



November 5, 2003/Calendar No. 25

C 020538 ZMR

IN THE MATTER OF an application submitted by the Office of the Staten Island Borough President pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 20c, 20d, 21a and 21b:**

1. **changing from an R3-1 District to an R3A District property bounded by** Port Richmond Avenue, Beekman Street, a line 100 feet southeasterly of Port Richmond Avenue, a line midway between Post Avenue and Palmer Avenue, Cortlandt Street, a line 150 feet southwesterly of Post Avenue, a line bisecting the angle formed by the northeasterly prolongation of the southeasterly street line of Cortlandt Street and the northerly prolongation of the westerly street line of Jewett Avenue, the westerly prolongation of a line 250 feet southerly of Post Avenue, Jewett Avenue, Kramer Place, a line 100 feet southeasterly of Cortlandt Street, Catherine Street, Cortlandt Street, Barrett Avenue, a line 100 feet southeasterly of Decker Avenue, a line 100 feet southwesterly of Smith Place and its northwesterly prolongation, and a line 100 feet southerly of Smith Place;¹
2. **changing from an R3-2 District to an R3A District property bounded by:**
 - a) Lake Avenue, David Place and its westerly and easterly centerline prolongation, Pulaski Avenue, Dixon Avenue, a line 125 feet westerly of Villa Avenue, Walker Street, Trantor Place, Innis Street, Nicholas Avenue, Hooker Place, a line 150 feet northwesterly of Port Richmond Avenue, Walker Street, Port Richmond Avenue, Van Riper Street, a line 150 feet northwesterly of Port Richmond Avenue and its southwesterly prolongation, Willow Road West, Richmond Avenue, Morningstar Road, and a line 200 feet northerly of Forest Avenue;
 - b) a line 100 feet southerly of Richmond Terrace, Taylor Street, a line 150 feet southeasterly of Richmond Terrace, the northeasterly and northwesterly boundary line of the Staten Island Cemetery and its northeasterly prolongation, Tomkins Court, the easterly and northerly boundary line of Fountain Cemetery and its easterly prolongation, Van Street, the northwesterly boundary line of Lawrence C. Thompson Memorial Park and its southwesterly prolongation, Alaska Street, a

¹Corrected 2/9/07. Should read:

1. Changing from an R3-1 District to an R3A District property bounded by Port Richmond Avenue, Beekman Street, a line 100 feet southeasterly of Port Richmond Avenue, a line midway between Post Avenue and Palmer Avenue, Cortlandt Street, a line 150 feet southwesterly of Post Avenue, a line bisecting the angle form by the northeasterly prolongation of the southeasterly street line of Cortlandt Street and the northerly prolongation of Jewett Avenue, the westerly prolongation of a line 250 feet southerly of Post Avenue, Jewett Avenue, Kramer Place, a line 100 feet southeasterly of Cortlandt Street, Catherine Street, Cortlandt Street, Barrett Avenue, a line 100 feet southeasterly of Decker Avenue, Smith Place, Decker Avenue, and a line 100 feet southerly of Smith Place and its southeasterly prolongation;

line 200 feet northerly of Castleton Avenue, Dongan Street, a line 100 feet northerly of Castleton Avenue, and Clove Road; and

- c) Post Avenue, Clove Road, a line 100 feet southerly of Castleton Avenue, Dongan Street, a line 200 feet southerly of Castleton Avenue, Taylor Street, a line 240 feet southerly of Castleton Avenue, Roe Street, a line 200 feet southerly of Castleton Avenue, Elizabeth Street, a line 150 feet southerly of Castleton Avenue, State Street, Noble Place, Broadway, Britton Street, North Burcher Avenue, a line 150 feet southeasterly of Richmond Terrace, Bement Avenue, a line 150 feet northerly of Forest Avenue, Broadway, a line 100 feet northerly of Forest Avenue, Llewellyn Place, a line 300 feet northerly of Forest Avenue, and Jewett Avenue;

3. changing from an R4 District to an R3A District property bounded by:

