



**CITY PLANNING COMMISSION**

February 22, 2006 / Calendar No. 10

C 060059 MMX

**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 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 portions of Jerome Avenue between East 164<sup>th</sup> Street and Macombs Dam Bridge Approach, Macombs Dam Bridge Approach between Jerome Avenue and East 161<sup>st</sup> Street, and East 161<sup>st</sup> Street between Macombs Dam Bridge Approach and River Avenue;
- the establishment of a park addition within an area bounded by East 161<sup>st</sup> Street, River Avenue, East 164<sup>th</sup> Street, Jerome Avenue and Macombs Dam Bridge Approach;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 4, Borough of the Bronx, in accordance with Map No. 13112 dated September 22, 2005 and signed by the Borough President.

The application (C 060059 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. This action 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. The project also includes four new parking garages and replacement park land.

**RELATED ACTIONS**

In addition to approval of these amendments to the City Map, 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 060148(A) MCX   Major concession to allow for operation of a new tennis facility on

waterfront parkland

- C 060144 PQX 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 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 Department of Parks and Recreation (DPR), the New York City Economic Development Corporation (EDC) and the Department of Citywide Administrative Services (DCAS) are seeking approval of applications to facilitate the development of a new Yankee Stadium on portions of McCombs Dam and John Mullaly parks immediately north of the existing Yankee Stadium, four new parking garages and replacement park land. The applications include mapping of park land, disposition of City-owned property, acquisition of an interest in the stadium, and special permits for a public parking garage.

The proposal includes building a new stadium across East 161<sup>st</sup> Street from the existing Yankee Stadium, replacing the park facilities displaced by the development of the new stadium and building four new public parking facilities. The proposed actions would result in the mapping of 15.82 acres of new parkland, a net increase of 5.91 acres above existing and replacement of all

park facilities lost with the building of the new stadium on Macombs Dam and John Mullaly parks. The new parking garages would add 3,083 new parking spaces.

The project site includes:

- the current Yankee Stadium, an approximately 9 acre parcel (Block 2491, Lot ) bounded by East 161<sup>st</sup> Street, River Avenue, East 157<sup>th</sup> Street and Rupert Place;
- Macombs Dam Park, an approximately 21 acre park (2499, lots 1, 100, 104 and 108; Block 2492, Lot 1) bounded by Jerome Avenue, 162<sup>nd</sup> Street, River Avenue, Rupert Place and East 153<sup>rd</sup> Street and bisected by East 161<sup>st</sup> Street;
- An approximately 4 acre portion of John Mullaly Park (Block 2493, Lot 9) bounded by Jerome Avenue, East 164<sup>th</sup> Street, River Avenue and East 162<sup>nd</sup> Street;
- Existing Yankee Parking Garage 3 (Block 2485, Lot 1) located north of the stadium on the east side of River Avenue between East 164<sup>th</sup> Street and East 162<sup>nd</sup> Street and Garage 8 (Block 2490, Lot 1) located immediately south of the current stadium on River Avenue between 157<sup>th</sup> Street and 153<sup>rd</sup> Street;
- Existing Yankee Parking Lots 7, 9, 10, 11, 13A, 13B, 13C and 15 (Block 2482, Lot 25; Block 2483, Lot 1; Block 2357, Lot 100; Block 2354, lots 65 and 20; part of Block 2539, Lot 2; and Block 2486 Lot 1) along River Avenue and on the Harlem River waterfront; and
- an approximately 5 acre portion of the Bronx Terminal Market (part of Block 2539, Lot 2) on the Harlem River between slip 2 and slip 4.

The project site is generally located in the Yankee Stadium neighborhood in Bronx Community District 4 and is served by the 4 train and the D train which stop at 161<sup>st</sup> Street and River Avenue and the Bx 13 bus which runs along River and Jerome avenues.

## **HISTORY**

The current Yankee Stadium is an 82-year-old stadium with capacity for 56,928 spectators. It was built in 1923 and is often referred to as “the House that Ruth Built.” The stadium was renovated in the 1976 and much of the original façade was replaced with the featureless, gray walls that exist today. The stadium is outdated in many respects, lacking space to satisfy current standards for seating, circulation, food service, shops, restrooms, practice areas, batting cages, weight rooms and press areas.

Macombs Dam Park, named for the Macomb family, which operated a dam and mill on the site of the park in the 19<sup>th</sup> Century, was opened in 1899 and modified and enhanced in the 1930s.

John Mullaly Park, named for the 19<sup>th</sup> Century journalist, reformer and founding member of the New York Parks Association, was developed in the mid 1920s and has been modified and enhanced over the years, including the development of tennis courts in the 1970s.

## **CONTEXT AND ZONING**

There are a variety of land uses in the area. To the north of the project area is the Highbridge neighborhood, a stable residential community consisting of six- to eight-story apartment buildings, including a number of stately art-deco buildings on Jerome Avenue. To the east of the project area, along East 161<sup>st</sup> Street, is the government and court center of the Bronx. In

addition, East 161<sup>st</sup> Street is a lively commercial corridor with a number of restaurants, bars and souvenir shops that cater to the stadium patrons and courts. Also to the east of the project area are residential neighborhoods along Gerard and Walton avenues and on the Grand Concourse. These neighborhoods consist of six to eight-story apartment buildings, many done in an attractive art-deco style. To the south of the project area is the Bronx Terminal Market, an underutilized wholesale food market, the majority of which was the subject of recently approved applications (C 050529 ZMX, C 050074 MMX, C 050531 ZSX, C 050530 ZSX, C 050532 ZSX, C 050539 PPX). These actions were approved by the City Planning Commission on December 19, 2005 (Cal Nos. 2-6) and by the City Council on February 1, 2006 and will facilitate the re-development of the Bronx Terminal Market into an approximately 1 million square foot retail center.

The current Yankee Stadium, the parking facility to the immediate south of the stadium and the parking lots across River Avenue are zoned C8-3, which allows commercial uses including auto-repair, vehicle storage and warehouses at a maximum FAR of 2.00. Parking lots 9 and 11 on River Avenue south of the Metro-North railroad tracks are zoned M1-2, which permits light manufacturing uses and limited commercial uses at a maximum FAR of 2.00. The portion of the Bronx Terminal Market in the project area, on the Harlem River waterfront, is zoned C4-4, which allows a wide range of commercial uses and residential uses (Use Groups 1-6, 8-10 and 12). Industrial uses are not allowed. The maximum FAR for commercial uses is 3.40, 3.44 for residential uses and 6.50 for community facility uses.

