



## **CITY PLANNING COMMISSION**

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January 7, 2009/Calendar No.21

C 090064 PPQ

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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 one (1) city-owned property located at 1 Beach 84<sup>th</sup> Street (Block 16110, Lot 44), Community District 14, Borough of Queens, restricted to residential use only.

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The application (C 090064 PPQ) was filed on August 4, 2008, by the Department of Citywide Administrative Services (DCAS) for the disposition of one City-owned property located at 1 Beach 84<sup>th</sup> Street (Block 16110, Lot 44) in Rockaway Beach, Community District 14, Borough of Queens.

### **BACKGROUND**

The City-owned is located on Jamaica Bay north of Rockaway Freeway. The City-owned lot has an area of 17,160 square feet and includes a pier, lands under water and an upland portion. The lot is occupied by nineteen, privately-owned residential buildings located on the City-owned pier. The nineteen residential buildings are seasonal bungalows that are over 100 years old. The owners of the bungalows have been leasing the pier from the City for over 45 years. Pursuant to State Enabling Legislation, the City will be able to sell this waterfront property directly to the owners of the residential buildings or to an entity comprised of them. The disposition will be restricted to residential uses only.

Block 16110, Lot 44 is located in a C3 district. Residential development in C3 districts is governed by R3-2 regulations which has a maximum FAR of 0.6 with attic allowance, a maximum perimeter wall height of 21' and a maximum building height of 35'.

The surrounding area is characterized by waterfront commercial uses including a marina, one and two-family homes to the south of the site, vacant land and a city-owned park. The disposition site is to the west of the elevated A train tracks that cross Jamaica Bay and service Rockaway Peninsula.

## **ENVIRONMENTAL REVIEW**

This application (C 090064 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. The designated CEQR number is 09CAS001Q. The lead agency is the Department of Citywide Administrative Services.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on July 28, 2008.

## **UNIFORM LAND USE REVIEW**

This application (C 090064 PPQ) was certified as complete by the Department of City Planning on August 25, 2008, and was duly referred to Community Board 14 and the Borough President of Queens, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 14 held a public hearing on this application (C 090064 PPQ) on October 14, 2008, and on that date, by a vote of 27 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Review**

This application (C 090064 PPQ), was considered by the Borough President of Queens, who issued a recommendation on November 11, 2008, approving the applications.

### **City Planning Commission Public Hearing**

On November 19, 2008 (Calendar No.5), the City Planning Commission scheduled December 3, 2008, for a public hearing on this application (C 090064 PPQ). The hearing was duly held on December 3, 2008 (Calendar No. 15).

There were two speakers in favor and none in opposition. Two representatives of the Department of Citywide Administrative Services, described the application and indicated that the City must use an independent appraiser to determine the fair market value of the property, that a homeowners association comprised of all or most of the owners of the residential buildings will take ownership of the property and that the disposition is restricted to residential uses only.

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application (C 090064 PPQ), was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 08-081.

The action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

The Commission believes that the application by the Department of Citywide Administrative Services for the disposition of one city-owned property located at Block 16110 Lot 44 is appropriate.

The Commission believes that the disposition will facilitate the purchase of city property by home owners who currently are tenants of the city while restricting future use to residential.

**RESOLUTION**

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies, and be it further

**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 of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the application of the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition to of city-owned property, located at 1 Beach 84<sup>th</sup> Street (Block 16110, Lot 44), Community District 14, Borough of Queens, restricted to residential use only, is approved.

The above resolution (C 090064 PPQ), duly adopted by the City Planning Commission on January 7, 2009 (Calendar No. 21), 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, FAICP, Chair**  
**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA., BETTY Y. CHEN,**  
**MARIA M. DEL TORO, RICHARD W. EADDY, NATHAN LEVENTHAL,**  
**SHIRLEY A. McRAE, KAREN A. PHILIPS, Commissioners**