- a) a line 100 feet southerly of Richmond Terrace, Faber Street, a line 150 feet southerly of Richmond Terrace, Maple Avenue, Harrison Avenue, a line 150 feet northwesterly of Richmond Avenue, Castleton Avenue, Faber Street, Charles Avenue, a line 150 feet northwesterly of Richmond Avenue, Post Avenue, a line 100 feet northwesterly of Richmond Avenue, Hooker Place, and Nicholas Avenue; and
- b) Ann Street, Avenue B, Bennett Street, Jewett Avenue, a line 150 feet northeasterly of Hurst Street, a line 150 feet southeasterly of Jewett Avenue, Dubois Avenue, Post Avenue, Jewett Avenue, the westerly prolongation of a line 250 feet southerly of Post Avenue, a line bisecting the angle formed by the northeasterly prolongation of the southeasterly street line of Cortlandt Street and the northerly prolongation of the westerly street line of Jewett Avenue, a line 150 feet southwesterly of Post Avenue, Cortlandt Street, a line midway between Post Avenue and Palmer Avenue, a line 100 feet southeasterly of Richmond Avenue, Post Avenue, the southwesterly centerline prolongation of Park Avenue, Castleton Avenue, and a line 100 feet northwesterly of Park Avenue; and

4. changing from an R3-2 District to an R3X District property bounded by a line 100 feet northerly of Martineau Street and its westerly prolongation, Northfield Avenue, a line 150 feet southerly of Richmond Terrace, Grandview Avenue, a line perpendicular to the easterly street line of Grandview Avenue distant 420 feet northerly (as measured along the street line) from the intersection of the easterly street line of Grandview Avenue and the northerly street line of Cowen Place, Post Lane, a line 150 feet southwesterly of Richmond Terrace, Lockman Avenue, Davidson Street and its easterly and westerly centerline prolongation, the southerly centerline prolongation of Northfield Avenue, Arlington Place, Holland Avenue, Macormac Place, a line 100 feet easterly of Holland Avenue, a line 100 feet southerly of Benjamin Place, and a line 480 feet easterly of Holland Avenue;

as shown on a diagram (for illustrative purposes only) dated September 8, 2003 (C 020538 ZMR), Community District 1, Borough of Staten Island.

The application for an amendment of the Zoning Map was filed by the Staten Island Borough President on March 10, 2002, to rezone an 181 block area from R4, R3-1 and R3-2 to R3A and R3X in the northwest north shore of Staten Island.

BACKGROUND

The area proposed to be rezoned from R4, R3-2 and R3-1 to R3A and R3X consists of an approximately 181 block area approximately bounded by Richmond Terrace, Bennet Avenue, and Forest Avenue in the communities of Arlington, Port Richmond, and West Brighton in Community Board 1 of Staten Island.

The Staten Island Borough President's Office is proposing this rezoning in response to community concerns that the R4, R3-2 and R3-1 districts allow semi-detached and attached development that is not in character with the predominant detached existing housing.

The zoning districts within the proposed rezoning areas are R4, R3-2 and R3-1. The R4 district permits one- and two-family attached, semi-detached and detached houses, as well as multi-family buildings. The maximum FAR for R4 is 0.75 (with a 0.15 attic allowance). The R3-2 district permits one- and two-family attached, semi-detached and detached houses, as well as multi-family buildings. It requires 30-foot rear yards, 15-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR plus .1 attic allowance. The R3-1 district permits one- and two-family, semi-detached and detached houses. It requires 30-foot rear yards,

15-foot front yards, one on-site parking space per dwelling unit and a maximum a maximum .5 FAR plus .1 attic allowance.

The proposed R3X districts permits one- and two-family detached houses on minimum 35 foot wide lots for one- and two- story buildings. It requires 30-foot rear yards, 10-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR plus .1 attic allowance.

The proposed R3A districts permits one- and two-family detached houses on minimum 25-foot wide lots for one- and two- story buildings. It requires 30-foot rear yards, 10-foot front yards, one on-site parking space per dwelling unit and a maximum .5 FAR plus .1 attic allowance.

There are 4,406 lots in the rezoning area. Land uses within the proposed to be rezoned are 91.6% residential, 1.3% commercial, .76% community facility, 5.7% vacant and .045% other uses. Detached housing comprises 91.6% of the residential housing type. The rest are apartment buildings, semi-detached and attached houses.

