



CITY PLANNING COMMISSION

September 3, 2014 Calendar No. 3

C 010610 MMK

IN THE MATTER OF an application, submitted by the Department of Transportation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the modification of legal grades in the intersection of Empire Boulevard, Flatbush Avenue and Ocean Avenue; and
- the delineation of a bridge easement;

in Community District 9, Borough of Brooklyn, in accordance with Map No. X-2635 dated February 23, 2011, and signed by the Borough President.

The application (C 010610 MMK) for an amendment to the City Map was filed by the Department of Transportation on April 26, 2001 in order to facilitate the reconstruction of a bridge over the New York City Transit Franklin Avenue shuttle between Empire Boulevard, Flatbush Avenue and Ocean Avenue in Brooklyn.

BACKGROUND

The Department of Transportation (DOT) is requesting a change to the City Map to reflect the new grades created by the reconstruction of a bridge over the NYC Transit Franklin Avenue Shuttle between Empire Boulevard, Flatbush Avenue and Ocean Avenue in the Prospect Lefferts Gardens neighborhood of Brooklyn. The reconstruction of the bridge and improvements to the intersecting streets was completed in December of 1999. In addition to changes in legal grade an existing 40 foot wide City-owned bridge easement over Block 1197, Lot 17 will be delineated on the City Map. The easement is for the purpose of operating and maintaining the subway line and bridge beneath and across the property.

DOT requested this change in the City Map to facilitate the reconstruction of the subject bridge by changing the grade of the three intersecting streets, all of which are City owned, improved and mapped at a width of 100 feet. The purpose of the change in grade is to make the legal grade conform to the as-built grade of the newly constructed streets. To ensure minimal impact on

properties abutting the bridge and to reflect existing conditions, the existing grades were maintained or limited to an average grade change of less than 12 inches.

The bridge crosses over the Franklin Avenue shuttle, a subway train service running between Prospect Park and Franklin Avenue providing an important connection between the A/C Subway lines and the B/Q Subway Lines. The site is located within R7-1 residential and C8-2 commercial districts. The surrounding area is predominately developed with residential and commercial uses. The newly graded area is contiguous to the southerly end of the Brooklyn Botanic Garden. Flatbush Avenue separates the Botanic Garden from Prospect Park which is immediately to the west. The south side of Empire Boulevard is developed with commercial uses. The north side of Empire Boulevard fronts on the Botanic Garden. The northerly end of the block formed by the westerly side of Flatbush Avenue and the easterly side of Ocean Avenue is occupied by commercial uses and the entrance to the NYC Transit Prospect Avenue station. The westerly side of Flatbush Avenue and Ocean Avenue is occupied by Prospect Park.

In response to a polling letter issued to affected City agencies and utilities, no agencies had indicated any opposition to the proposed map change.

ENVIRONMENTAL REVIEW

This application (C 010610 MMK) 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 02DOT001K. The lead agency is the Department of Transportation. This application was determined to be a Type II action which requires no further review.

UNIFORM LAND USE REVIEW

This application (C 010610 MMK), was certified as complete by the Department of City Planning on June 9, 2014, and was duly referred to Community Board 9 and the Brooklyn

Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 9 held a public hearing on this application (C 010610 MMK) on June 24, 2014, and on the same day, by a vote of 33 to 1 with 9 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 010610 MMK) was considered by the Borough President of Brooklyn, who issued a recommendation approving the application on July 21, 2014.

City Planning Commission Public Hearing

On July 23, 2014 (Calendar No.1) the City Planning Commission scheduled August 6, 2014 for a public hearing on this application (C 010610 MMK). The hearing was duly held on August 6, 2014 (Calendar No. 6).

There were no speakers on this application and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this amendment to the City Map is appropriate. The Commission notes that many of the city's 1,500 bridges, which are owned, operated and maintained by DOT, are nearly a century old, and from time to time need to be replaced. Such was the case with the subject bridge. The Commission further notes that the elevations of the intersecting streets Empire Boulevard, Flatbush Avenue and Ocean Avenue required minor modifications. The Commission believes that proposed grade changes are necessary to accommodate the new structure and complete the reconstruction of a formerly failing bridge.

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 010610 MMK) for the amendment to the City Map involving the modification of legal grades at the intersection of Empire Boulevard, Flatbush Avenue and Ocean Avenue, and the delineation of a bridge easement in Community District 9, Borough of Brooklyn, in accordance with Map No. X-2635 dated February 23, 2011 and signed by the Borough President, is approved;

All such approvals being subject to the following condition:

The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. X-2635 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

The above resolution (C 010610 MMK), duly adopted by the City Planning Commission on September 3, 2014 (Calendar No. 3), 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.

CARL WEISBROD, *Chairman*

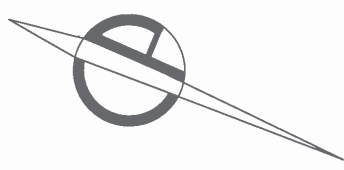
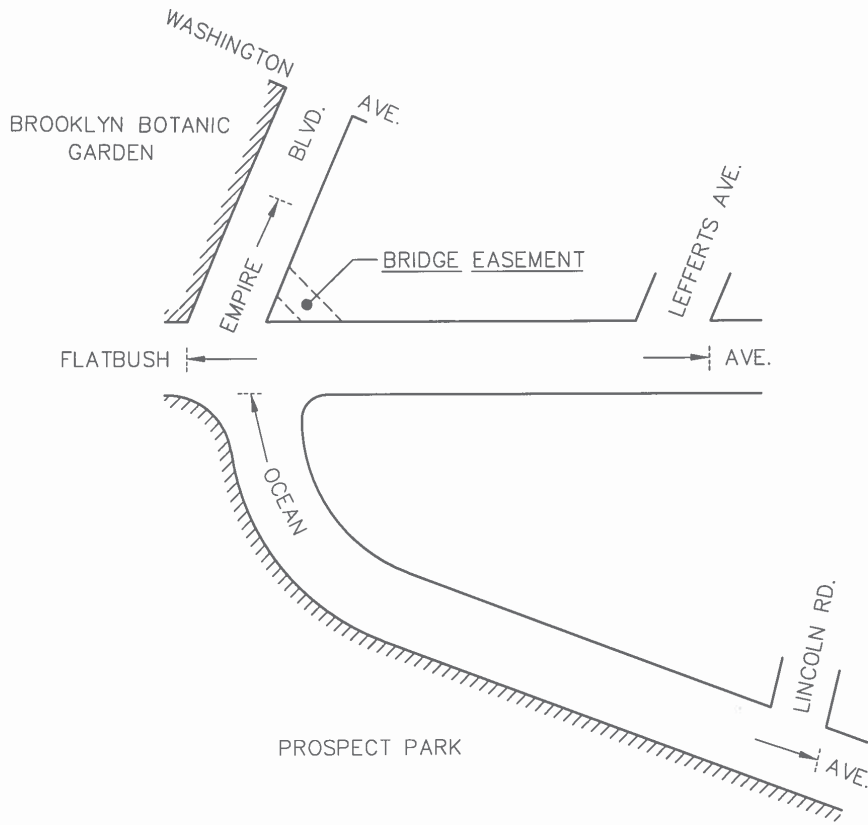
KENNETH J. KNUCKLES, *Esq.*, *Vice-Chairman*

RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,

CHERYL COHEN EFFRON, JOSEPH I. DOUEK, BOMEI JUNG,

ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners*

LARISA ORTIZ, *Commissioner Abstaining*



CITY PLANNING COMMISSION
CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED
MAP CHANGE
 ON SECTIONAL MAP
16
 BOROUGH OF
BROOKLYN

Spence Sadler
 Chief Engineer

New York, Certification Date
JUNE 9, 2014



- NOTE:**
- Indicates line of street legally adopted.
 - ////// Indicates Park line heretofore established and hereby retained.
 - — Indicates limits of area generally affected by grade change.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

**Brooklyn Borough President
Recommendation**

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicants representatives as indicated on the Notice of Certification.

APPLICATION #: C010610 MMK
Empire Boulevard Grade Changes

In the matter of an application, submitted by the Department of Transportation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment of the City Map to allow the modification of legal grades in the intersection of Empire Boulevard, Flatbush Avenue and Ocean Avenue to reflect actual constructed conditions of the bridge over the transit right-of-way.

COMMUNITY DISTRICT NO. 9 BOROUGH OF BROOKLYN

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE

Be it resolved that the Borough President of Brooklyn, pursuant to section 197-c and 199 of the New York City Charter, recommends that the City Planning Commission and City Council approve the application for the modification of grade changes in the intersection of Empire Boulevard, Flatbush Avenue and Ocean Avenue.



BOROUGH PRESIDENT

July 21, 2014

DATE