



September 1, 2021/ Calendar No. 22

C 210361 ZMR

IN THE MATTER OF an application submitted by Victory Boulevard Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. changing from an R3-2 District to an R6B District property bounded by the northwesterly centerline prolongation of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;
2. changing from an R3X District to an R6B District property bounded by the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly centerline prolongation of Bayview Place, and a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation;
3. establishing within an existing R3-2 District a C1-3 District bounded by the northwesterly centerline prolongation of Bayview Place, a line midway between Victory Boulevard and Rosewood Place, a line 400 feet northeasterly of Cebra Avenue, and Victory Boulevard; and
4. establishing within the proposed R6B District a C1-3 District bounded by northwesterly centerline prolongation of Avon Place, a line 75 feet southeasterly of Victory Boulevard, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-615.

This application for a zoning map amendment was filed by Victory Boulevard Realty, LLC on April 29, 2021. This application, in conjunction with related actions (N 210362 ZRR, N 210363 ZAR, and N 210364 ZAR) would facilitate the construction of a five-story, 63,629-square-foot mixed-use building with 46 dwelling units, 12 of which would be permanently affordable, along with community facility and commercial uses located at 252 Victory Boulevard in the Tompkinsville neighborhood of Staten Island Community District 1.

RELATED ACTIONS

In addition to the zoning map amendment (C 210361 ZMR) that is the subject of this report, the proposed project also requires actions by the City Planning Commission on the following applications, which are being considered concurrently with this application:

N 210362 ZRR Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2.

N 210363 ZAR Authorization of a development on a steep slope or steep slope buffer within the Special Hillside Preservation District pursuant to Zoning Resolution (ZR) Section 119-311.

N 210364 ZAR Authorization of certain uses (community facility and parking with 30 or more spaces) within the Special Hillside Preservation District pursuant to ZR Section 119-312.

BACKGROUND

The applicant requests a zoning map amendment to change R3X and R3-2 zoning districts to an R6B zoning district and to extend an existing C1-3 overlay to five contiguous lots that comprise the project area (Block 576, Lots 21, 23, 25, 38, and 42) to facilitate a mixed use development with 46 dwelling units, community facility use, and retail use. The applicant also seeks a zoning text amendment to establish an MIH area coterminous with the proposed R6B district. The project area, coterminous with the area to be rezoned, is located along Victory Boulevard south of Avon Place, and includes the development site (Lot 25), which is owned by the applicant, and the remaining four lots (Lots 21, 23, 38, and 42), which are not under the applicant's ownership or control and are not expected to result in development from the proposed actions.

The project area contains approximately 41,878 square feet of lot area with 338 feet of frontage on Victory Boulevard, a mixed-use corridor, and is located in the Special Hillside Preservation District (SHPD). The development site consists of a 30,267-square-foot, predominantly interior lot with approximately 220 feet of frontage on Victory Boulevard and 20 feet of frontage at the

confluence of Rosewood Place and Bayview Place. The site is heavily wooded and slopes up steeply from Victory Boulevard, with remnants of prior development, such as remains of abandoned stairways to foundations of demolished buildings.

The southern end of project area is bounded by an existing C1-3 commercial overlay. At the southern end of the project area, Lots 21 and 23 are vacant and each comprised of 3,000 square feet of lot area in an R3-2 zoning district. The northern end of the project area is bounded by a public stair way within Avon Place and is located within the R3-2 zoning district. At the northern end of the project area, Lot 38 is 3,454 square feet in size and is the only lot in the project area with existing development, which is an existing auto repair facility. Lot 42 is a vacant 2,320-square-foot lot.

