

FOR THE RECORD



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THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NEW YORK 10007

STEVEN MATTEO
Minority Leader

September 5, 2017

The Hon. Donovan Richards
Chair
Subcommittee on Zoning and Franchises
New York City Council
250 Broadway, 17th Floor
New York, NY 10007

Re: East Shore Coastal Risk District - 2017373 ZMR

Dear Chair Richards:

I am writing to let you know that I support the above-referenced land use application, which pertains to certain sections of my Councilmanic District.

As you well know, the area designated as the Staten Island East Shore Coastal Risk District was devastated by Hurricane Sandy. The storm's unprecedented tidal surge was responsible for the deaths of 24 residents, the destruction of thousands of homes and billions of dollars of damage to public assets and infrastructure in these neighborhoods.

The storm's lasting legacy on Staten Island, however, may be that it has not only radically altered the natural and man-made landscape of our coastal communities, it has also changed our thinking about living and building in these communities.

To many residents of these communities, who had become accustomed to frequent flooding and hardened against the risks that come with living near the water, Sandy was the tipping point. They wanted out. Governor Cuomo's Enhanced Buyout program was a response to overwhelming demand by these residents, and covered some of the communities hardest hit by Sandy: Graham Beach, Oakwood Beach and Ocean Breeze. Thousands of residents from other communities also requested buyouts, and some were incorporated into the city's acquisition for redevelopment program.

(continued)

However, the buyout program was voluntary, and some owners decided to stay. As a result, a few homes and private lots remain in these neighborhoods, where most of the houses have been razed and “returned to nature.” It is incumbent upon us to make sure that any development in these areas is restricted and limited so as to not encroach on these environmentally sensitive wetlands nor put other residents at further risk.

The East Shore Coastal Risk District will help accomplish that. It will restrict zoning in a way that is appropriate to the current context and ensure that new development on the remaining private lots undergoes a full discretionary review process with public input. No new construction or substantial renovation would be allowed without approval from the New York City Planning Commission. Special districts have been incredibly helpful to development in Staten Island in sensitive areas. The Hillside and Special Natural Area Districts are a case in point.

Additionally, the new zoning will reduce the commercial overlay to the properties fronting Father Capodanno Boulevard, thus limiting unwanted construction in the area and the potential deleterious effect it could have. The change from C1-1 to C1-3 for those same lots would, at the same time, accommodate the existing businesses, many of which are unable to meet the parking requirements for the existing zoning.

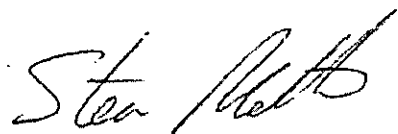
Both Hurricane Sandy and now Hurricane Harvey have served as a tragic reminders of the consequences of poor urban planning in the face of increasing risks of flooding and other natural disaster. While there is no perfect solution to meet this challenge, I believe this zoning proposal strikes the right balance between prudent governmental oversight and individual property rights.

I thank the New York City Department of City Planning for their work on this project as well as the many community stakeholders who were enlisted in its development.

I respectfully request that you and our colleagues on the Committee on Land Use and the Subcommittee on Zoning and Franchises support this application. Please feel free to reach out to me directly at smatteo@council.nyc.gov or have the appropriate member of your staff contact my office with any questions or concerns.

Thank you for your time and consideration.

Very truly yours,



Steven Matteo
Minority Leader, 50th District

CC: The Hon. David Greenfield, Committee on Land Use, NYC Council

SM/dmc

EAST SHORE BUYOUT AREAS SPECIAL COASTAL RISK DISTRICT AND REZONING

(170373 ZMR, 170374 ZRR)

City Council Subcommittee on Zoning and Franchises
September 5, 2017



- 1. The East Shore Resilient Neighborhoods Study**
- 2. East Shore New York State Buyout Areas - Overview**
- 3. Proposed East Shore Buyout Areas Special District and Rezoning**
 - Proposal Goals & Required Actions
 - Zoning Text Amendment
 - Special Coastal Risk District – East Shore Subdistrict
 - Zoning Map Amendment
 - Proposed C1-3 Overlay (from C1-1)

