



CITY PLANNING COMMISSION

September 14, 2005/Calendar No. 12

C 050454 ZMR

IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an Amendment of the Zoning Map, Section Nos. 27a and 27b:**

1. eliminating from an existing R3-1 District a C1-1 district (diagram 1 of 4) bounded by:
 - a. Willowbrook Road, a line 120 feet westerly of Bradley Avenue, a line 200 Feet southerly of Willowbrook Road, and Roosevelt Avenue; and
 - b. Bradley Avenue, a line 120 Feet southerly of Holden Boulevard, a line 115 Feet easterly of Bradley Avenue, a line 60 feet southerly of Holden Boulevard, Wellbrook Avenue, and a line 200 feet southerly of Holden Boulevard;
2. eliminating from an existing R3-1 District a C1-1 District (diagram 2 of 4) bounded by Colfax Avenue, a line 200 feet southeasterly of Richmond Road, Lincoln Avenue, and a line 150 feet southeasterly of Richmond Road;
3. eliminating from an existing R1-2 District a C1-1 District (diagram 3 of 4) Bounded by the northwesterly street line prolongation of Garretson Avenue, a Line 310 feet northerly of Four Corners Road, and a line 200 feet westerly of Richmond Road; and
4. eliminating from an existing R3-1 District a C2-1 District (diagram 4 of 4) Bounded by 4t street, a line 50 feet southwesterly of Rose Avenue, a line 75 Feet northwesterly of New Dorp Plaza, and a line 100 feet northeasterly of Ross Avenue;

Borough of Staten Island, Community District 2, partially within a Special Natural Area District (NA-1), as shown on diagrams 1 through 4 (for illustrative purposes only) dated May 23, 2005.

The application for an amendment of the Zoning Map was filed by The Department of City Planning on May 17, 2005, to eliminate certain commercial overlay districts in community District 2 of Staten Island.

BACKGROUND

Overdevelopment and inappropriate development have increasingly become one of the more significant planning issues facing Staten Island. In response, on July 25, 2003, Mayor Bloomberg announced the formation of the Staten Island Growth Management Task Force. The Task Force consists of elected officials, City agency commissioners, and representatives of Staten Island civic and community organizations, as well as professional organizations. The Task Force recommended a number of changes that would result in less dense development that would be more compatible with the existing neighborhoods. Many of the recommendations of the Task Force were implemented in 2004 with the adoption of a zoning text amendment (N040414 ZRY), which established the Lower Density Growth Management Area (LDGMA).

However, while most commercial districts and overlays allow for residential development, the LDGMA rules are not applicable. Since commercial overlays permit residential buildings without side yards and front yards, attached and semi-detached houses can be built that are out of context with the surrounding area even though the underlying residential zoning permits only detached residences.

The Department of City Planning proposes to amend the Zoning Map to eliminate all or part of four areas in Staten Island Community District 2. These areas contain commercial overlays mapped in one- and two-family residential districts. The objectives of the rezoning are to remove the potential to construct attached and semi-detached housing, to remove the potential for mid-block commercial uses in residential neighborhoods, to allow existing commercial uses to remain, and to allow future commercial development where appropriate.

The commercial overlays proposed to be eliminated or reduced are C1-1, C1-2, and C2-1. The C1 districts are local retail districts which are limited to use group 6 uses such as groceries and drug stores. The C2 districts permit a wider range of commercial uses (use groups 6, 9 and 14).

The areas being rezoned are located within underlying R3-1 districts. Of the 23 lots that comprise the four rezoning sub-areas in CD2, all are residentially developed.

The four areas are as follows:

Dongan Hills

The C1-1 overlay along Richmond Road is proposed to be reduced between Four Corners Road and Forest Road.

Dongan Hills / Colfax

The C1-1 overlay along Richmond Road is proposed to be reduced between Lincoln and Colfax avenues.

Holden Boulevard

The C1-1 overlay along Bradley Avenue is proposed to be reduced between Bradley and Roosevelt avenues, and between Holden Boulevard and Queen Street.

New Dorp

The C2-1 overlay along 4th Street along is proposed to be reduced between Rose Avenue and Ross Street.

ENVIRONMENTAL REVIEW

This application (C 050454 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 050DCP077R. 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 May 23, 2005.

UNIFORM LAND USE REVIEW

This application (C 050454 ZMR) was certified as complete by the Department of City Planning on May 23, 2005 and was duly referred to Community Board 2 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 June 7, 2005, and on June 21, 2005, by a vote of 31 to 0 with 1 abstention, adopted a resolution recommending approval of the applications.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on June 28, 2005.

City Planning Commission Public Hearing

On July 27, 2005 (Calendar No. 7), the City Planning Commission scheduled August 10, 2005 for a public hearing on this application (C 050454 ZMR). The hearing was duly held on August

10, 2005 (Calendar No. 23). There were no speakers in favor and one speaker in opposition.

A representative of a property owner on Richmond Road asked that the elimination near his property in the Dongan Hills sub-area not be pursued. He stated that the elimination would diminish the possibility that the overlay will be extended in the future to his property.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 050454 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 06-043.

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 Commission notes that the areas being rezoned are not developed with commercial uses. In addition the commercial overlay districts allow residential development that is out of context with the surrounding areas.

Eliminating the overlays in these areas would also preclude commercial development from encroaching into the mid-blocks. The overlays that remain contain existing commercial use or are appropriate for new commercial developments.

The Commission notes that the speaker at the public hearing represents an individual who owns property that is not within the rezoning area and is not affected by this application.

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. 27a and 27b:

1. eliminating from an existing R3-1 District (diagram 1 of 4) bounded by:
 - a. Willowbrook Road, a line 120 feet westerly of Bradley Avenue, a line 200 Feet southerly of Willowbrook Road, and Roosevelt Avenue; and
 - b. Bradley Avenue, a line 120 Feet southerly of Holden Boulevard, a line 115

Feet easterly of Bradley Avenue, a line 60 feet southerly of Holden Boulevard, Wellbrook Avenue, and a line 200 feet southerly of Holden Boulevard;

2. eliminating from an existing R3-1 District a C1-1 District (diagram 2 of 4) bounded by Colfax Avenue, a line 200 feet southeasterly of Richmond Road, Lincoln Avenue, and a line 150 feet southeasterly of Richmond Road;
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Borough of Staten Island, Community District 2, as shown on a diagram (for illustrative purposes only) dated May 23, 2005. (C 050454 ZMR)

The above resolution (C 050454 ZMR), duly adopted by the City Planning Commission on September 14, 2005 (Calendar No. 12), 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-Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR P.E.,
ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO III, JANE D. GOL,
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KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners