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**IN THE MATTER OF** an application, submitted by The New York City Department of City Planning and The New York City 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 Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- the establishment of parkland in the area bounded by Nelson Avenue, West 170<sup>th</sup> Street, Shakespeare Avenue and West 169<sup>th</sup> Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 4, Borough of The Bronx, in accordance with Map No. 13140 dated August 8, 2017 and signed by the Borough President.

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This application for an amendment to the City Map was filed by the New York City Department of City Planning and the New York City Department of Parks and Recreation on March 6, 2017. The proposed City Map amendment, along with its related actions, would facilitate the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in Community Districts 4, 5 and 7 in the southwest Bronx.

#### **RELATED ACTIONS**

In addition to the amendment to the City Map (C 170305 MMX) that is the subject of this report, implementation of the proposed initiative also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

**N 180050 (A) ZRX** Zoning text amendment, as modified.

**C 180051 (A) ZMX** Zoning map amendment, as modified.

## **BACKGROUND**

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 180051 (A) ZMX).

## **ENVIRONMENTAL REVIEW**

This application (C 170305 MMX), in conjunction with the related modified applications (N 180050 (A) ZRX) and (C 180051 (A) ZMX), 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 lead agency is the City Planning Commission. The designated CEQR number is 17DCP019X.

A summary of the environmental review appears in the report for the related zoning map amendment (C 180051 (A) ZMX).

## **UNIFORM LAND USE REVIEW**

This application (C 170305 MMX), in conjunction with the applications for the related action (C 180051 (A) ZMX), was certified as complete by the Department of City Planning on August 21, 2017, and was duly referred to The Bronx Community Board 4 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application (N 180050 (A) ZRX) for a zoning text amendment which was referred for information and review in accordance with the procedures for non-ULURP matters.

## **Community Board Public Hearing**

Community Board 4 held a public hearing on this action on October 4, 2017, and on October 8, 2017, by a vote of 32 in favor, four opposed, and with two abstentions, adopted a resolution recommending approval of the application.

A summary of the Community Board's recommendation appears in the report for the related zoning map amendment (C 180051 (A) ZMX).

### **Borough President Recommendation**

This application (C 170305 MMX) was considered by The Bronx Borough President, who on November 27, 2017 issued a recommendation of approval of the application.

A summary of the recommendation and conditions of the Borough President appears in the report for the related zoning map amendment (C 180051 (A) ZMX).

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

On November 15, 2017 (Calendar No. 5), the City Planning Commission scheduled November 29, 2017, for a public hearing on this application (C 170305 MMX). The hearing was duly held on November 29, 2017 (Calendar No. 20), in conjunction with the public hearings on the related actions.

There were a number of appearances, as described in the report for the related zoning map action (C 180051 (A) ZMX) and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a City Map amendment (C 170305 MMX) is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the report for the related zoning map amendment (C 180051 (A) ZMX).

## **RESOLUTION**

Therefore, the City Planning Commission, deeming the proposed amendment to the City Map and any related acquisition or disposition of real property related thereto 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 170305 MMX), for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- the establishment of parkland in the area bounded by Nelson Avenue, West 170<sup>th</sup> Street, Shakespeare Avenue and West 169<sup>th</sup> Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 4, Borough of The Bronx, in accordance with Map No. 13140 dated August 8, 2017 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. 13140

dated August 8, 2017 providing for the discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue more particularly described as follows:

**DISCONTINUING AND CLOSING CORPORAL IRWIN FISCHER PLACE BETWEEN NELSON AVENUE AND SHAKESPERE AVENUE**

In the matter of discontinuing and closing Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue, Borough and County of The Bronx, City and State of New York, in accordance with Borough President Map No. 13140:

Starting at a Point of Beginning located on the easterly street line of Nelson Avenue, said point being distant 96.897 feet southerly along said easterly street line of Nelson Ave. from its intersection with the southerly street line of West 170th Street, as those streets were hereinbefore laid out on the City Map;

