CITY PLANNING COMMISSION

November 19, 2014 / Calendar No. 6 C 110122 ZMR

IN THE MATTER OF an application submitted by the Estate of Letizia Sollazzo pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 20d:

1. eliminating from within an existing R3-2 District a C1-1 District bounded by Forest Avenue, a line 110 feet westerly of Richmond Avenue, a line midway between Monsey Place and Forest Avenue, and a line 150 feet westerly of Richmond Avenue; and

2. establishing within an existing R3-2 District a C1-2 District bounded by Forest Avenue, a line 110 feet westerly of Richmond Avenue, a line midway between Monsey Place and Forest Avenue, and a line 240 feet westerly of Richmond Avenue;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 23, 2014, and subject to the conditions of CEQR Declaration E-346.

The application for an amendment to the Zoning Map was filed by the Estate of Letizia Sollazzo on October 20, 2010 to change portions of a block from an R3-2 district to an R3-2 district with a C1-2 overlay and from an R3-2 district with a C1-1 overlay to an R3-2 district with a C1-2 overlay to facilitate the construction of a one-story, 7,064-square-foot commercial development located on the south side of Forest Avenue, between Sanders Street and Richmond Avenue, in the Mariners Harbor neighborhood of Staten Island, Community District 1.

BACKGROUND

The applicant, the Estate of Letizia Sollazzo, proposes a zoning map amendment to establish a C1-2 commercial overlay on property located on Forest Avenue (Block 1706, Lot 21), to facilitate the construction of a one-story commercial building. The property is currently zoned R3-2 and R3-2/C1-1, and is developed with a detached house and a detached accessory garage, and a separate 2-story commercial building, which are all unoccupied.

The area to be rezoned is on the block bounded by Forest Avenue, Richmond Avenue,

Monsey Place and Sanders Street. Richmond Avenue, from Forest Avenue to Monsey Place, contains a C1-1 overlay with a depth of 150 feet. A portion of this overlay is mapped on the eastern portion of the subject zoning lot. The rest of the block is zoned R3-2. The intersection of Richmond and Forest avenues is developed with an automotive service station with an accessory convenience store. A public elementary school is located west of the proposed rezoning area, in the R3-2 district.

The surrounding area is primarily zoned R3A and R3-2, and is predominantly developed with one- and two-family houses. Forest Avenue is mapped with a C1-1 commercial overlay, and it is developed with small commercial uses, including convenience stores, a nail salon and a drive-through eating and drinking establishment.

The proposed zoning map amendment would eliminate the existing C1-1 overlay district on a portion of the applicant's property (Block 1706, Lot 21) on the south side of Forest Avenue and replace it with a C1-2 overlay district which will cover the entire property. The parking requirement for general retail uses in a C1-1 overlay district is one space per 150 square feet of floor area. The proposed C1-2 overlay district has a lower parking requirement. The parking requirement for general retail uses in the proposed C1-2 overlay district would be one space per 300 square feet of floor area. The underlying R3-2 district would remain unchanged. The proposed R3-2/C1-2 district would permit commercial and community facility uses to an FAR of 1.0 and building heights of 30 feet or 2 stories.

The rezoning would facilitate the development of a 7,064-square foot, one-story commercial building with parking for 24 vehicles on the south side of Forest Avenue between Sanders Street and Richmond Avenue. The proposed building would be located at the rear of the applicant's property and the parking area in front of the building would be accessed via two 15-foot wide one-way curb cuts at the Forest Avenue frontage. The development would be built to 0.39 FAR. The refuse storage area would be located inside the building. Landscaped buffering is required between the zoning lot and the adjacent residential development to the west and at the Forest Avenue street line.

ENVIRONMENTAL REVIEW

This application (C 110122 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 12DCP082R. 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 June 23, 2014. The Negative Declaration included an (E) designation (E-346) for air quality to avoid the potential for significant adverse impacts, as described below.

The (E) designation text is as follows:

> **Staten Island, Block 1706, Lot 21**
> **Any new commercial development on Block 1706, Lot 21, must ensure that fossil fuel-fired heating and hot water systems utilize only natural gas, and that exhaust stack(s) are located on the highest rooftop, and are least 27 feet above grade and are 99 feet from Forest Avenue, to avoid any potential significant air quality impacts.**

With the implementation of the above (E) designation (E-346), no significant adverse impacts related to air quality would occur.

The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

UNIFORM LAND USE REVIEW

This application (C 110122 ZMR) was certified as complete by the Department of City Planning on June 23, 2014 and was duly referred to Community Board 1 and 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

Community Board 1 held a public hearing on this application (C 110122 ZMR) on September 2, 2014, and on that date by a vote of 27 in favor and 0 in opposition with 1 abstention, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 110122 ZMR) was considered by the Borough President, who issued a recommendation approving the application on September 30, 2014.

City Planning Commission Public Hearing

On September 29, 2014 (Calendar No.2), the City Planning Commission scheduled October 22, 2014 for a public hearing on this application (C 110122 ZMR). The hearing was duly held on October 22, 2014 (Calendar No. 7).

There was one speaker in favor of the application and no speakers opposed. An attorney representing the applicant spoke in favor, summarizing the proposed project and the requested action.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 110122 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 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 Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 12-044.

The City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the

achievement of any WRP policy and hereby determines that this action is consistent with WRP policies.

CONSIDERATION

The Commission believes that this application (C 110122 ZMR) for an amendment to the zoning map is appropriate.

Forest Avenue is currently zoned with a C1-1 commercial overlay and developed with small commercial uses, including convenience stores, a nail salon and a drive-through eating and drinking establishment. The Commission believes that the proposed C1-2 overlay district would allow the property to be developed with a commercial or community facility use that is consistent with other commercial and community facility uses in this portion of Forest Avenue.