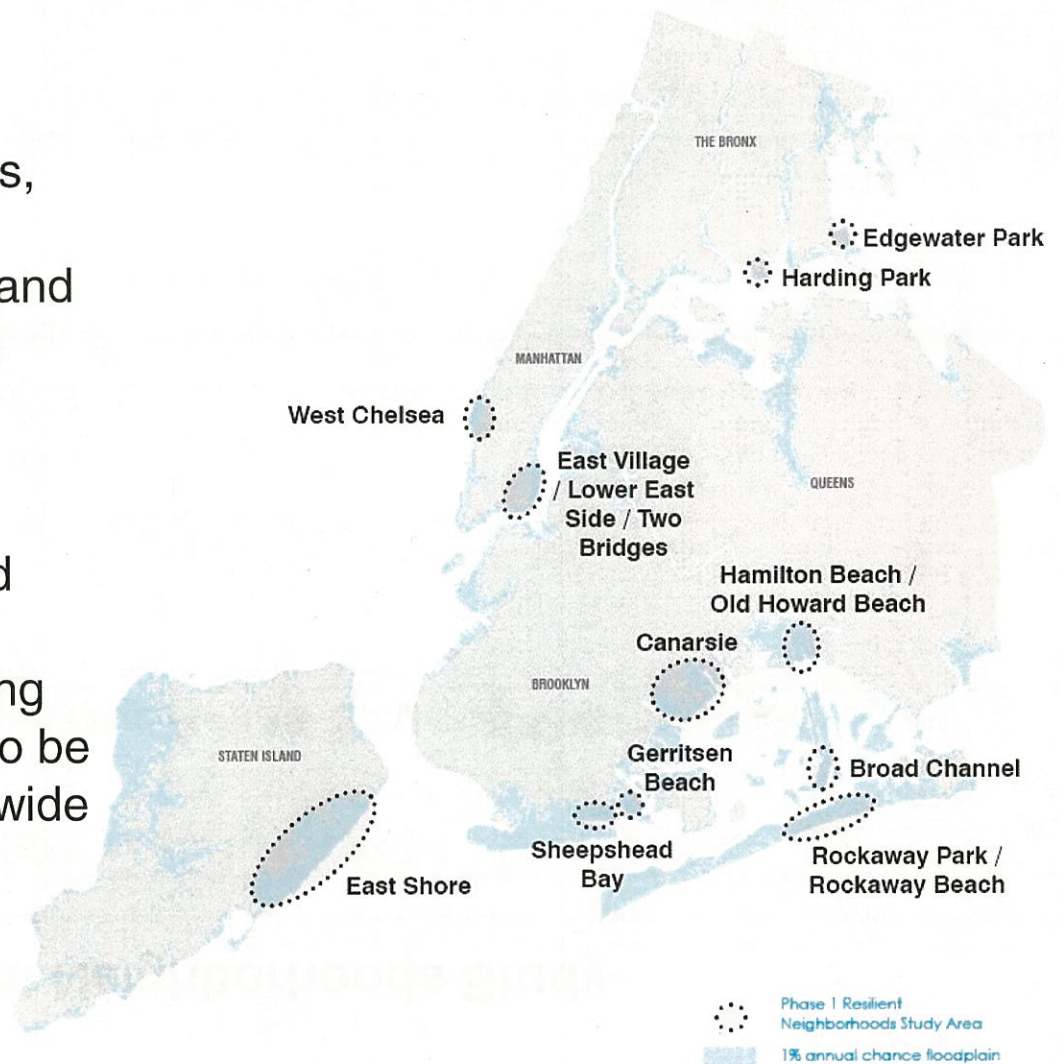


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Resilient Neighborhoods

Neighborhood Studies:

- Planning initiative to identify neighborhood-specific strategies, including zoning and land use changes, to support the vitality and resiliency of communities in the floodplain and prepare them for future storms.
- Recommendations were formed through extensive community outreach and include local zoning changes, and zoning changes to be incorporated into the future citywide text.



Resilient Neighborhoods Study



**Community
Advisory
Committee**



**Business
Community**



**Interagency
Coordination**



**Borough
President's Sandy
Task Force**



The **Resilient Neighborhoods East Shore Report** was released on April 14th 2017

The study's key recommendations include:

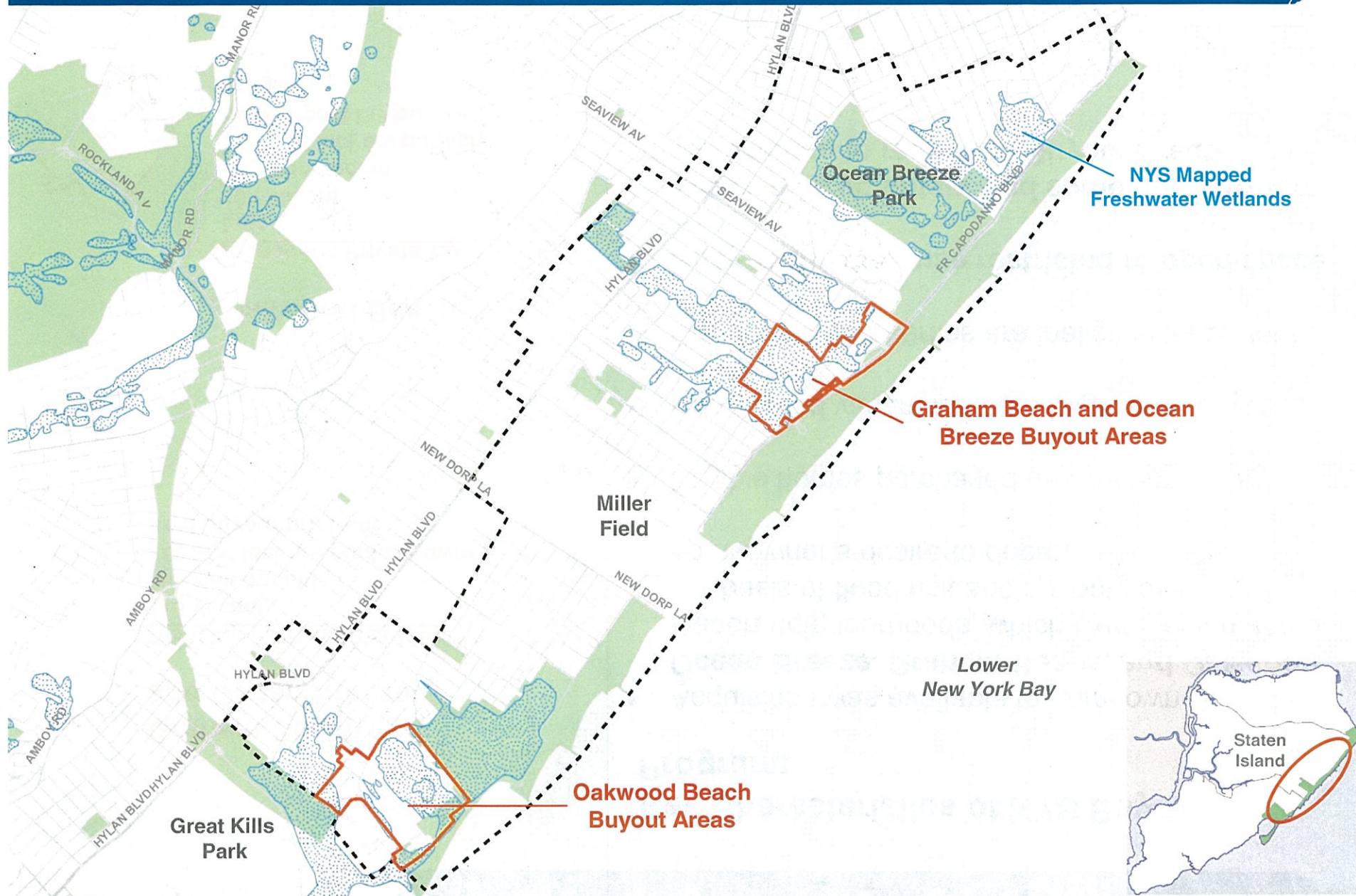
- Working to reduce flood risk by supporting the U.S. Army Corp's Line of Protection
- Advancing resilient building by creating a new zoning envelope for detached and semi-detached homes in the floodplain and reducing zoned density in New Dorp Beach
- Strengthening key waterfront destinations by exploring rezoning options for Midland Avenue and Sand Lane to encourage attractive mixed-use development
- Preserving ecologically sensitive natural environments and open spaces by limiting density and ensuring review of development near wetlands and in other hazardous areas

