



## CITY PLANNING COMMISSION

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February 8, 2006/Calendar No. 22

C 060090 MMQ

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**IN THE MATTER OF** an application, submitted by the Department of Parks and Recreation and the Department of Transportation 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 portions of Beach 116th Street and Ocean Promenade;
- the modification and the realignment of the turnaround at the southerly terminus of Beach 116th Street
- the establishment of Memorial Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 14, Borough of Queens, in accordance with Map No. 4982, dated October 6, 2005 and signed by the Borough President.

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The application (C 060090 MMQ) for an amendment to the City Map was filed by the Department of Parks and Recreation and the Department of Transportation, 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 August 18, 2005. It involves: the elimination, discontinuance and closing of portions of Beach 116th Street and Ocean Promenade; the modification and the realignment of the turnaround at the southerly terminus of Beach 116th Street; the establishment of Memorial Park; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto.

### **BACKGROUND**

The Department of Parks and Recreation (DPR) and the Department of Transportation (DOT) are requesting the elimination, discontinuance and closing of portions of Beach 116<sup>th</sup> Street and Ocean Promenade, the realignment of the turnaround at the southerly terminus of Beach 116<sup>th</sup> Street and the establishment of Flight 587 Memorial Park in Far Rockaway, Queens, in memory of the victims of Flight 587 who perished on November 12, 2001. The site contains 0.16 acres of land which includes a portion of Beach 116<sup>th</sup> Street and two small portions of Ocean Promenade.

Beach 116<sup>th</sup> Street is mapped to a 100-foot width, city-owned and is open for two way traffic. Currently, there is a turnaround at the southern end of Beach 116<sup>th</sup> Street. This turnaround will be relocated immediately north of the proposed park. Existing transit bus routes will be re-routed. Ocean Promenade, located immediately south of the proposed site, is mapped to an 80-foot width and contains a 30-foot wide boardwalk and sandy beach area. Adjacent to Ocean Promenade is Rockaway Beach which is mapped as a public park.

A new condominium development is under construction on the west side of the proposed park. Vehicular access to this development and to the retail establishments located immediately east of the proposed park will be provided by a 25-foot wide section of the mapped street at the east and west side of the park.

This area is well served by public transportation. The Subway lines A and S are located on Beach 116<sup>th</sup> Street in the adjacent block. There are several bus lines which connect this location with other areas of Queens and Brooklyn. Parking is available on Beach 116<sup>th</sup> Street.

A Request for Proposals (RFP) was issued on May 6<sup>th</sup> 2005 to select a design for the memorial through open competition. In July 2005, six finalists were considered for creating a memorial to honor the memory of the 265 lives lost in the Flight 587 tragedy on November 12, 2001. The artists were selected through a panel process involving representatives of the families of the victims, the community, arts professionals, City agencies and other civic officials. The final design of the memorial was selected in November 2005.

The underlying zoning is R7A and R5 with a C1-2 overlay. The immediate area is developed with retail and residential uses. A year round comfort station is located immediately south of the boardwalk within Ocean Promenade. South of Ocean Promenade and the boardwalk is Far Rockaway Beach and the Atlantic Ocean.

Agencies were polled on August 30, 2005. No city agency had any objections to the proposal.

## **ENVIRONMENTAL REVIEW**

This application (C 060090 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 06DOT001Q. The lead agency is the Department of Transportation.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on September 15, 2005.

## **UNIFORM LAND USE REVIEW**

This application (C 060090 MMQ) was certified as complete by the Department of City Planning on October 17, 2005, 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 (C 060090 MMQ) on December 13, 2005, and on that day, by a vote of 27 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (C 060090 MMQ) was considered by the Borough President of Queens who issued a recommendation approving the application on January 18, 2006.

### **City Planning Commission Public Hearing**

On January 11, 2006 (Calendar No. 8), the City Planning Commission scheduled January 25, 2006 for a public hearing on this application (C 060090 MMQ). The hearing was duly held on January 25, 2006 (Calendar No. 13).

There were two speakers in favor and none in opposition to this application. The speakers, representatives of the Department of Parks and Recreation, described the proposal and the design of the memorial.

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application (C 060090 MMQ) 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 050-066.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

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

The elimination of portions of Beach 116<sup>th</sup> Street and Ocean Promenade does not affect the integrity and function of the street system in this area. The re-configured streets and peripheral streets can adequately, safely and conveniently carry the anticipated volume of vehicular and pedestrian traffic, at an acceptable level of service, both now and in the future. The turnaround at the end of Beach 116<sup>th</sup> Street and the beach entrance will be reconfigured to accommodate the memorial and provide access to the beach.

Adjacent residential and commercial uses at the southern end of the existing street will continue to have access through the remaining portions of Beach 116<sup>th</sup> Street at the east and west side of the proposed park.

