



## **CITY PLANNING COMMISSION**

---

November 3, 2003/Calendar No. 1

C 030433 MMQ

---

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development 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 portions of streets;
- the establishment of streets;
- the re-alignment of streets;
- the elimination of parkland;
- the establishment of park additions;
- the elimination, modification and delineation of easements;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

within the Arverne Urban Renewal Area, generally bounded by: Beach 32<sup>nd</sup> Street to the east, the Atlantic Ocean to the south, Beach 74<sup>th</sup> and Beach 84<sup>th</sup> Streets to the west and Beach Channel Drive and Rockaway Freeway to the north, in Community District 14, Borough of Queens, in accordance with Map No. 4974 dated June 12, 2003 and signed by the Borough President.

---

This application (C 030433 MMQ) for an amendment to the City Map was filed by the Department of Housing Preservation and Development 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 9, 2003. It involves: the elimination, discontinuance and closing of portions of streets; the establishment of streets; the re-alignment of streets; the elimination of parkland; the establishment of park additions; the elimination, modification and delineation of easements; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto; within the Arverne Urban Renewal Area.

### **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 applications which are being considered concurrently with this application.

1. C 030509 HUQ Second Amendment to the Arverne Urban Renewal Plan.
2. C 030510 ZMQ Changes in zones from R6 to R6/C2-4, from R6/C2-4 to R6 and R6/C2-4 to C4-4, and establish R6 on demapped parkland.
3. C 030511 HAQ UDAAP designation, disposition, and project approval pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

The applicant proposes changes in the City Map involving the elimination, discontinuance and closing; the narrowing, widening or the re-alignment; and the establishment of several streets; the elimination of approximately 32 acres of parkland, and the establishment of approximately 59 acres of parkland.

Subsequently, the Topographical Bureau of the Office of the Borough President revised the Alteration Map No. 4974 on September 12, 2003, to incorporate modifications of sewer easements for information purposes and minor technical corrections.

A full background discussion and description of the proposed project appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

## **Environmental Review**

This application (C 030433 MMQ) together with the related applications (C 030509 HUQ,

C 030510 ZMQ, C 030511 HAQ), 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 02HPD004Q. The lead agency is the New York City Department of Housing Preservation and Development.

A summary of the environmental review and the Final Environmental Impact Statement (FEIS) appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

### **Uniform Land Use Review**

This application (C 030433 MMQ) together with the related applications (C 030509 HUQ, C 030510 ZMQ, C 030511 HAQ) was certified as complete by the Department of City Planning on June 16, 2003 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 030433 MMQ) together with the related applications (C 030509 HUQ, C 030510 ZMQ, C 030511 HAQ) on July 29, 2003, and on that date, by a vote of 29 to 5 with 9 abstentions, adopted a resolution recommending the approval of the application with conditions.

A summary of the vote and recommendations of Community Board No. 14 and a copy of the resolution, appear in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

### **Borough President's Recommendation**

This application (C 030433 MMQ) together with the related applications (C 030509 HUQ, C 030510 ZMQ, C 030511 HAQ) was considered by the Borough President who, on August 14, 2003 held a public hearing and on September 17, 2003 issued an approval of the application with conditions.

However, the Borough President's recommendation was submitted after the 30-day review period and was therefore non-complying.

A summary of the recommendation of the Borough President and a copy of the resolution appear in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

### **City Planning Commission Public Hearing**

On September 10, 2003, (Calendar No. 5) the City Planning Commission scheduled September 24, 2003 for a hearing on this application (C 030433 MMQ) together with the related applications (C 030509 HUQ, C 030510 ZMQ, C 030511 HAQ). The hearing was duly held on September 24, 2003 (Calendar No. 15) in conjunction with the public hearings on the related applications.

There were a number of appearances, as described in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

### **Waterfront Revitalization Program Consistency Review**

This application, in conjunction with those for the related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), 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 WRP 03-017.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

A discussion of WRP Consistency Review appears in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

### **CONSIDERATION**

The Commission believes that the various changes to the City Map are appropriate.

Beach 73<sup>rd</sup> Street, Rockaway Beach Boulevard and Shore Front Parkway as shown on Map No. 4974 will serve as the major east-west thoroughfare of the community, insuring that the vast bulk

of east-west traffic through the Rockaway peninsula is directed around rather than through the proposed residential development. A few existing north-south streets will connect Arverne with communities to the north. A network of streets and pedestrian walkways will provide vehicular and pedestrian circulation within the residential development. Access to the beach and the boardwalk is provided at various strategic locations.

A full consideration and analysis of the issues related to this application are contained in the report on the related application for the Second Amendment to the Arverne Urban Renewal Plan (C 030509 HUQ).

## **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 having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 24, 2003, with respect to this application (CEQR No. 02HPD004Q), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the environmental impact statement will be

minimized or avoided to the maximum extent by incorporating as conditions to this approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.9(c)(3) of the SEQRA regulations; 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 030433 MMQ) for an amendment to the City Map involving the elimination, discontinuance and closing of portions of streets; the establishment of streets; the re-alignment of streets; the elimination of parkland; the establishment of park additions; the elimination, modification and delineation of easements; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto; all within the Arverne Urban Renewal Area, generally bounded by: Beach 32<sup>nd</sup> Street to the east, the Atlantic Ocean to the south, Beach 74<sup>th</sup> and Beach 84<sup>th</sup> Streets to the west and Beach Channel Drive and Rockaway Freeway to the north, in Community District 14, Borough of Queens, in accordance with map No. 4974 dated June 12,

2003 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. 4974 dated June 12, 2003, and revised on September 12, 2003, providing for the discontinuance and closing of various streets, the technical descriptions for which, setting forth the metes and bounds thereof, forms Exhibit A to this Report. Copies thereof shall be maintained at the Department of City Planning and the Topographical Bureau of the Office of the Queens Borough President.

**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. 4974 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, duly adopted by the City Planning Commission on November 3, 2003 (Calendar No. 1), 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  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL,**  
**CHRISTOPHER KUI, JOHN MEROLO, DOLLY WILLIAMS,** Commissioners

**ANGELA R. CAVALUZZI, R.A.,** Commissioners , Recused