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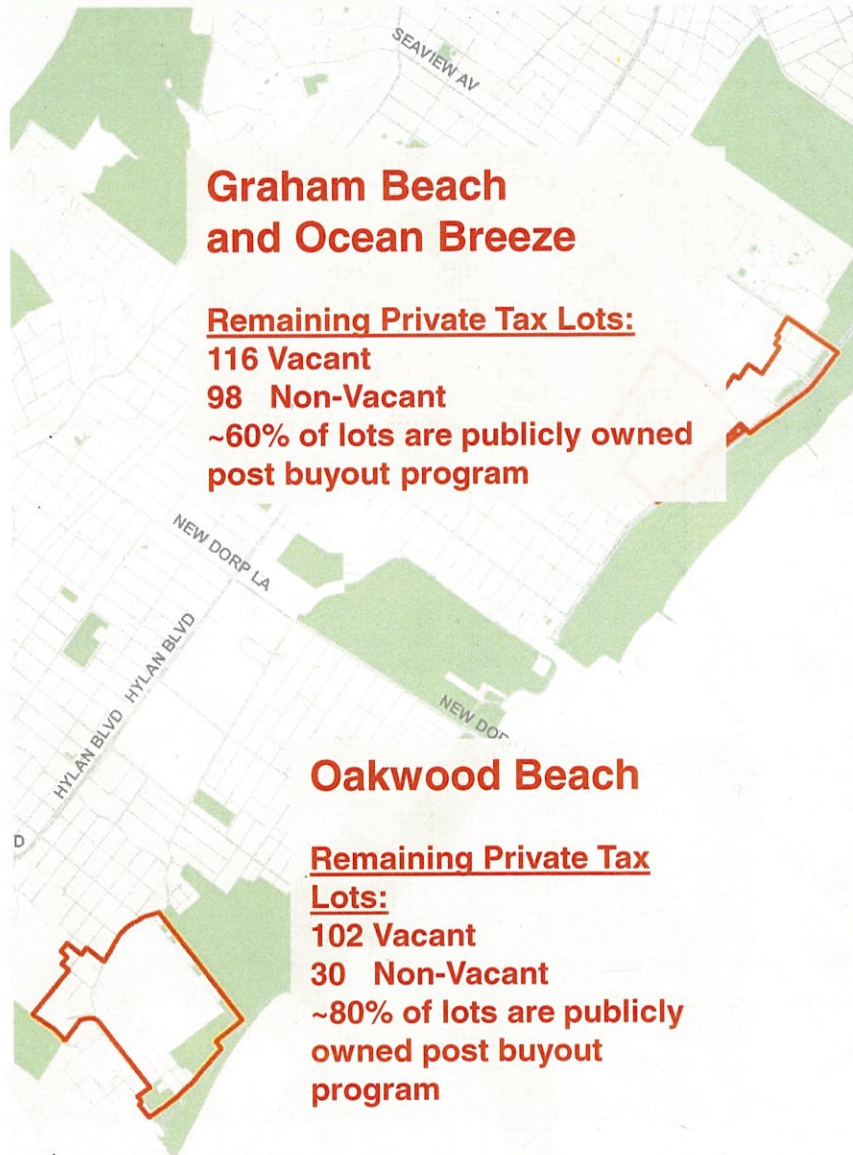
Area Context