Under the proposed zoning the conformance for building type is 93%, the lot width compliance is 87%, the lot area compliance is 87% and the FAR compliance is 81%.

ENVIRONMENTAL REVIEW

This application (C 020538 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 04DCP009R. 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 September 8, 2003.

UNIFORM LAND USE REVIEW

This application (C 020538 ZMR) was certified as complete by the Department of City Planning on September 8, 2003, and was duly referred to Community Board 1 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on September 8, 2003, and on September 8, 2003, by a vote of 33 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 October 2, 2003.

City Planning Commission Public Hearing

On October 8, 2003 (Calendar No. 7), the City Planning Commission scheduled October 22, 2003, for a public hearing on this application (C 020538 ZMR). The hearing was duly held on October 22, 2003 (Calendar No. 17).

There were four speakers in favor of the application and none in opposition.

A representative of the Borough Presidents' Office described the demolition of older existing housing to make way for semi-detached and attached housing as problematic because of the increase in density. He also read a statement by the Grant City Civic Association which stated that the proposal would reduce development that has stressed city services. The Councilman from City Council District 50 stated that the denser attached and semi-detached housing as out of context with the character of the existing housing. He also stated that due to the reselling of homes, an existing large supply of attached housing will be available to aspiring homeowners. A representative of the Councilman from City Council District 49 stated that the rezoning would preserve the character of the north shore's older communities.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application, in conjunction with the application for the related action, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), 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 #03-053.

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 northwest north shore communities which are characterized by detached homes. The current zoning has allowed construction of attached and semi-detached housing in these neighborhoods. In some cases, older historic homes have been demolished to make way for the new construction. As a result, the character of the neighborhoods can be changed, and the additional density results in impacts on parking, schools, road networks, and mass transit.

The proposed R3X and R3A districts would limit future residential development to one- and two- family detached residences compatible with the present development pattern. Ninety-three percent of the existing homes in the area proposed to be rezoned are detached homes. The Commission is aware that the rezoning proposal would limit the opportunity to build a variety of housing types, which would be affordable to the broader community. However, there are R4 and R3-2 zoning districts that would accommodate a variety of housing types that are attractive to moderate income home buyers.

The R3X district requires a minimum lot width of 35 feet for detached buildings while the R3A requires 25 feet. Eighty- seven percent of lots in the area to be rezoned will comply to the new R3X and R3A lot width requirements. The R3X district requires a minimum lot area of 3,325 square feet while the R3A requires 2,325. Eighty- seven percent of the lots in the area proposed to be rezoned to R3X and R3A will comply to the lot area requirements.

The Commission believes that the mapping of the contextual district in this portion of the northwest north shore is consistent with the character of existing development. The R3X and R3A zoning districts will promote development patterns that will reinforce the existing low density character of the area by allowing the construction of only one and two-family detached homes.

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. 20c, 20d, 21a and 21b:

- 1. changing from an R3-1 District to an R3A District property bounded by** Port Richmond Avenue, Beekman Street, a line 100 feet southeasterly of Port Richmond Avenue, a line midway between Post Avenue and Palmer Avenue, Cortlandt Street, a line 150 feet southwesterly of Post Avenue, a line bisecting the angle formed by the northeasterly prolongation of the southeasterly street line of Cortlandt Street and the northerly prolongation of the westerly street line of Jewett Avenue, the westerly prolongation of a line 250 feet southerly of Post Avenue, Jewett Avenue, Kramer Place, a line 100 feet southeasterly of Cortlandt Street, Catherine Street, Cortlandt Street, Barrett Avenue, a line 100 feet southeasterly of Decker Avenue, a line 100 feet southwesterly of Smith Place and its northwesterly prolongation, and a line 100 feet southerly of Smith Place;²
- 2. changing from an R3-2 District to an R3A District property bounded by:**

² Corrected 2/9/07. Should read as indicated in footnote 1 on page 1.

