Project Description (LR Item 3)
Project ID: 2021R086

125 Greaves Lane

November 2022

1. Introduction

125 Greaves Lane LLC (the "Applicant") seeks a series of actions to facilitate the conversion of a property located in the Great Kills area of Staten Island Community District 3. The Applicant seeks a zoning map amendment to facilitate the conversation of Block 4645, Lot 425 (the "Development Site") from a community facility to a commercial use, which is in the Special South Richmond Development District (SRD).

The proposed zoning map amendment would amend an existing R3-2 to R3-2/C2-1 (the "Proposed Action"). The Proposed Action would affect the Development Site, as well as Block 4640, Lot 56 (p/o); Block 4645, Lots 405 (p/o), 415 (p/o), 418 (p/o), 425 and 995 (p/o), which includes portions of a larger zoning lot (Evergreen Plaza Shopping Center) and adjacent areas (the "Rezoning Area").

The Proposed Action would facilitate the conversion of an existing community facility building on the Development Site to contain 21,900 square feet of commercial retail use (Use Group 6) on a 42,500 square-foot lot (0.51 FAR). With the use conversion from community facility to commercial use and changes of uses on the Development Site, the non-residential parking requirement on the zoning lot would be 723 spaces and would continue to comply with 735 spaces available.

2. Background

At the time the current Zoning Resolution was adopted in 1961, the area to the north and east of the Development Site (that is today the Evergreen Shopping Center) was mapped with a small grid of paper streets (accessed from Amboy Road) that were in an M1-1 district. The Development Site was located just outside that district to the west, in an R3-2 district. By May of 1975, the unbuilt streets in the M1-1 district had been removed from the City Map and in September 1975, the Special South Richmond District was adopted, including a rezoning of portions of the M1-1 district to R3-2/C2-1 In the maps and Commission report adopting the SRD(CP-22973) in 1975, the M1-

1 district adjacent to the Development Site that was rezoned to R3-2/C2-1 district, is identified as "Area F" and described as follows: "[A] 27 acre property in Great Kills north of the SI Rapid Transit and Amboy Road between Greaves Avenue and the Ocean View Cemetery. The tract is zoned M1-1, several acres of which are used for a private swim club and the remainder are vacant. The property owner intends to lease the vacant area to an indoor ice-skating rink developer. The site, buffered from residential development by a large stand of trees, is appropriate for commercial recreation facilities and the Commission recommends rezoning to R3-2 with a C2-1 overlay."

The indoor skating rink was never constructed, and instead residential developments were realized. The private swim club subsequently closed and in 1998 the CPC granted zoning certification and authorizations (N 960492 RCR and 780109 RAR) permitting development of a shopping center that eventually evolved into the current Evergreen Plaza Shopping Center. Most recently, a modification to that approval (N 960491[A] RAR) was granted by the CPC in 1999, which reflected a reconfigured parking lot and loading bay, the last discretionary approval affecting the Site. The uses present at the time of that approval generated a parking requirement of 828 spaces, with 831 proposed. That parking requirement of 828 spaces included a food store at the time, which generated a parking requirement of one space per 100 square feet of floor area, which was subsequently reduced based on adjusted the uses within the food store. The findings for the original approval, that continued to be met in 1999 including the size of the property being above 2 acres and that access/egress was concentrated from Amboy Road with 523 street trees and shrubs for screening the development.

The Development Site is adjacent the shopping center and was subsequently developed under the R3-2 district with a community facility use (medical office and daycare) in 2014, to complement the shopping center and that development remains until today. The food store upon construction was broken into multiple uses with the Department of Buildings (food store sales area, loading and accessory storage) that reduced the parking requirement of that store from 618 spaces to 428 spaces, thereby reducing the parking requirement. In addition, the community facility use at 125 Greaves was proposed as a mix of a school and community facility use, further reducing the parking requirement to 659 spaces with 735 available on the zoning lot. This provision of 735 spaces remains until this day.

In addition to the CPC approvals, the Board of Standards and Appeals (BSA) granted approvals for the Development Site and surrounding area. In 2000, a General City Law (GCL) approval was granted for the Development Site (80-00-A) to permit the construction if a building not fronting a mapped street. In terms of the surrounding area, the same GCL approval was granted for nearby Lots 418 and 410 (81-00-A & 82-00A), for the construction of an adjacent Pathmark grocery store.

