CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

December 13, 2023

City Council
City Hall
New York, NY 10007

Re: 541-545 Bay Street
Application No. N 220392 ZRR
Related Application No. C 220426 ZMR
Borough of Staten Island

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated December 12, 2023, from the City Council regarding the proposed modification to the above-referenced application submitted by Epsilon Enterprises Realty, LLC for a zoning text amendment to APPENDIX F of the Zoning Resolution for the purpose of establishing a Mandatory Inclusionary Housing area.

In accordance with Section 197-d(d) of the New York City Charter, the Commission, on December 13, 2023, has determined that the City Council's proposed modification does not require additional review of environmental issues or pursuant to Section 197-c of the Charter.

Very truly yours,

Daniel R. Garodnick

c: C. Ferrara Iannitto, D. DeCerbo, S. Avila, S. Amron, K. Bailey, D. Answini

THE COUNCIL
THE CITY OF NEW YORK
LAND USE DIVISION
250 BROADWAY - ROOM 1602
NEW YORK NEW YORK 10007

PERRIS STRAUGHTER
DIRECTOR

TEL.: 212-788-7335
PSTRAUGHTER@COUNCIL.NYC.GOV

December 12, 2023

Honorable Dan Garodnick, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Application No. N 220392 ZRR (L.U. No. 297)
Related Application No. C 220426 ZMR (L.U. No. 296)

541-545 Bay Street

Dear Chair Garodnick:

On December 12, 2023, the Land Use Committee of the City Council, by a vote of 13-0-0 for Application **N 220392 ZRR** recommended modifications of the City Planning Commission's decision in the above-referenced matter.

Pursuant to Section 197-d(d) of the City Charter I hereby file the proposed modifications with the Commission:

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.
Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

* * *

ARTICLE XIII
SPECIAL PURPOSE DISTRICTS

Chapter 5
Special Bay Street Corridor District

135-00
GENERAL PURPOSES

* * *

135-03
Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~five~~ six subdistricts are established as follows:

Subdistrict A
Subdistrict B
Subdistrict C
Subdistrict D
Subdistrict E
Subdistrict F

* * *

135-00
SPECIAL USE REGULATIONS

* * *

135-11
Ground Floor Use Regulations

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section 37-30, any portion of a #ground floor level# #street# frontage along Bay Street, as well as any #ground floor level# #street# frontage within 50 feet of Bay Street or along Prospect Street, shall be considered a #primary street frontage#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, inclusive, defined terms shall include those in Sections 12-10 and 37-311.

* * *

135-20

SPECIAL BULK REGULATIONS

* * *

135-21
Special Floor Area Regulations

* * *

For #zoning lots# with #buildings# containing multiple #uses# or for #zoning lots# with multiple #buildings# containing different #uses#, the maximum #floor area ratio# for each #use# shall be as set forth in the table, and the maximum #floor area ratio# for the #zoning lot# shall not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

MAXIMUM FLOOR AREA RATIO

	Column 1	**Column 2**	**Column 3**	**Column 4**	**Column 5**
Subdistrict, or Subarea, as applicable	**For #commercial# #uses# other than offices**	**For offices**	**For #residences# other than #MIH sites# and #affordable independent residences for seniors#**	**For #MIH sites# and #community facility uses# other than #long-term care facilities#**	**For #affordable independent residences for seniors# or #long-term care facilities#**
* * *					
E	2.0	2.0	2.0	2.2	2.2
F	2.0	2.0	3.0	3.6	3.9

* * *

135-24
Special Street Wall Location Regulations

The underlying #street wall# location provisions are modified by the provisions of this Section.

(a) Along Bay Street or Prospect Street

Along Bay Street or Prospect Street, and along #streets# within 50 feet of their intersection with Bay Street, the following #street wall# regulations shall apply:

