



CITY PLANNING COMMISSION

April 13, 2016, Calendar No. 1

C 050319 MMQ

IN THE MATTER OF an application, submitted by The New York City 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 establishment of Socrates Sculpture Park within an area generally bounded by 33rd Road, Vernon Boulevard, 30th Road and the U.S. Pierhead and Bulkhead Line; and
- the establishment of a Public Place west of Vernon Boulevard and the intersection of Broadway; and
- the elimination, discontinuance and closing of 31st Avenue and Broadway west of Vernon Boulevard; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 4983 dated November 19, 2015 and signed by the Borough President.

The application (C 050319 MMQ) for an amendment to the City Map involves the establishment of Socrates Sculpture Park, the establishment of Public Place west of Vernon Boulevard and the intersection of Broadway, the elimination, discontinuance and closing of Broadway and 31st Avenue west of Vernon Boulevard, including authorization for any acquisition or disposition of real property related thereto was filed by the New York City Department of Parks and Recreation (DPR) on February 25, 2005, revised on August 31, 2006, and subsequently revised on March 27, 2015, in order to officially establish Socrates Sculpture Park on the City Map.

BACKGROUND

Socrates Sculpture Park is an irregularly shaped parcel (Block 501, Lots 1, 16, 31, 60, 101, 112; Block 499, Lot 51; and the beds of Broadway and 31st Avenue west of Vernon Boulevard), generally bounded by Vernon Boulevard to the east, a big-box retail commercial development to the south, the East River to the west, and vacant commercial/industrial waterfront to the north. It is bisected into southern and northern portions by a privately-owned construction yard (Block 501, Lot 12). The site also includes lands that are underwater (Block 501, Lots 1, 101 and 112; Block

499, Lot 51).

Socrates Sculpture Park was conceived by a local artist who, in 1985, worked with community members to clear illegal dumping on an abandoned city owned site (Block 501 Lot 16). The intent was to create an outdoor working and exhibit space for artists, and to provide waterfront open space for the local community. DPR has supported the development of Socrates Sculpture Park since the mid-1980s, and in 1986, the Division of Citywide Administrative Services (DCAS) granted a five year lease for the use of the park to the local artist. DCAS transferred management of the Socrates Sculpture Park site to DPR in 1993 and in December 1998, 3.8 acres (Block 501, Lot 16) of the city-owned land at Socrates Sculpture Park was permanently assigned to DPR for park purposes. Additionally, in 2003 1.01 acres (Block 501, Lots 101 and 112 and Block 499, Lot 51) of city-owned land was assigned to DPR by DCAS for an addition to Socrates Sculpture Park.

Socrates Sculpture Park is currently managed and operated by Socrates Sculpture Park, Inc. pursuant to a license agreement with DPR. Socrates Sculpture Park is comprised of walking paths and grassy lawn areas where sculptures are featured. Maintenance facilities and artist workshop areas are provided along the southern boundary of the project site. On-site vegetation is limited to deciduous growth ranging from 30 to 40 feet in height along the edges of the project site with grass areas in the interior. The art exhibitions are open to members of the public at no charge.

Part of the entrance to the park is located on a privately owned lot (Block 501, Lot 31) which has been managed and operated since 1996 by Socrates Sculpture Park, Inc. pursuant to an agreement with the owner. Under this application, Lot 31 will be acquired and mapped as parkland to be incorporated into the Park, and will serve as both educational and administrative space for Socrates Sculpture Park's staff. In exchange for Lot 31, the City will transfer the development rights attributable to the public place established on the eliminated portion of Broadway west of Vernon Boulevard to the owner of the lot.

Therefore, the mapping action will also eliminate, discontinue and close Broadway, west of Vernon Boulevard. Broadway is unimproved, City-owned and mapped at a width of 75 feet. The northern half of Broadway will be mapped as park and incorporated into Socrates Sculpture Park.