## **PROJECT DESCRIPTION**

Currently, Macombs Dam and John Mullaly parks have baseball, softball, basketball, soccer, track and tennis facilities. These facilities are heavily used both by the local community on an ad hoc basis and by schools and other organizations by reservation.

The current stadium utilizes approximately 7,079 off-street parking spaces, located in the various parking lots and garages in the neighborhood, including some parking on the current Bronx Terminal Market site.

The portion of the Bronx Terminal Market included in the project site is currently an underutilized wholesale food market. This particular portion of the market is located along the Harlem River and contains a row of two-story warehouse buildings and a two-story building formerly a power house supplying power to the now demolished refrigeration building across the street.

### **New Stadium Site**

The new Stadium site consists of two portions of Macombs Dam and John Mullaly parks bounded by East 161<sup>st</sup> Street to the south, Jerome Avenue and the Macombs Dam Bridge Approach to the west, East 164<sup>th</sup> Street to the north and River Avenue to the east.

The site is bisected by East 162<sup>nd</sup> Street. North of East 162<sup>nd</sup> is a 4 acre portion of John Mullaly Park containing 16 tennis courts and a club house. South of East 162<sup>nd</sup> Street, an 11 acre portion of Macombs Dam Park contains a 400 meter track, soccer field , two baseball fields and two little league/softball fields.

The proposed project requires elimination of East 162<sup>nd</sup> Street from the City Map through an

administrative action authorized by the State Legislature. The new Yankee Stadium and parking garage would be developed on the approximately 15 acre parcel. The northern end of the parcel would contain an approximately 920 space parking garage.

The new stadium would have capacity for approximately 54,000 spectators. Unlike the current stadium it would have spacious circulation, food service, media and security areas. There will be a restaurant and team store open year round with entrances at the corner of the East 161<sup>st</sup> Street and River Avenue. There will be entrances and exists at the four corners of the building and along East 161<sup>st</sup> Street. On East 161<sup>st</sup> Street, the stadium would be set back from the street to allow for a pedestrian plaza along the length of the block. This plaza would be a minimum of forty feet in depth. Due to changes in grade, the plaza would be seven feet higher than the street grade at its highest point in the middle of the block. This elevation corresponds to a crossing at Rupert Place, where a set of stairs no less than 25 feet in width will bring people up to the stadium elevation. The façade treatment will be reminiscent of the original 1920's façade of the old stadium.

### **New Parking Facilities**

Four new parking garages are proposed. North of the proposed new stadium on East 164<sup>th</sup> Street between Jerome and River avenues a new parking garage, Parking Garage B, would be developed with approximately 920 spaces, a majority of which would be reserved for Yankee staff. This garage would have entrances and exits on both River Avenue and Jerome Avenue.

Parking Garage A would be developed west of the current Yankee Stadium between the Macombs Dam Bridge Approach and Rupert Place. This garage would have two levels of

parking and approximately 1,600 spaces. As described below, this garage would have park facilities on the roof. Entrances and exits to and from this garage would be on the Macombs Dam Bridge Approach, East 153<sup>rd</sup> Street and at the western end of East 157<sup>th</sup> Street.

West of the Macombs Dam Bridge Approach, Parking Garage C is proposed to have four levels of parking, and approximately 1,300 parking spaces. Entrances and exits to and from this garage would be located on East 161<sup>st</sup> Street and the Macombs Dam Bridge Approach.

About three blocks south of the old Yankee Stadium on River Avenue are parking lots 9 and 11. The proposal would replace these lots with a three level, 949 space parking facility. Garage D would have rooftop parking and would bridge over East 151<sup>st</sup> Street. A volume above East 151<sup>st</sup> Street would be eliminated through an administrative action authorized by the State Legislature. The garage would contain 12,000 square feet of retail fronting on River Avenue. Entrances and exits to and from this garage would be located on River Avenue and Gerard Avenue.

## **Park Program Replacement**

### The Original Park Program

At the time of certification of the ULURP actions, the plan proposed to replace the current stadium with a “Heritage Field” baseball facility, which would have retained approximately 3,000 of the field seats and the playing field of the existing stadium. Additionally, the plan included 14 tennis courts, a clubhouse, pro-shop and locker-rooms on the roof of Parking Garage C and two 60 foot little league/softball fields, a waterfront esplanade and passive recreation on a park on the Harlem River waterfront.



Rupert Place would be eliminated from the City map though an administrative action authorized by the State Legislature and mapped as parkland.

To the west of the former Yankee Stadium site, Macombs Dam Park would be redeveloped with new park facilities, including a track and soccer field, baseball field and basketball courts. These facilities would be built on the roof of a new two level parking garage. Due to the existing topography, the parking would be below the level of the surrounding streets and the park facilities would be at grade with the Macombs Dam Bridge Approach to the west and the western edge of East 161<sup>st</sup> Street. This part of the park program is the same as in the original plan.

Across the street from the old Yankee Stadium the two parking lots along River Avenue would be converted into parkland with passive recreational facilities, as was proposed in the Heritage Filed plan.

### The Revised Park Plan

In consultation with the community, the Department of Parks and Recreation has modified the plan to address the community's concerns regarding the distance of the proposed 60 foot little league/softball fields from the residential community, the height of the proposed parking garage with the tennis facility on the roof and the public accessibility of Heritage Field.

As under the earlier plan, the site of the current stadium, Rupert Place and a portion of Macombs Dam Park would form approximately 21 acres of contiguous parkland. However, In the revised plan, the current Yankee Stadium would be completely torn down and the site would contain

three little league/softball fields and passive recreation. These fields would be close to the residential community and useable without a reservation.

A waterfront site occupied by a portion of the Bronx Terminal Market would be mapped as new parkland. However, In the revised plan the waterfront parkland would contain a tennis facility with 16 courts, a comfort station in the former Bronx Terminal Market Building J, passive recreation and a waterfront esplanade.

### **REQUESTED ACTIONS**

To facilitate the development described above, the following ULURP actions are requested:

#### **Disposition (C 060145 PPX, C 060146 PPX and C 060147 PPX)**

The applicant is seeking three separate dispositions of City-owned property these are:

Disposition by long-term lease of the new Yankee Stadium site (C 060145 PPX), including the northern portion of Macombs Dam Park (Block 2492, Lot 1), the southern portion of John Mullaly Park (Block 2493, Lot 9 [p/o]) and the bed of the former East 162<sup>nd</sup> Street between Jerome and River avenues. The lease of parkland was authorized by the New York State Legislature and the site will remain mapped parkland.

