



CITY PLANNING COMMISSION

May 25, 2011 / Calendar No. 7

C 080482 ZMR

IN THE MATTER OF an application submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33a, by establishing within an existing R3X District a C2-2 District bounded by a line 100 feet southerly of the former southerly street line of Spar Avenue, a line 440 feet easterly of Rossville Avenue, Woodrow Road and Rossville Avenue, Borough of Staten Island, Community District 3, as shown in a diagram (for illustrative purposes only) dated February 28, 2011, and subject to the conditions of CEQR Declaration E-275.

This application for an amendment of the Zoning Map, Section No. 33a, was filed by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC on June 3, 2008 to facilitate the development of two new commercial buildings, totaling 37,600 square feet in the Woodrow area of Staten Island, Community District 3.

RELATED ACTIONS

In addition to an amendment of the Zoning Map 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:

N 080483 ZRR	Zoning Text Amendment concerning Section 107-06, District Plan (Appendix A)
N 080485 RAR	Authorization for Modification of Size and Access of an Accessory Group Parking Facility
N 110040 RAR	Authorization for Modification of Topography; Authorization for Tree Removal
N 080484 RAR	Authorization for Modification of Topography
N 080486 RCR	Certification for a zoning lot containing Designated Open Space

BACKGROUND

The applicants are requesting the establishment of a C2-2 commercial overlay district within an existing R3X zoning district on the subject zoning lot located at 1243 and 1275 Woodrow Road (Block 6145, Lots 13 and 16) to facilitate the development of two new commercial buildings with a combined floor area of 37,200 square feet and 124 accessory parking spaces. The proposed new development is adjacent to an existing 53,066 square foot shopping center.

The rezoning area is bounded by between Rossville Avenue to the west, a line 440 feet from Rossville Avenue to the east, an existing C1-2 overlay to the North, and Woodrow Road to the South. The applicant owns the subject zoning lot (Block 6145, Lots 13 and 16) as well as the existing adjacent shopping center to the north (Block 6145, Lots 40 and 300). The subject zoning lot is wooded and vacant.

The surrounding area is almost entirely zoned R3X within the Special South Richmond Development District (SSRDD) and is predominately developed with detached one- and two-story residences in the surrounding blocks. There are heavily wooded SSRDD Designated Open Space (DOS) areas to the west and north of the shopping center, and the South Shore Golf Course is located to the northeast of the property on Alverson Avenue.

The adjacent shopping center to the north is 205,614 square feet in area and is developed with two, one-story commercial buildings totaling 53,066 square feet of floor area, parking, and landscaped areas with existing trees. This zoning lot was subject to previous Commission approvals (C 800559 MMR, C 800826 ZMR, N 800799 RCR, and N 800985 ZRR) in 1980 in order to facilitate the construction of the existing shopping center with parking for 201 cars. The Commission approved a zoning map amendment to establish a C1-2 overlay, a special permit to modify boundaries of DOS, a street demapping, and SSRDD authorizations and certifications.

Subsequently an application filed in 2001 requested actions for two proposed single-story retail buildings totaling 28,000 square feet in the subject zoning lot. It was disapproved by the CPC due to concerns that the C1-2 district could allow attached housing, which would otherwise not

be permitted in the existing R3X zoning district and would have been out of character with the surrounding residential development.

In 2009, a special permit (C 090383 ZSR, December 2, 2009 / Calendar No. 8.) was granted to facilitate the construction of a public safety wireless facility of the New York City Wireless Network (NYCWIn) between the buildings of the existing shopping center, consisting of a 120-foot high stealth monopole and related equipment.

The existing R3X zoning district permits detached single-family residences and community facilities. The proposed C2-2 overlay zoning district permits commercial use groups 6 through 9.

The applicant is requesting the rezoning to facilitate the development of two, two-story commercial buildings totaling 37,200 square feet of floor area and 124 accessory parking spaces on the subject zoning lot. The existing parking and driveway layout in the zoning lot with the existing shopping center will also be reconfigured to improve circulation and accessibility throughout the new site, thereby creating a total of 309 new or reconfigured parking spaces on the site.

