



CITY PLANNING COMMISSION

June 22, 2005/Calendar No. 13

C 020235 MMQ

IN THE MATTER OF an application submitted by the Department of Parks and Recreation, pursuant to Section 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for amendments to the City Map involving:

- the elimination, discontinuance and closing of 79th Street from Broadway to Woodside Avenue,
- the establishment of Frank O'Connor playground as park; and
- any acquisition or disposition of real property related thereto,

Community District 4, Borough of Queens, in accordance with Map No. 4969, dated August 17, 2004 and signed by the Borough President.

The application (C 020235 MMQ) for an amendment to the City Map was filed by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et. seq.* of the New York City Administrative Code on November 28, 2001. It involves: the elimination, discontinuance and closing of 79th Street from Broadway to Woodside Avenue, the elimination of two playgrounds and their establishment as parks and any acquisition or disposition of real property related thereto.

BACKGROUND

The Department of Parks and Recreation (DPR) requests the elimination of 79th Street between Woodside Avenue and Broadway and two playground areas to consolidate and map the entire area as parkland. In 1961 the playground sites were granted to DPR by the Board of Estimate; however, the site was never mapped as parkland.

79th Street is a 60 foot-wide mapped street, not open to vehicular traffic. The street was closed and

incorporated as part of the existing Franklin O'Connor Playground during the park's 1996 renovation. The former street bed is lined with trees, shrubs and plants and was converted to a pedestrian walkway between Broadway and Woodside Avenue.

The two playground areas consist of two separate parcels. One parcel comprises the entire Block 1498, Lot 37, and is bounded by Broadway, Woodside Avenue, 78th and 79th streets. The other parcel, is an irregular-shaped corner parcel located in Block 1497, lot 20 on the westerly side of 78th Street and the southerly side of Broadway. Currently the playground areas are developed with play equipment, handball and basketball courts, and benches.

The proposed park comprises approximately 76,113.02 square feet. Although the entire playground areas have been renovated and the bed of 79th Street has been incorporated into the design, this proposal will allow for the consolidation and the establishment as a park of the playgrounds and the street bed, therefore, protecting these park areas which are of great benefit to the surrounding community. The surrounding area is zoned R6B.

Agencies were polled on December 5, 2001. No City Agencies had any objections to this proposal.

ENVIRONMENTAL REVIEW

This application (C 020235 MMQ) 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 02DPR003Q. The lead agency is the Department of Parks and Recreation.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on February 21, 2002.

UNIFORM LAND USE REVIEW

This application (C 020235 MMQ) was certified as complete by the Department of City Planning on January 31, 2005, and was duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 4 held a public hearing on this application (C 020235 MMQ) on April 5, 2005, and on that date, by a vote of 38 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

The Borough President did not submit a recommendation on this application (C 020235 MMQ).

City Planning Commission Public Hearing

On May 11, 2005 (Calendar No. 3), the City Planning Commission scheduled May 25, 2005, for a public hearing on this application (C 020235 MMQ). The hearing was duly held on May 25, 2005 (Calendar No. 34).

There was one speaker in favor and none in opposition to the application. The speaker, a representative of the Department of Parks and Recreation (DPR), described the application.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this amendment to the City Map is appropriate.

In 1961 the playground sites were granted to DPR by the Board of Estimate; however, the site was never mapped as parkland. The street proposed to be eliminated was closed and incorporated as part of the existing Franklin O'Connor Playground during the DPR's 1996 renovation. The former street bed was converted to a pedestrian walkway and is lined with trees, shrubs and plants. This proposal will allow for the consolidation of Frank O'Connor Playground and the bed of 79th Street and the establishment of a Park, protecting the park areas which are of great benefit to the surrounding community.

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 and Section 5-430 et seq. of the New York City Administrative Code, that based on the environmental determination and the consideration described in this report, the application (C 020235 MMQ) for the amendment to the City Map involving: the elimination, discontinuance and closing of 79th Street from Broadway to Woodside Avenue, the elimination of two playgrounds and their establishment as parks and any acquisition or disposition of real property related thereto, Community District 4, Borough of Queens, in accordance with Map No. 4969, dated August 17, 2004 and signed by the Borough President, is approved; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map No 4969 dated August 17, 2004 providing for the discontinuance and closing of portions of 79th Street between Broadway and Woodside Avenue, more particularly described as follows:

Starting at a **Point of Beginning** located on the southerly line of Broadway, said point being distant 223.77 feet westerly from the corner formed by the intersection of the southerly line of Broadway and the northwesterly line of Woodside Avenue, as said streets are shown on Alteration Map No. 4969 dated August 17, 2004;

1. Running thence westerly along the southerly line of Broadway, for 75.23 feet to the former westerly line of 79th Street, discontinued and closed;
2. Thence southerly along the former westerly line of 79th Street, discontinued and closed, forming an interior angle of 52 degrees 53 minutes 36 seconds with the last mentioned course, for 175.04 feet to the northwesterly line of Woodside Avenue;
3. Thence northeasterly along the northwesterly line of Woodside Avenue, forming an interior angle of 89 degrees 31 minutes 48.4 seconds with the last mentioned course, for 14.64 feet to an angle point;
4. Thence continuing northeasterly along the northwesterly line of Woodside Avenue, forming an interior angle of 181 degrees 36 minutes 56.3 seconds with the last mentioned course, for 45.37 feet to the former easterly line of 79th Street, discontinued and closed;
5. Thence northerly along the former easterly line of 79th Street, discontinued and closed, forming an interior angle of 88 degrees 51 minutes 15.3 seconds with the last mentioned course, for 130.44 feet to the southerly line of Broadway, the **point or place of beginning**.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on

which certified counterparts of Map No. 4969 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and

- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

The above resolution, duly adopted by the City Planning Commission on June 22, 2005 (Calendar No. 13), 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

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.
ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III
JANE D. GOL, LISA A. GOMEZ
CHRISTOPHER KUI, JOHN MEROLO
KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**