



CITY PLANNING COMMISSION

December 17, 2008/Calendar No. 17

C 080533 PCY

IN THE MATTER OF an application submitted by the Department of Transportation, the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of easements (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) for use as a pedestrian and bicycle pathway, Borough of the Bronx, Community District 1 and Borough of Manhattan, Community District 11.

This application (C 080533 PCY) was filed on June 30, 2008, by the Department of Transportation (DOT), the Department of Parks and Recreation (DPR) and the Department of Citywide Administrative Services (DCAS), for a site selection and acquisition of easements (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) in order to facilitate the construction and use of a pedestrian and bicycle pathway.

BACKGROUND

The Department of Transportation (DOT), the Department of Parks and Recreation (NYCDPR) and the Department of Citywide Administrative Services (DCAS) are proposing the site selection and acquisition of a quarter of a mile long easement, located in the Port Morris neighborhood of the Bronx Community District 1 (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) for the construction of a new public pathway. The proposed action will facilitate the Randall's Island Connector (RIC), a pedestrian/bicycle path that will form the southern anchor of the South Bronx Greenway and create a much needed access point from the Bronx to Randall's Island and its recreational resources.

The project site is located beneath the Amtrak trestle that connects the Bronx with Queens. It

extends from East 132nd Street in Bronx Community District 1 and runs south over Bronx Kill and ends on Randall's Island, in Manhattan Community District 11. The proposed easement is within the Harlem River Yards (HRY), a 96 acre rail freight and industrial area. The HRY is owned by the New York State Department of Transportation (SDOT), which has leased the property to Harlem River Yards Ventures. The site is zoned M3-1. The surrounding area within the HRY is industrial in character; including a New York Post printing facility, a small New York State Power Authority power plant, a private waste transfer station operated by Waste Management and a FedEx distribution center that is currently under construction. A rail spur into the NY Post facility that is used once a day crosses the proposed site. In March of 2005, the City Council approved the expansion of the Special Port Morris Mixed Use District (C 050120 ZMX) which is located approximately three blocks north of the proposed RIC. This rezoning is expected to foster residential growth near the RIC.

The proposed public pathway, which is to be developed by the Economic Development Corporation, would consist of the at-grade, quarter mile, 50-foot right of way beneath the Amtrak trestle. There would be a paved pathway, security fencing, directional signage, landscaping, railroad crossing safety devices, and a short pedestrian bridge crossing the Bronx Kill. A security fence along the path will be installed to separate it from the adjacent HRY property. Appropriate rail crossing safety measures will be designed and installed to the rail spur crossing. It is anticipated that the path will be open during daylight hours

The RIC is an integral connection for the South Bronx Greenway, a mix of on- and off-street bicycle and pedestrian paths along the Bronx and East River waterfronts and for the overall

growing bicycle network in New York City. At its northern end, in Hunts Point, the South Bronx Greenway will connect to the Bronx River Greenway, which extends into Westchester County.

The pathway connector site will be accessible via public transit from the IRT # 6 line stops at Cypress Avenue and 138th Street, six blocks to the north. The Bx17 and the Bx33 buses both stop within six blocks of the site.

ENVIRONMENTAL REVIEW

This application (C 080533 PCY) 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 08SBS005X. The lead agency is the Department of Small Business Services.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on April 11, 2008.

UNIFORM LAND USE REVIEW

This application (C 080533 PCY) was certified as complete by the Department of City Planning on July 21, 2008, and was duly referred to Community Board 1 and the Borough President of the Bronx and Community Board 11 and the Borough President of Manhattan, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Review

Bronx Community Board 1 held a public hearing on this application (C 080533 PCY) on September 25, 2008 and on that date, by a vote of 34 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Manhattan Community Board 11 held a public hearing on this application (C 080533 PCY) on September 16, 2008 and on that date, by a vote of 38 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

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Borough President's Recommendations

This application (C 080533 PCY) was considered by the Borough President of the Bronx, who issued a recommendation approving this application on October 26, 2008.

This application (C 080533 PCY) was also considered by the Borough President of Manhattan, who issued a favorable recommendation on October 26, 2008, with the following condition:

“the city must insure clarity regarding maintenance responsibilities and should work towards implementing the highest level of safety standards for the pathway.”

City Planning Commission Public Hearing

On October 29, 2008 (Calendar No. 2), the City Planning Commission scheduled September 19, 2008, for a public hearing on this application (C 080533 PCY). The hearing was duly held on November 19, 2008 (Calendar No. 18). There were three speakers who spoke in favor and none opposed to the application.

The speakers in favor included a representative from the Economic Development Corporation who briefly described the proposal and a representative of the Department of Parks and Recreation who noted their commitment to the maintenance responsibility of the proposed facility. A representative of the Manhattan Borough President spoke in favor and reiterated the Borough President's condition.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 080533 PCY), 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 08-011.

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

CONSIDERATION

The Commission believes that the proposed site selection and acquisition of easements (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) in order to facilitate the construction and use of a

pedestrian and bicycle pathway is appropriate.

Approval of the requested action would facilitate the construction of a bicycle and pedestrian pathway facility that is one of the critical elements of the South Bronx Greenway Plan and would link the southern part of the Bronx with Randall's Island.

The Commission notes that EDC is securing funding sources and incorporating the Randall's Island Sport Foundation, Inc. to address safety and security concerns. In response to the Manhattan Borough President's concerns, a memorandum of understanding between EDC, DPR and DOT is being drafted to adequately address the proposed facility physical and maintenance responsibility.

The project was not included in the Citywide Statement of Needs, however, a letter pursuant to Section 204-g of the New York City Charter was sent to the Borough President of the Bronx.

RESOLUTION

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 WRP policies, and be it further

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 Section 197-c of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the application (C 080533 PCY) submitted by the Department of Transportation, the Department of Parks and Recreation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of easements (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) for use of as a pedestrian and bicycle pathway, Borough of the Bronx, Community District 1 and Borough of Manhattan, Community District 11, is approved.

The above resolution (C 080533 PCY) was duly adopted by the City Planning Commission on December 17, 2008 (Calendar No. 17), 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

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA M. CAVALUZZI, AIA.,

ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,

RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,

JOHN MEROLO, KAREN A. PHILLIPS, Commissioners