



CITY PLANNING COMMISSION

September 27, 2006/Calendar No. 6

C 060471 ZMR

IN THE MATTER OF an application submitted by the 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. 21c and 21d:

1. changing from an M2-1 District to a C4-2A District property bounded by a line perpendicular to the easterly street line of Bay Street distant 525 feet southerly (as measured along the street line) from the intersection of the easterly street line of Bay Street and the southerly street line of Hannah Street, a U.S. Pierhead Line, a line 175 feet southerly of the easterly prolongation of the northerly street line of Wave Street, Front Street*, Thompson Street, and the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right of Way;
2. changing from an M3-1 District to a C4-2A District property bounded by a line 175 feet southerly of the easterly prolongation of the northerly street line of Wave Street, a U.S. Pierhead Line, the northeasterly prolongation of the southerly street line of Greenfield Avenue, and the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right of Way, Thompson Street, and Front Street*; and
3. establishing a Special Stapleton Waterfront District (SW) bounded by a line perpendicular to the easterly street line of Bay Street distant 525 feet southerly (as measured along the street line) from the intersection of the easterly street line of Bay Street and the southerly street line of Hannah Street, a U.S. Pierhead Line, the northeasterly prolongation of the southerly street line of Greenfield Avenue, the southwesterly street line of Front Street* and the southeasterly prolongation of the straight line portion, a northeasterly property line of the Staten Island Rapid Transit (SIRT), and the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right of Way;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 8, 2006, and which includes CEQR Designation E-168.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on May 2, 2006, to facilitate development of the former U.S. Navy Homeport and surrounding area on the north shore of Staten Island in response to recommendations made by the Mayor's Task Force on Homeport Redevelopment.

RELATED ACTIONS

In addition to an amendment of the Zoning Map which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. C 060293 MMR City map change to eliminate, discontinue and close portions of a marginal street, wharf, or place; to establish Front Street and Baltic Street; to extinguish Murray Hulbert Avenue; and to realign Thompson Street and Hannah Street;
2. N 060468 ZRR Zoning text amendment to establish the Special Stapleton Waterfront District;
3. C 060469 PPR Disposition of city-owned property pursuant to zoning for six development parcels;
4. C 060470 PPR Disposition of city-owned property (up to 10,000 square feet) within the public areas of the Special Stapleton Waterfront District.

BACKGROUND

The Stapleton Waterfront project is a comprehensive plan to develop the former U.S. Navy Homeport on the north shore of Staten Island in response to the recommendations of the Mayor's Task Force on Homeport Redevelopment. Stapleton is one of Staten Island's historic town centers. For decades, the community has had insufficient waterfront access, and when the U.S. Navy established a homeport in Stapleton in 1990, the community was virtually cut off from the waterfront.

In 1995, after the Homeport was decommissioned as a naval base, New York City took ownership of the 35-acre site, including the 1,410-foot pier; however, the Navy retains access

rights to the pier on a limited basis. In 2003, the Mayor formed the Task Force on Homeport Redevelopment (hereinafter, “Task Force”) consisting of local elected officials, community representatives, local business owners, residents, staff from the Mayor's office and city agencies. The Task Force was charged with envisioning a new future for the site which would also reconnect the community with the waterfront. Over the course of several community planning meetings, the Task Force considered different development scenarios for the site. The Task Force identified the following key goals for the redevelopment plan: job creation, connection of the site to the Stapleton and North Shore communities, creation of public access to the waterfront, improved transportation connections, and the creation of a new destination.

In 2004, the Task Force made its final recommendations to the Mayor. Recommendations include development of an almost mile-long waterfront esplanade running the length of the site, residential units, a banquet hall and waterfront restaurant, sports complex, ground-floor retail and farmers market, and a major economic use such as a movie studio or office space. The proposed actions to facilitate this redevelopment plan consist of changes to the city map, zoning map and zoning text amendments, and disposition of city-owned property.

Area and Site Description

Stapleton is one of Staten Island's most walkable urban communities with a town center dating to the early 19th century. The community's history is strongly identified with the waterfront. Ferry service in the area dates to 1752. During World War II both the U.S. Army and the U.S. Navy used the Stapleton waterfront as the New York State Port of Embarkation. After the war, the waterfront fell into disrepair as the shipping industry moved to New Jersey.

