STATE OF NEW YORK

5688

2023-2024 Regular Sessions

IN ASSEMBLY

March 22, 2023

Introduced by M. of A. AUBRY -- read once and referred to the Committee on Cities

AN ACT authorizing the city of New York to discontinue certain parkland in Flushing Meadows Corona Park in the borough of Queens currently consisting of asphalt parking lots to allow for a new development with at least twenty acres of parkland

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subject to the provisions of this act, but notwithstanding any provision of law to the contrary, including without limitation the provisions of chapter 729 of the laws of 1961, the city of New York is authorized to discontinue the use as parkland and alienate through the entering of leases or other agreements with New Green Willets, LLC, its affiliates, and any other entity or entities the lands described in section three of this act for the purposes of developing, constructing, maintaining, operating, using, or occupying such lands with a gaming facility and, in conjunction with such facility, commercial, retail, entertainment, recreational, hotel, convention, and/or community facility uses, parking, and/or roadways, upon such terms and conditions as may be agreed upon by the city and such company, affiliate and other entity.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the city of New York dedicates an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing parklands and recreational facilities within the borough of Queens, which capital improvements shall include the development of no less than twenty acres of free of charge open space on parkland within the land described in section three of this act or adjacent parkland, including a north-south connection from the passerelle pedestrian bridge towards Flushing Bay, provided that, notwithstanding

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD10298-02-3

any provision of law to the contrary, the city of New York is authorized to enter into leases or other agreements with such company, affiliate and other entity to construct, maintain and operate such open space on such parkland in accordance with this act for a term of no more than thirty years.

§ 3. The lands authorized to be discontinued as parklands pursuant to section one of this act are as follows:

All that certain lot, piece, or parcel of land situated, lying, and being in the Borough and County of Queens, City and State of New York, being more particularly bounded and described as follows:

Commencing at the corner formed by the intersection of the southerly line of Roosevelt Avenue (80' wide) and the westerly line of 126th Street (80' wide) and running thence;

A. Along the southerly line of Roosevelt Avenue, S 68° 30' 17" W, a distance of 10.20' to a point, thence;

B. Along a line that bears, N 21° 29' 43" W, a distance of 80.00' to a point on the northerly line of Roosevelt Avenue and being the TRUE point of BEGINNING, and running thence;

1. Along the northerly line of Roosevelt Avenue, S 68° 30' 17" W, a distance of 2,377.78' to a point on a curve of the easterly easement line of the Grand Central Parkway, thence;

2. Along the easterly easement line with a non-tangent curve to the right, having a radius of 1,693.22', an arc length of 623.63', an interior angle of 21° 06' 09", and a chord that bears N 10° 40' 23" W, a distance of 620.11' to a point of compound curvature, thence;

3. Continuing along the same with a curve to the right, having a radius of 2,380.03', an arc length of 269.70', an internal angle of 6° 29' 34", and a chord that bears N 3° 07' 28" E, a distance of 269.56' to a point of non-tangency, thence;

4. Continuing along the same, N 20° 03' 57" E, a distance of 172.22' to a point on a curve, thence;

5. Continuing along the same with a non-tangent curve to the left, having a radius of 520.00', and arc length of 413.78', an interior angle of 45° 35' 31", and a chord that bears N 18° 52' 29" E, a distance of 402.95' to a point of reverse curvature, thence;

6. Continuing along the same with a curve to the right, having a radius of 771.58', an arc length of 276.48', an interior angle of 20° 31' 51", and a chord that bears N 6° 20' 39" E, a distance of 275.00' to a point on a curve of the southerly line of Northern Boulevard (variable width), thence;

7. Along the southerly line of Northern Boulevard with a curve to the left, having a radius of 5,053.50', an arc length of 300.54', an interior angle of 3° 24' 27", and a chord that bears N 67°42'06" E, a distance of 300.49' to a point of compound curvature, thence;

8. Continuing along the same with a curve to the left, having a radius of 4,053.50', an arc length of 63.83', an interior angle of 0° 54' 08", and a chord that bears N 65° 32' 49" E, a distance of 63.83' to a point of compound curvature, thence;

9. Continuing along the same with a curve to the left, having a radius of 7,017.50', an arc length of 712.28', an interior angle of 5° 48' 56", and a chord that bears N 62° 11' 17" E, a distance of 711.98' to a point of compound curvature, thence;

10. Continuing along the same with a curve to the left, having a radius of 1,017.50', an arc length of 43.36', an internal angle of 2° 26' 30", and a chord that bears N 58° 03' 34" E, a distance of 43.36' to a point of tangency, thence;

11. Continuing along the same, N 56° 50' 19" E, a distance of 274.53' to a point of curvature, thence;

12. Continuing along the same with a curve to the right, having a radius of 828.50', an arc length of 168.69', an internal angle of 11° 39' 58", and a chord that bears N 62° 40' 18" E, a distance of 168.40' to a point of tangency, thence;

13. Continuing along the same, N 68° 30' 17" E, a distance of 104.68' to a point, said point being the corner formed by the intersection of the southerly line of Northern Boulevard (variable width) with the westerly line of 126th Street (80' wide), thence;

14. Along the westerly line of 126th Street, S 21° 29' 43" E, a distance of 1,687.91' to a point, thence;

15. Continuing along the same, S 19° 51' 59" W, a distance of 15.44' to the point or place of BEGINNING.

EXCEPTING, the area within and including the exterior walls of the stadium known, as of the date hereof, as Citi Field. Said overall parcel containing 3,352,577 Square Feet (76.9646 acres) more or less.

All bearings and distances are in the New York State Plane Coordinate System, Long Island Zone (NAD83/2011 Epoch 2010.00).

§ 4. In the event that the city of New York received any funding, support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the city of New York has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 5. Nothing herein shall be construed as intended to preempt any provision of article 13 of the racing, pari-mutuel wagering and breeding law.

§ 6. If construction of a gaming facility on the parklands described in section three of this act is not commenced within fifteen years of the effective date of this act or if such parklands shall ever be used for a purpose other than for the purposes described in section one of this act, such parklands shall revert back to the city of New York department of parks and recreation to be used for park and recreational purposes or for the purposes provided by chapter 729 of the laws of 1961, including any amendments thereto.

§ 7. This act shall take effect immediately.