



**IN THE MATTER OF** an application submitted by Richmond SI Owner, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII, Chapter 8 (Special St. George District) and related Sections, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area in the borough of Staten Island, Community District 1.

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This application for a zoning text amendment (N 210290 ZRR) was filed by Richmond SI Owner, LLC on February 12, 2021. This application, in conjunction with the related actions for a zoning map amendment (C 210289 ZMR), and special permit (C 210291 ZSR), would facilitate the development of a 592,014-square-foot mixed-use development with three mixed-use buildings, comprised of approximately 750 housing units, including 225 permanently affordable units, and 18,800 square feet of non-residential uses located on the ground floor and cellar in the St. George neighborhood of Staten Island, Community District 1.

## **RELATED ACTIONS**

In addition to the zoning text amendment (N 210290 ZRR) that is the subject of this report, implementation of the land use actions associated with the proposed development also require actions by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

<b>C 210289 ZMR</b>	Zoning map amendment to (a) rezoning a R6 zoning district with a C2-2 overlay at a depth 100 feet within the SHPD to an R7-3 zoning district with a C2-4 commercial overlay at a depth of 185 feet and to be located within the SSGD; and (b) rezoning a R6 zoning district with a C2-2 overlay to a R6 zoning district with a C2-4 overlay and to be located within the SSGD.
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**C 210291 ZSR** Special permit to modify bulk requirements within R7 districts and mandatory improvements of the SG

## **BACKGROUND**

A full background discussion and description of this project appears in the report for the related zoning map amendment (C 210289 ZMR).

## **ENVIRONMENTAL REVIEW**

The application (N 210290 ZRR), in conjunction with the applications for the related actions (C 210289 ZMR, C 210291 ZSR), were 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 lead is the City Planning Commission. The designated CEQR number is 20DCP140R.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS) dated August 20, 2021, appears in the report on the related application for a zoning map amendment (C 210289 ZMR).

## **UNIFORM LAND USE REVIEW**

This application (N 210290 ZRR) was referred for information and review in accordance with the procedures for non-ULURP matters, in conjunction with the application for the related actions (C 210289 ZMR and C 210291 ZSR), which were certified as complete by the Department of City Planning on May 3, 2021 and duly referred to Community Board 1 and the Staten Island Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Staten Island Community Board 1 held a public hearing on this application (N 210290 ZRR), in conjunction with the applications for the related actions (C 210289 ZMR and C 210291 ZSR) on June 2, 2021 and on June 9, 2021, by a vote of 28 in favor, one opposed, and none abstaining, recommended disapproval.

### **Borough President Review**

The Staten Island Borough President issued a recommendation on July 12, 2021 to disapprove the application (N 210290 ZRR), in conjunction with the applications for the related actions (C 210289 ZMR and C 210291 ZSR).

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

On June 23, 2021 (Supplemental Calendar No. 3), the CPC scheduled July 14, 2021 for a public hearing on this application (N 210290 ZRR) and applications for the related actions (C 210289 ZMR and C 210291 ZSR). The hearing was duly held on July 14, 2021 (Calendar No. 48).

There were eight speakers in favor and three in opposition, as described in the report on the related zoning map amendment (C 210289 ZMR), and the hearing was closed.

### **CONSIDERATION**

The CPC believes that the proposed zoning text amendment (N 210290 ZRR), in conjunction with the related applications for a zoning map amendment (C 210289 ZMR) and special permit

(C 210291 ZSR), is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related zoning map amendment (C 210289 ZMR).

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on August 20, 2021, with respect to this application (CEQR No. 20DCP140R), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulations, have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 210291 ZSR, those project components related to environment and mitigation 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**, 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 consideration and findings 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 as follows:

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution.

\* \* \*

## **ARTICLE II**

### **RESIDENCE DISTRICT REGULATIONS**

#### **Chapter 1**

##### **Statement of Legislative Intent**

\* \* \*

#### **21-10**

##### **PURPOSES OF SPECIFIC RESIDENCE DISTRICTS**

\* \* \*

#### **21-15**

##### **R3-2, R4, R4B, R5, R6, R7, R8, R9 and R10 — General Residence Districts**

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, and zero lot line buildings are not permitted in R3-2, R4 (except R4-1 and R4B), and R5 (except R5B) Districts. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community

facilities and open uses which serve the residents of these districts or benefit from a residential environment.

R7-3 and R9-1 Districts may be mapped only as specified in this paragraph. Such districts may be mapped within the waterfront area and in the #Special Mixed Use Districts#. In addition, R7-3 Districts may be mapped in the #Special Long Island City Mixed Use District# and #Special St. George District#, and R9-1 Districts may be mapped in #Mandatory Inclusionary Housing areas#.

\* \* \*

### **Chapter 3**

#### **Residential Bulk Regulations in Residence Districts**

#### **23-00**

##### **APPLICABILITY AND GENERAL PURPOSES**

#### **23-01**

##### **Applicability of This Chapter**

\* \* \*

#### **23-011**

##### **Quality Housing Program**

\* \* \*

R6 R7 R8 R9 R10

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

(1) Article VII, Chapter 8 (Special Regulations applying to Large Scale Residential Developments) ,except that they may be permitted as an alternative to apply within #Large Scale Residential Developments# located:

(i) in C2-5 Districts mapped within R9-1 Districts in Community District 3 in the Borough of Manhattan.

(2) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

\* \* \*

Special Ocean Parkway District;

Special St. George District;

Special Transit Land Use District; or

Special Tribeca Mixed Use District.

\* \* \*

## ARTICLE XII

### SPECIAL PURPOSE DISTRICTS

## Chapter 8

### Special St. George District

128-00

#### GENERAL PURPOSES

The “Special St. George District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include among others, the following specific purposes:

- (a) to build upon St. George’s existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian-friendly business and residence district;
- (b) to establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
- (c) to require a tall, slender building form that capitalizes on St. George’s hillside topography and maintains waterfront vistas;
- (d) to encourage the reuse and reinvestment of vacant office buildings;
- (e) to accommodate an appropriate level of off-street parking while reducing its visual impact;  
~~and~~
- (f) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes; and



- (g) to promote the most desirable use of land and building development in accordance with the District Plan for St. George and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

## **128-01**

### **Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

#### Commercial street

A "commercial street" shall be a *#street#*, or portion thereof, where special regulations pertaining to ground floor *#uses#* on *#commercial streets#*, pursuant to Section 128-11, apply to *#zoning lots#* fronting upon such *#streets#*. *#Commercial streets#* are designated on Map 2 in the Appendix to this Chapter.

\* \* \*

## **128-056**

### **Applicability of the Quality Housing Program**

In C4-2 Districts, the optional Quality Housing *#bulk#* regulations permitted as an alternative pursuant to Section 23-011 (Quality Housing Program) shall not apply. In lieu thereof, the *#bulk#* regulations of this Chapter shall apply. However, where any of the Quality Housing Program elements set forth Article II, Chapter 8 (Quality Housing Program) are provided, the associated *#floor area#* exemption shall apply.

In C2-4 Districts mapped within R6 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 shall apply.