The southern half will be mapped as public place and will remain under the jurisdiction of DPR, but the development rights generated by the public place will be offered to the current owner of Lot 31.

In addition, the mapping action will also eliminate, discontinue and close 31st Avenue, west of Vernon Boulevard. 31st Avenue, west of Vernon Boulevard, is city owned and mapped at a width of 80 feet. It is unimproved and underwater. The entirety of Socrates Sculpture Park (6.35 acres), would therefore include the existing Socrates Sculpture Park (5.03 acres); Block 501 Lot 31 (.17 acres); the eliminated section of Broadway (1.05 acres); and the eliminated section of 31st Avenue (0.09 acres).

Properties under DPR's jurisdiction are not subject to zoning, however, the project site is mapped with R5 and R6 zoning districts. The project site is surrounded by mid-to-high density residential districts including R7A, R4-1, R5B, R5, and R6B zoning districts. A number of residential apartment buildings and vacant sites are located in the vicinity of project site and there are several housing projects including the low-income Astoria Housing Project situated approximately one-quarter mile from the project site. Also, the middle-income Queensview and the low-income Ravenwood Housing projects are located to the southeast of the project site. There are also a number of institutions and parks such as the Noguchi Museum, Rainey Park, and the Long Island City High School of Design located within one-quarter mile of the project site. The project site is served by the MTA Transit Q104 Bus which has as stop at Broadway near the entrance to the park

Affected agencies and utilities were polled by email on March 21, 2005 regarding the proposed amendment to the City Map. Currently, no city agencies have any objections to the proposal.

ENVIRONMENTAL REVIEW

This application (C 050319 MMQ) 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 05DPR003Q. The lead agency is the Department of Parks and Recreation.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on February 15, 2007. On March 20, 2015 DPR issued a Tech Memo updating the 2007 Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 050319 MMQ), was certified as complete by the Department of City Planning on November 30, 2015, and was duly referred to Queens Community Board 1 and the Queens 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 050319 MMQ) on January 12, 2016 and on that day, by a vote of 40 to 0, with 0 abstentions, adopted a resolution recommending the application be approved.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 050319 MMQ) was considered by the Borough President of Queens who on February 26, 2016 issued a recommendation approving the application.

CITY PLANNING COMMISSION PUBLIC HEARING

On February 24, 2016 (Calendar No. 2), the City Planning Commission scheduled March 9, 2016 for a public hearing on this application (C 050319 MMQ). The hearing was duly held on March 9, 2016 (Calendar No. 13). There were three speakers in favor of the application and none opposed.

Two representatives from DPR and one from Socrates Sculpture Park Inc. described the proposal, the site history and discussed how the proposal will be a benefit to the surrounding community.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 050319 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 22, 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 15-118.

The City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies.

CONSIDERATION

The City Planning Commission believes that this amendment to the City Map, is appropriate.

Socrates Sculpture Park is City owned and has been functioning as a park for 30 years. The Park is notable for its exceptional vistas of the East River, Roosevelt Island, the Queensborough Bridge and the skyline of Manhattan, which the Commission believes should be reserved for public open space. The Commission further believes that this application would consolidate and preserve in perpetuity this important waterfront parkland for the purpose of maintaining public access to the waterfront, affording the growing residential neighborhood sufficient open space, and providing a pleasurable and appropriate forum for the appreciation of large-scale contemporary sculpture in the open air. The Commission also believes that the consolidation of the park properties, achieved through the mapping of the park, would allow the Department of Parks and Recreation to better care and plan for the future of the park. Therefore the Commission believes that the application achieves a number of benefits for the community, including the creation of new open space in an upcoming densely populated neighborhood.

The City will transfer development rights from the public place established as part of this application to an adjacent owner in exchange for one privately owned lot. The Commission believes that this exchange of property rights will enable continued use of the existing entrance to Socrates Sculpture Park and its acquisition will facilitate the development of a new educational and administrative space for the park.

