



## CITY PLANNING COMMISSION

December 1, 2010 / Calendar No. 6

C 110069 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. 20d, 26c, 27a, 33c and 33d:

1. eliminating from within an existing R3-1 District a C1-2 District bounded by Victory Boulevard, Saybrook Street, a line 150 feet southerly of Victory Boulevard, and Richmond Avenue;
2. eliminating from within an existing R3X District a C1-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 150 feet westerly of Richmond Avenue;
3. establishing within an existing R3-1 District a C1-2 District bounded by:
  - a. Eton Place, a westerly boundary line of Willowbrook Park and its northerly prolongation, a northerly boundary line of Willowbrook Park and its westerly prolongation, and Richmond Avenue;
  - b. Saxon Avenue, Steinway Avenue, a line 200 feet northeasterly of Travis Avenue, a line 100 feet southeasterly of Richmond Avenue, Travis Avenue, and Richmond Avenue;
  - c. Slater Boulevard, a line 150 feet southeasterly of Hylan Boulevard, a line midway between Slater Boulevard and Seaver Avenue, a line 100 feet southeasterly of Hylan Boulevard, a line 40 feet southwesterly of Seaver Avenue, and Hylan Boulevard;
  - d. Goodall Street, a line 100 feet southeasterly of Hylan Boulevard, Walnut Avenue, and Hylan Boulevard;
  - e. Armstrong Avenue, a line 100 feet southeasterly of Hylan Boulevard, Groton Street, and Hylan Boulevard;
  - f. Littlefield Avenue, a line 100 feet southeasterly of Hylan Boulevard, Winchester Avenue, and Hylan Boulevard; and
  - g. a line 40 feet northeasterly of Oceanic Avenue, a line 100 feet southeasterly of Hylan Boulevard, Oceanic Avenue, a line 175 feet southeasterly of Hylan Boulevard, Richmond Avenue, and Hylan Boulevard;
4. establishing within an existing R3-1 District a C2-2 District bounded by:
  - a. Victory Boulevard, Saybrook Street, a line 150 feet southerly of Victory Boulevard, a line 150 feet easterly of Richmond Avenue, a line 520 feet southerly

- of Victory Boulevard, and Richmond Avenue;
  - b. Walnut Avenue, a line 75 feet southeasterly of Hylan Boulevard, Armstrong Avenue, and Hylan Boulevard; and
  - c. Groton Street, a line 100 feet southeasterly of Hylan Boulevard, Littlefield Avenue, and Hylan Boulevard;
5. establishing within an existing R3-2 District a C1-2 District bounded by:
- a. a southerly boundary line of Willowbrook Park and its westerly prolongation, a westerly boundary line of Willowbrook Park, a northerly boundary line of Willowbrook Park and its westerly prolongation, and Richmond Avenue;
  - b. a southerly boundary line of Willowbrook Park and its westerly prolongation, a westerly boundary line of Willowbrook Park, a northerly boundary line of Willowbrook Park and its westerly prolongation, Richmond Avenue, the easterly prolongation of a line 100 feet northerly of Knapp Street, a line 100 feet westerly of Richmond Avenue, Rivington Avenue, and Richmond Avenue; and
  - c. Travis Avenue, Richmond Avenue, and Draper Place;
6. establishing within an existing R3-2 District a C2-2 District bounded by Rockland Avenue, a line 100 feet easterly of Richmond Avenue, and Saxon Avenue, and Richmond Avenue;
7. establishing within an existing R3A District a C1-2 District bounded by:
- a. William Avenue, Hylan Boulevard, Armstrong Avenue, and a line 150 feet northwesterly of Hylan Boulevard; and
  - b. Ridgecrest Avenue, Hylan Boulevard, Richmond Avenue, and a line 100 feet northwesterly of Hylan Boulevard;
8. establishing within an existing R3X District a C1-2 District bounded by:
- a. Forest Street, Richmond Avenue, a line 75 feet southerly of Forest Street, and a line 100 feet westerly of Richmond Avenue; and
  - b. Draper Place, Richmond Avenue, and Travis Avenue;
9. establishing within an existing R3X District a C2-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 350 feet westerly of Richmond Avenue; and

10. establishing within an existing R5 District a C1-2 District bounded by Naughton Avenue, a line 150 feet northwesterly of Hylan Boulevard, the northwesterly centerline prolongation of Slater Boulevard, Hylan Boulevard, Seaver Avenue, and Joyce Street;

as shown on a diagram (for illustrative purposes only) dated September 13, 2010, and subject to the conditions of CEQR Declaration E-262.

