



CITY PLANNING COMMISSION

April 27, 2005/Calendar No. 25

C 050217 PPQ

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of thirty-six (36) city-owned properties, pursuant to zoning, Borough of Queens, Community District 10.

The application for the disposition of city-owned property was filed by the Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES) on December 10, 2004.

BACKGROUND

The Department of Citywide Administrative Services (DCAS) intends to dispose of thirty-six (36) City-owned properties pursuant to zoning in Queens, Community District 10. These properties were acquired by the City through the In Rem process.

All thirty-six properties are located in Hamilton Beach, Queens, just west of JFK International Airport and east of Hawtree Basin. Hamilton Beach is characterized by single-family detached homes on narrow lots and a large number of waterfront properties along Jamaica Bay, Hawtree Basin, and Flinn Canal.

Of the thirty-six (36) properties in the DCAS application, 29 are partially located in the bed of mapped, but unbuilt streets. In an application filed by the Department of City Planning and Queens Borough President's Office on November 24, 2004 (C 050191 MMQ), these mapped, but unbuilt streets are proposed to be eliminated, discontinued and closed. Those City-owned parcels located entirely within the bed of eliminated, discontinued and closed streets, as well as the portions of City-owned parcels located partially within the bed of eliminated, discontinued and closed streets would be approved for disposition with the mapping action. This DCAS application seeks disposition approval for the portions of the City-owned lots that are not located in the bed of the proposed eliminated, discontinued and closed streets. The remaining seven properties in this disposition application are not affected by the proposed map change, but they are located within the area. Disposition approval of all lots in this application gives the City flexibility to dispose

of surplus property in the same Queens community.

Summary of Parcels

All of the thirty-six (36) properties are vacant and zoned R3-1. The parcels range in size from 219 to 8,800 square feet. On several blocks, DCAS intends to assemble adjacent properties. The following is a detailed description of each of the properties. Parcels that DCAS intends to assemble are grouped together.

Block 14231, Lots 87 and 90 are two vacant lots located on Rau Court west of unimproved 102nd Street. Lot 87 measures 70 feet by 72 feet (5,040 sq. ft.) and Lot 90 is 25 feet by 73 feet (1,825 sq. ft.). Both lots are partially in the bed of the mapped right-of-way of 163rd Avenue. DCAS intends to assemble these two lots, which would result in a total area of 6,865 sq. ft.

Block 14231, Lot 93 is a vacant lot measuring 3 feet by 73 feet (219 sq. ft.), located in the bed of 102nd Street north of Rau Court.

Block 14231, Lot 1356 is a vacant lot measuring 3.5 feet by 80 feet (280 sq. ft.), located in the bed of 102nd Street south of Rau Court.

Block 14239, Lots 1178, 1180 and 1182 are three vacant lots located on 104th Street south of First Street. All three lots measure 40 feet by 80 feet (3,200 sq. ft. each). DCAS intends to assemble the three lots, which would result in a total area of 9,600 sq. ft. The three lots are partially in the bed of the mapped right-of-way of 104th Street.

Block 14240, Lot 103 is a vacant lot measuring 110 feet by 80 feet (8,800 sq. ft.), located on Rau Court west of 104th Street. The lot is partially in the bed of the mapped right-of-way of 163rd Avenue.

Block 14240, Lot 113 is a vacant lot measuring 60 feet by 80 feet (4,800 sq. ft.), located on Rau Court west of 104th Street. The lot is partially in the bed of the mapped right-of-way of 163rd Avenue.

Block 14240, Lots 114, 115, and 117, Block 14246, Lots 1145 and 1146 are five vacant lots located on 104th Street between Rau Court and Davenport Court. Lots 114, 117 and 1145 each measure 20 feet by 80 feet (1,600 sq. ft. each), Lot 115 is 40 feet by 80 feet (3,200 sq. ft.), and Lot 1146 is 60 feet by 80 feet (4,800 sq. ft.). DCAS intends to assemble these five lots, along with a lot (Block 14240, Lot 118) that will be available for disposition upon the approval of ULURP # C 050191 MMQ, which would result in a total lot area of 14,400 sq. ft. All lots are currently used by the West Hamilton Beach Fire Department and Ambulance Service for parking. Lots 115, 117, 118, 1145 and 1146 are partially in the bed of the mapped right-of-way of 104th Street, and Lot 114 is not in the bed of a mapped street.