The surrounding area is characterized by a mix of residential uses, ranging from detached single-family homes in R3X and R3A zoning districts to multifamily buildings in R3-2, R4, and R5 zoning districts. Detached one- and two-family residences are permitted in R3X and R3A districts. R3-2 R4, and R5 zoning districts also allow a larger mix of housing types, including semi-detached one- and two-family homes, low-rise attached houses, and small multi-family apartment houses. An existing six-story apartment building with 40 dwelling units is located two blocks north of the project area at 150 Victory Boulevard, and two- to three-story residential buildings are located along Victory Boulevard across the street from the project area. While perimeter walls of buildings with residences in R3X, R3A, and R3-2 districts may normally rise 26 feet before sloping or setting back to a maximum building height of 35 feet, the project area is predominantly comprised of steep slope area within the SPHD, which allows a maximum height of 36 feet in order to allow taller buildings with a smaller footprint to preserve natural features. Similarly, residential buildings may rise to a height of 40 feet in R5 zoning districts outside of the SHPD and up to 60 feet on hillsides within the SPHD. The entirety of the Tompkinsville neighborhood is located in the SHPD, which regulates natural features in order to prevent erosion and preserve the aesthetic value of hillsides.

Victory Boulevard is a primary mixed-use corridor, with local retail uses serving Tompkinsville, and it is an east-west arterial for the Staten Island North Shore. The final mapped width of

Victory Boulevard varies and is 100 feet wide in front of the development site, where five local bus routes connect the Staten Island Ferry Terminal to key destinations throughout northern and central Staten Island. The project area is located one half mile east of the Tompkinsville Staten Island Railroad (SIR) station. There is a C1-3 commercial overlay along Victory Boulevard directly south and across Victory Boulevard from the project area. The northern border of the project area is proximate to the Tompkinsville town center, and is adjacent to an intersection with another mixed-use corridor along Jersey Street. Additional neighborhood retail uses are located near the intersection with Cebra Avenue, located 400 feet to the south of the project area. Some of these mixed and commercial buildings are located in an existing 75-foot-deep C1-3 commercial overlay that extends to the southern edge of the project area.

The City Council approved the Department of City Planning's proposal to rezone the Bay Street Corridor (ULURP No. C 1901113 ZMR, N190144A ZRR, 190115 PPR, 190179A HAR,) on June 26, 2019. The rezoning is located approximately one half mile east of the project area and covers approximately 20 blocks in portions of the St. George, Tompkinsville and Stapleton neighborhoods. The rezoning implements the Bay Street Corridor Neighborhood Plan that sought to create additional opportunities for affordable housing through the MIH program; foster a vibrant walkable mixed-use corridor that would connect the surrounding communities; facilitate commercial development; and align investments in infrastructure, public open space and services. As a part of the application, the City Council also approved the disposition of a Department of Sanitation New York (DSNY) garage facility at 531 Jersey Street (Block 34, Lot 1), located approximately 100 feet north of the project area. The City committed to relocating the garage to Fresh Kills in Staten Island Community District 3 to allow for this site's eventual redevelopment to provide affordable housing.

The applicant proposes to develop a five-story mixed-use building with 46 dwelling units, 12 of which would be permanently affordable, as well as 7,500 square feet of community facility use for a daycare and 1,187 square feet of commercial retail floor area. The proposed development would have a built floor area ratio (FAR) of 2.12, totaling 63,629 square feet of floor area with a lot coverage of 50 percent. The building would contain three setbacks at the third (30 feet), fourth (40 feet) and fifth (50 feet) floors. Furthermore, vegetated roof areas would encompass

approximately 5,692 square feet of the 12,255 square feet of rooftop area and would be designed to be visible from the street level.

In the cellar and first floor, 59 accessory parking spaces would be provided and made accessible via two new curb cuts along Victory Boulevard. Of the 59 parking spaces, 24 would be located on the first floor and provided in stackers, which would be attended and designated for the residential use. The remaining spaces would be self-park spaces for residents in the cellar or allow for drop-offs for the proposed daycare on the first floor. Twenty parking spaces would be required for residences and no parking would be required for the daycare. No parking would be required for the commercial uses proposed pursuant to ZR Section 36-231.

To facilitate the proposed development, the applicant proposes a zoning map amendment to change R3-2 and R3X zoning districts to an R6B zoning district and to extend the existing C1-3 commercial overlay across the entire Victory Boulevard frontage of the project area.