The new configuration of the central parking area would replace a curved driveway between Rossville Ave. and Alverson Avenue with a straight, east-west driveway and a relocated curb cut on Rossville Avenue. A new driveway with a north-south orientation would link all parking areas to a new curb cut at an existing, signalized “T” intersection at Woodrow Road and Foster Road

The proposed development also requires the following actions:

(N 080484 RAR, N 110040 RAR) Authorization for Removal of Trees; Authorization for Modification of Topography. The applicant requests these authorizations pursuant to the SSRDD. Out of one 150 trees on the site, the applicant plans to remove 141 trees to facilitate the proposal. One hundred seven trees will be planted on the entire site and exceed SSRDD requirements. Additional landscaped buffers are proposed near the intersection of Rossville Avenue and Woodrow Road and adjacent to residential homes on the same block. A modification of topography is necessary to create a unified, level parking area in the sloping site.

(N 080485 RAR) Authorization for Modification of Size and Access of Accessory Group Parking. The applicant requests an authorization pursuant to SSRDD to facilitate a group parking facility with more than 30 parking spaces (124 parking spaces are required) and access an arterial instead of a non-arterial street. This authorization is also required to waive the parking area landscaping requirement for perimeter landscaping along the lot line between the subject zoning lot and zoning lot with the existing shopping center. Landscaping requirements specify perimeter landscaping along all zoning lot lines, but the proposal is for a unified parking area spanning two zoning lots. The proposed site plan meets all other landscaping requirements.

(N 080486 RCR) Zoning certification. Pursuant to Section 107-22 of the SSRDD, a City Planning Commission certification is required for any development or site alteration on a zoning lot which contains Designated Open Space (DOS) as shown on the SSRDD District Plan. The zoning lot with the existing shopping center currently contains 43,455 square feet of DOS. The proposal includes removal of 23,971 square feet of designated open space from the zoning lot. DOS totaling 19,484 square feet of area will remain and be preserved in its existing state.

(N 080483 ZRR) The applicant also requests a zoning text amendment concerning Section 107-06 District Plan (Appendix A) to reflect the removal of the DOS between the two zoning lots to facilitate a unified group parking facility for the existing and proposed developments, as well as remove DOS behind the existing shopping center.

ENVIRONMENTAL REVIEW

This application (C 080482 ZMR), in connection with the ULURP Applications (Nos. C 080482ZMR, N 080483ZRR, N 080484RAR, N 080485RAR, N 080486RCR, N 110040RAR) 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 07DCP051R. The lead agency is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Conditional Negative Declaration, signed by the applicant, was issued on February 25, 2011. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

1. The applicant has entered into a Restrictive Declaration, recorded on May 6, 2009, which governs development of Lots 13 and 16 of the project site. The Restrictive Declaration requires that prior to development, a DEP-approved protocol of sampling, testing, and, if necessary, remediation, be implemented that would avoid the potential for significant adverse hazardous materials impacts. Development on Lots 40 and 300 will be governed by the report on the related action for modification of topography (N 080484 RAR), which stipulates in part certain activities are performed, as deemed necessary by DEP, including: (1) an ASTM-compliant Phase I Environmental Site Assessment and a hazardous materials sampling protocol (“Sampling Protocol”), including an investigative Health and Safety Plan (HASP); (2) pursuant to the DEP-approved Sampling Protocol, testing performed to identify any potential hazardous materials and (3) if hazardous materials are found, a RAP, including a construction HASP.
2. The applicant, Woodrow Plaza, LLC, has agreed to provide additional native trees and shrub plantings on the site plan per DEP’s request, to the greatest extent feasible.
3. The applicant, Woodrow Plaza, LLC, has agreed to incorporate infrastructure best management practices into the site plan, to the greatest extent feasible.

The applicant signed the conditional negative declaration on February 22, 2011. The conditional negative declaration was published in the City Record on February 28, 2011 and in the New York State Environmental Notice Bulletin on February 28, 2011. Pursuant to the SEQRA

regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., a 30-day comment period followed. No comments were received and the conditional negative declaration was issued on May 23, 2011.

UNIFORM LAND USE REVIEW

This application (C 080482 ZMR) was certified as complete by the Department of City Planning on February 28, 2011, and was duly referred to Community Board 3 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 zoning text amendment (N 080483 ZRR) and other non-ulurp actions (N 080483ZRR, N 080484RAR, N 080485RAR, N 080486RCR, N 110040RAR) which was referred for information and comment.