Block 14240, Lot 1332 is a vacant lot measuring 40 feet by 80 feet (3,200 sq. ft.), located at the northwest corner of Rau Court and 104th Street. The lot is partially in the bed of a mapped right-of-way of 104th Street.

Block 14243, Lot 1116 is a vacant lot measuring 167 feet by 32 feet (5,344 sq. ft.), located on Davenport Court at its intersection with unimproved 102nd Street. The lot is partially in the bed of the mapped right-of-way of 102nd Street. Portions of the lot are currently used as unimproved 102nd Street connecting Davenport Court and Rau Court while the remainder of the lot is either covered in vegetation or used for parking. The lot also provides access to the footbridge over Hawtree Basin to Howard Beach.

Block 14245, Lots 1366 and 1368 are two vacant lots located on 163rd Drive east of Hawtree Basin. Each lot measures 30 feet by 80 feet (2,400 sq. ft.). DCAS intends to assemble the two lots, which would result in a total area of 4,800 sq. ft.

Block 14246, Lot 1189 is a vacant lot measuring 40 feet by 80 feet (3,200 sq. ft.), located on Davenport

Court west of 104th Street.

Block 14248, Lot 1385 is a vacant lot measuring 50 feet by 80 feet (4,000 sq. ft.), located on 163rd Drive at its intersection with unimproved 102nd Street. The lot is partially in the bed of the mapped right-of-way of 102nd Street.

Block 14248, Lots 1405 and 1407 are two vacant lots located at the southwest corner of 104th Street and 163rd Drive. Both lots measure 40 feet by 80 feet (3,200 sq. ft.). DCAS intends to assemble the two lots, which would result in a total area of 6,400 sq. ft. Both lots are partially in the bed of the mapped right-of-way of 104th Street.

Block 14248, Lot 1411 is a vacant lot measuring 40 feet by 80 feet (3,200 sq. ft.), located at the northwest corner of 164th Avenue and 104th Street. The lot is partially in the bed of the mapped right-of-way of 104th Street.

Block 14248, Lot 1415 is a vacant lot measuring 40 feet by 80 feet (3,200 sq. ft.), located on 164th Avenue west of 104th Street. This property is not located in the bed of a mapped street.

Block 14251, Lot 1666 is a vacant lot measuring 20 feet by 80 feet (1,600 sq. ft.), located on 164th Road west of unimproved 102nd Street. The Board of Estimate previously disapproved the disposition of this property in 1977.

Block 14252, Lot 1733 is a vacant lot measuring 20 feet by 80 feet (1,600 sq. ft.), located on Moncrief Court in the bed of the mapped but unbuilt 102nd Street.

Block 14253, Lot 1492 is a vacant lot measuring 14 feet by 80 feet (1,120 sq. ft.), located on 164th Avenue just east of its intersection with unimproved 102nd Street. DCAS intends to assemble this lot with

the City-owned Lot 1488, which was previously approved for disposition (C 940396 PPQ). Lot 1488 measures 78 feet by 80 feet (6,240 sq. ft.). The total area of the assembled parcels would be 7,360 sq. ft.

Block 14253, Lots 1512, 1513, and 1514 are three vacant lots located on 104th Street south of 164th Avenue. Lots 1512 and 1513 each measure 20 feet by 80 feet (1,600 sq. ft. each) and Lot 1514 is 40 feet by 80 feet (3,200 sq. ft.). DCAS intends to assemble these three lots, which would result in a total lot area of 6,400 sq. ft. All three lots are partially in the bed of the mapped right-of-way of 104th Street.

Block 14254, Lots 1639, 1640 and Lot 2037 are three vacant lots located at the southwest corner of 164th Road and 104th Street. Lots 1639 and 1640 each measure 20 feet by 80 feet (1,600 sq. ft. each) and Lot 2037 is 20 feet by 80 feet (1,600 sq. ft.). DCAS intends to assemble these three lots with a previously ULURP approved lot (Block 14254, Lot 1638) which would result in a total area of 6400 sq. ft. All four lots are partially in the bed of the mapped right-of-way of 104th Street.