The proposed R6B district would permit residential uses up to a maximum FAR of 2.2 when paired with an MIH area, and community facility uses up to a maximum FAR of 2.0. For buildings with MIH, the building must be set back to a depth of 10 feet on a wide street above a maximum base height of 45 feet, and have a maximum height of 55 feet. Quality Housing zoning requires mandatory recreational space and other amenities. The proposed R6B district allows for a building envelope with multiple setbacks, and would allow for a building base height of 30 feet. Parking is required for 25 percent of the affordable residential units and 50 percent of all other residential units. C1-3 commercial overlays permit a range of commercial uses on the first floor at a maximum FAR of 1.0 or a maximum of 2.0 when mixed with community facility uses.

The applicant also proposes a zoning text amendment to Appendix F to designate an MIH area coterminous with the project area. The proposed text amendment would map MIH Options 1 and 2. Option 1 requires that 25 percent of residential floor area be set aside for permanently affordable housing units for residents with incomes averaging 60 percent of the Area Median Income (AMI), with 10 percent of the residential floor area set aside for residents with incomes

averaging 40 percent of the AMI. Option 2 requires that 30 percent of residential floor area be set aside for permanently affordable housing units for residents with incomes averaging 80 percent of the AMI. No more than three income bands can be used to average out to 80 percent, and no income band can exceed 130 percent of the AMI.

In addition, within the SHPD, the CPC may authorize disturbance to steep slope, and may authorize the development of a community facility use and 30 or more parking spaces. The applicant requests additional authorizations concurrently with this application (N 210363 ZAR, and N 210364 ZAR).

ENVIRONMENTAL REVIEW

This application (C 210361 ZMR), in conjunction with the application for the related actions (N 210296 ZRR, N 210364 ZAR), 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 lead is the City Planning Commission. The designated CEQR number is 21DCP153R.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on May 3, 2021. On August 27, 2021, a Revised Environmental Assessment Statement (EAS) was issued to include a revised analysis for hazardous materials, reflecting plans approved by the New York City Department of Environmental Protection (DEP) at the project site, and concluded that an E-designation for hazardous materials, previously proposed, would no longer be required. The Revised EAS concluded that the revised analysis would not result in any new or different significant adverse environmental impacts not already identified in the previous Negative Declaration. A Revised Negative Declaration was issued on August 30, 2021. The Revised Negative Declaration included an (E) designation (E-615) to avoid the potential for significant adverse impacts related to air quality and noise. The requirements of the (E) designation are described in the Revised Environmental Assessment Statement and Revised Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 210361 ZMR) was certified as complete by the Department of City Planning

on May 3, 2021 and duly referred to Staten Island 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), along with the related applications for a zoning text amendment (N 210362 ZRR) and zoning authorizations (N 210363 ZAR and N 210364 ZAR) which were referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

On June 1, 2021, Community Board 1 held a public hearing on this application (C 210361 ZMR) and the applications for the related actions (N 210362 ZRR, N 210363 ZAR, and N 210364 ZAR) and on June 8, 2021, by a vote of 27 in favor, two opposed, and none abstaining, adopted a resolution recommending approval.

Borough President Recommendation

This application (C 210361 ZMR) and the application for the related actions (N 210362 ZRR, N 210363 ZAR, and N 210364 ZAR) was considered by the Staten Island Borough President, who, on July 9, 2021 issued a favorable recommendation.

City Planning Commission Public Hearing

On July 12, 2021 (Calendar No. 6), the City Planning Commission scheduled a public hearing on this application (C 210361 ZMR) and related actions. The hearing was duly held on July 14, 2021 (Calendar No. 45). Two speakers testified in favor of the application and none in opposition.

Speakers in favor of the application included two representatives of the applicant team. The applicant's attorney presented an overview of the proposed development and the land use rationale for the proposed zoning map amendment, highlighting the proximity of the site to the ferry, community interest in the proposed daycare and affordable residence uses, and how the proposed development would be situated to conform to the existing topography and meet the goals of the SHPD.

The applicant's architect described the proposed uses, different means of access to each use on the first floor and cellar, including the proposed community facility, retail, and parking, and other design features of the proposed building. The applicant clarified that while a tenant has not been secured for the daycare, they believe this community facility use is needed in the area. Additional parking would be provided to be utilized for the proposed retail, drop off for the daycare, and residents of the building.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 210361 ZMR), in conjunction with the related application for a zoning text amendment (N 210362 ZRR) and related authorizations (N 210363 ZAR, and N 210364 ZAR), is appropriate.

