CHAPTER 1: PROJECT DESCRIPTION

A. INTRODUCTION

The New York City Department of City Planning (DCP), together with New York City Department of Housing Preservation and Development (HPD), and the Department of Citywide Administrative Services (DCAS), is proposing a series of land use actions (collectively, the "Proposed Actions") to implement recommendations of the Bay Street Corridor Neighborhood Planning Initiative (the "Plan"). The Plan is the subject of an ongoing community process to create opportunities for housing, including affordable housing, commercial development, and improved public spaces and infrastructure within an approximately 20-block area ("Project Area") in Downtown Staten Island (roughly defined as Tompkinsville, Stapleton, and St. George neighborhoods), Community District 1 (Figure 1-1).

The affected area within the Tompkinsville and Stapleton neighborhoods along Bay Street is generally bounded by Victory Boulevard to the north and to the east, Sands Street to the south, and Van Duzer Street to the west. The affected area in the Stapleton neighborhood along Canal Street is generally bounded by Tappen Park to the north, Wright Street to the east, Broad Street to the south, and Cedar Street to the west. The Project Area also includes three City-owned sites within the St. George and Tompkinsville neighborhoods, and the Stapleton Waterfront Phase III Sites A and B1 located along Front Street between the prolongation of Swan Street and Wave Street (Figure 1-2).

The Proposed Actions are anticipated to result in a net *increase* of approximately 2,554,000 square feet (sf) of residential use consisting of approximately 1,830 dwelling units associated with the rezoning actions, 100 units on City-owned properties, and 630 units at Stapleton Waterfront Phase III Sites, for a total of 2,560 dwelling units. A substantial portion of these units are expected to be affordable pursuant to the Mandatory Inclusionary Housing (MIH) program. Additionally, the Proposed Actions would result in a net *increase* of approximately 275,000 sf of commercial use (including local retail, restaurant and office); and a net *increase* of approximately 47,000 sf of community facility use.

The Bay Street Corridor Neighborhood Planning Initiative is a comprehensive plan developed with input from community residents, elected officials, Staten Island Community Board 1, and other community stakeholders, in coordination with the City and other public agencies, including HPD, the Department of Small Business Services (SBS), and the Department of Parks and Recreation (DPR), to identify needs and opportunities to support a shared long-term vision for the future of Downtown Staten Island. The Plan was developed to support Housing New York, the City's plan to build and preserve 200,000 units of affordable housing over the next 10 years, and builds upon North Shore 2030, a framework to guide future zoning and development actions throughout the North Shore of Staten Island. The Plan's recommendations support the following Guiding Principles:

- Create a vibrant, resilient downtown environment providing stronger connections to New York Harbor and surrounding neighborhoods;
- Support creation of new housing, including affordable housing, for the broad spectrum of North Shore needs;

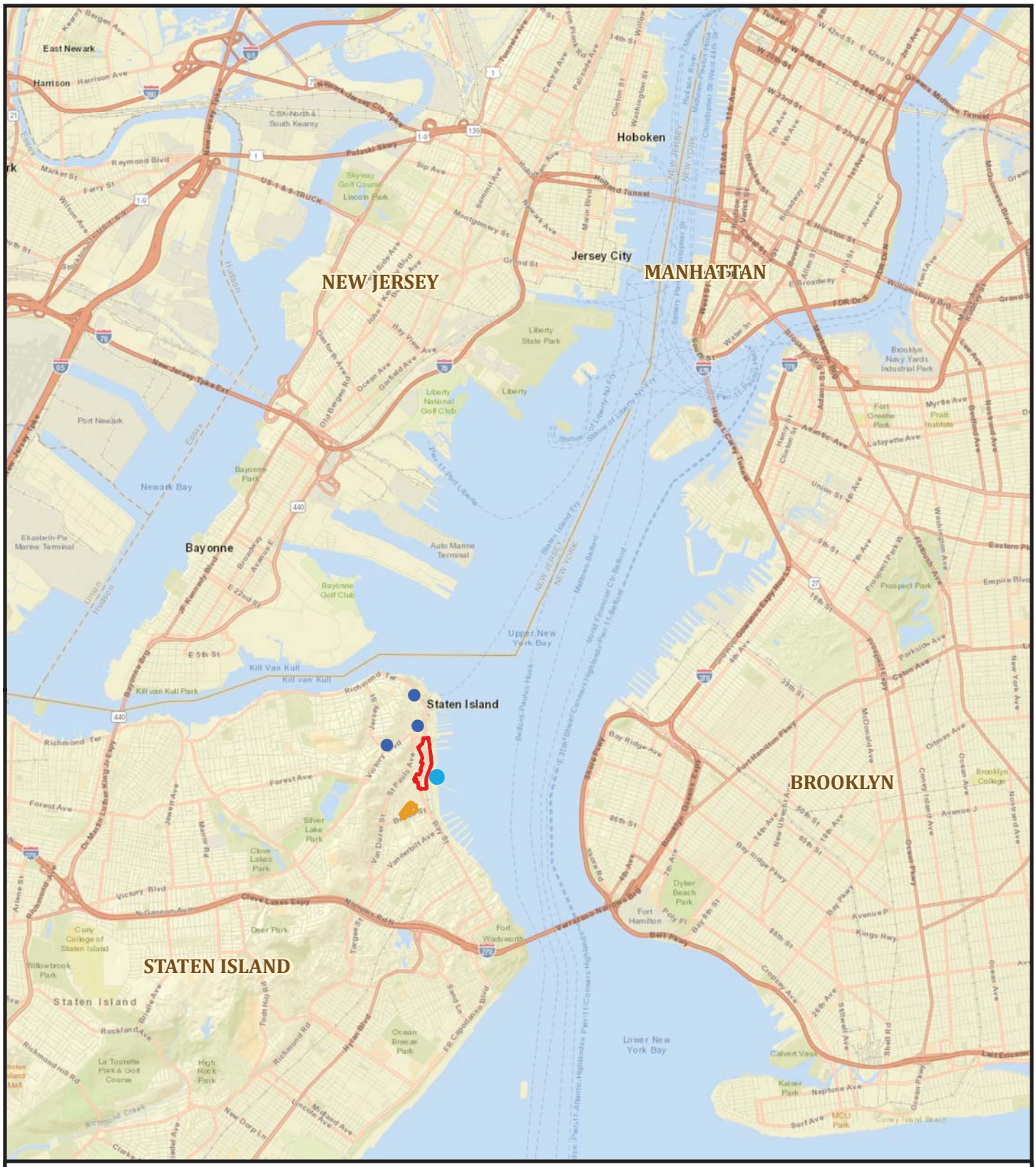


FIGURE 1-1: REGIONAL LOCATION MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY

Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

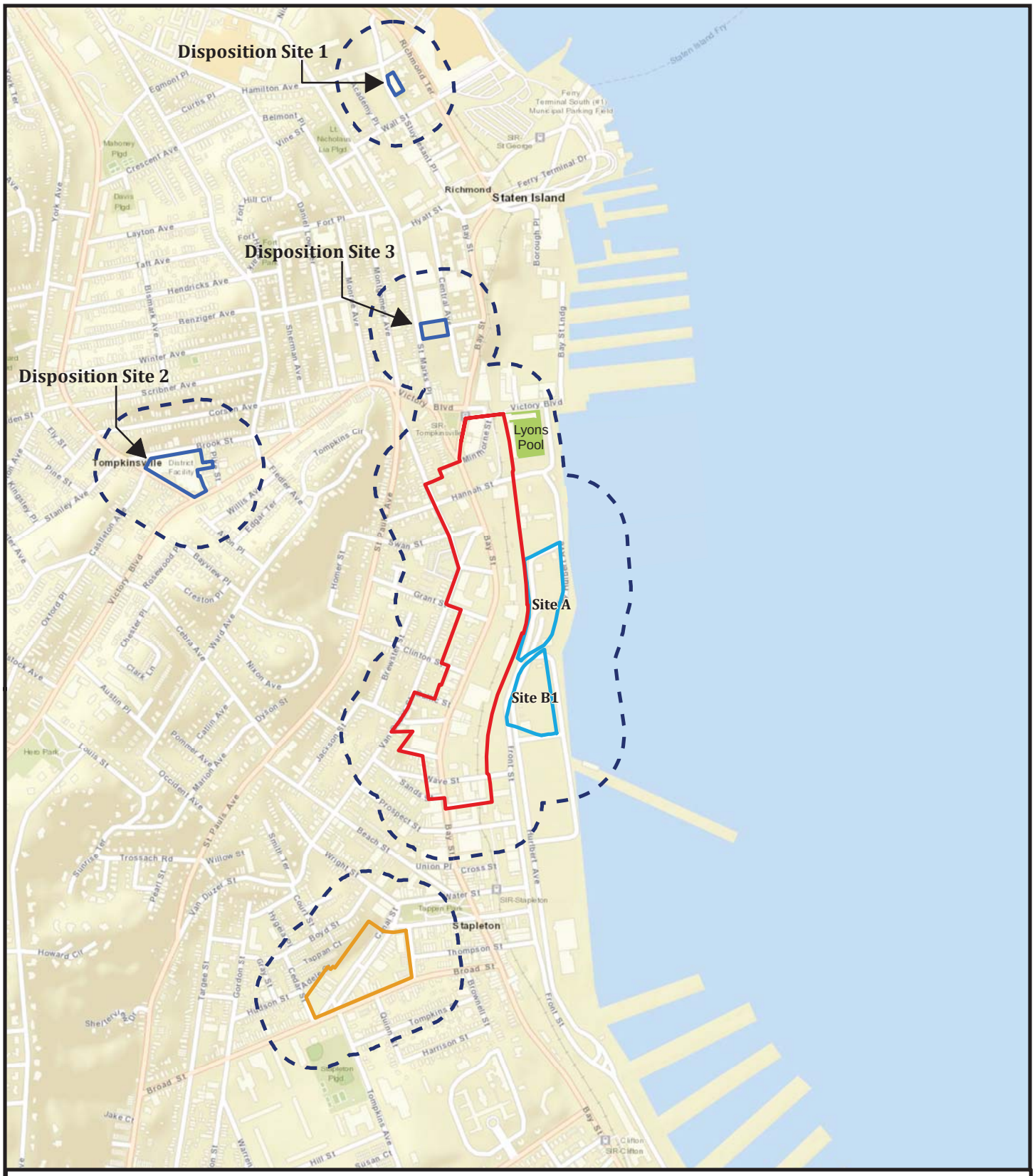


FIGURE 1-2: PROJECT AREA LOCATION MAP

BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY

0 500 1,000 2,000 Feet

N

Bay Street Corridor Project Area

Canal Street Corridor Project Area

Stapleton Waterfront Phase III Sites

Study Area (400-foot radius)

City Disposition Sites

Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

- Support new and existing businesses and new commercial development by encouraging new jobs and supporting a pedestrian-friendly, thriving retail/business corridor between St. George and Stapleton; and
- Align investment in infrastructure, public open spaces, and services to support current demands and future growth.

The Proposed Actions include approval of zoning map and text amendments, disposition of City-owned property, and demapping a portion of a street. Implementation of the Proposed Actions requires review and approval pursuant to the City's Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR).

The Project Area is approximately 45 acres, consisting of four distinct areas:

1. **Bay Street Corridor Project Area**: A contiguous 14-block area along Bay Street, generally bounded by Victory Boulevard to the north; Van Duzer Street to the west; Staten Island Railway (SIR) tracks to the east; and Sands Street to the south (Figure 1-3A);
2. **Canal Street Corridor Project Area**: A 2-block area along Canal Street bounded by part of Canal Street and Tappen Park, and 200 feet of Block 527 to the north; Wright Street to the east; Broad Street to the south; and Cedar Street, Adele Court, and part of Block 527 to the west (Figure 1-3B);
3. **City Disposition Sites**:[1] Three City-owned properties located at (i) 55 Stuyvesant Place (Block 9, Lot 9); (ii) 539 Jersey Street/100 Brook Street (Block 34, Lot 1); and (iii) 54 Central Avenue (Block 6, Lot 20), which also includes the mapped, but unimproved, Victory Boulevard Extension that would be demapped to facilitate future development at 54 Central Avenue (Figure 1-3C); and
4. **Stapleton Waterfront Phase III Sites**: Two sites located in Subareas A and B1 of the Special Stapleton Waterfront District (SSWD) (Figure 1-3A).

Within these areas, the Proposed Actions are anticipated to facilitate new residential, commercial, and mixed-use development. In total, the Proposed Actions are expected to result in an incremental *increase* over the No-Action Condition of approximately 2,560 dwelling units; 275,000 square feet (sf) of commercial uses, including retail, office, and restaurant space; and 47,000 sf of community facility space. Sites within the proposed Mandatory Inclusionary Housing (MIH) designated areas (including Bay Street Corridor and Canal Street Corridor Project Areas) would be subject to the MIH program and would provide between 25 and 30 percent affordable dwelling units in qualifying developments depending on the chosen MIH option(s).[2] In addition, sites may utilize affordable housing subsidies to produce additional affordable housing at a range of income levels; the amount and levels of affordability would vary depending on the programs utilized. On publicly controlled sites, the affordable program would be determined based on an agreement reached in conjunction with disposition of the site.

[1] Disposition of City Disposition Sites 3 is not being sought in conjunction with the Uniform Land Use Review Procedure (ULURP) application associated with this DEIS. However, for conservative analysis purposes, City Disposition Sites 3 and the associated street demapping are contemplated in this environmental review.
[2] The Proposed Actions intend to apply Option 1, Option 2, Option 3 (the Deep Affordability Option) and Option 4 (the Workforce Option) to the Bay Street Corridor and Canal Street Corridor MIH areas.

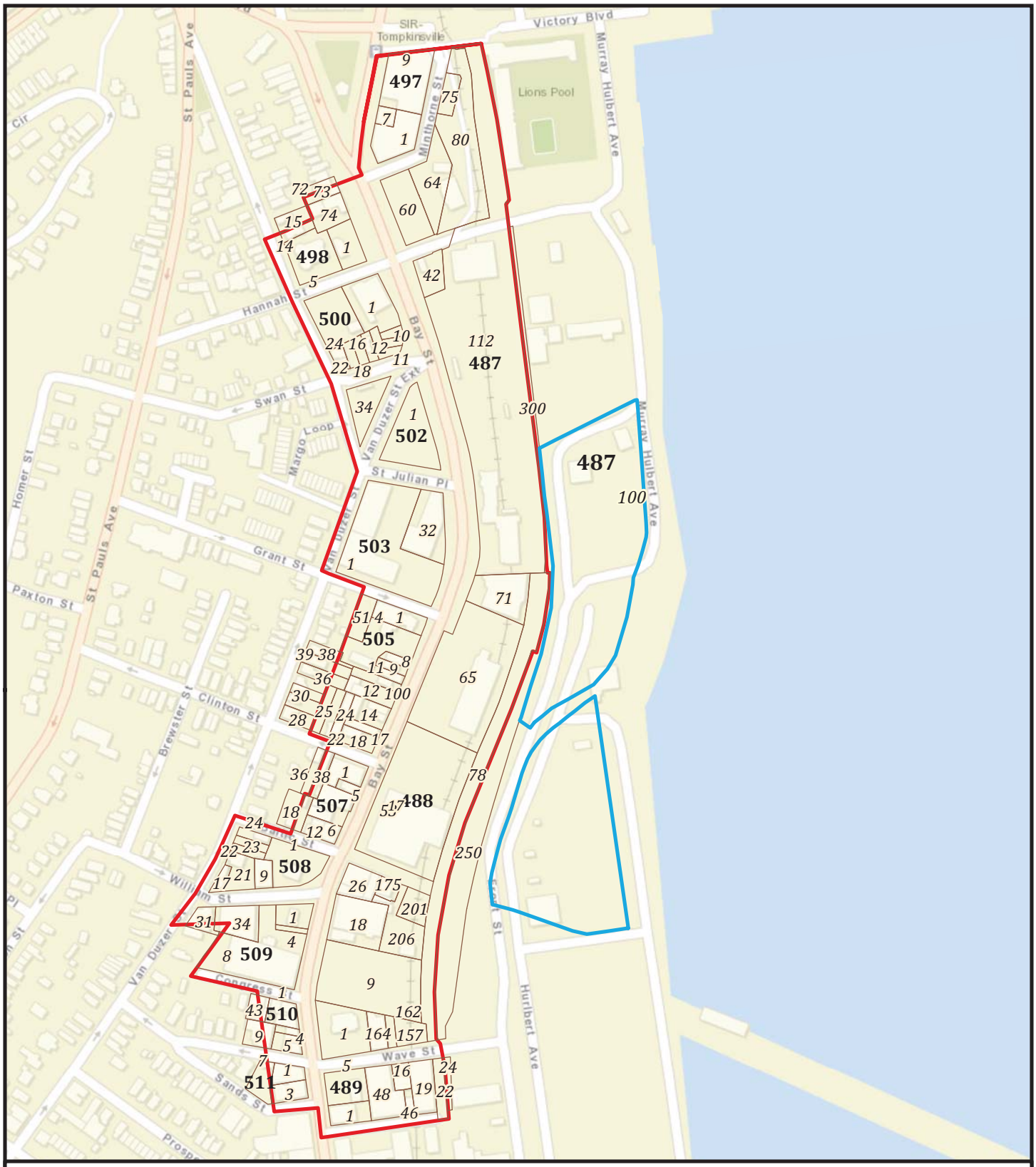


FIGURE 1-3A: BAY STREET CORRIDOR PROJECT AREA TAX MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan



FIGURE 1-3B: CANAL STREET CORRIDOR PROJECT AREA TAX MAP
BAY STREET CORRIDOR REZONING AND RELATED AREAS

Canal Street Corridor Project Area
1 Block
65 Lot

0 50 100 200 Feet

N

STATEN ISLAND, NY
Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

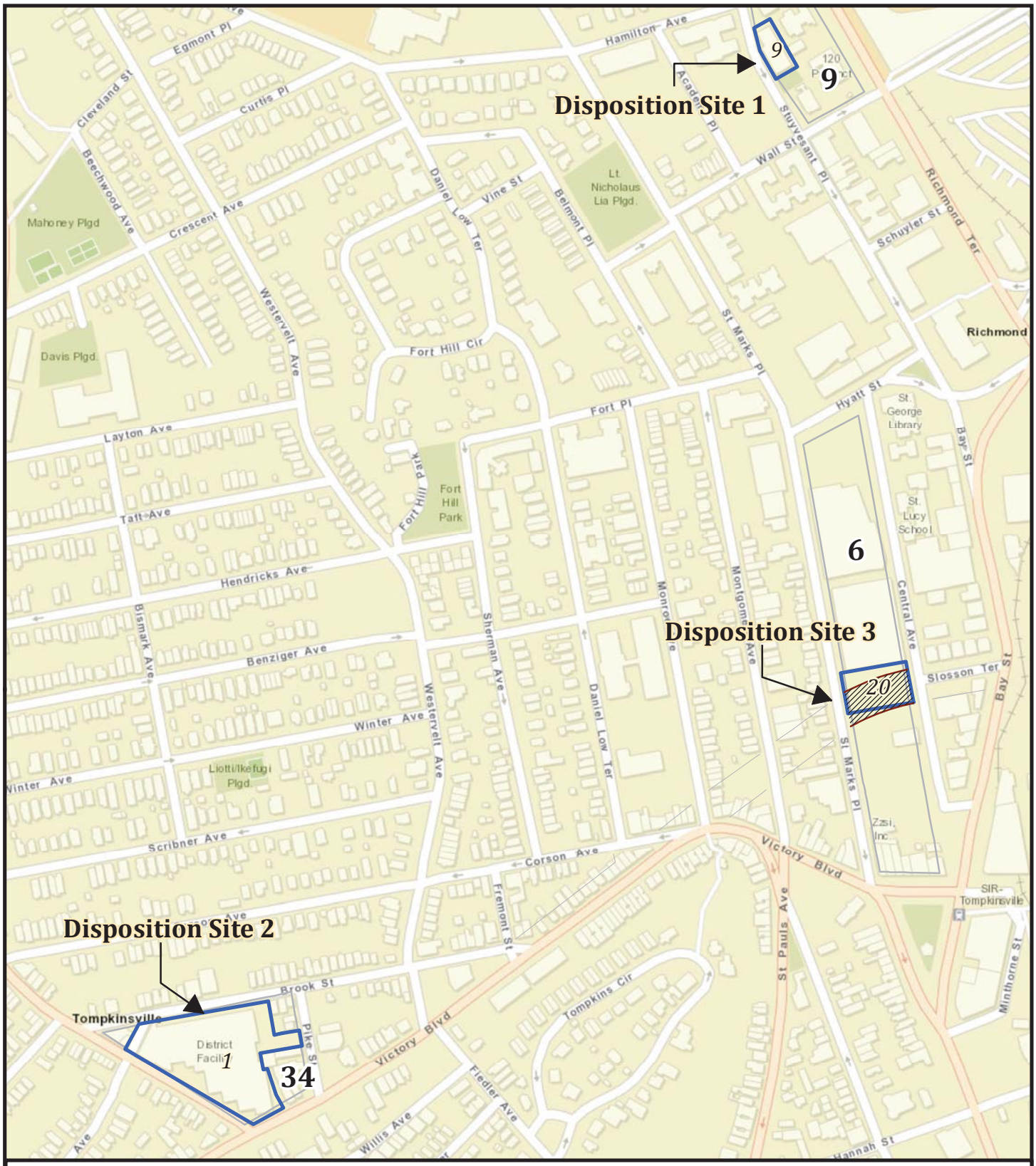


FIGURE 1-3C: CITY DISPOSITION SITES TAX MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY

Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

0 400 800 Feet

N

City Disposition Sites

Demapping (portion of Victory Boulevard Ext.)

34 Block

65 Lot

DCP is acting as lead agency on behalf of the City Planning Commission (CPC) and is conducting a coordinated environmental review.

Since the issuance of the Draft Environmental Impact Statement (DEIS), DCP has prepared and filed an amended zoning text application that addresses issues raised after the issuance of the DEIS. The amended application, filed as ULURP application N 190114(A) ZRR, consists of modifications to the Proposed Actions that would: (1) modify the Special Stapleton Waterfront District (SSWD) regulations to allow buildings in Subareas A or B1 of the special district to waive from floor area calculation purposes up to 100,000 square feet (sf) of community facility floor area for school use; (2) modify the Special Bay Street Corridor District (SBSCD) regulations to permit brewery uses throughout the proposed SBSCD; and (3) modify the SBSCD loading requirements and visual corridor design regulations (see Appendix M). In addition, HPD has prepared and filed an amended disposition and UDAAP designation application (ULURP No. C190179(A) HAR). The disposition terms of City Disposition Site 2 would include Affordable Independent Residences for Seniors (AIRS) and would modify the amount of community facility, commercial and parking at the site. While the disposition of City Disposition Site 3 is not included in the land use application at this time, this action is expected to be sought in the near future. The modified assumptions for City Disposition Site 3 reflect the anticipated mixed-use residential and commercial program at the site. The amended application was analyzed in a technical memorandum issued on February 12, 2019, and is further analyzed as the "A-Text Alternative" in this FEIS in Chapter 22, "Alternatives."

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Proposed Actions are intended to facilitate implementation of the Plan's recommendations and achieve the Guiding Principles through discretionary actions that are subject to review under ULURP, Section 197-c of the City Charter, and the CEQR process. The Proposed Actions include:

ZONING MAP AMENDMENTS

BAY STREET CORRIDOR

The following zoning map amendments are proposed to Zoning Map 21c:

- Rezone the Bay Street Corridor Project Area, predominately an existing M1-1 zoning district, to R6 and R6B zoning districts, with C2-3 and C2-4 commercial overlay districts, and establish the Special Bay Street Corridor District (SBSCD) to include the entirety of the Bay Street Corridor Project Area, as shown in Figure 1-4A and described in Section F, "Description of the Proposed Actions."

In addition, the Bay Street Corridor Project Area would extend beyond the existing M1-1 zoning district boundary and include the following lots, which are currently zoned R3X:

- Block 507, portions of Lot 17;
- Block 508, Lots 17, 21, 22, 23, 24;

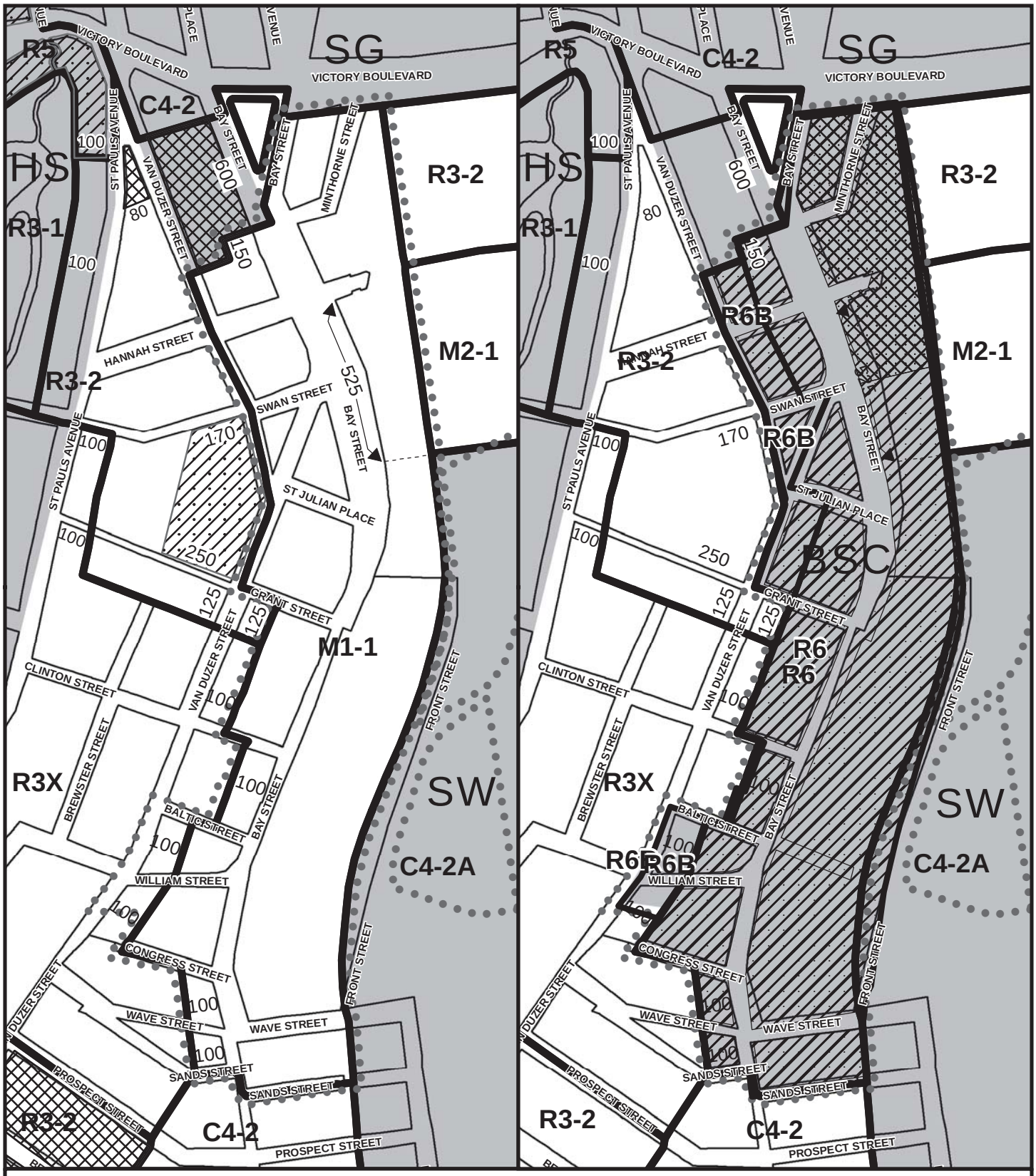


FIGURE 1-4A: PROPOSED ZONING MAP AMENDMENT
BAY STREET CORRIDOR PROJECT AREA
BAY STREET CORRIDOR
REZONING AND RELATED ACTIONS

0 250 500 1,000 Feet

N

Bay Street Corridor Project Area/Stapleton Waterfront Phase III Sites

R6 Zoning Districts SW Special Purpose Districts

Commercial Overlays

C1-2 C2-4 C2-1 C2-3

STATEN ISLAND, NY

Map Reference: Basemap: ESRI; Shapefile: MapPLUTO Data
Prepared by Langan

- Block 509, portions of Lots 28 and 31; and
- Block 510, portions of Lots 9 and 43.

CANAL STREET CORRIDOR

The following zoning map amendments are proposed to Zoning Map 21d:

- Rezone the existing R3-2/C2-2 (part of Block 527) and R4/C2-2 (Block 526) zoning districts of the Canal Street Corridor with a R6B/C2-3 district, as shown in Figure 1-4B and further described in Section F, "Description of the Proposed Actions."

The proposed Canal Street Corridor Project Area would be bounded:

- To the north by Canal Street and an area located 200 feet from Wright Street to a depth of 125 feet from Canal Street;
- To the south by Broad Street;
- To the west by Cedar St to a depth of 150 feet from Canal Street, or to a depth of 125 feet within 200 feet to 700 feet of Wright Street (west of Tappen Park); and
- To the east by Wright Street (south of Tappen Park).

ZONING TEXT AMENDMENTS

The following text amendments, which are included in their entirety in Appendix A, "Proposed Zoning Text Amendments" and further described in Section F, "Description of the Proposed Actions," are proposed to the New York City Zoning Resolution (ZR):

- Special Bay Street Corridor District (SBSCD): A zoning text amendment to the New York City Zoning Resolution (ZR), Article XIII to create new zoning regulations for the proposed SBSCD (Chapter 5), which would modify the underlying zoning district regulations. The SBSCD would be coterminous with the Bay Street Corridor Project Area. The proposed zoning text amendments would modify the underlying use, bulk, and parking regulations;
- Special Stapleton Waterfront District (SSWD): A zoning text amendment to modify the underlying building height regulations of the existing SSWD (Figure 1-5A). The proposed zoning text amendment would alter the maximum building height on Stapleton Waterfront Phase III Sites A and B1 from 55 feet to 125 feet. In addition, the Proposed Actions would modify the existing street wall requirements for Subareas A and B1 to allow greater flexibility for future development to meet resiliency and accessibility regulations; and
- Appendix F (Mandatory Inclusionary Housing): A zoning text amendment included in Appendix A, "Proposed Zoning Text Amendments," to modify Appendix F of the ZR to designate the Bay Street Corridor and Canal Street Corridor project areas as Mandatory Inclusionary Housing (MIH) areas.

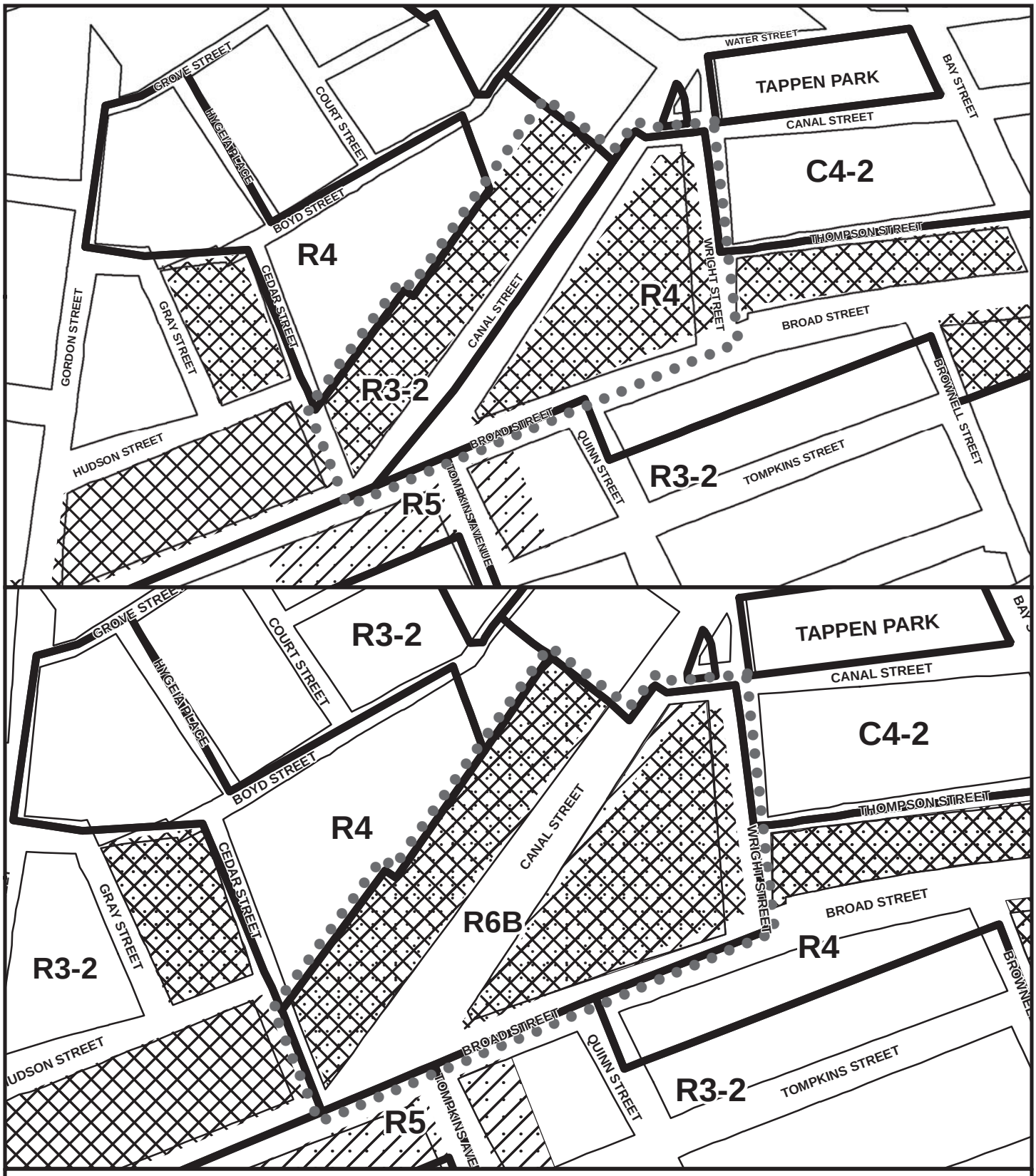


FIGURE 1-4B: PROPOSED ZONING MAP AMENDMENT
CANAL STREET CORRIDOR PROJECT AREA
BAY STREET CORRIDOR
REZONING AND RELATED ACTIONS