The Stapleton Waterfront site is comprised of the 35-acre homeport site and eighteen lots west of Front Street and east of the Staten Island Rapid Transit line. Fifteen of these eighteen lots

are privately owned, two parcels are part of larger city owned lots and one is federally owned. The site is currently zoned M2-1 and M3-1. Former Navy homeport buildings now on the site would be razed to prepare the site for redevelopment. Government offices and services that are temporarily located in the navy buildings would be relocated. Other land uses in the area include several vacant lots, light manufacturing uses, marine and industrial repair shops, an electrical repair shop, a lighting-fixtures retail store, a furniture store, yacht club house, an auto-salvage yard, warehouses and a pool hall.

Main access to the site is from Front Street, which runs north-south through the site. Five east-west streets connect the site to Bay Street, which is one block inland. Bay Street is a main commercial and bus corridor in northeast Staten Island. The Staten Island Rapid Transit (SIRT), which is a half-block inland, has three stations serving the site: Tompkinsville Station to the north, Stapleton Station at the heart of the site, and Clinton Station to the south. The St. George Ferry Terminal, which provides the Staten Island Ferry connection to lower Manhattan, is a five-minute train ride to the north.

The area immediately west of the site is the core of the Stapleton town center surrounding Tappen Park. The town center is zoned C4-2 and comprised predominantly of low-rise buildings with ground-floor commercial spaces and community facilities and two or three stories of residential above. The surrounding residential neighborhoods to the west of the town center are zoned R3-2 and R4. The area includes the St. Paul's Avenue-Stapleton Heights Historic District, several townhouse developments, and the Stapleton Houses, a New York City Housing Authority complex. The Bayley-Seton Hospital complex and Edgewater Plaza, an eight-story office building on the waterfront, are near the southern boundary of the site. The Cromwell Recreation Center which is run by the New York City Department of Parks and

Recreation, Bay Street Landing condominiums, the future site of the National Lighthouse Museum, and the St. George Ferry Terminal are located to the north.

Actions Requested

Implementation of the plan recommended by the Task Force for Homeport Redevelopment requires approvals by the City Planning Commission (CPC) of zoning map and zoning text amendments, changes to the city map, and disposition of city-owned property.

Zoning Map and Text Amendments (C 060471 ZMR and N 060468 ZRR)

The Special Stapleton Waterfront District, combined with a change in the underlying zoning to a contextual commercial district, is expected to change the character of the Stapleton waterfront. The area is expected to be transformed from an underused industrial enclave to a mixed-use extension of the Stapleton town center with 12 acres of waterfront public access.

The rezoning area and special district encompass the city-owned Navy site (35 acres) and a small area west of Front Street which contains 18 lots. The northern boundary of the area lies approximately 560 feet south of Hannah Street. The southern boundary is the prolongation of the south street line of Greenfield Avenue. The Staten Island Rapid Transit right-of-way and the pierhead line define the western and eastern boundaries, respectively, of the rezoning area. The area is currently zoned M2-1 and M3-1. These districts both have an FAR of 2.0 and allow heavier industrial uses but do not permit residential uses.

The proposed zoning of C4-2A, modified by special district controls, will permit redevelopment of the homeport site consistent with the recommendations of the Task Force (such as residential units, banquet hall and waterfront restaurant, sports complex, retail, farmers market, and a major economic use). The proposed zoning will allow development that

closely matches the character and scale of the upland portions of Stapleton which is characterized by its street-wall development, ground-floor retail, and low-rise buildings. C4 districts are mapped in regional commercial centers that are located outside central business districts. C4 is designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage. C4-2A is a contextual zoning district that permits mixed-use buildings and requires residences to meet the standards of the Quality Housing Program.

The proposed Special Stapleton Waterfront District will modify the underlying C4-2A regulations and impose additional controls to achieve its goals, which are:

- to facilitate new development that is in character with the Stapleton neighborhood and surrounding community;
- to maintain and reestablish physical and visual public access to and along the waterfront;
- to strengthen the traditional town center of Stapleton by allowing the development of new residential and commercial uses;
- to encourage the creation of a lively and attractive environment that will provide daily amenities and service for the use and enjoyment of the working population and residents; and
- to take maximum advantage of the beauty of the New York Harbor waterfront, thereby best serving the business community, the residential population and providing regional recreation as well.

