



CITY PLANNING COMMISSION

December 22, 2004/Calendar No. 21

C 030231 MMQ

IN THE MATTER OF an application, submitted 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, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of 20th Avenue between 21st Avenue and 76th Street;
- the elimination of a Public Place;
- the establishment of Carlos Lillo Park bounded by 20th Avenue, 21st Avenue and 76th Street;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 1, Borough of Queens, in accordance with Map No. 4975, dated May 20, 2004 and signed by the Borough President.

The application (C 030231 MMQ) for an amendment to the City Map was filed by the Department of Parks and Recreation (DPR) on November 29, 2002, 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. It involves: the elimination, discontinuance and closing of a portion of 20th Avenue between 21st Avenue and 76th Street; the elimination of a Public Place; the establishment of Carlos Lillo Park bounded by 20th Avenue, 21st Avenue and 76th Street; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto.

BACKGROUND

The New York City Department of Parks and Recreation (DPR) proposes the elimination, discontinuance and closing of the southern 30 feet of the width of 20th Avenue between 76th Street and 21st Avenue; the elimination of a Public Place, and the establishment of Carlos Lillo Park in the Astoria/Steinway section of the Borough of Queens, Community District 1, in honor of a local Emergency Medical Services (EMS) paramedic who lost his life in the World Trade Center on September 11, 2001. This property was designated as a Public Place prior to 1935. The Public Place is now privately owned, having been sold by the City in 1980 pursuant to the Board of Estimate Resolution adopted on September 12, 1975 (Calendar No. 163). DPR now proposes to acquire this

privately owned property (Block 945, Lot 85) and combine it with the eliminated portion of 20th Avenue for the development of the proposed park. DPR will create a small, passive use park with seating areas and appropriate landscaping. The new park will have a total of 0.09 acre (3905.25 square feet) of land.

20th Avenue, between 76th Street and 21st Avenue, is city-owned, mapped to an 80 foot width, partially improved to approximately 60 feet and is open for two way traffic. An adjacent portion of 20th Avenue between 75th Street and 76th Street is mapped to an 80-foot width but is not improved. The elimination of the subject 30 feet wide portion of 20th Avenue and mapping of Carlos Lillo Park will not affect traffic flow on this or adjacent streets.

21st Avenue is improved, mapped to an 80-foot width and is open for two way traffic. 76th Street is improved, mapped to a 60-foot width and is open for one way northbound traffic.

The proposed parkland lies within an R4 zoning district. A scrap metal yard currently exists on the Public Place portion of the proposed Park. The Department of Parks and Recreation has notified the Department of Buildings regarding the illegal use of this property. The surrounding area to the south and east is zoned R4/C1-2. The immediate area is developed with a mix of single-family and two-family residential development and commercial uses. New York City Public School No. 2 is located diagonally across from the proposed park on 21st Avenue.

Agencies were polled on December 19, 2002. No city agency had any objections to the proposal.

ENVIRONMENTAL REVIEW

This application (C 030231 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 number is 04DPR002Q. 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 July 14, 2004.

UNIFORM LAND USE REVIEW

This application (C 030231 MMQ) was certified as complete by the Department of City Planning on September 7, 2004 and was duly referred to Community Board 1 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

COMMUNITY BOARD PUBLIC HEARING

Community Board 1 held a public hearing on this application (C 030231 MMQ) on October 19, 2004, and on that date, by a vote of 31 to 0 with 0 abstentions, adopted a recommendation approving the application.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 030231 MMQ) was considered by the Borough President of Queens, who issued a recommendation approving the application on November 18, 2004.

CITY PLANNING COMMISSION PUBLIC HEARING

On November 17, 2004 (Calendar No. 5) the City Planning Commission scheduled December 8, 2004, for a hearing on this application (C 030231 MMQ). The hearing was duly held on December 8, 2004 (Calendar No. 7).

There were three speakers in favor and none in opposition to the application. The speakers, representatives of the Department of Parks and Recreation (DPR), described the application. The

speakers stated that the DPR is proposing to eliminate a portion of 20th Avenue and a Public Place and combine these parcels to establish Carlos Lillo Park to honor an EMS paramedic who lost his life in the World Trade Center on September 11, 2001.

There were no other speakers and the hearing was closed.

CONSIDERATION

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

The street proposed to be eliminated, discontinued and closed is city-owned and has never been fully improved. This portion of the street is not necessary to the integrity and function of the street grid in this area. Peripheral streets can adequately, safely and conveniently carry the current and expected future volume of vehicular and pedestrian traffic at an acceptable level of service.

The mapping of Carlos Lillo Park will honor an EMS paramedic who lost his life in September 11, 2001 and provide a valuable and needed open space for the 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, that based on the environmental determination and the consideration described in this report, the application (C 030231 MMQ) for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of 20th Avenue between 21st Avenue and 76th Street;
- the elimination of a Public Place;
- the establishment of Carlos Lillo Park bounded by 20th Avenue, 21st Avenue and 76th Street;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in Community District 1, Borough of Queens, in accordance with Map No. 4975, dated May 20, 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. 4975, dated May 20, 2004, providing for the discontinuance and closing of a portion of 20th Avenue between 21st Avenue and 76th Street, more particularly described as follows:

Beginning at a point on the northerly line of 21st Avenue, said point being distant 41.12 feet easterly from the corner formed by the intersection of the easterly line of 76th Street and the northerly line of 21st Avenue:

1. Running thence easterly along the northerly line of 21st Avenue, for 38.73 feet to the southwesterly line of 20th Avenue;
2. Thence northwesterly along the southwesterly line of 20th Avenue, forming an interior angle of 50 degrees 46 minutes 7.5 seconds with the last mentioned course, for 126.26 feet to the easterly line of 76th Street;
3. Thence southerly along the easterly line of 76th Street, forming an interior angle of 39 degrees 13 minutes 52.5 seconds with the last mentioned course, for 47.43 feet to the former southwesterly line of 20th Avenue, discontinued and closed;

4. Thence southeasterly along the former southwesterly line of 20th Avenue, discontinued and closed, forming an interior angle of 140 degrees 46 minutes 7.5 seconds with the last mentioned course, for 65.02 feet to the northerly line of 21st Avenue, the point or place of **beginning**.

All such approvals being subject to the following condition:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 4975 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.
- 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 December 22, 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

KENNETH J. KNUCKLES, Esq. Vice Chair

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.

ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,

RICHARD W. EADDY, JOHN MEROLO

DOLLY WILLIAMS, Commissioners