Area Context



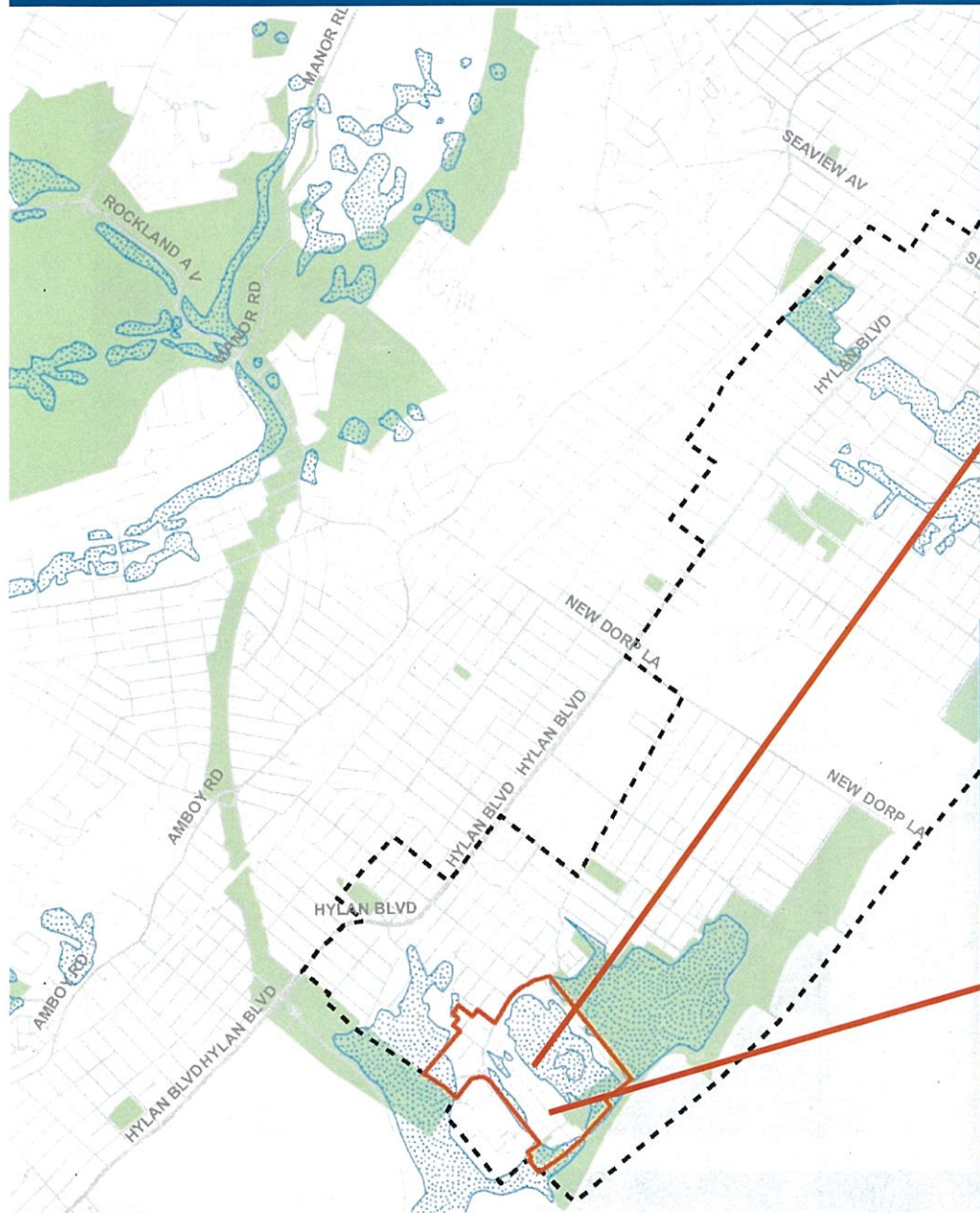
Project Background



Key Characteristics of NYS Buyout Program:

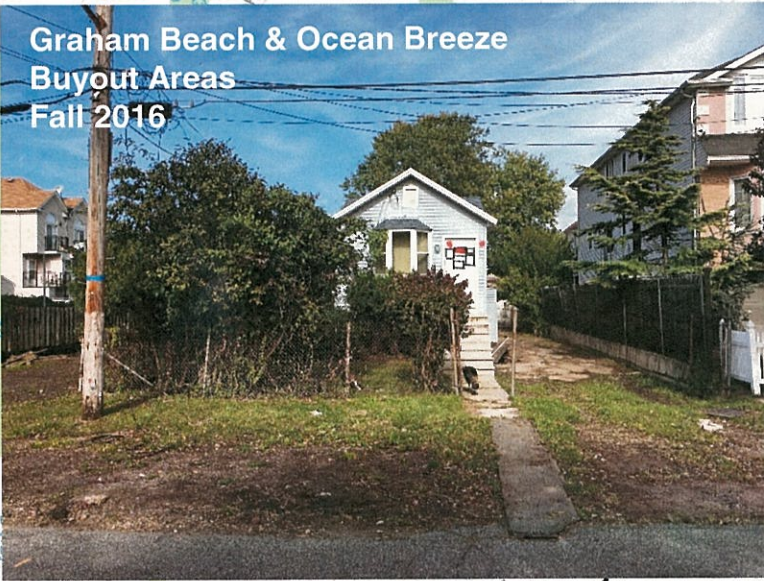
- Acquisition was available to homeowners in the **Ocean Breeze, Graham Beach, and Oakwood Beach** neighborhoods, which were designated on the basis of flood risk and majority of homeowner's desire to depart.
- Eligible homes purchased at pre-storm value
- Homes and vacant land are eligible for buyout
- Commercial properties are ineligible for buyout
- **Post-acquisition use restricted to open space**
- **Program is voluntary and some homeowners will choose to remain in Buyout Areas**

