



## CITY PLANNING COMMISSION

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November 5, 2003/Calendar No. 26

C 020636 ZMR

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**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, Sections Nos. 27a, 27b, 27d, and 34a:**

**1. changing from an R3-2 District to an R3-1 District property bounded by:**

- a. Stobe Avenue, Nugent Avenue, Graham Boulevard, Father Capodanno Boulevard, Mapleton Avenue, Patterson Avenue, a line midway between Midland Avenue and Hempstead Avenue, Olympia Boulevard, a line 200 feet southwesterly of Midland Avenue, Colony Avenue, Lincoln Avenue, a line midway between Baden Place and Patterson Avenue, Elmtree Avenue, a line 100 feet southeasterly of Hylan Boulevard, Maplewood Place, a line 150 feet southeasterly of Hylan Boulevard, Midland Avenue, and a line 100 feet southeasterly of Hylan Boulevard;
- b. New Dorp Lane, a line midway between Hett Avenue and Roma Avenue, Ebbitts Street, Hett Avenue, Navesink Place, Roma Avenue, a line 100 feet southwesterly of Tysens Lane, Finley Avenue and its southwesterly centerline prolongation, Agda Street and its southeasterly centerline prolongation, Milton Avenue, the southeasterly prolongation of a line 100 feet southwesterly of Roberts Drive, Manila Avenue, Kissam Avenue, 3<sup>rd</sup> Street and its northeasterly and southwesterly centerline prolongations, a line 415 feet southwesterly of Kissam Avenue, Mill Road, Aviston Street, Lynn Street, a line 100 feet northeasterly of Aviston Street, Falcon Avenue, Adelaide Avenue, Medina Street, Isabella Avenue, Hylan Boulevard, a line perpendicular to the southeasterly street line of Hylan Boulevard distant 100 feet (as measured along the street line) from the point of intersection of the southeasterly street line of Hylan Boulevard and the southwesterly street line of Malden Place, Falcon Avenue, Tysens Lane, and Mill Road; and
- c. Hylan Boulevard, Brook Avenue, the southwesterly centerline prolongation of Brook Avenue (between Dugdale Street and Fairbanks Avenue), and Emmet Avenue;

**2. changing from an R3-1 District to an R3X District property bounded by:**

- a. Richmond Road, Otis Avenue, a line 140 feet southeasterly of Richmond Road, Bryant Avenue, Richmond Road, Prescott Avenue, a line 100 feet southeasterly of Richmond Road, Fremont Avenue, Richmond Road, Lincoln Avenue, a line 200 feet southeasterly of Richmond Road, Midland Avenue, Richmond Road, the northwesterly centerline prolongation of Barton Avenue, a line 110 feet northwesterly of Richmond Road, the northwesterly prolongation of a line 100 feet southwesterly of Seaver Avenue,

Richmond Road, Seaver Avenue, North Railroad Avenue, a line midway between Jefferson Avenue and Stobe Avenue, a line 100 feet northwesterly of Hylan Boulevard, Midland Avenue, a line 150 feet northwesterly of Hylan Boulevard, Prescott Avenue, Hylan Boulevard, Bancroft Avenue, a line 100 feet northerwestly of Hylan Boulevard, Burbank Avenue, a line 150 feet northwesterly of Hylan Boulevard, Bache Avenue, a line 100 feet northwesterly of Hylan Boulevard, a line midway between Jacques Avenue and New Dorp Lane, Edison Street, Jacques Avenue, New Dorp Plaza, and a line midway between Cloister Place and New Dorp Lane and its southeasterly prolongation, and excluding property bounded by Lisbon Place and its southwesterly centerline prolongation, a line midway between Colfax Avenue and Lincoln Avenue, North Railroad Avenue, Colfax Avenue, Edison Street, Lincoln Avenue, a line 270 feet southeasterly of South Railroad Avenue, a line midway between Lincoln Avenue and Fremont Avenue, a line 100 feet southeasterly of South Railroad Avenue, Fremont Avenue, North Railroad Avenue, Greeley Avenue, a line 100 feet northwesterly of North Railroad Avenue, and a line midway between Lincoln Avenue and Fremont Avenue;