Community Board Public Hearing

Community Board 3 held a public hearing on this application (C 080482 ZMR) on March 16, 2011, and on March 22, 2011, by a vote of 30 in favor, with 0 opposed and 0 abstentions, adopted a resolution recommending approval of the application with the following conditions:

Motion “to approve Applications N080483ZRR, N080484RAR, and N080486RCR with the following conditions submitted by Philip Rampulla:

1. Install “No Left turn” signs at the Rossville Avenue and Alverson Avenue exits of the shopping plaza.
2. Close the Alverson Avenue gate entrance after 10:00 PM
3. Regulate maintenance and landscaping operations prohibiting work before 6:00 a.m. and after 10:00 p.m.

Borough President Recommendation

This application was considered by the Staten Island Borough President who issued a recommendation approving the application on April 5, 2011 with no comments.

City Planning Commission Public Hearing

On April 13, 2011 (Calendar No. 5) the City Planning Commission scheduled April 27, 2011 for a public hearing on this application (C 080482 ZMR) in conjunction with the public hearing on the applications for the related zoning text amendment (N 080483 ZRR). The hearing was duly held on April 27, 2011 (Calendar No. 8). There were four speakers in favor and none in opposition.

The applicant's representative stated that the shopping center is presently very difficult to drive around and the new curb cuts would line up, making it safer to navigate. He also said the C2-2 allows a broader set of uses. The land owner, who is also the applicant and developer, stated that he would adopt the Community Board's comments and also stated his belief that that the proposed development would benefit the community. The planner for the project stated that the sidewalks would make it much safer for pedestrians in the area. He also stated that the commercial office uses proposed are in great need by the professional community. A neighbor of the development stated that the proposal would improve traffic and the sidewalks would make it safer for pedestrians.

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 08-076.

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

CONSIDERATION

The Commission believes that this application (C 080482 ZMR) for an amendment of the Zoning Map, in conjunction with the related applications, is appropriate.

The proposed amendment to the zoning map would extend an existing commercial overlay from the mid-block to Woodrow Road, which is a designated arterial in the SSRDD and a heavily travelled street. The Commission believes that the proposed two new commercial buildings facing Woodrow Road with retail at grade and flexible office space above would complement the existing, adjacent shopping center and help establish a commercial center. The Rossville and Woodrow sections of Staten Island lack a walkable mixed-use center, and the Commission believes that new street-front commercial uses on Woodrow Avenue would increase visibility and improve access to the existing shopping area. The Commission also believes that the additional office space and retail on the popular Woodrow Road should also create more jobs and services for the surrounding neighborhoods.

The proposed action includes a zoning text amendment to remove designated open space and an SSRDD Commission authorization to modify topography along the southern lot line of the existing shopping area in order to reconfigure and straighten an east-west driveway that bisects the shopping area. The Commission notes that the proposed east-west driveway is similar in orientation as a previously demapped street (Spar Avenue) that was historically mapped within this site. The Commission believes that this reconfigured driveway is appropriate because it offers a more direct connection and better visibility between Rossville Avenue and Alverson Avenue than the curved existing drive aisle.

The Commission believes that the remaining DOS will help preserve natural areas by preserving open space that will act as a buffer to the bluebelt to the north. Additional DOS to remain consists of existing landscaped buffers to surrounding homes to the southeast and east.

The Commission notes that development on this site is also regulated by SSRDD restrictions on development in zoning lots with DOS, group parking facility size and access onto arterial roads,

and removal of trees. The proposed project requires a Commission authorization to modify the size and access of the accessory group parking facility because the proposed commercial buildings require 124 parking spaces and a new curb cut is proposed on Woodrow Road. The Commission believes that this proposed authorization is appropriate because it would allow a direct vehicle and pedestrian connection between Foster Road and the entire project via a new north-south driveway, which would reduce traffic on Alverson Avenue and left turn movements on Rossville Avenue. The applicant also requests an SSRDD authorization for tree removal because decayed trees are proposed to be replaced by a new elevated landscaped buffer to additional surrounding residences around the southwest corner of the site. The Commission believes this proposed authorization is appropriate because the location of the proposed landscaped buffer is appropriate, and the site plan includes additional tree plantings to exceed the new parking area landscaping regulations by at least 44 extra trees.