Project Background



Project Background

Graham Beach & Ocean Breeze
Buyout Areas
Fall 2016

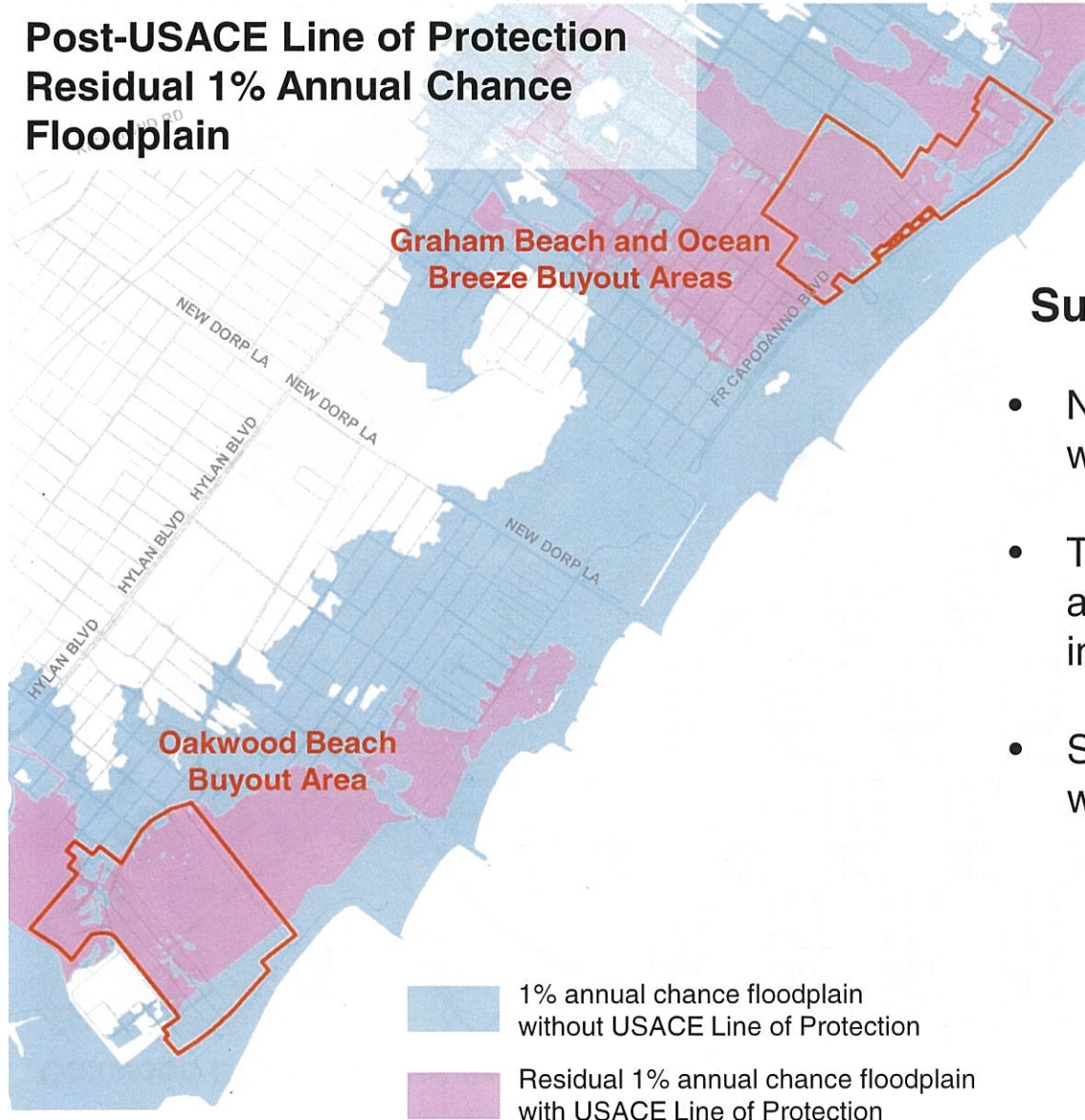


Graham Beach & Ocean Breeze
Buyout Areas
Spring 2014



Project Background

Post-USACE Line of Protection Residual 1% Annual Chance Floodplain

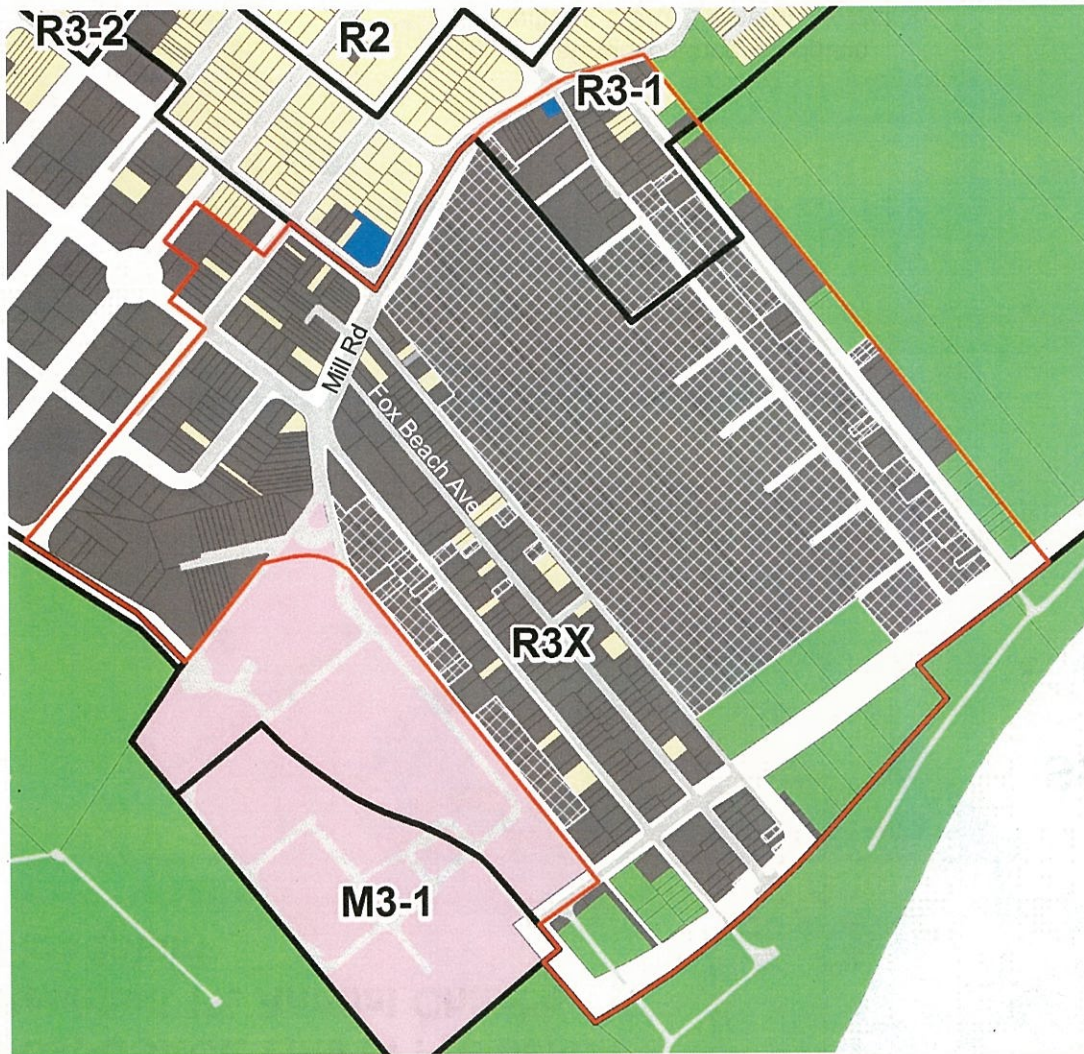


Summary of Issues:

- Natural hazards, including flooding and wild fires, are risks to public safety
- The function of planned DEP Bluebelts and existing freshwater wetlands may be impaired by continued development
- State Buyout Program is voluntary and will not reach 100% participation

Existing Zoning and Land Use

Oakwood Beach Buyout Area






R3X

- Allows single- and two-family detached residences, 0.6 max FAR, 35' max building height

R3-1

- Allows one- and two-family detached and semi-detached residences allowed, 0.6 max FAR, 35' max building height

-  Privately-owned Vacant Lot
-  Vacant Lot
-  Oakwood Beach Buyout Area

Existing Zoning and Land Use

Graham Beach & Ocean Breeze Buyout Areas



R3-2

- Allows all residential building types, 0.6 max FAR, 35' max building height

R3-1

- Allows one- and two-family detached and semi-detached residences, 0.6 max FAR, 35' max building height

C1-1 Overlay

- Max commercial FAR is 1.0 when mapped in R3-2
- Permits local commercial uses
- Parking requirements vary by use - one off-street space is required per 150 sq. ft. of commercial floor area for general retail or service uses



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Proposal Goals and Actions

Proposal Goals

- Align local zoning regulations with NYS's long-term vision for the Buyout Areas as open space
- Reduce risk to public safety by limiting future residential development in areas highly vulnerable to flooding and other natural hazards, while ensuring preservation of ecologically sensitive areas
- In commercial areas in Graham Beach, align commercial zoning with existing uses and building character, while providing relief from high parking requirements that may inhibit rebuilding after future floods.