- 1) Running thence southerly, along the easterly street line of Nelson Ave., 55.609 feet to its intersection with former southerly street line of Corporal Irwin Fischer Place;
- 2) Running thence easterly, along the former southerly street line of Corporal Irwin Fischer Place, said course forming an interior angle with the last mentioned course of 64 degrees 02 minutes 40 seconds, 247.229 feet to the westerly street line of Shakespeare Ave.;
- 3) Running thence northerly, along the westerly street line of Shakespeare Ave., said course forming an interior angle with the last mentioned course of 91 degrees 43 minutes 50 seconds, 48.578 feet to the intersection with the newly established southerly street line of West 170th Street;
- 4) Running thence westerly, along said newly established southerly street line of West 170th Street, said course forming an interior angle with the last mentioned course of 114 degrees 13 minutes 30 seconds, 7.359 feet to the intersection with the former westerly street line of Corporal Irwin Fischer Place;

5) Running thence southerly, along the former westerly street line of Corporal Irwin Fischer Place, said course forming an interior angle with the last mentioned course of 90 degrees 00 minutes 00 seconds, 1.976 feet to its intersection with the former northerly street line of Corporal Irwin Fischer Place;

6) Running thence westerly, along said former northerly street line of Corporal Irwin Fischer Place, said course forming an interior angle with the last mentioned course of 244 degrees 02 minutes 40 seconds, 216.875 feet to the Point or Place of Beginning.

The area described above consists of 11,793 square feet, more or less, located in the County of the Bronx.

**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;

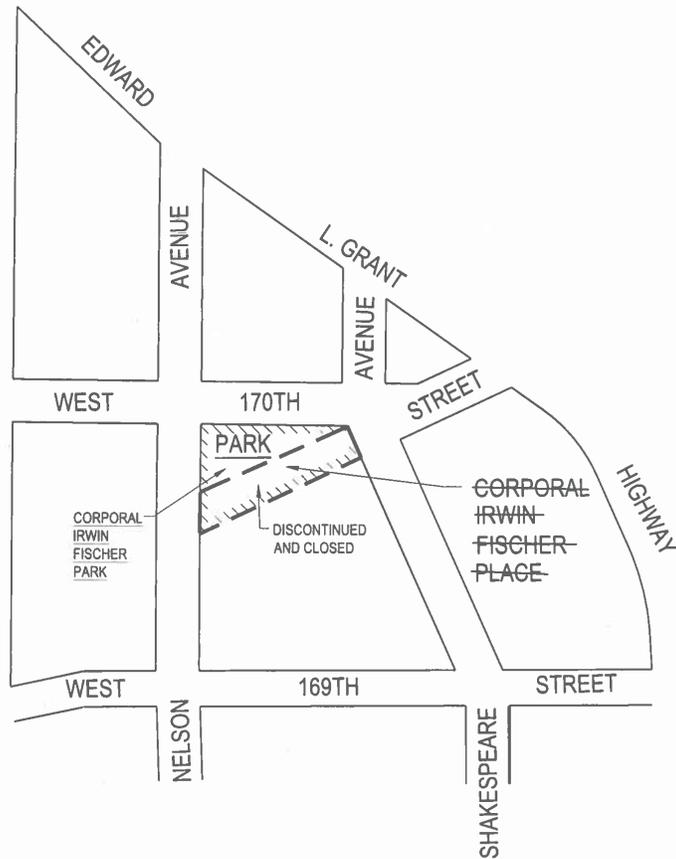
All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 13140 dated August 8, 2017 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; and
- b. 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 (C 170305 MMX), duly adopted by the City Planning Commission on January 17, 2018 (Calendar No. 14), 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.

**MARISA LAGO, *Chair***  
**KENNETH J. KNUCKLES, Esq., *Vice-Chairman***  
**RAYANN BESSER, ALFRED C. CERULLO, III,**  
**RICHARD W. EADDY, CHERYL COHEN EFFRON,**  
**HOPE KNIGHT, ANNA HAYES LEVIN,**  
**ORLANDO MARIN, LARISA ORTIZ, *Commissioners***

**MICHELLE R. DE LA UZ, *Commissioner Voting No***



CITY PLANNING COMMISSION  
CITY OF NEW YORK  
DIAGRAM SHOWING PROPOSED  
**MAP CHANGE**  
ON SECTIONAL MAP  
**3**

BOROUGH OF  
**THE BRONX**

P. Montgomery, P.E.  
Chief Engineer

New York, Certification Date  
August 21, 2017



- 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 hereby established.  
(Discontinuance and Closing is shown on Alt. Map No. 13140).

