



CITY PLANNING COMMISSION

April 23, 2014 / Calendar No. 14

C 130314 MMQ

IN THE MATTER OF an application submitted by the Yeshiva Har Torah and the New York City 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 the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5010 dated December 12, 2013 and signed by the Borough President.

This application (C 130314 MMQ) for an amendment to the City Map 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 was filed by the Yeshiva Har Torah and the Department of Parks and Recreation (DPR) on May 8, 2013. It involves the elimination, discontinuance and closing of a portion of the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway and the adjustment of grades necessitated thereby including authorization for any acquisition or disposition of real property related thereto to facilitate a parking lot expansion and improved circulation space for an adjacent school located in the Glen Oaks neighborhood of Queens in Community District 13.

RELATED ACTIONS

In addition to this application for an amendment to the City Map (C 130314 MMQ) which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 130313 MMQ

A City Map amendment involving the elimination of a portion of 87th Avenue between 235th Court and Gettysburg Street and the establishment of parkland.

C 140203 ZMQ

An amendment of the Zoning Map pursuant to Sections 197-c and 201 of the New York City Charter by establishing within a former park an R3-2 District.

BACKGROUND

The applicants, Yeshiva Har Torah and the Department of Parks and Recreation (DPR), are proposing the elimination, discontinuance and closing of a portion of the Grand Central Parkway (GCP), at the intersection of Little Neck Parkway, to facilitate a parking lot expansion and improved circulation space for an adjacent primary school.

The GCP parcel proposed to be eliminated is bounded on the east by the Little Neck Parkway, on the north by the Grand Central Parkway Service Road and its connector road to the Little Neck Parkway, on the south by the low density Parkwood Estates Apartment Complex, (Block 8401, Lot 675) and on the west by the Yeshiva Har Torah (Block 8401, Lot 600). It is a crescent shaped parcel consisting of approximately 27,745 square feet and does not have a tax map designation. This portion of the Grand Central Parkway was initially acquired by the City of New York for parkway purposes on July 21, 1931. On May 28, 1937, the Board of Estimate (Cal. 134) transferred jurisdiction of the landscaped areas adjacent to the Grand Central Parkway to the Department of Parks and Recreation. The project site is presently vacant with overgrown vegetation, and is fenced off from the street and surrounding properties. The proposed demapping would create a new street right-of-way line along the back sidewalk of the Grand Central Parkway Service Road, maintaining a 50-foot wide service road, including sidewalks.

This proposed change to the City Map will facilitate the expansion of the existing parking area utilized by a private primary school, the Yeshiva Har Torah, located on Block 8401, Lot 600. The parcel of parkland to be eliminated from the Grand Central Parkway (“Project Site”) will be conveyed to the Yeshiva Har Torah.

The Yeshiva Har Torah, occupies a 3-story, 60,000 square foot building that serves approximately 450 students from Nursery/Preschool to 8th Grade. It currently has a 16-space surface parking lot with an entrance and exit on the Grand Central Parkway service road. The proposed demapping and disposition would add approximately 27,745 square-feet to the parking lot, generating about 30 more parking spaces. The new, enlarged parking lot would continue to be entered from the Grand Central Parkway service road, but the existing exit would connect to a continuous driveway that would link the two parking areas, which would then exit from a new curb-cut located on the Little Neck Parkway, near the eastern edge of the newly mapped parkway right-of-way line. The new parking lot will have a total of 46 parking spaces.

In 2004 the New York State Senate and Assembly authorized the alienation of a portion of the Grand Central Parkway and its conveyance from the City of New York to Yeshiva Har Torah in exchange for replacement parkland to be acquired by the Yeshiva Har Torah and transferred to the City of New York. The proposed establishment on the City Map of replacement parkland is the subject of the related application (C130313 MMQ), being reviewed concurrently with this application. This proposed parkland, which will be added to Gunn Park, is located approximately two miles southwest of the Yeshiva Har Torah. In addition, the alienated GCP parcel which will be added to the Yeshiva site currently does not have zoning, as parklands are not zoned. The proposed establishment of an R3-2 zoning district on the parcel to facilitate the project is the subject of related application (C140203 ZMQ), also being reviewed concurrently with this application. These related applications are discussed below.

