



CITY PLANNING COMMISSION

January 21, 2009, Calendar No. 8

C 050187 MMX

IN THE MATTER OF an application, submitted by the New York City Department of Transportation, 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 elimination, discontinuance and closing of East 181st Street between Webster Avenue and Park Avenue West;
- any adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 6, Borough of The Bronx, in accordance with Map No. 13108 dated May 5, 2008, and signed by the Borough President.

The application (C 050187 MMX) for an amendment to the City Map involving the elimination, discontinuance and closing of East 181st Street between Webster Avenue and Park Avenue West in The Bronx was filed by the New York City Department of Transportation (DOT) on November 19, 2004, in order to facilitate the consolidation of two existing facilities into a single, unified and secure facility.

BACKGROUND

East 181st Street between Webster Avenue and Park Avenue West is city-owned, improved, and is mapped at a width of 50 feet. Currently, East 181st Street, is closed-off to public use, and is used by DOT as an internal parking area, and an outdoor storage area for hazardous materials. The Street separates two DOT-owned and operated one-storey facilities on either side of the street: a Maintenance and Repair Shop in Block 3030, Lot 6 and a Staging Garage and Sign Shop in Block 3030, Lot 28. East 181st Street was reconstructed as part of the construction of these two facilities and exclusively serves them. Both lots also have frontage on Park Avenue West and Webster Avenue. This portion of East 181st Street has been closed, unofficially, to public use since these new buildings were constructed five years ago, by means of chain-link fences at each end. The existing chain-link fences will be replaced by wire mesh security fences which were approved by the New

York City Design Commission. The street has been closed to the public as a security measure, namely, to safeguard combustible/flammable materials used by DOT, which, in accordance with the New York City Fire Code, cannot be stored indoors. The closing of this portion of East 181st Street for the past five years has not adversely affected traffic flows in the area. The next closest parallel through-street, East 180th Street, is only 250' away, and serves as a sufficient, two-way connector between Webster Avenue and Park Avenue West. The next closest connector street approximately 700' to the north of the site is East 182nd Street, a west-bound one-way street.

The subject street is located in the Bathgate neighborhood of the Bronx, south of Fordham. The subject area lies in a C8-3 zoning district. The adjacent zoning districts include R7-1 to the west (Mount Hope neighborhood) and M1-1 to the east (East Tremont neighborhood). The Metro North Rail Road runs along the easterly side of Park Avenue West.

An interagency conference was held on February 8, 2005. No City agency had any objections to the proposal.

ENVIRONMENTAL REVIEW

This application (C 050187 MMX) 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 05DOT009X. The lead agency is the New York City Department of Transportation.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on July 12, 2005

UNIFORM LAND USE REVIEW

This application (C 050187 MMX), was certified as complete by the Department of City Planning on August 25, 2008, and was duly referred to Community Board 6 and the Bronx 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 6 held a public hearing on this application (C 050187 MMX) on October 8, 2008, and on that day, by a vote of 13 to 0, with 0 abstentions, adopted a resolution recommending approval of the application.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 050187 MMX) was considered by the Borough President of The Bronx, who issued a recommendation of approval on December 1, 2008.

CITY PLANNING COMMISSION PUBLIC HEARING

On December 3, 2008 (Calendar No. 1), the City Planning Commission scheduled December 17, 2008 for a public hearing on this application (C 050187 MMX). The hearing was duly held on December 17, 2008 (Calendar No. 30).

There were no speakers present to comment on this application. A consultant representing the Department of Transportation was present for the purpose of answering any questions posed by the City Planning Commission. There were no questions posed by the City Planning Commission and the hearing was closed.

CONSIDERATION

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

The proposed amendment to the City Map recognizes an existing condition that has been in place for the past five years, a condition which has allowed the DOT facilities to operate in a safe and efficient manner, and has had no adverse impact on vehicular or pedestrian traffic flows in the area.

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, 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 050187 MMX) for the amendment to the City Map involving:

- the elimination, discontinuance and closing of East 181st Street between Webster Avenue and Park Avenue West;
- any adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

Community District 6, Borough of the Bronx, in accordance with Map No. 13108 dated May 5, 2008, 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. 13108 dated May 5, 2008, providing for the discontinuance and closing of East 181st Street between Webster Avenue and Park Avenue West, more particularly described as follows:

Beginning at a Point located at the intersection of the easterly line of Webster Avenue and the

former northerly line of E. 181st Street, said Point being distant 669.673 feet southerly along the easterly line of Webster Avenue from its intersection with the southerly line of East 182nd Street, as said streets are shown on Map No. 13108 dated May 5, 2008;

1. Thence, running easterly 213.746 feet, along the former northerly line of East 181st Street, discontinued and closed, to a point on the westerly line of Park Avenue West;
2. Thence, running southerly 50.000 feet, along a line which forms an interior angle of 90 degrees, 3 minutes, and 40 seconds with the previously mentioned course, to a point on the westerly line of Park Avenue West;
3. Thence, running westerly 216.134 feet, along the former southerly line of East 181st Street, discontinued and closed, which forms an interior angle of 89 degrees, 56 minutes, and 20 seconds with the previously mentioned course, to a point on the easterly line of Webster Avenue;
4. Thence, running northerly 50.055 feet, along a line which forms an interior angle of 87 degrees, 19 minutes, and 28.8 seconds with the previously mentioned course, to the Point of Beginning.

Said lands have an area of 10,738.593 square feet or 0.247 acres; and be it further

RESOLVED that, 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. 13108 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;
- b. The subject street 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 050187 MMX), duly adopted by the City Planning Commission on January 21, 2009 (Calendar No. 8), 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, FAICP, Chair

KENNETH J. KNUCKLES, Esq., Vice Chair

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JOHN MEROLO, Commissioners