In R7-3 Districts, the Quality Housing Program shall apply. For the purposes of applying such regulations, #buildings# constructed pursuant to the #bulk# regulations of this Chapter shall be considered #Quality Housing buildings#, and any #building# containing #residences# shall also comply with the requirements of Article II, Chapter 8.

For the purposes of applying the Quality Housing Program elements set forth in Article II, Chapter 8 to C2-4 Districts mapped within R6 Districts and to R7-3 Districts, the elements set forth in Sections 28-23 (Planting Areas) and 28-40 (Parking for Quality Housing) shall be superseded by the planting and parking location provisions of this Chapter.

\* \* \*

## **128-20**

### **FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS**

## **128-21**

### **Maximum Floor Area Ratio**

In C4-2 Districts within the Upland Subdistrict, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply, except that for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

In R7-3 Districts, the maximum #floor area ratio# for any #use# within a #Mandatory Inclusionary Housing area# shall be 6.0.

## **128-22**

### **Maximum Lot Coverage**

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building#, or portion thereof, shall be 70 percent for an #interior# or #through lot# and 100 percent for a #corner lot#.

\* \* \*

## **128-30**

### **HEIGHT AND SETBACK REGULATIONS**

The provisions of this Section, inclusive, shall apply to all #buildings or other structures# within the Upland Subdistrict, except in C2-4 Districts mapped within R6 Districts, where the underlying height and setback regulations shall apply.

In C1-2 Districts mapped within R3-2 Districts, all #buildings or other structures# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 128-32 (Street Wall Location) shall apply.

The underlying height and setback regulations of C4-2 Districts within the Upland Subdistrict shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply. In R7-3 Districts, all #buildings or other structures# shall comply with the height and setback regulations of this Section, inclusive.

In the South and North Waterfront Subdistricts, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except that:

- (a) in the South Waterfront Subdistrict, rooftop regulations shall be as modified in Section 128-31 (Rooftop Regulations); and
- (b) in the North Waterfront Subdistrict, #developments#, #enlargements#, alterations and changes of #use# permitted pursuant to Section 128-61 (Special Permit for North Waterfront Sites) shall instead be subject to the Proposed Plans, as set forth in Section 128-61, as approved pursuant to such special permit.

All heights shall be measured from the #base plane#, except that wherever a minimum or maximum base height is specified for #zoning lots# with multiple #street frontages#, such heights shall be determined separately for each #street# frontage, with each height measured from the final grade of the sidewalk fronting such #street wall#.

\* \* \*

## 128-32

### Street Wall Location

The following #street wall# regulations shall apply in C1-2 Districts mapped within R3-2 Districts and in C4-2 Districts within the Upland Subdistrict. In R7-3 Districts, no #street wall# location provisions shall apply.

- (a) #Street walls# along #commercial streets#

\* \* \*

## 128-33

### Maximum Base Height

In C4-2 Districts within the Upland Subdistrict, the ~~The~~ maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter. Where a maximum base height of 65 feet applies as shown on Map 3, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35. When a #building# fronts on two intersecting #streets# for which different maximum base heights apply, the higher base height may wrap around to the #street# with the lower base height for a distance of up to 100 feet.

In R7-3 Districts, the maximum base height shall be 75 feet.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, all ~~All~~ portions of #buildings or other structures# above such maximum base heights shall provide a setback at least 10 feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, on any #zoning lot# that includes a tower #developed# or #enlarged# pursuant to Section 128-35, dormers shall not be permitted.

## 128-34

### Maximum Building Height

In C4-2 Districts within the Upland Subdistrict, for #buildings# that are not #developed# or #enlarged# pursuant to the tower provisions of Section 128-35 (Towers), the maximum height of a #building or other structure# and the maximum number of #stories#, as applicable, shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for a residential equivalent of an R6 District. Separate maximum #building# heights are set forth within such Section for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#. However, on Bay Street where there is a maximum base height of 85 feet, the maximum height of a #building or other structure# also shall be 85 feet.

In C4-2 Districts within the Upland Subdistrict for #buildings# that are #developed# or #enlarged# pursuant to the tower provisions of Section 128-35, the maximum height of the tower portion of a #building# shall be 200 feet, and the height of all other portions of the #building# shall not exceed the applicable maximum base height. Where a maximum base height of 65 feet applies as shown on Map 3 in the Appendix to this Chapter, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35.

In R7-3 Districts, the maximum height of a #building or other structure# shall be 185 feet or 18 #stories#, whichever is lower. The tower provisions of Section 128-35 shall not apply.

\* \* \*

## **128-50**

### **PARKING REGULATIONS**

\* \* \*

## **128-51**

### **Required Off-street Parking and Loading**

In the #Special St. George District#, the following parking and loading regulations shall apply:

(a) In C4-2 Districts, the following special regulations shall apply:

~~(a)~~(1) #Residential uses#

One off-street parking space shall be provided for each #dwelling unit# created after October 23, 2008, including any #dwelling units# within #buildings# converted pursuant to Article I, Chapter 5 (Residential Conversion Within Existing Buildings), except that the provisions of Section 25-25 (Modification of Requirements for Income-restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-assisted Dwelling Units) shall apply to #income-restricted housing units#. However, where the total number of required spaces is five or fewer or, for #conversions#, where the total number of required spaces is 20 or fewer, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after October 28, 2008. The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to #conversions# where more than 20 parking spaces are required.

~~(b)~~(2) #Commercial# #uses#

For #commercial# #uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area# and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.

~~(c)~~(3) #Community facility use#

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

- (b) In R7-3 Districts, the parking and loading regulations of an R7-2 District shall apply, except as modified by Sections 128-52 (Special Floor Area Regulations) through 128-56 (Curb Cuts on Commercial Streets).
- (c) In C2-4 Districts mapped within R6 Districts, the underlying regulations shall apply, except as modified by Sections 128-52 through 128-56.

\* \* \*

## 128-60

### SPECIAL APPROVALS

The special permit for North Waterfront sites set forth in Section 128-61 is established in order to guide and encourage appropriate #use# and #development# in a unique location within the #Special St. George District# that serves as a gateway between Staten Island and Manhattan for both visitors and daily commuters. Redevelopment of the North Waterfront sites pursuant to this special permit provides an appropriate means to address the special characteristics of these sites, while accommodating their continuing transportation function, as part of their transformation into a regional destination that will contribute to the revitalization of the #Special St. George District# and surrounding area.

The special permit for #buildings# in R7-3 Districts set forth in Section 128-62 is established to allow modification of #bulk# regulations and mandatory improvements, except #floor area ratio# provisions, in order to encourage better site planning, and streetscapes that are consistent with the goals of the Special District.

