



CITY PLANNING COMMISSION

May 24, 2006/Calendar No. 5

C 050418 MMQ

IN THE MATTER OF an application, submitted by the Department of Housing Preservation and Development (HPD) 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 Beach 79th Street, Beach 80th Street, Beach 81st Street, Beach 82nd Street and Beach 83rd Street;
- the elimination of Finnard Avenue;
- the delineation of permanent sewer easements;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

all within an area bounded by Beach 77th Street, Beach Channel Drive, Beach 84th Street and Rockaway Freeway, Community District 14, Borough of Queens, in accordance with Map No. 4987 dated December 1, 2005 and signed by the Borough President.

The application (C 050418 MMQ) for an amendment to the City Map was filed by the Department of Housing Preservation and Development (HPD), 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 13, 2005. It involves: the elimination, discontinuance and closing of Beach 79th Street, Beach 80th Street, Beach 81st Street, Beach 82nd Street and Beach 83rd Street; the elimination of Finnard Avenue; the delineation of permanent sewer easements; 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 application which is being considered concurrently with this application:

C 050419 HDQ

Disposition of city-owned property.

BACKGROUND

The Department of Housing Preservation and Development (HPD) is requesting a change in the City Map to facilitate the establishment of the 154,000 square foot Far Rockaway Clothing Assembly and Distribution Center.

A full background discussion and project description appears in the report on the related application for the disposition of city-owned property (C 050419 HDQ).

ENVIRONMENTAL REVIEW

This application (C 050418 MMQ), in conjunction with the application for the related action (C 050419 HDQ), 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 04DME008Q. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on January 6, 2006.

UNIFORM LAND USE REVIEW

This application (C 050418 MMQ), in conjunction with the application for the related action (C 050419 HDQ), was certified as complete by the Department of City Planning on January 9, 2006, 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 050418 MMQ), together with the related application (C 050419 HDQ) on March 8, 2006, and on that day, by a vote of 29 to 2,

with 0 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the recommendation of Community Board No. 14 appears in the report on the related application for the disposition of city-owned property (C 050419 HDQ).

Borough President Recommendation

This application (C 050418 MMQ), together with the related application (C 050419 HDQ) was considered by the President of the Borough of Queens who issued a recommendation approving this application on April 26, 2006.

A summary of the recommendation of the Borough President appears in the report on the related application for the disposition of city-owned property (C 050419 HDQ).

City Planning Commission Public Hearing

On April 5, 2006 (Calendar No. 4), the City Planning Commission scheduled April 26, 2006 for a public hearing on this application (C 050418 MMQ). The hearing was duly held on April 26, 2006 (Calendar No. 17) in conjunction with the hearing on the related action (C 050419 HDQ).

There were a number of appearances, as described in the report on the related application for the disposition of city-owned property (C 050419 HDQ), and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 050418 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 05-020.

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.

A full consideration of the issues and the reasons for approving these applications appears in the report on the related application for the disposition of city-owned property (C 050419 HDQ).

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 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 050418 MMQ) for the amendment to the City Map involving: the elimination, discontinuance and closing of Beach 79th Street, Beach 80th Street, Beach 81st Street, Beach 82nd Street and Beach 83rd Street; and the elimination of Finnard Avenue; the delineation of permanent sewer easements; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto, in Community District 14, Borough of Queens, in accordance with Map No. 4987 dated December 1, 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. 4987, dated December 1, 2005 providing for the discontinuance and closing of portions of Beach 79th, Beach 80th, Beach 81st, Beach 82nd and Beach 83rd streets, more particularly described as follows:

DISCONTINUING AND CLOSING BEACH 79TH STREET BETWEEN ROCKAWAY FREEWAY AND BEACH CHANNEL DRIVE

Beginning at a point on the southerly line of Rockaway Freeway, said point being located by following three courses and distances from the corner formed by the intersection of the southerly line of Rockaway Freeway and the westerly line of Beach 77th Street, as said streets are shown on Alteration Map No. 4987 dated December 1, 2005;

1. 51.34 feet westerly along the southerly line of Rockaway Freeway from its intersection with the westerly line of Beach 77th Street.
2. 155.90 feet continuing westerly along the southerly line of Rockaway Freeway, along an arc, curving to the right, the radius of which is 335.000 feet and having an included angle of 26 degrees 39 minutes and 50 seconds, tangent to the last mentioned course.
3. 4.19 feet continuing westerly along the southerly line of Rockaway Freeway, tangent to the last mentioned course.

No. 1 Running thence southerly along the former easterly line of Beach 79th Street, discontinued and closed, a distance of 155.35 feet to a point.