The special district will establish eight subareas encompassing the 35-acre waterfront site: the esplanade and public spaces, six development parcels (subareas A, B1 to B5) and the area west of Front Street which includes eighteen lots that are mostly privately owned (subarea C).

To keep the scale of the Stapleton town center and retain upland views of the water, the special district text will prescribe a lower maximum building height of 50 feet (approximately five stories), which is reduced from the 70 feet maximum building height permitted in C4-2A zones. An exception to the reduced height limit is made for Subarea B2 where buildings may rise to 60 feet without setbacks because Subarea B2 is slated to be developed with an active recreation sports complex for which additional height is necessary. Maximum base height in the special district will be limited to 35-40 feet. To match the reduced building height, the special district will limit the FAR to 2.0 rather than the 3.0 of the C4-2A. Within the special district, the space used for non-residential uses on the ground floor of a building with residences will not count as floor area.

To frame public spaces and shape the streetscape to match the characteristics of the Stapleton town center, building locations will be mandated in certain areas. The mandatory building locations are intended to form a street wall by placing buildings uniformly close to Front Street. This will frame two public spaces: The Cove, a public open space near the intersection of Canal Street and Water Street, and Pier Place, a public open space near the intersections of Front Street and Wave Street and Baltic Street. Buildings along Front Street can only have parking at the rear or side of the building and not between the street wall and street line.

An exception to the street wall and parking location requirement is made for subarea B5 at the southern end of the site to allow for more flexible site design. This portion of Front Street does not have a context of a continuous street wall as the existing uses across Front Street from subarea B5 are the open Staten Island Rapid Transit rail line and yard. It would be more desirable on subarea B5 to set back from Front Street and focus development nearer the proposed Esplanade.

To foster pedestrian activity on key streets and locations and to strengthen links between the waterfront and the town center, buildings on certain streets will be required to have non-residential uses on the ground floor. These streets include Canal Street, Water Street, and

Prospect Street between the rail right of way and Front Street, and the south-west corner of area B3 that abuts the Cove public open space. Also, to promote a lively streetscape throughout the special district, any building with non-residential uses on the ground floor must have at least 50 percent of its street-wall surface glazed and transparent at the ground-floor level.

To limit conflicts between vehicles and pedestrians, curb cuts are prohibited in certain locations on parcels that abut Pier Place and the Cove. Where permitted, curb cuts may not exceed a width of 25 feet, including splays. Parcels that abut both Front and another street are prohibited from having a curb cut on Front Street.

Throughout the special district, parking lots must be screened from all adjacent zoning lots and public spaces by dense shrubbery, and trees must be planted within larger parking lots at a rate of one tree per eight parking spaces. Street trees must be provided at the rate of one tree for each 25 feet of street frontage.

Throughout the special district, development must follow the underlying C4-2A parking regulations. Residential buildings must provide off-street parking spaces for 70 percent of all dwelling units and no waiver is permitted for a low number of required spaces. Commercial and community facility development must provide one space per 400 square feet of floor area, for most uses.

In lieu of Waterfront and Lower Density Growth Management zoning regulations, which will not apply within the special district, separate regulations regarding visual corridors, upland connections, parking location and screening will apply. The special district will require pedestrian connections to the waterfront esplanade at regular intervals and unobstructed visual corridors to the water from upland Stapleton.

To provide regular pedestrian access to and from the waterfront esplanade, upland pedestrian connections must be provided between subareas B2 and B3 and between B4 and B5. Other pedestrian connections will be provided through the Cove and Pier Place which abut the esplanade and Front Street, the first upland street. Upland connections must provide at least 24 linear feet of seating. Upland connections must provide a paved circulation path that is at least 16 feet wide with 7-foot wide planted buffer zones on each side. Any unpaved areas shall be planted.

To provide visual access to the waterfront, visual corridors must be maintained at the extension of Baltic Street, Prospect Street, Water Street, Canal Street and between subareas B4 and B5.