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The application for an amendment of the Zoning Map was filed by the Department of City Planning on September 10, 2010 to map commercial overlays in three residentially zoned areas of Staten Island. The proposal will rezone approximately 28 blocks along the corridors of Richmond Avenue and Hylan Boulevard in Community Districts 2 and 3 which are predominately developed with commercial uses.

## **BACKGROUND**

As part of the on-going efforts of the Mayor's Lower Density Growth Management (LDGM) Task Force and other elected officials the Department of City Planning has identified several areas in Staten Island that are located in residential zoning districts but are predominately developed with non-conforming commercial uses. Many of these commercial uses exist because they were either established prior to the adoption of the 1961 zoning regulations or they were subsequently allowed through variances approved by the Board of Standards and Appeals. Since the existing commercial uses are not located within commercial zones, the LDGM commercial regulations and the updated commercial parking lot design guidelines do not apply to these businesses. Consequently, the Department proposes to rezone three existing commercial corridors to the appropriate commercial districts. This will bring the existing commercial uses into conformance with the underlying zoning and will provide a consistent regulatory framework for their future development. The 28 block proposal consists of three distinct areas of Staten Island. Area 1 is on Richmond Avenue, Area 2 on Hyland Boulevard and Area 3 on Hylan Boulevard.

Area 1 consists of 9 Blocks (Blocks 2030, 2070, 2072, 2102, 2105, 2155, 2159, 2361,2360) located on Richmond Avenue between Victory Boulevard and Travis Avenue in Community

District 2. The area is currently zoned R3X, R3-1, and R3-2 and is partially located within the Special South Richmond Development District (SSRDD). This is a heavily trafficked commercial corridor characterized by a mix of retail and office uses. There are 52 lots within Area 1: 28 lots are developed with commercial uses; 11 lots are developed with one and two-family residential uses; 6 are auto uses, 2 are developed with community facilities and 5 of the lots are vacant.

Area 2 is located at the intersection of Hylan Boulevard and Seaver Avenue also in Community District 2. The area is currently zoned R3-1 and R5 and is adjacent to commercial districts to the north and south. The three-block area (Blocks 3548, 3657, 3658) contains 5 lots predominately developed with commercial uses, including a large office supply store which was developed through a BSA variance, a vacant lot, and an accessory parking lot accessory to a commercial use.

Area 3 consists of 13 blocks (blocks 5282, 5297, 5307, 5310, 5311, 5312, 5315, 5316, 5317, 5318, 5319, 5321, 5322) located on Hylan Boulevard between Goodall Street and Richmond Avenue in Community District 3. The area is currently zoned R3A and R3-1 and is developed with a mix of community facility, office, and retail uses interspersed with residential homes fronting Hylan Boulevard. There are seven lots developed with one- and two- family residential lots, three mixed-use lots, 14 commercial lots, two auto uses, five community facility lots, and five vacant lots.

R3X zoning allows for detached one- or two-family buildings on 40-foot wide lots with a maximum Floor to Area Ratio (FAR) of .6, a maximum perimeter wall height of 26 feet, and a peak height of 35 feet. One parking space is required for 150% of dwelling units. The R3X also allows for community facility uses.

Within the SSRDD, the R3-1 Zone allows for detached one- or two-family residences on 40-foot wide lots, or semi-detached one- or two-family residences on 24- foot wide lots. Outside of the SSRDD, detached residences still require a 40-foot lot width, but semi-detached residences

require only 18-foot wide lots. Residential buildings within the R3-1 Zone could have a maximum FAR of .6 with a maximum perimeter wall height of 26 feet and a peak height of 35 feet. Parking requirements for residential uses are 150% of dwelling units. The R3-1 also allows for community facility uses.

