



CITY PLANNING COMMISSION

March 30, 2011/Calendar No. 7

N 010284(A) MMX

IN THE MATTER OF a resolution adopted by the City Planning Commission on February 28, 2007 (Calendar No. 9) approving an application (C 010284 MMX) for an amendment to the City Map involving, inter alia, the elimination, discontinuance and closing of West 250th Street between Tibbett Avenue and The Post Road in Community District 8, Borough of The Bronx, in accordance with Map No. 13097, dated September 3, 2002, revised on July 27, 2010 and signed by the Borough President.

WHEREAS, at its meeting on February 28, 2007 (Calendar No. 9) the City Planning Commission (the “Commission”) approved an application (C 010284 MMX) for an amendment to the City Map involving, inter alia, the elimination, discontinuance and closing of West 250th Street between Tibbett Avenue and The Post Road in accordance with Map No. 13097, dated September 3, 2002 and signed by the Borough President of The Bronx; and

WHEREAS, at its meeting on April 12, 2007 (Resolution No. 817) the City Council also approved the application (C 010284 MMX) for an amendment to the City Map; and

WHEREAS, the Commission’s approval required that Map No. 13097 shall not be filed until the applicant has executed a Mapping Agreement protecting the City’s interests, subject to approval by the Commission; and

WHEREAS, owners of properties in Tax Block 5827, having existing access to their properties via an approximately 2,440.76 square-foot portion of West 250th Street at its intersection with Tibbett Avenue, and therefore being adversely impacted by the approved closing of said street, would not give consent to, or waive damages for, such street closing, as was required to complete the Mapping Agreement; and

WHEREAS, the Law Department, at a meeting on May 10, 2010, advised the Department of City Planning that the previously approved Map No. 13097, dated September 3, 2002, could be modified such that the portion of West 250th Street used by the affected properties of Block 5827 for access would not be eliminated, discontinued or closed; and

WHEREAS, the applicant, Horace Mann School, filed an application [N 010284(A) MMX] on December 13, 2010, to modify the elimination, discontinuance and closing of West 250th Street by excluding therefrom the portion used by said affected properties; and

WHEREAS, the Borough President of the Bronx has reviewed and submitted to the Department of City Planning a revised Map No. 13097 (“Revised Map”), revised July 27, 2010, reflecting the afore-mentioned modification; and

WHEREAS, the City Planning Commission may adopt a resolution approving the Revised Map without review pursuant to the Uniform Land Use Review Procedure (ULURP), since it relates to a minor modification to a previous approval; and

WHEREAS, the Revised Map will have no new or different effects on the environment beyond those considered in the original application which was the subject of a Negative Declaration (CEQR No. 01DCP036X) issued on March 12, 2001. As described in a Technical Memorandum dated March 7, 2011 and filed in conjunction with this application [N 010284(A) MMX], the modification does not alter the previous environmental review determination and, as such, the Negative Declaration remains valid.

NOW THEREFORE, the Commission adopts the following resolution:

RESOLVED, by the City Planning Commission, based on the considerations described in this report, the Revised Map is hereby 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. 13097, dated September 3, 2002, revised July 27, 2010, providing for the discontinuance and closing of a portion of West 250th Street between Tibbett Avenue and The Post Road, more particularly described as follows:

DISCONTINUING AND CLOSING OF A PORTION OF WEST 250TH STREET BETWEEN TIBBETT AVENUE AND THE POST ROAD

Starting at a point at the intersection of the westerly line of The Post Road and the southerly line of Fieldston Terrace, thence running southerly along westerly line of The Post Road, a distance of 294.930 feet to the **Point of Beginning** on the former northerly line of West 250th Street, discontinued and closed;

1. Thence running southerly, along a newly proposed westerly line of The Post Road, a distance of 12.271 feet to a point of curvature;
2. Thence running southerly, along the newly proposed westerly line of The Post Road, along an arc curving to the right, having a radius of 15.000 feet and a central angle of 61 degrees 08 minutes and 51.8 seconds, a distance of 16.008 feet to a point of reverse curvature;
3. Thence running southerly, along the newly proposed westerly line of The Post Road, along an arc curving to the left, having a radius of 45.000 feet and a central angle of 80 degrees 21 minutes and 55.5 seconds, a distance of 63.119 feet to a point of tangency

located at the intersection of the newly proposed westerly line of The Post Road and the former southerly line of West 250th Street, discontinued and closed;

