



CITY PLANNING COMMISSION

February 2, 2004/Calendar No. 21

C 030247 PCQ

IN THE MATTER OF an application submitted by the New York City Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 311-315 Beach 104th Street (Block 16160, Lots 10 and 20) and the site selection of property located at Rockaway Freeway and Beach 104th Street (Block 16160, Lot 27), for use as an administration building, parking facility, and electrical substation for an existing water pollution control plant, Community District 14, Borough of Queens.

The application for site selection and acquisition was filed by the New York City Department of Environmental Protection and the Department of Citywide Administrative Services on December 10, 2002, to facilitate the development of an administration building, parking facility, and electrical substation for an existing water pollution control plant.

RELATED ACTIONS

In addition to the site selection and acquisition which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following which is being considered concurrently with this application:

C 030248 ZSQ Special Permit pursuant to Section 74-31(f) and 74-733 of the Zoning Resolution.

BACKGROUND

The Department of Citywide Administrative Services and the Department of Environmental Protection request approvals of a site selection and acquisition for property located between Jamaica Bay, Beach

104th Street, Rockaway Freeway, and Beach 108th Street (Block 16160, Lot 10 and 20) Community District 14, Rockaway, Queens. The site selection, acquisition, and special permit would facilitate the construction of a new accessory Administration Building, parking facility, and accessory electrical substation for the Rockaway Water Pollution Control Plant (WPCP).

The site is currently vacant with an abandoned building on the southern portion of the lot. The surrounding area is a mixture of residential, commercial, and industrial areas. The north side of the site faces Beach Channel Drive and Beach Channel High School is located directly across the street. To the east of the site is a junior high school, P.S. 180, and playground. The southern portion of the site faces the elevated Rockaway “A” line. To the west of the site is an industrial area that includes the existing Rockaway WPCP. The site is zoned R4 and the surrounding zoning consists of R4, R5 and M1-1 zones.

The Rockaway WPCP was originally constructed in 1951 and is a conventional secondary treatment facility. The administrative and personnel functions of the Rockaway WPCP are presently housed on two levels in the Pump and Blower building of the treatment plant. These facilities were included as part of a major renovation project in the 1970's that required a special permit which was approved by the City Planning Commission, pursuant to Section 74-31(f) and 74-733 of the Zoning Resolution. (CP 21738; Approved 2/15/72).

The proposed actions would facilitate construction of an accessory Administration Building, accessory

electrical substation, and parking facility for the Rockaway WPCP. The proposed administration building would include several offices, a conference room, cafeteria, locker room, garage, and equipment repair workshops with a total square footage of approximately 13,370. Upon completion, the new administration building would accommodate present and future WPCP staffing and operational needs. The accessory Electrical substation would provide greater reliability by upgrading the power system configuration from the current feeder system to a four feeder system in compliance with current New York State Department of Environmental Conservation (NYSDEC) standards.

C 030248 ZSQ

The applicant is also seeking a special permit pursuant to Section 74-31(f) and 74-733 of the Zoning Resolution. This allows the City Planning Commission to permit an enlargement or extension of any existing use which, if new, would be permitted by special permit in the specified districts. Pursuant to Section 74-733 the City Planning Commission may permit municipal sewage plants in all residence districts, commercial districts and M1 and M2 Districts provided that there are serious difficulties in locating it in a district where it is permitted as-of-right.

ENVIRONMENTAL REVIEW

This application (C030247 PCQ), in conjunction with the application for the related action (C030248 ZSQ), 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 01DEP086, the lead agency is the Department of Environmental Protection.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on September 11, 2002.

UNIFORM LAND USE REVIEW

This application (C030247 PCQ), in conjunction with the application for the related action (C030248 ZSQ), was certified as complete by the Department of City Planning on September 20, 2004, and was duly referred to Community Board 14 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 14 held a public hearing on this application on November 9, 2004, and on that day, by a vote of 16 to 8 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on December 3, 2004.

The Borough President's recommendation included the following conditions:

- DEP should expedite the plan to reduce all odors resulting from the operation of the WPCP;
- Soil remediation should be completed in full compliance with all federal, state and local environmental regulations.

City Planning Commission Public Hearing

On December 22, 2004 (Calendar No. 4), the City Planning Commission scheduled January 5, 2005, for a public hearing on this application (C030247 PCQ). The hearing was duly held on January 5, 2005 (Calendar No. 12), in conjunction with the public hearing on the application for the related action (C030248 ZSQ).

There were no 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 02-006.

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 by the Department of Environmental Protection and the Department of Citywide Administrative Services for the site selection, acquisition, and special permit of property located between Jamaica Bay, Beach 104th Street, Rockaway Freeway, and Beach 108th Street (Block 16160, Lot 10, 20 and 27) for the construction of a new accessory Administration Building, parking facility, and accessory electrical substation for the Rockaway Water Pollution Control Plant is appropriate.

The Commission notes that many of the administrative and personnel areas in the existing administration building do not meet City, State, or Federal building requirements. The construction of the new administrative building would accommodate the current and future needs of the WPCP.

The Commission notes that the proposed administration building would be appropriately sized to accommodate present and future needs of the plant personnel. Although the proposed project is for the construction of two new buildings and a parking facility, it would be considered an additional, non-treatment component of the Rockaway WPCP. Therefore, the project would not result in an increase in the number of similar facilities in the area.

The need for this facility is cited in the Citywide Statement of Needs for the FY 2005-2006. The proposed project is consistent with the proposed location and siting criteria identified in the Statement of Needs.

The Commission believes that it is essential to site the administration building and electrical substation in proximity to the Rockaway WPCP. Although, the proposed site of the administration building is within an R4 zoning district, there is a M1-1 district to the west. Due to the limited availability of vacant or unused land in the immediate vicinity of the Rockaway WPCP this proposed site provides the most operational and cost-effective solution to the staff accommodation, and power reliability problem that currently exists at the Rockaway WPCP.

The Commission notes that the Borough President submitted a recommendation approving the application with two conditions. While the Commission shares the concerns of the Borough President, soil remediation and possible odors resulting from the operation of the WPCP is outside the scope of the Commission's purview.

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 Sections 197-c and 200 of the New

York City Charter, that based on the environmental determination, and the consideration and findings described in this report, the application of the Department of Environmental Protection for site selection and acquisition of property located at 311-315 Beach 104th Street (Block 16160, Lots 10 and 20) and the site selection of property located at Rockaway Freeway and Beach 104th Street (Block 16160, Lot 27), Borough of Queens, Community District 14, is approved.

The above resolution (C030247 PCQ), duly adopted by the City Planning Commission on February 2, 2004 (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, AICP, CHAIR
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