- b. Morley Avenue, Richmond Road, a line 100 feet southwesterly of New Dorp Lane, 4<sup>th</sup> Street, Ross Avenue, a line bisecting the angle formed by the southwesterly prolongation of the southeasterly street line of 3<sup>rd</sup> Street and the northwesterly street line of New Dorp Plaza, Beach Avenue, Amboy Road, Tysens Lane, Coverly Street and its northeasterly centerline prolongation, Bishop Street, and Cranford Avenue; and
- c. South Railroad Avenue, New Dorp Plaza, Ross Avenue, a line 150 feet southeasterly of New Dorp Plaza, a line 200 feet southwesterly of New Dorp Lane, 10<sup>th</sup> Street, a line midway between Coddington Avenue and New Dorp Lane, a line 100 feet northwesterly of Hylan Boulevard, a line 100 feet southwesterly of Peter Avenue, and Clarence Place; and

**3. changing from an R3-2 District to an R3X District property bounded by:**

- a. Amboy Road, Arc Place, and Tysens Lane;
- b. Brook Avenue and its southwesterly centerline prolongation (between Dugdale Street and Fairbanks Avenue), Aviston Street, Falcon Avenue, a line 100 feet northeasterly of Aviston Street, Lynn Avenue, Aviston Street, Mill Road, a line 415 feet southwesterly of Kissam Avenue, 3<sup>rd</sup> Street and its northeasterly and southwesterly prolongations, Kissam Avenue, Manila Avenue, the southeasterly prolongation of a line 100 feet southwesterly of Roberts Drive, Milton Avenue, Agda Street and its southeasterly centerline prolongation, Finley Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of Tysens Lane, Roma Avenue, Agda Street and its

southeasterly centerline prolongation, a boundary line of Great Kills Park and its northeasterly prolongation, Emmet Avenue, the former centerline of Emmet Avenue, a former boundary line of Great Kills Park, a boundary line of Great Kills Park and its northeasterly prolongation, and Emmet Avenue; and

- c. a line midway between Hett Avenue and Roma Avenue, New Dorp Lane, Cedar Grove Avenue, Waterside Street and its southeasterly centerline prolongation, a line 200 feet northwesterly of Cedar Grove Avenue, Center Place and its southeasterly centerline prolongation, Cedar Grove Avenue, a line 340 feet northeasterly of Milbank Road and its southeasterly prolongation, a line 100 feet southeasterly of Roma Avenue, a line 60 feet northeasterly of Milbank Road and its southeasterly prolongation, Cedar Grove Avenue, and Ebbitts Street;

as shown on a diagram (for illustrative purposes only) dated September 8, 2003 Community Districts 2 and 3, Borough of Staten Island.

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The application for an amendment of the Zoning Map was filed by the Staten Island Borough President on May 21, 2002, to rezone from R3-2 and R3-1 to R3-1 and R3X a 384 block area approximately bounded by Stobe Avenue, Graham Avenue Father Capodanno Boulevard, Cedar Grove Avenue, Emmet Avenue, and Richmond Road in the communities of New Dorp, New Dorp Beach, Midland Beach, Oakwood Beach and Grant City in Community Districts 2 and 3 of Staten Island.

## **BACKGROUND**

The area proposed to be rezoned consists of a 384 block area approximately bounded by Stobe Avenue, Graham Avenue, Father Capodanno Boulevard, Cedar Grove Avenue, Emmet Avenue, and Richmond Road in the communities of New Dorp, New Dorp Beach, Midland Beach, Oakwood Beach and Grant City. The area consists primarily of one and two family semi-detached and detached

homes built between 1940 and 1970. The area is zoned R3-2 and R3-1.

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

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 R3-1 districts permit 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.

Land uses within the area proposed to be rezoned are 87.6% residential, .41% commercial, .36% community facility, 11.3% vacant and .22% other uses. Detached housing comprises 74.7% of the residential housing type. Semi-detached houses comprise 18.9%, attached houses comprise 5.6% and the rest are mixed use buildings.

Under the proposed zoning the conformance for building type is 88%, the lot width compliance is 86%, the lot area compliance is 82%, and the FAR compliance remains 84%.

## **ENVIRONMENTAL REVIEW**

This application (C 020636 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 020636 ZMR) was certified as complete by the Department of City Planning on September 8, 2003, and was duly referred to Community Boards 2 and 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 2 held a public hearing on this application on September 9, 2003, and on September 16, 2003, by a vote of 30 to 0 with 3 abstentions, adopted a resolution recommending approval of the application. Community Board 3 held a public hearing on this application on September 17, 2003, and on September 23, 2003, by a vote of 33 to 0 with 0 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.