Required ULURP CPC Actions

Text Amendment

- Approval by the CPC is required for a text amendment to apply a new East Shore Subdistrict of the Special Coastal Risk District to parts of the Oakwood Beach, Graham Beach, and Ocean Breeze neighborhoods

Zoning Map Change

- Approval by the CPC is required for a zoning map change to reduce an existing C1-1 commercial overlay in the Graham Beach neighborhood and re-establish it as a C1-3 commercial overlay

Special Coastal Risk District – East Shore Subdistrict



The proposed zoning strategy would establish the East Shore Subdistrict in the Zoning Resolution as part of the Special Coastal Risk District.

The East Shore Subdistrict would limit all new residential development to single-family detached residences to limit future residential density in the buyout areas.

To ensure sufficient review of new development, the Subdistrict would create a new CPC authorization for all new development and horizontal enlargements.

In addition, community facilities with sleeping or overnight accommodations would be prohibited. LDGMA limitations on certain community facility uses will be applied consistently across R3X, R3-1, and R3-2 districts such that the strictest limitations always apply.

*Sandy-damaged buildings would be allowed to be rebuilt as-of-right and elevations and other minor repairs to existing buildings may be made as-of-right.

Special Coastal Risk District – East Shore Subdistrict



To authorize construction of one new development, the CPC would find that:

- The proposed development minimizes potential impacts on natural drainage, open spaces, and wetland areas. The CPC may modify bulk rule (except FAR) to allow for additional buffering from wetlands.
- The proposed development would be located on an improved street serving other existing residences
- The proposed development minimizes risks to public safety from natural hazards, including flooding and wild fires