Disposition by lease of six existing City-owned parking facilities (C 060146 PPX), including Parking Lot 10 at the corner of River Avenue and East 153<sup>rd</sup> Street (Block 2357, Lot 100); Parking Garage 8 a three story parking garage just south of the old Yankee Stadium bounded by East 157<sup>th</sup> Street to the north, River Avenue to the east and East 153<sup>rd</sup> Street to the south (Block 2490, Lot 1); Parking lots 13 A, B and C on Exterior Street north of the Bronx Terminal Market

(Block 2539, Lot 2 [p/o]); Parking Garage 3 a three-story parking garage bounded by East 164<sup>th</sup> Street to the north, Gerard Avenue to the east, East 162<sup>nd</sup> Street to the south and River Avenue to the west (Block 2485, Lot 1); Parking Lot 15 bounded by East 165 Street to the north, Gerard Avenue to the east, East 164<sup>th</sup> Street to the south and River Avenue to the west (Block 2486, Lot 1); and Parking Lot 7 on River Avenue between East 157<sup>th</sup> Street and East 153<sup>rd</sup> Street (Block 2482, Lot 6).

Disposition by lease of the City-owned sites for four new parking facilities (C 060147 PPX), which include Garage A, Garage B, Garage C and Garage D.

Garage A is located on a site bounded by East 161<sup>st</sup> Street to the north, Rupert Place to the east, East 157<sup>th</sup> Street to the south and the Macombs Dam Bridge Approach to the west (Block 2499, lots 1 and 100). This garage is located on mapped parkland, the lease of which was approved by the New York State Legislature. This garage will have replacement park facilities on its roof.

Garage B is located on a site bounded by East 164<sup>th</sup> Street to the north, River Avenue to the east, roughly 162<sup>nd</sup> Street to the south and Jerome Avenue to the west (Block 2493, Lot 9 [p/o]). This garage will be located immediately north of the new Yankee Stadium and is on mapped parkland, the lease of which was authorized by the New York State Legislature.

Garage C is located on a site bounded by East 161<sup>st</sup> Street to the north, the Macombs Dam Bridge Approach to the east, a Major Deegan on-ramp to the south and Jerome Avenue to the west (Block 2499, Lot 108). This garage is located on mapped parkland, the lease of which was approved by the New York State Legislature.

Garage D is located on a site bounded by the Metro-North rail line to the north, Gerard Avenue to the east, a distance approximately 195 feet north of East 149<sup>th</sup> Street to the south and River Avenue to the west (Block 2354, lots 20 and 65). This garage is the subject of a special permit described below.

**Acquisition (C 060144 PQX)**

The northern portion of Macombs Dam Park (Block 2492, Lot 1), the southern portion of John Mullaly Park (Block 2493, Lot 9 [p/o]) and the bed of the former East 162<sup>nd</sup> Street are the subject of an acquisition of property by the City so that it may acquire leasehold and sublease hold interests in the new Yankee Stadium in order to facilitate the financing structure for the stadium.

**Major Concession (C 060148(A) MCX)**

The major concession is requested to locate the tennis facility on the proposed mapped parkland on the waterfront. The concession is anticipated to have 16 tennis courts. A clubhouse, pro-shop and locker-rooms would be located in the existing Bronx Terminal Market Building J, a two-story red brick power house that would be renovated to accommodate these uses. The area is roughly between the Harlem River and the Major Deegan Expressway, in the vicinity of slips 2 and 4 (Block 2539 part of Lot 2). Access to the facility would be via Exterior Street and parking would be provided in existing parking lot 13A. The original major concession application was withdrawn on February 21, 2006.

**Special Permits (C 060149 ZSX, C 060150 ZSX)**

The applicant is seeking two special permits pertaining to Parking Garage D located at River Avenue and East 151<sup>st</sup> Street.

The first special permit (C 060149 ZSX) is to allow a public parking garage with a capacity of 949 spaces and to exempt floor space located below the height of 23 feet above curb level from the definition of floor area. The proposed parking garage would include 211 spaces on the roof and approximately 12,000 square feet of retail on the ground floor. Reservoir space for 47 cars would be provided as required by zoning. The proposed garage would provide access and egress on River Avenue and Gerard Avenue.

The second special permit (C 060150 ZSX) is to modify rear yard regulations for the public parking garage. A 20 foot rear yard would be required on the southern end of parking Garage D. In order to meet the project's parking demand and maximize the amount of ground floor retail a waiver of the yard requirement is necessary.

**Changes to the City Map (C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060059 MMX)**

The applicant is seeking City Map amendments on four sites, as follows:

First, the mapping of new parkland on the site of the old Yankee Stadium between 161<sup>st</sup> Street, 157<sup>th</sup> Street and River Avenue (C 060056 MMX) including the former Rupert Place, which is to be eliminated from the City Map through an administrative action authorized by the State Legislature. This mapping would result in approximately 9 acres of new mapped parkland.

Second, an approximately 5.5 acre site along the Harlem River waterfront from slip 2 through slip 4 would be mapped as parkland (C 060057 MMX). This site is currently occupied by portions of the Bronx Terminal Market. As described above, this would be the site of a new tennis center, passive recreation and a waterfront esplanade.

Third, approximately .68 acres on two sites on River Avenue at the corner of East 157<sup>th</sup> Street, across the street from the old Yankee Stadium would be mapped as parkland (C 060058 MMX). These sites are currently City-owned parking lots. As stated above, these sites would have passive recreational facilities.

It should also be noted that the bed of East 162<sup>nd</sup> Street between River Avenue and Jerome Avenue which was eliminated from the City map through an administrative action authorized by the State Legislature would be mapped as parkland and would become part of the new stadium site.

The action which is the subject of this report is an amendment to the City Map involving: the elimination, discontinuance and closing of portions of Jerome Avenue between East 164<sup>th</sup> Street and Macombs Dam Bridge Approach, Macombs Dam Bridge Approach between Jerome Avenue and East 161<sup>st</sup> Street, and East 161<sup>st</sup> Street between Macombs Dam Bridge Approach and River Avenue; the establishment of a park addition within an area bounded by East 161<sup>st</sup> Street, River Avenue, East 164<sup>th</sup> Street, Jerome Avenue and Macombs Dam Bridge Approach; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto (060059 MMX).

An interagency mapping conference was held on August 25, 2005 and no city agency had any

objections to this proposal.

## **ENVIRONMENTAL REVIEW**

This application (C 060059 MMX) in conjunction with the related actions (C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148(A) MCX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 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.