R3-2 zoning allows a variety of residential uses including multiple dwelling residential buildings. Residential buildings could have a maximum FAR of .6 with a maximum perimeter wall height of 26 feet and a peak height of 35 feet. Parking requirements for residential uses are 150%. The R3-2 also allows for community facility uses.

R5 zoning allows a variety of residential uses at a higher density than the R3 zoning. Residential buildings have a maximum FAR of 1.25 with a maximum height of 40 feet, and a street wall height limited to 30 feet. Parking requirements for residential uses are 150% or one space per dwelling unit. The R5 also allows for community facility uses.

The proposal seeks to establish C1-2 and C2-2 overlays in Area 1 on Richmond Avenue, a C1-2 Overlay in Area 2 on Hyland Boulevard, and C1-2 and C2-2 overlays Area 3 on Hylan Boulevard.

In Area 1 the proposal would establish C1-2 and C2-2 overlays on 52 lots fronting Richmond Avenue where commercial uses exist today. Most of the area would be changed to a C1-2 zone: in one area a C2-2 Zone would allow an existing funeral and monument sales establishment to become a conforming use; and in another a C2-2 Zone would allow existing gas stations to modify their establishments by BSA Special Permit. The proposal would increase the existing use conformance from 35% to 96%.

In Area 2 the proposal would establish a C1-2 overlay on 7 lots within three blocks fronting Richmond Avenue where commercial uses exist today. The proposal would increase the existing use conformance from 0% to 100%.

In Area 3 the proposal would establish C1-2 and C2-2 commercial overlays on 36 lots fronting Richmond Avenue where commercial uses exist today. The majority of the mapping will entail C1-2 overlays, while two blocks will be rezoned to C2-2. The proposed C2-2 areas would allow existing gas stations to modify their establishments by BSA Special Permit. The proposal would increase the existing use conformance from 50% to 95%.

## **ENVIRONMENTAL REVIEW**

This application (C 110069 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 11DCP023Y. 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 13, 2010. The Declaration included an (E) designation (E-262) for hazardous materials, air quality and noise, as described below.

To preclude the potential for significant adverse hazardous materials impacts, an (E) designation would be mapped on the following lots:

- Block 2072, Lot 28 (Projected Development Site 1)**
- Block 2102, Lot 106 (Projected Development Site 2)**
- Block 2361, Lots 12, 14, 17, 22 (Projected Development Site 3)**
- Block 5282, Lots 67, 69 (Projected Development Site 4)**
- Block 5318, Lots 5, 6, 7 (Projected Development Site 5)**
- Block 24, Lot 1 (Projected Development Site 6)**
- Block 23, Lots 17, 42 (Projected Development Site 7)**
- Block 23, Lots 1, 4, 13 (Projected Development Site 8)**
- Block 115, Lots 61, 62, 63 (Projected Development Site 9)**
- Block 47, Lots 7, 10, 107 (Projected Development Site 10)**
- Block 5282, Lots 73, 75 (Potential Development Site D)**

The text for the (E) designations is as follows:

### **Task 1-Sampling Protocol**

## **A. Petroleum**

**A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.**

**A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.**

## **B. Non-Petroleum**

**The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground-water sampling protocols should be followed.**

**A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol ( i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.**

**For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.**

**The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.**

**The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of**

a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

#### **Task 2-Remediation Determination and Protocol**

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtain, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

With the placement of the (E) designations on the above blocks and lots, no impacts related to hazardous materials would be expected.