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, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this 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 050319 MMQ) for the amendment to the City Map involving:

- the establishment of Socrates Sculpture Park within an area generally bounded by 33rd Road, Vernon Boulevard, 30th Road and the U.S. Pierhead and Bulkhead Line; and
- the establishment of a Public Place west of Vernon Boulevard and the intersection of Broadway; and
- the elimination, discontinuance and closing of 31st Avenue and Broadway west of Vernon Boulevard; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 4983 dated November 19, 2015 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. 4983 dated November 19, 2015 providing for the discontinuance and closing of Broadway and 31st Avenue west of Vernon Boulevard being more particularly described as follows:

**ELIMINATION, DISCONTINUANCE AND CLOSING OF BROADWAY
WEST OF VERNON BOULEVARD**

Beginning at a point on the northwesterly line of Vernon Boulevard, said point being distant 677.71 feet from the corner formed by the intersection of the northwesterly line of Vernon Boulevard and the northerly line of 33rd Road, as said streets are shown on the Alteration Map No. 4983 dated November 19, 2015;

No. 1. Running thence northeasterly along the northwesterly line of Vernon Boulevard, for 85.41 feet to the former northerly line of Broadway, discontinued and closed;

No. 2 Thence westerly along the former northerly line of Broadway, discontinued and closed, forming an interior angle of 61 degrees 25 minutes 12.7 seconds with the last mentioned course, for 615.85 feet to the U.S. Pierhead and Bulkhead Line;

No. 3 Thence southwesterly along the U.S. Pierhead and Bulkhead Line, forming an interior angle of 112 degrees 59 minutes 44.1 seconds with the last mentioned course, for 81.47 feet to the former southerly line of Broadway, discontinued and closed;

No. 4 Thence easterly along the former southerly line of Broadway, discontinued and closed, forming an interior angle of 67 degrees 00 minutes 15.9 seconds with the last mentioned course, for 606.82 feet to the northwesterly line of Vernon Boulevard, the point or place of beginning.

The area above described contains 45,850 square feet or 1.05 acres.

**ELIMINATION, DISCONTINUANCE AND CLOSING OF 31ST AVENUE
WEST OF VERNON BOULEVARD**

Beginning at a point on the westerly line of Vernon Boulevard and the prolongation of the southerly line of 31st Avenue, as said streets are shown on the Alteration Map No. 4983 dated November 19, 2015;

No. 1 Running thence northerly along the westerly line of Vernon Boulevard, for 82.46 feet to the former northerly line of 31st Avenue, discontinued and closed;

No. 2 Thence westerly along the former northerly line of 31st Avenue, discontinued and closed, forming an interior angle of 75 degrees 57 minutes 50 seconds with the last mentioned course, for 50.00 feet to the former westerly terminus line of 31st Avenue, discontinued and closed;

No. 3 Thence southerly along the former westerly terminus line of 31st Avenue, discontinued and closed, forming an interior angle of 104 degrees 02 minutes 10 seconds with the last mentioned course, for 82.46 feet to the former southerly line of 31st Avenue, discontinued and closed;

No. 4 Thence easterly along the former southerly line of 31st Avenue, discontinued and closed, forming an interior angle of 75 degrees 57 minutes 50 seconds with the last mentioned course, for 50.00 feet to the westerly line of Vernon Boulevard, the point or place of beginning.

The area above described contains 4,000 square feet or 0.09 acres; 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;

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. 4983 dated November 19, 2015 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 050319 MMQ), duly adopted by the City Planning Commission on April 13, 2016 (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.

