



CITY PLANNING COMMISSION

September 8, 2004/Calendar No.38

C 040309 PPQ

IN THE MATTER OF an application submitted by the Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located adjacent to John F. Kennedy International Airport (Block 14260 part of Lot 1), bounded by Rockaway Boulevard, Eastern Road and North Boundary Road, pursuant to zoning, Community District 13, Borough of Queens.

The application for disposition of city-owned property was filed by the Department of Small Business Services (DSBS) on February 25, 2004, to dispose of one (1) city-owned property located adjacent to John F. Kennedy (JFK) International Airport (Block 14260, part of lot 1), Borough of Queens, pursuant to zoning.

BACKGROUND

The Department of Small Business Services (DSBS) intends to dispose of the subject property to the New York City Economic Development Corporation (EDC) which, in turn, intends to enter into a direct sale of the property to Logan Bus Company. Logan intends to develop the site with a school bus depot with accessory parking spaces for employees, mini-buses and standard school buses.

The subject property is bounded by Rockaway Boulevard, North Boundary Road and Eastern Road. It is an irregularly-shaped, fifteen-acre parcel which is vacant and zoned M1-1. The site was originally part of John F. Kennedy International Airport, but was surrendered by the Port Authority to the City of New York under the Sixth Supplemental Agreement of the Airport Lease. The airport surrounds the site on the east, south and west. Idlewild Park, the Springfield Gardens industrial area and the International Airport Center site are located to the north across Rockaway Boulevard. The airport and the industrial areas are zoned M1-1 and developed with airport-related businesses and cargo warehouses. Further north beyond 147th

Avenue and Idlewild Park are the residential communities of Springfield Gardens and Brookville which are zoned R3-2 and R3-2.

Land uses surrounding the subject site are related either to transportation or the airport. There is a mail processing center, a Port Authority Police satellite office and a U. S. Customs Office on airport property south of Eastern Road. Airport runways border the site to the east and vehicular roadways on the west. The portion of 225-acre Idlewild Park that lies north of the site across Rockaway Boulevard is primarily landfill with some New York State-designated wetlands located approximately 2,000 feet from the site. A section of the proposed realignment for the Nassau Expressway right-of-way, gas and water utilities and a seventeen-foot wide storm sewer barrel traverse the northern part of the site along Rockaway Boulevard. In addition, there are clear zones and height restrictions administered by the Federal Aviation Administration and Port Authority that extend over the eastern half of the site because it is closely situated west of runway 22L, north of runway 22R and partially under the airport's glide path transition area.

The subject property abuts a five-acre, vacant city-owned parcel located on its southwest corner that is proposed for disposition under a separate application (C040310 PPQ). There are approximately forty other city-owned properties within a half-mile of the subject site. Most of these properties are vacant parcels of land that are located north of Rockaway Boulevard and lie within the existing mapped right-of-way for the Nassau Expressway. Larger city-owned properties in the vicinity of the subject site include the Air Services Industrial Park and Idlewild Park to the north and an elementary school north of the park.

The disposition will facilitate as-of-right development of a new school bus depot for Logan Bus Company, allowing them to relocate from a smaller existing site in Ozone Park, Queens. Logan proposes to construct a

10,000 square foot office building and a one-story, 10,000 square-foot maintenance garage with fueling and bus wash areas. The remainder of the site would be used for parking for approximately 400 employee automobiles, 500 mini-buses and 100 standard school buses. The disposition would be pursuant to zoning.

ENVIRONMENTAL REVIEW

This application (C 040309 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 set forth in Executive Order No. 91 of 1977. The lead agency is the New York City Office of the Deputy Mayor for Economic Development and Rebuilding. The designated CEQR number is 02DME011Q.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on February 26, 2004.

UNIFORM LAND USE REVIEW

This application (C 040309 PPQ) was certified as complete by the Department of City Planning on April 26, 2004, and was duly referred to Queens Community Board 13, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 13 held a public hearing on this application on June 24, 2004, and on June 28, 2004, by a vote of 27 to 2 with 1 abstention, adopted a resolution to disapprove the application with the following comments: "...The community contends that this project would add to traffic conditions in the vicinity of the

John F. Kennedy Airport and Rockaway Boulevard, as well as depriving the community of open space and a buffer from the airport....”

Borough President Recommendation

The Queens Borough President considered the application on July 15, 2004 and issued a recommendation approving the application on August 10, 2004 with the following conditions:

There have been longstanding concerns about the concentration of air cargo warehouses and businesses in this general area. There are residences in the vicinity which may be exposed to higher than usual amounts of air pollution due to the high volumes of vehicular traffic and proximity to the airport. Air monitors should be installed in this area to measure the amounts of particulate matter or other pollutants that this community is being exposed to on a regular basis;

Logan Bus should build a sound wall (similar to the one built around the Marine Air Terminal at LaGuardia Airport) and provide additional landscaping around the new facility to visually screen the facility from the adjoining neighborhood and to increase absorption of unhealthy emissions.