This is an appropriate site for the installation of the memorial. This site is well served by public transportation and parking is readily available. There is a year round comfort station located adjacent to the proposed site. Since Beach 116<sup>th</sup> Street is a major retail corridor and main access point to the Boardwalk and the beach, it will attract many visitors to this site.

The establishment of the Park allows the City to build a memorial in memory of 265 lives lost in Flight 587 which crashed in Belle Harbor on November 12, 2001.

## **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**, 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 199 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application (C 060090 MMQ) for the amendment to the City Map involving: the elimination, discontinuance and closing of portions of Beach 116th Street and Ocean Promenade; the modification and the realignment of the turnaround at the southerly terminus of Beach 116th Street; the establishment of Memorial Park; the adjustment of grades; and any acquisition or disposition of real property related thereto, in Community District 14, Borough of Queens, in accordance with Map No. 4982, dated October 6, 2005 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. 4982, dated October 6, 2005 providing for the discontinuance and closing of portions of Beach 116th Street and Ocean Promenade, more particularly described as follows:

**DISCONTINUING AND CLOSING A PORTION OF BEACH 116<sup>TH</sup> STREET AT OCEAN PROMENADE**

Beginning at a point on the prolongation of the westerly line of Ocean Promenade, said point being distant 14.25 feet southerly from the corner formed by the intersection of the northerly line of Beach 116<sup>th</sup> Street and the westerly line of Ocean Promenade, as said streets are shown on Alteration Map No. 4982 dated October 6, 2005;

1. Running thence southerly along a line, discontinued and closed, for 73.75 feet to a point;
2. Thence westerly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 46.33 feet to a point;
3. Thence southwesterly, westerly, northwesterly along a line, discontinued and closed, on the arc of a circle, curving to the right, the radius of which is 44.000 feet, the tangent of which forms an interior angle of 241 degrees 29 minutes 34.3 seconds with the last mentioned course, for 73.00 feet to a point;
4. Thence northeasterly, northerly, northwesterly along a line, discontinued and closed, on the arc of a circle, curving to the left, the radius of which is 54.228 feet, the tangent of which forms an interior angle of 68 degrees 48 minutes 31.5 seconds with the last mentioned course, for 79.82 feet to a point;
5. Thence northeasterly, easterly along a line, discontinued and closed, on the arc of a circle, curving to the right, the radius of which is 33.055 feet, the tangent of which forms an interior angle of 100 degrees 05 minutes 39.1 seconds with the last mentioned course, for 23.74 feet to a point;

6. Thence easterly along a line, discontinued and closed, the tangent of which forms an interior angle of 181 degrees 28 minutes 28.6 seconds with the last mentioned course, for 51.03 feet to a point;
7. Thence easterly, northeasterly along a line, discontinued and closed, on the arc of a circle, curving to the left, the radius of which is 16.000 feet, the tangent of which forms an interior angle of 190 degrees 18 minutes 43.4 seconds with the last mentioned course, for 17.18 feet to a point;
8. Thence easterly along a line, discontinued and closed, the tangent of which forms an interior angle of 108 degrees 10 minutes 32.8 seconds with the last mentioned course, for 8.13 feet to the **point or place of beginning**.

DISCONTINUING AND CLOSING PORTIONS OF OCEAN PROMENADE AT BEACH  
116<sup>TH</sup> STREET

Beginning at a point on the prolongation of the westerly line of Ocean Promenade, said point being distant 14.25 feet southerly from the corner formed by the intersection of the northerly line of Beach 116<sup>th</sup> Street and the westerly line of Ocean Promenade, as said streets are shown on Alteration Map No. 4982 dated October 6, 2005;

1. Running thence easterly along a line, discontinued and closed, for 12.57 feet to a point;
2. Thence southerly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 15.05 feet to a point;
3. Thence westerly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 12.57 feet to a point;
4. Thence northerly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 15.05 feet to the **point or place of beginning**.

DISCONTINUING AND CLOSING PORTIONS OF OCEAN PROMENADE AT BEACH  
116<sup>TH</sup> STREET

Beginning at a point on the prolongation of the westerly line of Ocean Promenade, said point being distant 12.00 feet northerly from the corner formed by the intersection of the southerly line

of Beach 116<sup>th</sup> Street and the westerly line of Ocean Promenade, as said streets are shown on Alteration Map No. 4982 dated October 6, 2005;

1. Running thence northerly along a line, discontinued and closed, for 17.27 feet to a point;
2. Thence easterly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 12.57 feet to a point;
3. Thence southerly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 17.27 feet to a point;
4. Thence westerly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, for 12.57 feet to the **point or place 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;

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. 4982 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 February 8, 2006 (Calendar No. 22), 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**

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**LISA A. GOMEZ, CHRISTOPHER KUI,**

**JOHN MEROLO, KAREN A. PHILLIPS**

**DOLLY WILLIAMS, Commissioners**