\* \* \*

## 128-62

### Special Permit for Buildings in R7-3 Districts



For any #zoning lot# in an R7-3 District, the City Planning Commission may permit modification of #bulk# regulations, except #floor area ratio# provisions, and modification of mandatory improvements, provided the Commission shall find that such modifications:

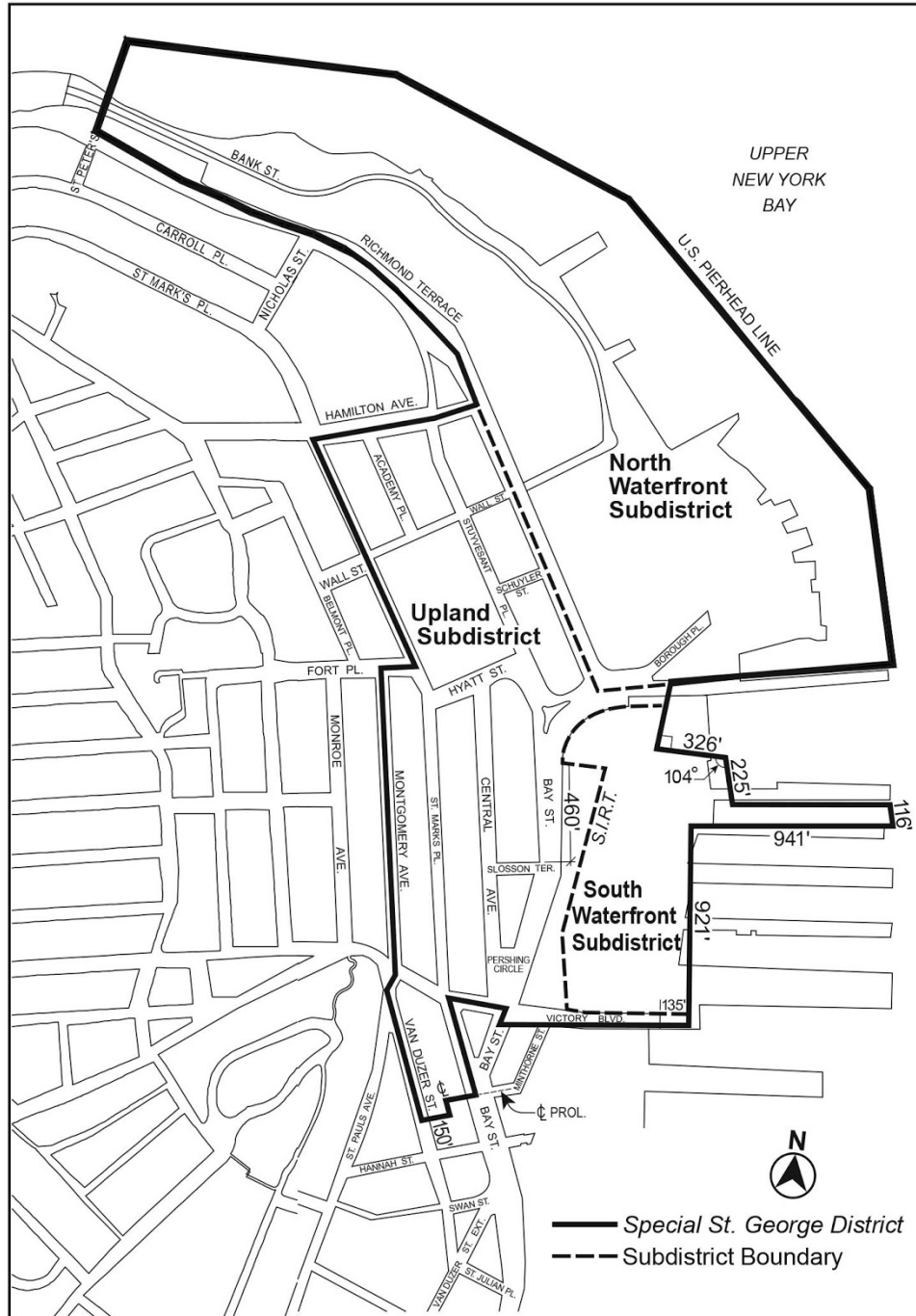
- (a) will aid in achieving the general purposes and intent of the Special District;
- (b) will enhance the distribution of #bulk# on the #zoning lot#;
- (c) will not unduly obstruct access to light and air from surrounding #streets# and properties;  
and
- (d) will result in a better site plan and urban design relationship with adjacent #streets#, open areas, and the surrounding neighborhood.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

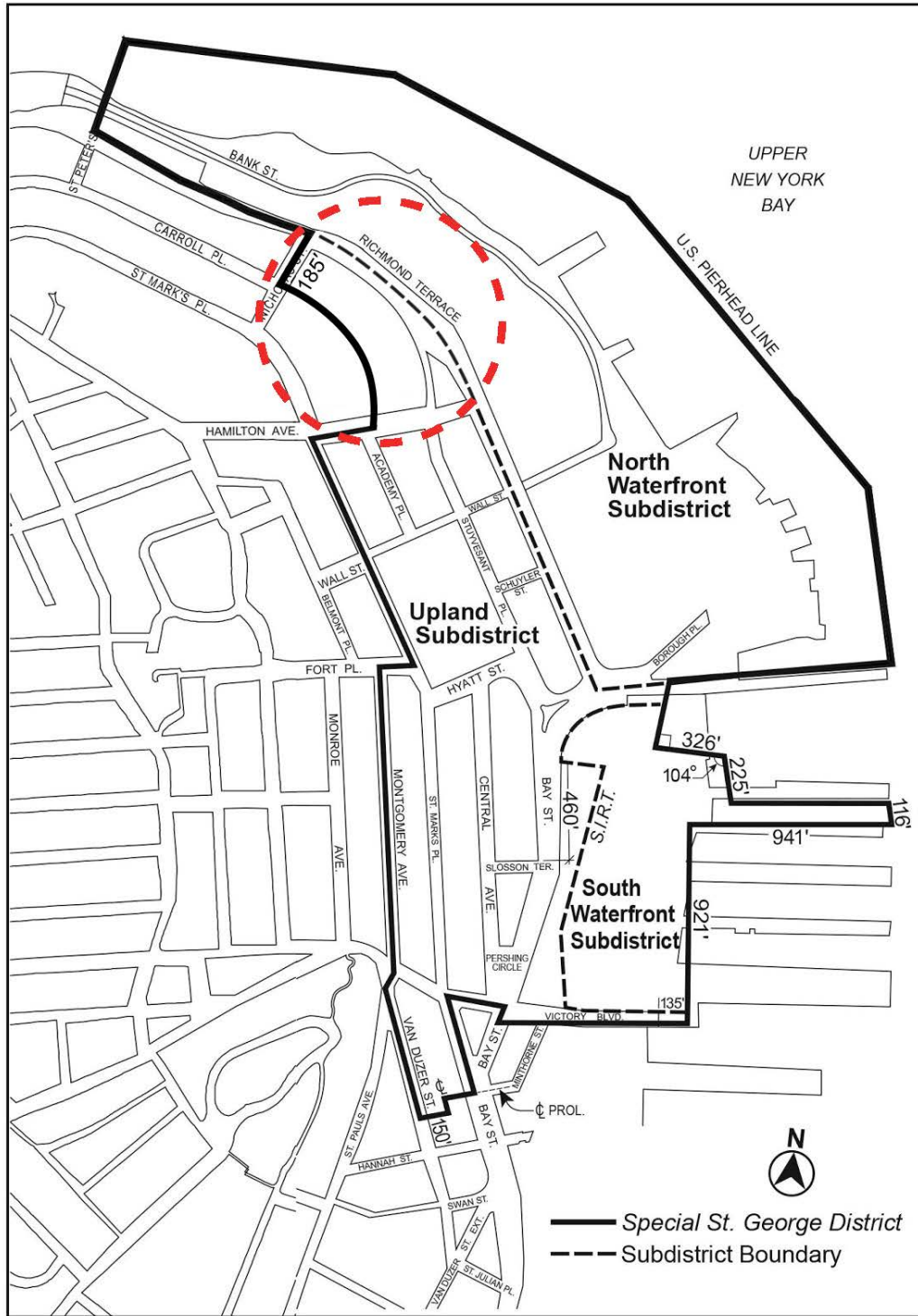
## **Appendix – Special St. George District Plan**