City Planning Commission Public Hearing

On July 28, 2004 (Calendar No. 13), the City Planning Commission scheduled August 11, 2004 for a public hearing on this application (C 040309 PPQ). The hearing was duly held on August 11, 2004 (Calendar No. 18). There were two speakers in favor and none in opposition to the application.

The owner of Logan Bus Company described the operations of his company and future expansion plans. A representative from the Economic Development Corporation presented an overview of the encumbrances that restrict the uses on the subject site. He also gave a more detailed description of the proposed development and anticipated traffic patterns.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application 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 WRP #04-024.

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

CONSIDERATION

The Commission believes that the application submitted by the Department of Small Business Services for the disposition of one (1) city-owned property located adjacent to John F. Kennedy International Airport (Block 14260, part of lot 1), pursuant to zoning, is appropriate.

The Commission is aware that the subject property, approximately fifteen acres bounded by Rockaway Boulevard, Eastern Road and North Boundary Road, is intended to be sold to the New York City Economic Development Corporation which intends to dispose of the parcel to Logan Bus Company. Logan, in turn, intends to construct a 20,000 square foot office and one-story maintenance garage with fueling and bus washing areas. Most of the site would be occupied by parking for approximately 400 employee automobiles, 500 mini-buses and 100 standard school buses. The disposition will be pursuant to zoning.

Logan Bus Company, which currently operates a school bus depot in Ozone Park, Queens, specializes in transporting physically and emotionally handicapped students throughout the five boroughs. The Commission believes that a new school bus depot on the proposed site would be more accessible to the city's major arterial roadways and would enable Logan to operate more efficiently. The proposed site, with its larger maintenance facility and parking area, would also enable Logan to modernize and enlarge its bus fleet.

The Commission recognizes the concerns expressed during the public review process by both Community Board 13 and the Queens Borough President about the impacts a large school bus depot would have on local traffic congestion and the environment, including noise and air quality impacts that might be generated.

The Commission notes that, as part of the project's environmental assessment, a traffic impact analysis was performed. It concluded that all project-generated parking would be accommodated on site. The analysis also stated that vehicular trips generated by the use would not have a significant impact on existing traffic volumes due to changes in signal timing, lane striping and parking regulations at the intersections of Rockaway Boulevard with Farmers and Guy R. Brewer boulevards that would be implemented as part of the project. The Commission also notes that primary access and egress to and from the site would be from roads that are on-airport and that no curb cuts would be located on Rockaway Boulevard and that Logan will comply with all applicable city and state regulations regarding vehicle engine idling in order to keep noise and air quality impacts to a minimum. The Environmental Assessment Statement further indicates the proposed project would comply with National Ambient Air Quality Standards and that no significant adverse impacts are anticipated.

In response to Commission concerns about stormwater runoff, site landscaping and buffering from the community as well as the relationship of the project to the proposed alignment for the Nassau Expressway right-of-way, EDC, in a letter dated August 20, 2004, stated the following:

Stormwater

Given the type and size of the proposed project, State Pollutant Discharge Elimination System (SPEDES) permitting is required from the Department of Environmental Conservation (DEC) to control stormwater discharge during site construction and facility operation. Additionally, in response to the Commission's stated concerns, Logan Bus is examining three alternative systems to handle stormwater in an environmentally sensitive manner...

Landscaping

The proposed site of the Logan Bus facility is adjacent to JFK airport operations in an industrial area and is located between 1/4 to 1/2 mile from residential areas. In addition, the residential areas are well served by open spaces and are largely buffered from the proposed project and adjacent airport operations...we recognize the need for sensitive design...which includes improved site landscaping and 10 ft. to 20 ft. buffering along Rockaway Boulevard and adjacent to the wetland area located generally east of the site...

Nassau Expressway

...State Department of Transportation has expressed an interest in this remapping but an application has not yet been certified. Given the unlikelihood that this portion of the Nassau Expressway will actually be built, EDC is comfortable with a sale of this parcel to Logan Bus. However, in order to address the possibility of the roadway's construction, EDC proposed transaction with Logan Bus will include a reverter that shifts ownership of the property back to EDC in the event this leg of the Nassau Expressway moves forward....In addition, the transaction will include a deed restriction limiting the parcel to parking use only.

With regard to the Queens Borough President's condition regarding construction of a sound wall, the Commission considers such construction to be part of an overall airport plan and, therefore, not within the scope of this application.

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, 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, by the City Planning Commission pursuant to Section 197-c of the New York City Charter that, based on the environmental determination and the consideration described in this report, the disposition of one (1) city-owned property located adjacent to John F. Kennedy International Airport (Block 14260 part of Lot 1), bounded by Rockaway Boulevard, Eastern Road and North Boundary Road, pursuant to zoning, in the Borough of Queens, Community District 13, proposed in an application by the Department of Small Business Services, dated February 25, 2004, is approved.

The above resolution (C 040310 PPQ), duly adopted by the City Planning Commission on September 8, 2004 (Calendar No. 38), is filed with the Office of the Speaker, City Council, and the Queens Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
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