



## **CITY PLANNING COMMISSION**

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July 14, 2004/Calendar No. 27

C 020441 MMQ

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**IN THE MATTER OF** an application, submitted by the New York City Department of Transportation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of Andrews Avenue between 58<sup>th</sup> Street and 60<sup>th</sup> Road;
- the elimination of 58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street and the discontinuance and closing of a portion thereof;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 5, Borough of Queens, in accordance with Map No. 4964 dated December 16, 2003 and signed by the Borough President.

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The application (C 020441 MMQ) for an amendment to the City Map was filed by the Department of Transportation (DOT) on March 8, 2002 pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code. It involves: the establishment of Andrews Avenue between 58<sup>th</sup> Street and 60<sup>th</sup> Road; the elimination of 58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street and the discontinuance and closing of a portion thereof; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto.

### **BACKGROUND**

The applicant proposes the establishment of a portion of Andrews Avenue between 58<sup>th</sup> Street and 60<sup>th</sup> Road in order to facilitate the reconstruction of the Andrews Avenue Bridge over the Long Island Railroad (LIRR) under DOT contract No. HBQC050 (BIN 2-24753-0). The applicant also requests the elimination of portions of 58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street and the discontinuance and closing of a portion thereof.

58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street is mapped 50 feet wide and is unimproved. The portion of 58<sup>th</sup> Street east of Andrews Avenue, which is currently being used as the Metropolitan Oval Soccer Field, is city-owned. The western portion of 58<sup>th</sup> Street, which is occupied by a lumber company, is privately-owned. The current uses of the soccer field and the lumber yard will remain.

Andrews Avenue is mapped 50 feet wide and terminates in a dead end at the LIRR. There is

no continuous mapped connection between 58<sup>th</sup> Street and 59<sup>th</sup> Place, north of the LIRR right-of-way however, there is an existing bridge located outside the mapped street system that physically connects the two mapped dead end streets.

The existing bridge is privately owned, open to two way traffic and in use by the general public. For public safety reasons, the bridge is maintained by DOT. The owner appears to have abandoned the bridge, which according to DOT records was constructed in 1937. The bridge is in poor condition and will be demolished and entirely replaced, with new structural steel members, abutments, wing walls and bridge approaches. The new bridge will be under NYC DOT ownership.

The existing bridge has a 21.5 foot roadway width and spans over the LIRR, Montauk Division in the Maspeth section of Queens. Immediately to the west and adjacent to the bridge is a railroad warehouse facility. The warehouse facility will remain in place adjacent to the proposed bridge structure and a gap of approximately six inches will be maintained between the two structures. The proposed bridge right-of-way will be mapped to the full 50 foot street width; however, the actual bridge structure will have a total width of only 40 feet consisting of: a 24 foot wide roadway, 8 foot (west) and 8 foot (east) sidewalks with parapet walls and a protective screening fence with railing.

The proposed site lies within M1-1 and R4 zoning districts and is bounded by 56<sup>th</sup> Street, 60<sup>th</sup> Street, 60<sup>th</sup> Road, 59<sup>th</sup> Place and Arnold Avenue. The immediate area is developed with industrial and residential uses. At the north bridge approach are a warehouse and a trucking facility.

The bridge construction will necessitate the modification of legal grades. The grades will be raised to as much as four feet above existing grade. Abutting properties in the area of the proposed grade change will not be adversely affected. The proposal also involves the realignment of the intersection of 59<sup>th</sup> Place and 60<sup>th</sup> Road in order to correct a “dog-leg”. A portion of what is now 59<sup>th</sup> Place is being renamed Andrews Avenue.

The bridge reconstruction work began in the Spring of 2004 and will be completed by January 2005. During construction, the bridge will be completely closed and traffic rerouted.

An interagency mapping conference was held on October 10, 2002. No city agency had any objection to this proposal.

## **ENVIRONMENTAL REVIEW**

This application (C 020441 MMQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the

New York Code of Rules and Regulations, Section 617.00 *et seq.*, and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 02DOT006Q. The lead agency is the Department of Transportation.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on April 26, 2002.

### **UNIFORM LAND USE REVIEW**

This application (C 020441 MMQ) was certified as complete by the City Planning Commission on February 23, 2004 and was duly referred to Community Board 5 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **COMMUNITY BOARD PUBLIC HEARING**

Community Board 5 held a public hearing on this application (C 020441 MMQ) on April 14, 2004, and on that date, by a vote of 40 to 0 with 0 abstentions, adopted a resolution recommending partial approval with the following conditions:

“... opposed the elimination of 58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street . The board opposed the demapping of this portion of 58<sup>th</sup> Street, because they want reasonable assurance that , if there are any future plans for development of what is now 58<sup>th</sup> Street, there would be much more chance of public input and CB5Q input into any development if 58<sup>th</sup> Street was not eliminated on the City Map.”