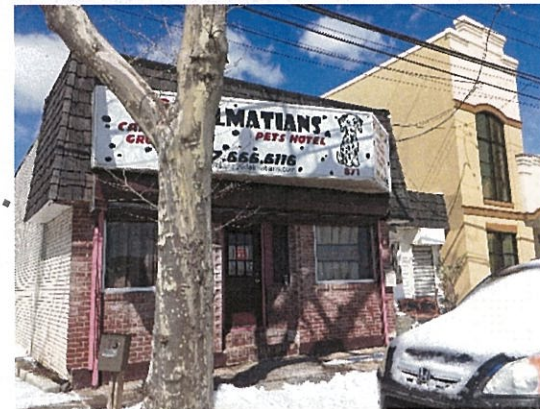
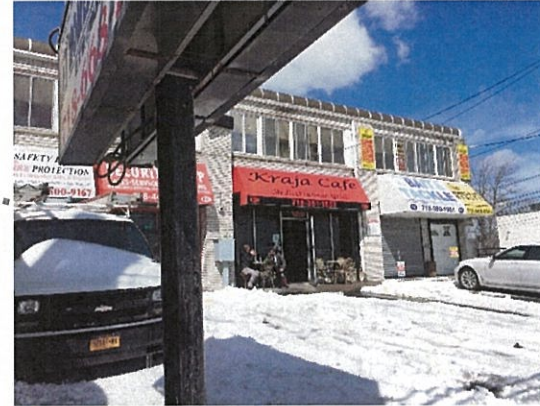
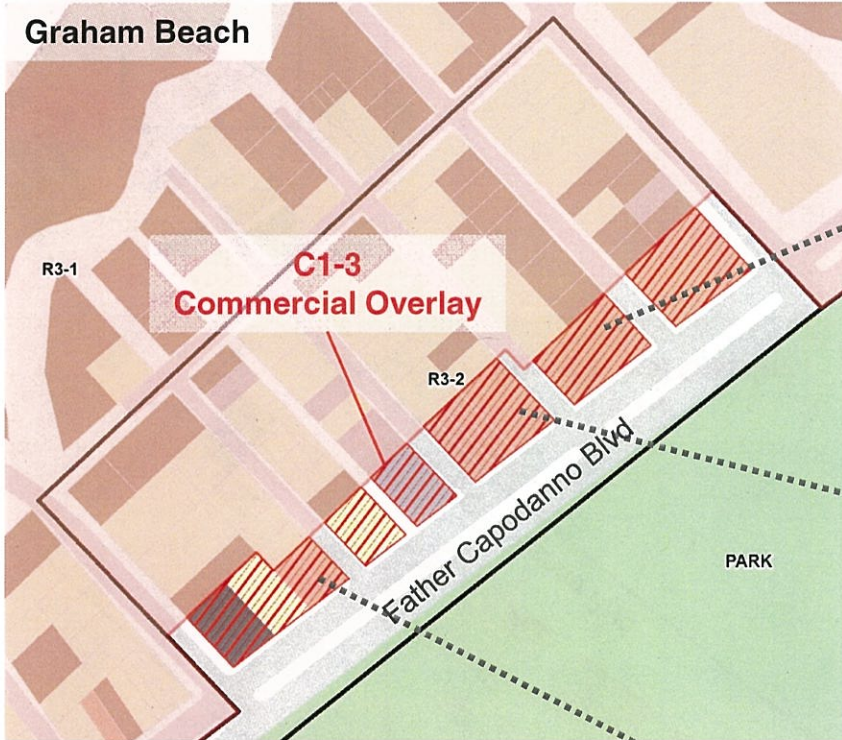
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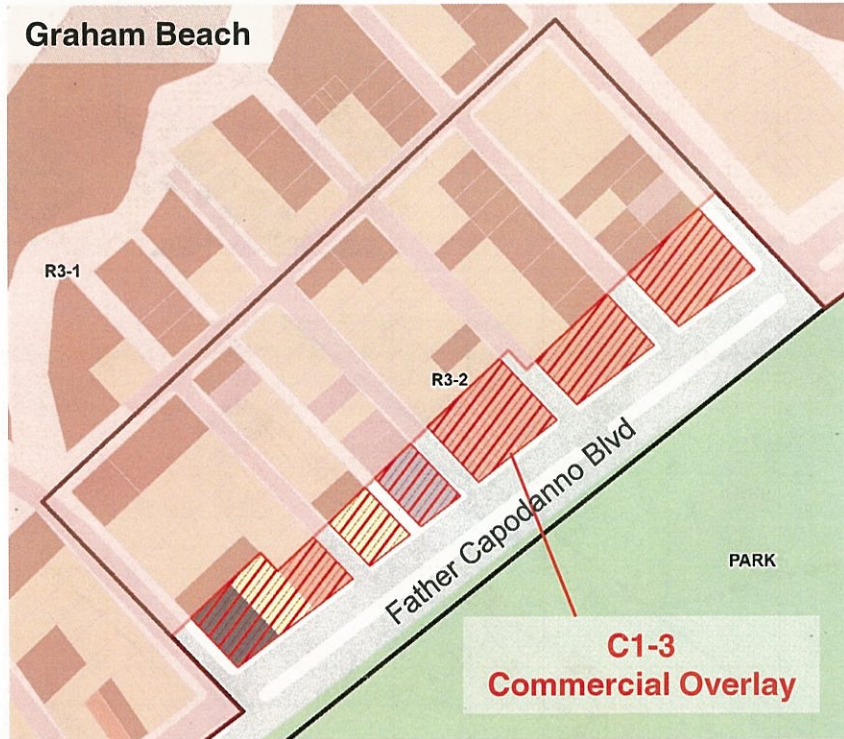
To authorize construction of more than one new development on a zoning lot, the CPC would find that:

- The maximum number of developments on the zoning lot is calculated based on a minimum of 9,500 sq. ft. of lot area per building, excluding delineated wetland area.
- The CPC could allow modifications to bulk regulations (except FAR) to allow developments to be sited in a manner that would achieve a superior site plan that preserves wetlands, minimizes the need for new infrastructure, and is consistent with the character of the surrounding area.