After a study of the potential environmental impacts of the proposed action, it was determined that the proposed action may have a significant effect on the environment and that an environmental impact statement would be required for the following reasons:

1. The action, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.
2. The action, as proposed, may result in significant adverse impacts on socioeconomic conditions in the vicinity of the affected area.
3. The action, as proposed, may result in significant adverse impacts on community facilities in the vicinity of the affected area.
4. The action, as proposed, may result in significant adverse impacts on publicly accessible open space facilities in the vicinity of the affected area.
5. The action, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
6. The action, as proposed, may result in significant adverse impacts on historic resources

(architectural resources) in the affected area.

7. The action, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.
8. The action, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
9. The action, as proposed, may result in significant adverse impacts on natural resources in the vicinity of the affected area.
10. The action, as proposed, may result in significant adverse hazardous materials impacts in the affected area.
11. The action, as proposed, may result in inconsistencies in Coastal Zone policies in the vicinity of the affected area with respect to the Waterfront Revitalization Program.
12. The action, as proposed, may result in significant adverse impacts on infrastructure systems in the vicinity of the affected area.
13. The action, as proposed, may result in significant adverse impacts on solid waste and sanitation services in the vicinity of the affected area.
14. The action, as proposed, may result in significant adverse impacts on energy in the vicinity of the affected area.
15. The action, as proposed, may result in significant adverse impacts to traffic and parking conditions in the vicinity of the affected area.
16. The action, as proposed, may result in significant adverse impacts on transit services and pedestrian flows in the vicinity of the affected area.
17. The action, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.
18. The action, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.
19. The action, as proposed, may result in significant adverse construction-related impacts.
20. The action, as proposed, may result in significant adverse public health impacts in the vicinity of the affected area.

A Positive Declaration was issued on June 15, 2005 and distributed, published and filed and the applicant was asked to prepare a Draft Environmental Impact Statement (DEIS). A public



scoping meeting was held on the Draft Scope of Work on July 18, 2005 and Final Scope of Work was issued on September 21, 2005.

The lead agency prepared a DEIS and issued a Notice of Completion on September 23, 2005. Pursuant to SEQRA regulations and CEQR procedures, a joint public hearing was held on the DEIS on January 11 2006, in conjunction with the Uniform Land Use Review Procedure (ULURP) applications (C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148 MCX, C 060148(A) MCX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060149 ZSX and C 060150 ZSX).

The Final Environmental Impact Statement (FEIS) was completed and a Notice of Completion of the FEIS was issued on February 10, 2006. The FEIS included an alternative, the Alternative Park Plan, which reflects the modified ULURP application (C 060148(A) MCX) that was submitted subsequent to the issuance of the DEIS.

The Notice of Completion for the FEIS identified significant adverse impacts and proposed mitigation measures with respect to the Proposed Action and the Alternative Park Plan adopted herein that are summarized in the FEIS Executive Summary attached as Exhibit A hereto.

#### **UNIFORM LAND USE REVIEW**

This application (C 060059 MMX) in conjunction with the related actions (C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148 MCX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060149 ZSX and C 060150 ZSX), 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.

### **Community Board Public Hearing and Review**

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 applications.

### **Borough President Recommendation**

This application was considered by the Bronx Borough President who issued a recommendation approving the application on December 22, 2005 subject to the following conditions:

1. The City of New York must commit to a land use plan related to Yankee Stadium redevelopment that includes:
  - Development of a hotel and conference center, either adjacent to Yankee Stadium or at Gateway Center;
  - Development of a High School for Sports Industry Careers in the short term;
  - Expansion and upgrading of ferry terminal with increase frequency of service during ball games;
  - Transformation and reuse of the existing ball park for community recreation;
  - Construction of the planned Metro-North station (by State of New York/Metropolitan Transportation Authority);
  - Improvements to Mullaly park and other nearby parks including upgrading of Franz Sigel Park ball fields, completion of Joyce Kilmer park renovation and installation of a running track at St. Mary's Park;
  - Innovate architecture so the exterior of Garage B does not look like a parking structure; a landscaped plaza to visually integrate garage B

with the adjacent Mullaly Park;

- An ice and roller skating rink with potential for other sports atop Garage C on the present Parking Lot 1;
2. The schedule for replacement park construction, under which replacement facilities would be completed between 2007 and 2010, must be accelerated to avoid loss of community resources, even if it requires temporary, interim facilities. These interim or permanent facilities must be completed before stadium construction begins. I recommend the use of Yankee parking on Lot 1 for an interim track and field immediate construction of permanent open space on River Avenue Lots 5 and 6, and the possible use of the waterfront parking fields as interim parks, until permanent park facilities are built.
  3. The City of New York and/or its agents or lessees must commit to immediately constructing the waterfront parkland identified in this ULURP application (initially a component of the gateway ULURP application), independent of the Yankee Stadium timetable.
  4. New York City and State must develop and implement a traffic flow plan for the entire Civic Center area, during and after construction.
  5. The City of New York and the New York Yankees must resolve traffic issues and coordination of traffic and parking with the Gateway Center, including institution of shuttle service, using hybrid vehicles, between the two facilities.
  6. The City and the New York Yankees must make year-round garage parking available to local residents at discounted rates and public daily parking on non-game days.
  7. The New York Yankees must additionally agree to market the 12,000 square feet of retail space proposed for Garage D primarily to small business retail establishments serving a local clientele, rather than oriented to Yankee fans or to a broader market, bearing in mind Garage D's proximity Gateway and a future hotel.
  8. The City of New York must commit to using a 30,000 square foot parcel, already reserved as a development site, at the southern end of the "central park" for an independently operated full-service fitness center, with a swimming pool to service local residents, civic center employees and the general public.
  9. The New York Yankees must commit to incorporate a Yankee hall of Fame and Museum, either within the new Stadium or at the old stadium site, accessible to the public year round, in their construction plans.