### **Borough Board Recommendation**

This application was considered by the Borough Board, who issued a recommendation approving the application on October 1, 2003.

### **City Planning Commission Public Hearing**

On October 8, 2003 (Calendar No. 8), the City Planning Commission scheduled October 22, 2003, for a public hearing on this application (C 020636 ZMR). The hearing was duly held on October 22, 2003 (Calendar No. 18). There were three speakers in favor of the application.

A representative of the Borough President's 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.

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application, in conjunction with the applications for the related actions, 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 southeast mid-island communities which are characterized by detached and semi-detached homes. The current zoning has allowed construction of attached and semi-detached housing in these neighborhoods. In some cases, older homes have been demolished to make way for the new construction. As a result, the character of the neighborhoods is undermined, and the additional density results in impacts on parking, schools, road networks, and mass transit.

The proposed R3X and R3-1 districts would limit future residential development to one- and two-family detached and semi-detached residences compatible with the present development pattern. Eighty-eight percent of the existing homes in the area proposed to be rezoned are detached and semi-detached one- and two-family 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 adjacent 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. The R3-1 requires 40 feet of lot width for detached buildings and 18 feet for semi-detached buildings. Eighty-eight percent of lots in the area to be rezoned will comply to the new R3-1 and R3X lot width requirements. The R3X district requires a minimum lot area of 3,325 square feet. The R3-1 requires a minimum lot area of 3,800 square feet for detached buildings and 1700 square feet for semi-detached buildings. Eighty-two percent of the lots in the area proposed to be rezoned to R3-1 and R3X will comply to the lot area requirements.

The Commission believes that the mapping of the contextual district in this portion of the southeast mid-island is consistent with the character of existing development. The R3-1 and R3X zoning districts will promote development patterns that will reinforce the existing character of the area by allowing the construction of only one and two-family detached and semi-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, **Sections Nos. 27a, 27b, 27d, and 34a:**

**1. changing from an R3-2 District to an R3-1 District property bounded by:**

- a.** Stobe Avenue, Nugent Avenue, Graham Boulevard, Father Capodanno Boulevard, Mapleton Avenue, Patterson Avenue, a line midway between Midland Avenue and Hempstead Avenue, Olympia Boulevard, a line 200 feet southwesterly of Midland Avenue, Colony Avenue, Lincoln Avenue, a line midway between Baden Place and Patterson Avenue, Elmtree Avenue, a line 100 feet southeasterly of Hylan Boulevard, Maplewood Place, a line 150 feet southeasterly of Hylan Boulevard, Midland Avenue, and a line 100 feet southeasterly of Hylan Boulevard;
- b.** New Dorp Lane, a line midway between Hett Avenue and Roma Avenue, Ebbitts Street, Hett Avenue, Navesink Place, Roma Avenue, a line 100 feet southwesterly of Tysens Lane, Finley Avenue and its southwesterly centerline prolongation, Agda Street and its southeasterly centerline prolongation, Milton Avenue, the southeasterly prolongation of a line 100 feet southwesterly of Roberts Drive, Manila Avenue, Kissam Avenue, 3<sup>rd</sup> Street and its northeasterly and southwesterly centerline prolongations, a line 415 feet southwesterly of Kissam Avenue, Mill Road, Aviston Street, Lynn Street, a line 100 feet northeasterly of Aviston Street, Falcon Avenue, Adelaide Avenue, Medina Street, Isabella Avenue, Hylan Boulevard, a line perpendicular to the southeasterly street line of Hylan Boulevard distant 100 feet (as measured along the street line) from the point of intersection of the southeasterly street line of Hylan Boulevard and the southwesterly street line of Malden Place, Falcon Avenue, Tysens Lane, and Mill Road; and
- c.** Hylan Boulevard, Brook Avenue, the southwesterly centerline prolongation of Brook Avenue (between Dugdale Street and Fairbanks Avenue), and Emmet Avenue;