GUNN PARK ADDITION AND ELIMINATION OF 87TH AVENUE (C 130313 MMQ)

This related, concurrent application (C130313 MMQ), for a proposed change to the City Map, will facilitate the establishment of approximately 130,490 square feet of parkland of which 12,242 square feet represents replacement parkland.

Approximately 118,248 square feet (2.7 acres) of the existing Detective William T. Gunn Park (Block 7955, p/o Lots 2, 50), currently under DPR's jurisdiction, is proposed to be mapped as parkland. In addition, 25,741 square feet of 87th Avenue, located adjacent to the southerly end of

Gunn Park, is proposed to be eliminated (Block 7955, p/o Lots 50, 100 and Block 7954, p/o Lot 35), and 12,242 square feet (0.28 acres) of the current street bed will be mapped as parkland and incorporated into Gunn Park.

Most of the proposed park mapping consists of the existing city-owned Detective William T. Gunn Park, not currently mapped as parkland, comprising portions of lots 2 and 50 in Block 7955. The remaining portions of these lots are occupied by the Winchester Public School No. 18, south and west of the park. Gunn Park includes a playground operated jointly between DPR and the New York City Department of Education (DOE) and features play equipment, handball and basketball courts, a seating area with benches, and a large asphalt baseball field. The Hollis-Bellaire-Queens Village-Bellerose Padavan-Preller Fields Complex is also adjacent to Gunn Park.

The portion of 87th Avenue proposed to be eliminated is located between 235th Court and Gettysburg Street. It is mapped to a width of 50 feet, is approximately 515 feet long, largely unimproved, and owned by Hollis-Bellaire-Queens Village-Bellerose Athletic Association (HBQVB). The western half of the subject street is partially paved and contains a sidewalk and street trees. The street physically dead ends approximately 90 feet east of 235th Court, but is open to two-way traffic up to that point. A portion of improved street will remain mapped and open from 235th Court to approximately 80 feet (measured along southerly street line) east of 235th Court. The remaining approximately 210 feet will be mapped as parkland (12,242 SF). HBQVB will be ceding to DPR the portion of 87th Avenue to serve as replacement parkland, following which it will be improved for park purposes with a capital allocation from the local Council Member. The eastern half of the demapped street is within the Padavan-Preller Fields Complex, which consists of nine ball fields, and HBQVB will retain ownership of this portion.

Affected agencies and utilities were polled by email on September 17, 2013 regarding the proposed amendments to the City Map. Currently, no city agencies have any objections to the proposals.

ZONING MAP AMENDMENT (C 140203 ZMQ)

To facilitate the project, a change to the Zoning Map to establish an R3-2 District is the subject of related application (C 140203 ZMQ). The area of the proposed zoning designation is the subject Grand Central Parkway parcel, which is currently mapped as parkland. Since parkland is not zoned, the proposed zoning action is required to establish a zoning designation over the former park. This unimproved parcel of former parkland would be acquired by the Yeshiva Har Torah for the expansion of their school parking lot and to provide safer ingress to and egress from the parking lot. The present school and parking lot are also zoned R3-2.

ENVIRONMENTAL REVIEW

This application (C 130314 MMQ), in conjunction with the related applications, 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 13DPR009Q. The lead 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 November 27, 2013.

UNIFORM LAND USE REVIEW

This application (C 130314 MMQ), in conjunction with the applications for the related actions (C 130313 MMQ and 140203 ZMQ) was certified as complete by the Department of City Planning on December 16, 2013, and was duly referred to Queens Community Board 13 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

COMMUNITY BOARD PUBLIC HEARING

Community Board 13 held a public hearing on this application on January 27, 2014 and on that date, by a vote of 30 in favor, 0 opposed and 1 abstaining, adopted a resolution recommending approval of the application.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 130314 MMQ) was considered by the President of the Borough of Queens, who issued a recommendation on February 26, 2014, approving the application.