Together, these actions will facilitate the development of a five-story mixed-use building with 46 residential units, 12 of which will be permanently affordable, as well as approximately 7,500 square feet of community facility floor area for a proposed daycare, and 1,187 square feet of commercial use for local retail.

The Commission believes that the proposed zoning map amendment is appropriate. The R6B/C1-3 district will be mapped along the portion of a thoroughfare, that has been vacant for decades, but is an essential pedestrian link between retail centers in Tompkinsville near Cebra Avenue, and along Jersey Street. The proposed R6B district is a contextual, mid-density residential district designed to produce Quality Housing buildings. The 30 foot minimum base height in R6B districts aligns with the height of existing three-story buildings along Victory Boulevard. The rezoning boundary will extend over four non-applicant owned lots (Block 3687, Lots 37, 39, 40, and 42), to facilitate additional opportunities for mixed-use development in future SHPD applications.

The Commission believes that this proposal will help support the development of affordable housing, as outlined in *Housing New York*, as well as development of a substantial number of new homes and additional community facility and commercial space in an area that contains a

mix of uses and is well-served by transit. The project area is proximate to the Tompkinsville SIR station and five bus routes, and the proposed development will convert an existing underutilized site into affordable housing in an area with a significant need for new income-restricted units.

The Commission also notes that the proposed C1-3 commercial overlay will allow for mixed-use buildings with ground floor retail along Victory Boulevard, to promote a lively and safe pedestrian realm along vacant property. The Commission believes that the proposal aligns with the goals and objectives of the Special Bay Street Corridor District, located proximate to the project area. The disposition of a DSNY garage facility, located approximately 100 feet north of the project area, will allow for this site's eventual redevelopment to provide affordable housing. The Commission believes that the proposal further supports the Jersey Street mixed use corridor.

The Commission believes that the proposed zoning text amendment (N 210362 ZRR) to Appendix F to designate an MIH area is appropriate. The action will designate a new MIH area coterminous with the proposed R6B district. Designating an MIH area coterminous with the rezoning area is consistent with citywide objectives of promoting production of affordable housing outlined in *Housing New York*. The text amendment will require any future residential development within the rezoned area to designate 25 or 30 percent of the residential floor area for income-restricted housing units, which will result in at least 12 permanently income restricted affordable housing units.

The Commission believes that the related SHPD authorizations (N 210363 ZAR, N 210364 ZAR) are appropriate, as the site plan and proposed community facility use will benefit the community and meet the goals of the SHPD to minimize impact on the natural topography and vegetation. The Commission believes that the proposed development will create a contiguous, lively streetscape along Victory Boulevard, a critical thoroughfare in the North Shore of Staten Island, and increase the supply of affordable and market rate housing.

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, 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 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. 21c:

1. changing from an R3-2 District to an R6B District property bounded by the northwesterly centerline prolongation of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;
2. changing from an R3X District to an R6B District property bounded by the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly centerline prolongation of Bayview Place, and a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation;
3. establishing within an existing R3-2 District a C1-3 District bounded by the northwesterly centerline prolongation of Bayview Place, a line midway between Victory Boulevard and Rosewood Place, a line 400 feet northeasterly of Cebra Avenue, and Victory Boulevard; and
4. establishing within the proposed R6B District a C1-3 District bounded by northwesterly centerline prolongation of Avon Place, a line 75 feet southeasterly of Victory Boulevard, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E 615.

The above resolution (C 210361 ZMR), duly adopted by the City Planning Commission on September 1, 2021 (Calendar No. 22), 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.