No. 2 Thence continuing southerly along the former easterly line of Beach 79th Street, discontinued and closed, forming an interior angle of 193 degrees 58 minutes 00 seconds with the last mentioned course, a distance of 17.48 feet to the northerly line of Beach Channel Drive;

- No. 3 Thence westerly along the northerly line of Beach Channel Drive, forming an interior angle of 80 degrees 08 minutes 53 seconds with the last mentioned course, a distance of 33.56 feet to a point;
- No. 4 Thence continuing westerly along the northerly line of Beach Channel Drive, forming an interior angle of 181 degrees 28 minutes 20.6 seconds with the last mentioned course, a distance of 17.12 feet to the former westerly line of Beach 79th Street, discontinued and closed;
- No. 5 Thence northerly along the former westerly line of Beach 79th Street, discontinued and closed, forming an interior angle of 98 degrees 22 minutes 46.4 seconds with the last mentioned course, a distance of 15.37 feet to a point;
- No. 6 Thence continuing northerly along the former westerly line of Beach 79th Street, discontinued and closed, forming an interior angle of 166 degrees 02 minutes 00 seconds with the last mentioned course, a distance of 29.00 feet to a point;
- No. 7 Thence continuing northerly along the former westerly line of Beach 79th Street, discontinued and closed, forming an interior angle of 193 degrees 58 minutes 00 seconds with the last mentioned course, a distance of 136.63 feet to a point;
- No. 8 Thence easterly along a line, discontinued and closed, forming an interior angle of 65 degrees 34 minutes 30 seconds with the last mentioned course, a distance of 33.53 feet to a point;
- No. 9 Thence northerly along the former westerly line of Beach 79th Street, discontinued and closed, forming an interior angle of 280 degrees 27 minutes 30 seconds with the last mentioned course, a distance of 15.20 feet to the southerly line of Rockaway Freeway;
- No. 10 Thence easterly along the southerly line of Rockaway Freeway, forming an interior angle of 79 degrees 32 minutes 30 seconds with the last mentioned course, a distance of 50.84 feet to the **point or place of beginning**.

DISCONTINUING AND CLOSING BEACH 80TH STREET BETWEEN ROCKAWAY FREEWAY AND BEACH CHANNEL DRIVE

Beginning at a point on the southerly line of Rockaway Freeway at its intersection with the southerly prolongation of the easterly line of Beach 80th Street, as said streets are shown on Alteration Map No. 4987 dated December 1, 2005;

- No. 1 Running thence southerly along the former easterly line of Beach 80th Street, discontinued and closed, a distance of 270.68 feet to the northerly line of Beach Channel Drive;
- No. 2 Thence westerly along the northerly line of Beach Channel Drive, forming an interior angle of 84 degrees 16 minutes 48.6 seconds with the last mentioned course, a distance of 50.25 feet to a point;
- No. 3 Thence northerly along the former westerly line of Beach 80th Street, discontinued and closed, forming an interior angle of 95 degrees 43 minutes 11.4 seconds with the last mentioned course, a distance of 285.63 feet to the southerly line of Rockaway Freeway;
- No. 4 Thence easterly along the southerly line of Rockaway Freeway, forming an interior angle of 68 degrees 14 minutes 06.3 seconds with the last mentioned course, a distance of 53.84 feet to the **point or place of beginning**.

DISCONTINUING AND CLOSING BEACH 81ST STREET NORTH OF BEACH CHANNEL DRIVE

Beginning at a point on the northerly line of Beach Channel Drive, said point being located by following four courses and distances from the corner formed by the intersection of the northerly line of Beach Channel Drive and the easterly line of Beach 84th Street, as said streets are shown on Alteration Map No. 4987 dated December 1, 2005;

- a. 219.48 feet easterly along the northerly line of Beach Channel Drive along an arc, curving to the right, the radius of which is 585.668 feet and having an included angle of 21 degrees 28 minutes and 17 seconds from its intersection with the easterly line of Beach 84th Street to an angle point, thence
- b. 45.02 feet continuing easterly along the northerly line of Beach Channel Drive, which forms counterclockwise angle of 10 degrees 40 minutes 17.1 seconds from the tangent to the last mentioned course to an angle point, thence
- c. 117.90 feet continuing easterly along the northerly line of Beach Channel Drive forming a clockwise angle of 199 degrees 07 minutes 16.1 seconds from the last mentioned course, thence
- d. 317.04 feet continuing easterly along the northerly line of Beach Channel Drive forming a clockwise angle of 168 degrees 32 minutes 36.7 seconds with the last

mentioned course.

- No. 1 Running thence northerly along the former westerly line of Beach 81st Street, discontinued and closed, a distance of 16.60 feet to a point;
- No. 2 Thence continuing northerly along the former westerly line of Beach 81st Street and its prolongation, discontinued and closed, forming an interior angle of 195 degrees 55 minutes 10 seconds with the last mentioned course, a distance of 118.66 feet to a point;
- No. 3 Thence easterly along a line, discontinued and closed, forming an interior angle of 90 degrees with the last mentioned course, a distance of 9.96 feet to a point;
- No. 4 Thence southeasterly along a line, discontinued and closed, forming an interior angle of 151 degrees 48 minutes 28.8 seconds with the last mentioned course, a distance of 39.76 feet to a point;
- No. 5 Thence southerly along the former easterly line of Beach 81st Street and its prolongation, discontinued and closed, forming an interior angle of 118 degrees 11 minutes 31.2 seconds with the last mentioned course, a distance of 106.17 feet to a point;
- No. 6 Thence continuing southerly along the former easterly line of Beach 81st Street, discontinued and closed, forming an interior angle of 164 degrees 04 minutes 50 seconds with the last mentioned course, a distance of 14.88 feet to the northerly line of Beach Channel Drive;
- No. 7 Thence westerly along the northerly line of Beach Channel Drive, forming an interior angle of 100 degrees 05 minutes 43.6 seconds with the last mentioned course, a distance of 45.71 feet to the **point or place of beginning**.