**BOROUGH PRESIDENT  
RECOMMENDATION**

**CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
Fax # (212)720-3356**

**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

**APPLICATIONS NOS: C 170305 MMX- Corporal Irwin Fischer Park**

**DOCKET DESCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION**

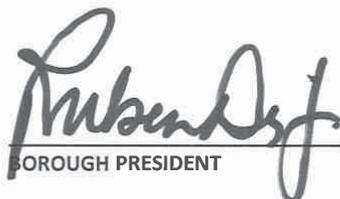
**COMMUNITY BOARD NO. #4**

**BOROUGH: BRONX**

**RECOMMENDATION**

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

**EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary): PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION**

  
BOROUGH PRESIDENT

  
DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION  
ULURP APPLICATION NO: C 170305 MMX  
Corporal Irwin Fischer Park Mapping**

**DOCKET DESCRIPTION**

**IN THE MATTER OF** an application submitted by the New York City Department of City Planning and the New York City 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 Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- The establishment of parkland in the area bounded by Nelson Avenue, West 170<sup>th</sup> Street, Shakespeare Avenue and West 169<sup>th</sup> Street;
- The adjustment of grades and block dimensions necessitated thereby;

Including authorization for an acquisition or disposition of real property related thereto, in Community District #4, Borough of The Bronx, in accordance with Map No. 13140 dated August 8, 2017 and signed by the Borough President.

**BACKGROUND**

Approval of this application will facilitate the demapping of a “paper street” that is in place on property designated as Irwin Fischer Park. This property is triangle-shaped site composed of 0.49 acres. It is located on Block 2520, Lot 19, and is situated southeast corner of West 170<sup>th</sup> Street on the north, Nelson Avenue on the west. The southern boundary of the site is situated midblock with West 169<sup>th</sup> Street on the south and Shakespeare Avenue on the east.

The area proposed for demapping is situated on the southern segment of the site. This segment is composed of 11,793 square feet of unimproved property with a width of 50 feet and was dedicated for public use in November, 1924. It extends for one block from Nelson Avenue on the west, to Shakespeare Avenue on the east and measures 217 feet in length. The Department of City Planning and the Department of Parks and Recreation, (the applicants) seek to demap this unbuilt portion of property, which will achieve two objectives:

- 1) The “paper street” now in place will be removed;
- 2) The property on which this unbuilt street is located will then become part of Corporal Irwin Fischer Park and thereby can be developed as part of this public park facility by the Department of Parks and Recreation.

Corporal Irwin Fischer Park remains entirely unimproved and unbuilt. It is secured by chain-link fencing.

Corporal Irwin Fischer Park is located on Bronx Community District #4. Zoning of the adjacent properties in this area is R7-1. This area is also subject to a Zoning Map amendment (ULURP Application # C 189951 ZMX) which is concurrently being considered for adoption.

Development of the surrounding community is typified by mid-rise residential buildings and low-rise, one and two family homes. Numerous religious institutions and a women's shelter are also located in the adjacent community. Commercial development includes auto-related facilities on West 170<sup>th</sup> Street and retail activity on Edward L. Grant Highway. Access to subway service is available on Jerome Avenue at 170<sup>th</sup> Street, approximately six blocks east of the site.

## **ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

This application has been reviewed pursuant to SEQR and CEQR and received a Negative Declaration. The New York City Planning Commission certified this application as complete on August 21, 2017.

## **BRONX COMMUNITY BOARD PUBLIC HEARING**

Bronx Community Board #4 held a public hearing on this application on October 4, 2017. A vote recommending approval of this application was, 32 in favor, four against and two abstaining.

## **BOROUGH PRESIDENT'S PUBLIC HEARING**

This Bronx Borough President convened a public hearing on this application on November 16, 2017. A representative of the applicant was present and spoke in favor of this application. No other members of the public were in attendance and the hearing was closed.

## **BRONX BOROUGH PRESIDENT'S RECOMMENDATION**

Approving this application will facilitate the demapping of an unbuilt street that currently occupies a significant segment of Corporal Irwin Fischer Park. This modest size park composed of 0.49 acres is located in the vicinity of West 170<sup>th</sup> Street at Nelson Avenue. Given that this area lacks a conveniently located public park, I am most anxious to see this application approved and plans to design and construct a park move forward.

I recommend approval of this application.