To preclude the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation would be incorporated into the proposal. The text for the (E) designations is as follows:

**Block 2072, Lot 28 (Projected Development Site 1)**

**Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**



**Block 2102, Lot 106 (Projected Development Site 2)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 2361, Lots 12, 14, 17, 22 (Projected Development Site 3)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 5282, Lots 67, 69 (Projected Development Site 4)**

Any new residential/commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 5318, Lots 5, 6, 7 (Projected Development Site 5)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 24, Lot 1 (Projected Development Site 6)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 23, Lots 17, 42 (Projected Development Site 7)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 23, Lots 1, 4, 13 (Projected Development Site 8)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 115, Lots 61, 62, 63 (Projected Development Site 9)**

Any new residential/commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 47, Lots 7, 10, 107 (Projected Development Site 10)**

Any new residential/commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC)

systems, to avoid any potential significant air quality impacts.

**Block 2030, Lots 40, 42 (Potential Development Site A)**

Any new residential/commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 2030, Lots 35, 38 (Potential Development Site B)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 2102, Lot 130 (Potential Development Site C)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

**Block 5282, Lots 73, 75 (Potential Development Site D)**

Any new commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

With the placement of the (E) designations on the above blocks and lots, no impacts related to stationary source air quality would be expected.

To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the proposal. The text for the (E) designations is as follows:

**Block 115, Lots 61, 62, 63 (Projected Development Site 9)**

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window/wall attenuation on all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

**Block 47, Lots 7, 10, 107 (Projected Development Site 10)**

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation on all façades in order to maintain

**an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.**

With the placement of the (E) designation for noise, no impacts related to noise are expected and no further analysis is warranted.

## **UNIFORM LAND USE REVIEW**

This application (C 110069 ZMR) was certified as complete by the Department of City Planning on September 13, 2010, and was duly referred to Community Board 2 and 3, the Borough Board and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application (C 110069 ZMR) on October 20, 2010, on that date by a vote of 23 to 0 with no abstentions, adopted a resolution recommending approval of the application.

Community Board 3 held a public hearing on this application (C 110069 ZMR) on September 28, 2010, on that date by a vote of 28 to 0 with 1 abstention, adopted a resolution recommending approval of the application.

### **Borough Board Recommendation**

The application (C 110069 ZMR) was considered by the Borough Board, who issued a recommendation approving the application on November 3, 2010.

### **Borough President Recommendation**

The application (C 110069 ZMR) was considered by the Borough President, who issued a recommendation approving the application on November 4, 2010.

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

On October 27, 2010, Cal. No. 3, the Commission scheduled November 17, 2010 for a public hearing on this application (C 110069 ZMR). The hearing was duly held on November 17, 2010 (Calendar No. 12). There were no speakers and the hearing was closed.

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

This application (C 110069 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 10-039R.

The action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

The Commission believes that this application to amend the Zoning Map (C 110069 ZMR) is appropriate.

The Commission notes that the areas to be rezoned are already substantially developed with commercial uses and believes that the proposed zoning will closely correspond to the area's existing land use patterns and ensure that future development will reinforce the built context of these Staten Island commercial corridors. The Commission believes that the rezoning will provide a consistent regulatory framework for future development.

The Commission also notes that the proposed zoning will ensure that future development will have to comply with parking lot landscape rules, including street perimeter plantings, interior plantings, bioswales, and parking lot planted buffers. Future development will also be required to comply with commercial district parking regulations and maneuverability standards.

The Commission believes that establishing the proposed C1-2 and C2-2 commercial overlay districts will reinforce and strengthen existing local and regional retail, office, and auto service uses along these commercial shopping corridors, and that the new C1-2 and C2-2 overlays will recognize existing the commercial uses that dominate these commercial corridors.

The Commission further believes that these zoning designations will reinforce the existing commercial character by ensuring that new development will be at a density and form compatible with the existing developments within the rezoning area.