The Commission also notes that the property is proposed to be developed with a one-story commercial building and parking for 24 vehicles which complies with the lower parking requirement of the C1-2 overlay district. The proposed building's mid-block height of 23 feet is lower than the maximum 30 feet or 2 stories allowed in a C1-2 district. Further, there will be a five-foot wide vegetative buffer at the western property line adjacent to existing residential development.

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, the City Planning Commission, in its capacity as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this 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 No. 20d:

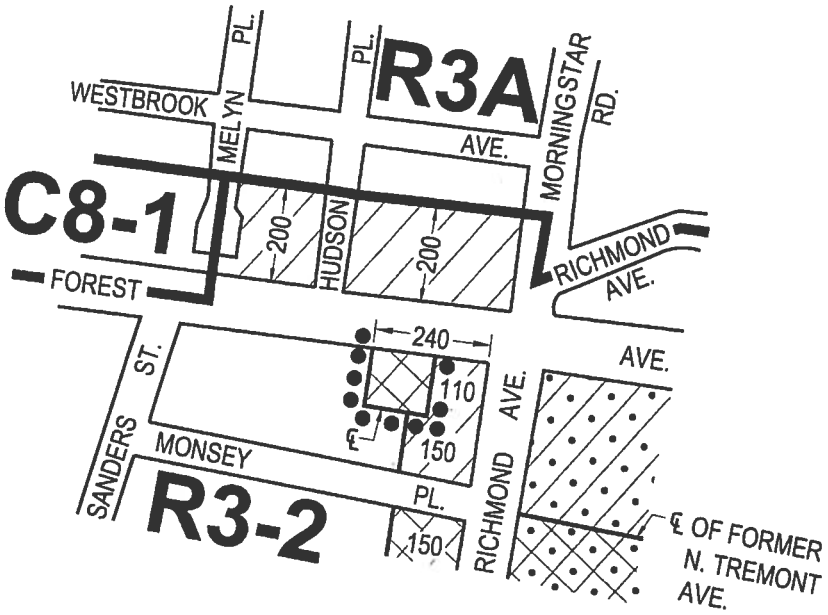
1. eliminating from within an existing R3-2 District a C1-1 District bounded by Forest Avenue, a line 110 feet westerly of Richmond Avenue, a line midway between Monsey Place and Forest Avenue, and a line 150 feet westerly of Richmond Avenue; and

2. establishing within an existing R3-2 District a C1-2 District bounded by Forest Avenue, a line 110 feet westerly of Richmond Avenue, a line midway between Monsey Place and Forest Avenue, and a line 240 feet westerly of Richmond Avenue;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 23, 2014, and subject to the conditions of CEQR Declaration E-346.

The above resolution (C 110122 ZMR), duly adopted by the City Planning Commission on November 19, 2014 (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.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, ESQ., Vice Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E.
ALFRED C. CERULLO, *III*, MICHELLE R. DE LA UZ,
JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,
BOMEE JUNG, ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners



CITY PLANNING COMMISSION

CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

20d

BOROUGH OF

STATEN ISLAND

New York, Certification Date
JUNE 23, 2014

J. Miraglia, Director
Technical Review Division

SCALE IN FEET

300 0 300

NOTE:

Indicates Zoning District Boundary.

The area enclosed by the dotted line is proposed to be rezoned by eliminating a C1-1 District from within an existing R3-2 District and by establishing a C1-2 District within the existing R3-2 District.

Indicates a C1-1 District.

Indicates a C1-2 District.

Indicates a C2-1 District.

Indicates a C2-2 District.

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

NYCPLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: **C 110122 ZMR**	Project Name: **Sollazzo Plaza Rezoning**
CEQR Number: 12DCP082R	Borough(s): Staten Island Community District Number(s): 1

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
   - **EMAIL (recommended):** Send email to **CalendarOffice@planning.nyc.gov** and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
   - **MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
   - **FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
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:

IN THE MATTER OF an application submitted by Estate of Letizia Sollazzo pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 20d:

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Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 23, 2014.

Applicant(s):	Applicant's Representative:
Estate of Letizia Sollazzo c/o John Sollazzo 40 Holden Boulevard Staten Island, NY 10314	Eric Palatnik Eric Palatnik, PC 32 Broadway, Suite 114 New York, NY 10004

Recommendation submitted by:
Staten Island Community Board 1

Date of public hearing: September 2, 2014 Location: Board Office

Was a quorum present? YES ☒ NO ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: Location:

RECOMMENDATION

☒ Approve ☐ Approve With Modifications/Conditions
☐ Disapprove ☐ Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

In Favor: 27 # Against: 0 # Abstaining: 1 Total members appointed to the board: 42

Name of CB/BB officer completing this form	Title	Date
Rebecca Gennaro	Chairwoman	9/8/14

NYCPLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

BOROUGH PRESIDENT RECOMMENDATION
Pursuant to the Uniform Land Use Review Procedure

Application #: C 110122 ZMR CEQR #: 12DCP082R	Project Name: Sollazzo Plaza Rezoning Borough(s): Staten Island Community District Number(s): 1

Please use the above application number on all correspondence concerning this application

Docket Description:

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Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 23, 2014.

Recommendation:

- [x] **Approve**
- [ ] **Approve With Modifications/Conditions**
- [ ] **Disapprove**
- [ ] **Disapprove With Modifications/Conditions**

Explanation of Recommendation, Conditions or Modification:

Related Applications:

Contact:
Address questions about this recommendation to:
OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR

Address: 10 Richmond Terrace, Staten Island, NY 10301 (Room G-12)
Phone: 718.816.2112
Fax: 718.816.2060

James S. Oddo

James S. Oddo
President of the Borough of Staten Island

September 30, 2014
DATE