### **BOROUGH PRESIDENT’S RECOMMENDATION**

The Borough President did not submit a recommendation on this application (C 020441 MMQ).

### **CITY PLANNING COMMISSION PUBLIC HEARING**

On May 26, 2004 (Calendar No. 8) the City Planning Commission scheduled June 9, 2004 for a hearing on this application (C 020441 MMQ). The hearing was duly held on June 9, 2004 (Calendar No. 11).

There was one speaker in favor and none in opposition to the application. A representative of the Department of Transportation explained the application.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The City Planning Commission believes that the changes to the City Map are appropriate.

The existing bridge physically connects Andrews Avenue with 59<sup>th</sup> Place and 60<sup>th</sup> Road but does not exist on the City Map thereby creating dead end streets at both ends of the bridge. The existing bridge is in poor condition, has a narrow and uneven roadway, has no sidewalk and uncertain ownership. It will be demolished and rebuilt with two traffic lanes and sidewalks on both sides of the street, creating a safe vehicular and pedestrian connection over the LIRR. The proposed bridge will be in DOT ownership assuring its maintenance and upkeep. The new bridge will connect the dead end streets establishing a continuous street system on the City Map.

Community Board 5 opposed the elimination of 58<sup>th</sup> Street between Arnold Avenue and 60<sup>th</sup> Street. The City does not deem it necessary to keep this street on the City Map since it is not built and the bed of the street has been used for different purposes. 58<sup>th</sup> Street between Andrews Avenue and Arnold Avenue is privately owned and it is used as a lumber yard. Thus, by eliminating this portion of the street, the titles of the abutting and underlying properties are cleared.

58<sup>th</sup> Street between Andrews Avenue and 60<sup>th</sup> Street is City-owned. Currently, the Metropolitan Oval Foundation uses this portion of the street as part of the soccer field without a lease from the City. The properties abutting this portion of the street proposed to be eliminated from the City Map are owned by the Metropolitan Oval Foundation.

## **RESOLUTION**

Therefore, the City Planning Commission, deeming the proposed amendment to the City Map and any related acquisition or disposition to be appropriate, adopts the following resolution:

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 199 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application (C 020441 MMQ) for an amendment to the City Map involving the establishment of Andrews Avenue between 58<sup>th</sup> Street and 60<sup>th</sup> Road; the elimination of 58<sup>th</sup> Street

between Arnold Avenue and 60<sup>th</sup> Street and the discontinuance and closing a portion thereof; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto, in Community District 5, Borough of Queens, in accordance with Map No. 4964 dated December 16, 2003 and signed by the Borough President, is approved.

**RESOLVED** that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City; and be it further

**RESOLVED** that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map No. 4964 dated December 16, 2003, providing for the discontinuance and closing of 58<sup>TH</sup> Street between Andrews Avenue and 60<sup>th</sup> Street, more particularly described as follows:

**Beginning** at a point on the proposed westerly terminus line of 58<sup>th</sup> Street, said point being distant 100.08 feet westerly from the corner formed by the intersection of the southerly line of 58<sup>th</sup> Street and the westerly line of 60<sup>th</sup> Street, as said streets are shown on Alteration Map No. 4964 dated December 16, 2003;

- a. Running thence westerly along the former southerly line of 58<sup>th</sup> Street, discontinued and closed, for 99.78 feet;
- b. Thence running northwesterly along the former southwesterly line of 58<sup>th</sup> Street, discontinued and closed, forming an interior angle of 133 degrees 12 minutes 41.5 seconds with the last mentioned course, for 415.80 feet to the easterly line of Andrews Avenue;
- c. Thence running northerly along the easterly line of Andrews Avenue, forming an interior angle of 90 degrees with the last mentioned course, for 50.00 feet to the former northeasterly line of 58<sup>th</sup> Street, discontinued and closed;
- d. Thence running southeasterly along the former northeasterly line of 58<sup>th</sup> Street, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 394.17 feet to a point, discontinued and closed;
- e. Thence running easterly along the former northerly line of 58<sup>th</sup> Street, discontinued and closed, forming an interior angle of 226 degrees 47 minutes 18.5 seconds with the last mentioned

- course, for 78.14 feet to the proposed westerly terminus line of 58<sup>th</sup> Street;
- f. Thence running southerly along the proposed westerly terminus line of 58<sup>th</sup> Street, forming an interior angle of 90 degrees with the last mentioned course, for 50.00 feet to the point or place of **Beginning**.

All such approvals being subject to the following condition:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 4964 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code.
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

The above resolution, duly adopted by the City Planning Commission on July 14, 2004 (Calendar No. 27), is filed with the Office of the Speaker, City Council and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, AICP, Chair**  
**KENNETH J. KNUCKLES, Esq. Vice Chair**

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.**  
**ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY**  
**ALEXANDER GARVIN, JANE D. GOL**  
**CHRISTOPHER KUI, JOHN MEROLO**  
**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**