0 200 400 800 Feet

N

Canal Street Corridor Project Area

R6B Zoning Districts

Commercial Overlays

C1-2 C2-1

C2-2 C2-3

STATEN ISLAND, NY

Map Reference: Basemap: ESRI; Shapefile: MapPLUTO Data
Prepared by Langan

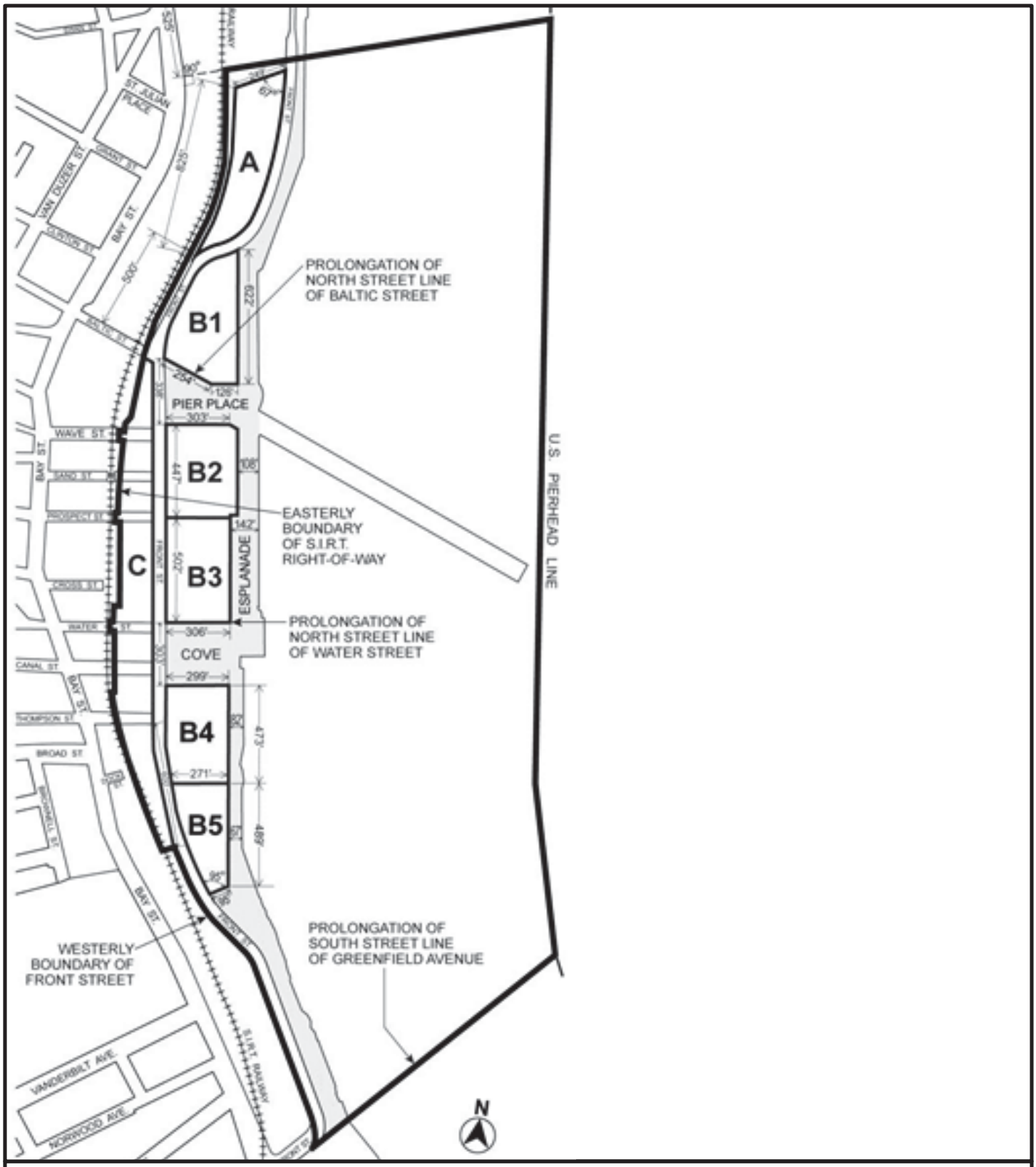


FIGURE 1-5A: SPECIAL STAPLETON WATERFRONT DISTRICT (SSWD), SUBAREAS AND PUBLIC SPACES

BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

Special Stapleton Waterfront District

District Subareas

Public Open Space

STATEN ISLAND, NY

Map Reference: NYC Zoning Resolution, Zoning Map 1, Article XI, Chapter 6
Prepared by Langan

DISPOSITION OF CITY-OWNED PROPERTIES & URBAN DEVELOPMENT ACTION AREA (UDAA) DESIGNATION AND PROJECT (UDAAP) APPROVAL

Under the Proposed Actions, the following City-owned properties would be disposed:

- City Disposition Site 1: Block 9, Lot 9 (55 Stuyvesant Place)
- City Disposition Site 2: Block 34, Lot 1 (539 Jersey Street/100 Brook Street)
- City Disposition Site 3: Block 6, Lot 20 (54 Central Avenue)

City Disposition Site 1 would be disposed of by DCAS to the New York City Land Development Corporation, which, in turn, would dispose of the property to the New York City Economic Development Corporation (NYCEDC) or any successor thereto. NYCEDC would then dispose of City Disposition Site 1 or enter into a long-term land lease with a private entity for development.

The disposition of City-owned property requires approval through ULURP pursuant to City Charter Section 197-c and separate Borough Board and Mayoral approval pursuant to City Charter Section 384(b)(4).

City Disposition Site 2 would be disposed of by NYC Department of Housing Preservation and Development (HPD), which in turn would dispose of the property to a developer to be selected by HPD through a competitive Request for Proposals process. As part of the Proposed Actions, City Disposition Site 2 would be designated as an Urban Development Action Area (UDAA) and approval of the project as an Urban Development Action Area Project (UDAAP) would be sought.

The Proposed Actions would approve disposition of City Disposition Site 3 for future development pursuant to zoning. While the disposition of City Disposition Site 3 is not being sought in the ULURP application associated with this FEIS at this time, the actions are included in the Proposed Actions to present a conservative environmental assessment.

CITY MAP AMENDMENT (STREET DEMAPPING)

In order to facilitate development on City Disposition Site 3, located at 54 Central Avenue (Block 6, Lot 20), a City Map amendment is proposed to demap the unimproved portions of the Victory Boulevard Extension on Block 6; portions of Lots 14, 18, and 20 (Figure 1-3C).[3]

C. BACKGROUND

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

BAY STREET CORRIDOR NEIGHBORHOOD PLANNING INITIATIVE

The Proposed Actions build on the work of the Bay Street Corridor Neighborhood Planning Initiative ("the Plan"). The Plan is part of Mayor Bill De Blasio's Housing New York plan proposed in 2014,

[3] The ULURP associated with this DEIS does not include the proposed City Map amendment. However, the de-mapping of the unimproved portions of the Victory Boulevard Extension would be necessary in order to facilitate development of City Disposition Site 3; therefore, this proposed action is contemplated in this environmental review.

which seeks to build and preserve affordable housing through community development initiatives and to foster a more equitable and livable city, and builds on the North Shore 2030 report, released by DCP and NYCEDC in 2011. The Plan aims to examine key land use and zoning issues in the neighborhood through a ground-up planning process in collaboration with DCP, NYCEDC, HPD, and other city agencies. The Plan also takes a broader, more comprehensive look at current and future community needs to identify a wide range of strategies and investments for the Bay Street Corridor's growth and vitality.

Plan objectives and guiding principles were identified through engagement with Community Board 1, the Local Advisory Committee (LAC), local civic groups, community residents and stakeholders. Beginning in summer 2015, DCP held a series of public meetings, workshops, and Local Advisory Committee meetings in partnership with other City agencies, including DOT, DPR, SBS, NYCEDC, HPD, as well as the School Construction Authority (SCA), to identify current and future needs of the neighborhood. Based on the community-identified objectives, DCP, in collaboration with other City agencies, developed a plan to facilitate these goals through the Proposed Actions.

NORTH SHORE 2030

The *North Shore 2030* study ("the Study") grew out of the Mayor's Growth Management and Transportation Task Forces and was completed in 2011 by NYCEDC and DCP. The Study conducted a comprehensive land use and transportation study to identify opportunities for improvement in transportation connections, job creation, environmental protection, public access, and other public goals. Specifically, the Study aimed to improve the North Shore's development potential through four strategies: (i) promote quality jobs and workplaces; (ii) reconnect people with the working waterfront; (iii) support and create neighborhood centers; and (iv) improve connections and mobility. NYCEDC initiated the Study to ensure future land use and transportation growth patterns for the North Shore would follow the identified economic growth objectives.

CONTEXT AREA

The Project Area is central to a much larger Context Area extending from the Kill Van Kull to the north, New York Harbor to the east, Vanderbilt Avenue to the south, and Jersey Street to the west.[4] Several low- and medium-density residential and commercial zoning districts are adjacent to the existing M1-1 zoning district mapped within the Bay Street Corridor Project Area and the Context Area. These districts are R1-2, R2, R3-1, R3-2, R3X, R3A, R4, and R5 residential zoning districts, and C4-2 and C4-2A commercial zoning districts. In addition, there are a few C1-2, C2-1, and C2-2 commercial overlays mapped in the surrounding area.

The areas surrounding the Bay Street Corridor Project Area vary in terms of existing land uses and development scale, as described below:

- The area to the north is mapped with a C4-2 zoning district within the existing Special St. George District (SSGD). C4 zoning districts are typically mapped in regional commercial

[4] The Bay Street Corridor Initiative defines the Context Area as the 2010 US Decennial Census Tract boundaries that roughly include the St. George, New Brighton, Tompkinsville, Stapleton, and Clifton neighborhoods. The Context Area enabled a more robust demographic analysis in order to evaluate potential strategies to meet these identified needs.

centers outside central districts and permit wholly commercial buildings and mixed-use development. The SSGD regulations allow developments on larger sites to achieve a maximum building height of 200 feet. The uses within the SSGD include residential, mixed-use, commercial (office), and smaller-scale retail and restaurants;

- The area to the northeast is Bay Street Landing, which includes a series of buildings that were converted from industrial uses to residential condominium units. There are also a number of public utilities and amenities, including the Tompkinsville SIR Station, the Hannah Street Pump Station, and Lyons Pool (under jurisdiction of DPR) in this area, as well as a commercial maritime use (Millers Launch);

- The area southeast of the Bay Street Corridor Project Area and the SIR right-of-way, is mapped with a C4-2A zoning district within the SSWD. Development in this district is generally limited to a maximum building height of 55 feet. Construction of a large-scale mixed-use development*, Urby,* is currently underway in this area, with Phase IA of the development completed in early 2016. The development includes 571 residential units, local retail, and publicly-accessible waterfront open space. Phase IB will introduce up to 379 additional residential units and is slated to be completed in 2021;

- The area to the south in the Stapleton town center is mapped with a C4-2 zoning district that permits fully commercial as well as mixed-use developments with a maximum building height of 75 feet within 100 feet of a wide street. Within this area, uses along Bay Street are generally mixed-use developments with ground floor retail and residential uses above; and

- The area to the west of the Bay Street Corridor is mapped with lower density R3 residential zoning districts, and is predominately characterized by a combination of detached, semi-detached, and attached residential developments less than 40 feet in height.

PROJECT AREA

The Proposed Actions would affect an approximately 45-acre area on Staten Island's North Shore that includes portions of the Tompkinsville, Stapleton, and St. George neighborhoods, in Community District 1. The Project Area comprises four parts:

1. **Bay Street Corridor Project Area**: a contiguous 14-block area along Bay Street bounded by Victory Boulevard to the north, the SIR to the east, Sands Street to the south, and generally Van Duzer Street to the west.

2. **Canal Street Corridor Project Area**: two blocks along Canal Street, bounded by part of Canal Street, Tappen Park, and 200 feet of Block 527 from Wright Street and Tappen Park to the north; Wright Street to the east; Broad Street to the south; and Cedar Street, Adele Court, and part of Block 527 to the west;

3. **City Disposition Sites**: three City-owned sites located north and west of the Bay Street Corridor and Canal Street Corridor project areas. City Disposition Site 1 is located at 55 Stuyvesant Place on Block 9, Lot 9, and is on the block bounded by Hamilton Avenue to the north, Richmond Terrace to the east, Wall Street to the south, and Stuyvesant Place to the

west. City Disposition Site 2 is located at 539 Jersey Street/100 Brook Street on Block 34, Lot 1, and is bounded by Brook Street to the north, Pike Street to the east, Victory Boulevard to the south, and Jersey Street to the west. City Disposition Site 3 is located at 54 Central Avenue on Block 6, Lot 20, and is an interior through lot between Central Avenue and St Marks Place; and

4. **Stapleton Waterfront Phase III Sites:** Subareas A and B1 are within the SSWD and include parts of Block 487, Lot 100.

Appendix C, "List of Block and Lots Included in the Project Area" lists all blocks and lots that would be affected by the Proposed Actions.

D. EXISTING ZONING AND LAND USE

BAY STREET CORRIDOR PROJECT AREA ZONING

The current M1-1 zoning district within the Bay Street Corridor Project Area has remained unchanged since 1961 when zoning was introduced into this area of Staten Island. Portions of the Bay Street Corridor Project Area to the west of the existing M1-1 zoning district, as far west as Van Duzer Street, were rezoned in 1985 from an M1-1 to an R3-2 zoning district, and in 2003, were rezoned again to R3X zoning district (Figure 1-5).

M1-1

The Bay Street Corridor Project Area is predominately within an M1-1 zoning district, which permits manufacturing and commercial uses at a maximum floor area ratio (FAR) of 1.0 and community facilities at a maximum FAR of 2.4. M1 districts have a base height limit of 30 feet, above which a structure must fit within a sky exposure plane. M1-1 zoning districts are subject to parking requirements based on the type of use and size of an establishment. M1 zoning districts generally allow one- or two-story warehouses for light-industrial uses, including repair shops and wholesale service facilities. M1 zoning districts are intended for light industry; however, heavy industrial uses are permitted if the uses meet the strict performance standards set forth in the ZR. An M1-1 zoning district precludes new residential and/or certain community facility uses (Use Group 3) unless a variance is granted by the Board of Standards and Appeals (BSA).

R3X

Portions of the Bay Street Corridor Project Area are also mapped with an R3X zoning district, which is a contextual residential district. R3X zoning districts predominantly facilitate one- and two-family detached homes on lots that must be at least 35 feet wide. The 0.5 FAR in R3X zoning districts may be increased by an attic allowance of up to 20 percent for the inclusion of space beneath a pitched roof. The maximum building height permitted in an R3X zoning district is 35 feet. Two side yards that total at least 10 feet are required and there must be a minimum distance of 8 feet between houses on adjacent lots. The front yard of a new home must be at least 10 feet deep.

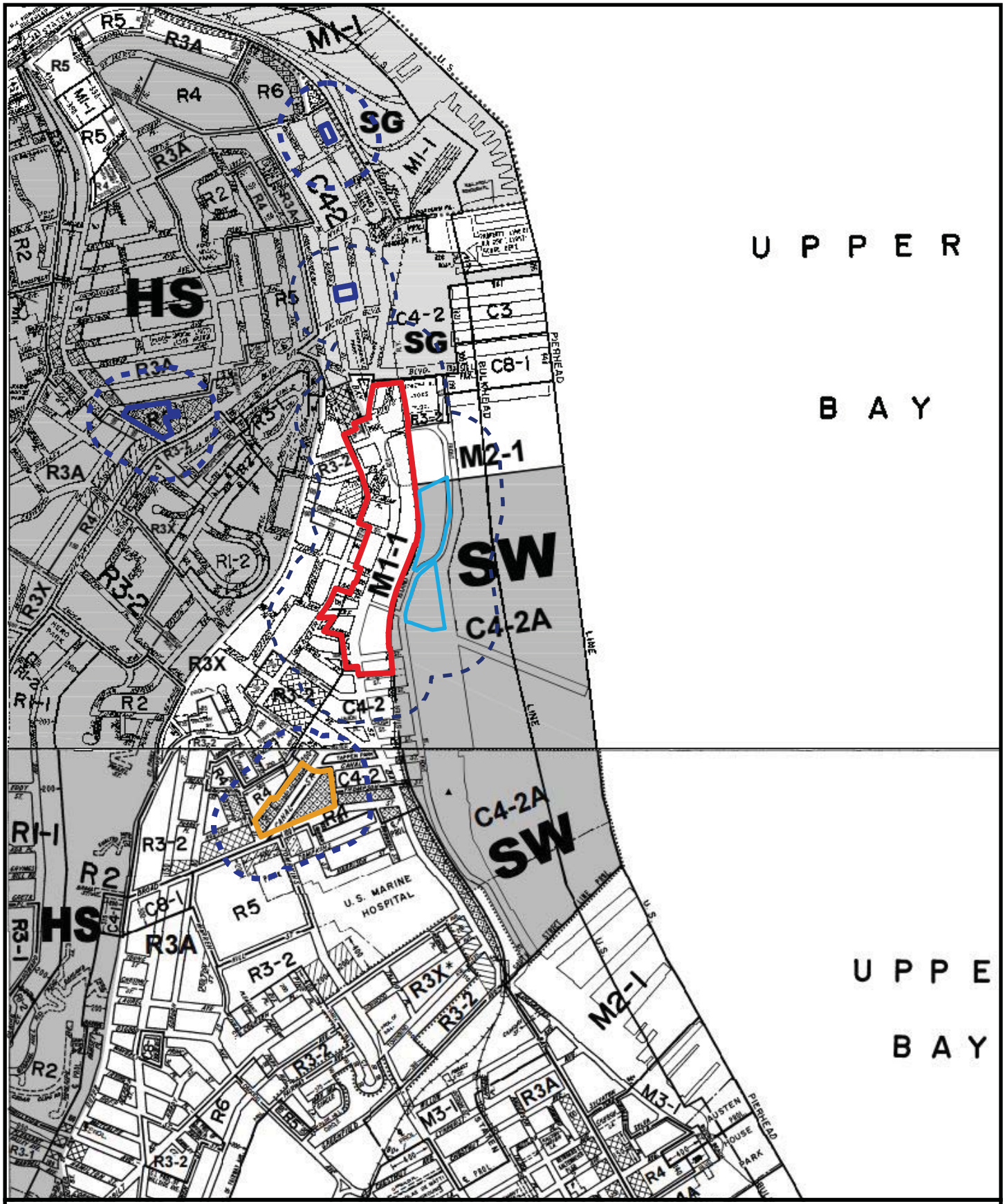


FIGURE 1-5: EXISTING ZONING MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: NYC Dept of City Planning (zoning map #21c and 21d)
Prepared by Langan

- Bay Street Corridor Project Area
- Canal Street Corridor Project Area
- City Disposition Sites
- Stapleton Waterfront Phase III Sites
- Primary Study Area (400-foot radius)
- M1-1 Zoning Districts
- SW Special Purpose Districts
- C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5 Commercial Overlays

BAY STREET CORRIDOR PROJECT AREA LAND USE

The area to the west of Bay Street and to the north of the Bay Street and Hannah Street intersection is dominated by attached two- to three-story mixed-use developments on small lots with commercial activity on the ground floor and residences above (Figure 1-6A). Commercial uses in this area include discount stores, restaurants, and convenience stores. The area to the east of Bay Street, opposite Tompkinsville Park, includes a Human Resources Administration facility for the City and a Supplemental Nutrition Assistance Program (SNAP) facility. Adjacent to Minthorne Street, near the entrance to the Tompkinsville SIR Station, the Flagship Brewery serves as a reminder of the area's rich brewing history. Adjacent to the intersection of Bay Street and Hannah Street are a mix of automobile-related uses, including two service stations, a car rental facility, and an auto parts retailer. A portion of the Bay Street Corridor Project Area south of Swan Street is characterized by "strip-style" commercial developments with large areas of surface parking, motorcycle shops, food establishments, grandfathered residential uses, and automotive supply/repair shops, and other uses permitted within M1-1 zoning districts. The land uses in the Bay Street Corridor Project Area generally reflect the underlying zoning.