## **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. 20d, 26c, 27a, 33c and 33d:

1. eliminating from within an existing R3-1 District a C1-2 District bounded by Victory Boulevard, Saybrook Street, a line 150 feet southerly of Victory Boulevard, and Richmond Avenue;
2. eliminating from within an existing R3X District a C1-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 150 feet westerly of Richmond Avenue;

3. establishing within an existing R3-1 District a C1-2 District bounded by:
  - a. Eton Place, a westerly boundary line of Willowbrook Park and its northerly prolongation, a northerly boundary line of Willowbrook Park and its westerly prolongation, and Richmond Avenue;
  - b. Saxon Avenue, Steinway Avenue, a line 200 feet northeasterly of Travis Avenue, a line 100 feet southeasterly of Richmond Avenue, Travis Avenue, and Richmond Avenue;
  - c. Slater Boulevard, a line 150 feet southeasterly of Hylan Boulevard, a line midway between Slater Boulevard and Seaver Avenue, a line 100 feet southeasterly of Hylan Boulevard, a line 40 feet southwesterly of Seaver Avenue, and Hylan Boulevard;
  - d. Goodall Street, a line 100 feet southeasterly of Hylan Boulevard, Walnut Avenue, and Hylan Boulevard;
  - e. Armstrong Avenue, a line 100 feet southeasterly of Hylan Boulevard, Groton Street, and Hylan Boulevard;
  - f. Littlefield Avenue, a line 100 feet southeasterly of Hylan Boulevard, Winchester Avenue, and Hylan Boulevard; and
  - g. a line 40 feet northeasterly of Oceanic Avenue, a line 100 feet southeasterly of Hylan Boulevard, Oceanic Avenue, a line 175 feet southeasterly of Hylan Boulevard, Richmond Avenue, and Hylan Boulevard;
4. establishing within an existing R3-1 District a C2-2 District bounded by:
  - a. Victory Boulevard, Saybrook Street, a line 150 feet southerly of Victory Boulevard, a line 150 feet easterly of Richmond Avenue, a line 520 feet southerly of Victory Boulevard, and Richmond Avenue;
  - b. Walnut Avenue, a line 75 feet southeasterly of Hylan Boulevard, Armstrong Avenue, and Hylan Boulevard; and
  - c. Groton Street, a line 100 feet southeasterly of Hylan Boulevard, Littlefield Avenue, and Hylan Boulevard;
5. establishing within an existing R3-2 District a C1-2 District bounded by:
  - a. a southerly boundary line of Willowbrook Park and its westerly prolongation, a westerly boundary line of Willowbrook Park, a northerly boundary line of Willowbrook Park and its westerly prolongation, and Richmond Avenue;

- b. a southerly boundary line of Willowbrook Park and its westerly prolongation, a westerly boundary line of Willowbrook Park, a northerly boundary line of Willowbrook Park and its westerly prolongation, Richmond Avenue, the easterly prolongation of a line 100 feet northerly of Knapp Street, a line 100 feet westerly of Richmond Avenue, Rivington Avenue, and Richmond Avenue; and
  - c. Travis Avenue, Richmond Avenue, and Draper Place;
- 6. establishing within an existing R3-2 District a C2-2 District bounded by Rockland Avenue, a line 100 feet easterly of Richmond Avenue, and Saxon Avenue, and Richmond Avenue;
- 7. establishing within an existing R3A District a C1-2 District bounded by:
  - a. William Avenue, Hylan Boulevard, Armstrong Avenue, and a line 150 feet northwesterly of Hylan Boulevard; and
  - b. Ridgecrest Avenue, Hylan Boulevard, Richmond Avenue, and a line 100 feet northwesterly of Hylan Boulevard;
- 8. establishing within an existing R3X District a C1-2 District bounded by:
  - a. Forest Street, Richmond Avenue, a line 75 feet southerly of Forest Street, and a line 100 feet westerly of Richmond Avenue; and
  - b. Draper Place, Richmond Avenue, and Travis Avenue;
- 9. establishing within an existing R3X District a C2-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 350 feet westerly of Richmond Avenue; and
- 10. establishing within an existing R5 District a C1-2 District bounded by Naughton Avenue, a line 150 feet northwesterly of Hylan Boulevard, the northwesterly centerline prolongation of Slater Boulevard, Hyland Boulevard, Seaver Avenue, and Joyce Street;

as shown on a diagram (for illustrative purposes only) dated September 13, 2010, and subject to the conditions of CEQR Declaration