Block 14255, Lot 1691 is a vacant lot measuring 20 feet by 80 feet (1,600 sq. ft.), located on Lockwood Court west of 104th Street. The lot is not located in the bed of a mapped street.

Block 14255, Lots 1707 and 1709 are two vacant lots located at the southwest corner of 164th Drive and 104th Street. Lot 1709, the corner lot, measures 40 feet by 57 feet (2,280 sq. ft.) and Lot 1707 is an irregularly shaped 40 feet by 80 feet (2,800 sq. ft.) lot. DCAS intends to assemble these two lots, which would result in a total area of 5,080 sq. ft. Both lots are partially in the bed of the mapped right-of-way of 104th Street. The Board of Estimate previously disapproved the disposition of these properties in 1977.

ENVIRONMENTAL REVIEW

This application (C 050217 PPQ) 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. This application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 050217 PPQ) was certified as complete by the Department of City Planning on December 20, 2004, and was duly referred to Community Board 10 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 10 held a public hearing on this application on February 2, 2005, and on February 2, 2005, by a vote of 29 to 0 with 0 abstentions, adopted a resolution recommending approval of the application subject to the following conditions:

1. The two turnarounds as depicted on the map be maintained as discussed with DCAS at the Public Meeting, held on February 3, 2005.
2. Property currently occupied by the West Hamilton Beach Fire Department which will be eligible for sale, be sold only to a Hamilton Beach community based not-for-profit organization.
3. DCAS identifies what would be regarded as ~~Asliver@~~ parcels which will become eligible for sale and work to insure that current lessees have an opportunity to purchase such parcels.
4. That all ~~AOpinion of Dedication Letters@~~ from the ~~ACity of New York Law Department@~~ issued in 1993 and presently on file with the Queens Borough President's Office Topographical Bureau for all courts, roads, drives, streets and avenues as presently existing in Hamilton Beach area which will not be mapped be recognized and made part of this action.

All ~~AOpinion of Dedication Letters@~~ do state that all courts, streets, etc. had been dedicated to public use as public streets in accordance with Sub-Division 2 of Section 36 of the General City Law for their existing widths in current use.

It is further requested that The Queens Building commissioner and the Queens Office of the Department of Buildings be notified of this action and the existence of all ~~AOpinion of Dedication Letters@~~ for all courts, streets, etc. in the Hamilton

Beach community.

Borough President Recommendation

This application (C 050217 PPQ) was considered by the Borough President, who issued a recommendation approving the application with conditions on April 19, 2005.

1. The West Hamilton Beach Fire Department and Ambulance Service which operates from 102-33 Davenport Court should be given an opportunity to purchase the following parcels that adjoin their site: Block 14240, Lot 114; Block 14240, Lot 115; Block 14240, Lot 117; Block 14240, Lot 118; Block 14246, Lot 1145; and Block 14246, Lot 1146;
2. The following leased parcels should be offered first to the adjacent homeowners before going to public auction: Block 14240, Lot 103; Block 14246, Lot 1189; Block 14253, Lot 1492; and Block 14254, Lot 1640;
3. Approximately 20' widths on the following parcels (between Rau & Davenport Courts) should be withheld from disposition to maintain access for emergency and sanitation vehicles: Block 14231, Lot 87; Block 14243, Lot 1116;
4. Approximately 20' widths on the following parcels (163rd Drive at James Court) should be withheld from disposition to maintain access for emergency and sanitation vehicles: Block 14242, Lots 1366 and 1368. A cul-de-sac should be located south of McKee Court under the jurisdiction of New York City Department of Transportation. This would help provide necessary traffic control in the community.

City Planning Commission Public Hearing

On March 16, 2005 (Calendar No. 20), the City Planning Commission scheduled March 30, 2005, for a public hearing on this application (C 050217 PPQ). The hearing was duly held on March 30, 2005 (Calendar No. 34). There were two speakers in favor of the application.

A member of the Hamilton Beach Civic Association asked the Commission to consider the conditions listed by Community Board 10 when making their recommendation.

A representative from DCAS spoke in favor and agreed to contact the Department of Housing Preservation and Development regarding the possibility of HPD's utilizing the properties for affordable housing. The DCAS representative said he will reach out to HPD and give the Commission HPD's response. There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of these city-owned properties is appropriate. All of the thirty-six (36) properties are vacant, in an R3-1 zoning district, and range in size from 219 to 8,800 square feet. Most of the smaller properties, though not developable themselves, are being offered in assemblages that create developable parcels. The remaining undevelopable parcels that are not being offered as part of an assemblage are located next to other vacant privately-owned parcels, and therefore have the potential to be assembled. Twenty-nine (29) of the properties are partially in the bed of mapped streets that are unimproved in the Hamilton Beach community.

The Commission understands the concern of Community Board 10's regarding the sale of properties currently in common use as turnarounds. The Commission notes it is difficult to maneuver a vehicle on the narrow streets of Hamilton Beach, especially when trying to turn around on one of the many dead-end streets. Therefore, the Commission is requiring that, for the first turnaround location, DCAS reserves sufficient space of each lot (Block 14231, Lot 87 and Block 14243, Lot 1116) for a connection from Rau Court to Davenport Court and only those parts of the parcels not required for the connection are approved for disposition. In the second turnaround location (Block 14245, Lots 1366 and 1368), the Commission is requiring that DCAS retain the James Court street frontage and sufficient depth of both lots in order to preserve the vehicular turnaround, and only those parts of the parcels not required for the turnarounds are approved for disposition.

The Commission also understands the community board's concern regarding the sale of properties currently used by the West Hamilton Beach Volunteer Fire Department. The Commission notes that the Hamilton

Beach area can be difficult to service by City fire department equipment due to its narrow streets and that the Hamilton Beach community relies on its volunteer fire department for enhanced protection. Therefore, the Commission is requiring that the five lots surrounding the volunteer fire department (Block 14240, Lots 114, 115 and 117 and Block 14246, Lots 1145 and 1146) be subject to a restriction that they be offered at first attempt as a Public Service Establishment, Use Group 6D, of the Zoning Resolution. If unsuccessful, disposition would be pursuant to zoning.

The Commission acknowledges the community board's recommendations to offer adjacent property owners the first opportunity to buy parcels that are undevelopable due to size, configuration, or other reasons, or that they currently lease. However, almost all of the properties included in this application (C 050217 PPQ) are developable. Those that are too small to be developed are being offered as part of an assemblage of parcels or could potentially be assembled because they are adjacent to other privately-owned vacant parcels that are not part of this application. For this reason, none of the properties included in this application are appropriate for restriction to accessory, extension or enlargement uses.

The Commission acknowledges the request of the community board that the Department of Buildings be reminded of the Corporation Counsel Opinions on the unmapped streets in the Hamilton Beach area, and the Department of City Planning will submit copies of the CCOs to the Department of Buildings.

In regard to the request by the Commission to DCAS that HPD be contacted as to the disposing of the lots, both DCAS and Department of City Planning staff reached out to HPD and received a response from HPD on April 18, 2005. HPD stated they have no objection to DCAS continuing to process these lots for disposition. HPD also stated that the low density zoning of the area, the lack of infrastructure and the wetland conditions found in the area would make these properties difficult for them to develop.

RESOLUTION

RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that the disposition of thirty-six (36) city-owned properties, pursuant to zoning, Borough of Queens, Community District 10, proposed in an application by the Department of Citywide Administrative Services, dated December 10, 2004, is approved with the following conditions:

1. that DCAS reserves sufficient space of each lot (Block 14231, Lot 87 and Block 14243, Lot 1116) for a connection from Rau Court to Davenport Court and only those parts of the parcels not required for the connection are approved for disposition;
2. that DCAS retain the James Court street frontage and sufficient depth of both lots (Block 14245, Lots 1366 and 1368) in order to preserve the vehicular turnaround, and only those parts of the parcels not required for the turnarounds are approved for disposition; and
3. the five lots surrounding the volunteer fire department (Block 14240, Lots 114, 115 and 117 and Block 14246, Lots 1145 and 1146) be subject to a restriction that it be offered at first attempt as a Public Service Establishment, Use Group 6D, of the Zoning Resolution. If unsuccessful, disposition would be pursuant to zoning

The above resolution (C 050217 PPQ), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No.25), 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 Chairman

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