CITY PLANNING COMMISSION PUBLIC HEARING

On March 5, 2014 (Calendar No. 7) the City Planning Commission scheduled March 19, 2014, for a public hearing on this application (C 130314 MMQ). The hearing was duly held on March 19, 2014 (Calendar Nos. 13) in conjunction with the public hearing on the related applications (C 130313 MMQ and C 140203 ZMQ). There were two speakers in favor of the applications and none in opposition.

A representative of the Department of Parks and Recreation (DPR) described the proposed application along with the related applications and how the proposed actions would be beneficial to both the City and the Yeshiva Har Torah. A representative of the Yeshiva Har Torah described the proposed application and the need for the Yeshiva Har Torah to expand its current parking facilities in order to provide a safer means of ingress and egress for students and faculty.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment to the City Map (C 130314 MMQ), in conjunction with the related actions, is appropriate.

The Commission notes that the portion of the Grand Central Parkway proposed to be eliminated discontinued and closed is under City ownership, unimproved and not open to vehicular or pedestrian traffic. The Commission further notes that State Legislation was passed authorizing the alienation of this portion of the Grand Central Parkway in 2004 and that as a requirement of this Legislation the applicant is to provide replacement parkland for the alienated portion of the Grand Central Parkway.

The Commission believes that the portion of 87th Avenue proposed to be eliminated is under private ownership, largely unimproved and not needed for street circulation purposes and that eliminating it from the City Map will remove a cloud from the title of the underlying private properties.

The Commission also acknowledges that HBQVB will cede to the City a portion of the eliminated street in their ownership to serve as replacement parkland for the alienated GCP parcel to be acquired by the Yeshiva. The Commission believes that the location of the replacement parkland adjacent to the existing Detective William T. Gunn Park is an appropriate location and will well serve the community. Gunn Park presently includes a playground operated jointly between DPR and the New York City Department of Education (DOE) and features play equipment, handball and basketball courts, a seating area with benches, and a large asphalt baseball field which is widely used and the park addition will be well utilized. The Commission also believes that the mapping of the existing Gunn Park along with the replacement parkland area is highly beneficial to the community as it will preserve this important community outdoor space as parkland.

The Commission also believes that the R3-2 zoning designation for the former GCP parcel is appropriate and consistent with the adjacent R3-2 zoning district and uses.

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 130314 MMQ), for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5010 dated December 12, 2013 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 the legally required number of counterparts of Map No. 5010 dated December 12, 2013, providing for the elimination, discontinuance and closing of a portion of the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway, more particularly described as follows:

Beginning at a point on the westerly line of Little Neck Parkway, said point being the following two courses and distances from the point of tangency adjacent to the Queens Topographical Monument Number 21589, as said streets are shown on Alteration Map No. 5010 dated December 12, 2013;

- 1) 274.92 feet southerly along the westerly line of Little Neck Parkway, on the arc of a circle, curving to the right, the radius of which is 318.335 feet.
- 2) 35.65 feet continuing southerly along the westerly line of Little Neck Parkway.

No. 1 Running thence northwesterly along the former southwesterly line of Grand Central Parkway, discontinued and closed, on the arc of a circle, curving to the left, the radius of which is 318.335 feet, for 95.16 feet to a point;

No. 2 Thence continuing northwesterly along the former southwesterly line of Grand Central Parkway, discontinued and closed, on the arc of a circle, curving to the right, the radius of which is 205.000 feet, tangent to the last mentioned course, for 79.85 feet to a point;

No. 3 Thence westerly along the former southerly line of Grand Central Parkway, discontinued and closed, forming an interior angle of 33 degrees 10 minutes 57 seconds with the tangent of the last mentioned course, for 273.26 feet to a point;

No. 4 Thence continuing westerly along the former southerly line of Grand Central Parkway, discontinued and closed, forming an interior angle of 259 degrees 01 minutes 10 seconds with the last mentioned course, for 11.52 feet to a point;

No. 5 Thence continuing westerly along the former southerly line of Grand Central Parkway, discontinued and closed, forming an interior angle of 103 degrees 51 minutes 32 seconds with the last mentioned course, for 75.28 feet to a point;