City-Map Changes (060293 MMR)

Changes to the city map would establish an efficient circulation system throughout the site and connect the waterfront lots to the upland Stapleton town center. Changes to the city map include:

- Elimination, discontinuance and closing of portions of the marginal street, wharf, or place, which is mapped throughout the site. As the site is no longer an active port, the marginal street, wharf or place is no longer needed.
- Mapping of new streets: Front Street and Baltic Street. Most of Front Street was built by the Navy in the 1990s. It runs the length of the Homeport site and is a substandard street with no curbs or sidewalks in places. It is currently mapped only at the core of the site between Wave Street and Thompson Street. The mapping action would establish Front Street at a new alignment for the length of the site from Hannah Street in the north to Edgewater Street to the south ranging in width from 50 feet to 70 feet. The mapping action would map Baltic Street from Bay Street to the west to Front Street to the east ranging in

width from 40 feet to 60 feet. This action would allow for development of a future connection between upland Stapleton and Front Street.

- Mapping of east-west connecting streets at their existing built widths: Prospect Street (45 feet wide), Water Street (45 feet wide), and Canal Street (56 feet wide) between Bay Street and Front Street. These streets are all open and in use.
- Mapping of Sands Street (45 feet wide) and Cross Street (45 feet wide) between Bay Street and the Staten Island Rail Right of Way, which are both open and in use;
- Demapping of the portion of Murray Hulbert Avenue south of Hannah Street. Murray Hulbert Avenue is a record street which is only partially open; in places, it is mapped beyond the shoreline.
- Realignment of Thompson Street and Hannah Street and delineation of sewer easements all within an area bounded by Willow Avenue, Bay Street, Hannah Street and the US Bulkhead line.

An Interagency Mapping Conference was held on February 10, 2006; no city agencies had any objections to the mapping actions.

Disposition of City-owned Property

In order to implement the redevelopment plan, the Department of Small Business Services (DSBS) seeks disposition of city-owned properties: six development parcels (Subareas A, B1-B5), two other parcels in subarea C, and small portions of the esplanade as described below.

Disposition of the development sites pursuant to zoning would allow for development under the Task Force's redevelopment recommendations. Upon disposition approval, the Department of Small Business Services intends to dispose of Block 487, part of lot 100 and part of lot 110

(Subarea A and Subareas B1 through B5, and two triangular lots within subarea C) to EDC. EDC will issue requests for proposals (hereinafter “RFPs”) for the uses identified by the Task Force and dispose of the sites to selected developers. (C 060469 PPR)

Upon disposition approval, DSBS also intends to dispose of Block 487, part of lot 110 (up to 10,000 square feet within the 12 acres of public open space to EDC). EDC intends to dispose of the sites via a request for proposals for commercial uses that will service the public open spaces. Such uses may include bike rentals, kayak rentals, or small retail stands to be located in unspecified locations throughout the public open spaces. (C 060470 PPR)

ENVIRONMENTAL REVIEW

This application (C 060471 ZMR), in conjunction with the applications for the related actions (C 060293 MMR, N 060468 ZRR, C 060469 PPR, C 060470 PPR), 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 06DME001R. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding.

The lead agency prepared a DEIS and issued a Notice of Completion on May 3, 2006. Pursuant to SEQRA regulations and CEQR procedures, a joint public hearing was held on the DEIS on August 23, 2006, in conjunction with the Uniform Land Use Review Procedure (ULURP) applications (C 060293 MMR, N 060468 ZRR, C 060469 PPR, C 060470 PPR).

The Final Environmental Impact Statement (FEIS) was completed and a Notice of Completion of the FEIS was issued on September 14, 2006.

The Notice of Completion for the FEIS identified significant adverse impacts and proposed mitigation measures with respect to the Proposed Action that are summarized in the FEIS Executive Summary attached as Exhibit A hereto.

UNIFORM LAND USE REVIEW

This application (C 060471 ZMR) in conjunction with the applications for the related actions (C 060293 MMR, C 060469 PPR, C 060470 PPR) was certified as complete by the Department of City Planning on May 8, 2006, and was duly referred to Community Board 1 and the Staten Island Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules along with the related text change application (N 060468 ZRR) which was referred for review and comment.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on June 5, 2006, and on June 13, 2006, by a vote of 24 to 1 with 1 abstention, adopted a resolution recommending approval of the application subject to the following conditions:

- "Incorporate affirmative action language (community benefits agreements)
- that the design include sustainable building
- public access to the pier and the support service building for the pier, Fleet Week and other activities be preserved and incorporated into the design and RFP
- upon completion, public access areas, parkland, the esplanade and all public facilities be transferred to the Department of Parks & Recreation with a conservancy established to provide for capital projects and on-going maintenance using revenue derived by disposition and the maintenance costs of the residential units."

