



CITY PLANNING COMMISSION

September 10, 2008/Calendar No. 14

C 080426 ZMR

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c

1. eliminating from an existing R3-2 District a C1-2 District bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street;
2. changing from an R3-2 District to a C4-2 District property bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street; and
3. establishing a Special St. George District bounded by:
 - the property line of the US Government Lighthouse Department,
 - the US Bulkhead line of the Upper Bay,
 - a line forming an angle of 104 degrees with the second-named course distant 225 feet northerly (as measured along the second-named course) of the first-named course,
 - a line perpendicular to the third-named course distant 326 feet westerly (as measured along the third-named course) of the second-named course,
 - the northerly street line of Borough Place and its westerly prolongation,
 - Richmond Terrace and its southeasterly centerline prolongation,
 - Hamilton Avenue,
 - St. Marks Place,
 - Fort Place,
 - Montgomery Avenue,
 - the northerly centerline prolongation of St. Pauls Avenue,
 - Van Duzer Street,
 - a line 150 feet northwesterly of Hannah Street,
 - a line midway between Van Duzer Street and Bay Street,
 - the southwesterly centerline prolongation of Minthorne Street,
 - Bay Street (westerly portion),
 - Victory Boulevard,
 - Bay Street (easterly portion),
 - the southerly street line of Victory Boulevard and its westerly and easterly prolongations,
 - the northerly prolongation of a line 135 feet easterly of Murray Hulbert Avenue,
 - the easterly prolongation of a line 921 feet northerly of the southerly street line of Victory Boulevard,
 - a US Pierhead Line, and
 - the property line of the US Government Lighthouse Department;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-217., Community District 1, Borough of Staten Island.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on May 8, 2008, as part of a comprehensive effort to revitalize the St. George neighborhood of Community District 1 in Staten Island.

RELATED ACTION

In addition to an amendment of the Zoning Map which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 080425 ZRR Zoning text amendment to establish the Special St. George District

BACKGROUND

A full background discussion and description of this application appears in the report on the related application for an amendment of the Zoning Map (C 080426 ZMR).

ENVIRONMENTAL REVIEW

This application (C 080426 ZMR), in conjunction with the application for the related action (N 080425 ZRR), 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 08DCP070R. 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 May 19, 2008. Subsequent to the issuance of the Negative Declaration, the CPC modified the action to require additional landscaping in connection with residential uses; require setbacks on each side of a point tower; and require a base height of 30 to 40 feet for developments that include a tower, which would be lower than originally proposed. The modified application was analyzed in a technical memorandum dated September 10, 2008, which found that the conclusions of the EAS would remain unchanged and that no significant adverse impacts would result. Therefore, the Negative Declaration issued on May 19, 2008 remains in effect.

UNIFORM LAND USE REVIEW

This application (C 080426 ZMR) was certified as complete by the Department of City Planning on May 19, 2008, and 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) along with the related application for a zoning text amendment, (N 080425 ZRR), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on June 2, 2008, and on June 10, 2008, by a vote of 26 to 9 with no abstentions, adopted a resolution recommending approval of the application subject to the following conditions:

- Parking should be 10 spaces for every 4500 square feet

- The roofs of buildings should be planted, and when that cannot be achieved the roofs should be of a material of light color.

Borough President Recommendation

This application was considered by the Borough President who issued a recommendation on June 25, 2008, approving the application.

City Planning Commission Public Hearing

On July 2, 2008 (Calendar No. 13), the City Planning Commission scheduled July 23, 2008, for a public hearing on this application (C 080426 ZMR). The hearing was duly held on July 23, 2008 (Calendar No. 25) in conjunction with the hearing for the related action (N 080425 ZRR).

There was one speaker in favor of the application and two speakers in opposition, as described in the report on the related application for an amendment of the Zoning Text (N 080425 ZRR), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 080426 ZMR), in conjunction with the application for the related action (N 080425 ZRR), 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 06-007.

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

CONSIDERATION

The Commission believes the amendment of the Zoning Resolution of the City of New York, as well as the related zoning text change application, as modified, is appropriate.

A full consideration of the issues and the reasons for approving this application, appear in the report on the related application for an amendment of the Zoning Text (N 080425 ZRR).

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. 21c:

1. eliminating from an existing R3-2 District a C1-2 District bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street;
2. changing from an R3-2 District to a C4-2 District property bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street; and
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 - a line midway between Van Duzer Street and Bay Street,
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 - Victory Boulevard,
 - Bay Street (easterly portion),

the southerly street line of Victory Boulevard and its westerly and easterly prolongations,
the northerly prolongation of a line 135 feet easterly of Murray Hulbert Avenue,
the easterly prolongation of a line 921 feet northerly of the southerly street line of Victory Boulevard,
a US Pierhead Line, and
the property line of the US Government Lighthouse Department;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and which includes CEQR designation E-217.

The above resolution (C 080426 ZMR), duly adopted by the City Planning Commission on September 10, 2008 (Calendar No. 14), 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
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NATHAN LEVENTHAL, SHIRELY A. McRAE,
KAREN A. PHILLIPS, Commissioners