



CITY PLANNING COMMISSION

October 19, 2005/Calendar No. 31

C 050145 ZMR

IN THE MATTER OF an application submitted by Andrew J. Lanza, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 26d, 27b, 33c, 34a, changing from an R3-1 District to an R3X District property bounded by:

Amboy Road, Fairbanks Avenue, North Railroad Avenue and its northeasterly centerline prolongation, Willowbrook Parkway, the centerline of the New York City Railroad right-of-way (S.I.R.T.O.A.), Emmet Avenue and its northwesterly centerline prolongation, South Railroad Avenue, Buffalo Street, Twombly Avenue, Emmet Avenue, South Railroad Avenue and its northeasterly centerline prolongation, Willowbrook Parkway, the northeasterly centerline prolongation of Hooper Avenue, Emmet Avenue, O’Gorman Avenue, a line 100 feet southwesterly of Buffalo Street, Durant Avenue, Buffalo Street, Emmet Avenue, Thollen Street, Hopkins Avenue, Durant Avenue, Justin Avenue, a line 350 feet southeasterly of Durant Avenue, Bay Terrace, South Railroad Avenue, Kelvin Avenue, O’Gorman Avenue, Justin Avenue, South Railroad Avenue, Spratt Avenue and its southeasterly centerline prolongation, Amboy Road, Hopkins Avenue, Sheridan Court, and Buffalo Street,

within the Special South Richmond Development District, Borough of Staten Island, Community District 3, as shown on a diagram (for illustrative purposes only) dated June 20, 2005.

The application for an amendment of the Zoning Map was filed by Councilman Andrew J. Lanza on October 20, 2004, to rezone an approximately 27 block area generally located in the Bay Terrace section of Staten Island, Community District 3 from R3-1 to R3X.

BACKGROUND

The rezoning area consists of an approximately 27 block area generally bounded by Amboy Road to the north, Buffalo Avenue to the east, Durant Avenue to the south, and Bay Terrace to the west. The surrounding area to the east is zoned R2, to the north, R3-2, and to the south and west, R3-1. The rezoning area consists primarily of residential one- and two- family homes.

This area was rezoned in 2000 (C000310ZMR) from R3-2 to R3-1.

The rezoning is proposed in response to community concerns that the R3-1 district allows semi-detached residential housing not in character with the existing neighborhood of predominantly detached residences.

There are 466 lots in the rezoning area, 97.4% of which are developed residentially and 2.4% are vacant.

The present R3-1 district permits one and two-family detached and semi-detached houses on lots with a minimum width of 40 feet for detached housing and 18 feet for semi-detached housing. The R3-1 District requires 30-foot rear yards, 18-foot front yards, two on-site parking spaces for a one-family house, and three on-site parking spaces for a two-family house. The maximum FAR in an R3-1 district is .5 plus .1 attic allowance.

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 R3X district requires a 30-foot rear yard, 18-foot front yard, two on-site parking spaces for a one-family house and three spaces for a two-family house. R3X districts have a maximum FAR of .5 with a .1 attic allowance.

The R3X district was chosen for this area because the majority of the homes are detached one- and two-family homes. In the area to be rezoned, 390 (85.9%) of the lots would conform to the one and two family detached requirement, 85.8% would comply to the 40-foot lot width requirement, while 80.3% would comply with the 3,800 square foot lot area requirement.

ENVIRONMENTAL REVIEW

This application (C 050145 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 05DCP027R. 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 20, 2005.

UNIFORM LAND USE REVIEW

This application (C 050145 ZMR) was certified as complete by the Department of City Planning on June 20, 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.

Community Board Public Hearing

Community Board 3 held a public hearing on this application on August 3, 2005, and on August 5, 2005, by a vote of 25 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 August 25, 2005.

City Planning Commission Public Hearing

On September 14, 2005 (Calendar No. 4), the City Planning Commission scheduled September 28, 2005, for a public hearing on this application (C 050145 ZMR). The hearing was duly held on September 28, 2005 (Calendar No. 15). There was one speaker in favor of the application.

A representative of the City Councilman from Council District 51, who is the applicant, stated that overdevelopment is still the single biggest threat to the quality of life on Staten Island. He said that changing the zoning in this area will curb this overdevelopment.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 050145 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 05-040.

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 area of the Bay Terrace community. The area is characterized by detached one- and two-family homes.

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

The Commission notes that this area is subject to the Lower Density Growth Management regulations of the Zoning Resolution. The Commission believes that this action will reinforce the Lower Density Growth Management regulations, which are intended to protect neighborhood character, encourage more appropriate development, and enhance quality of life.

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 Nos. 26d, 27b, 33c, 34b, changing from an R3-1 District to an R3X District property bounded by:

Amboy Road, Fairbanks Avenue, North Railroad Avenue and its northeasterly centerline prolongation, Willowbrook Parkway, the centerline of the New York City Railroad right-of-way (S.I.R.T.O.A.), Emmet Avenue and its northwesterly centerline prolongation, South Railroad Avenue, Buffalo Street, Twombly Avenue, Emmet Avenue, South Railroad Avenue and its northeasterly centerline prolongation, Willowbrook Parkway, the northeasterly centerline prolongation of Hooper Avenue, Emmet Avenue, O’Gorman Avenue, a line 100 feet southwesterly of Buffalo Street, Durant Avenue, Buffalo Street, Emmet Avenue, Thollen Street, Hopkins Avenue, Durant Avenue, Justin Avenue, a line 350 feet southeasterly of Durant Avenue, Bay Terrace, South Railroad Avenue, Kelvin Avenue, O’Gorman Avenue, Justin Avenue, South Railroad Avenue, Spratt Avenue and its southeasterly centerline prolongation, Amboy Road, Hopkins Avenue, Sheridan Court, and Buffalo Street,

within the Special South Richmond Development District, Borough of Staten Island, Community District 3 , as shown on a diagram (for illustrative purposes only) dated June 20, 2005 (C 050145 ZMR).

The above resolution (C 050145 ZMR), duly adopted by the City Planning Commission on October 19, 2005 (Calendar No. 31), 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, A.I.C.P., Chair

KENNETH KNUCKLES, Esq, Vice-Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED CERULLO III, RICHARD W. EADDY, LISA GOMEZ, JOHN MEROLO,
DOLLY WILLIAMS, Commissioners

KAREN A. PHILLIPS, Commissioner, voting no.