The area immediately to the south of the Project Area was amended in 1996 as part of the Country Village of Great Kills Rezoning (950588 ZMR). This amended an area generally located between

Amboy Road and Hylan Boulevard, is bounded by Brown Avenue, Amboy Road, Fieldway Avenue, Keegans Lane, Durant Avenue, Great Kills Road, Hylan Boulevard, Cleveland Avenue, Monticello Terrace, Locust Place and Nelson Avenue. The area was amended from R3-1 and R3-2 zoning districts to an R3A zoning. The area was subsequently amended again in 2000 as part of the Eltingville-Great Kills Rezoning (000310 ZMR). This rezoning affected a larger 117-block area and amended an existing R3-2 district to R3A and R3-1 districts – for an area generally bounded by Amboy Road, Raritan Bay, Clarke Avenue and Preston Avenue. In 2004, the area to the southwest of the Project Area (immediately to the west of the Eltingville-Great Kills Rezoning) was amended as part of the Southern Great Kills Rezoning (040206 ZMR). That rezoning affected a 28-block area bound by Highland Road to the east, Cottage Avenue to the south, Nelson Avenue to the west, and Amboy Road to north, amending that area from R3A and R3-1 to R1-2 and R3X.

In addition to rezonings, several approvals were granted by the Board of Standards and Appeals (BSA) for the Development Site and surrounding area. In 2000, a General City Law (GCL) approval was granted for the Development Site (80-00-A) to permit the construction if a building not fronting a mapped street. In terms of the surrounding area, the same GCL approval was granted for nearby Lots 418 and 410 (81-00-A & 82-00A), for the construction of an adjacent Pathmark grocery store.

No other notable land use approvals have occurred in the surrounding area since the inception of the 1961 ZR.

3. Description of the Surrounding Area

The Project Area is situated to the north of Amboy Road near Greaves Avenue and directly north of the Staten Island Railway (SIR) in the Great Kills area of Staten Island Community District 3. The Project Area encompasses a majority of a commercial shopping center - Evergreen Plaza Shopping Center - which is a triangular-shaped multi-acre area. The area directly west of the Project Area is a townhouse-style residential development (Stern Court) developed in the late 1980s. To the north is Siedenburg Park. To the east is another residential area with semi-detached single-family homes. To the south is the SIR right-of-way (ROW). Across the SIR ROW is a gas station, after which the area is predominantly residential.

The Project Area and surrounding area are zoned R3-2 and R3-2/C2-1 and is also located in the Special South Richmond Development District. The R3-2 district permits Use Groups 1–4 at a maximum FAR of 0.50. The 0.5 floor area ratio (FAR) may be increased by an attic allowance of up to 20% for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. Lots with detached homes must be at least 40 feet wide; if occupied by semi-detached and attached buildings, lots must be at least 18 feet wide. The maximum street wall length for a building on a zoning lot is 125

feet. The maximum lot coverage of any residence is 35%. Front yards must be at least 15 feet deep. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. Where a C2-3 commercial overlay is present, up to 1.0 FAR of commercial use is permitted (Use Groups 5-9 & 14).

To the northwest of Greaves Avenue is an R2 zoning district. The R2 is a residential district that primarily permits single-family homes. The smaller lot area and lot width requirements in R2 districts allow a higher density than in R1 districts, although the maximum floor area ratio (FAR) of 0.5 is the same. The minimum lot width is 40 feet, compared to 60 and 100 feet in R1 districts. The maximum height of buildings is not fixed but is governed by a sky exposure plane. As in other lower-density residence districts, one off-street parking space is required for each dwelling unit.

To the south of Amboy Road is an R3X district. R3X districts allow for detached one-family and two-family homes (Use Groups 1 & 2) on lots with a minimum 35-foot width, as well as community facility uses (Use Groups 3 & 4). The maximum FAR in an R3X zoning district for both residential and community facility uses is 0.50, which may be increased by 20% through an attic allowance for the space located beneath a pitched roof, as well as an exemption of up to 500 square feet for two indoor parking spaces. The maximum perimeter wall and overall building heights are 26 and 35 feet, respectively. Two side yards totaling 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 and at least as deep as an adjacent front yard but need not exceed a depth of 20 feet.