The following City-owned and City-leased sites also exist within the Bay Street Corridor Project Area:

- Metropolitan Transit Authority (MTA) SIR Maintenance-of-Way (MOW) Facility: Southeast of the intersection of Bay Street and Hannah St, the MTA operates a MOW facility. This facility supports the maintenance of the entire SIR network. While owned by the City of New York, this site is included in the MTA Master Lease;

- DOT Signage Shop: DOT maintains a signage shop at 34 Wave Street (Block 489, Lot 48), which stores street signs and serves as a point from which DOT street signs are delivered to locations throughout Staten Island; and

- New York City Department of Probation Office: The Department of Probation leases 340 Bay Street (Block 503, Lot 32). The existing one-story building includes office space, and on-site parking is also provided.

CANAL STREET CORRIDOR PROJECT AREA ZONING

The Canal Street Corridor Project Area is currently mapped with an R3-2 zoning district with a C2-2 commercial overlay and an R4 zoning district with a C2-2 commercial overlay.

R3-2

R3-2 zoning districts are residential zoning districts that allow low-rise attached houses, small multifamily apartment houses, and detached and semi-detached one- and two-family residences. It is the lowest density zoning district in which multiple dwellings are permitted. An R3-2 zoning district permits development at a maximum FAR of 0.5 and a maximum building height limited to 35 feet; a minimum of two parking spaces per dwelling unit is required (or three spaces for a two-family residence), in accordance with Lower Density Growth Management Area (LDGMA) provisions.

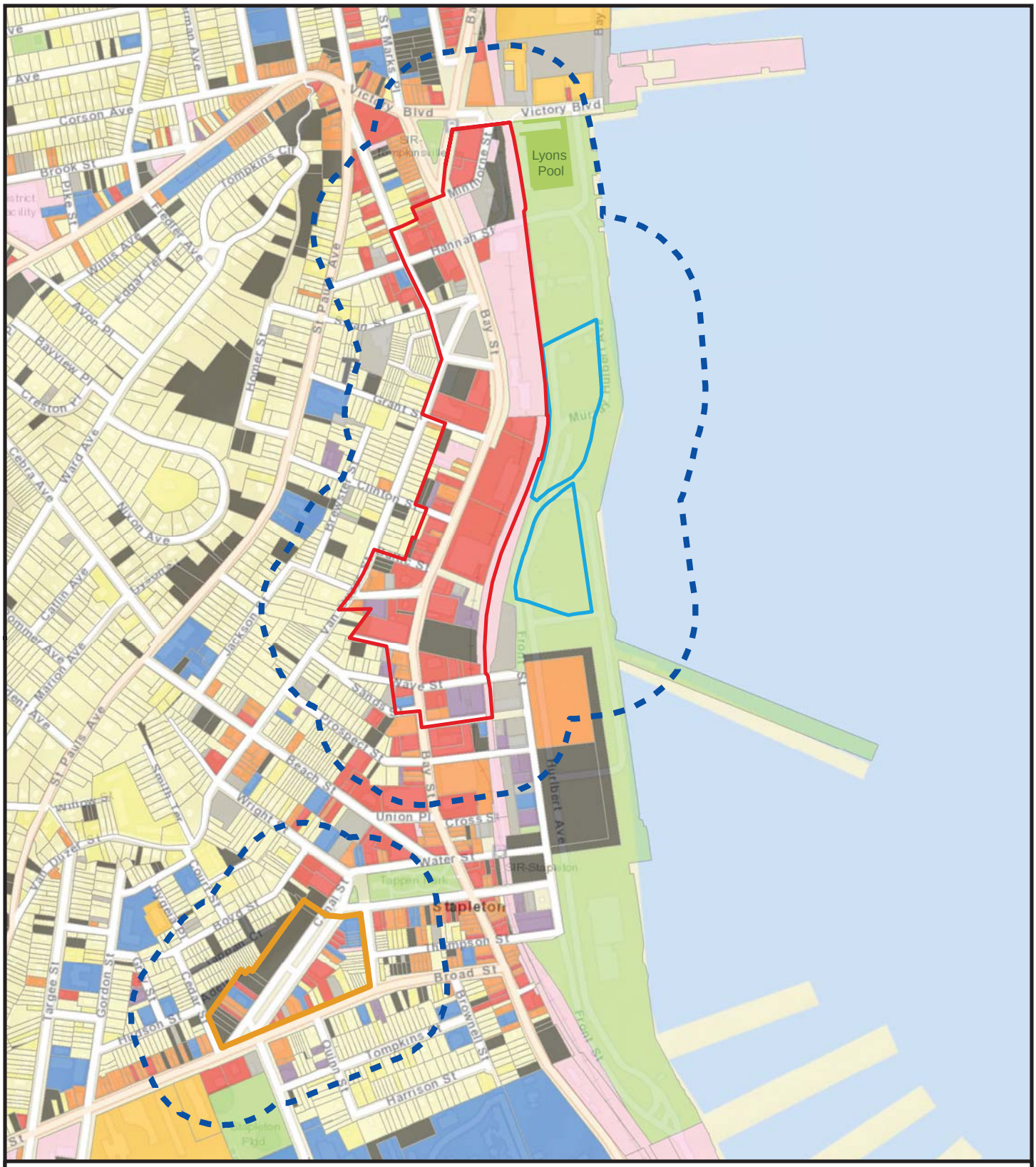


FIGURE 1-6A: LAND USE MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: Basemap: ESRI;
Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

- Bay Street Corridor Project Area
- Canal Street Corridor Project Area
- Stapleton Waterfront Phase III Sites
- Study Area (400-foot radius)

0 375 750 1,500 Feet

N

Land Use

- One & Two Family Buildings
- Multi Family Walkup Buildings
- Multi Family Elevator Buildings
- Mixed Residential/ Commercial
- Commercial/Office Uses
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities/Institutions
- Open Space
- Parking
- Vacant Land

R4

R4 zoning districts allow all types of housing permitted in an R3-2 zoning district, with a slightly higher density. An R4 zoning district permits development at a maximum FAR of 0.75, which can be increased up to 20 percent for inclusion of an attic space under the pitched roof, which usually produces buildings with three stories instead of the two-story homes characteristic of R3 zoning districts. On a block entirely within an R4 zoning district (without a suffix), optional regulations may be used to develop infill housing in predominately built-up areas. On sites that qualify for infill housing, the higher FAR of 1.35 and lot coverage of 55 percent, as well as more relaxed parking requirements permit developments with greater bulk and more dwelling units than are otherwise permitted in R4 zoning districts. Infill regulations typically produce three-story buildings comprising three dwelling units. Infill regulations can also produce small apartment buildings. Within Staten Island LDGMA areas, parking is required at a rate of two spaces per single-family residence, or three spaces per two-family residence.

C2-2

A C2-2 commercial overlay mapped within a residential zoning district typically permits neighborhood retail uses such as grocery stores, movie theaters, restaurants and beauty parlors, as well as funeral homes and repair services. In mixed-use buildings, commercial uses are limited to one floor and the commercial use(s) must be located below residential use. A C2-2 commercial overlay when mapped in R1 through R5 zoning districts permits commercial use at a maximum FAR of 1.0. Residential bulk within the C2-2 commercial overlay is governed by the underlying residential district regulations. The number of required parking spaces for commercial use in a C2-2 overlay district is less than that required by C2-1 overlay districts.

CANAL STREET CORRIDOR PROJECT AREA LAND USE

As shown in Figure 1-6A, the Canal Street Corridor Project Area is dominated by vacant lots, and the predominant land uses include two to three-story residential developments, ground floor commercial uses (including food establishments, beauty parlors, and clothing stores), and community facility uses (including an Albanian-Islamic Cultural Center, a day care center, and a library). The only City-owned facility within the Canal Street Corridor Project Area is a library operated by the New York City Public Library (NYPL), located at 132 Canal Street (Block 526, Lots 63, 68, 69, 70, 71, 72, and 74). Canal Street offers many on-street parking spaces with parallel parking spaces at the curbs and angled parking spaces along both sides of the median.

CITY DISPOSITION SITES ZONING AND LAND USE

C4-2 (SPECIAL ST. GEORGE DISTRICT)

The following City Disposition Sites are mapped in a C4-2 zoning district and the Special St. George District (SSGD):

- Disposition Site 1, 55 Stuyvesant Place (Block 9, Lot 9), is currently vacant and was formerly used as an office building by New York City Department of Health and Mental Hygiene (DOHMH) (Figure 1-6B);

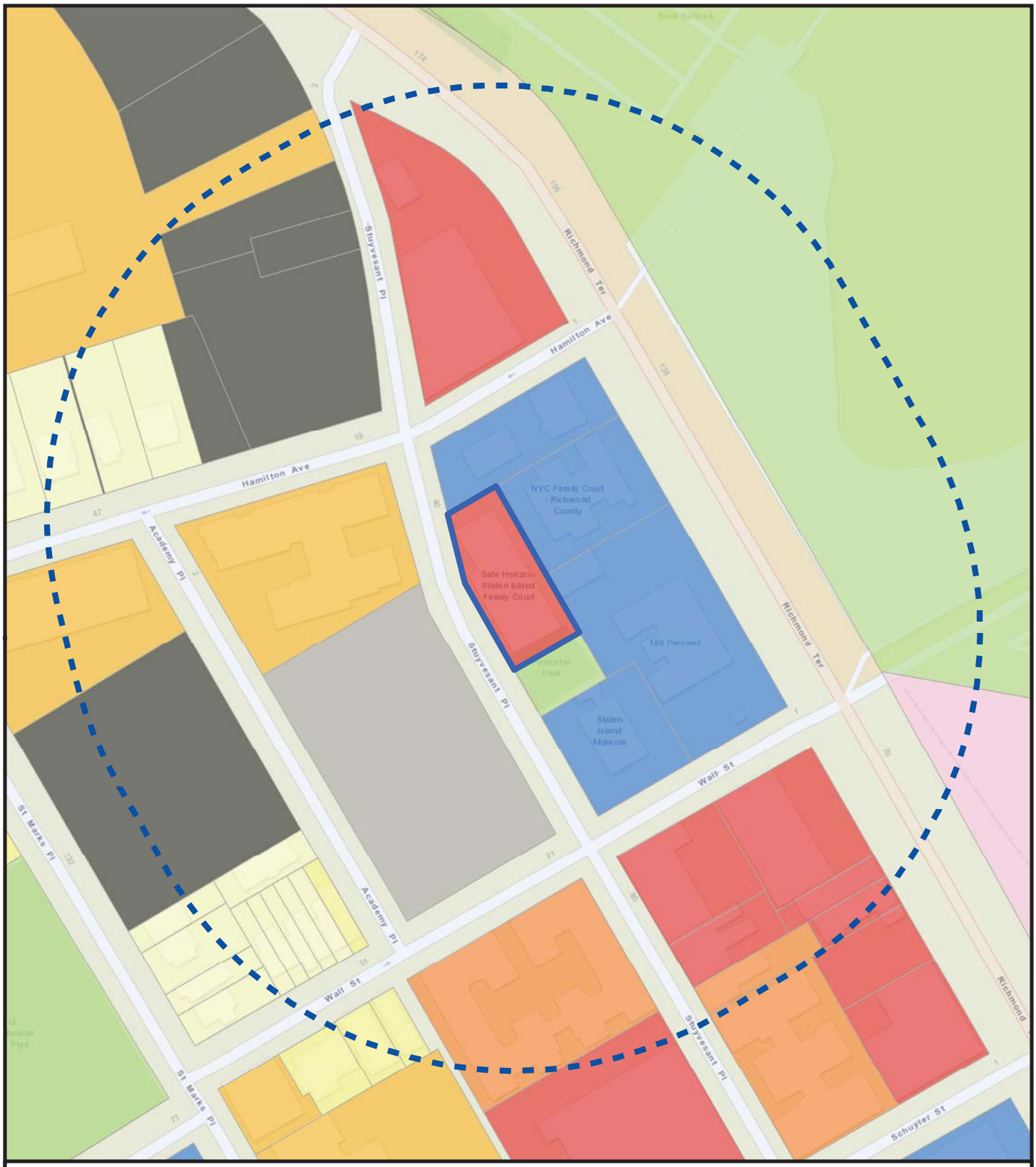


FIGURE 1-6B: CITY DISPOSITION SITE 1 LAND USE MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: Basemap: ESRI;
Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

- Disposition Site 3, 54 Central Avenue (Block 6, Lot 20), is currently used as a surface parking lot, under the jurisdiction of DOT (Figure 1-6D).

C4 zoning districts typically are mapped in regional commercial centers outside central districts and allow a range of residential and commercial uses including office (Figure 1-6D). C4-2 zoning districts typically are mapped in regional commercial centers outside central districts and allow commercial uses at a maximum FAR of 3.4. Residential uses are permitted in C4-2 zoning districts at a maximum FAR of 3.0, which can be increased up to 3.6 (Inclusionary Housing Bonus) with inclusion of affordable housing. Typical uses found in C4-2 commercial zoning districts include specialty and department stores, theaters, and other commercial and office uses serve a larger region. These two sites are in the SSGD, which modifies the underlying FAR and height provisions, as described in the relevant section below.

R5/C2-2 (SPECIAL HILLSIDES PRESERVATION DISTRICT)

City Disposition Site 2, occupied by the Jersey Street Garage and located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1), is zoned R5 with a C2-2 commercial overlay. The site currently functions as a sanitation garage under the jurisdiction of DSNY (SI-1 District Garage) (Figure 1-6C). Absent the Proposed Actions, the site will be vacant pursuant to DSNY plans to relocate the garage to the DSNY garage complex at 1000 West Service Road on the West Shore of Staten Island by or before 2023.

R5 zoning districts allow a variety of residential uses and higher densities than permitted in R3-2 and R4 zoning districts. R5 zoning districts permit residential use at a maximum FAR of 1.25, which typically produces three- and four-story attached houses. Buildings are limited to a maximum height of 40 feet, with a maximum street wall height of 30 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building; in addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line. On a block entirely within an R5 zoning district, optional regulations may be used to develop "Infill" housing in an area that is predominately built. R5 "Infill" regulations permit a higher FAR than R5 (1.65 FAR) and have a residential parking requirement of 66 percent. Height and setback regulations of R5B apply (30 feet maximum street wall, 33 feet maximum building height).

A C2-2 zoning district mapped within an R5 zoning district permits commercial uses at a FAR of 1.0, limited to the first and second floor. Typical commercial uses include neighborhood grocery stores, restaurants, and beauty parlors, as well as funeral homes and repair services.

