



## **CITY PLANNING COMMISSION**

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April 23, 2014 / Calendar No. 13

C 130313 MMQ

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**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 for an amendment to the City Map involving:

- the elimination of a portion of 87<sup>th</sup> Avenue between 235<sup>th</sup> Court and Gettysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue and Gettysburg Street; 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. 5015 dated December 12, 2013 and signed by the Borough President.

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This application (C 130313 MMQ) for an amendment to the City Map pursuant to Sections 197-c and 199 of the New York City Charter was filed by the Yeshiva Har Torah and the Department of Parks and Recreation (DPR) on May 8, 2013. It involves the elimination of a portion of 87<sup>th</sup> Avenue between 235<sup>th</sup> Court and Gettysburg Street and the establishment of park within an area generally bounded by Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue and Gettysburg Street and the adjustment of grades necessitated thereby including authorization for any acquisition or disposition of real property related, located in the Queens Village neighborhood of Queens. The proposed amendment to the City Map will preserve existing Gunn Park as parkland and establish new parkland to replace the alienation of parkland along the Grand Central Parkway to facilitate the expansion and improvement of a school parking area which is the subject of two related applications further described below.

### **RELATED ACTIONS**

In addition to the application for an amendment to the City Map (C 130313 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 130314 MMQ

A City Map amendment involving the elimination, discontinuance and closing of a portion of the Grand Central Parkway.

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**

A full background discussion of this application appears in the related report for a City Map amendment (C 130314 MMQ).

### **ENVIRONMENTAL REVIEW**

This application (C 130313 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.

A summary of the environmental review appears in the report for the related City Map amendment (C 130314 MMQ).

### **UNIFORM LAND USE REVIEW**

This application (C 130313 MMQ), in conjunction with the applications for the related actions (C 130314 MMQ and C 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 130313 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. 6), the City Planning Commission scheduled March 19, 2014, for a public hearing on this application (C 130313 MMQ). The hearing was duly held on March 19, 2014 (Calendar Nos. 12), in conjunction with the public hearing for the related applications (C 130314 MMQ and C 140203 ZMQ).

There were a number of appearances as described in the report for the related City Map amendment (C 130314 MMQ), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the proposed amendment to the City Map (C 130313 MMQ) is appropriate.

A full consideration and discussion of the issues, and the reasons for approving this application, appear in the report for the related City Map amendment (C 130314 MMQ).

### **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, that based on the environmental determination and the consideration described in this report, the application (C 130313 MMQ), for an amendment to the City Map involving:

- the elimination of a portion of 87<sup>th</sup> Avenue between 235<sup>th</sup> Court and Gettysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue and Gettysburg Street; 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. 5015 dated December 12, 2013 and signed by the Borough President, is approved; and be it further

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. 5015, dated December 12, 2013, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter; 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

The above resolution (C 130313 MMQ), duly adopted by the City Planning Commission on April 23, 2014 (Calendar No. 13), 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**



**Community/Borough Board Recommendation**  
Pursuant to the Uniform Land Use Review Procedure

Application #: <b>C 130313 MMQ</b>	Project Name: <b>87th Ave / Gunn Park Addition - City Map</b>
CEQR Number: 13DPR009Q	Borough(s): <b>Queens</b> Community District Number(s): <b>13</b>

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

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*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 for an amendment to the City Map involving:

- the elimination of a portion of 87<sup>th</sup> Avenue between 235<sup>th</sup> Court and Gettysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue and Gettysburg Street; 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. 5015 dated December 12, 2013 and signed by the Borough President.

<b>Applicant(s):</b> Yeshiva Har Torah 250-10 Grand Central Parkway Little Neck, NY 11426		<b>Applicant's Representative:</b> Aurthur Feldman Yeshiva Har Torah 250-10 Grand Central Parkway Little Neck, NY 11426
<b>Department of Parks and Recreation</b> The Arsenal, Central Park New York, NY 10065		
<b>Recommendation submitted by:</b> Queens Community Board 13		
<b>Date of public hearing:</b> 1/27/14	<b>Location:</b> Bellerose Assembly of God	
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>		
<b>Date of Vote:</b> January 27, 2014	<b>Location:</b> Bellerose Assembly of God 240-15 Hillside Ave. Bellerose	
<b>RECOMMENDATION</b> <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>		
<b>Voting</b> # In Favor: 30 # Against: 0 # Abstaining: 1      Total members appointed to the board:		
<b>Name of CB/BB officer completing this form</b> Guya Bloch	<b>Title</b> Chair	<b>Date</b> 1/31/14



# Queens Borough President Recommendation

APPLICATION: ULURP #C130313 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 for an amendment to the City Map involving:

- the elimination of a portion of 87<sup>th</sup> Avenue between 235<sup>th</sup> Court and Gettysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue and Gettysburg Street; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community Board 13, Borough of Queens; in accordance with Map No. 5015 dated December 12, 2013 and signed by the Borough President. (Related Applications: ULURP #C130314 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.