Map 1 – Special St. George District and Subdistricts [date of adoption]

[EXISTING MAP]

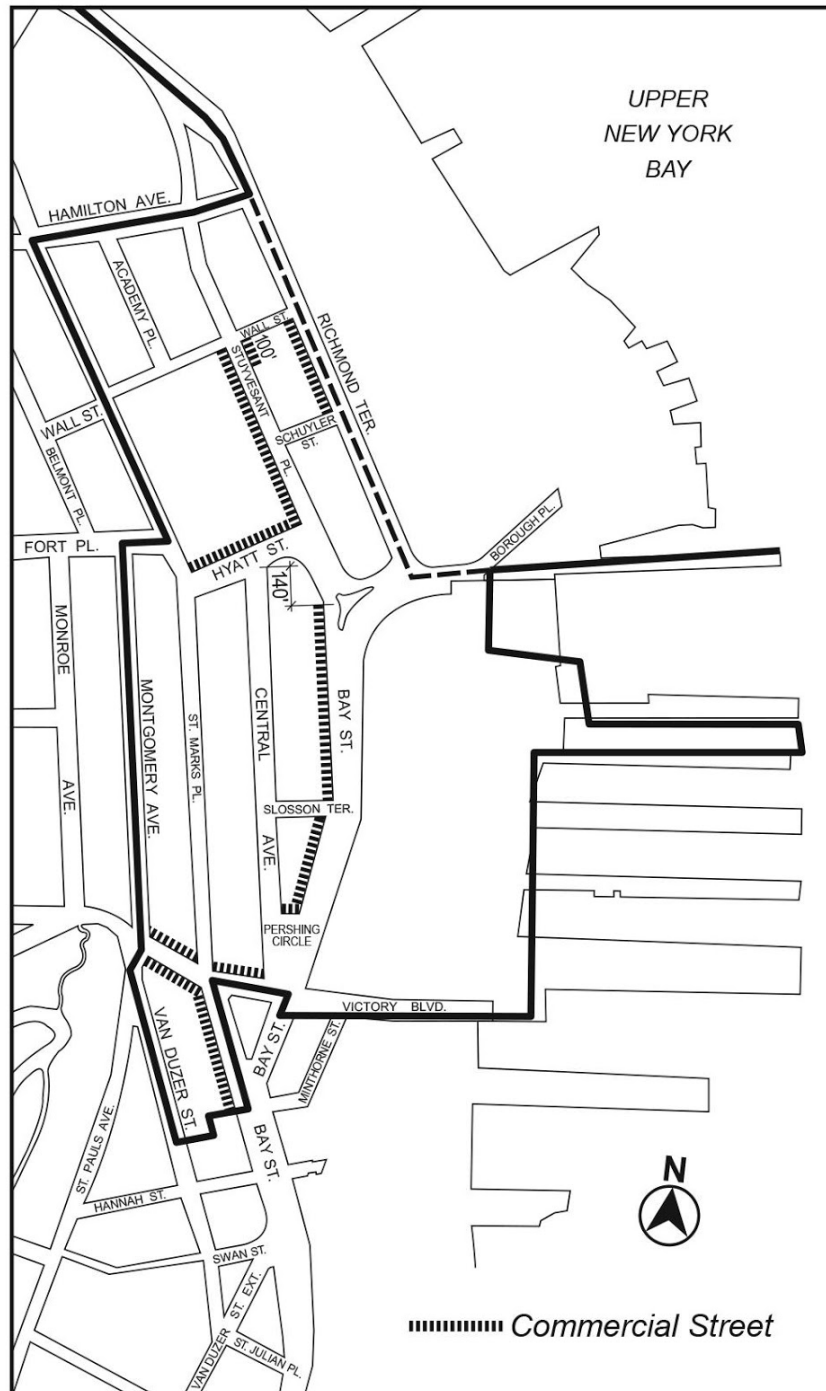


[PROPOSED MAP]