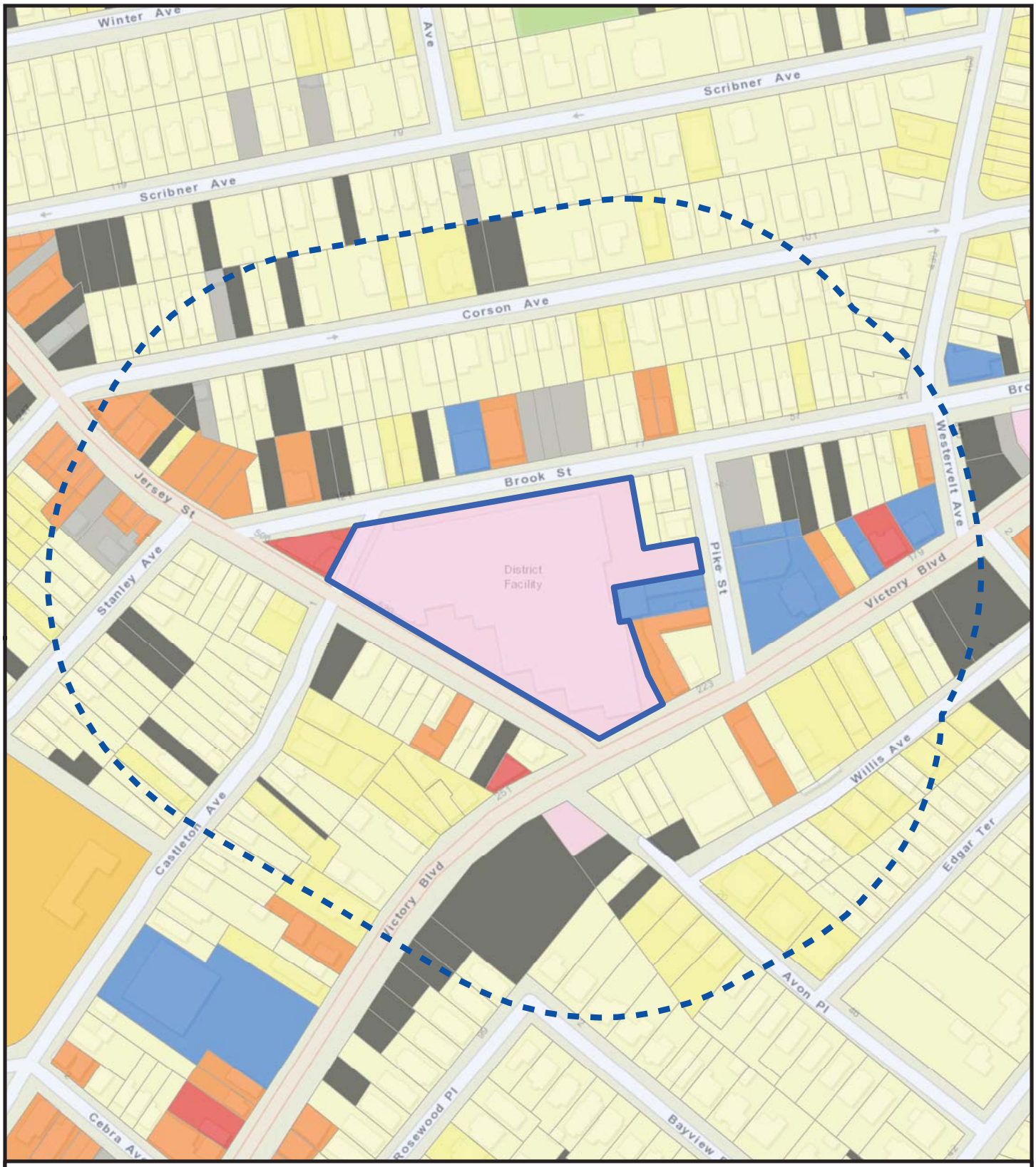


FIGURE 1-6C: CITY DISPOSITION SITE 2 LAND USE MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: Basemap: ESRI;
Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

City Disposition Site 2
Study Area (400-foot radius)

Land Use
- One & Two Family Buildings
- Multi Family Walkup Buildings
- Multi Family Elevator Buildings
- Commercial/Office Uses
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities/Institutions
- Open Space
- Parking
- Vacant Land

0 75 150 300 Feet

N



FIGURE 1-6D: CITY DISPOSITION SITE 3 LAND USE MAP
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: Basemap: ESRI;
Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepard by Langan

City Disposition Site 3
Study Area (400-foot radius)

0 75 150 300 Feet

N

Land Use

- One & Two Family Buildings
- Multi Family Walkup Buildings
- Multi Family Elevator Buildings
- Commercial/Office Uses
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities/Institutions
- Open Space
- Parking
- Vacant Land

STAPLETON WATERFRONT PHASE III SITES A AND B1 ZONING

Stapleton Waterfront Phase III Sites A and B1 are zoned C4-2A within the SSWD, which facilitates medium density development. The C4-2A commercial zoning district is a contextual district that allows commercial and residential uses at a maximum FAR of 3.0, which can be increased up to 3.6 with the inclusion of affordable housing pursuant to the Inclusionary Housing Program. A C4-2A zoning district permits development at a maximum building height of 75 feet, with a base height between 45 to 65 feet. Typical uses found within a C4-2 zoning district are discussed above. The SSWD modifies the underlying FAR and height provisions, as described in the relevant section below.

STAPLETON WATERFRONT PHASE III SITES A AND B1 LAND USE

Stapleton Waterfront Phase III Site A is currently vacant, and Stapleton Waterfront Phase III Site B1 is partially vacant and partially occupied by an approximately 50,000-sf DOT Dock builder's facility.

SPECIAL PURPOSE ZONING DISTRICTS

SPECIAL STAPLETON WATERFRONT DISTRICT (SSWD)

Stapleton Waterfront Phase III Sites A and B1 are located within the SSWD (Figure 1-5A). The SSWD is part of a comprehensive plan to develop the former U.S. Navy homeport into a 12-acre waterfront esplanade, extending the Stapleton town center to the waterfront with mixed uses. As a special commercial district, SSWD regulations permit mixed-use buildings with ground floor retail uses to include waterfront-related uses in a walkable neighborhood. The SSWD modifies the underlying maximum FAR for the C4-2A district from 3.0 to 2.0, and also allows floor area exemptions for non-residential ground floor uses. Design controls include street wall requirements and building height restrictions, predominately up to 55 feet. In order to encourage similar development on designated streets that link the Stapleton town center to the waterfront, non-residential ground floor uses in buildings containing residential uses do not count as zoning floor area. In addition, pedestrian connections to the waterfront esplanade and unobstructed visual corridors, although not subject to waterfront design rules, are required at regular intervals as extensions of the Stapleton town center streets.[5]

SPECIAL ST. GEORGE DISTRICT (SSGD)

City Disposition Site 1 (55 Stuyvesant Place) and City Disposition Site 3 (54 Central Avenue) are within the SSGD. The SSGD is a pedestrian-friendly district that supports commercial and residential uses in a unique waterfront community on the North Shore of Staten Island. The SSGD is adjacent to the Staten Island Ferry, an area that is characterized as a transit hub and the borough's civic center. The special district regulations require continuous ground floor commercial uses with large windows and wider sidewalks that are used to enhance designated commercial streets in the SSGD. In order to preserve views from upland areas to the waterfront, configuration of towers is also regulated. Within the SSGD, vacant office buildings can be converted more easily to residential uses, and special parking and landscaping requirements are intended to provide a more pedestrian-friendly experience. The

[5] DCP. Special Purpose Districts: Staten Island. https://www1.nyc.gov/site/planning/zoning/districts-tools/special-purpose-districts-staten-island.page.

SSGD limits FAR to 3.4 for any site less than 10,000 sf that do not front a commercial street, and the tower regulations facilitate tall, slender buildings that capitalize on St. George's hillside topography and maintain waterfront vistas.[6]

SPECIAL HILLSIDES PRESERVATION DISTRICT (SHPD)

City Disposition Site 2, located at 539 Jersey Street/100 Brook Street, is within the SHPD in the St. George neighborhood of Staten Island. The SHPD assists in shaping and guiding development in the steep slope areas of Staten Island's 1,900-acre Serpentine Ridge in the northeastern part of the borough.[7] The purpose of the SHPD is to reduce hillside erosion, landslides, and excessive stormwater runoff by preserving the area's hilly terrain and natural resources. Within the special district, development is regulated by the amount of lot that can be covered by a building. Permitted lot coverage decreases as the development site becomes steeper, resulting in taller buildings with subsequently less impact on steep slopes and natural features. In addition, there are special regulations for the removal of trees, grading of land, and construction of driveways and private roads within the SHPD.

E. PURPOSE AND NEED

The Proposed Actions respond to the community objectives identified as part of the Plan through engagement with representatives of Staten Island Community Board 1, the LAC, local civic organizations, community residents, and stakeholders. DCP, together with other City and public agencies, developed a plan to achieve these goals through new zoning and other land use actions, expanded programs and services, and capital investments. This engagement process resulted in the following Guiding Principles:

- Create a vibrant, resilient, downtown environment providing stronger connections to the New York Harbor and surrounding neighborhoods;
- Support creation of new housing, including affordable housing, for the broad spectrum of North Shore needs;
- Support new and existing businesses and new commercial development by encouraging new jobs and supporting a pedestrian-friendly, thriving retail/business corridor between St. George and Stapleton; and
- Align investments in infrastructure, public open spaces, and services to support current demands and future growth.

Each Guiding Principle is described in greater detail in the relevant sections below.

[6] Ibid.
[7] Ibid.

Create a vibrant, resilient, downtown environment providing stronger connections to New York Harbor and surrounding neighborhoods:

The Proposed Actions are intended to create a walkable, pedestrian and transit oriented, mixed-use community. The proposed zoning changes would allow for new residential and commercial uses within an area near the New York Harbor. The proposed zoning changes are intended to encourage appropriate building forms and heights and facility density that supports additional jobs, retail and community services, as well as advances efforts to create safer and more inviting streetscapes.

The Bay Street Corridor Project Area presents a great opportunity to introduce new residential and commercial development into this area. The current M1-1 zoning district precludes mixed-use development with residential components and restricts building forms that would be more consistent with the bulk permitted in the surrounding St. George and Stapleton town centers. The proposed commercial overlays would permit a broad range of commercial uses with a parking requirement that reflects the local transit opportunities.

Within the Canal Street Corridor Project Area, the Proposed Actions would help facilitate stronger connections between the Broad Street commercial corridor and Stapleton town center. The Proposed Actions would encourage mixed-use development, including an affordable housing component on larger sites, and facilitate a stronger pedestrian connection between Stapleton Playground and Tappen Park.

Support creation of new housing, including affordable housing, for the broad spectrum of North Shore needs: seniors, young adults, low-, moderate- and middle-income families:

The proposed zoning map amendment from an M1-1 zoning district to medium density, mixed-use zoning districts would allow for residential development within the Bay Street Corridor Project Area. The Proposed Actions would create opportunities for housing and are intended to significantly expand the supply of housing within the Project Area. The Proposed Actions, particularly designating the Bay Street Corridor and Canal Street Corridor as MIH areas (within Appendix F of the ZR), would promote the development of permanently affordable housing, which is intended to facilitate mixed-income communities through a requirement that affordable housing units be included in any new qualifying residential development. Additionally, on City-owned sites, the City is pursuing opportunities to create additional affordable housing and reach deeper affordability levels.

The Bay Street Corridor presents a unique opportunity to facilitate mixed-income housing development. The relatively strong transit access in this part of Staten Island can support the creation of a walkable, mixed-use neighborhood with housing, allowing a variety of services and jobs within walking distance of public transit. The construction of apartment buildings can make available a supply of housing for groups like seniors and young adults for whom the small homes that predominate in many surrounding neighborhoods may not be the preferred housing types. There are a number of development sites along the corridor that could support new growth. Zoning changes to allow medium density mixed-use and residential development, with a MIH requirement, would permit the construction of apartment buildings with an affordable component within the Project Area and would expand the neighborhood's supply of affordable housing.

Support existing and new commercial development by encouraging a pedestrian-friendly commercial corridor between St. George and Stapleton:

The M1-1 manufacturing zoning found along the Bay Street Corridor today precludes residential development. The existing commercial uses found along the corridor are generally required to provide large amounts of surface parking in accordance with the M1-1 zoning provisions. The large amounts of surface parking contribute to a less pedestrian-friendly neighborhood and interrupt the continuity of the street wall, which makes for a less inviting pedestrian atmosphere. Where storefronts are positioned farther back from the street wall, surface parking also physically separates the businesses from the streets. Maintaining a relatively contiguous street wall would contribute to making the neighborhood more pedestrian-friendly.

The zoning changes would provide more flexibility and allow for a broader range of uses including residential and a mix of commercial uses, including office, restaurants, food store and other retail. The Proposed Actions would facilitate a continuous commercial corridor between St. George, Tompkinsville and Stapleton. New residential and mixed-use development is needed in the Project Area to facilitate a thriving retail and business corridor. New residential development would support local businesses by increasing the number of potential consumers for existing businesses, as well as generating demand for additional local services such as grocery stores, banks, restaurants, and clothing stores. Increased demand for these services also would help to create local employment opportunities. In addition, the proposed disposition of City Disposition Site 1 at 55 Stuyvesant Place would provide new office space opportunities.

Align investment in infrastructure, public open spaces, and services in the Bay Street Corridor to support current demands and future growth:

The Proposed Actions would provide zoning flexibility for buildings at the Stapleton Waterfront Phase III Sites to allow better site planning. As part of an integrated neighborhood planning process, DCP is working with a range of City agencies to identify investments that can help support the realization of the vision for the Bay Street Corridor. The Mayor has also established a new $1 billion Neighborhood Development Fund dedicated to building capacity in neighborhood infrastructure and facilities for neighborhood studies like Bay Street Corridor.

As the Lead Agency for this neighborhood study, DCP has also endeavored to work closely with capital agencies, including but not limited to the School Construction Authority (SCA), DPR, and DOT to support the needs of future growth in the neighborhood.

F. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions are intended to facilitate the implementation of the objectives of the Plan. The Plan is the subject of an ongoing community process to create opportunities for housing, including affordable housing, commercial development, and improved public spaces and infrastructure within the Project Area in Downtown Staten Island (roughly defined as the Tompkinsville, Stapleton, and St. George neighborhoods), Community District 1. The Proposed Actions include (i) zoning map and text amendments sought by DCP; (ii) the disposition of three City-owned properties sought by DCAS and

HPD, and UDAAP designation sought by HPD; and (iii) a City Map amendment that would be sought by NYCEDC.[8]

Each of these is a discretionary action subject to review under ULURP, Section 197-c of the City Charter, and the CEQR process. These discretionary actions are described in more detail below.

PROPOSED ZONING MAP AMENDMENTS

The proposed rezoning would replace all or portions of existing M1-1 and R3X zoning districts in the Bay Street Corridor Project Area with R6/C2-3, R6/C2-4, and R6B/C2-3 and R6B zoning districts and establish a new SBSCD. In the Canal Street Corridor Area, the proposed rezoning would replace or eliminate portions of existing R3-2 and R4 districts and C2-2 commercial overlay and replace it with an R6B/C2-3 district.

PROPOSED R6 ZONING DISTRICT

An R6 Zoning District is proposed to be mapped and bounded:

- To the north by:
    - In locations east of Bay Street, by Victory Boulevard;
    - In locations west of Bay Street, by the prolongation of the Minthorne Street centerline to the centerline of Block 498;
- To the east by the SIR;
- To the south by Sands Street; and
- To the west by:
    - A depth beyond 100 feet of Van Duzer Street from the prolongation of Minthorne Street to Swan Street;
    - The centerline of the Van Duzer Street Extension on Block 502;
    - A distance of 100 feet from Van Duzer Street on Blocks 503 and 505;
    - A distance of 100 feet from Bay Street along Block 507, including an area 130 feet from Bay Street within 100 feet of Baltic Street;
    - A distance of 100 feet from Van Duzer Street on Block 508 and 509; and
    - A distance of 100 feet from Bay Street between Congress Street and Sands Street.

[8] Disposition of City Disposition Sites 3, as well as demapping of a City Street, are not being sought in conjunction with the ULURP application associated with this EIS at this time. However, for the purposes of a conservative environmental assessment, City Disposition Sites 3 and the demapping of a City Street are analyzed as part of the Proposed Actions for disposition in the future.

The proposed R6 zoning district, in conjunction with text amendments to designate an MIH area and the new SBSCD, is proposed to permit a range of FARs between 2.0 and 4.60 for residential and community facility uses, depending on location and configuration of sites, as discussed below. Special provisions may allow for greater FARs to be achieved for Affordable Independent Residences for Seniors (AIRS) developments. The maximum base height before setback would range between 40 and 65 feet, with a maximum building height that ranges between 85 and 145 feet, depending on site configuration and location. The Quality Housing Program would be mandatory, and the Height Factor regulations typically applicable in a non-contextual R6 zoning district would not be permissible. The area between a building's street wall and the street line must be planted. Within R6 Quality Housing developments Citywide, off-street parking, which is not permitted in front of a building, is required for 50 percent of all unregulated dwelling units and 25 percent of affordable units. These underlying Citywide parking regulations would be applicable to new developments within areas proposed to be mapped as R6.

The underlying R6 zoning district bulk provisions are proposed to be modified through special district controls, which would be made possible by creation of the SBSCD. This new special district is proposed to provide tailored urban design controls that respond to the unique context of the Bay Street Corridor.

The proposed R6 zoning district and special district regulations would facilitate additional residential development that would support existing and future commercial development in the area, as well as take advantage of the area's existing public transportation and match similar densities in the areas surrounding the Bay Street Corridor:

- To both the north and south, C4-2 zoning districts (R6 equivalent) are mapped along Bay Street in the St. George and Stapleton commercial centers.
- In St. George, where the provisions of the SSGD apply, the maximum permitted FAR is 3.40 and maximum permitted height is 200 feet;
- In the Stapleton town center, there is no mapped special district and the underlying C4-2 provisions apply, including a maximum permitted FAR of 3.00 or 3.60 with Inclusionary Housing, and a maximum permitted height of 75 feet within 100 feet of a wide street (such as Bay Street).

PROPOSED R6B ZONING DISTRICT

An R6B Zoning District is proposed to be mapped in two locations within the Bay Street Corridor Project Area:

- On Blocks 498, 500, 502 and 503, in locations bounded:
    - To the north by a distance 150 feet from Hannah Street;
    - To the east by:
        - A distance of 100 feet from Van Duzer Street between a distance within 150 feet from Hannah Street and Swan Street; and

- The Van Duzer Street Extension center line on Block 502;
- A depth of 100 feet from Van Duzer Street on Block 503; and

  - To the south by Swan Street.

- On Block 508 and 509, in locations within 100 feet to the east of Van Duzer Street (but not the Van Duzer Street extension) and bounded:

  - To the north by Baltic Street; and
  - To the south by a distance 100 feet from the street line of Congress Street.

- The entirety of the Canal Street Corridor Project Area is proposed to be mapped with an R6B zoning district.

