



CITY PLANNING COMMISSION

August 11, 2008, Calendar No. 25

C 080336 MMM

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 Fulton Street, and John DeLury Sr. Plaza;
- the establishment of DeLury Square Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

Community District 1, Borough of Manhattan, in accordance with Map No. 30224 dated May 1, 2008, and signed by the Borough President.

The application (C 080336 MMM) for an amendment to the City Map was filed by the Department of Parks and Recreation on March 20, 2008, in order to facilitate the establishment of a small public park in Lower Manhattan.

BACKGROUND

The Department of Parks and Recreation is requesting a change in the City Map involving the elimination, discontinuance and closing of a portion of Fulton Street and John DeLury Sr. Plaza, and the establishment of DeLury Square Park at the intersection of Fulton Street and Gold Street as part of the Fulton Corridor Revitalization Program.

A portion of Fulton Street and Gold Street is proposed to be narrowed by eliminating a turning lane. Once the portions of Gold Street and Fulton Street are eliminated from the City Map, this intersection will be reconfigured and realigned. Though Fulton Street is currently mapped to a 90-foot width, it is only partially improved and is open for two way traffic. After the narrowing, Fulton Street will have an 83.10-foot width at its narrowest point. Gold Street is mapped to an 80-foot width. After the change in the City Map, it will have an irregular width with a minimum of a 74-foot width.

The eliminated portions of the street and a portion of Block 94, Lot 1 will be incorporated into the proposed DeLury Square Park. Block 94 Lot 1 is currently owned by the Southbridge Towers, and will be purchased by the City. The proposed park contains 0.20 acres (8,897 sq. ft.) of land and is designed for passive recreation. It is proposed to include benches, water fountains, a lawn area, trees and flowers, and a flowing rocky stream with a boulder fountain and a pond. The existing vegetation will be preserved to the greatest extent possible.

The site and the area to the North-East is zoned R8 within the Special Lower Manhattan District. Areas to the North, West and South are zoned C6-4. The site is currently developed with benches and trees. City Hall, Pace University, Wall Street, South Street Seaport and the Brooklyn Bridge are within walking distance of the project site.

ENVIRONMENTAL REVIEW

This application (C 080336 MMM) 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 HUD CDBG B-02-DW-36-0001. The lead agency is the Lower Manhattan Development Corporation. After a study of the potential environmental impact of the proposed action, a negative declaration was issued on February 14, 2008.

UNIFORM LAND USE REVIEW

This application (C 080336 MMM), was certified as complete by the Department of City Planning on May 5, 2008 and was duly referred to Community Board 1 and the Manhattan 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 1 held a public hearing on this application (C 080336 MMM) on May 27,

2008, and on that day, by a vote of 39 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 080336 MMM) was considered by the Borough President of Manhattan, who issued a recommendation of approval on July 9, 2008.

CITY PLANNING COMMISSION PUBLIC HEARING

On July 2, 2008 (Calendar No. 5), the City Planning Commission scheduled July 23, 2008 for a public hearing on this application (C 080336 MMM). The hearing was duly held on July 23, 2008 (Calendar No. 26).

There were seven speakers in favor and none in opposition to this application. The speakers were representatives of NYC Department of Transportation, NYC Department of Parks and Recreation, Southbridge Towers, Manhattan Borough President, Community Board 1, City Council, and the NY State Assembly. 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. Fulton Street is a busy commercial area, with substantial pedestrian traffic. It is also currently seeing an increase in residential uses. The proposed DeLury Square Park at the corner of Fulton Street and Gold Street is part of the revitalization program for Fulton Street, and is also part of the desired enhancement of public open spaces in Lower Manhattan. The proposed Park will expand upon and enhance an already-existing, small, privately- owned and somewhat limited green space. The exchange of street-bed for parkland will also facilitate a more controlled and less dangerous traffic configuration at this busy street intersection and improve pedestrian circulation and safety.

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 080336 MMM) for the amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Fulton Street, and John DeLury Sr. Plaza;
- the establishment of DeLury Square Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

Community District 1, Borough of Manhattan, in accordance with Map No. 30224 dated May 1, 2008, 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. 30224, dated May 1, 2008, providing for the discontinuance and closing of a portion of Fulton Street, and John DeLury Sr. Plaza, more particularly described as follows:

Beginning at a point on the easterly side of Gold Street, said point being located by traversing the following two courses from the southeasterly corner of the intersection of Gold Street and Frankfort Street, *to wit*: running 94.57 feet southwesterly, along the easterly line of Gold Street, to a point; thence, southwesterly 598.30 feet, along the easterly line of Gold Street, which forms an interior angle of 176 degrees, 30 minutes, and 36 seconds with the last mentioned course, to the Point of Beginning, as said streets are shown on Map Acc. No.30224, dated May 1, 2008;

1. Thence, running southwesterly 1.11 feet, along the former easterly line of Gold Street, to a point of tangency;
2. Thence, running southeasterly 82.59 feet, along the former easterly line of Gold Street, along a curve to the left, having a radius of 65.00 feet, and a central angle of 72 degrees, 48 minutes, 08 seconds, to a point of curvature, on the former northerly line of Fulton Street;
3. Thence, running southeasterly 54.19 feet, along the former northerly line of Fulton Street, to a point;
4. Thence, running 16.99 feet, along a line which forms an interior angle of 89 degrees, 53 minutes, and 47 seconds with the last mentioned course, to a point on a curve;
5. Thence, running 69.90 feet northwesterly, on a curve to the left, having a radius of 274.00 feet and a central angle of 14 degrees, 37 minutes and 00 seconds, whose tangent forms an interior angle of 92 degrees, 38 minutes, and 03 seconds with the last mentioned course, to a point of tangency;
6. Thence, running 6.94 feet, along a tangent to the last mentioned course, to a point of curvature;
7. Thence, running 30.42 feet, on a curve to the right, having a radius of 20.00 feet and a central angle of 87 degrees, 08 minutes, and 48 seconds, to a point of tangency;
8. Thence, running 62.08 feet, along a tangent to the last mentioned course, to a point;
9. Thence, running 7.57 feet, along a line which forms an interior angle of 133 degrees, 34 minutes, and 24 seconds with the last mentioned course, to a point;
10. Thence, running 1.36 feet along a line which forms an interior angle of 133 degrees, 34 minutes, and 24 seconds with the last mentioned course, to the Point of Beginning.

Said lands have an area of 3,142 square feet or 0.072 acres; 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. 30224 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 street(s) 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 080336 MMM), duly adopted by the City Planning Commission on August 11, 2008 (Calendar No. 25), 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.

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