10. The City of New York and the New York Yankees must additionally provide enhanced (high wattage, decorative lampposts) lighting throughout area.
11. The New York Yankees and/or their developer, and the developer(s) of parking garages, must incorporate sustainable design features including:
  - Sustainable building design for the stadium and garages
  - Seek the highest ratings, as it relates to environmentally sound construction and operation for Yankee Stadium
  - Landscape the stadium perimeter and screen garages with plantings
  - Incorporate “gray water” systems within stadium and garage buildings
  - On-site storm water management, capture and reuse for stadium and garages
  - On-site electric generation for Yankee Stadium
  - Use “zero waste” principles with attention to waste prevention, reuse, recycling and composting.
12. Construction practices for the stadium and garages must utilize the most advanced technology for emissions control, including using low sulfur emissions on-road vehicles and electronic vehicles on-site, Compliance with Local Law 77, which requires City construction projects to use ultra-low sulfur diesel fuel and best available emissions controls:
  - Particulate emissions at the PM 2.5 level must be monitored, close the ground, during and post construction;
  - Demolition areas must be enclosed with a mat or tent to protect the community from blown debris and dust, with particular attention to demolition of the old polo Ground elevated subway spur with may have asbestos and/or other contaminants;
  - Independent community monitoring of environmental impacts during construction and post construction must be facilitated. (The Community Partnership Agreement Task Force will be come the Bronx/NY Yankee Community Monitoring Task Force.)
13. The New York Yankees and/or their developer must appoint a project coordinator, in consultation with the Bronx Borough President, to provide communication with the community and help mitigate construction impacts.
14. The New York Yankees must commit, in a legally binding form, to provide an

appropriate level of benefits and services to the local community in the form of a Community Partnership Agreement that will be finalized before the City Planning Commission rules on this application.

15. The New York Yankees, and their developer and all those involved in the project must commit to employ Bronx residents in construction and long-term jobs and support Bronx based suppliers and contractors by participating in the Buy-Bronx/Buy-New York and Bronx-at-Work campaigns.

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

On December 19, 2005 (Calendar No. 13), the City Planning Commission scheduled January 11, 2006 for a public hearing on this application (C 060059 MMX). The hearing was duly held on January 11, 2005 (Calendar No. 41) in conjunction with the hearing on the related actions (C 060145 PPX, C 060146 PPX, C 060147 PPX, C 060148 MCX, C 060148(A) MCX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060149 ZSX and C 060150 ZSX). There were 28 speakers in favor of the application and 32 speakers in opposition.

Speakers in favor of the application included the Bronx Borough President, members of the Yankees development team, a representative of the New York City Economic Development Corporation, the land use counsel for the Yankees, and representatives of the New York Yankees. These speakers discussed the inadequacy of the current stadium, the reasons for the site of the proposed stadium, the jobs that would be created, the actions before the City Planning Commission, investment on the part of the Yankees, and the Yankees' commitment to engage the community.

In his testimony, the Bronx Borough President expressed support for the proposal, with particular reference to the proposed construction of little league and softball fields on the site of

the current stadium. The Borough President stressed the need for the development of a high school for sports' industry careers, hotel and convention center, community fitness center and Metro North railroad stop near the new stadium. He called for a comprehensive traffic management plan for the area; coordination with the Gateway Center at the Bronx Terminal Market, including a shuttle between the proposed shopping center and the new stadium; and the opening of the parking garages used by the Yankees to the public. He called on the City to accelerate the development of the replacement parkland, to develop an interim park on the site of proposed parking garage C, and to improve all of the parks in the area. The Borough President also called on the Yankees to improve their relationship with the community, and participate in a community council, which he recommends be established to oversee the maintenance of the new parkland.

Also speaking in favor of the application was a representative of the New York City Department of Parks and Recreation, the architect for the Yankees, and the environmental consultants for the project. These speakers discussed the replacement park facilities; the tree replacement program; the design of the new stadium; the air quality and public health analyses, specifically with regard to asthma, in the Draft Environmental Impact Statement (DEIS); and the traffic analysis in the DEIS, specifically with regard to mitigation measures on the Major Deegan Expressway.

Others speaking in favor of the application included representatives of the Bronx Chamber of Commerce, the Morris High School Robotics team, the Bronx Clergy Taskforce, the 167<sup>th</sup> Street Business League, the Bronx High School for Sports Careers, community residents, the Child Advocacy Center at the Bronx Children's Hospital, Latino Sports, construction trade unions, Harlem RBI and the Bronx Little League. These speakers cited the jobs that would be created

from the project, the support that the Yankees have shown their organizations, the Yankees' commitment to stay in the community and the Yankees' willingness to work with the community as the reasons for their support of the project.

Speaking against the application were representatives of New York City Park Advocates, Save Our Parks, Sustainable South Bronx, New Yorkers for Parks, Bronx Voices for Equal Inclusion, For a Better Bronx, 161st Street Merchants Association and community residents. These speakers cited the loss of unique and valued parkland, the inadequacy of replacement parkland, the possible environmental and traffic impacts, the lack of public involvement in the planning process and the poor relationship that the Yankees have had with the community in the past as reasons for their opposition.

Several of the speakers stated that they were not against the development of a new Yankee Stadium and discussed alternatives to building a new stadium on the site of Macombs Dam and John Mullaly parks. These included renovating the existing stadium and demolishing the existing stadium and rebuilding on an expanded site.

A representative of Good Jobs New York also discussed the economic implications of the project, claiming that due to subsidies the cost to the City and State would exceed the benefit in revenue. One community resident spoke about the significance of the current stadium and cited its importance in the history of the City, the Bronx and Major League Baseball as reasons for opposition to the project.

There were no other speakers on the application 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 060148(A) MCX, C 060144 PQX, C 060056 MMX, C 060057 MMX, C 060058 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 amendment to the City Map, in conjunction with the related actions, is appropriate

These actions would facilitate the development of a new Yankee Stadium, replacement park land and new parking garages.

The Yankees have been a fixture in the Bronx since 1923 and are a world known sports franchise. The current stadium, built in 1923 and renovated in 1976, is obsolete by modern stadium standards. The approval of these actions will enable the Bronx and the City to retain and enhance this valuable asset. The new stadium will be a state-of-the-art facility with 54,000 seats in a modern structure with a façade reminiscent of the original stadium and a recreation of



the historic frieze. It will include ample circulation space and concession stands, new restaurants and box seats and modern lighting and sound systems. It will also incorporate features of the current stadium such as Monument Park, and new features such as a Yankee Hall of Fame.

The Commission recognizes the desire of the Yankees to remain in their home in the south Bronx and notes that the current stadium is an 82 year-old, out-dated facility that does not meet the needs of a modern day sports franchise and its patrons. The Commission believes that a new, modern facility would be a benefit to both the Yankees and the City. The new Yankee Stadium would be an asset to the surrounding community, bringing visitors to the area and hosting events in its concourses and luxury boxes throughout the year. Additionally, the construction of the stadium will result in the creation of approximately 2000 construction jobs and the stadium itself will support approximately 700 jobs.