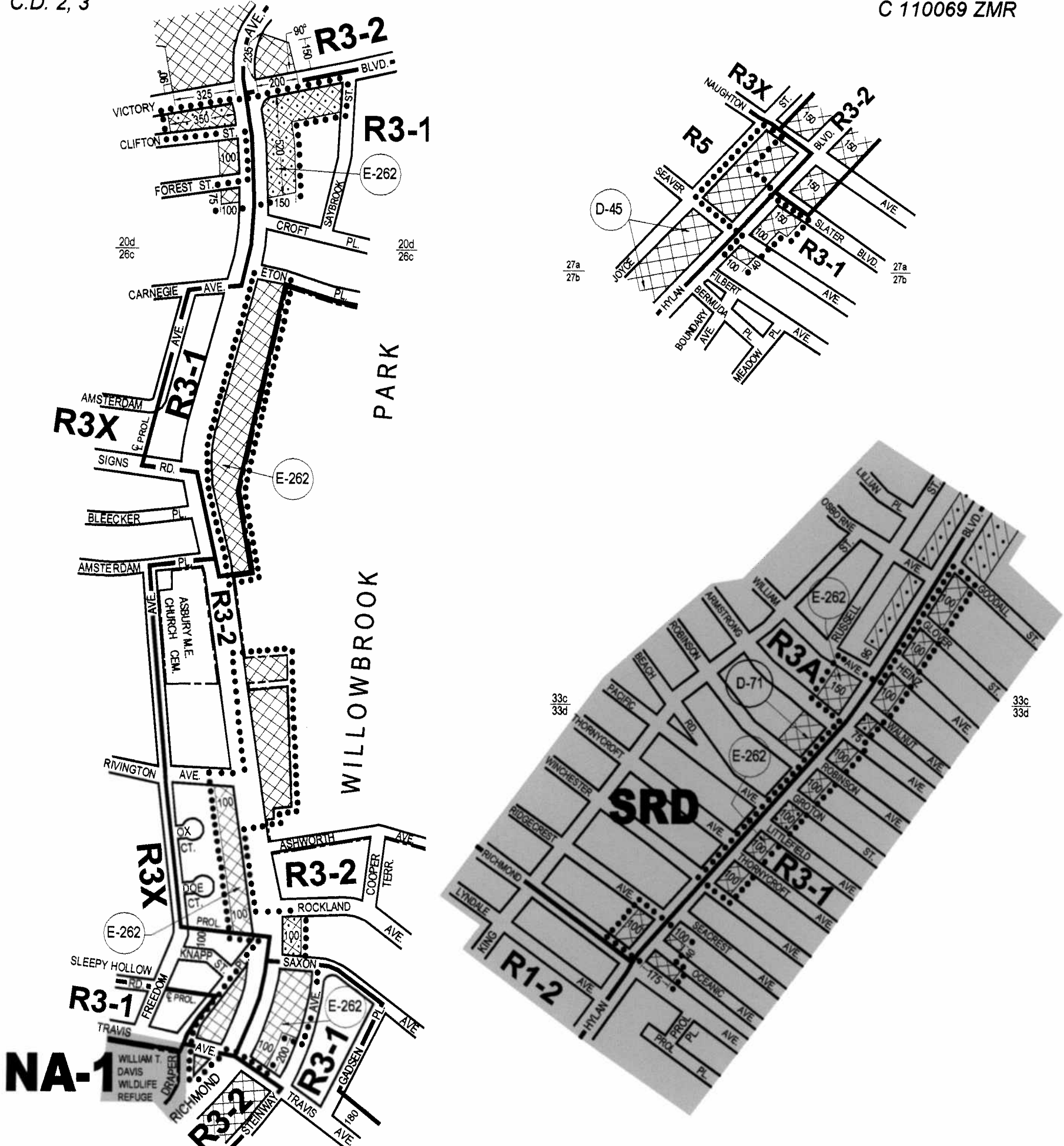
E-262.

The above resolution (C 110069 ZMR), duly adopted by the City Planning Commission on December 1, 2010 (Calendar No. 6), 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.