* * *

135-25
Special Height and Setback Regulations

* * *

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS

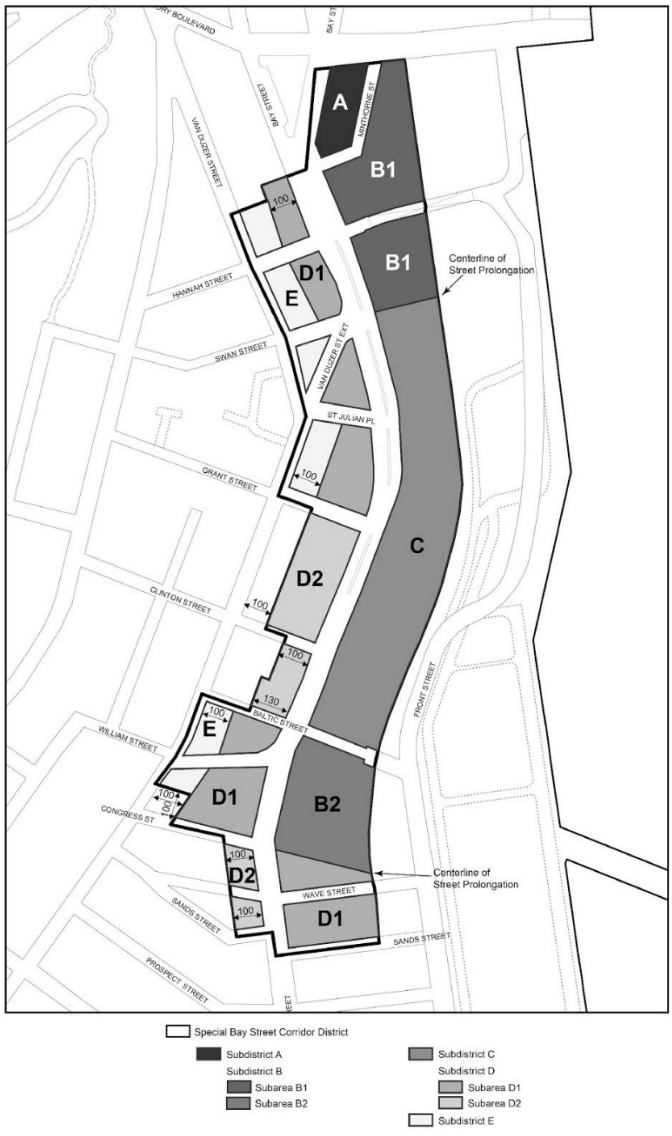
Subdistrict or Subarea, as applicable	**Minimum Base Height (in feet)**	**Maximum Base Height (in feet)**	**Maximum Transition Height (in feet)**	**Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)**	**Maximum Number of #Stories#**
* * *					
E	30	45	N/A	55	5
F	40	65	N/A	85	8

* * *

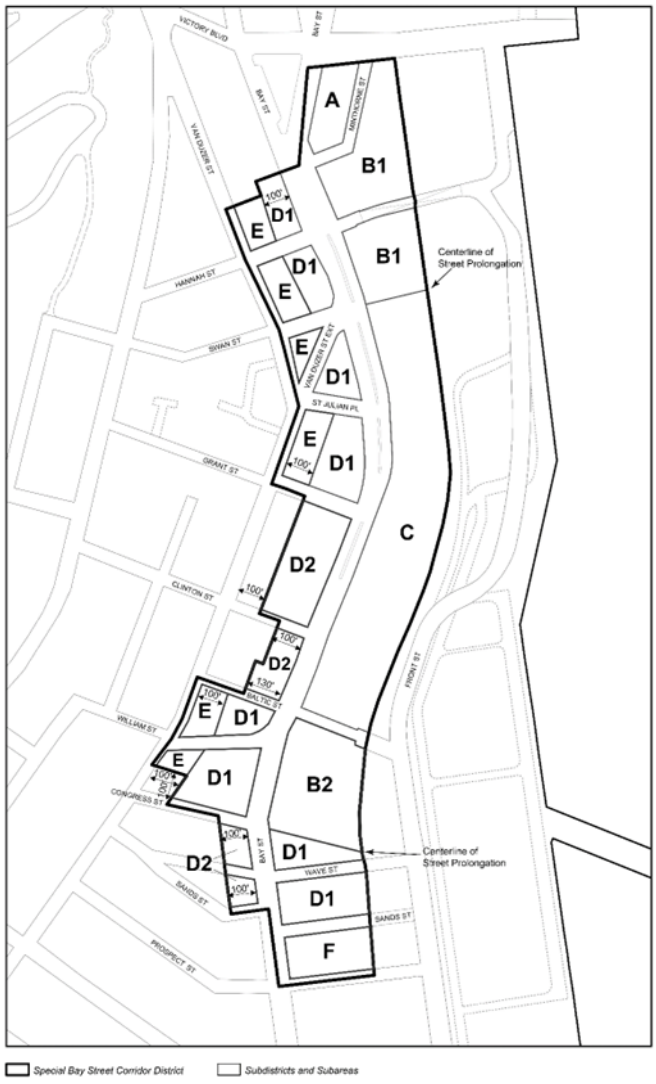
APPENDIX A
SPECIAL BAY STREET CORRIDOR DISTRICT

Map 1 – Special Bay Street Corridor District, Subdistricts and Subareas

[EXISTING MAP]

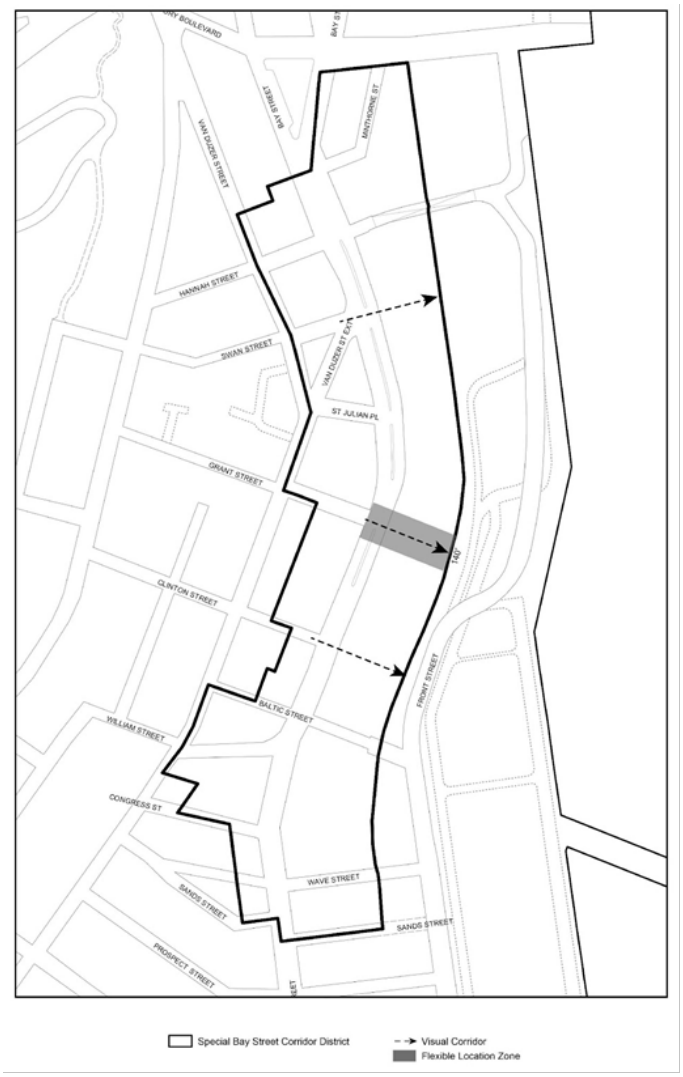


[PROPOSED MAP]

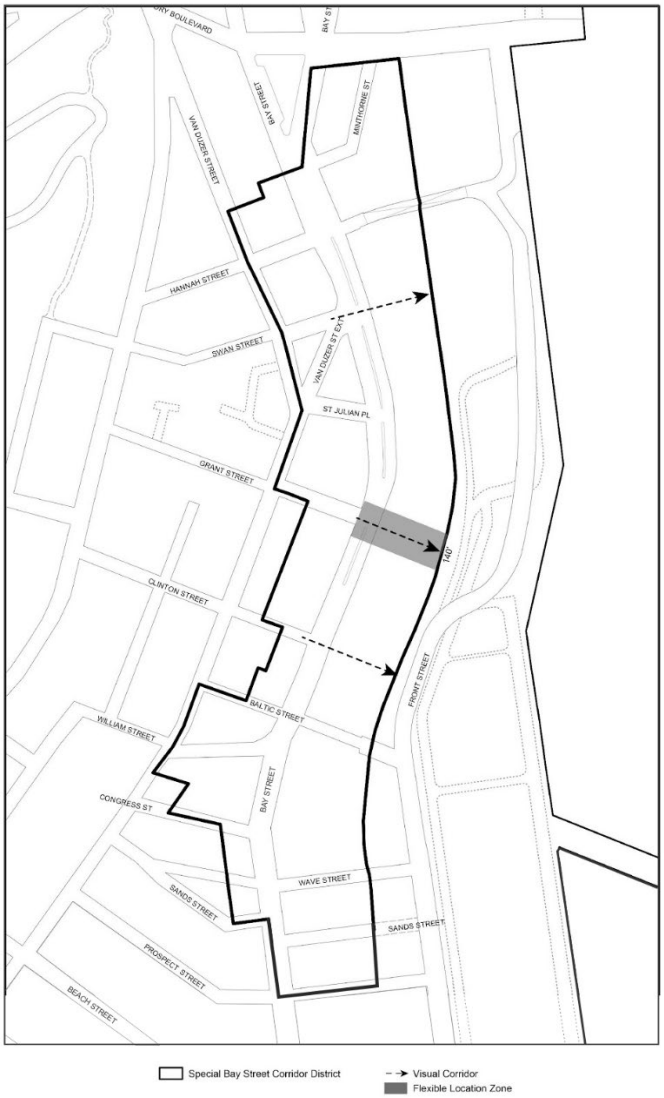


Map 2 – Location of visual corridors

[EXISTING MAP]



[PROPOSED MAP]



* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

STATEN ISLAND

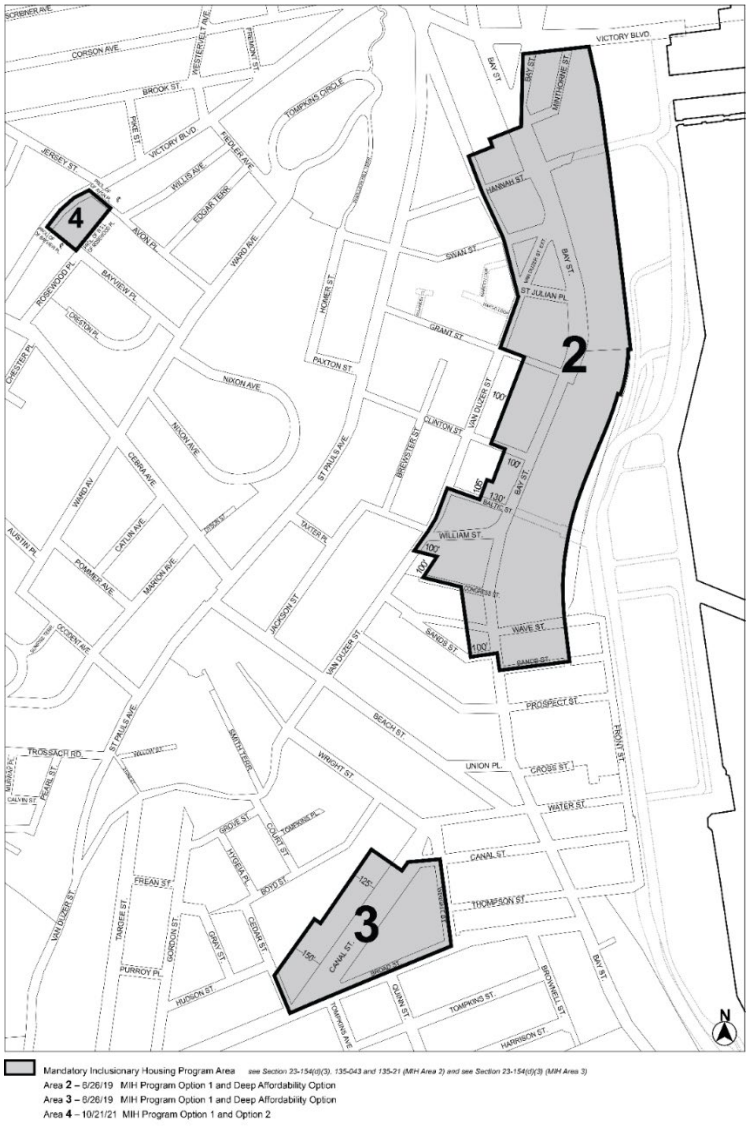
* * *

Staten Island Community District 1

* * *

Map 2 – [date of adoption]

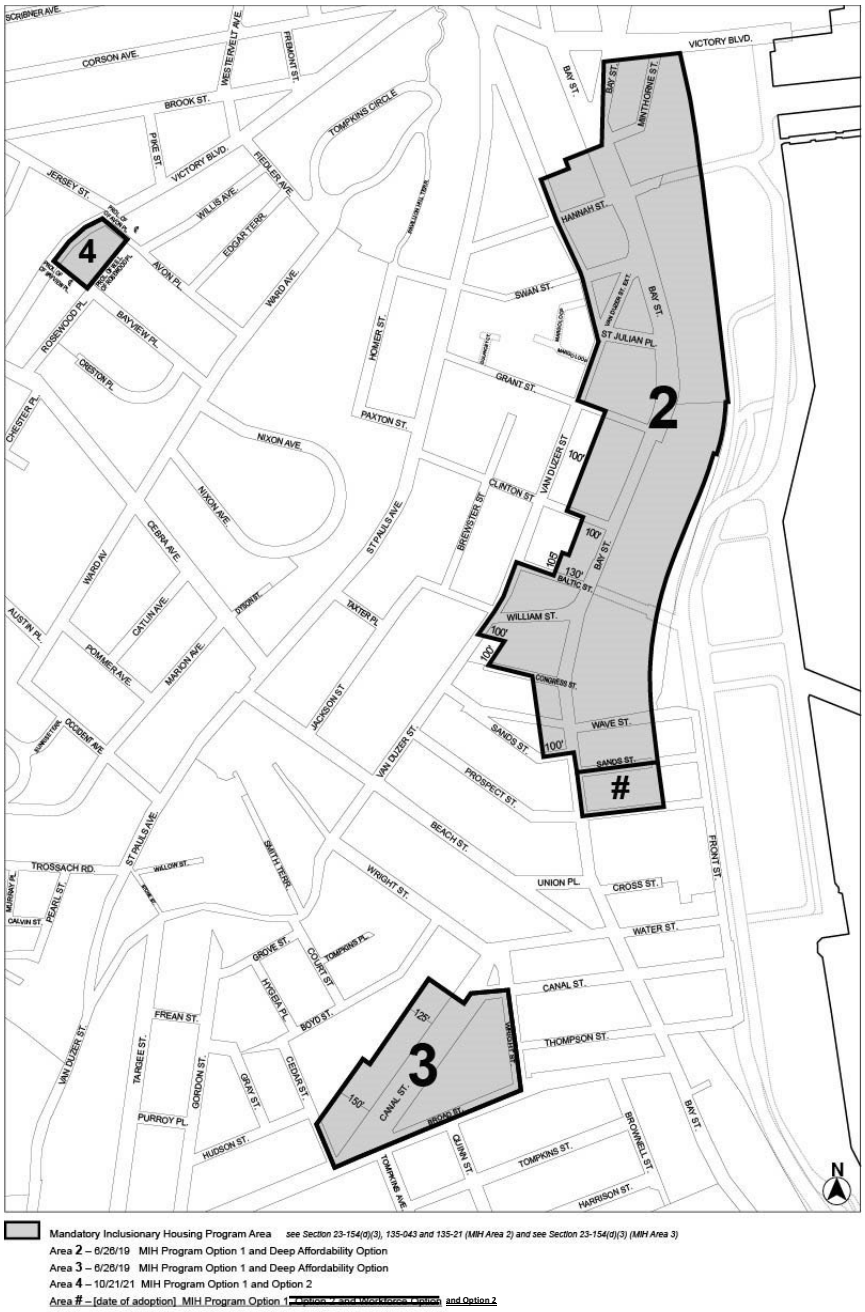
[EXISTING MAP]



[PROPOSED MAP]



[COUNCIL MODIFIED MAP]



Portion of Community District 1, Staten Island

* * *

Please feel free to contact me at WVidal@council.nyc.gov if you or your staff have any questions in this regard.

Sincerely,



…….
William Vidal,
Deputy General Counsel

WV:mcs

C: Members, City Planning Commission
Perris Straughter, Director, Land Use Division
Brian Paul, Deputy Director
Chelsea Kelley, Deputy Director
Arthur Huh, Deputy General Counsel
Gabriella Vallario, Project Manager
Susan Amron, Esq., DCP
James Harris, DCP
Danielle J. DeCerbo, DCP
File