R6B zoning districts are typically row house districts consisting of four-story attached buildings that reflect the scale and context of neighborhoods often developed during the 19th century. The proposed R6B zoning district, in conjunction with the zoning text amendments to designate an MIH area and establish the SBSCD, is proposed to permit residential and community facility uses at a maximum FAR of 2.20. The mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale.

In a designated MIH area, the base height of a new R6B building before setback must be between 30 and 45 feet, with the maximum building height limited to 55 feet at no more than five stories. Curb cuts are prohibited on frontages less than 40 feet. The street wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. The area between a building's street wall and the street line must be planted.

Within R6B zoning districts Citywide, off-street parking is required for 50 percent of unregulated dwelling units and 25 percent of inclusionary (affordable) dwelling units. Parking is not allowed in front of a building. These underlying Citywide parking regulations would be applicable to new developments within areas proposed to be mapped R6B.

The proposed contextual R6B zoning district within the Bay Street Corridor Project Area reflects the residential scale of adjacent R3-2 and R3X zoning districts to the west. The proposed zoning map amendment would apply to the area of the Bay Street Corridor Project Area, generally within 100 feet of Van Duzer Street.

The proposed contextual R6B district within the Canal Street Corridor Project Area reflects the nearby residential scale and would increase the permitted residential floor area within the corridor to facilitate mixed-use development.

PROPOSED COMMERCIAL OVERLAYS: C2-3 AND C2-4

C2-3 and C2-4 Commercial overlay zoning is proposed in the SBSCD as follows:

- A C2-4 commercial overlay district is proposed to be mapped and bounded:
  - To the north by Victory Boulevard;

  - To the east by the SIR;
  - To the south by the Swan Street centerline prolongation between Bay Street and the SIR; and
  - To the west by Bay Street.
- A C2-3 Commercial overlay district is proposed to be mapped and bounded:
  - To the north by:
    - In locations east of Bay Street, between Bay Street and the SIR along the Swan Street centerline prolongation;
    - In locations west of Bay Street, the prolongation of the Minthorne Street centerline to the centerline of Block 498. From this location, the zoning boundary continues generally south along the centerline of Block 498 to a distance of 150 feet from Hannah Street, then generally west to Van Duzer Street;
  - To the west by:
    - Van Duzer Street from a distance measured 150 feet from Hannah Street to Grant Street;
    - A distance of 100 feet from Van Duzer Street on Block 505;
    - A distance of 100 feet from Bay Street along Block 507, including an area 130 feet from Bay Street within 100 feet of Baltic Street;
    - A distance 100 feet from Van Duzer Street on Block 508 and 509;
    - A distance of 100 feet from Bay Street on Blocks 510 and 511;
  - To the south by Sands Street; and
  - To the east by the SIR.

- The entirety of the Canal Street Corridor Project Area is proposed to be mapped with a C2-3 commercial overlay.

C2-3 and C2-4 commercial overlays are mapped within residential zoning districts, generally along streets that serve local retail needs, with typical retail uses including neighborhood grocery stores, restaurants, and beauty parlors. Compared to C1 commercial overlay districts, C2 commercial overlay districts permit a slightly more flexible range of uses, such as funeral homes and repair services. In mixed-use buildings, commercial uses are limited to one floor and must always be located below the residential use. When commercial overlays are mapped in R6 through R10 zoning districts, the maximum commercial FAR is 2.00. Commercial buildings are subject to commercial bulk rules. The following underlying parking provisions would apply for general retail and service establishments:

- In C2-3 zoning districts, parking is required at 1 space per 400 sf of commercial space, with a waiver if fewer than 25 parking spaces are required; and

- In C2-4 zoning districts, parking is required at 1 space per 1,000 sf of commercial space, with a waiver if fewer than 40 spaces are required.

These proposed commercial overlays and associated zoning text amendments would help facilitate development consistent with the urban design goals identified by the community and balance the desire for active uses at the ground floor with required parking. Within the R6 zoning district, the depth of the overlays is proposed to cover the entire Bay Street Corridor Project Area to allow for

flexibility between commercial and residential spaces. Ground floor use requirements of LDGMA would require ground floor non-residential spaces within 30 feet of Bay Street for any development on a zoning lot greater than 5,000 sf and would optional in other locations.

Within the Canal Street Corridor Project Area, a C2-3 commercial overlay, which generally requires one space per 400 sf of commercial use, with a waiver if fewer than 25 parking spaces are required, is proposed to facilitate mixed-use development with locally oriented commercial activity in this corridor. The ground-floor use requirements of the LDGMA would require non-residential use on the ground floors and promote the urban design goals identified by the community.

PROPOSED ZONING TEXT AMENDMENTS

The Proposed Actions include amendments to the text of the New York City Zoning Resolution. A new special district known as the Special Bay Street Corridor District (SBSCD) would be established. A zoning text amendment is proposed to modify underlying height regulations in the existing Special Stapleton Waterfront District (SSWD). The MIH program would also be mapped along the Bay Street Corridor Project Area and Canal Street Corridor Project Area, setting mandatory affordable housing requirements pursuant to the MIH program.

Since the issuance of the DEIS, DCP has prepared and filed an amended zoning text application that addresses issues raised after the issuance of the DEIS. The amended application, filed as ULURP application N 190114(A) ZRR, consists of modifications to the Proposed Actions that would; (1) further modify the existing SSWD regulations to allow buildings in Subareas A or B1 of the special district to waive from floor area calculation purposes up to 100,000 square feet (sf) of community facility floor area for school use; (2) modify the SBSCD regulations to permit brewery uses throughout the proposed special district; and (3) modify the SBSCD loading requirements and visual corridor design regulations (see Appendix M). The amended application was analyzed in a technical memorandum issued on February 12, 2019, and is further analyzed as the "A-Text Alternative" in this FEIS in Chapter 22, "Alternatives."

SPECIAL BAY STREET CORRIDOR DISTRICT (SBSCD)

Outreach conducted as part of the Plan identified the need to modify use, bulk, and parking regulations so they would better reflect the unique context of the Bay Street Corridor.

In order to achieve this objective, a zoning text amendment is proposed to the ZR to create the SBSCD, which would comprise the entirety of the Bay Street Corridor Project Area. This establishment of the SBSCD would modify underlying zoning regulations and urban design controls within the Bay Street Corridor Project Area, such as FARs, building heights, setbacks, use regulations, street wall provisions, view corridors, parking, and vehicular access provisions. These proposed modifications include:

- Maximum permissible building height of between 55 and 145 feet, dependent on lot configuration and location;
- Maximum permissible Floor Area Ratio (FAR) between 2.00 and 4.60;
    - Greater FARs may be achieved for Affordable Independent Residences for Seniors (AIRS) developments or long-term care facilities;

- Use Regulations are proposed to be modified from underlying zoning as follows:
  - Non-residential uses would be required at the ground floor within 50 feet of Bay Street;
  - Underlying LDGMA requirements for ground floor uses within the C2 zoning district would not apply to existing zoning lots, below a certain size, or in certain locations within the corridor;
  - In a mixed-use building, commercial uses are proposed to be permitted up to and including the second story;
  - Use Group 6b (office) would be permitted up to the full permitted FAR in certain locations along Bay Street and in commercial only buildings;
  - Within certain areas of the R6 zoning district, limited expansion of existing brewery uses would be permitted, provided that (i) the enlarged or extended area does not exceed 15,000 sf for a beverage manufacturing establishment or brewery; and (ii) such enlargement or extension is located within a completely enclosed building; and (iii) all construction has been completed prior to 15 years after date of enactment;
  - Within certain areas containing an existing Use Group 16 or 17 use operated in support of a public service or transportation facility, the provisions of an M1-1 district apply; and
  - Physical Culture and Health Establishments would be permitted in commercial districts as of right.
- Parking requirements are proposed to be modified from underlying zoning as follows, including, but not limited to:
  - A portion of non-office commercial use floor area may be exempted from parking calculations in mixed-use and commercial-only buildings;
  - Underlying residential parking waivers shall only apply to zoning lots with a lot area equal to or greater than the lot area of that zoning lot on the date of adoption; and
  - Accessory parking spaces may be provided within parking facilities anywhere in the SBSCD.
- View corridors, open from the ground to the sky and improved to minimum DOT standards for public streets, are proposed at the following locations east of Bay Street:
  - In the prolongation of Swan Street (for any new residential or commercial development);
  - In a flexible zone near the prolongation of Grant Street; and
  - In the prolongation of Clinton Street.

SPECIAL STAPLETON WATERFRONT DISTRICT (SSWD)

A zoning text amendment is proposed to the ZR to modify the underlying building height regulations within the existing SSWD. The proposed zoning text amendment would alter the maximum building height on Stapleton Waterfront Phase III Sites A and B1 from 55 feet to 125 feet.

With a proposed 125-foot height limit, the same floor area permitted by existing zoning would be permitted; however, the increase in maximum allowable building height would provide flexibility in the building envelope. Rather than restrict development to a single, long building mass parallel to Front Street and the shoreline, the increased allowable building height would permit a taller building with a reduced floor plate to enhance waterfront viewsheds.

In addition, the Proposed Actions would modify the existing street wall requirements for Subareas A and B1 to allow greater flexibility for future development to meet resiliency and accessibility regulations.

ZR APPENDIX F: MANDATORY INCLUSIONARY HOUSING AREAS (MIH AREAS)

Both the Bay Street Corridor and Canal Street Corridor Project Areas are proposed to be designated as MIH areas in Appendix F of the ZR. This proposed text amendment would mandate that a minimum of 25 to 30 percent of new residential floor area in qualifying developments be provided as permanently affordable to households at low and moderate incomes. The MIH program would require the provision of affordable housing in developments exceeding 10 dwelling units or 12,500 sf of residential floor area.

PROPOSED DISPOSITION OF CITY-OWNED PROPERTIES & UDAAP DESIGNATION

Under the Proposed Actions, the following City-owned properties would be disposed:

- City Disposition Site 1: Block 9, Lot 9 (55 Stuyvesant Place)
- City Disposition Site 2: Block 34, Lot 1 (539 Jersey Street/100 Brook Street)
- City Disposition Site 3: Block 6, Lot 20 (54 Central Avenue)

The disposition of City-owned property requires approval through ULURP pursuant to City Charter Section 197-c and separate Borough Board and Mayoral approval pursuant to City Charter Section 384(b)(4).

As described above, HPD has prepared and filed an amended disposition and UDAAP designation application (ULURP No. C190179(A) HAR). The disposition terms of City Disposition Site 2 would include Affordable Independent Residences for Seniors (AIRS) and would modify the amount of community facility, commercial and parking at the site. While the disposition of City Disposition Site 3 is not included in the land use application at this time, this action is expected to be sought in the near future. The modified assumptions for City Disposition Site 3 reflect the anticipated mixed-use residential and commercial program at the site. These changes to the disposition terms were analyzed in a technical memorandum issued on February 12, 2019, and are further analyzed as the "A-Text Alternative" in this FEIS in Chapter 22, "Alternatives."

CITY DISPOSITION SITE 1: 55 STUYVESANT PLACE

City Disposition Site 1 would be disposed of by DCAS to the New York City Land Development Corporation, which, in turn, would dispose of the properties to the NYCEDC or any successor thereto. NYCEDC would then dispose of City Disposition Site 1 or enter into a long-term land lease with a private entity for development. It is expected that the existing 37,675-sf building would be re-tenanted for office use. The site is in a C4-2 zoning district in the SSGD, which allows a range of residential and commercial uses, including office.

CITY DISPOSITION SITE 2: 539 JERSEY STREET/100 BROOK STREET

City Disposition Site 2 would be disposed of by HPD, which in turn would dispose of the property to a developer to be selected by HPD through a competitive Request for Proposals process. As part of the Proposed Action, City Disposition Site 2 would be designated as an Urban Development Action Area (UDAA) and approval of the project as an Urban Development Action Area Project (UDAAP) would be sought. The Proposed Actions would approve disposition of the Jersey Street Garage for future development pursuant to zoning. The site is currently zoned R5 with a C2-2 commercial overlay along Victory Boulevard in the SHPD, which allows for residential, community facility, and a variety of commercial uses.

CITY DISPOSITION SITE 3: 54 CENTRAL AVENUE

The Proposed Actions would approve disposition of City Disposition Site 3 for future development pursuant to zoning. The site is in a C4-2 zoning district in the SSGD, which allows a range of residential and commercial uses, including office. While the disposition of City Disposition Site 3 is not being sought in the ULURP application associated with this EIS at this time, the actions are included in the Proposed Actions to present a conservative environmental assessment.

PROPOSED CITY MAP AMENDMENT

In order to facilitate development on 54 Central Avenue (Block 6, Lot 20), a City Map amendment is proposed to demap the unimproved portions of the Victory Boulevard Extension on Block 6, portions of Lots 14, 18, and 20 (Figure 1-3C).

While the City Map amendment is not being sought in the ULURP application associated with this EIS at this time, the action is included in the Proposed Actions to present a conservative environmental assessment.

(E) DESIGNATIONS (E-429)

To avoid the potential for significant, adverse impacts associated with hazardous materials, air quality, and noise under the Proposed Actions, (E) designations would be placed on certain Projected and Potential Development Sites.

A hazardous materials (E) designation is an institutional control that can be placed as a result of the CEQR review of a zoning map or zoning text amendment or action pursuant to the Zoning Resolution. It provides a mechanism to ensure that testing for and mitigation and/or remediation of hazardous

materials, if necessary, are completed prior to, or as part of, future development of the affected site, thereby eliminating the potential for a hazardous materials impact.

As described in Chapter 10, "Hazardous Materials," under the Proposed Actions, all privately held Projected and Potential Development Sites (25 Projected Development Sites and 23 Potential Development Sites) would include (E) designations requiring that a hazardous materials assessment be performed including, but not limited to, a Phase I Environmental Site Assessment and any subsequent appropriate assessment or action. With the preventative and remedial measures outlined in the (E) designation, it is anticipated the Proposed Actions would not result in significant adverse impacts from hazardous materials.[9]

As described in Chapter 15, "Air Quality," an (E) designation or other comparable measure would be placed on a total of 24 Projected and Potential Development sites (including 15 Projected and 9 Potential Development Sites) to ensure that there would be no significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions due to individual or groups of development sites.[10] The (E) designations or other comparable measure would specify the various restrictions, such as type of fuel to be used, the use of low NO_x burners, the distance that the vent stack on the building roof must be from its lot line(s), and/or the increase of the exhaust stack height (refer to Appendix H).

As described in Chapter 17, "Noise," an (E) designation would be placed on 46 of the 48 privately held Projected and Potential Development Sites (24 Projected and 22 Potential) to ensure that there would be no significant adverse noise impacts. The (E) designations specify the appropriate amount of window/wall attenuation to ensure acceptable interior noise levels within all the new developments on privately held sites.[11]

G. ANALYSIS FRAMEWORK

Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA), requires a lead agency to analyze the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An Environmental Impact Statement (EIS) is a comprehensive document used to systematically consider environmental effects, evaluate a reasonable range of alternatives, and identify and propose mitigation, to the maximum extent practicable, of any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

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[9] In addition, for two of the three City-owned sites identified for disposition (City Disposition Sites 1 and 2), the environmental requirements with respect to hazardous materials would be incorporated into the land disposition agreement (LDA) between the City of New York and the future developer. Environmental remediation on the Stapleton Waterfront Phase III Sites will be required through an MOU entered into by NYCEDC with DEP.

[10] For the City-owned parcels located at Stapleton Waterfront Phase III Sites A and B1, the implementation of the restrictions would be required through the disposition agreement between NYCEDC and the future developer.

[11] In addition, for two of the three City-owned sites identified for disposition (City Disposition Sites 1 and 2), the environmental requirements with respect to noise attenuation would be incorporated into the LDA between the City of New York and the future developer.

REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed for the Future Without the Proposed Actions (No-Action Condition), and the Future With the Proposed Actions (With-Action Condition) for a 12-year period (build year 2030[12]). The incremental difference between the No-Action and With-Action conditions will serve as the basis for assessing the potential environmental impacts of the Proposed Actions. The existing conditions, No-Action, and With-Action data for all Projected and Potential development sites in the Project Area are included in Appendix B, "Detailed Reasonable Worst Case Development Scenario" (Figures 1-7 to 1-9).

To determine the No-Action and With-Action conditions, standard methodologies have been used pursuant to the 2014 Edition of the *CEQR Technical Manual* (*CEQR Technical Manual)*. These methodologies have been used to identify the amount and location of future development, as discussed below.

DEVELOPMENT SITE CRITERIA

Standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions to identify the amount and location of future development. In projecting the amount and location of new development, several factors have been considered, such as known development proposals, past and current development trends, and the development site criteria described below:

- Underutilized lots, defined as vacant lots or lots constructed to less than or equal to half of the proposed FAR under the Proposed Actions;
- Lots with a total size of 3,500 sf or larger (except when part of a potential assemblage, in which case smaller lots were also included, if assemblage seemed probable); and
- Lots that are currently in the unimproved portions of the mapped bed of Bay Street.

Certain lots have been excluded from the With-Action Condition based on the following conditions because they are very unlikely to be redeveloped as a result of the Proposed Actions:

- Lots which utilize more than 50 percent of the maximum FAR that would be permitted by the Proposed Actions (except when part of a potential assemblage, in which case lots utilizing more than 50 percent of proposed zoning FAR were also included, if assemblage seemed probable);
- Lots smaller than 3,500 sf (except when part of a potential assemblage, in which case smaller lots were also included, if assemblage seemed probable);

[12] A build year of 2030 was identified for this environmental review in order to align with the long term planning goals of *North Shore 2030*, a strategic plan to guide development on the North Shore of Staten Island. Because this is a proposed area-wide rezoning, site-specific development timelines on any Projected or Potential Development Site will vary. A conceptual construction phasing schedule is described in Chapter 20, "Construction."