**KENNETH J. KNUCKLES, Esq.,** Vice Chairman  
**ANGELA M. BATTAGLIA, RAYANN BESSER, BETTY Y. CHEN,**  
**IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,**  
**SHIRLEY A. MCRAE, KAREN A. PHILLIPS,** Commissioners

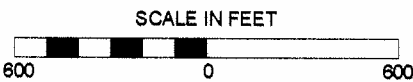




CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP  
**20d, 26c, 27a, 33c & 33d**  
 BOROUGH OF  
**STATEN ISLAND**

New York, Certification Date  
**SEPTEMBER 13, 2010**

*S. Voyages*  
 S. Voyages, R.A. Director  
 Technical Review Division



- NOTE:**
- Indicates Zoning District Boundary.
  - ..... The area enclosed by the dotted lines are proposed to be rezoned by eliminating from existing R3-1 and R3X Districts a C1-2 District and by establishing within existing R3-1, R3-2, R3A, R3X and R5 Districts C1-2 and C2-2 Districts.
  - Indicates a C1-2 District.
  - Indicates a C2-1 District.
  - NA-1** Indicates a Special Natural Area District -1.
  - Indicates a C2-2 District.
  - Indicates a C2-4 District.
  - SRD** Indicates a Special South Richmond Development District.
  - E** Indicates a City Environmental Quality Review Declaration, refer to C.E.Q.R. sheet.



DANA T. MABEE  
CHAIR

DEBRA A. DERRICO  
DISTRICT MANAGER

THE CITY OF NEW YORK  
*Community Board Two*  
BOROUGH OF STATEN ISLAND

460 BRIELLE AVENUE  
STATEN ISLAND, NEW YORK 10314  
718-317-3235  
FAX: 718-317-3251

October 20, 2010

Ms. Amanda Burden, AICP, Director  
Department of City Planning  
22 Reade Street, New York, New York 10007

Re: **C1100690ZMR**  
**Staten Island Commercial Rezoning**

Dear Ms. Burden:

Community Board Two, at its full Community Board meeting on Tuesday, October 20, 2010 voted to support Department of City Planning's Application **C1100690ZMR**, to map commercial overlays in three residentially zoned areas of Staten Island. The proposal will rezone approximately 28 blocks along the corridors of Richmond Avenue and Hylan Boulevard in Community Districts 2 and 3. These areas have been heavily developed with commercial uses over time, either through grandfathering or BSA variances. The zoning map change will result in the conformance of existing commercial uses and establish a regulatory framework for future commercial development.

The committee voted as follows: 23-In Favor; 0-Opposed; 0-Abstained; 0-Not-Entitled

Thank you in advance for moving this project forward.

Very truly yours,

Dana T. Magee  
Chairman

Frank Marchiano  
Land Use Chairman

copy to: Leonard Garcia-Duran  
James Miraglia  
Honorable James Oddo  
Robert Englert

## Community/Borough Board Recommendation

**CITY PLANNING COMMISSION**  
 22 Rensselaer Street, New York, NY 10007  
 FAX # (212) 720-3356

Application # **C 110060 ZMR**  
 CEQR #  
 Community District No. 02 Borough: Staten Island  
 Community District No. 03 Borough: Staten Island  
 Project Name: **SI Commercial Rezoning**

**INSTRUCTIONS:**  
 1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2B, at the above address.  
 2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below. One copy to the Borough President and one copy to the Borough Board when applicable.

Docket Description:

See Attached

<p><b>Applicant(s):</b>                  Department of City Planning                  Staten Island Borough Office                  130 Stuyvesant Place, 6<sup>th</sup> Floor                  Staten Island, NY 10301</p>	<p><b>Applicant's Representative:</b>                  James Miraglia                  Department of City Planning                  Staten Island Borough Office                  130 Stuyvesant Place, 6th Floor                  Staten Island, NY 10301</p>
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<p>Community Board No. 3 Borough: <b>Staten Island</b></p> <p>Date of public hearing: <span style="border: 1px solid black; padding: 2px;">9/28/10</span></p> <p>Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p>Vote adopting recommendation taken: <span style="border: 1px solid black; padding: 2px;">X</span></p>	<p>Borough Board</p> <p>Location: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 30px;"></span></p> <p><small>A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small></p> <p>Location: <span style="border: 1px solid black; padding: 2px;">6451 Hylan Boulevard, Staten Island,</span></p>
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**RECOMMENDATION**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Approve | <input type="checkbox"/> Approve With Modifications/Conditions    |
| <input type="checkbox"/> Disapprove         | <input type="checkbox"/> Disapprove With Modifications/Conditions |

*Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)*

**Voting**

In Favor: <span style="border: 1px solid black; padding: 2px;">28</span>	Against: <span style="border: 1px solid black; padding: 2px;">0</span>	Abstaining: <span style="border: 1px solid black; padding: 2px;">1</span>	Total members appointed to the board: <span style="border: 1px solid black; padding: 2px;">43</span>
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 Community/Borough Board Officer

  
 Title

Date 9/28/10

v.012006w

\* Indicates application was certified by the CPO pursuant to Section 197-C(a) of the City Charter.

## Staten Island Borough Board Resolution

At a meeting on November 3, 2010, the Staten Island Borough Board unanimously approved the following Resolution:

**Whereas**, the Department of City Planning has proposed a Commercial Rezoning and Text Amendment to map commercial overlays in three residentially zoned areas of the Borough; and,

**Whereas**, the proposal will rezone approximately 28 blocks, comprised of 97 individual properties along the corridors of Richmond Avenue and Hylan Boulevard in Community Districts 2 and 3; and,

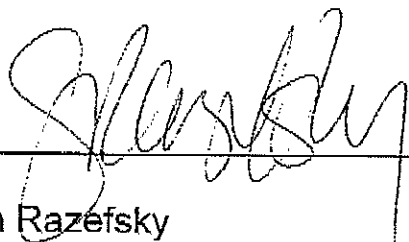
**Whereas**, this rezoning and text amendment is a joint effort of the Department of City Planning and the Mayor's Staten Island Growth Management Task Force; and,

**Whereas**, the Department of City Planning has identified three distinct sub-areas in the study area identified as Area 1, 2 and 3. The proposal will map commercial overlays on 52 lots where commercial uses exist today. The proposal will also increase the existing conformance level from 35% to 96%, and;

**Whereas**, the Department of City Planning has notified Community Boards 1, 2 and 3, regarding this rezoning and text amendment application, and as all affected Community Boards have recommended to approve the proposed changes for their respective districts;

**Therefore**, be it resolved, that the Staten Island Borough Board, hereby unanimously approves the aforementioned rezoning proposals.

By: \_\_\_\_\_

  
Jason Razefsky  
Special Assistant to the Borough President  
November 3, 2010



**Uniform Land Use Review Procedure**  
**New York City Department of City Planning**  
**Staten Island Borough President Recommendation**

**ULURP NO.**  
**C 110069 ZMR**  
**S.I. COMMERCIAL REZONING**

**COMMUNITY DISTRICT: 2 & 3**

**DOCKET DESCRIPTION:**

The Department of City Planning has proposed a Commercial Rezoning and Text Amendment to map commercial overlays in three residentially zoned areas of the Borough. The proposal will rezone approximately 28 blocks, comprised of 97 individual properties along the corridors of Richmond Avenue and Hylan Boulevard in Community Districts 2 and 3. This rezoning and text amendment is a joint effort of the Department of City Planning and the Mayor's Staten Island Growth Management Task Force. The Department of City Planning has identified three distinct sub-areas in the study area identified as Area 1, 2 and 3. The proposal will map commercial overlays on 52 lots where commercial uses exist today. The proposal will also increase the existing conformance level from 35% to 96%.

**RECOMMENDATION:**

APPROVE

DISAPPROVE

WITH CONDITIONS/MODIFICATIONS

**EXPLANATION OF RECOMMENDATION, CONDITION OR MODIFICATIONS**

**RECEIVED**

NOV - 5 2010

Department of City Planning  
 Staten Island Office

  
 JAMES P. MOLINARO

PRESIDENT, BOROUGH OF STATEN ISLAND

DATE: November 4, 2010