CARL WEISBROD, Chairman

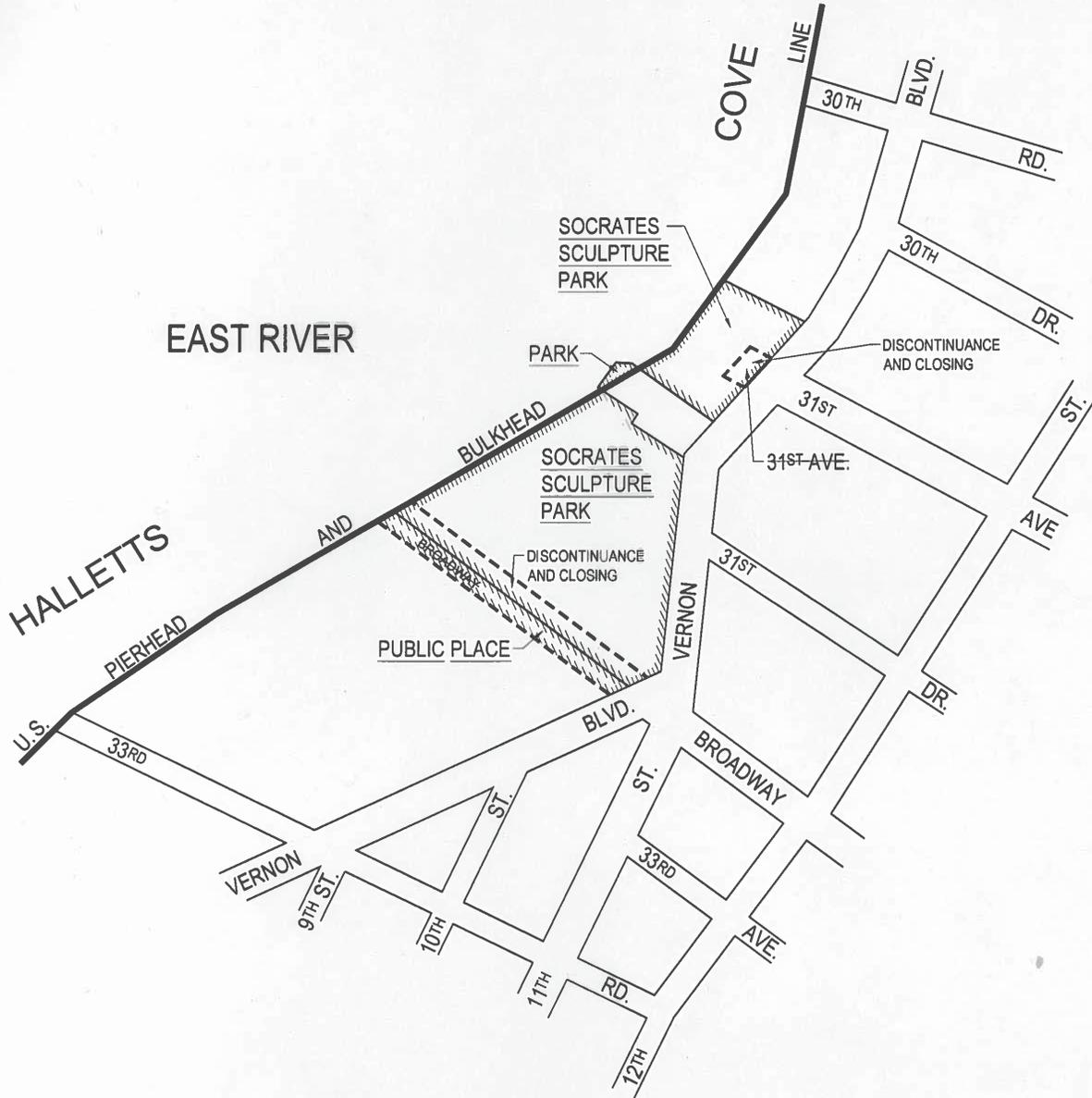
KENNETH J. KNUCKLES, *Esq.*, *Vice-Chairman*

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MICHELLE R. DE LA UZ, CHERYL COHEN EFFRON,

HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP

9a

BOROUGH OF
QUEENS

New York, Certification Date
NOVEMBER 30, 2015

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.
 - /// Indicates Public Place line hereby established.
- (Discontinuance and Closing is shown on Alt. Map No. 4983).



