



CITY PLANNING COMMISSION

July 11, 2007/Calendar No. 28

C 070158 MMQ

IN THE MATTER OF an application, submitted by JFK Center Associates LLC, 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 148th Street between 94th Avenue and Atlantic Avenue;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 12, Borough of Queens, in accordance with Map No. 4996 dated January 18, 2007 and signed by the Borough President.

The application (C 070158 MMQ) for an amendment to the City Map was filed by JFK Center Associates LLC, 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 October 16, 2006. It involves: the elimination, discontinuance and closing of a portion of 148th Street between 94th Avenue and Atlantic Avenue; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto.

RELATED ACTIONS

In addition to the amendment to the City Map which is the subject of this report, implementation of the applicant's proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 070314 (A) ZMQ	Amendment of the Zoning Map,
N 070315 (A) ZRQ	Amendment of the Zoning Resolution concerning Article XI, Chapter 5 (Special Downtown Jamaica District), establishing a special district and modifying related regulations
C 070316 HUQ	Approval of the Jamaica Gateway Urban Renewal Plan
N 070317 HGQ	Designation of the Jamaica Gateway Urban Renewal Area

C 070322 HDQ Disposition of Property within the Jamaica Gateway Urban
Renewal Plan
C 070318 PPQ Disposition of one (1) city-owned property.

BACKGROUND

The applicant proposes a change in the city map involving the elimination, discontinuance and closing of a portion of 148th Street between 94th Avenue and Atlantic Avenue to facilitate construction of a commercial building, consistent with the downtown Jamaica redevelopment zoning application being considered concurrently with this application.

An interagency mapping conference was held on November 17, 2006. No city agency had any objections to this proposal.

A full background discussion and project description appears in the report on the related application for the zoning map change (C 070314 (A) ZMQ).

ENVIRONMENTAL REVIEW

This application (C 070158 MMQ), in conjunction with the applications for the related actions (C 070314 ZMQ, C 070314 (A) ZMQ, N 070315 ZRQ, N 070315 (A) ZRQ, C 070316 HUQ, C 070317 HGQ, N 070322 HDQ, C 070318 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 and Executive Order No. 91 of 1977. The designated CEQR No. is 05DCP081Q. The lead agency is the City Planning Commission.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for the zoning map change (C 070314 (A) ZMQ).

UNIFORM LAND USE REVIEW

This application (C 070158 MMQ), in conjunction with the applications for the related actions (C 070314 ZMQ, C 070314 (A) ZMQ, C 070316 HUQ, C 070317 HGQ, C 070318 PPQ), was certified as complete by the Department of City Planning on February 5, 2007 and was duly referred to Community Board 12 and the Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related non-ULURP applications (N 070315 (A) ZRQ, N 070322 HDQ), which were sent to the board and the Borough President for information and review.

COMMUNITY BOARD PUBLIC HEARING

Community Board 12 held a public hearing on this application (C 070158 MMQ) on March 6, 2007.

A full discussion of the recommendation of Community Board 12 appears in the report on the related application for the zoning map change (C 070314 (A) ZMQ).

BOROUGH PRESIDENT RECOMMENDATION

This application (C 070158 MMQ), was considered by the Borough President of Queens.

A full discussion of the recommendation of the Borough President of Queens appears in the report on the related application for the zoning map change (C 070314 (A) ZMQ).

CITY PLANNING COMMISSION PUBLIC HEARING

On May 9, 2007 (Calendar No. 9), the City Planning Commission scheduled May 23, 2007 for a public hearing on this application (C 070158 MMQ). The hearing was duly held on May 23, 2007 (Calendar No. 36) in conjunction with the hearing on the related actions (C 070314 ZMQ, C 070314 (A) ZMQ, N 070315 ZRQ, N 070315 (A) ZRQ, C 070316 HUQ, C 070317 HGQ, N 070322 HDQ, C 070318 PPQ).

There were a number of appearances, as described in the report on the related application for the zoning map change (C 070314 (A) ZMQ) and the hearing was closed.

CONSIDERATION

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

A full consideration of the issues and the reasons for approving this application appears in the report on the related application for the zoning map change (C 070314 (A) ZMQ).

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 having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on June 29, 2007, with respect to this application (CEQR No. 05DCP081Q), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; 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 070158 MMQ) for the amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of 148th Street between 94th Avenue and Atlantic Avenue;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 12, Borough of Queens, in accordance with Map No. 4996 dated January 18, 2007 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. 4996 dated January 18, 2007 providing for the discontinuance and closing of a portion of 148th Street between 94th Avenue and Atlantic Avenue, more particularly described as follows:

DISCONTINUING AND CLOSING 148TH STREET BETWEEN 94TH AVENUE AND ATLANTIC AVENUE

Starting at a **Point of Beginning** located at the northerly street line of Atlantic Avenue (95th Avenue), said point being distant 425.40 feet easterly from the intersection of the easterly street line of Sutphin Boulevard and northerly street line of Atlantic Avenue (95th Avenue), as those streets were hereinbefore laid out on the City Map;

1. Running thence easterly, continuing along a newly proposed northerly street line of Atlantic Avenue, a distance of 50.00 feet to a point;

2. Running thence northerly, along the former easterly street line of 148th Street, discontinued and closed, forming an interior angle with the previous course of 90 degrees, 00 minutes and 00 seconds, a distance of 200.18 feet to a point;
3. Running thence westerly, along a newly proposed southerly street line of 94th Avenue, forming an interior angle with the previous course of 90 degrees, 00 minutes and 00 seconds, a distance of 50.00 feet to a point;
4. Running thence southerly, along the former westerly street line of 148th Street, discontinued and closed, forming an interior angle with the previous course of 90 degrees, 00 minutes and 00 seconds, a distance of 200.18 feet to the **point of beginning**; and be it further

RESOLVED that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein; and be it further

RESOLVED that, 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. 4996 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 amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition (a) above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the mapping agreement). If such agreement is not accepted by the City Planning Commission within

two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission; and

- c. 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 (C 070158 MMQ), duly adopted by the City Planning Commission on July 11, 2007 (Calendar No. 28), 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 BATAGLIA, IRWIN G. CANTOR, P.E.

ANGELA R. CAVALUZZI, R.A., BETTY CHEN

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DOLLY WILLIAMS, Commissioners