

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:

1 Section 1. Subject to the provisions of this act, but notwithstanding
2 any provision of law to the contrary, including without limitation the
3 provisions of chapter 729 of the laws of 1961, the city of New York is
4 authorized to discontinue the use as parkland and alienate through the
5 entering of leases or other agreements with New Green Willets, LLC, its
6 affiliates, and any other entity or entities the lands described in
7 section three of this act for the purposes of developing, constructing,
8 maintaining, operating, using, or occupying such lands with a gaming
9 facility and, in conjunction with such facility, commercial, retail,
10 entertainment, recreational, hotel, convention, and/or community facili-
11 ty uses, parking, and/or roadways, upon such terms and conditions as may
12 be agreed upon by the city and such company, affiliate and other entity.
13 § 2. The authorization provided in section one of this act shall be
14 effective only upon the condition that the city of New York dedicates an
15 amount equal to or greater than the fair market value of the parklands
16 being discontinued towards the acquisition of new parklands and/or capi-
17 tal improvements to existing parklands and recreational facilities with-
18 in the borough of Queens, which capital improvements shall include the
19 development of no less than twenty acres of free of charge open space on
20 parkland within the land described in section three of this act or adja-
21 cent parkland, including a north-south connection from the passerelle
22 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

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

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

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

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

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

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

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

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

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

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

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

36 6. Continuing along the same with a curve to the right, having a radi-
37 us of 771.58', an arc length of 276.48', an interior angle of 20° 31'
38 51", and a chord that bears N 6° 20' 39" E, a distance of 275.00' to a
39 point on a curve of the southerly line of Northern Boulevard (variable
40 width), thence;

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

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

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

53 10. Continuing along the same with a curve to the left, having a radi-
54 us of 1,017.50', an arc length of 43.36', an internal angle of 2° 26'
55 30", and a chord that bears N 58° 03' 34" E, a distance of 43.36' to a
56 point of tangency, thence;

1 11. Continuing along the same, N 56° 50' 19" E, a distance of 274.53'
2 to a point of curvature, thence;
3 12. Continuing along the same with a curve to the right, having a
4 radius of 828.50', an arc length of 168.69', an internal angle of 11°
5 39' 58", and a chord that bears N 62° 40' 18" E, a distance of 168.40'
6 to a point of tangency, thence;
7 13. Continuing along the same, N 68° 30' 17" E, a distance of 104.68'
8 to a point, said point being the corner formed by the intersection of
9 the southerly line of Northern Boulevard (variable width) with the
10 westerly line of 126th Street (80' wide), thence;
11 14. Along the westerly line of 126th Street, S 21° 29' 43" E, a
12 distance of 1,687.91' to a point, thence;
13 15. Continuing along the same, S 19° 51' 59" W, a distance of 15.44'
14 to the point or place of BEGINNING.
15 EXCEPTING, the area within and including the exterior walls of the
16 stadium known, as of the date hereof, as Citi Field. Said overall parcel
17 containing 3,352,577 Square Feet (76.9646 acres) more or less.
18 All bearings and distances are in the New York State Plane Coordinate
19 System, Long Island Zone (NAD83/2011 Epoch 2010.00).
20 § 4. In the event that the city of New York received any funding,
21 support or assistance from the federal government for the purchase,
22 maintenance or improvement of the parklands set forth in section three
23 of this act, the discontinuance and alienation of such parklands author-
24 ized by the provisions of this act shall not occur until the city of New
25 York has complied with any federal requirements pertaining to the alien-
26 ation or conversion of parklands, including satisfying the secretary of
27 the interior that the alienation or conversion complies with all condi-
28 tions which the secretary of the interior deems necessary to assure the
29 substitution of other lands shall be equivalent in fair market value and
30 usefulness to the lands being alienated or converted.
31 § 5. Nothing herein shall be construed as intended to preempt any
32 provision of article 13 of the racing, pari-mutuel wagering and breeding
33 law.
34 § 6. If construction of a gaming facility on the parklands described
35 in section three of this act is not commenced within fifteen years of
36 the effective date of this act or if such parklands shall ever be used
37 for a purpose other than for the purposes described in section one of
38 this act, such parklands shall revert back to the city of New York
39 department of parks and recreation to be used for park and recreational
40 purposes or for the purposes provided by chapter 729 of the laws of
41 1961, including any amendments thereto.
42 § 7. This act shall take effect immediately.