

Subject: East 91st Street De-mapping meeting record
From: STEPHEN JOHNSON
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Dear Meeting Attendees,

The following is a meeting record from the informational interest meeting held at the Department of City Planning on the possible de-mapping of East 91st Street, between 2nd Avenue and 3rd Avenue, on February 20th, 2015 at 22 Reade Street. Those attending the meeting included Council Member Ben Kallos, Council Member Garodnick staff, Borough President Brewer staff Basha Gerhards, Manhattan Community Board 8 members, Civitas, RY Management (Ruppert Yorkville Towers, Knickerbocker Plaza), Colleen Alderson (NYCDPR), and DCP staff (please see the attached meeting attendance sheet).

Manhattan Community Board 8 (CB8) and elected officials are seeking to de-map East 91st Street between 2nd and 3rd Avenues which has been unofficially closed since approximately 1975 when Knickerbocker Plaza (40-story and 577 units), Ruppert Tower (34-story and 549 units) and Yorkville Tower (42-story and 710 units) were developed. These buildings are part of a Large Scale Residential Development approved by the City Planning Commission (CPC) in 1971 with boundaries coincident with the Ruppert Brewery Urban Renewal Area (RBURA) approved by the CPC in 1968 which extends from East 90th Street to East 94th Street between 2nd and 3rd Avenues.

The initial Urban Renewal Plan (CP-20197) approved in 1968 called for the closing of East 91st and East 92nd Streets. The plan was brought back to the CPC in 1971 (CP-21714), and the revised plan included re-opening both of the two streets and thus having them be “eliminated from parcels designated for Residential, Commercial and Public Park use.” HPD released the second amended urban renewal plan for the Ruppert Urban Renewal Project in 1980, and the land use plan shows a regular street grid. The urban renewal plan expired in 2008, but the Large Scale Residential Development (LSRD) is still applicable.

Currently, East 91st Street at 3rd Avenue is blocked by a gate and two bollards on either side (see photo above). The 2nd Avenue intersection previously had a similar gate but was removed and replaced by concrete barriers due to work on the Second Avenue subway. RY Management, building managers for the three towers (Knickerbocker, Ruppert, Yorkville) has been maintaining the street which has benches on the sidewalk facing onto the street and special “S-shaped” pavers on the street. Con Edison services vaults located in the street and emergency vehicles (FDNY, NYPD) have access to the street either with a key to open the gate or, as the CB8 members said at the meeting, the FDNY could “break the chain” if necessary. The concrete barriers located at the 2nd Avenue end of the street prohibit emergency vehicles from driving eastward. RY Management indicated that they would look into getting the MTA to remove the barriers and put the gate, bollards, and S-shaped pavers back onto the street. The street is currently functioning as a closed street and as an open/green space for the community. Emergency services and NYCDOT are aware of the street being closed for the last 40 years.

CB8 passed a resolution in September of 2014 (43-0-1) to permanently close the street. It appears that the main reason the community would like to officially de-map the street is the lack of park and open space in the community district. Another concern is the possibility of this section of East 91st Street being used as a truck route going to and from the marine waste transfer facility that is proposed to be built two blocks to the east. According to a NYCDOS presentation to CB8 in February 2012, the waste transfer facility is expected to create 140 truck trips a day and travel along East 86th Street and East 90th Street to access the facility. Representatives from NYCDOT and NYCDOS did not attend the informational interest meeting.

Three probable scenarios were discussed if the street were de-mapped:

1. Sell the street-bed to the adjacent property owners (restrict use/development rights/maintenance issue);
2. Map the street as a public place (jurisdiction TBD); or
3. Map the street as parkland and transfer jurisdiction to the NYCDPR (a similar example is a segment of Union Ave was eliminated and mapped as a park addition to McCarren Park in Brooklyn).

A number of other questions/concerns were discussed during the meeting:

- Who would be the applicant (it was suggested at the meeting that a city agency could be a co-applicant);
- Who would pay for and what would the associated costs be to hire a consultant to prepare the appropriate environmental and land use documents and to take the application through the ULURP process;
- Who would take over ownership and maintenance of the street: NYCDPR must be amenable to taking over jurisdiction if it is mapped as parkland and NYCDOT must also be amenable to giving up jurisdiction of the street;

- If mapped as parkland with NYCDPR jurisdiction, DPR noted that there can't be private entrances onto parks, which are not open 24-7, and it appears as though two of the towers would present this issue;
- The transportation plan for the marine transfer facility is not known;
- De-mapping would affect the existing Large Scale Residential Development (LSRD):
 - For Scenarios 1 & 2 above, the LSRD would need to be modified (including the site plan and zoning calculations) to reflect the change. Also, at this time, without a full analysis, it is too early to predict what other consequences these changes may have on the existing LSRD's prior actions or even the need for new waiver.
 - Scenario 3 above would break the existing LSRD into two separate LSRDs and without a full analysis it is too early to understand what this would mean for the existing LSRD.
 - Another zoning issue is if this portion of East 91st Street is de-mapped, then what was a front lot line to the towers on both sides of the street would become a side lot line, creating possible issues for legally required windows on the affected buildings. This could be resolved through zoning text amendment.

Please contact me if you have any questions.

Steve

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