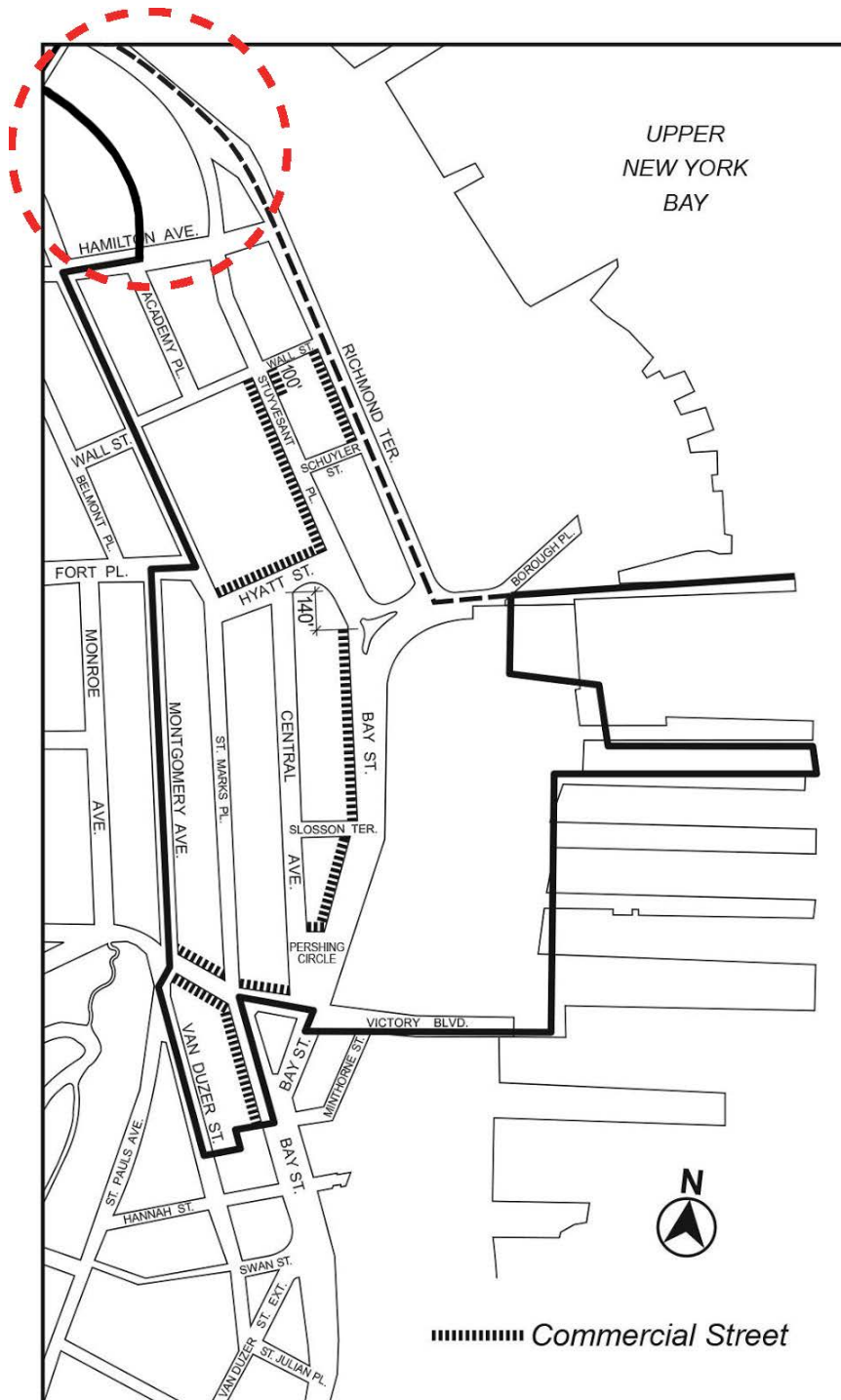


Map 2 – Commercial Streets [date of adoption]

[EXISTING MAP]

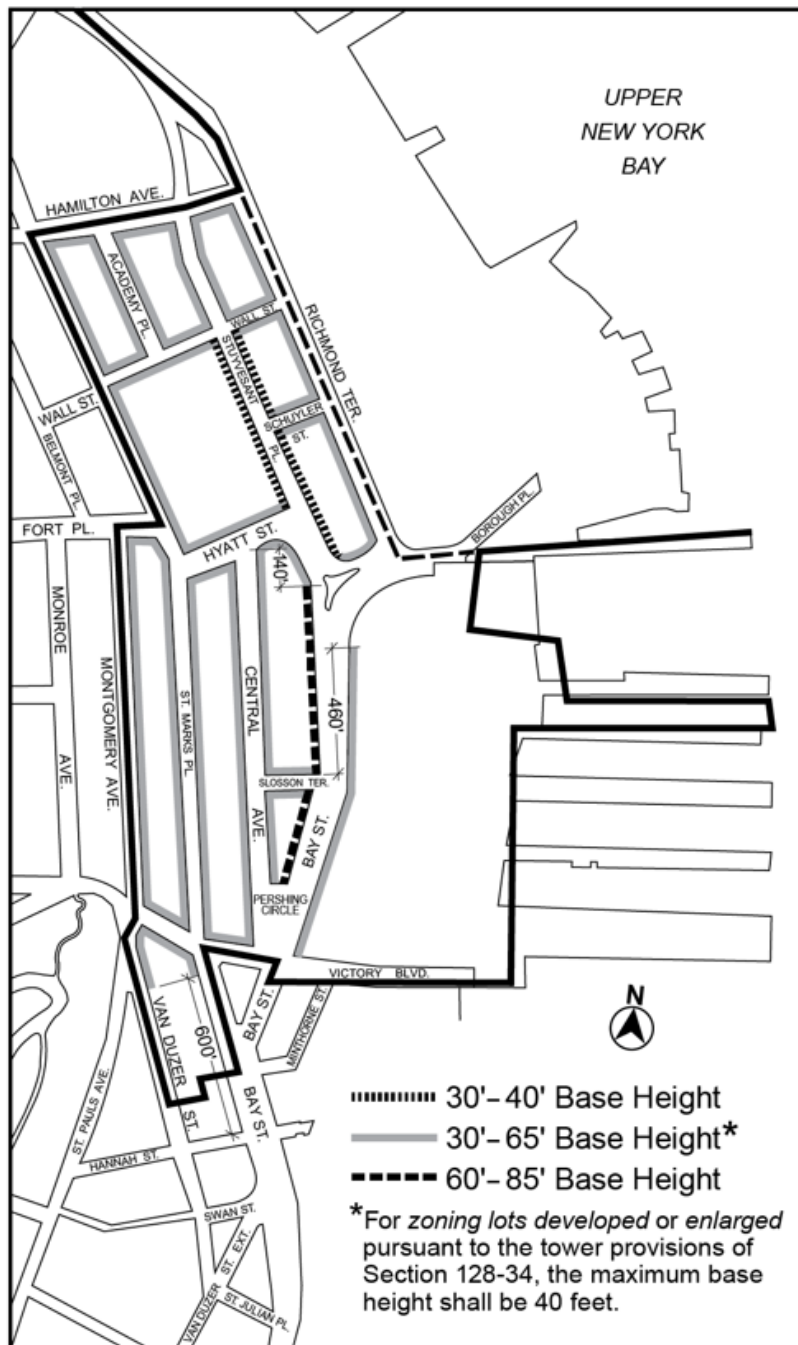


[PROPOSED MAP]