The Commission notes that the new stadium is designed in a way that will minimize disruption to the surrounding community, while increasing its overall efficiency. Currently, fan queuing, media operations and New York Police Department security measures all take place on the limited space around the stadium. The new stadium will provide space for all these activities within its site. The proposed front plaza on 161<sup>st</sup> Street would allow for adequate queuing space for fans entering and leaving the stadium and help prevent fans from spilling out into the streets as occasionally happens currently.

The Commission recognizes that Macombs Dam and John Mullaly parks are significant community resources and acknowledges the community's concerns regarding the replacement park facilities. However, the current facilities at Macombs Dam and John Mullaly parks are old

and in disrepair. The proposed new park plan would not only replace all existing park elements that will be displaced but would also significantly upgrade the open space and park amenities in this neighborhood.

Through the course of the public review process, the Department of Parks and Recreation has listened to and responded to the community's concerns with regard to the replacement parks. In particular, concerns about the location of the little league/softball fields, the accessibility of the park facilities and the impact on the surrounding neighborhood have led the DPR to revise the proposed park plan. The Commission believes this effort has resulted in a better plan for the community. Identified as the Alternative Park Plan in the FEIS, this proposal develops the site of the current stadium with three little league/softball fields and passive recreation. This proposal will create approximately twenty acres of parkland immediately adjacent to the community that uses it and create a contiguous park similar to the one being displaced by the new stadium. The replacement facilities, including the track and soccer field, tennis center and passive recreation will be superior to those that exist now. The facilities will be newly designed and employ the latest in park design and construction.

The proposal includes new parking facilities that will result in a net gain of 3,038 parking spaces. The Commission believes that these parking facilities will help alleviate game day on-street parking problems in the neighborhood and reduce the number of vehicles on local streets looking for on-street parking before games. The Commission believes that the facilities should also serve the needs of the surrounding community and urges the Department of Parks and Recreation and the Yankees to find a way to make these facilities available for use during non-game periods.

Bronx Community Board 4 issued a recommendation disapproving the application but did not provide written reasons for its disapproval. However, throughout the process the following issues were raised by the community: the detrimental effects of the loss of green space, specifically the possible effects on asthma rates in the community; possible adverse effects on traffic flow in the area; possible adverse effects on local merchants and economic development in the area and a possible increase in noise levels. The Commission notes in this regard that the FEIS does not find any impacts from the project in terms of air quality, noise, public health or socioeconomics. The FEIS does disclose traffic impacts and recommends mitigation measures where possible.

The community has also expressed concern regarding the equitable replacement of parkland. The Commission notes that the Department of Parks and Recreation has modified the plan in response to community concerns regarding the redevelopment of the existing stadium site. The Commission encourages the Department of Parks and Recreation and the Yankees to continue their dialogue with the community as the project proceeds. The community has also expressed concern that the placement of a facility for a for-profit sports franchise on a public park sets a bad precedent. The Commission notes there are many sports facilities in the City located on mapped park land, notably Shea Stadium and the U.S. Open Tennis Center in Flushing Meadows Queens and Keyspan Park in Coney Island.

The Commission shares the Borough President's concern about the proposed schedule of park replacement. The Commission notes that the construction schedule for the Alternative Park Plan as cited in the FEIS reflects a good faith and substantial effort to deal with temporary loss of park facilities, by providing temporary running courses, and accelerating the construction of

facilities on the waterfront and Garage A. This schedule provides temporary running courses in two locations. The first is on the current Macombs Dam Park south of 161<sup>st</sup> Street, starting in the spring of this year. When construction starts on Garage A, displacing this temporary running course, a new running course will be completed on the future site of Garage C. Garage A will be phased to allow for the construction of the permanent track and soccer field. The waterfront park, which includes the tennis courts, comfort station and passive recreation, will be constructed as soon as the relocation of the Bronx Terminal Market tenants allows.

The Commission urges the Department of Parks and Recreation and the Yankees to continue working to refine the construction schedule with an eye toward reducing the amount of time that park facilities are unavailable to the public.

Regarding the other recommendations from the Borough President, the Commission notes that the inclusion of a hotel and conference center, High School for Sports Industry Careers, expansion and upgrading of the ferry terminal, construction of the planned Metro-North station and a fitness center are outside out side the scope of the actions under consideration. The proposed plan does not preclude the development of any of these projects. The Commission notes also that a hotel and conference center is planned for the second phase of the Gateway Center at Bronx Terminal Market.

Regarding the Borough Presidents recommendation on innovative design for the proposed parking garages, the Commission notes that the Department of Parks and Recreation will establish design guidelines for the garages to ensure their compatibility with the surrounding area.

The Commission notes that the FEIS presents a game day traffic management plan to address the traffic flow and that both the FEIS for this project and the FEIS for the Gateway Center at Bronx Terminal Market have fully accounted for each other in the future no-build conditions.

The Commission concurs with the Borough President's recommendations regarding encouraging local neighborhood retail in Garage D, the inclusion of a Yankee Hall of Fame in the project and the provision of lighting and street furniture. The Commission notes that in a letter dated February 3, 2006 DPR and the Yankees have agreed to these recommendations.

The Commission notes that DPR and the Yankees organization have agreed to incorporate the Borough President's recommendations in the stadium and garage construction methods.

Regarding the recommendation that the Yankees enter into a "Community Partnership Agreement," the Commission notes that such agreements are unrelated to the land use impacts and implications of the proposal and are beyond the scope of the land use review process. As such, these agreements are outside of the Commission's purview.

The Commission notes that due to the size and varying topography of the site a crossing at mid-block on East 161<sup>st</sup> Street is required. The Commission believes that the proposed stairs at this crossing and the height of the plaza must conform to specific design parameters. The Commission notes the active façade on 161<sup>st</sup> Street and the more sensitive treatment on Jerome Avenue. The Commission applauds the efforts made by the Yankees to activate the River Avenue façade with regularly spaced pilasters, art installations and lighting. The Commission believes that the overall height of the stadium, the size of specific elements of the stadium and the treatment of various facades of the stadium must conform to specific design parameters.

For these reasons, the stadium and its immediate surroundings will be subject to design parameters detailed in the resolution governing disposition of the new stadium site (C 060145 PPX). The design parameters will include requirements for façade treatments, wall heights, and the width of the stairs, height and dimensions of the plaza and sidewalk widths.

**Disposition (C 060145 PPX, C 060146 PPX and C 060147 PPX)**

The Commission believes that the disposition of City-owned property is appropriate. As indicated above the stadium and its immediate surroundings will be the subject to design parameters set forth in the resolution governing disposition of the new stadium site (C 060145 PPX).