**2. changing from an R3-1 District to an R3X District property bounded by:**

- a.** Richmond Road, Otis Avenue, a line 140 feet southeasterly of Richmond Road, Bryant Avenue, Richmond Road, Prescott Avenue, a line 100 feet southeasterly of Richmond Road, Fremont Avenue, Richmond Road, Lincoln Avenue, a line 200 feet southeasterly

of Richmond Road, Midland Avenue, Richmond Road, the northwesterly centerline prolongation of Barton Avenue, a line 110 feet northwesterly of Richmond Road, the northwesterly prolongation of a line 100 feet southwesterly of Seaver Avenue, Richmond Road, Seaver Avenue, North Railroad Avenue, a line midway between Jefferson Avenue and Stobe Avenue, a line 100 feet northwesterly of Hylan Boulevard, Midland Avenue, a line 150 feet northwesterly of Hylan Boulevard, Prescott Avenue, Hylan Boulevard, Bancroft Avenue, a line 100 feet northerwestly of Hylan Boulevard, Burbank Avenue, a line 150 feet northwesterly of Hylan Boulevard, Bache Avenue, a line 100 feet northwesterly of Hylan Boulevard, a line midway between Jacques Avenue and New Dorp Lane, Edison Street, Jacques Avenue, New Dorp Plaza, and a line midway between Cloister Place and New Dorp Lane and its southeasterly prolongation, and excluding property bounded by Lisbon Place and its southwesterly centerline prolongation, a line midway between Colfax Avenue and Lincoln Avenue, North Railroad Avenue, Colfax Avenue, Edison Street, Lincoln Avenue, a line 270 feet southeasterly of South Railroad Avenue, a line midway between Lincoln Avenue and Fremont Avenue, a line 100 feet southeasterly of South Railroad Avenue, Fremont Avenue, North Railroad Avenue, Greeley Avenue, a line 100 feet northwesterly of North Railroad Avenue, and a line midway between Lincoln Avenue and Fremont Avenue;

- b. Morley Avenue, Richmond Road, a line 100 feet southwesterly of New Dorp Lane, 4<sup>th</sup> Street, Ross Avenue, a line bisecting the angle formed by the southwesterly prolongation of the southeasterly street line of 3<sup>rd</sup> Street and the northwesterly street line of New Dorp Plaza, Beach Avenue, Amboy Road, Tysens Lane, Coverly Street and its northeasterly centerline prolongation, Bishop Street, and Cranford Avenue; and
- c. South Railroad Avenue, New Dorp Plaza, Ross Avenue, a line 150 feet southeasterly of New Dorp Plaza, a line 200 feet southwesterly of New Dorp Lane, 10<sup>th</sup> Street, a line midway between Coddington Avenue and New Dorp Lane, a line 100 feet northwesterly of Hylan Boulevard, a line 100 feet southwesterly of Peter Avenue, and Clarence Place; and

**3. changing from an R3-2 District to an R3X District property bounded by:**

- a. Amboy Road, Arc Place, and Tysens Lane;
- b. Brook Avenue and its southwesterly centerline prolongation (between Dugdale Street and Fairbanks Avenue), Aviston Street, Falcon Avenue, a line 100 feet northeasterly of Aviston Street, Lynn Avenue, Aviston Street, Mill Road, a line 415 feet southwesterly of Kissam Avenue, 3<sup>rd</sup> Street and its northeasterly and southwesterly prolongations, Kissam Avenue, Manila Avenue, the southeasterly prolongation of a line 100 feet

southwesterly of Roberts Drive, Milton Avenue, Agda Street and its southeasterly centerline prolongation, Finley Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of Tysens Lane, Roma Avenue, Agda Street and its southeasterly centerline prolongation, a boundary line of Great Kills Park and its northeasterly prolongation, Emmet Avenue, the former centerline of Emmet Avenue, a former boundary line of Great Kills Park, a boundary line of Great Kills Park and its northeasterly prolongation, and Emmet Avenue; and

- c. a line midway between Hett Avenue and Roma Avenue, New Dorp Lane, Cedar Grove Avenue, Waterside Street and its southeasterly centerline prolongation, a line 200 feet northwesterly of Cedar Grove Avenue, Center Place and its southeasterly centerline prolongation, Cedar Grove Avenue, a line 340 feet northeasterly of Milbank Road and its southeasterly prolongation, a line 100 feet southeasterly of Roma Avenue, a line 60 feet northeasterly of Milbank Road and its southeasterly prolongation, Cedar Grove Avenue, and Ebbitts Street;

as shown on a diagram (for illustrative purposes only) dated September 8, 2003 (C 020636 ZMR) Community Districts 2 and 3, Borough of Staten Island.

The above resolution (C 020636 ZMR), duly adopted by the City Planning Commission on November 5, 2003 (Calendar No. 26), 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**