DISCONTINUING AND CLOSING BEACH 82ND STREET BETWEEN PARK LINE AND BEACH CHANNEL DRIVE

Beginning at a point on the northerly line of Beach Channel Drive, said point being located by following three courses and distances from the corner formed by the intersection of the northerly line of Beach Channel Drive and the easterly line of Beach 84th Street, as said streets are shown on Alteration Map No. 4987 dated December 1, 2005;

- a. 219.48 feet easterly along the northerly line of Beach Channel Drive along an arc, curving to the right, the radius of which is 585.668 feet and having an included

angle of 21 degrees 28 minutes and 17 seconds from its intersection with the easterly line of Beach 84th Street to an angle point, thence

- b. 45.02 feet continuing easterly along the northerly line of Beach Channel Drive, which forms counterclockwise angle of 10 degrees 40 minutes 17.1 seconds from the tangent to the last mentioned course to an angle point, thence
- c. 96.87 feet continuing easterly along the northerly line of Beach Channel Drive forming a clockwise angle of 199 degrees 07 minutes 16.1 seconds with the last mentioned course, thence

- No. 1 Running thence northerly along the former westerly line of Beach 82nd Street, discontinued and closed, a distance of 185.33 feet to the former northerly terminus line of Beach 82nd Street, discontinued and closed;
- No. 2 Thence easterly along the former northerly terminus line of Beach 82nd Street, discontinued and closed, along an arc, curving to the right, the radius of which is 1237.548 feet and having an included angle of 20 degrees 24 minutes and 16.5 seconds, the tangent of which forms an interior angle of 106 degrees 53 minutes 07.9 seconds with the last mentioned course, a distance of 51.94 feet to the former easterly line of Beach 82nd Street, discontinued and closed;
- No. 3 Thence southerly along the former easterly line of Beach 82nd Street, discontinued and closed, forming an interior angle of 75 degrees 31 minutes 08.6 seconds with the tangent of the last mentioned course, a distance of 208.68 feet to the northerly line of Beach Channel Drive;
- No. 4 Thence westerly along the northerly line of Beach Channel Drive, forming an interior angle of 84 degrees 10 minutes 33.6 seconds with the last mentioned course, a distance of 30.07 feet to a point;
- No. 5 Thence continuing westerly along the northerly line of Beach Channel Drive, forming an interior angle of 168 degrees 32 minutes 36.8 seconds with the last mentioned course, a distance of 21.03 feet to the **point or place of beginning**.

**DISCONTINUING AND CLOSING BEACH 83RD STREET BETWEEN PARK LINE
AND BEACH CHANNEL DRIVE**

Beginning at a point on the northerly line of Beach Channel Drive, said point being distant 219.48 feet, along an arc, curving to the right, the radius of which is 585.668 feet and having an included angle of 21 degrees 28 minutes and 17 seconds, from the corner formed by the intersection of the northerly line of Beach Channel Drive and the easterly line of Beach 84th Street, as said streets are shown on Alteration Map No. 4987 dated December 1, 2005;

- No. 1 Running thence northerly along the former westerly line of Beach 83rd Street, discontinued and closed, a distance of 123.56 feet to the former northerly terminus line of Beach 83rd Street, discontinued and closed;
- No. 2 Thence easterly along the former northerly terminus line of Beach 83rd Street, discontinued and closed, along an arc, curving to the right, the radius of which is 1252.548 feet and having an included angle of 2 degrees 13 minutes and 28.2 seconds, the tangent of which forms an interior angle of 113 degrees 22 minutes 31.5 seconds with the last mentioned course, a distance of 48.60 feet to the former easterly line of Beach 83rd Street, discontinued and closed;
- No. 3 Thence southerly along the former easterly line of Beach 83rd Street, discontinued and closed, forming an interior angle of 68 degrees 50 minutes 56.4 seconds with the tangent of the last mentioned course, a distance of 140.53 feet to the northerly line of Beach Channel Drive;
- No. 4 Thence westerly along the northerly line of Beach Channel Drive, forming an interior angle of 91 degrees 50 minutes 21.6 seconds with the last mentioned course, a distance of 45.02 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; 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. 4987 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 (C 050418 MMQ), duly adopted by the City Planning Commission on May 24, 2006 (Calendar No. 5), 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

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