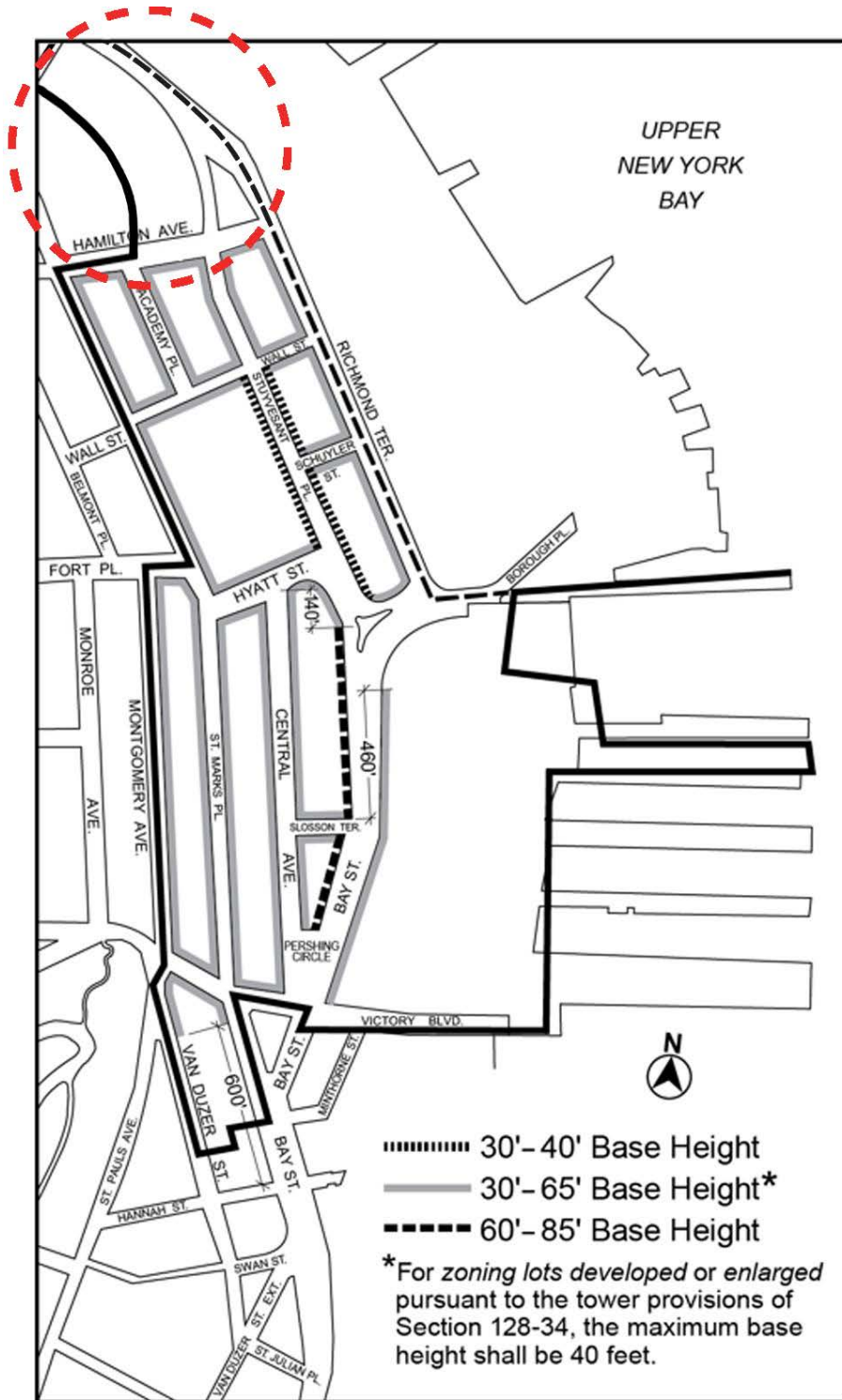
Map 3 –Minimum and Maximum Base Heights [date of adoption]

[EXISTING MAP]



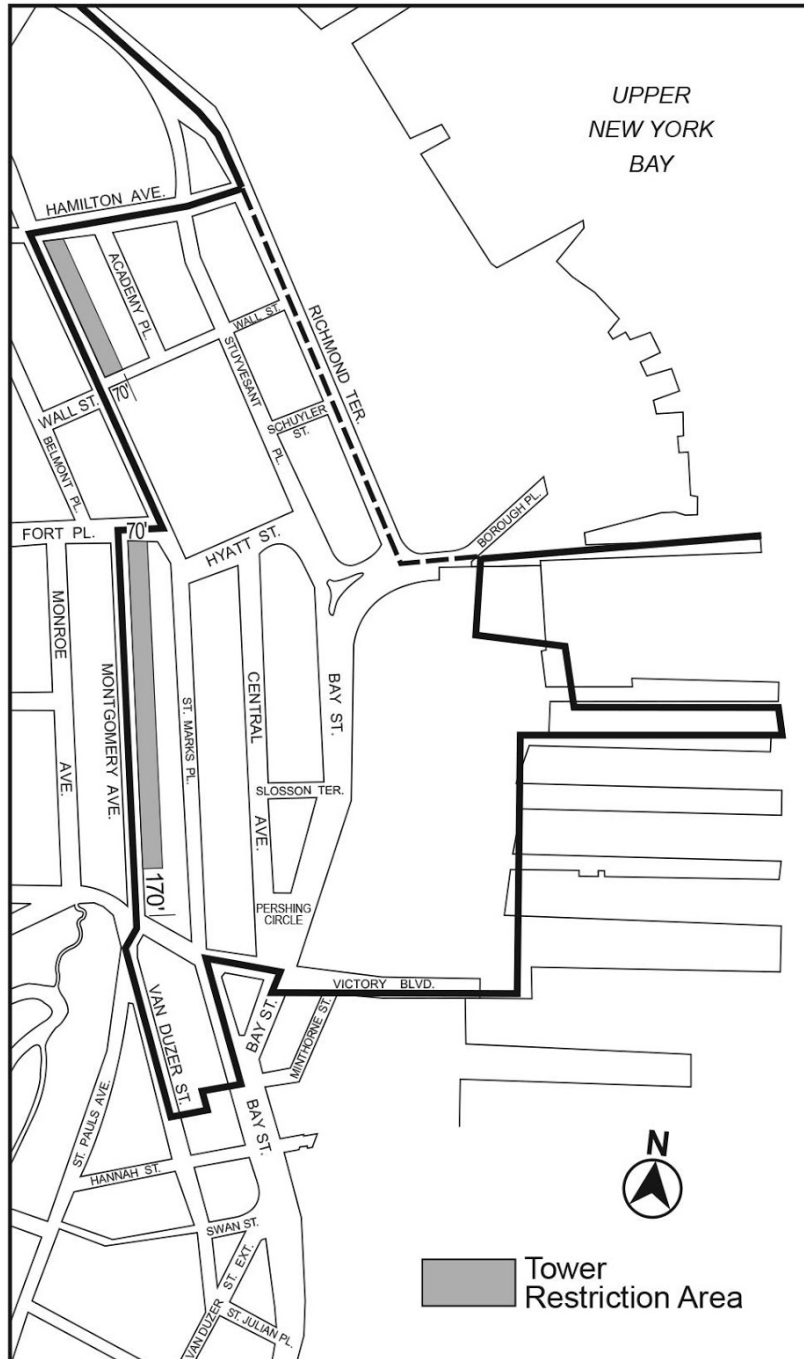


[PROPOSED MAP]

