



CITY PLANNING COMMISSION

August 11, 2004/Calendar No. 29

C 040206 ZMR

IN THE MATTER OF an application submitted by Councilman Andrew J. Lanza pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33c:

1. changing from an R3A District to an R1-2 District property bounded by Clinton Road and its southwesterly centerline prolongation, Ramble Road, Dent Road, Highland Road, Ocean Road, Great Kills Road, Cottage Avenue, Hillside Terrace, Durant Avenue, a line 160 feet southwesterly of Hillside Terrace, Grandview Terrace, a line 250 feet southwesterly of Hillside Terrace, Rustic Place, and Cleveland Avenue;
2. changing from an R3A District to an R3X District property bounded by:
 - a. Amboy Road, Fieldway Avenue, Ocean Road and its southwesterly centerline prolongation, Highland Road, Dent Road, Ramble Road, Clinton Road and its southwesterly centerline prolongation, Cleveland Avenue, a line 125 feet northwesterly of Rustic Place, Nelson Avenue, Locust Place, and Hillside Terrace; and
 - b. Rustic Place, a line 250 feet southwesterly of Hillside Terrace, Grandview Terrace, Cleveland Avenue, Monticello Terrace, Nelson Avenue, a line 150 feet southeasterly of Rustic Place, and Cleveland Avenue; and
3. changing from an R3-1 District to an R3X District property bounded by Amboy Road, Hillside Terrace, Locust Place, and Brown Avenue;

within the Special South Richmond Development District, Community District 3, Borough of Staten Island, as shown on a diagram (for illustrative purposes only) dated June 7, 2004.

The application for an amendment of the Zoning Map was filed by Council Member Lanza on December 12 2003, to rezone a 28 block area from R3A and R3-1 to R1-2 and R3X in the Great Kills section of Staten Island, Community District 3.

BACKGROUND

The area proposed to be rezoned from R3A and R3-1 to R1-2 and R3X consists of an approximately 28 block area generally bounded by Highland Road to the east, Cottage Avenue to the south, Nelson Avenue to the west, and Amboy Road to north in the Great Kills section of Staten Island, Community District 3. The area consists primarily of one- and two-family detached houses built between 1940 and 1970 on very large lots. The area was subject to a contextual rezoning in 1996 (C 950588 ZMR) which changed the zoning from R3-1 to R3A. The proposed rezoning area is bordered by C4-1 and R3-2 zoning districts to the north, by R3-1 to the south and east and to the west by an R3A zoning district.

The rezoning is proposed by the CM Lanza in response to community concerns that the R3-1 district allows semi-detached development and that the R3A allows development that is out of character with the existing neighborhoods that are characterized by older homes quarter acre lots.

The present R3-1 zoning permits one- and two-family semi-detached and detached houses. The detached houses require 40-foot lot widths for one- and two-story buildings, and 45- foot lot widths for three- and four-story buildings. The semi-detached houses require 24-foot lot widths for one- and two-story buildings and 40-foot lot widths for three- and four-story buildings. The Special South Richmond Development District requires 20-foot rear yards with ten foot setbacks after the first story, 18-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR with a .1 additional attic allowance.

The present R3A zoning within the Special South Richmond Development District permits one- and two-family detached houses. The detached houses require 35-foot lot widths. The Special South Richmond Development District also requires 20-foot rear yards with ten foot setbacks after the first story, 18-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR with a .1 additional attic allowance.

The proposed R1-2 zoning within the Special South Richmond Development District permits single-family detached homes that require 40-foot lot widths for one and two stories, 50 feet for three stories and 60 feet for four stories. The R1-2 requires 30-foot rear yards, 20 foot front yards and a maximum of .5 FAR.

The proposed R3X zoning within the Special South Richmond Development District permits one- and two-family detached homes that require 40-foot lot widths for one and two stories, 50 feet for three stories and 60 feet for four stories. The Special South Richmond Development also District requires 20-foot rear yards with ten foot setbacks after the first story, 18 foot front yards and a maximum of .5 FAR with a .1 additional attic allowance.

There are 384 lots in the rezoning area: 342 of the lots (89%) are developed residentially, two lots (.5%) are developed commercially, three of the lots (.7%) are developed as community facilities; 37 of the lots (9.6%) are vacant.

Of the residentially developed lots, 299 (87.4%) contain detached one- and two-family homes, 43 lots (12.5%) are semi-detached homes and 0 lots (0%) contain attached homes.