No. 6 Thence easterly along a line, on the arc of a circle, curving to the right, the radius of which is 520.000 feet, the tangent of which forms an interior angle of 31 degrees 45 minutes 03 seconds with the last mentioned course, for 220.00 feet to a point;

No. 7 Thence continuing easterly along a line, on the arc of a circle, curving to the right, the radius of which is 300.000 feet, tangent to the last mentioned course, for 103.26 feet to a point;

No. 8 Thence continuing easterly along a line, tangent to the last mentioned course, for 34.13 feet to a point;

No. 9 Thence southeasterly along a line, on the arc of a circle, curving to the right, the radius of which is 279.920 feet, tangent to the last mentioned course, for 174.16 feet to a point;

No. 10 Thence continuing southeasterly along a line, tangent to the last mentioned course, for 49.43 feet to a point;

No. 11 Thence westerly along a line, forming an interior angle of 90 degrees 00 minutes 00 seconds with the last mentioned course, for 17.11 feet to the westerly line of Little Neck Parkway, the point or place of beginning.

The area described above consists of 27,745 square feet or 0.64 acres 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. 5010, dated December 12, 2013, 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 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, in form and sufficiency approved by the Corporation Counsel, and which agreement shall be accepted by the City Planning Commission (the “Mapping Agreement”); and
- c. The subject street 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 130314 MMQ), duly adopted by the City Planning Commission on April 23, 2014 (Calendar No. 14), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, Chairman

KENNETH J. KNUCKLES, ESQ., Vice Chairman

RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,

MARIA M. DEL TORO, JOSEPH I. DOUEK, RICHARD W. EADDY,

ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners

Application #: C 130314 MMQ	Project Name: Grand Central Pkwy City Map Change
CEQR Number: 13DPR009Q	Borough(s): Queens
	Community District Number(s): 13

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Return this completed page at least fourteen (14) days before the scheduled hearing date by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include in the subject line: (CB or BB) Public Hearing Notice + (6-digit application number), e.g., "CB Public Hearing Notice #C100000ZSQ"
 - MAIL:** Calendar Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** to (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description:

IN THE MATTER OF an application submitted by the Yeshiva Har Torah and the New York City 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 the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5010 dated December 12, 2013 and signed by the Borough President.

Applicant(s): Yeshiva Har Torah 250-10 Grand Central Parkway Little Neck, NY 11426		Applicant's Representative: Aurthur Feldman Yeshiva Har Torah 250-10 Grand Central Parkway Little Neck, NY 11426	
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Technical Review Division Address: 22 Reade Street, 3d Fl., New York, NY 10007 Phone: 212-720-3248 Fax: 212-720-3244			
Notification submitted by: Queens Community Board 13			
Date of Public Hearing: January 27, 2014			Time: 8:00 PM
Hearing Location: Bellerose Assembly of God 240-15 Hillside Avenue			
Name of CB/BB officer completing this form [Signature]		Title Chairperson	Date 1/31/14

Queens Borough President Recommendation

APPLICATION: ULURP #C130314 MMQ

COMMUNITY BOARD: Q13

DOCKET DESCRIPTION

IN THE MATTER of an application submitted by the Yeshiva Har Torah and the New York City 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:

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including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5010 dated December 12, 2013 and signed by the Borough President. (Related Applications: ULURP #C130313 MMQ, #C140203 ZMQ)

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on February 6, 2014 at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There was one (1) speaker in favor of the application. The hearing was closed.