Borough President Recommendation

This application was considered by the Borough President who issued a recommendation on June 27, 2006, approving the application.

City Planning Commission Public Hearing

On August 9, 2006 (Calendar No. 6), the City Planning Commission scheduled August 23, 2006, for a public hearing on this application (C 060471 ZMR). The hearing was duly held on August 23, 2006 (Calendar No. 21) in conjunction with the applications for the related actions (C 060293 MMR, N 060468 ZRR, C 060469 PPR, C 060470 PPR). There were eight speakers in favor of the application and no speakers in opposition.

Two representatives from EDC introduced the proposal and thanked those who participated in the planning process. Two consultants for EDC also appeared in favor. A representative of the City Council Member from City Council District 49 in Staten Island spoke in favor of the proposed actions. She reiterated the Council Member's support of the proposal.

A representative of Staten Island Fleet Week spoke in favor of the application but expressed concerns about the relocation of the organization's facilities necessitated by the proposal. His group coordinates a yearly event where Navy ships dock at the Homeport, with 3,000 to 5,000 military personnel aboard. The ships are open to visitors, and his organization will require a new location in the future for Fleet Week events.

A representative of the Downtown Staten Island Council spoke in favor of the project. She had concerns about the development benefiting only the waterfront area of Stapleton. She asked that the amount of retail on the waterfront side of the SIRT rail line be limited so that the balance of retail and commercial remains and grows in the existing town center of Stapleton.

A business owner from Stapleton who served on the Task Force appeared in favor. He said the plan was balanced. Out of 36 acres, about half will be open space. Building height limits will prevent a walled off waterfront. He stated that the visual corridors and new cut-throughs will overcome the barrier of the raised rail line between the waterfront and Bay Street. He believed the plan was already spurring investment and economic development.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 060471 ZMR), in conjunction with the applications for the related actions (C 060293 MMR, N 060468 ZRR, C 060469 PPR, C 060470 PPR), 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 06-007.

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 (C 060471 ZMK), in conjunction with the related applications for changes to the city map (C 060293 MMR),

amendments to the Zoning Resolution, as modified (N 060468 ZRR), and disposition of city-owned property (C 060469 PPR and C 060470 PPR), is appropriate.

The Commission recognizes that the actions are the result of the comprehensive planning effort of the Task Force on Homeport Redevelopment. The Task Force's plan has an economic rationale and is supported by the Stapleton community and the borough as a whole. The proposals will help create a mixed-use community with ample open space on underutilized waterfront property.

The Commission believes that rezoning the property from M2-1 and M3-1 to C4-2A in conjunction with the proposed Special Stapleton Waterfront District is appropriate. The majority of the area to be rezoned is the former Navy homeport property (35 acres), and a small number of privately owned lots are also to be rezoned. The Commission recognizes that the goal of the plan to transform the area from an industrial enclave to a mixed-use extension of the Stapleton town center with 12 acres of public waterfront access. Only thirteen of the existing uses on the west side of Front Street would become non-conforming.

The Commission believes that the urban design regulations of the special district will ensure that the new development will maintain the character and scale of upland Stapleton and reinforce connections between the town center and the waterfront. The special district will promote a streetscape that is urban yet welcoming -- that retains its historic connections but injects a fresh energy into Stapleton. The special district and underlying zoning will limit building height, require most buildings to be built to the street line, promote mixed-use development, and require street trees. The special district will encourage a lively streetscape by requiring transparency for ground-floor non-residential uses throughout the special district and mandating that key streets linking the town center to the waterfront be developed with non-residential uses on the ground floor.

In order to encourage ground floor non-residential uses, Section 116-221 exempts such uses from the definition of floor area. It was pointed out during the public review that the proposed text as referred could have been interpreted as exempting such ground floor non-residential uses from other zoning requirements such as accessory parking. This was never the intent of the text; consequently the Commission is modifying the proposed text (N 060468 ZRR) so that all other zoning regulations apply to the exempted floor area.