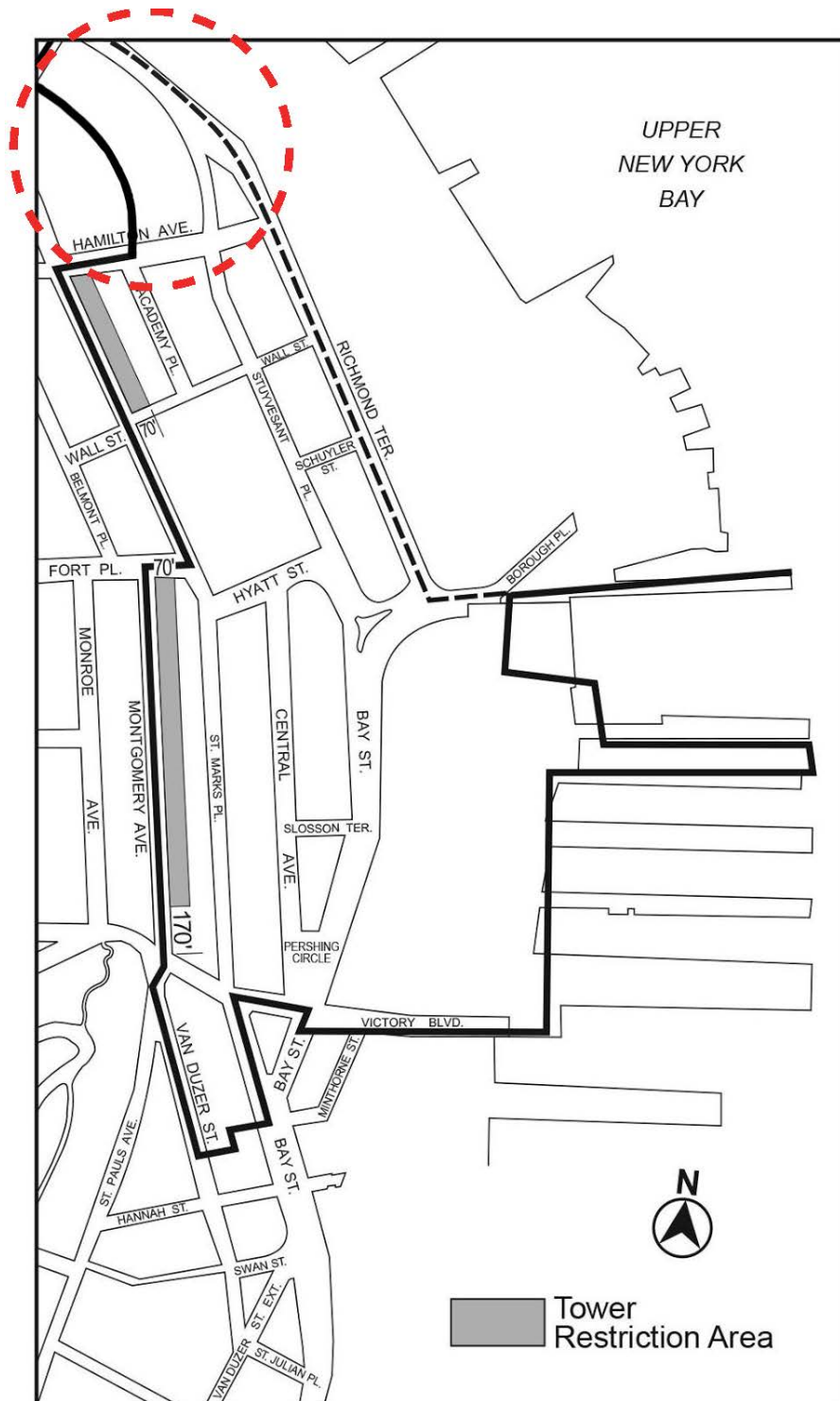


Map 4 – Tower Restriction Areas [date of adoption]

[EXISTING MAP]

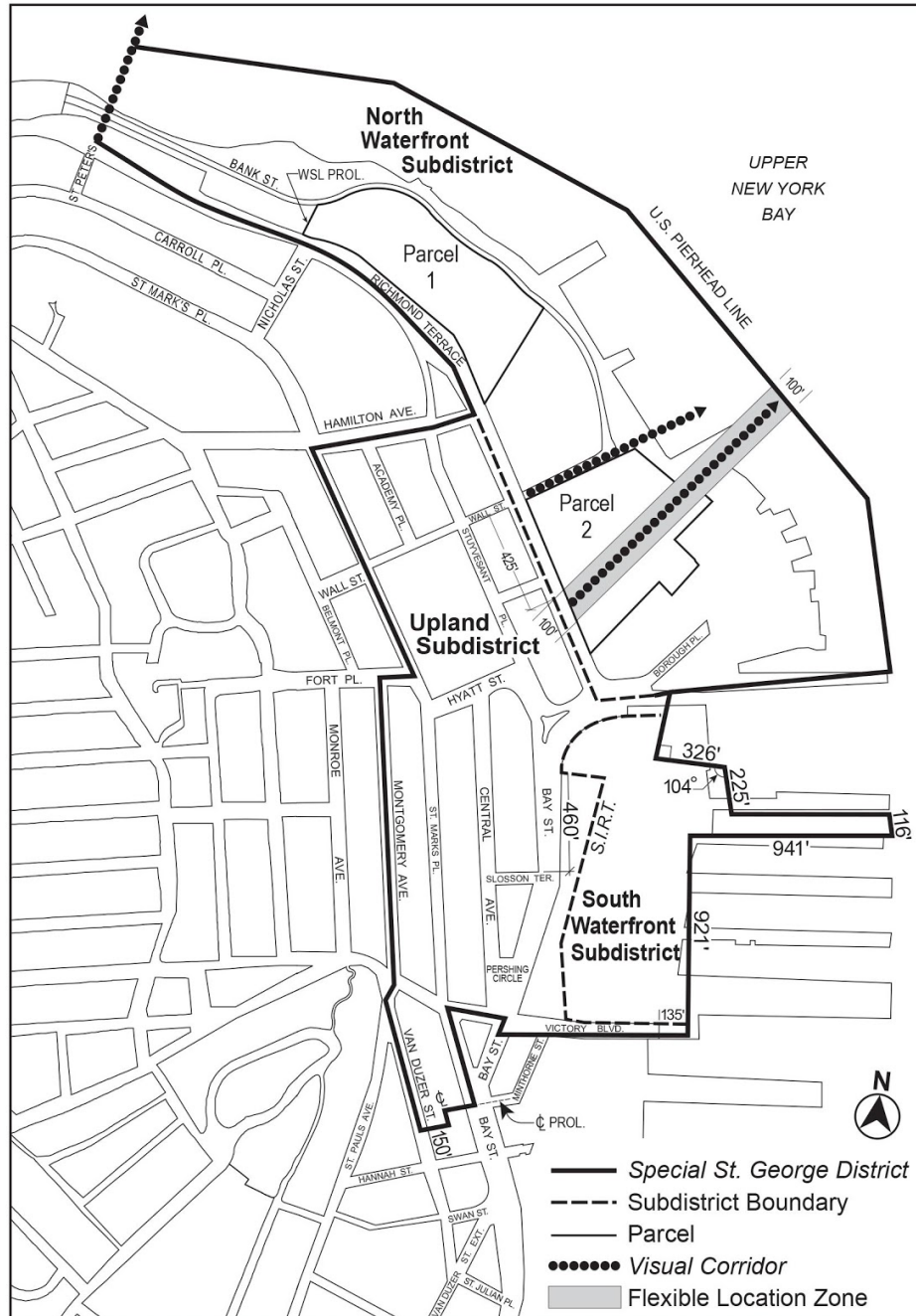


[PROPOSED MAP]

