



CITY PLANNING COMMISSION

August 8, 2007/Calendar No. 16

C 960535 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:

- a change of legal grades in the Kings Highway Bridge between West 7th and West 8th streets, and
- any acquisition or disposition of real property related thereto,

Community District 11, Borough of Brooklyn, in accordance with Map No. X-2685 dated October 14, 2005 and signed by the Borough President.

The application (C 960535 MMK) for an amendment to the City Map was filed by the Department of Transportation, pursuant to Sections 197-c and 199 of the New York City Charter on April 29, 1996. It involves: a change of legal grades in the Kings Highway Bridge between West 7th Street and West 8th Street, and any acquisition or disposition of real property related thereto.

BACKGROUND

The applicant proposes an amendment to the City Map involving: a change of legal grades in the Kings Highway Bridge between West 7th Street and West 8th Street in Brooklyn Community District 11, located in the Bensonhurst area. The proposal for a change of legal grade is to facilitate reconstruction of the Kings Highway Bridge and its approaches over the NYC Transit Sea Beach Line right-of-way (N-train). Reconstruction of the bridge was completed in May 1998, and this map change will reflect existing conditions.

The reconstructed section of the Kings Highway Bridge and its approaches are approximately 208 feet long, improved and mapped at a width of 80 feet. The intersecting streets, West 7th Street and West 8th Street, are both improved and mapped to 60-foot widths. The bridge spans the NYC Transit (N-train) Sea Beach Line, providing grade separation.

The proposed grades were kept as close as possible to existing grade in order to minimize the impact on existing abutting development while improving vertical clearance distances and

providing a smoother and safer riding surface. The vertical clearance between the railroad and bridge was increased from 12 feet-11 inches to a standard clearance of 13 feet-8 inches, and stopping sight distance on the roadway was also improved.

The subject portion of Kings Highway lies within an R7A / C2-3 zoning district. The area is developed primarily with four-story residential buildings with commercial on the ground floor. The mid block areas are developed with mainly one and two-story houses. Surrounding zoning districts include R5B and R4-1.

Instead of an interagency mapping conference, agencies were polled on May 3, 1996. No city agency has expressed objections to the map change proposal.

ENVIRONMENTAL REVIEW

This application (C 960535 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 No. is 99DOT007K. 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 960535 MMK) was certified as complete by the Department of City Planning on March 26, 2007, and was duly referred to Community Board 11 and the 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 11 held a public hearing on this application (C 960535 MMK) on May 10, 2007, and on that date, by a vote of 30 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 960535 MMK) was considered by the Brooklyn Borough President who issued a recommendation approving the application on June 13, 2007. The borough president recommended that the Departments of City Planning and Transportation seek an amendment to Section 197-c of the City Charter to exempt city map changes, involving a change in grade less than 12 inches, from ULURP review and approval.

City Planning Commission Public Hearing

On June 20, 2007 (Calendar No. 4), the City Planning Commission scheduled July 11, 2007 for a public hearing on this application (C 960535 MMK). The hearing was duly held on July 11, 2007 (Calendar No. 34).

There were no speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this amendment to the City Map is appropriate, and the proposed map change should have little or no impact on the abutting properties. The Commission notes that the reconstructed section of the Kings Highway Bridge, and the intersecting streets, West 7th Street and West 8th Street, have been improved according to their fully mapped widths and standard vertical clearance distances, and provide a smoother and safer riding surface.

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 960535 MMK) for the amendment of the City Map involving:

- a change of legal grades in the Kings Highway Bridge between West 7th and West 8th streets, and
- any acquisition or disposition of real property related thereto,

Community District 11, Borough of Brooklyn, in accordance with Map No. X-2685 dated October 14, 2005 and signed by the Borough President, is approved; and be it further

RESOLVED that, all such approvals are subject to the following conditions:

The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. X-2685 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

The above resolution (C 960535 MMK) duly adopted by the City Planning Commission on August 8, 2007 (Calendar No. 16), 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. BATAGLIA, IRWIN G. CANTOR, P.E.
ALFRED C. CERULLO, III, BETTY Y. CHEN
LISA A. GOMEZ, JOHN MEROLO,
DOLLY WILLIAMS, Commissioners