The Commission believes that a height limit of 50 feet is appropriate and balances the need to match new development with the existing town center and to preserve views of the waterfront from upland Stapleton. Buildings in the Stapleton area average three to four stories with only a few buildings exceeding five stories. The Commission notes that the 50 foot height limit, which is roughly equivalent to five stories, emerged during the planning process as an acceptable height limit that would allow growth and preserve upland views of the waterfront.

The Commission believes that the project will establish much-needed physical and visual access to the waterfront and create approximately twelve acres of publicly-accessible open space. Open spaces will include an almost mile-long waterfront esplanade and two major public open spaces that will accommodate a mix of active and passive uses. Required visual corridors will provide new views of the waterfront from upland streets at regular intervals where there currently are none. Required upland connections will provide easy access pedestrian between the esplanade and Stapleton town center.

The Commission believes that changes to the city map will create a safe and efficient circulation system through the area. The proposed alignment of Front Street will create safer roadway geometry. Mapping Front Street for the length of the site will allow the street to be developed with sidewalks, crosswalks, on-street parking, and proper drainage. Mapping of

Baltic Street between Bay Street and Front Street will provide an additional connection between the waterfront and upland Stapleton.

The former Navy homeport is an underutilized property that has the opportunity to become an asset to Stapleton, Staten Island, and all of New York City. The disposition of city-owned property will allow for development that will attract additional residents, create jobs, and make available valuable waterfront open space and other amenities to Stapleton and the city. The Commission recognizes that EDC will continue to work with the Task Force to ensure that the RFPs reflect the development envisioned under the plan.

The Commission notes that the condition regarding affirmative action and a community benefits agreement recommended by Community Board 1 relates to subject matter which is outside the scope of the ULURP process. The Commission further notes that at Community Board 1's public hearing on the project, EDC representatives stated that they will consider incorporating sustainable building designs into the RFP's for the public development sites. In addition, at the City Planning Commission public hearing, EDC indicated that they will work with the organizers of the annual Fleet Week Celebration to accommodate their activities during the construction phases of the Stapleton Waterfront. EDC also committed to working out a long-term maintenance arrangement for the future waterfront esplanade. EDC further stated that it will continue maintenance for the short term, and is considering two options for the long term: either an organization dedicated to the site to handle maintenance and programming issues, or, an agreement with the NYC Department of Parks and Recreation to maintain it. EDC envisions establishing a trust, funded by the Stapleton Waterfront residential development, to pay for the open space maintenance. However, in the

interim, EDC will be responsible for maintaining the public areas. Public access to the pier is currently constrained by the Navy's lease agreement for the pier.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on September 14, 2006 with respect to this application (CEQR No. 06DME001R), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts and of social, economic and other factors and standards that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; 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. 21c and 21d:

1. Changing from an M2-1 District to a C4-2A District property bounded by a line perpendicular to the easterly street line of Bay Street distant 525 feet southerly (as measured along the street line) from the intersection of the easterly street line of Bay Street and the southerly street line of Hannah Street, a U.S. Pierhead Line, a line 175 feet southerly of the easterly prolongation of the northerly street line of Wave Street, Front Street*, Thompson Street, and the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right of Way;
2. changing from an M3-1 District to a C4-2A District property bounded by a line 175 feet southerly of the easterly prolongation of the northerly street line of Wave Street, a U.S. Pierhead Line, the northeasterly prolongation of the southerly street line of Greenfield Avenue, and the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right of Way, Thompson Street, and Front Street*; and
3. establishing a Special Stapleton Waterfront District (SW) bounded by a line perpendicular to the easterly street line of Bay Street distant 525 feet southerly (as measured along the street line) from the intersection of the easterly street line of Bay Street and the southerly street line of Hannah Street, a U.S. Pierhead Line, the northeasterly prolongation of the southerly street line of Greenfield Avenue, the southwesterly street line of Front Street* and the southeasterly prolongation of the straight line portion, a northeasterly property line of the Staten Island Rapid Transit (SIRT), and the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right of Way;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 8, 2006, and which includes CEQR Designation E-168.

The above resolution (C 060471 ZMR), duly adopted by the City Planning Commission on September 27, 2006 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, 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., ALFRED C. CERULLO III, RICHARD W. EADDY,
JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO,
KAREN A. PHILLIPS, Commissioners