



## CITY PLANNING COMMISSION

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February 22, 2006/Calendar No. 9

C 060058 MMX

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**IN THE MATTER OF** an application, submitted by the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of parks within an area bounded by East 158<sup>th</sup> Street, River Avenue, East 153<sup>rd</sup> Street, and Gerard Avenue; and
- any acquisition or disposition of real property related thereto,

Community District 4, Borough of the Bronx, in accordance with Map No. 13114 dated September 22, 2005 and signed by the Borough President.

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The application (C 060058 MMX) for an amendment to the City Map was filed by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter on August 9, 2005. It involves: the establishment of parks within an area bounded by East 158<sup>th</sup> Street, River Avenue, East 153<sup>rd</sup> Street, and Gerard Avenue; and any acquisition or disposition of real property related thereto.

### **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:

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| C 060056 MMX | Amendment to the City Map involving the establishment of a park addition within an area bounded by East 161 <sup>st</sup> Street, River Avenue, East 157 <sup>th</sup> Street, Major Deegan Boulevard and Macombs Dam Bridge Approach. |
| C 060057 MMX | Amendment to the City Map involving the establishment of a park between Major Deegan Boulevard and the Harlem River.   |
| C 060059 MMX | Amendment to the City Map involving the elimination, discontinuance and closing of portions of Jerome Avenue,  |

	Macombs Dam Bridge Approach and East 161 <sup>st</sup> Street; and the establishment of a park addition.
C 060144 PQX	Acquisition of interest in the real property.
C 060145 PPX	Disposition of City-owned land with the intention to enter into a long-term lease.
C 060146 PPX	Disposition of City-owned property.
C 060147 PPX	Disposition of City-owned property.
C 060148(A) MCX	Major concession to allow for operation of a new tennis facility on a waterfront parkland.
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**

The applicant proposes an amendment to the City Map involving the establishment of parks within an area bounded by East 158<sup>th</sup> Street, River Avenue, East 153<sup>rd</sup> Street, and Gerard Avenue; and any acquisition or disposition of real property related thereto.

An interagency mapping conference was held on August 25, 2005 and no city agency had any objections to this proposal.

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

## **ENVIRONMENTAL REVIEW**

This application (C 060058 MMX), in conjunction with the applications for the related actions (C 060056 MMX, C 060057 MMX, C 060059 MMX, C 060144 PQX, C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148(A) MCX, C 060149 ZSX, 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 No. 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 amendment of the City Map (C 060059 MMX).

### **UNIFORM LAND USE REVIEW**

This application (C 060058 MMX), in conjunction with the applications for the related actions (C 060056 MMX, C 060057 MMX, C 060059 MMX, C 060144 PQX, C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148 MCX, C 060149 ZSX, C 060150 ZSX), was certified as complete by the Department of City Planning on September 26, 2005, and was duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 4 held a public hearing on this application (C 060058 MMX) 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.

A summary of the recommendation of the Community Board 4 appears in the report on the related application for amendment of the City Map (C 060059 MMX).

### **Borough President Recommendation**

This application (C 060058 MMX) 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 amendment of the City Map (C 060059 MMX).

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

On December 19, 2005 (Calendar No. 12), the City Planning Commission scheduled January 11, 2006 for a public hearing on this application (C 060058 MMX). The hearing was duly held on January 11, 2005 (Calendar No. 40) in conjunction with the hearing on the related actions (C 060056 MMX, C 060057 MMX, C 060059 MMX, C 060144 PQX, C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148(A) MCX, C 060149 ZSX, C 060150 ZSX).

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

### **CONSIDERATION**

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

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

### **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 February 10, 2006, with respect to this application (CEQR No. 05DPR006X), 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 minimizes 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**, by the City Planning Commission, pursuant to Sections 197-c and 199 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application (C 060058 MMX) for the amendment of the City Map involving: the establishment of parks within an area bounded by East 158<sup>th</sup> Street, River Avenue, East 153<sup>rd</sup> Street, and Gerard Avenue; and any acquisition or disposition of real property related thereto, in Community District 4, Borough of the Bronx, in accordance with Map No. 13114 dated September 22, 2005 and signed by the Borough President, is approved.

All such approvals are subject to the following condition:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 13114 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

The above resolution, duly adopted by the City Planning Commission on February 22, 2006 (Calendar No. 9), 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 BATAGLIA, ANGELA R. CAVALUZZI, R.A.**

**ALFRED C. CERULLO, III, RICHARD W. EADDY**

**JANE D. GOL, LISA A. GOMEZ**

**CHRISTOPHER KUI, JOHN MEROLO**

**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**

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