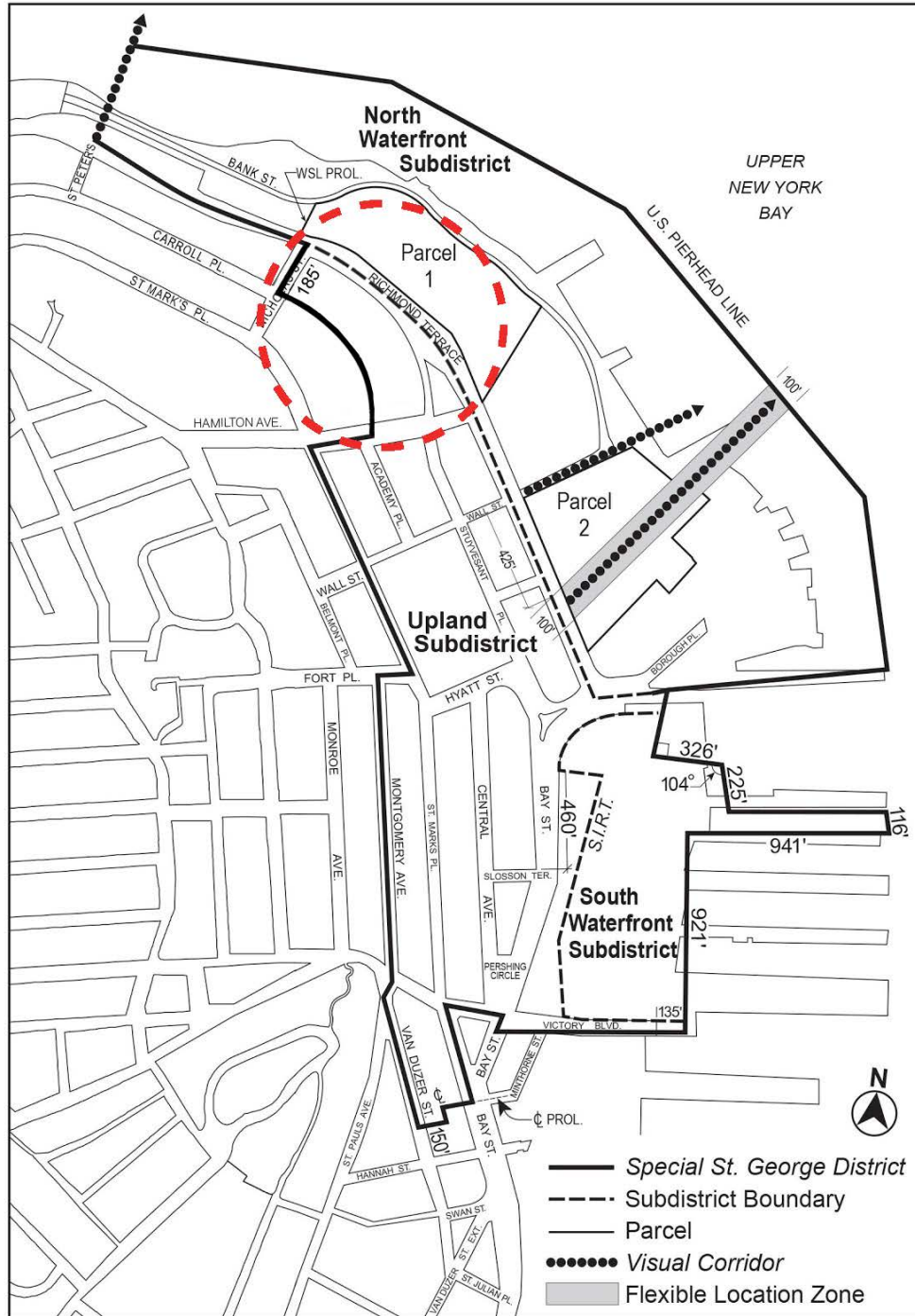


Map 5 – Visual Corridors and Parcels [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



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## **APPENDIX F**

### **Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

## **STATEN ISLAND**

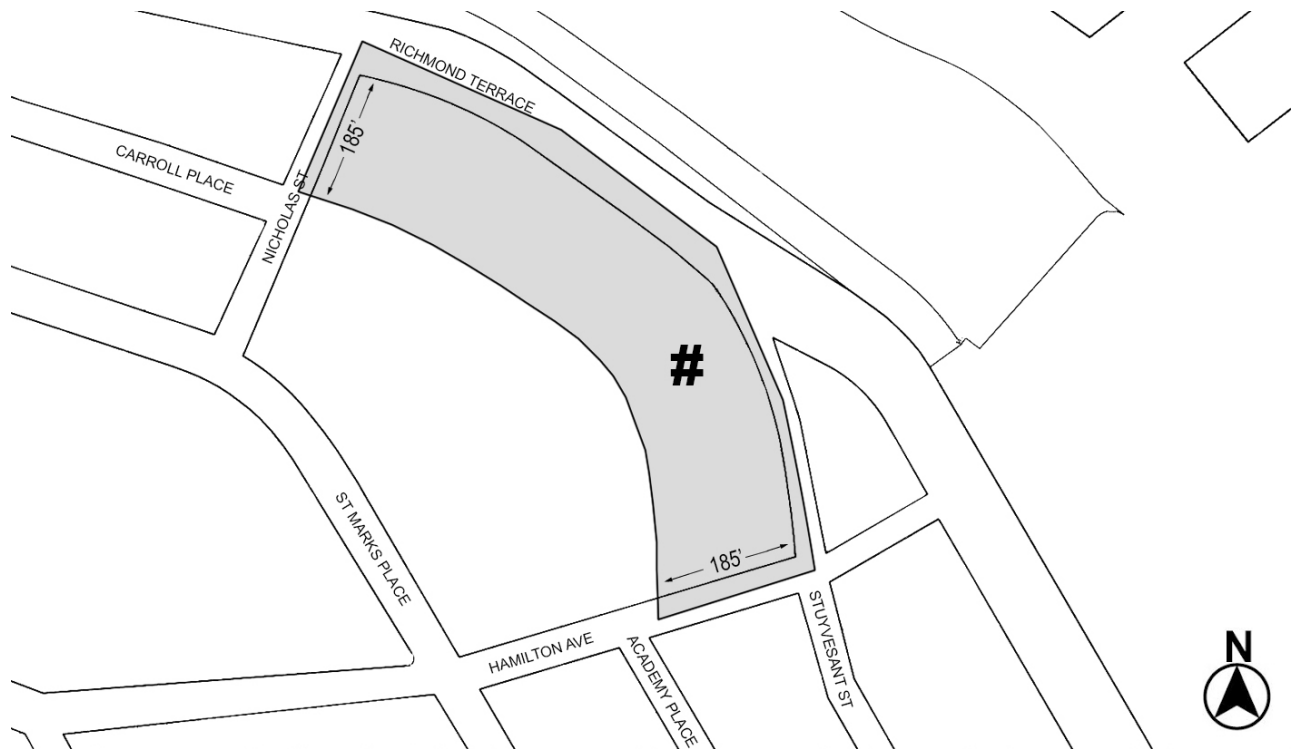
### **Staten Island Community District 1**

\* \* \*

Map 3 – [date of adoption]

[PROPOSED MAP]





 Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area # - [date of adoption] MIH Program Option 1 and Option 2

\* \* \*

The above resolution (N 210290 ZRR), duly adopted by the City planning Commission September 1, 2021 (Calendar No. 20), 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.

**MARISA LAGO, *Chair***

**KENNETH J. KNUCKES, ESQ., *Vice Chairman***

**DAVID J. BURNEY, JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT,  
LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners***

**ALFRED C. CERULLO, III, ORLANDO MARIN, *Commissioners, VOTING NO***

**ANNA HAYES LEVIN, *Commissioner, ABSTAINING***