Long-term lease of the existing parking facilities will allow the City to renegotiate the leases, which will include stipulations for improvements such as restriping and operating the garages for year round parking. The long-term lease of the new parking facilities will allow for these facilities to be constructed. The proposed increase in parking will help relieve congestion on local streets from Yankees related traffic and provide community parking during the off season.

**Acquisition (C 060144 PQX)**

The Commission believes that the acquisition of property is appropriate. This action will allow the City to acquire lease hold interests in the new stadium in order to facilitate financing.

**Modified Major Concession (C 060148(A) MCX)**

The Commission believes that the Major Concession is appropriate. The location of the tennis center on the waterfront is superior to the original proposal, under which the tennis center was

proposed for the roof of Parking Garage C. The modified proposal lowers the height of this structure, adjacent to a residential community, and places the tennis center at grade level in an attractive setting on the Harlem River. The Commission acknowledges that the tennis center would be farther from the Highbridge community but notes that the reconstruction of the pedestrian bridge over the Metro North rail line and planned pedestrian access through the Bronx Terminal Market site will increase accessibility to the waterfront. In addition, parking for the tennis concession will be provided in parking lot 13A adjacent to the facility.

### **Special Permits (C 060149 ZSX, C 060150 ZSX)**

The Commission believes that the grant of a special permit to allow a public parking garage in excess of 150 spaces is appropriate. The entrances and egresses to the garage would be located on River Avenue, a major street, and Gerard Avenue, a secondary street, which is within one quarter mile of 149<sup>th</sup> Street, a major street. The garage is situated so as to draw a minimum of traffic through surrounding local streets and residential neighborhoods. Access to the garage from the Major Deegan Expressway would be via River Avenue. The garage can also be accessed from the Grand Concourse via 151<sup>st</sup> Street and Gerard Avenue. The garage would provide 47 reservoir spaces, as required by the Zoning Resolution. The surrounding streets are adequate to handle the traffic generated, as described in the FEIS. The 129,280 square feet of floor space to be exempted from floor area is necessary to allow adequate parking for the stadium. During pre-game periods, local streets are heavily-trafficked with vehicles looking for on-street parking spaces. The size of this garage is necessary to meet that demand.

The Commission believes that the grant of a special permit to modify the yard regulations for a

public parking garage is appropriate. There is a great need for off-street parking during game days. The parking garage will alleviate the excessive on-street parking demand generated during game days. The size and configuration of the garage on the site necessitates the modification of the yard regulations. The garage would span over 151<sup>st</sup> Street and would have active retail on the ground floor. To accommodate the retail uses and the ramps for the garage, the structure must encroach upon the required rear yard.

**Mapping Actions (C 060056 MMX, C 060057 MMX, C 060058 MMX, C 060059 MMX)**

The Commission believes that the applications for amendment to the City Map are appropriate. The mapping of new parkland to replace the acreage and facilities in Macombs Dam and John Mullaly parks is an essential part of the project. The new parkland on the site of the current stadium will allow for a large, continuous, “central park” to replace the parkland that is the site of the new stadium. The park mapping on the waterfront will continue the opening up of the Harlem River waterfront to the public begun with the Gateway Center at the Bronx Terminal Market. The small parks on River Avenue will inject much needed open space into what is now a gritty streetscape.

The de-mapping of portions of Jerome Avenue and 161<sup>st</sup> Street will allow for greater flexibility in the design of the stadium site. The portions of these streets will be mapped as parkland and become part of the site of the new stadium. They are not essential parts of the street network and there will be no change to the width of the travel lanes or sidewalks as a result of this action.

**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 standard, 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 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 060059 MMX) for the amendment to the City Map involving: the elimination, discontinuance and closing of portions of Jerome Avenue between East 164<sup>th</sup> Street and Macombs Dam Bridge Approach, Macombs Dam Bridge Approach between Jerome Avenue and East 161<sup>st</sup> Street, and East 161<sup>st</sup> Street between Macombs Dam Bridge Approach and River Avenue; the establishment of park additions within an area bounded by East 161<sup>st</sup> Street, River Avenue, East 164<sup>th</sup> Street, Jerome Avenue and Macombs Dam Bridge Approach; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto,

in Community District 4, Borough of the Bronx, in accordance with Map No. 13112 dated September 22, 2005 and signed by the Borough President, is approved; and be it further

**RESOLVED** that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map No. 13112 dated September 22, 2005 providing for the discontinuance and closing of portions of Jerome Avenue between East 164<sup>th</sup> Street and Macombs Dam Bridge Approach, Macombs Dam Bridge Approach between Jerome Avenue and East 161<sup>st</sup> Street, and East 161<sup>st</sup> Street between Macombs Dam Bridge Approach and River Avenue, more particularly described as follows:

**DISCONTINUING AND CLOSING OF PORTIONS OF JEROME AVENUE BETWEEN EAST 164<sup>TH</sup> STREET AND MACOMBS DAM BRIDGE APPROACH, MACOMBS DAM BRIDGE APPROACH BETWEEN JEROME AVENUE AND EAST 161<sup>ST</sup> STREET, AND EAST 161<sup>ST</sup> STREET BETWEEN MACOMBS DAM BRIDGE APPROACH AND RIVER AVENUE:**

**BEGINNING** at the intersection of the southerly line of East 164<sup>th</sup> Street and the easterly line of Jerome Avenue, which is the **POINT OF BEGINNING**;

1. Running thence southerly, along the easterly line of Jerome Avenue, a distance of 545.680 feet to a point;
2. Thence running westerly, along a line forming an angle of 101 degrees 11 minutes 20 seconds counterclockwise from the previous course, a distance of 5.136 feet to a point;
3. Thence running southwesterly, along a line forming an angle of 219 degrees 24 minutes 16 seconds counterclockwise from the previous course, a distance of 7.727 feet to a point;
4. Thence running southerly, along a line forming an angle of 219 degrees 24 minutes 16 seconds counterclockwise from the previous course, a distance of 68.005 feet to a point of curvature;
5. Thence, along a curve bearing clockwise with a radius of 1540.0 feet and an included

angle of 11 degrees 23 minutes 06.5 seconds, a distance of 310.416 feet to a point of reverse curvature;