- a) Lake Avenue, David Place and its westerly and easterly centerline prolongation, Pulaski Avenue, Dixon Avenue, a line 125 feet westerly of Villa Avenue, Walker Street, Trantor Place, Innis Street, Nicholas Avenue, Hooker Place, a line 150 feet northwesterly of Port Richmond Avenue, Walker Street, Port Richmond Avenue, Van Riper Street, a line 150 feet northwesterly of Port Richmond Avenue and its southwesterly prolongation, Willow Road West, Richmond Avenue, Morningstar Road, and a line 200 feet northerly of Forest Avenue;
- b) a line 100 feet southerly of Richmond Terrace, Taylor Street, a line 150 feet southeasterly of Richmond Terrace, the northeasterly and northwesterly boundary line of the Staten Island Cemetery and its northeasterly prolongation, Tomkins Court, the easterly and northerly boundary line of Fountain Cemetery and its easterly prolongation, Van Street, the northwesterly boundary line of Lawrence C. Thompson Memorial Park and its southwesterly prolongation, Alaska Street, a line 200 feet northerly of Castleton Avenue, Dongan Street, a line 100 feet northerly of Castleton Avenue, and Clove Road; and
- c) Post Avenue, Clove Road, a line 100 feet southerly of Castleton Avenue, Dongan Street, a line 200 feet southerly of Castleton Avenue, Taylor Street, a line 240 feet southerly of Castleton Avenue, Roe Street, a line 200 feet southerly of Castleton Avenue, Elizabeth Street, a line 150 feet southerly of Castleton Avenue, State Street, Noble Place, Broadway, Britton Street, North Burcher Avenue, a line 150 feet southeasterly of Richmond Terrace, Bement Avenue, a line 150 feet northerly of Forest Avenue, Broadway, a line 100 feet northerly of Forest Avenue, Llewellyn Place, a line 300 feet northerly of Forest Avenue, and Jewett Avenue;

3. changing from an R4 District to an R3A District property bounded by:

- a) a line 100 feet southerly of Richmond Terrace, Faber Street, a line 150 feet southerly of Richmond Terrace, Maple Avenue, Harrison Avenue, a line 150 feet northwesterly of Richmond Avenue, Castleton Avenue, Faber Street, Charles Avenue, a line 150 feet northwesterly of Richmond Avenue, Post Avenue, a line 100 feet northwesterly of Richmond Avenue, Hooker Place, and Nicholas Avenue; and
- b) Ann Street, Avenue B, Bennett Street, Jewett Avenue, a line 150 feet northeasterly of Hurst Street, a line 150 feet southeasterly of Jewett Avenue, Dubois Avenue, Post Avenue, Jewett Avenue, the westerly prolongation of a line 250 feet southerly of Post Avenue, a line bisecting the angle formed by the northeasterly prolongation of the southeasterly street line of Cortlandt Street and the northerly prolongation of the westerly street line of Jewett Avenue, a line 150 feet southwesterly of Post Avenue, Cortlandt Street, a line midway between Post Avenue and Palmer Avenue, a line 100 feet southeasterly of Richmond Avenue,

Post Avenue, the southwesterly centerline prolongation of Park Avenue, Castleton Avenue, and a line 100 feet northwesterly of Park Avenue; and

4. **changing from an R3-2 District to an R3X District property bounded by** a line 100 feet northerly of Martineau Street and its westerly prolongation, Northfield Avenue, a line 150 southerly of Richmond Terrace, Grandview Avenue, a line perpendicular to the easterly street line of Grandview Avenue distant 420 feet northerly (as measured along the street line) from the intersection of the easterly street line of Grandview Avenue and the northerly street line of Cowen Place, Post Lane, a line 150 feet southwesterly of Richmond Terrace, Lockman Avenue, Davidson Street and its easterly and westerly centerline prolongation, the southerly centerline prolongation of Northfield Avenue, Arlington Place, Holland Avenue, Macormac Place, a line 100 feet easterly of Holland Avenue, a line 100 feet southerly of Benjamin Place, and a line 480 feet easterly of Holland Avenue;

as shown on a diagram (for illustrative purposes only) dated September 8, 2003 (C 020538 ZMR), Community District 1, Borough of Staten Island.

The above resolution (C 020538 ZMR), duly adopted by the City Planning Commission on November 5, 2003 (Calendar No. 25), 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 J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY,
ALEXANDER GARVIN, JANE D. GOL, JOHN MEROLO, DOLLY WILLIAMS,
Commissioners