Proposed C1-3 Overlay – Existing Businesses



Proposed C1-3 Overlay



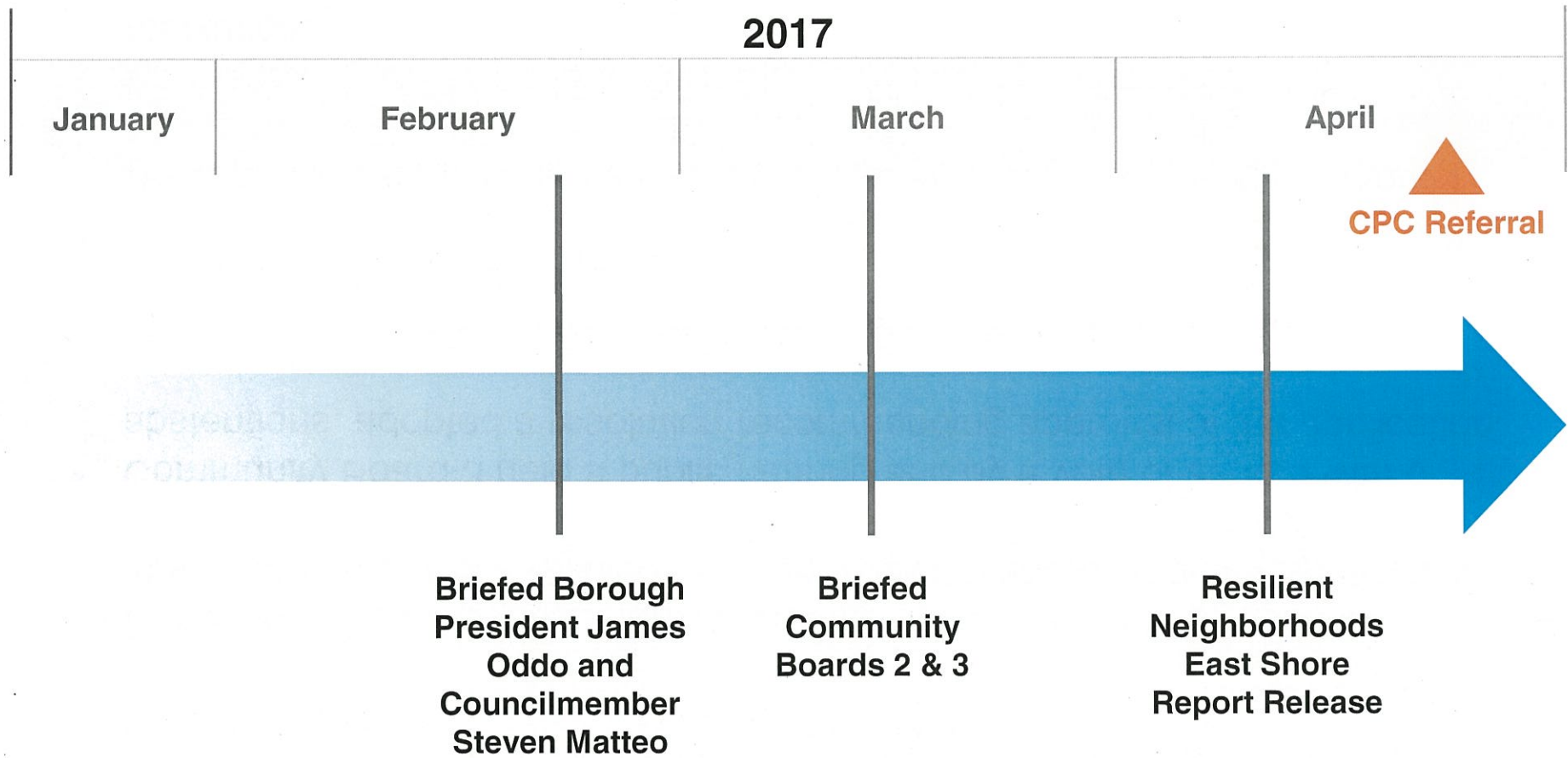
A rezoning of the commercial area in Graham Beach from C1-1 to C1-3 is proposed to match existing commercial uses and development patterns.

C1-1 generally require one space per 100 sq ft of commercial floor area;
C1-3 generally require one space per 400 sq ft of commercial floor area

C1-1 and C1-3 permit the same range of commercial uses to serve local shopping needs and have the same maximum 1.0 FAR for commercial uses



Pre-ULURP Outreach



ULURP Timeline



- The East Shore Buyout Areas Special District and Rezoning was certified by the City Planning Commission on April 24, 2017.
- Community Board 2 held a public hearing and by a vote of 17 to 11 with 1 abstention, adopted a resolution recommending approval of the application.
- Community Board 3 held a public hearing and by a vote of 27 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.
- The Staten Island Borough Board adopted a resolution recommending approval of the application.
- Borough President issued a recommendation to approve the application.
- On August 9, 2017, the City Planning Commission voted to adopt the resolution.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/5/17

(PLEASE PRINT)

Name: Michael Marmella

Address: _____

I represent: PCP

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 744745 Res. No. _____

in favor in opposition

Date: 9/5/17

(PLEASE PRINT)

Name: Trevor Johnson

Address: Planner

I represent: Dept of City Planning

Address: 120 Broadway NY, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 744+745 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Leon Garcia-Duran

Address: SI Borough Director 120 Bway,

I represent: Dept of City Planning

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 744+745 Res. No. _____
 in favor in opposition

Date: 9/5/17

(PLEASE PRINT)

Name: Aleena Fanshtg

Address: Planner 120 Bway, NY, NY

I represent: Dept of City Planning

Address: _____

Please complete this card and return to the 744+745 Sergeant-at-Arms