4. Thence running westerly, along the former southerly line of West 250th Street, along an arc curving to the left, discontinued and closed, having a radius of 260.0 feet and a central angle of 43 degrees, 01 minutes and 36.30 seconds, the radial line of said arc forming an angle of 90 degrees, with the tangent line of the previous course, a distance of 195.249 feet to a point of reverse curvature;
5. Thence running westerly, continuing along the former southerly line of West 250th Street, along an arc curving to the right, discontinued and closed, having a radius of 400.0 feet and a central angle of 29 degrees, 52 minutes and 7.4 seconds, a distance of 208.523 feet to a point located at the intersection of the former southerly line of West 250th Street, discontinued and closed, and the newly proposed easterly line of Tibbett Avenue;
6. Thence running northerly along the newly proposed easterly line of Tibbett Avenue, along an arc curving to the right, having a radius of 2840.0 feet and a central angle of 1 degree, 7 minutes and 21 seconds, the radial line of said arc forming an angle of 119 degrees, 35 minutes and 40.20 seconds with the tangent line of the previous course, a distance of 55.64 feet to a point;
7. Thence running easterly, along a line forming an angle of 114 degrees, 38 minutes, and 20 seconds with the tangent line of the previously mentioned course, a distance of 56.38 feet to a point of curvature;
8. Thence running easterly, along the former northerly line of West 250th Street, discontinued and closed, along an arc curving to the left whose radial line forms an angle of 124 degrees, 56 minutes and 6 seconds with the previously mentioned course, having a radius of 340.0 feet and a central angle of 30 degrees, 9 minutes and 34 seconds, a distance of 178.97 feet to a point of reverse curvature;
9. Thence running easterly, continuing along the former northerly line of West 250th Street, along an arc curving to the right, discontinued and closed, having a radius of 320.0 feet and a central angle of 31 degrees, 09 minutes and 37.1 seconds, a distance of 174.032 feet to the **Point of Beginning**.

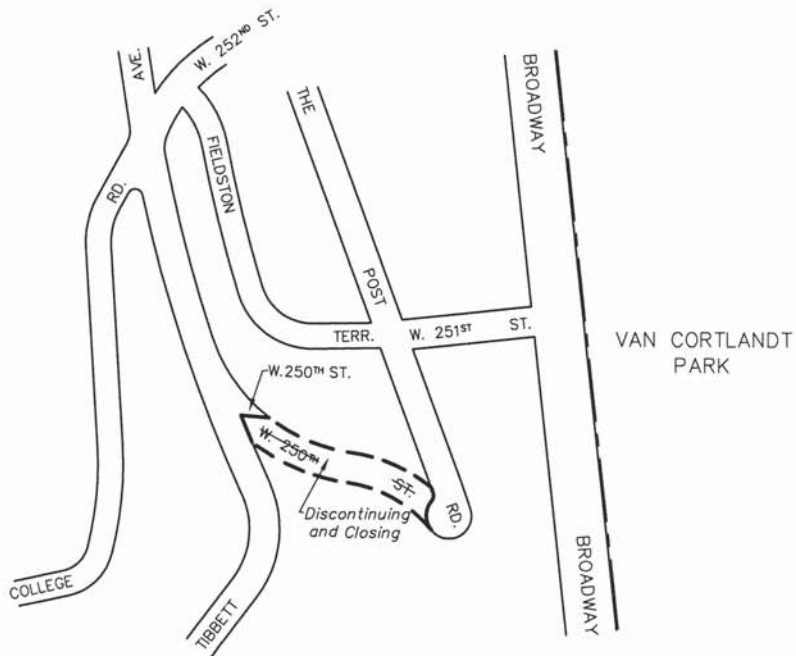
Said area consists of 23,905.14 square feet, more or less.

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. 13097 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 amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition (a) above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the mapping agreement). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission; and
- c. The subject streets 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 (N 010284(A) MMX), duly adopted by the City Planning Commission on March 30, 2011 (Calendar No. 7), 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.

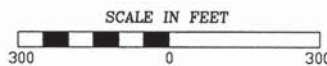
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KAREN A. PHILLIPS, Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP
1
BOROUGH OF
THE BRONX

New York
MARCH 30, 2011

Irene Sadko, PE
I. Sadko, P.E.
Chief Engineer



- NOTE:
- Indicates line of street legally adopted.
 - Indicates line of street proposed to be established.
 - - - Indicates line of street proposed to be eliminated.
 - - - Indicates Park line legally adopted.
- (Discontinuing and Closing is shown on Alt. Map No. 13097).