



## **CITY PLANNING COMMISSION**

June 6, 2007/Calendar No. 7

C 050436 MMM

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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 a portion of Baxter Street;
- the establishment of an addition to Columbus Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community Districts 1 and 3, Borough of Manhattan, in accordance with Map No. 30219 dated December 15, 2006 and signed by the Borough President.

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The application (C 050436 MMM) 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 April 25, 2005. It involves: the elimination, discontinuance and closing of a portion of Baxter Street; the establishment of an addition to Columbus Park; the adjustment of grades; and any acquisition or disposition of real property related thereto.

### **BACKGROUND**

The change in the City Map involves the elimination, discontinuance and closing of a portion of Baxter Street between Bayard Street and Hogan Place and the establishment of the eliminated portion of street as an addition to Columbus Park.

Baxter Street, at this location, is improved, open for one-way southbound traffic, city-owned and has an irregular width. This application will map this portion of the street to a width of approximately 51 feet. The eliminated, discontinued and closed portion of the street will be mapped as an addition to Columbus Park.

The proposed park addition will facilitate the expansion of the green space and seating area along the western edge of the park by over 6000 square feet (0.14 acre) and enhancement of the area to the south of the historic pavilion and ease park congestion in this heavily used park. An Asian themed garden will be planted to enhance the existing vegetation, reinforce the gateway link to Chinatown, and act as a transition between the active ballfield area and the pavilion.

The project site is located in the Chinatown neighborhood of the Borough of Manhattan. The subject area lies within C6-1 and C6-4 zoning districts. The immediate area to the west and south are occupied by court houses and a federal office building. Commercial development is located to the north east of the project site.

Appropriate City agencies were polled on May 12, 2005. None had any objections to the proposal.

#### **ENVIRONMENTAL REVIEW**

This application (C 050436 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 05DOT001M. 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 10, 2004.

#### **UNIFORM LAND USE REVIEW**

This application (C 050436 MMM), was certified as complete by the Department of City Planning on January 22, 2007 and was duly referred to Community Board 1 and 3 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 050436 MMM) on February 20, 2007, and on that day, by a vote of 36 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Community Board 3 held a public hearing on this application (C 050436 MMM) on February 14, 2007 and on February 27, 2007, by a vote of 35 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **BOROUGH PRESIDENT RECOMMENDATION**

This application (C 050436 MMM) was considered by the Borough President of Manhattan, who issued a recommendation approving the application on April 4, 2007.

### **BOROUGH BOARD RECOMMENDATION**

This application (C 050436 MMM) was considered by the Borough Board, who issued a recommendation approving the application on April 4, 2007.

### **CITY PLANNING COMMISSION PUBLIC HEARING**

On April 25, 2007 (Calendar No. 3), the City Planning Commission scheduled May 9, 2007, for a public hearing on this application (C 050436 MMM). The hearing was duly held on May 9, 2007 (Calendar No. 29).

There was one speaker in favor and none in opposition to this application. The speaker, a representative of the Borough President's Office, spoke in favor supporting the park proposal.

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.

Columbus Park is a heavily used park. The proposed park addition to Columbus Park will facilitate the expansion of the green space and seating area along the western edge of the park by over 6000 square feet (0.14 acre) and ease park congestion. An Asian themed garden will be planted along the western edge of the park to enhance the existing vegetation, reinforce the gateway link to Chinatown, and act as a transition between the active ballfield area and the pavilion.

## **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 050436 MMM) for the amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Baxter Street;
- the establishment of an addition to Columbus Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community Districts 1 and 3, Borough of Manhattan, in accordance with Map No. 30219 dated December 15, 2006 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. 30219 dated December 15, 2006 providing for the discontinuance and closing of a portion of Baxter Street, more particularly described as follows:

**DISCONTINUING AND CLOSING A PORTION OF BAXTER STREET BETWEEN BAYARD STREET AND HOGAN PLACE**

**BEGINNING** at a point located at the intersection of the northerly street line of Hogan Place and the former easterly street line of Baxter Street, said point being distant 280.89 feet northwesterly along the easterly street line of Baxter Street from its intersection with the northerly street line of Worth Street,

1. Running thence northwesterly, along the easterly line of Baxter Street, discontinued and closed, a distance of 97.40 feet to a point,
2. Running thence northerly, along the easterly line of Baxter Street, discontinued and closed, forming an interior angle of 209 degrees 15 minutes 04 seconds with the last mentioned course, a distance of 176.90 feet to a point;
3. Running thence southerly, along the newly proposed easterly line of Baxter Street, forming an interior angle of 3 degrees 42 minutes 42 seconds with the last mentioned course, a distance of 214.94 feet to a point;
4. Running thence westerly, along the newly proposed easterly line of Baxter Street, forming an interior angle of 270 degrees 00 minutes 00 seconds with the last mentioned course, a distance of 3 feet;
5. Running thence southerly, along the newly proposed easterly line of Baxter Street, forming an interior angle of 90 degrees 00 minutes 00 seconds with the last

mentioned course, a distance of 38.76 feet to a point;

6. Running thence easterly, along the newly proposed easterly line of Hogan Place, forming an interior angle of 93 degrees 51 minutes 14 seconds with the last mentioned course, a distance of 67.59 feet to the **Point of Beginning**.

**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. 30219 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 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 050436 MMM), duly adopted by the City Planning Commission on June 6, 2007 (Calendar No. 7), 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**

**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**

**ALFRED C. CERULLO, III, BETTY CHEN**

**RICHARD W. EADDY, LISA A. GOMEZ**

**NATHAN LEVENTHAL, KAREN A. PHILLIPS**

**DOLLY WILLIAMS, Commissioners**