CONSIDERATION

Subsequent to review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

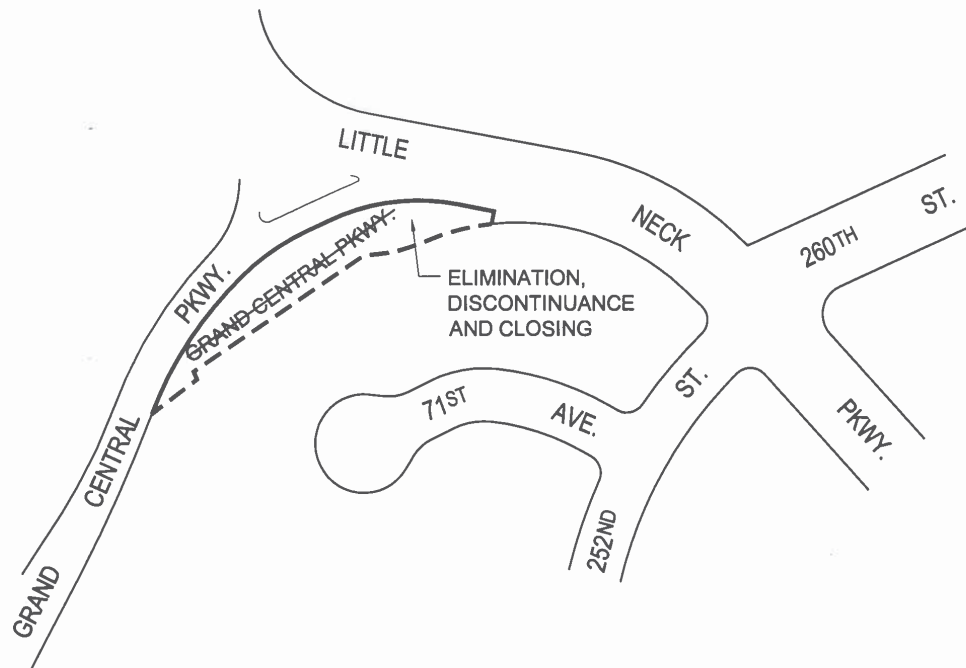
- The application proposes amendment to the City Map that would facilitate a land exchange between Yeshiva Har Torah and New York City Department of Parks and Recreation. The proposal is to demap a portion of the Grand Central Parkway Service Road (GCP parcel) where it intersects Little Neck Parkway that is unimproved, unused mapped parkland;
- The GCP parcel is a 27,730 sf crescent shaped undeveloped lot in Glen Oaks. The site is vacant land that is overgrown with vegetation and is fenced from the street and surrounding properties. Yeshiva Har Torah is a 3-story private school, serving approximately 450 students ranging from nursery/preschool to 8th grade. The campus includes a 16-space surface parking area on the western border of the school property with vehicular ingress and egress from the Grand Central Parkway Service Road;
- Yeshiva Har Torah would use the demapped portion of the Grand Central Parkway to lengthen their driveway eastward, add 30 new surface parking spaces and most importantly create a safer exit onto Little Neck Parkway. The new exit onto Little Neck Parkway would alleviate a currently unsafe condition requiring vehicles leaving the school grounds to weave into fast moving traffic that have just exited the Grand Central Parkway onto the service road;
- The New York State Senate and Assembly has already authorized alienation of a portion of the Grand Central Parkway (the GCP Parcel) and its conveyance to the Yeshiva Har Torah upon condition that the City acquires replacement parkland and/or performs capital improvements to existing park and recreational facilities which is equal or greater fair market value under Chapter 682 of the Laws of 2004. Yeshiva Har Torah will use the acquired GCP parcel (27,730 sf) for traffic circulation and safety improvements, and to provide additional parking spaces on their campus. Yeshiva Har Torah would replace the alienated parkland with a 12,242 sf (demapped portion of 87th Avenue) addition to the existing 118,248 sf unmapped Gunn Park. This addition will result in a newly mapped park that will have a total area of approximately 130,490 sf. The Department of Parks and Recreation has stated the park addition would be improved as a passive recreational space in the future;
- The surrounding area is developed with the Yeshiva Har Torah to the west, one-family residences to the east and a low-density cooperative community to the south;
- CB13 approved this application by a vote of thirty (30) in favor, none (0) opposed and one (1) abstaining at a public hearing held on January 27, 2014.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application.


PRESIDENT, BOROUGH OF QUEENS

2/26/2014
DATE



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP

11

BOROUGH OF
QUEENS

New York, Certification Date
DECEMBER 16, 2013

Irene Sadko
I. Sadko, P.E.
Chief Engineer



NOTE:

- Indicates line of street legally adopted.
- Indicates line of street proposed to be established.
- - - Indicates line of street proposed to be eliminated.