City of New York Community Board #1, Queens

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CHAIRPERSON

Melinda Katz
President, Queens
Vicky Morales
Director, Community Boards
Joseph Risi,
Chairperson
Florence Koulouris,
District Manager

January 14, 2016

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John Carusone

Hon. Carl Weisbrod, Chairman
N.Y. City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

**RE: C 050319 MMQ City Map Amendment to establish Socrates
Sculpture Park as an official Park**

Chairman Weisbrod:

Community Board 1 Queens (CB1Q), after a duly advertised public hearing held on January 12, 2016, voted 40 in favor, 0 opposed and 0 abstaining to **approve** an application to map Socrates Sculpture Park as parkland well as related actions. The Community Board vote reflects the recommendations of both the Land Use and Zoning Committee and the Parks Committee.

First established in the mid-1980s, Socrates has evolved from merely an exhibition space for large-scale sculptures into one of the City's most active and valuable resources for artistic, cultural, performance and educational programs for our residents and tourists. Community Board 1 Queens greatly appreciates the many years it took, and the efforts made by the Parks Department and the Socrates Sculpture Park organization, to permanently preserve this unique cultural resource.

Sincerely,

Joseph Risi
Chairman

cc: Hon. Melinda Katz, Borough President, Queens
Hon. Costa Constantinides, NY City Council
Hon. Aravella Simotas, NY State Assembly
Hon. Michael Gianaris, NY State Senate
Hon. Mitchell J. Silver, Commissioner, DPR
John Hatfield, Exec. Dir., Socrates Sculpture Park
John Carusone, Chair, CBIQ Land Use and Zoning Committee
Elizabeth Erion, Assist. Chair, CBIQ Land Use and Zoning Committee
Richard Khuzami, Chair, CBIQ Parks Committee

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Yawne Robinson
Rudolfo Sarchese
Nancy Silverman
Dominic Stiller
Danielle Tharrington
Marie Torniali

Queens Borough President Recommendation

APPLICATION: ULURP #050319 MMQ

COMMUNITY BOARD: Q01

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by The NYC Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the NYC Charter, and Section 5-430 et seq. of the NYC Administrative Code for an amendment to the City Map involving:

- the establishment of Socrates Sculpture Park within an area generally bounded by 33rd Road, Vernon Boulevard, 30th Road and the U.S. Pierhead and Bulkhead Line; and
- the establishment of a Public Place west of Vernon Boulevard and the intersection of Broadway; and
- the elimination, discontinuance and closing of 31st Avenue and Broadway west of Vernon Boulevard; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Block 499 Lot 52, Block 501 Lots 1, 16, 31, 60, 101 & 112, Borough of Queens, in accordance with Map No. 4983 dated November 19, 2015 and signed by the Borough President.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, January 28, 2016, 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 were no other speakers. The hearing was closed.

CONSIDERATION

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

- The Department of Parks and Recreation has filed this application to formally map Socrates Sculpture Park as an official New York City Park. This action will require some street and map adjustments, acquisitions that would facilitate the operations of the sculpture park;
- Socrates Sculpture Park has been operated by a not for profit organization since its conception as an open space dedicated to promoting the arts and cultural activities. Previous to the establishment of the sculpture park there had been a history of illegal dumping on the site. The continued presence of the sculpture park for over thirty-years and all of the local neighborhood educational programming, arts and cultural events held there has made the waterfront site into an invaluable neighborhood resource;
- The surrounding neighborhood immediately around the park is semi-industrial. However, there are also commercial and residential uses in the nearby area.
- Community Board 1 approved this application by a unanimous vote of forty (40) in favor with none (0) against or abstaining at public hearing held on January 12, 2016.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application.


MELINDA KATZ
PRESIDENT, BOROUGH OF QUEENS

2/26/16
DATE