To the southeast of Amboy Road are R3-1 and R3A districts. The R3-1 zoning district permits single and two-family detached and semi-detached housing at an FAR of 0.5 and provides an attic bonus of 20%, for a maximum residential FAR of 0.6. Maximum lot coverage of 35% is permitted, along with a 15-foot minimum front yard and 30-foot rear yard. The maximum permitted building height is 35 feet and one parking space is required per dwelling unit.

The R3A district permits one and two-family detached houses on lots with a minimum width of 25 feet and a maximum FAR of 0.5 with a 20% attic allowance. The R3A district requires 10-foot-deep front yards and must be as deep as an adjacent front yard but need not exceed a depth of 20 feet. Parking is in the side or rear yard, but an in-house garage is allowed if the lot is 35 feet or wider, provided the driveway is at least 18 feet deep. One off-street parking space is required for each dwelling unit.

The Special SRD District was established in 1975 to guide the development of the southern part of Staten Island and imposes strict rules manage growth and ensure that the provision of public infrastructure keeps pace with new development. The district mandates tree preservation and

planting requirements, controls change to topography, and establishes special building height and setback limits. To ensure that public school needs are addressed, the Chairperson of the CPC must certify that sufficient school capacity exists to accommodate a new residential development, except in a predominantly built-up area, before a building permit can be issued.

The surrounding area is located outside the Transit Zone and is also located in the Coastal Zone Boundary. The Project Area is also located outside a FRESH area.

Although the Rezoning Area is located outside the Transit Zone, it is immediately adjacent the Staten Island Railway. The closest stop is Bay Terrace, approximately a half-mile to the northeast at Justin Avenue and Railroad Avenue. The Great Kills stop is also located approximately a half-mile to the southwest at Giffords Lane and Amboy Road. The closest NYCT bus service is located near the Great Kills train station, with the S54 bus providing service along Giffords Lane between New Brighton and Eltingville.

4. Description of the Proposed Project Area

The Proposed Project Area includes the Development Site (discussed in greater detail below) which is part of a larger zoning lot that includes Block 4645, Lots 275, 405, 410, 415, 418 and 425. The parcel is zoned R3-2 with a portion in a C2-1 commercial overlay on the eastern end of the zoning lot. In addition, the affected area includes Block 4640, portions of Lot 56 and Block 4645, portions of Lot 995 that would be affected by the proposed zoning map amendment (the "Rezoning Area").

The larger zoning lot is broken into two segments with Block 4645, Lots 275, 405, 410, 415, 418 and 425 as Parcel 1 and Lot 275 as Parcel 2. Parcel 1 contains community facility and commercial uses, while Parcel 2 contains a residential development and small professional building. The total zoning lot contains 1,119,914 square feet of lot area with 335,891 square feet of that area for commercial development, 821,524 square feet for residential development and 42,500 square feet for community facility development. As approved in 2019, 94,983 square feet counts towards commercial development (0.28 FAR) and 386,000 square feet for residential use (0.469 FAR). Community facility uses were approved for 10,985 square feet (0.258 FAR). 735 non-residential parking spaces are provided on the zoning lot, where 659 spaces are required.

Block 4640, Lot 56 (no mapped address) consists of a railroad right-of way for the Staten Island Railway. Only a small portion of this lot is included in the Rezoning Area.

Block 4645, Lot 275 (no mapped address) is a vacant parcel with 46,400 square feet of lot area.

Block 4645, Lot 405 (no mapped address) is an L-shaped parcel with 87,000 square feet of lot area that consists of surface parking and access for the Evergreen Shopping Center. A western portion of the parcel would be affected, which is zoned R3-2.

Block 4645, Lot 410 (150 Greaves Lane) is a 52,481 square foot parcel improved with a 25,800 square foot strip mall containing several retail uses. This parcel is part of the larger zoning lot included in the Project Area but would not be affected by the Proposed Action.

Block 4645, Lot 415 (100 Greaves Lane) is a 90,650 square foot parcel improved with the largest building in Evergreen Shopping Center, the Super Fresh supermarket (formerly a Pathmark) built in 2001. It includes approximately 61,752 square feet of floor area. Only the portion of the parcel zoned R3-2 is included in the Project Area.

Block 4645, Lot 418 (145 Greaves Lane) is a 9,900 square foot lot that is improved with a commercial building containing an eating and drinking establishment in 3,200 square feet. Only the portion of the parcel zoned R3-2 is included in the Project Area.