In the area proposed to rezoned to an R1-2 district, 123 (83.1%) of the lots are developed with one- or two-family residences.

In the area proposed to rezoned to an R3X district 157 (80.9%) lots would of the lots are developed with one- or two-family residences. One hundred and seventy-five (78.8%) meet the minimum lot width.

ENVIRONMENTAL REVIEW

This application (C 040206 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 04DCP027R.

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 June 7, 2004.

UNIFORM LAND USE REVIEW

This application (C 040206 ZMR) was certified as complete by the Department of City Planning on June 7, 2004, 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.

Community Board Public Hearing

Community Board 3 held a public hearing on this application on June 16, 2004, and on June 22, 2004, by a vote of 37 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 June 25, 2004.

City Planning Commission Public Hearing

On July 14, 2004 (Calendar No. 15), the City Planning Commission scheduled July 28, 2004, for a public hearing on this application (C 040206 ZMR). The hearing was duly held on July 28, 2004 (Calendar No. 23). There were two speakers in favor of the application and none in opposition.

The applicant, the council member from Council District 51 spoke in favor. He stated that the single biggest threat to quality of life on Staten Island is overdevelopment. He noted that amending the zoning resolution

under Lower Density Growth Management was helpful, but the changing the underlying zoning is necessary to curb overdevelopment. He stated that Staten Island has overburdened sewers, dangerous intersections, and crowded schools. He also noted that there was no public opposition to the rezoning proposal.

A resident of the area spoke. He stated that it was important to protect the neighborhood character in order to preserve Staten Island's quality of life. He noted that the rezoning proposal would help accomplish this task.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 040206 ZMR) 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 04-008.

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 is appropriate.

The proposed zoning map change recognizes the established character of this part of the Great Kills community. The existing development patterns are primarily the result of Department of Environmental Protection septic regulations which restricted development to detached homes on large lots in areas without sanitary sewers. Most of the area proposed for rezoning was developed prior to sanitary sewer improvements. Hence the area is characterized by detached homes on large lots.

The proposed R1-2 and R3X districts would limit future residential development to one- and two-family detached residences compatible with the present development pattern. Eighty-two percent of the existing homes in the area proposed to be rezoned are detached one- and two-family homes.

The Commission also notes that the proposed Lower Density Growth Management text change (N 040414 ZRY) would apply to this area. The Commission believes this rezoning along with the Lower Density Growth Management regulations will protect neighborhood character, encourage more appropriate development, and enhance the quality of life.

The Commission believes that the mapping of the contextual district in this portion of Great Kills 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. 33,

1. changing from an R3A District to an R1-2 District property bounded by Clinton Road and its southwesterly centerline prolongation, Ramble Road, Dent Road, Highland Road, Ocean Road, Great Kills Road, Cottage Avenue, Hillside Terrace, Durant Avenue, a line 160 feet southwesterly of Hillside Terrace, Grandview Terrace, a line 250 feet southwesterly of Hillside Terrace, Rustic Place, and Cleveland Avenue;
2. changing from an R3A District to an R3X District property bounded by:
 - a. Amboy Road, Fieldway Avenue, Ocean Road and its southwesterly centerline prolongation, Highland Road, Dent Road, Ramble Road, Clinton Road and its southwesterly centerline prolongation, Cleveland Avenue, a line 125 feet northwesterly of Rustic Place, Nelson Avenue, Locust Place, and Hillside Terrace; and
 - b. Rustic Place, a line 250 feet southwesterly of Hillside Terrace, Grandview Terrace, Cleveland Avenue, Monticello Terrace, Nelson Avenue, a line 150 feet southeasterly of

Rustic Place, and Cleveland Avenue; and

3. changing from an R3-1 District to an R3X District property bounded by Amboy Road, Hillside Terrace, Locust Place, and Brown Avenue;

within the Special South Richmond Development District, as shown on a diagram (for illustrative purposes only) dated June 7, 2004 (Community District 3, Borough of Staten Island.

The above resolution C 040206 ZMR), duly adopted by the City Planning Commission on August 11, 2004 (Calendar No. 29), 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 KNUCKLES, Esq., Vice-Chair

ANGELA M. BATTAGLIA, ANGELA R. CAVALUZZI, R.A.,

RICHARD W. EADDY, JANE D. GOL, CHRISTOPHER KUI,

JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners