



CITY PLANNING COMMISSION

January 7, 2004/Calendar No. 24

C 040018 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 two (2) city-owned properties pursuant to zoning:**

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS/LOCATION</u>
10143	38	155 th Street between 108 th & 109 th Avenues (interior lot)
10336	152	180 th Street (within 180 th Street Industrial BID)

Borough of Queens, Community District 12.

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 July 10, 2003.

BACKGROUND

The Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES) intends to dispose of two (2) city-owned properties pursuant to zoning in Queens, Community District 12.

Block 10143, Lot 38 is a vacant sliver parcel that runs diagonally from 154th Street to 155th Street south of 108th Avenue. The lot is approximately seven feet (7') wide and one hundred forty feet (140') long (1,024 square feet total area). The property is zoned R4 and was acquired through the In Rem process. Adjacent lots are developed with single family detached houses. The property is one block west of PS 48 (William Wordsworth Elementary School).

Block 10336, Lot 152 is a vacant triangular parcel without any street frontage. The total lot area is

65,546 square feet. The property is zoned M1-1 and was acquired through condemnation. The lot is covered with vegetation and surrounded by industrial properties. The parcel is within the 180th Street Industrial Business Improvement District.

ENVIRONMENTAL REVIEW

This application (C 040018 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Department of Citywide Administrative Services.

This application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 040018 PPQ) was certified as complete by the Department of City Planning on August 11, 2003, and was duly referred to Community Board 12 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 12 held a public hearing on this application on October 15, 2003, and on that date, by a vote of 27 to 0 with 3 abstentions, adopted a resolution recommending approval of the application. However, the Community Board's vote was received after the 60-day period, and is therefore non-complying.

Borough President Recommendation

This application (C 040018 PPQ) was considered by the Borough President, who issued a recommendation on December 5, 2003 disapproving the application with the following comments:

- Block 10143, Lot 38 is a narrow lot that is undevelopable pursuant to zoning. This property should be first offered to adjacent property owners for accessory use before

DCAS proceeds to auction to the general public.

- Block 10336, Lot 152 is a landlocked property within the South Jamaica Economic Development Zone. This site should be first offered to adjacent property owners within the industrial park for accessory use before DCAS proceeds to auction to the general public.

However, the Borough President's recommendation was received after the 30-day period, and is therefore non-complying.

City Planning Commission Public Hearing

On November 19, 2003 (Calendar No. 3), the City Planning Commission scheduled December 3, 2003, for a public hearing on this application (C 040018 PPQ). The hearing was duly held on December 3, 2003 (Calendar No. 5). There were 2 speakers in favor of the application and none opposed.

There were two speakers in favor of the application. A representative of the New York City Economic Development Corporation (EDC) stated that two property owners adjacent to the property in the 180th Street Industrial BID (Block 10336, Lot 152) have expressed interest in purchasing the property following disposition. In response to questions from the Planning Commission, the representative from EDC stated that EDC is aware of the nature of the businesses interested in purchasing the 180th Street property but that the disposition must be approved before negotiations can continue. The representative also stated that there is no interest in the 155th Street property at this time (Block 10143, Lot 38).

A representative of the Division of Citywide Administrative Services (DCAS) Division of Real Estate Services (DRES) was available for questions. In response to questions from the Planning Commission, the DRES representative stated that following the disposition of the property, the negotiations regarding the terms of the sale to the private owners would commence. Following EDC's negotiations with the adjacent property owners and immediately prior to the transaction, DCAS would dispose of the property to EDC for a nominal amount, and then EDC would complete the transaction with the buyer.

The DRES representative also stated that there is no time limit on the negotiations with adjacent property owners, but that if the negotiations are not successful, the property will be sold through public auction.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of this city-owned property, pursuant to zoning, is appropriate.

The Commission agrees with the Borough President's comment that Block 10143, Lot 38 is too small to be developed with a structure pursuant to zoning. The lot is approximately seven feet wide and just over 1,000 square feet in total area. The Commission therefore recommends that the lot shall be disposed of, at first attempt, with an accessory, extension, or enlargement use.

Similarly, the Commission concurs with the Borough President's assessment of the constraints to development on Block 10336, Lot 152. The property is a 65,546 square foot interior lot lacking street frontage and is located within the 180th Street Industrial BID. The property is almost completely surrounded by the rear walls of adjacent buildings and access can only be provided through an adjacent property. The Commission understands that the subject application (C 040018 PPQ) would facilitate the disposition of the property from DCAS to the New York City Economic Development Corporation (EDC), which intends to negotiate the sale of the larger property to an adjacent property owner following general disposition. The Commission believes that the negotiated sale to an adjacent property owner is appropriate, and therefore recommends that the property be disposed of pursuant to zoning.

RESOLUTION

RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that the disposition of two (2) city-owned properties pursuant to zoning:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS/LOCATION</u>
10143	38	155 th Street between 108 th & 109 th Avenues (interior lot)
10336	152	180 th Street (within 180 th Street Industrial BID)

Borough of Queens, Community District 12, proposed in an application by the Department of Citywide Administrative Services, dated July 10, 2003, is approved with the following conditions:

Block 10143, Lot 38 shall be disposed of at first attempt with accessory, extension, or enlargement uses only. If unsuccessful, disposition shall be pursuant to zoning.

The above resolution (C 040018 PPQ), duly adopted by the City Planning Commission on January 7, 2004 (Calendar No. 24), 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

IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI,

JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS Commissioners