Block 4645, Lot 425 (125 Greaves Lane) consists of the Development Site and is outlined in greater detail below.

Block 4645, Lot 995 (no mapped address) consists of a railroad right-of way for the Staten Island Railway. Only a small portion of this lot is included in the Rezoning Area.

As noted above, the Project Area is zoned R3-2 with a C2-1 commercial overlay located immediately to the east.

5. Description of the Proposed Development Site

The Development Site is limited to 125 Greaves Lane (Block 4645, Lot 425) which is a trapezoidal-shaped parcel with 42,500 square feet of lot area. It measures 362 feet (north–south) along its western lot line, and a maximum of approximately 200 feet along its southern lot line (which it shares with the Staten Island Railway's right-of-way). The parcel is improved with a 21,900 square foot one-story community facility building built in 2014 (0.47 FAR). The most recent Certificate of Occupancy indicates 42 off-street parking spaces are present on the Development Site. The building was most recently proposed as a mix of a school and other community facility.

6. Description of the Proposed Development

The Proposed Action would facilitate the conversion of the Development Site from community facility to commercial use, to complement the adjacent Evergreen Shopping Center. This would consist of 21,900 square feet on a 42,500 square-foot lot (0.51 FAR) as retail. With the use conversion from community facility to commercial retail use, the non-residential parking requirement on the zoning lot would be increase from 659 to 723 spaces where 735 spaces are proposed. The tree plantings and access from Amboy Road would continue to remain as approved in 1998.

7. Actions Necessary to Facilitate the Project

The Proposed Actions consist of a zoning map amendment from R3-2 to R3-2/C2-1 for a portion of a shopping center that is currently zoned only R3-2. This would encompass the Rezoning Area, which is a triangular area measured 300 feet east of Greaves Avenue and to the north of the Staten Island Railway transit right-of-way. This would include a portion of a larger zoning lot that is predominantly commercial (Evergreen Plaza Shopping Center) as well as adjacent areas for a comprehensive zoning map proposal that extends to the Staten Island Railway right-of-way to the south.

The proposed R3-2/C2-1 district would permit commercial use in a longstanding predominantly commercial area, with the Development Site being part of a larger shopping center. The Proposed Action would recognize commercial use for the entirety of the shopping center and enable the Development Site to occupy Use Groups 6-9 & 14, consistent with the remainder of the Project Area. In addition, the flexibility of the proposed mixed-use district would aid in preventing extended vacancies on the Development Site, thereby improving the viability the predominantly non-residential immediate area and provide services to surrounding residential developments.

The larger zoning lot includes 735 non-residential spaces based on the presence of commercial and community facility uses. In total, the requirement would be increased from 659 to 723 spaces where 735 spaces would be allocated. As such, the zoning lot would continue to comply with the latest CPC approvals affecting the Project Area. The existing community facility use on the development site requires one parking space per 400 square feet and no requirement for a school, which would be increase to one space per 150 square feet for all the floor area. Despite this increase, the 735 spaces present on the zoning lot would satisfy this requirement.

As approved in 1998, the findings for ZR 107-02 (*Certification of Compliance with the South Richmond Special District*) indicated that the property is more than 2-acres, and that vehicular access/egress is concentrated from Amboy Road with FDNY access only from Greaves Avenue.

In addition, buffering and landscaping was provided on the site plan with 523 trees and street trees for screening. These conditions remain as approved in 1998 and again in 1999 - and would continue to meet the findings of the original approvals from 1998 and 1999.

Regarding the findings for ZR107-68 (*Parking for more than 30 cars*) vehicular access and egress was to be provided solely via Amboy Road a designated arterial pursuant to ZR 107-25. As noted above, this condition remains, and the Proposed Action would continue to meet the findings.

8. Conclusion

The Proposed Action would fully recognize the predominantly commercial nature of the Project Area by mapping a new commercial overlay. This new commercial overlay would facilitate the legal conversation of a community facility use to commercial use, in an already predominantly developed as a shopping center. As such, the Proposed Action is appropriate for this area and would not result in any new inconsistent uses and would continue to be consistent with the scale and character of the immediate area. Last, the Proposed Action would provide needed flexibility on the Development Site to maintain an active use, thereby promoting the vitality and vibrancy of the immediate area.