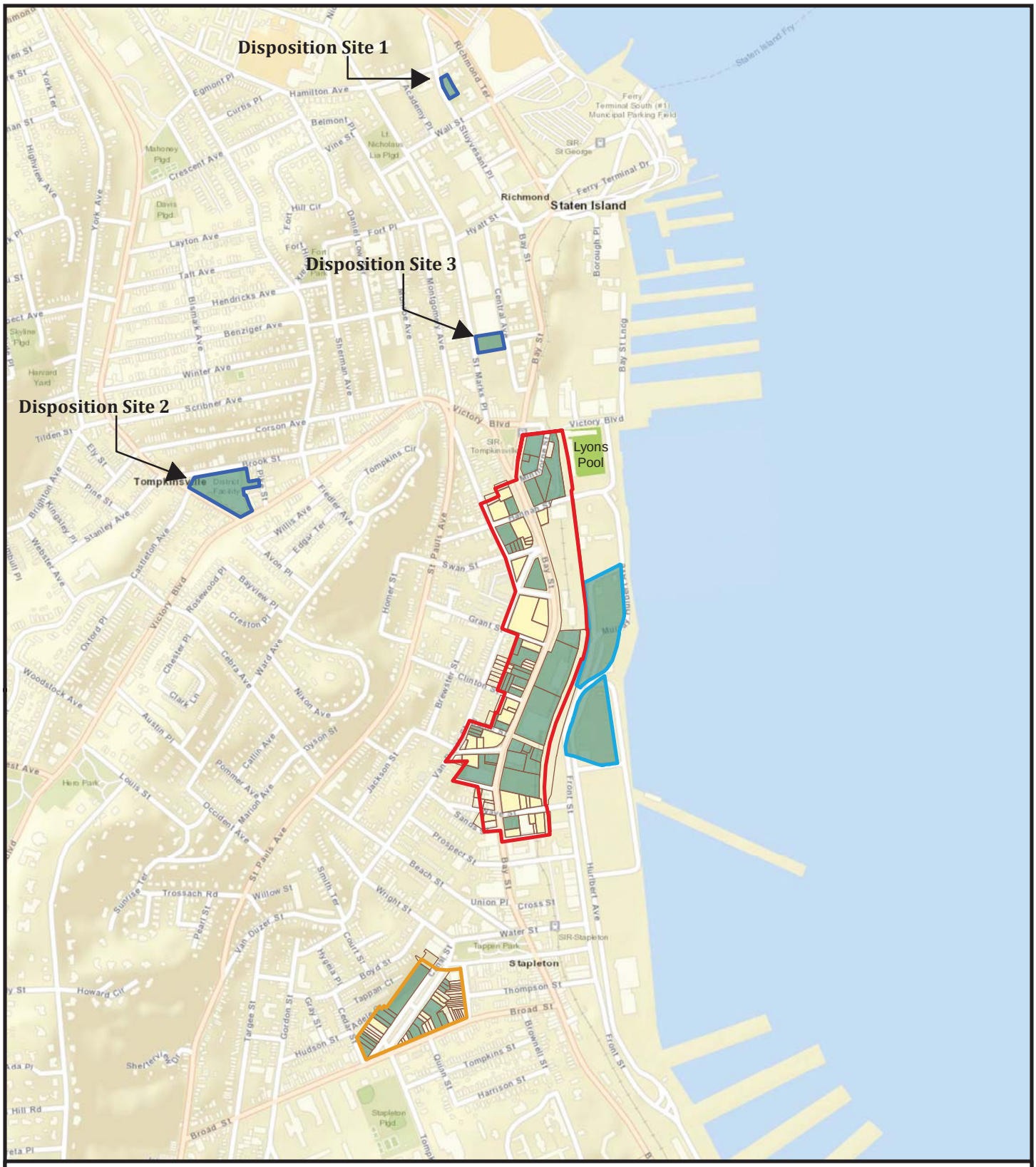


FIGURE 1-7: OVERVIEW OF PROJECTED AND POTENTIAL DEVELOPMENT SITES
BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY
Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan



FIGURE 1-8: BAY STREET CORRIDOR PROJECTED AND POTENTIAL DEVELOPMENT SITES

BAY STREET CORRIDOR REZONING AND RELATED ACTIONS

STATEN ISLAND, NY

Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

0 250 500 1,000 Feet

N

- Bay Street Corridor Project Area
- Projected Development Sites
- Potential Development Sites
- Affected Lots

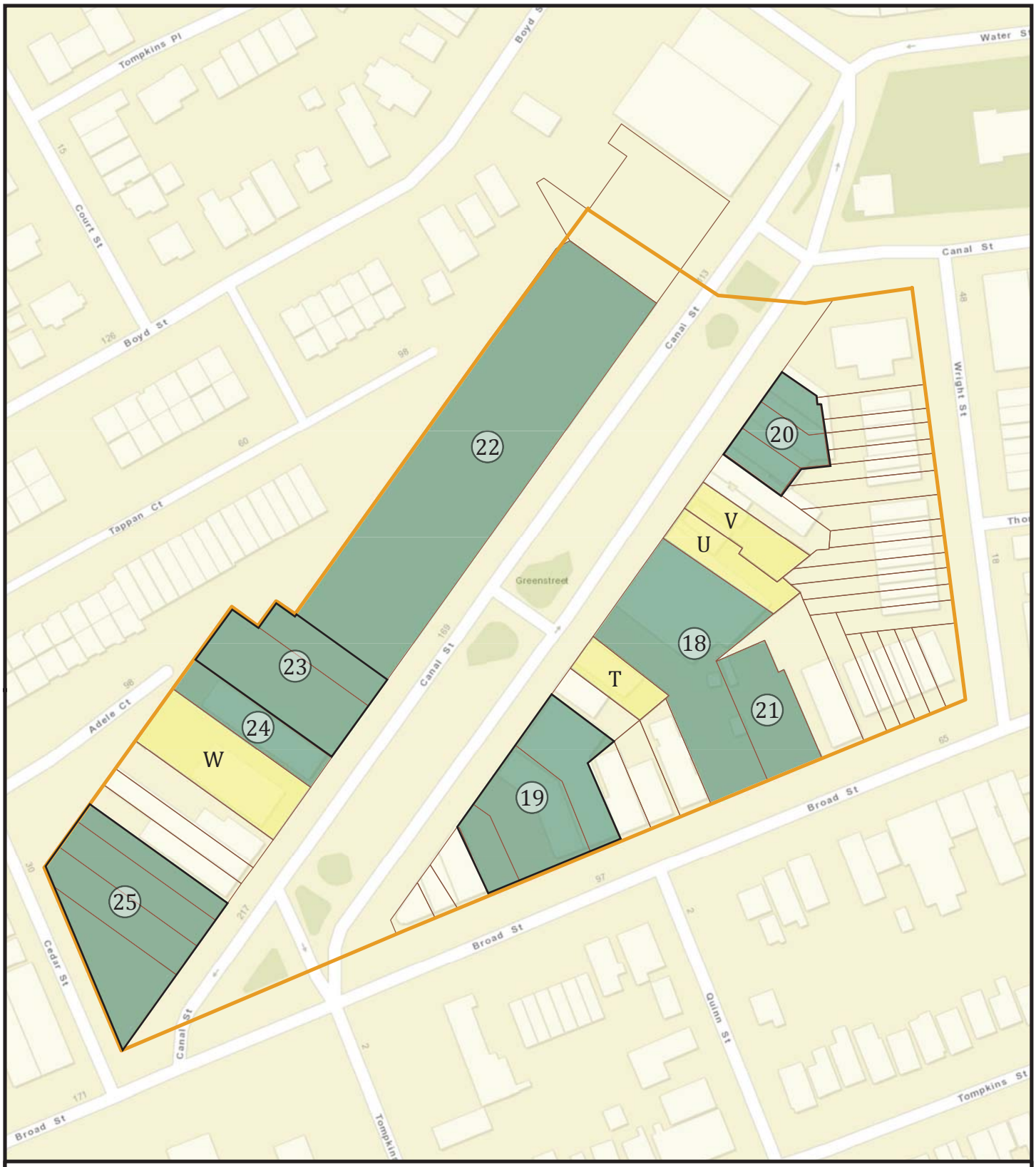


FIGURE 1-9: CANAL STREET CORRIDOR
PROJECTED AND POTENTIAL DEVELOPMENT SITES
BAY STREET CORRIDOR
REZONING AND RELATED ACTIONS

0 75 150 300 Feet

N

- Canal Street Corridor Project Area
- Projected Development Sites
- Potential Development Sites
- Affected Lots

STATEN ISLAND, NY
Map Reference: Basemap: ESRI; Shapefile: NYC Dept of City Planning, MapPLUTO Data
Prepared by Langan

- Lots which are government-owned properties (development and/or sale of which may require approval of discretionary actions from the pertinent government agency), sites of public utilities and/or public transportation, schools (public and private), parks, municipal libraries, government offices, large medical centers, and houses of worship; and

- Lots that would be subject to split zoning district conditions under the Proposed Actions and the proposed zoning would not be the principal zoning district.

Lot assemblages are defined as a combination of adjacent lots, which satisfy one or more of the following conditions:

- The lots share common ownership;

- When combined, the lots meet the aforementioned development site criteria;

- At least one of the lots, or combination of lots, meets the aforementioned development site criteria; and

- Combination of lots would result in a FAR bonus as a result of the proposed Special District FAR modifications.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, development sites have been divided into two categories: Projected Development Sites and Potential Development Sites. The Projected Development Sites were identified as:

- Lots more likely to be developed within the 12-year analysis period; and

- Lots that are included in the three City-owned properties identified for disposition

- Lots in the SSWD identified for building height modification.

Potential Development Sites are considered less likely to be developed over the approximately 12-year analysis period. Potential Development Sites were identified based on the following criteria:

- Lots where construction is actively occurring, or has recently been completed;

- Lots whose shapes prove it difficult to be developed in order to take full advantage of the proposed permissible bulk modification;

- Lots that are smaller than 5,000 sf in size; and

- Active businesses, which may provide unique services or are prominent, and successful neighborhood businesses or organizations unlikely to move.

Based on the criteria above, a total of 53 development sites (30 Projected Development Sites and 23 Potential Development Sites) have been identified in the Project Area. The RWCDS Development Site tables attached in Appendix B list these Projected and Potential development sites.

DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

The number of projected dwelling units in apartment buildings is determined by dividing the total amount of residential gross square footage by 1,000 and rounding to the nearest whole number.

Affordable Housing Assumptions

In addition, the anticipated number of affordable dwelling units was estimated based on known development proposals; past and current development trends; the City, State, and Federal programs that support the construction of affordable housing; and proposals in *Housing New York*, the Mayor's ten-year housing plan that aim to significantly increase the amount of affordable housing created and preserved in the five boroughs. Unless available information indicates otherwise,[13] the analysis has assumed the worst-case scenario of 30 percent of new units to be inclusionary (affordable) housing units. The Stapleton Waterfront Phase III Sites A and B1 and City Disposition Site 2 are City-owned sites and the affordable program would be determined based on an agreement reached in conjunction with disposition of the sites. For the purpose of this assessment, it is assumed Stapleton Waterfront Phase III Sites A and B1, as well as City Disposition Site 2, would be developed with 50 percent affordable housing units.

The amount of affordable housing constructed in the future With-Action Condition, and income levels for this housing, would depend on several factors. On privately owned sites, the MIH program would require between 25 and 30 percent of new housing to be affordable at a range of low and moderate income levels depending on the MIH option(s) selected.

Under the Proposed Actions, the Bay Street Corridor and Canal Street Corridor Project Areas would be designated as MIH areas. The Proposed Actions intend to apply Option 1, Option 2, Option 3 (the Deep Affordability Option) and Option 4 (the Workforce Option) to the Bay Street Corridor and Canal Street Corridor MIH areas

> **Option 1:** At least 25 percent of residential floor area within a MIH development must be for affordable housing units. At least 10 percent of the affordable residential floor area shall be for residents with incomes averaging 40 percent AMI ($37,560 per year for a family of three in 2018 incomes), and no income band shall exceed 130 percent AMI. Additionally, the weighted average of all income bands for affordable housing units shall not exceed 60 percent of AMI, and there shall be no more than three income bands; and

[13] As in the case of 475 Bay Street, in which the property owner expressed interest to develop a 100 percent affordable mixed-use development.

Option 2: At least 30 percent of residential floor area within a MIH development must be for affordable housing units with incomes averaging 80 percent AMI ($75,120 per year for a family of three in 2018 incomes). No income band shall exceed 130 percent AMI.

Option 3: At least 20 percent of the residential floor area within an MIH development must be affordable to residents at 40 percent AMI ($37,560 per year for a family of three in 2018 incomes). Options 3 and 4 are always supplemental to either Option 1 or Option 2, or both, if both are selected.

Option 4: For MIH developments utilizing this option, at least 30 percent of residential floor area must be for affordable housing units with incomes averaging 115 percent AMI ($107,985 per year for a family of three in 2018 incomes), and no income band shall exceed 130 percent AMI. At least 5 percent of the residential floor area within such MIH development shall be affordable for residents at 70 percent AMI ($65,730 per year for a household of three); and 5 percent shall be for residents with incomes at 90 percent AMI ($84,510 per year for a household of three). Such MIH development shall not utilize public funding and the Workforce Option shall expire 10 years after it is adopted in any MIH area.

In addition, sites may utilize affordable housing subsidies to produce additional affordable housing at a range of income levels; the amount and levels of affordability would vary depending on the programs utilized.

North Shore 2030 and *Housing New York* both identify Stapleton as one of the key locations for infrastructure investment to facilitate the creation of new affordable housing. Following the release of *North Shore 2030*, the Mayor's office secured $90 million of capital funding for infrastructure projects that would allow Stapleton Waterfront Phase III to advance. Any future RFPs for residential development on Sites A and B1 would specify a preference for approximately 50 percent affordability.

Commercial Use Assumptions

The Bay Street Corridor Project Area is an existing commercial corridor that connects the commercially zoned areas of St. George and Stapleton town centers. The Special District text amendment proposes all development sites fronting Bay Street would be required to have non-residential use on the ground floor within 50 feet of Bay Street.

In addition, the proposed commercial overlays and accompanying zoning text amendments would allow for sites with a limited amount of commercial floor space to waive commercial parking requirements as follows:

- C2-3 allows for developments with less than 10,000 sf of most commercial uses to waive commercial parking requirements;
- C2-4 allows for developments with less than 40,000 sf of most commercial uses to waive commercial parking requirements; and

- The proposed text amendment would waive parking requirements for the first 0.5 FAR of non-residential uses in a mixed-use building.

While accessory commercial parking is permitted even where not required, for the purposes of a conservative analysis, it is assumed that sites eligible to waive parking would do so. Under the Proposed Actions, parking beyond the minimum quantum of parking required by zoning could be provided, should a property owner opt to do so. The Proposed Actions are projected to facilitate approximately 595,000 sf of commercial space, including office, retail, and restaurant uses on the Projected Development Sites.

Community Facility Use Assumptions

The Proposed Actions would limit community facilities to the same maximum FAR equal as is established for residential uses (*i.e.*, additional FAR would not be provided for community facilities).

Based on recent trends within the area and the absence of known interest from property owners in the area to develop community facilities, no development comprised wholly of community facility space is projected. However, it is anticipated that as a result of the Proposed Actions, approximately 85,000 sf of community facilities, such as daycare, educational facilities, medical offices, or cultural spaces, would be provided within developments containing other uses.

H. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

The No-Action Condition projects development that would occur in the Project Area absent the Proposed Actions. In the future No-Action Condition, the identified Projected and Potential development sites are assumed to either remain unchanged from existing conditions or become occupied by uses that are as-of-right under existing zoning. Any anticipated development would reflect current and foreseeable market conditions in this area of Stapleton. Table 1-1 presents the No-Action Condition for the Projected Development Sites.

It is anticipated that in the No-Action Condition, within the Bay Street Corridor Project Area, only the vacant sites located at 269, 271, and 273 Van Duzer Street (Projected Development Site 16; Block 508, Lots 22, 23, and 24) would be developed as two zoning lots, each with one single-family dwelling unit (2 dwelling units) pursuant to the underlying R3X zoning district.[14] In addition, the currently vacant building on Projected Development Site 1 (Block 488, Lot 71) would be assumed to be re-tenanted with a conforming community facility use, and the existing vacant one-story building at 121 Van Duzer Street (Block 500, Lot 22) occupying a portion of Projected Development Site 9 is also expected to be re-tenanted with retail uses. Furthermore, former industrial buildings along Minthorne Street (Block 497, Lot 9) occupying a portion of Projected Development Site 7 are undergoing renovations and are expected to be tenanted by additional commercial uses, including retail, restaurants, and/or other commercial services. Recent development trends in the neighborhood have shown a lack of private residential and commercial development within the Bay Street Corridor Project Area. Existing conditions along the Bay Street Corridor are expected to remain

[14] Shortly before certification, construction of a single-story commercial building began at Projected Development Site 10 (Block 502, Lot 1) pursuant to existing M1-1 zoning. This change is not contemplated in the No-Action Condition for this site and the site is assumed to remain vacant. However, this assumption presents a conservative approach for environmental assessment.

unchanged in the No-Action Condition due to the limited development potential currently afforded by the existing M1-1 zoning district, where a maximum FAR of 1.0 is permitted and residential uses are precluded.

In the No-Action Condition within the Canal Street Corridor Project Area, given the current and foreseeable market conditions, most sites within the Canal Street Corridor in the existing R3-2/C2-2 zoning district are expected to remain in their current conditions. However, several vacant lots would be expected to be developed as-of-right absent the Proposed Actions.