6. Thence, along a curve bearing counterclockwise with a radius of 25.0 feet and an included angle of 97 degrees 44 minutes 14.7 seconds, a distance of 42.646 feet to a point of tangency;
7. Thence running southeasterly, along a line, a distance of 348.426 feet to a point;
8. Thence running easterly, along a line forming an angle of 196 degrees 19 minutes 16 seconds counterclockwise from the previous course, a distance of 447.325 feet to a point;
9. Thence running southerly, along a line forming an angle of 88 degrees 40 minutes 53.8 seconds counterclockwise from the previous course, a distance of 10.01 feet to a point;
10. Thence running westerly, along a line forming an angle of 91 degrees 19 minutes 06.2 seconds counterclockwise from the previous course, a distance of 423.62 feet to a point;
11. Thence running northwesterly, along a line forming an angle of 163 degrees 40 minutes 44 seconds counterclockwise from the previous course, a distance of 374.52 feet to a point of curvature;
12. Thence, along a curve bearing clockwise with a radius of 30.0 feet and an included angle of 99 degrees 28 minutes 14 seconds, a distance of 52.08 feet to a point of reverse curvature;
13. Thence, along a curve bearing counterclockwise with a radius of 1534.0 feet and an included angle of 11 degrees 26 minutes 42 seconds, a distance of 306.42 feet to a point of tangency;
14. Thence running northerly, along a line, a distance of 617.11 feet to a point;
15. Thence running easterly, along a line forming an angle of 102 degrees 14 minutes 31.8 seconds counterclockwise from the previous course, a distance of 6.55 feet to the **POINT OF BEGINNING**;

and be it further

**RESOLVED** that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map Nos. N 060141 MYX (BP# 13109), N 060142 MYX (BP# 13110) and N 060143 MYX (BP#13111) authorized by State

Legislation pursuant to Chapter 238 of the Laws of 2005, providing for the discontinuance and closing of East 162<sup>nd</sup> Street between Jerome Avenue and River Avenue, Ruppert Place between East 157<sup>th</sup> Street and East 161<sup>st</sup> Street, and a volume of East 151<sup>st</sup> Street between River Avenue and Gerard Avenue, more particularly described as follows:

**DISCONTINUANCE AND CLOSING OF A PORTION OF EAST 162<sup>ND</sup> STREET  
BETWEEN JEROME AVENUE AND RIVER AVENUE :**

**BEGINNING** at the intersection of the southerly line of East 162<sup>nd</sup> Street and the westerly line of River Avenue;

1. Running thence westerly, along the southerly line of East 162<sup>nd</sup> Street, a distance of 653.44 feet to a point;
2. Thence northeasterly, along a line forming an angle of 77 degrees 58 minutes 53.9 seconds counterclockwise from the previous course, a distance of 57.63 feet to a point;
3. Thence easterly, along a line forming an angle of 102 degrees 01 minutes 06.1 seconds counterclockwise from the previous course, a distance of 54.97 feet to a point;
4. Thence easterly, along a line forming an angle of 183 degrees 36 minutes 36 seconds counterclockwise from the previous course, a distance of 57.57 feet to a point;
5. Thence easterly, along a line forming an angle of 176 degrees 23 minutes 24 seconds counterclockwise from the previous course, a distance of 529.88 feet to a point;
6. Thence southerly, along a line forming an angle of 89 degrees 10 minutes 22 seconds counterclockwise from the previous course, a distance of 60.00 feet to the point of **BEGINNING**.

**DISCONTINUANCE AND CLOSING OF A PORTION OF RUPPERT PLACE  
BETWEEN EAST 157<sup>TH</sup> STREET AND EAST 161<sup>ST</sup> STREET:**

**BEGINNING** at the intersection of the westerly line of Ruppert Place and the northerly line of East 157<sup>th</sup> Street;

1. Running thence northerly, along the westerly line of Ruppert Place, a distance of 272.83 feet to a point;

2. Thence northeasterly, along the westerly line of Ruppert Place, said line forming an angle of 144 degrees 19 minutes 05.2 seconds on counterclockwise from the previous course, a distance of 557.292 feet to a point;
3. Thence southeasterly, along the southerly line of East 161<sup>st</sup> Street, said line forming an angle of 110 degrees 40 minutes 44.8 seconds counterclockwise from the previous course, a distance of 60.22 feet to a point;
4. Thence southwesterly, along the easterly line of Ruppert Place, said line forming an angle of 69 degrees 19 minutes 15.2 seconds counterclockwise from the previous course, a distance of 552.075 feet to a point;
5. Thence southerly, along a line forming an angle of 215 degrees 40 minutes 54.8 seconds counterclockwise from the previous course, a distance of 260.271 feet to a point;
6. Thence westerly, along a line forming an angle of 87 degrees 22 minutes 43.2 seconds counterclockwise from the previous course, a distance of 60.07 feet to the point of **BEGINNING**;

**DISCONTINUANCE AND CLOSING OF A VOLUME OF EAST 151<sup>ST</sup> STREET  
BETWEEN RIVER AVENUE AND GERARD AVENUE :**

In the matter of the discontinuance and closing of a volume of East 151<sup>st</sup> Street between River Avenue and Gerard Avenue above a lower limiting plane defined at 20 feet above street level and below an upper limiting plane defined at 70 feet above street level:

**BEGINNING** at the intersection of the northerly line of East 151<sup>st</sup> Street and the easterly line of River Avenue;

1. Running thence southeasterly, along the northerly line of East 151<sup>st</sup> Street, a distance of 279.536 feet to a point;
2. Thence southerly, along a line forming an angle of 134 degrees 19 minutes 05.5 seconds counterclockwise from the previous course, a distance of 83.86 feet to a point;
3. Thence northwesterly, along the southerly line of East 151<sup>st</sup> Street, said line forming an angle of 45 degrees 40 minutes 54.5 seconds counterclockwise from the previous course,

a distance of 279.536 feet to a point;

4. Thence northerly, along a line forming an angle of 134 degrees 19 minutes 05.5 seconds counterclockwise from the previous course, a distance of 83.86 feet to the point of

**BEGINNING;**

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 closings or discontinuances 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 subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein;

All such approvals being subject to the following conditions:

- a. The subject amendments to the City Map shall take effect on the day following the day on which certified counterparts of Map No. C 060059 MMX (BP# 13112), is 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; and
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which Map No. C060059 MMX (BP# 13112) and Map Nos. N 060141 MYX (BP# 13109), N 060142 MYX (BP# 13110) and N 060143

MYX (BP#13111) authorized by Chapter 238 of the Laws of 2005, adopted by this resolution shall be filed in the offices specified by law.

The above resolution (C 060059 MMX), duly adopted by the City Planning Commission on February 22, 2006 (Calendar No. 10), 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**