The Commission notes that the current design of the site produces difficult traffic patterns and lacks accommodations for pedestrians. The Commission believes the proposed changes to the circulation in the existing shopping center and the subject zoning lot would be an improvement that creates safer conditions for both pedestrians and drivers.

Therefore, the Commission believes that the proposed amendment of the Zoning Map, in conjunction with the related applications, would provide beneficial commercial services to the neighborhood and surrounding residential area.

RESOLUTION

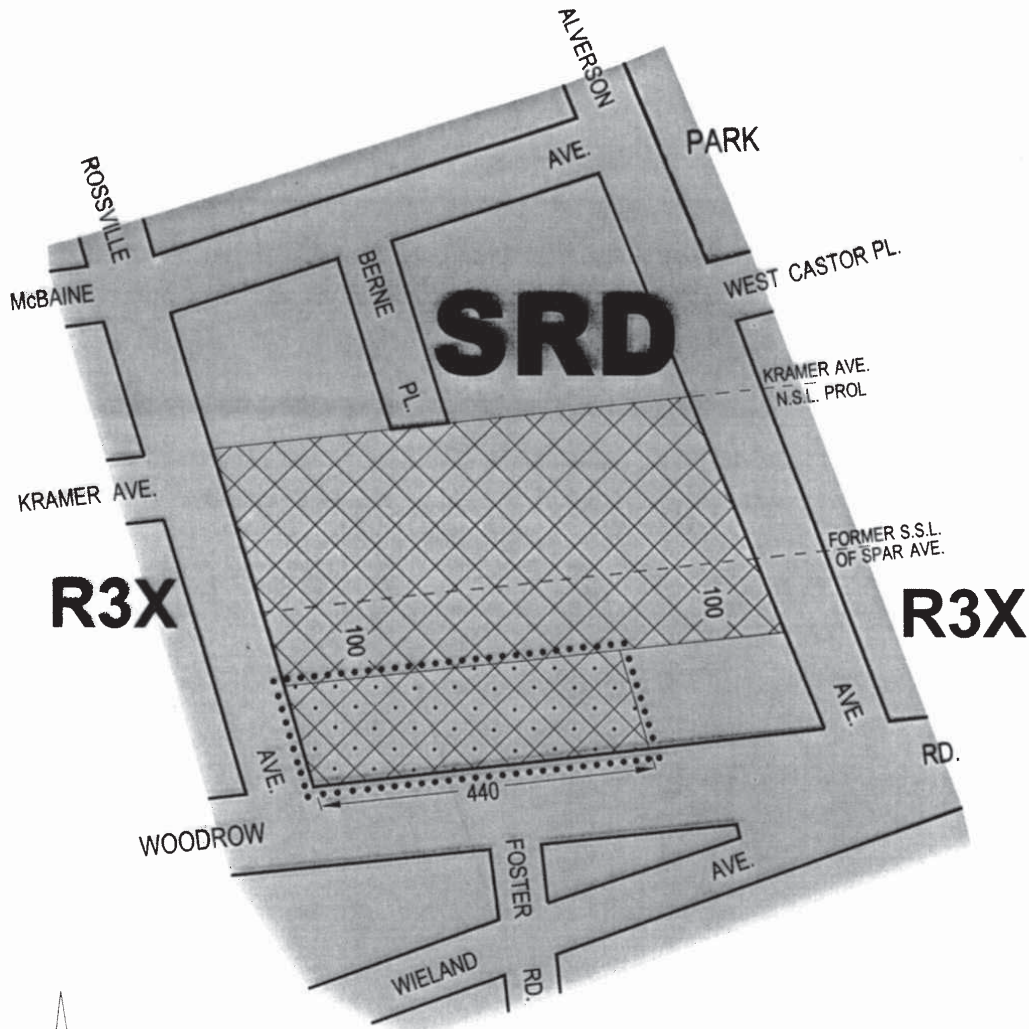
RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment subject to the applicant executing a conditional negative declaration as described above; and be it further

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, Charter, that based on the environmental determination and 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 hereby amended by changing the Zoning Map, Section No. 33a, by establishing within an existing R3X District a C2-2 District bounded by a line 100 feet southerly of the former southerly street line of Spar Avenue, a line 440 feet easterly of Rossville Avenue, Woodrow Road and Rossville Avenue, as shown in a diagram (for illustrative purposes only) dated February 28, 2011, and subject to the conditions of CEQR Declaration E-275.

