



## **CITY PLANNING COMMISSION**

February 22, 2006 / Calendar No. 16

C 060148(A) MCX

**IN THE MATTER OF** an application submitted by the Department of Parks and Recreation pursuant to Sections 197-c of the New York City Charter and proposed for modification pursuant to Section 2-06(c) (1) of the Uniform Land Use Review Procedure for a major concession for a tennis facility in an approximately five acre portion of parkland\*, generally bounded by the Harlem River; Ramp A, the 161<sup>st</sup> Street Exit from the Major Deegan Expressway; Exterior Street; and the inland prolongation of the southern edge of Slip 4 (Block 2539, part of Lot 2), Community District 4, Borough of the Bronx.

\* Proposed to be mapped Park under related application C 060057 MMX

The application (C060148 MCX) for a major concession for a tennis facility was filed by the Department of Parks and Recreation and the Department of Citywide Administrative Services on September 21, 2005. A modified application (C 060148(A) MCX) was filed by the applicant on December 21, 2005, pursuant to section 2-06(c)(1) of the Uniform Land Use Review Procedure.

This application will facilitate the development of a new Yankee Stadium on portions of Macombs Dam and John Mullaly parks immediately north of the existing Yankee Stadium, four new parking garages and replacement park land, Community District 4, Borough of the Bronx.

The originally application for a major concession was filed on.

### **RELATED ACTIONS**

In addition to approval a modification to an application for a major concession for a tennis facility, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 060145 PPX           Disposition of City-owned property

C 060146 PPX           Disposition of City-owned property

C 060147 PPX	Disposition of City-owned property
C 060144 PCX	Acquisition of interest in the stadium property
C 060056 MMX	City map amendment establishing a new park on the site of the existing Yankee Stadium between 161 <sup>st</sup> Street 157 <sup>th</sup> Street and River Avenue including former Ruppert Place
C 060057 MMX	City map amendment establishing a new park along the Harlem River waterfront from slip 2 through slip 4 at the site of the former Bronx Terminal Market
C 060058 MMX	City map amendment establishing a new park on two City-owned parcels located at River Avenue and 157 <sup>th</sup> Street.
C 060059 MMX	City map amendment eliminating a portion of Jerome Avenue between Macombs Lane and East 164 Street, a portion of East 161 <sup>st</sup> Street between River Avenue and Macombs Lane, establishing a new park on these portions of streets and establishing a new park in the bed of the former East 162 <sup>nd</sup> Street.
C 060149 ZSX	Special Permit for a public parking garage with a maximum of 949 spaces
C 060150 ZSX	Special Permit to waive a required rear yard in a proposed public parking garage

## **BACKGROUND**

A full background discussion and project description appears in the related report for an amendment to the City Map (C 060059 MMX).

## **ENVIRONMENTAL REVIEW**

This application (C 060148(A) MCX) in conjunction with the related actions (C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060059 MMX, C 060149 ZSX and C 060150 ZSX), 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 05DPR006X. The lead agency is the Department of Parks and Recreation.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for an amendment to the City Map (C 060059 MMX).

### **UNIFORM LAND USE REVIEW**

The original application (C 060148 MCX) was certified as complete by the Department of City Planning on September 26, 2005, and was duly referred to Bronx Community Board 4 and the Bronx Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules. On September 21, 2005 the modified application (C 060148(A) MCX) was referred pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure to Community Board 4 and the Bronx Borough President.

### **Community Board Public Hearing**

Community Board 4 held a public hearing on this application on November 22, 2005, and on that date, by a vote of 16 to 8 with 5 abstentions, adopted a resolution recommending disapproval of the application.

### **Borough President Recommendation**

This application was considered by the Bronx Borough President who issued a recommendation approving the application with conditions on December 22, 2005.

A summary of the Borough President's recommendation appears in the report on the related

application for an amendment to the City Map (C 060059 MMX).

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

On December 19, 2005 (Calendar Nos. 18 and 19 respectively), the City Planning Commission scheduled January 11, 2006 for a public hearing on the original (C 060148 MCX) and modified (C 060148(A) MCX) applications. The hearing was duly held on January 11, 2005 (Calendar Nos. 46 and 47 respectively).

There were a number of speakers, as described in the report on the related application for an amendment to the City Map (C 060059 MMX), and the hearing was closed.

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

This application, in conjunction with those for the related actions, (C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060059 MMX, C 060149 ZSX and C 060150 ZSX), 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 28, 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 05-019.

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

### **CONSIDERATION**

The City Planning Commission believes that this major concession as modified is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the report on the related application for an amendment to the City Map (C 060059 MMX).

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 8, 2005, with respect to this application (CEQR No. 04DME017X), 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 Alternative Park Plan set forth in the FEIS is the one which minimize or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS with respect to the Alternative Park Plan will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the 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 617.11(d) 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 the WRP policies; and be it further

**RESOLVED**, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, proposed for modification pursuant to Section 2-06(c) (1) of the Uniform Land Use Review Procedure for a major concession for a tennis facility in an approximately five acre portion of parkland\*, generally bounded by the Harlem River; Ramp A, the 161<sup>st</sup> Street Exit from the Major Deegan Expressway; Exterior Street; and the inland prolongation of the southern edge of Slip 4 (Block 2539, part of Lot 2), Community District 4, Borough of the Bronx is approved.

\* Proposed to be mapped Park under related application C 060057 MMX

The above resolution (C 060148(A) MCX), duly adopted by the City Planning Commission on February 22, 2006 (Calendar No. 16), 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 Chairman

**ANGELA M. BATTAGLIA, ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III, RICHARD W. EADDY, JOHN MEROLO, KAREN A. PHILLIPS, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI, DOLLY WILLIAMS**, Commissioners

**IRWIN G. CANTOR**, P.E, Commissioner **RECUSED**