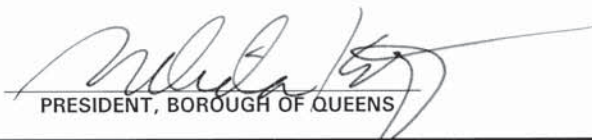
## CONSIDERATION

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

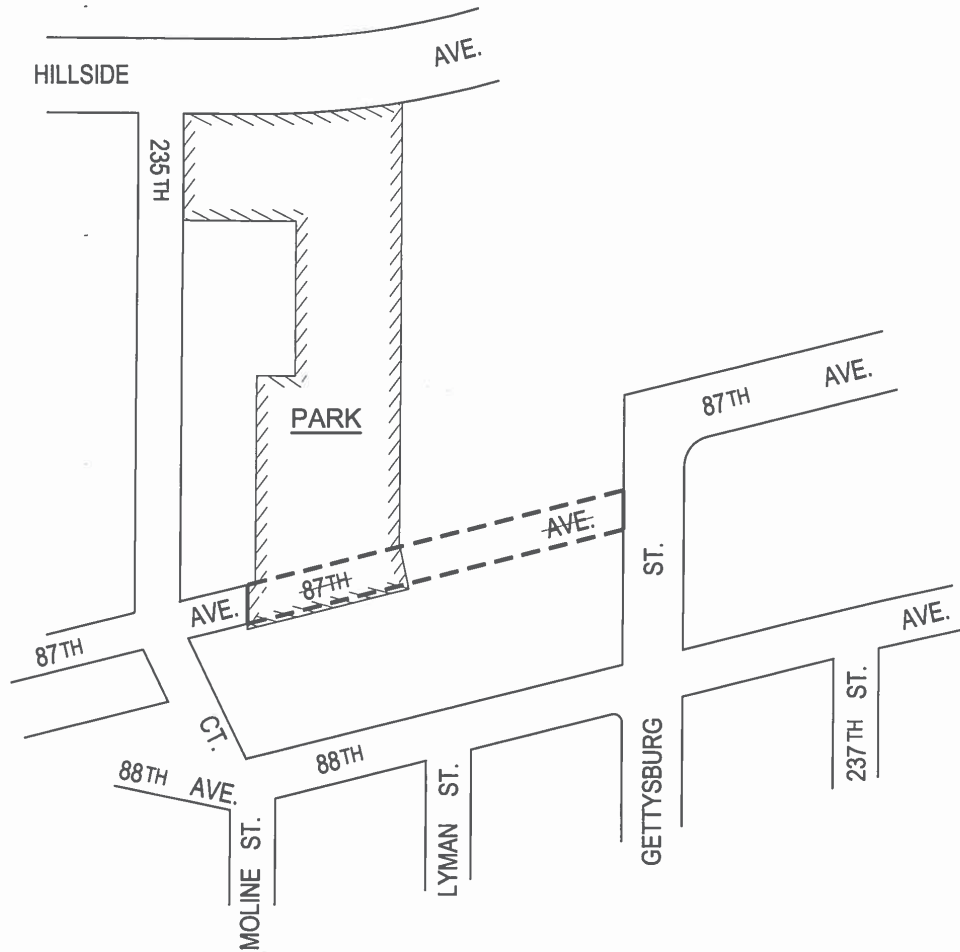
- This application is proposing an amendment to the City zoning map that would facilitate a land exchange between Yeshiva Har Torah and New York City Department of Parks and Recreation. The proposal is to demap an unopened and unimproved portion of 87<sup>th</sup> Avenue and to formally map an existing city-owned park (Detective William T. Gunn Park) including the former portion of 87<sup>th</sup> Avenue to be mapped as parkland;
- 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 on their campus. Yeshiva Har Torah would replace the alienated parkland with a 12,242 sf addition to the existing 118,248 sf 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;
- Gunn Park is located in Queens Village, two miles southwest of the GCP parcel. The existing 2.7 acre-park includes a playground, handball and basketball courts, a seating area with benches, and a large asphalt baseball field. Adjacent to the east of Gunn Park is little league baseball fields which occupies approximately 14 acres and includes 9 ball fields that is known as Padavan-Preller Fields Complex. The surrounding area is predominantly developed with single-family detached homes and commercial uses are generally located to the east of the project site along Hillside Avenue and Braddock Avenue;
- The replacement parkland (87<sup>th</sup> Avenue parcel) is currently un-improved privately owned land which borders to the south edge of Gunn Park. The lots are owned by the Hollis - Bellaire - Queens Village - Bellrose Athletic Association. The association has agreed to donate the 87<sup>th</sup> Avenue parcel on behalf of Yeshiva Har Torah ;
- The park alienation (GCP) parcel and replacement (87<sup>th</sup> Avenue) park parcel will be appraised to determine the fair market value of each. If the alienation parcel is deemed to be of greater fair market value, the Yeshiva would then be required to provide additional compensation consistent with the terms of the 2004 state legislation. Such additional compensation may take the form of a payment that would be dedicated to the improvement and/or maintenance of the replacement parkland parcel;
- CB 13 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

**15**

BOROUGH OF

**QUEENS**

New York, Certification Date  
DECEMBER 16, 2013

I. Sadko, P.E.  
Chief Engineer

SCALE IN FEET



**NOTE:**

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