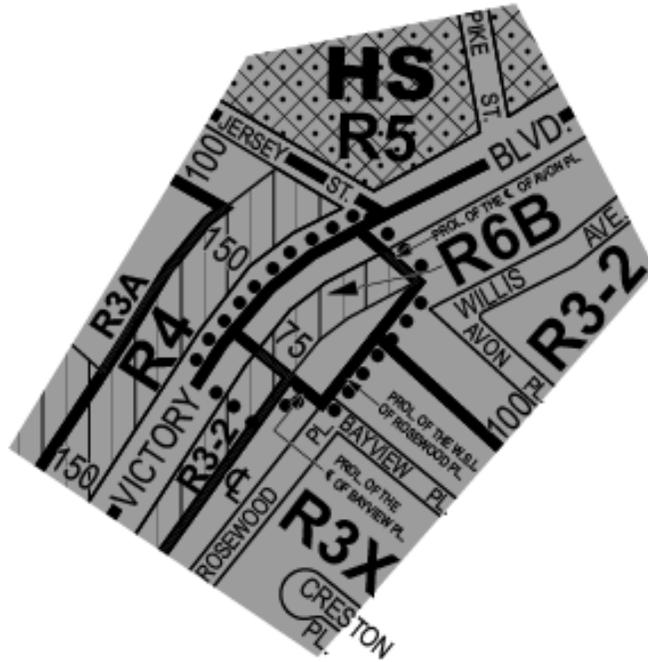
MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chair*

DAVID J. BURNEY, ALFRED C. CERULLO, III, JOSEPH DOUEK,

RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARÍN,

LARISA ORTIZ, RAJ RAMPERSHAD *Commissioners*



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
21c
 BOROUGH OF
STATEN ISLAND



New York, Certification Date:
 May 3, 2021

S. Lenard
 S. Lenard, Director
 Technical Review Division



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is proposed to be rezoned by changing from R3-2 and R3X Districts to an R6B District and establishing a C1-3 District within an existing R3-2 and proposed R6B Districts.
-  Indicates a C1-3 District
-  Indicates a C2-2 District
-  Indicates a Special Hillside Preservation District



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 252 Victory Boulevard	
Applicant: Thomas Cordasco	Applicant's Primary Contact: Eric Palatnik
Application # 210361ZMR	Borough:
CEQR Number: 21DCP153R	Validated Community Districts: R01

Docket Description:
 IN THE MATTER OF an application submitted by Victory Boulevard Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. changing from an R3-2 District to an R6B District property bounded by the northwesterly centerline prolongation of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, a line midway between Victory Boulevard and Rosewood Place and its the northeasterly prolongation, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;
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4. establishing within the proposed R6B District a C1-3 District bounded by northwesterly centerline prolongation of Avon Place, a line 75 feet southeasterly of Victory Boulevard, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;

Borough of Staten Island, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-615.

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

RECOMMENDATION: Favorable			
# In Favor: 27	# Against: 2	# Abstaining: 0	Total members appointed to the board: 39
Date of Vote: 6/8/2021 12:00 AM		Vote Location: virtual	

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

Date of Public Hearing:	
Was a quorum present? No	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	

CONSIDERATION: Motion made and seconded to approve as submitted.		
Recommendation submitted by	SI CB1	Date: 6/10/2021 1:20 PM

Application #: N 210366 LDR	Project Name: 252 VICTORY BOULEVARD
CEQR Number: 21DCP153R	Borough(s): STATEN ISLAND Community District Number(s): 1

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

Docket Description:

IN THE MATTER OF a private private applicant seeking a series of discretionary actions including a rezoning of a site located at 252 Victory Boulevard from an R3-2/R3X district to an R6B-C1-3 district, a text amendment to designate the proposed rezoning area as a Mandatory Inclusionary Housing (MIH) area, and Special Hillside Preservation District authorizations to facilitate the development of a proposed 5-story mixed-use (Residential, Commercial and Community Facility) building, with parking located within the building. Pursuant to MIH, the proposed development would contain 46 dwelling units, 12 of which would be permanently affordable

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, Conditions or Modification:

Related Application(s): C 210361 ZMR, N 210362 ZRR, N 210363 ZAR and N 210364 ZAR

Address all questions about this Recommendation to:

OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR

Address: 10 Richmond Terrace, Room G-12
Staten Island, NY 10301

Phone: 718-816-2112

James S. Oddo

James S. Oddo
President, Borough of Staten Island

07/09/2021

Date