In the No-Action Condition, City Disposition Site 1 would continue its existing use as a commercial building. City Disposition Site 2 would consist of a commercial building following the relocation of the DSNY garage. City Disposition Site 3 would remain a DOT-operated surface parking lot. Under the No-Action Condition, Stapleton Waterfront Phase III Site A would remain fully vacant. The approximately 50,000-sf DOT Dockbuilders facility on Stapleton Waterfront Phase III Site B1 is anticipated to be relocated absent the Proposed Actions ahead of the 2030 Build Year; the existing building would be demolished, and the Stapleton Waterfront Phase III Project Area would be fully vacant.

The development under the No-Action Condition is expected to result in an incremental increase over existing conditions of approximately 6 residential units (2 units in the Bay Street Corridor Project Area and 4 units in the Canal Street Corridor Project Area) and 25,000 sf of additional community facility space; and a net decrease of 36,000 sf of commercial space. In total, the resulting development absent the Proposed Actions would comprise approximately 15,000 sf of residential space (12 dwelling units), 343,000 sf of commercial uses, and 38,000 sf of community facility space.

I. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

The With-Action Condition identifies the development projected to occur as a result of the Proposed Actions. The incremental difference between the No-Action and With-Action conditions provides the basis by which the potential environmental impacts of the Proposed Actions are evaluated. The With-Action Condition would result in a net *increase* of approximately 2,554,000 sf of residential use consisting of approximately 2,560 dwelling units; a net *increase* of approximately 275,000 sf of commercial use; and a net *increase* of approximately 47,000 sf of community facility use compared to the No-Action Condition (see Table 1-1). Sites within the proposed MIH designated areas are subject to the MIH program and would provide 25 to 30 percent affordable residential units in qualifying developments.

BAY STREET CORRIDOR PROJECT AREA– PROJECTED DEVELOPMENT SITES

The Proposed Actions would allow for the development of new uses and higher densities at the Projected and Potential development sites. The proposed zoning map amendment would map the Bay Street Corridor Project Area as R6 and R6B zoning districts with C2-3 and C2-4 commercial overlays. As such, all Projected Development Sites in the Bay Street Corridor Project Area were assumed to provide residential floor area under the Proposed Actions, except for Projected Development Site 2 and Projected Development Site 15. Maximum building heights would apply in certain locations based on site configuration and location.

Table 1-1: 2030 RWCDS No-Action and With-Action Conditions for Projected Development Sites

Land Use	No-Action Condition	With-Action Condition	Incremental Difference
RESIDENTIAL UNITS (DWELLING UNITS)			
Total Residential	12	2,569	2,557
COMMERCIAL (SQUARE FEET)			
Office	*99,179*	*316,939*	*217,760*
Local Retail	*194,183*	*230,644*	*36,461*
Restaurant	*14,000*	*71,000*	*57,000*
Other Commercial Uses	*35,873*	*0*	*-35,873*
Total Commercial	343,235	618,583	275,348
COMMUNITY FACILITY (SQUARE FEET)			
Total Community Facility	37,879	84,678	46,799
PARKING			
Total Parking Spaces	481	1,771	1,290
POPULATION			
Total Residents[1]	31	6,602	6,571
Total Workers[2]	1,253	2,565	1,312

Source: *(Population Multiplier) 2010-2014 American Community Survey (ACS) 5-Year Estimates average household size of renter-occupied unit for Staten Island Census Tracts 3, 7, 11, 21, and 27.*

Notes*:*

[1] Assumes 2.57 residents per dwelling unit based on 2010-2014 5-Year ACS data.

[2] Estimate of workers is based on the following rates: four employees per 1,000 sf of office, three employees per 1,000 sf of retail/supermarket/restaurant uses, one employee per 25 dwelling units, 3 employees per 1,000 sf of community facility uses, and one employee per 50 parking spaces.

Under the Proposed Actions, Projected Development Site 2 (Block 487, Lots 60, 64, and 80) is anticipated to be developed with commercial and community facility space, given its proximity to the SIR and Tompkinsville Station, as well its irregular lot shape that may be more conducive for non-residential development. The proposed SBSCD provisions would permit this site to develop as a mixed-use, wholly non-residential development up to the full residential FAR that would be permitted by the Special District provisions. Under this assumption, Projected Development Site 2 is projected to be developed with 20,000 sf of local retail and 20,000 sf of restaurant space on the ground floor, 40,000 sf of community facility space on the second floor, and 186,000 sf of office use beyond the second floor.

All other Projected Development Sites that fall within the proposed C2-3 commercial overlay on Bay Street were assumed to be mixed-use residential development pursuant to the Proposed Actions, except as noted below, which would require non-residential ground-floor uses within 50 feet of Bay Street and allow a parking waiver for the first 0.5 FAR of non-residential use.

Projected Development Site 15 (Block 507, Lots 12 and 17) is under the same ownership as the adjacent long-standing commercial building on Lot 12. It is assumed that Lots 12 and 17 would be assembled and developed as an expansion of the existing commercial use up to the maximum commercial FAR. Projected Development Site 7 (Block 497, Lots 1, 7 and 9) is anticipated to be developed as a mixed-use commercial and residential building. While the use of a portion of the

commercial area is anticipated to be an enlargement of the existing brewery on the site (pursuant to proposed SBSCD text amendments), the With-Action scenario assumes retail and restaurant uses on the site, except for certain analysis chapters, where noted.

Because of the lot area, shape, and location of Projected Development Site 4 (Block 488, Lots 18, 26, 175, 201, and 206) and Projected Development Site 5 (Block 488, Lots 53 and 65), these sites are well suited for community facility use, and likely to be redeveloped as such in the Future With the Proposed Actions. It is anticipated Projected Development Site 5 would contain three separate buildings providing community facility use on the second floor of two of these buildings. A total of 76,000 sf of community facility space on Projected Development Sites 2, 4, and 5 is projected within the Bay Street Corridor Project Area to support anticipated future needs.

Projected Development Site 9 (Block 500, Lots 16, 18, 20, 22, and 24) and Projected Development Site 13 (Block 505, Lots 22, 24, and 25) do not front Bay Street. These two sites would not be required to provide ground floor non-residential use under the Proposed Actions. As such, these sites were assumed to be developed with solely residential use that would reflect the existing residential character of these side streets.

Under the With-Action Condition, it is anticipated approximately 1,600 residential units would be developed on 17 Projected Development Sites in the Bay Street Corridor Project Area, except for Projected Sites 2 and 15, as described above. Sites within the proposed MIH designated areas would be subject to the MIH program and would provide between 25 percent and 30 percent affordable residential units.

Under the Proposed Actions, the Bay Street Corridor Project Area would include 381,000 sf of commercial uses on Projected Development Sites that are required to have non-residential use on the ground floor (excluding Projected Development Sites 9 and 13). The non-residential uses would include retail, restaurant, and/or office space. This projected commercial floor space is assumed based on proposed permissible commercial FAR, urban design and zoning requirements of the Proposed Actions.

BAY STREET CORRIDOR PROJECT AREA– POTENTIAL DEVELOPMENT SITES

Nineteen Potential Development Sites were identified in the Bay Street Corridor Project Area. Only Potential Development Site A (Block 487, Lot 42) falls within the proposed C2-4 commercial overlay. Potential Development Site A, if developed, would likely take advantage of the allowable full 2.0 FAR for commercial development, similar to Projected Development Site 2. Potential Development Sites G, J, K, and O would be located within the proposed R6B/C2-3 zoning district; the remaining Potential Development Sites are within the proposed R6/C2-3 zoning district (Figure 1-4A).[15] It is assumed that in the With Action Condition, the identified Potential Development Sites would be developed as either mixed-use developments (if the Potential Development Site has frontage on Bay Street, where ground floor non-residential uses would be required: specifically Potential Development Sites B, D, H, I, J, K, L, M, P, and S), or as fully residential developments (where no frontage exists on Bay Street,

[15] Potential Development Sites K and O are partially located within R6 and R6B zoning districts.

or where non-residential floor space would be impractical; specifically Potential Development Sites C, E, F, G, N, O, Q, and R) (Figure 1-8).

CANAL STREET CORRIDOR PROJECT AREA – PROJECTED DEVELOPMENT SITES

The zoning map amendment proposed under the Proposed Actions would map a R6B/C2-3 zoning district to replace the existing R3-2/C2-2 zoning (mapped on part of Block 527) and R4/C2-2 zoning (Block 526) in the Canal Street Corridor Project Area. The proposed MIH text amendment to designate the Canal Street Corridor Project Area as a MIH area would permit a maximum FAR of 2.2, as well as modify the maximum building height to 55 feet, as permitted by the underlying R6B zoning district. Eight Projected Development sites were identified in the Canal Street Corridor Project Area.

The Canal Street Corridor Project Area would be designated as a MIH area, and Projected Development Site within the project area would include 25 to 30 percent affordable residential units in qualifying developments. All eight Projected Development Sites within the Canal Street Corridor are anticipated to provide a mixture of residential and commercial or residential and community facility uses. In the With-Action Condition, the Canal Street Corridor Project Area would comprise approximately 240 dwelling units, 37,000 sf of commercial space, and 8,000 sf of community facility space.

CANAL STREET CORRIDOR PROJECT AREA – POTENTIAL DEVELOPMENT SITES

Four Potential Development Sites were identified in the Canal Street Corridor Project Area. It is assumed that in the With-Action Condition, the identified Potential Development Sites would be developed as mixed-use developments. The Canal Street Corridor Project Area would be designated as an MIH area, and the Potential Development Sites within the Project Area would provide between 25 to 30 percent affordable residential units in qualifying developments.

PROJECTED CITY-OWNED DEVELOPMENT SITES

In the With-Action Condition, the vacant, approximately 38,000-sf commercial space on City Disposition Site 1 would be re-tenanted as a creative technology and/or cultural arts space. City Disposition Site 2 would be redeveloped as a mixed-use residential and commercial building, comprising approximately 108,000 sf of residential use (108 dwelling units[16]) and 35,000 sf of commercial use. City Disposition Site 3 would be developed with a fully commercial building, comprising approximately 85,000 sf of commercial office uses. [17]

Stapleton Waterfront Phase III Site A would be developed with 43,000 sf of ground floor local retail and 319,000 sf of residential use (319 dwelling units).[18] Stapleton Waterfront Phase III Site B1 would

[16] While the affordability requirements would be subject to business terms of the disposition, for the purpose of this assessment, City Disposition Site 2 is assumed to be developed with 50 percent affordable dwelling units.
[17] Chapter 22, "Alternatives" considers two alternatives with With-Action RWCDS that analyze City Disposition Site 3 as a mixed-use commercial and residential development.
[18] While the affordability requirements would be subject to business terms of the disposition, for the purpose of this assessment, Stapleton Waterfront Phase III Sites A and B1 are assumed to be developed with 50 percent affordable dwelling units.

be developed as an entirely residential building, comprising approximately 308,000 sf (308 dwelling units).

RWCDS Tables for the Projected and Potential Development Sites are attached in Appendix B and provide more detailed information on the existing, No-Action, and With-Action conditions developed for these sites.

J. INCREMENTAL DIFFERENCE: NO ACTION AND WITH-ACTION CONDITIONS

The incremental difference between the No-Action and With-Action conditions presented in Table 1-1 provides the basis by which the potential environmental impacts of the Proposed Actions are evaluated. As shown in Table 1-1, the With-Action Condition would result in a net *increase* of approximately 2,554,000 sf of residential use consisting of 2,560 dwelling units; a net *increase* of approximately 275,000 sf of commercial use; and a net *increase* of approximately 47,000 sf of community facility use compared to the No-Action Condition. Sites within the proposed MIH designated areas are subject to the MIH program and would provide between 25 and 30 percent affordable residential units in qualifying developments.

K. PUBLIC REVIEW PROCESS

The Proposed Actions described above are subject to public review under Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, as well as City Environmental Quality Review (CEQR) procedures. The ULURP and CEQR review processes are described below.

UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

The City's ULURP is mandated under the City Chapter Sections 197-c and 197-d and is designed to allow public review of a proposed action at four levels: the Community Board, the Borough President and (if applicable) the Borough Board, the CPC, and the City Council. The ULURP sets time limits at each stage of the review process to ensure a maximum total review period of approximately seven months.

The ULURP process begins when the ULURP application is certified as a complete application by DCP, in addition to meeting the CEQR requirements outlined below. The application is then forwarded to Staten Island Community Board 1, which has 60 days to review and discuss the approval, hold public hearings, and adopt recommendations in regard to the application. Once the Community Board completes its review, the Staten Island Borough President reviews the application for up to 30 days. Following the Borough President's review, the CPC then has 60 days to review the application, at which time a ULURP/CEQR public hearing is conducted on the Land Use Application and associated draft environmental review document. Comments that are made during the DEIS public hearing and during the comment period are incorporated into the Final Environmental Impact Statement (FEIS).

The FEIS is required to be completed at least ten (10) days prior to CPC's decision on the application. CPC may approve the application, approve the application with modifications, or deny the application. If the ULURP application is approved, or approved with modifications, it moves forward to the City Council for review. The City Council's review lasts 50 days and during this time, it will hold a public hearing on the Proposed Actions through its Land Use Subcommittee. The City Council may

approve the application, approve the application with modifications, or deny the application. If the City Council proposes a modification to the Proposed Actions, the ULURP review process will stop for 15 days, allowing for the CPC to determine whether the proposed modification is within the scope of the environmental review and ULURP review. If the modification is within the scope of the review, then the City Council may proceed with the modification. If the modification is not within the scope of review, then the City Council may only vote on the actions approved by the CPC. Following the City Council vote, the Mayor has five (5) days to veto the Council's actions. The City Council may override the mayoral veto within ten (10) days.

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR)

In the State of New York, most state or local government agencies are required to comply with Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA) when approving discretionary actions that could potentially impact the environment. CEQR is New York City's process for implementing SEQRA, by which agencies of the City review proposed discretionary actions to identify and disclose the potential effects those actions may have on the environment along with other areas of the planning and design, to propose reasonable alternatives, and to identify and mitigate significant adverse environmental effects. CEQR rules guide environmental review, as follows:

ESTABLISHING A LEAD AGENCY

According to the *CEQR Technical Manual*, a "lead agency" is the public entity responsible for conducting environmental review. Typically, the lead agency is also responsible for carrying out, funding, or approving the proposed action(s). In accordance with CEQR rules (62 RCNY §5-03), DCP will act as lead agency on behalf of the CPC for the Proposed Actions.

DETERMINATION OF SIGNIFICANCE

The lead agency's first task is to determine whether the project increment would result in significant adverse impacts. To do so, DCP evaluated the Environmental Assessment Statement (EAS), dated May 13, 2016, for the Proposed Actions. Based on the information provided in the EAS, DCP determined that the Proposed Actions may have a significant adverse impact on the environment and issued a Positive Declaration on May 13, 2016, requiring that an EIS be prepared in conformance with the *CEQR Technical Manual* and all applicable laws and regulations. A Revised EAS and Revised Positive Declaration were issued May 19, 2016 to address project clarifications.

SCOPING PROCESS

Along with its issuance of a Positive Declaration, DCP issued a Draft Scope of Work for the EIS, dated May 13, 2016, which marks the beginning of the comment period of the Draft Scope of Work. A revised Draft Scope of Work was issued May 19, 2016 to address project clarifications. According to the *CEQR Technical Manual*, the purpose of the scoping process is to focus the EIS on potentially significant adverse impacts by ensuring that relevant issues are identified early and studied properly and to eliminate consideration of those impacts that are irrelevant or non-significant. "Scoping" also allows the public, agencies, and other interested parties the opportunity to raise relevant issues regarding the focus and appropriate methods of analysis during a public scoping meeting. The public

scoping meeting was held on June 15, 2016 at 6:00 p.m., at Trinity Lutheran Church, 309 St Pauls Avenue, Staten Island, NY 10304. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through July 15, 2016 at 5 p.m. Modifications to the Draft Scope of Work for the EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work document for the Proposed Actions was issued on November 9, 2018.

DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

The DEIS was prepared in accordance with the Final Scope of Work and followed the methodologies and criteria for determining significant adverse impacts in the *CEQR Technical Manual*. DCP, acting as the lead agency, reviewed the document and called upon other City and state agencies to review where the agency's expertise is relevant. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. The DEIS was considered complete and the Notice of Completion for the DEIS was issued on November 9, 2018.

PUBLIC REVIEW

Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, the public may review and comment on the DEIS, either in writing or at a public hearing convened for the purpose of receiving such comments. The public review period must extend for a minimum of 30 days from the publication of the DEIS and the issuance of the Notice of Completion. Because the CEQR process is coordinated with another City process, such as ULURP, a joint public hearing is held. The lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comments for at least 10 days following the hearing. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS. The joint public hearing on the DEIS and the ULURP application was held on February 27, 2019, in the City Planning Commission Hearing Room, 120 Broadway Lower Concourse, New York, NY 10271. The public hearing also considered modifications to the Proposed Actions (ULURP Nos. N 190114(A) ZRR and C 190179(A) HAR). The period for submitting written comments remained open through March 11, 2019.

FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)

The FEIS is prepared after the close of the public comment period for the DEIS. The FEIS must incorporate all relevant comments on the DEIS, in a separate chapter and in changes to the body of text, graphics, and tables. Once the lead agency determines the FEIS is complete, it issues a Notice of Completion and circulates the FEIS. The Notice of Completion for this FEIS was issued on April 11, 2019.

STATEMENT OF FINDINGS

To demonstrate that the responsible City decision makers have taken a hard look at the impacts, alternatives, and mitigation measures, the lead agency and each involved agency must adopt a formal set of written findings. The findings may not be adopted until ten (10) days after the Notice of Completion has been issued for the FEIS. Pursuant to CEQR regulations, once findings are adopted,

the lead and involved agencies may take their actions. The CPC must wait at least ten (10) days after the FEIS is complete to act on a given application.