DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*
Department of City Planning

February 1, 2017

Hilary Semel, Director
Office of the Mayor, City of New York
253 Broadway, 14th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **5 Bement Avenue**
CEQR No. 17DCP055R
ULURP No. 160401ZMR
Staten Island, Community District 1
SEQRA Classification: Unlisted

The above-referenced application involves a discretionary action subject to City Planning Commission approval. This action is subject to review under the City Environmental Quality Review (CEQR), Executive Order No. 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.

Pursuant to Sections 5.03 and 5.05 of the Rules of Procedure for City Environmental Quality Review (CEQR) as adopted June 26, 1991, the Department of City Planning, acting on behalf of the City Planning Commission, is assuming lead agency status for this application and is initiating the CEQR review.

The Applicant, Pelton Place LLC, is seeking a zoning map amendment from R3-1 to R3-1/C2-2 on Block 150, Lot 1, 9, and p/o 154 (the "Proposed Rezoning Area"), located in the West Brighton neighborhood in Staten Island, Community District 1. The proposed action would facilitate a proposal by the Applicant to develop a new 4,830 gross square foot (gsf) commercial retail building on Block 150, Lot 1 (the Applicant-owned "Project Site").

The Proposed Rezoning Area is zoned R3-1 and is located at the northern portion of Block 150, bounded by Richmond Terrace to the north, Bement Avenue to the west, and Elizabeth Avenue to the east. The Project Site measures 15,655 sf, of which 2,406 sf is mapped but not built as street. The Project Site is currently vacant. Lot 9 measures 10,608 sf and contains an approximately 1,700 gsf commercial retail building (an automotive service station), developed

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pursuant to a Board of Standards and Appeals (BSA) approval granted in 1967. Lot 154 measures 3,876 sf and contains a two-story, 1,312 gsf single family detached home.

The Project Area is located entirely within an R3-1 district. R3-1 is a contextual residential district that permits detached and semi-detached houses at a maximum Floor Area Ratio (FAR) of 0.5, with an attic allowance of 20%. It requires one parking space per dwelling unit with a maximum building height of 35 feet. The Project Area is also located within a Lower Density Growth Management Area (LDGMA), which places bulk, minimum off-street parking space, lot, yard and open space requirements on the affected area. The proposed C2-2 commercial overlay, which is currently mapped to the west of the Project Area along Richmond Terrace, permits a range of commercial uses (Use Groups 1 through 9 and 14), at a maximum FAR of 1.0 within R3 districts. In R3-1 districts mapped with a C2-2 commercial overlay, one parking space is required for every 300 square feet of retail space for commercial buildings with general retail or service uses.

The Project Site is partially in the bed of a mapped but unbuilt portion of Richmond Terrace. In 2012, the Board of Standards and Appeals (BSA), under BSA Calendar No.: 122-11-A, approved a proposal by the Applicant to develop a one-story, 2,498 gsf single family home at the Project Site in the bed of a mapped street pursuant to General City Law 35 ("Permits for building in bed of mapped streets"). The BSA approved residential building would comply with underlying R3-1 residential zoning district regulations.

The proposed rezoning from R3-1 to R3-1/C2-2 would facilitate a proposal by the Applicant to construct a 4,830 gsf commercial retail building and 16 accessory parking spaces at the Project Site. The automotive service station on Lot 9 would continue to operate pursuant to BSA approval. As less than 50% of Lot 154 would be included in the rezoning boundary, and the proposed district boundary would be mapped less than 25 feet from the lot line of Lot 154, the proposed rezoning would not affect the permitted use and bulk on Lot 154, per New York City Zoning Resolution Section 77-11 ("Conditions for Application of Use Regulations to Entire Zoning Lot"). The residential uses on Lots 144 and 154 would remain.

Absent the proposed action, the Project Site would be developed with a residential use pursuant to the prior BSA approval, as described above.

The proposed project is expected to be completed by 2019.

An Environmental Assessment Statement is attached. Please contact Annabelle Meunier of the Department of City Planning at 212-720-3426, if you have any questions regarding the application.

5 Bement Avenue
CEQR No. 17DCP055R

Sincerely,

Olga Abinader, Deputy Director
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New York City Department of City Planning

cc:

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