakers in favor of the application and none in opposition.

The pastor of the church and the applicant's representatives described the proposal with respect to the Borough President's recommendation to improve Richmond Valley Road to its full mapped width. The pastor stated that with respect to the Borough President's recommendations the church is in favor of widening the roadway but is concerned with the timing of the road improvements, since the proposed development will be done in phases. The pastor would be in favor of widening the road during the last phase of construction, which would take place in approximately four years. He stated that the widening would be needed at that time to

accommodate the increase in traffic generated by the cathedral expansion.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application 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 05-070.

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

CONSIDERATION

The Commission believes that the grant of this special permit is appropriate.

The special permit allows for a modification of Section 25-12 to allow an increase in the size of a group parking facility accessory to a large scale community facility development to exceed the maximum allowed number of parking spaces. The existing development currently has the maximum allowed accessory group parking facility for a community facility, 225 spaces. The

enlargement of the church requires an additional 250 parking spaces, totaling 475 required parking spaces. The applicant is requesting a total of 941 spaces, an addition of 466 above the required amount. Fifty reservoir spaces are required and 76 will be provided.

The site currently has three points of ingress and egress, two curb cuts on Boscombe Avenue (37 and 60 feet wide) and one on Richmond Valley Road (30 feet wide). The Commission notes that vehicles entering and exiting the property will use Boscombe Avenue or Richmond Valley Road. Boscombe Avenue is a 60 foot wide street with direct access to the West Shore Expressway. Richmond Valley Road connects to Amboy Road to the east and Page Avenue and Arthur Kill Road to the west, all of which are arterial streets. The environmental assessment statement indicates that the streets providing access to such use will be adequate to handle the traffic.

Concerns were raised by the Borough President and the City Planning Commission regarding the improvement to Richmond Valley Road. As certified, the applicant did not intend to improve the roadway to its full mapped width. However, the Commission notes that the applicant submitted revised plans to improve the portion of Richmond Valley Road that abuts his property to the full mapped width, which will include a roadway that ranges in size from 45 to 65 feet. A five foot wide sidewalk will also be constructed on the applicant's property. The Commission believes this improvement will aid in the current and future traffic flow on Richmond Valley Road.

The Commission also believes that the authorization for the removal of trees (107-64), modification of topography (107-65), and for modification of group parking facilities (107-68) in order to construct the proposed development, is appropriate.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-53 of the Zoning Resolution:

74-53 Accessory Group Parking Facilities for Uses in Large Scale Community Facility Developments

- (a) that such use is located as to draw a minimum of vehicular traffic to and through local streets in residential areas;
- (b) that such use has adequate reservoir space at the vehicular entrance to accommodate either ten automobiles or five percent of the total parking spaces provided by the use, whichever is greater, but in no event shall reservoir space be required for more than 50 automobiles;
- (c) the streets providing access to such use will be adequate to handle the traffic generated thereby;
- (d) not applicable.

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 and findings described in this report, the application of Gateway Cathedral for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 25-12 (Maximum Size of Accessory Group parking Facilities) to allow a group parking facility accessory to uses in a large-scale community facility development with a maximum of 941 spaces on property located at 200 Boscombe Avenue (Block 7577, Lot 3), in an R3X District, within the Special South Richmond Development District, Borough of Staten Island, Community District 3, is approved subject to the following terms and conditions:

1. The property that is the subject of this application (C 060134 ZSR) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Whitehead, Phillippi, & Harris Inc., filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
C-1	Site Plan	3/2/06
C-2	Landscaping Plan	3/2/06
C-3	Tree Removal Plan	3/2/06
C-4	Topography Modification Plan	3/2/06
C-6	Parking Lot Phase Plan	3/2/06

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the

City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 060134 ZSR), duly adopted by the City Planning Commission on March 20, 2006 (Calendar No. 1), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, 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
IRWIN G. CANTOR, P.E., ANGELA CAVALUZZI, R.A.,
ALFRED C. CERULLO III, JANE D. GOL, LISA GOMEZ, CHRISTOPHER KUI,
JOHN MEROLO, KAREN PHILLIPS, DOLLY WILLIAMS, Commissioners**