The above resolution (C 080482 ZMR), duly adopted by the City Planning Commission on May 25, 2011 (Calendar No. 7) 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, NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHRILEY A. MCRAE, KAREN A. PHILLIPS, Commissioners.



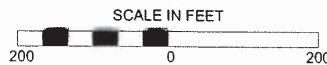
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP




33a

BOROUGH OF
STATEN ISLAND

New York, Certification Date
FEBRUARY 28, 2011

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



- NOTE:
- The area enclosed by the dotted line is proposed to be rezoned by establishing a C2-2 District within an existing R3X District.
 -  Indicates a C1-2 District.
 -  Indicates a C2-2 District.
 -  Indicates a Special South Richmond Development District.

Application #: N 080483 ZRR

Project Name: Woodrow Plaza

CEQR Number: 07DCP051R

Borough(s): Staten Island
Community District Number(s) 03

Please use the above application number on all correspondence concerning this application.

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- 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:

IN THE MATTER OF an application submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33a, by establishing within an existing R3X District a C2-2 District bounded by a line 100 feet southerly of the former southerly street line of Spar Avenue, a line 440 feet easterly of Rossville Avenue, Woodrow Road and Rossville Avenue, Borough of Staten Island, Community District 3, as shown in a diagram (for illustrative purposes only) dated February 28, 2011.

RECEIVED
MAR 14 2011
Community Board #3

Applicant(s): Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC 15 Seguire Avenue Staten Island, New York 10309	Applicant's Representative: Eric Palatnik, Esq. Eric Palatnik, PC 32 Broadway, Suite 114 New York, New York 10004
Recommendation submitted by: Staten Island Community Board 3	
Date of public hearing: 3/16/11	Location: 655-218 Rossville Ave
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
Date of Vote: 3/22/11	Location: 6451 Hylan Blvd.
RECOMMENDATION	
<input type="checkbox"/> Approve	<input checked="" type="checkbox"/> Approve With Modifications/Conditions
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions
Please attach any further explanation of the recommendation on additional sheets, as necessary.	
Voting	
# In Favor: 30	# Against: 0
# Abstaining: 0	Total members appointed to the board: 44
Name: FRANK MORANO <i>Frank Morano</i>	Title: CHAIRMAN
Date: 3/22/11	

COMMUNITY BOARD #3

Addendum

March 22, 2011 Community Board 3 Recommendation Application # N080483ZRR

MOTION “to approve Applications N080483ZRR, N080484RAR, and N080486RCR with the following conditions submitted by Philip Rampulla:

- Install “No Left Turn” signs at the Rossville Avenue and Alverson Avenue exits of the shopping plaza.
- Close the Alverson Avenue gate entrance after 10:00 p.m.
- Regulate maintenance and landscaping operations prohibiting work before 6:00 a.m. and after 10:00 p.m.



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

ULURP NO.
C 080482 ZMR

COMMUNITY DISTRICT: 3

WOODROW PLAZA

DOCKET DESCRIPTION:

In the Matter of an application submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No.33a, by establishing within an existing R3X District a C2-2 District bounded by a line 100 feet southerly of the former southerly street line of Spar Avenue, a line 440 feet easterly of Rossville Avenue, Woodrow Road and Rossville Avenue, Borough of Staten Island, Community District 3, as shown in a diagram (for illustrative purposes only) dated February 28, 2011.

RECOMMENDATION:

APPROVE

DISAPPROVE

WITH CONDITIONS/MODIFICATIONS

EXPLANATION OF RECOMMENDATION, CONDITION OR MODIFICATIONS

JAMES P. MOLINARO
PRESIDENT, BOROUGH OF STATEN ISLAND

DATE: April 5, 2011