



CITY PLANNING COMMISSION

November 22, 2004/Calendar No. 7

C 040503 PQM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of aerial easements located midblock between Tenth and Eleventh avenues and West 39th and West 41st streets and Tenth and Eleventh avenues (Block 711, Lot 1; and Block 1069, Lot 43), Borough of Manhattan, Community District 4, for a pedestrian bridge.

This application (C 040503 PQM) was filed on June 17, 2004 by the Department of Citywide Administrative Services (DCAS) for the acquisition of aerial easements located mid block between Tenth and Eleventh avenues from West 39th to West 41st streets (Block 711, Lot 1; and Block 1069, Lot 43), Borough of Manhattan, Community District 4, for a pedestrian bridge.

RELATED ACTIONS

In addition to the acquisition of aerial easements, 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:

1. C 040499(A) ZMM Zoning Map amendment to an area generally bounded by West 30th and West 41st streets and Seventh and Eighth avenues to Eleventh avenues including creation of the Special Hudson Yards District, modification of the Special Garment Center District, Special Midtown District, and elimination of the Special Jacob Javits Convention Center District.
2. N 040500(A) ZRM Zoning Text amendment to create the Special Hudson Yards District and regulations, modify the Special Garment Center District, Special Clinton District, and elimination of the Special Jacob K. Javits Convention Center District.
3. C 040501 PCM Site selection and acquisition of property bounded by West 29th and West 30th streets and Eleventh and Twelfth avenues for use as a tow pound and garage.
4. C 040502 PCM Site selection and acquisition of property generally bounded by West 34th and

West 36th streets and Tenth and Eleventh avenues and acquisition of an easement for use as a public parking garage.

5. C 040504 PQM Acquisition of property generally bounded by Eighth and Eleventh avenues, West 25th and West 42nd streets to facilitate the construction of a subway extension; and the acquisition of easements for construction of a subway extension.
6. C 040505 PQM Acquisition of property bounded by West 30th and West 33rd streets, and Tenth and Eleventh avenues.
7. C 040506 PPM Disposition of thirty-six (36) city-owned lots in the area generally bounded by West 25th to West 41st streets and Ninth to Eleventh avenues pursuant to zoning.
8. C 040507 MMM Amendment to the City Map involving the establishment of Hudson Boulevard, Parks and legal grades; the elimination, discontinuance and closing of a volume of West 35th Street; and the elimination of West 32nd Street.
9. C 040508 MMM Amendment to the City Map involving the establishment of a park above a lower limiting plane bounded by West 29th Street, Eleventh Avenue, West 30th Street and Twelfth Avenue.

BACKGROUND

A full background discussion and description of this application appears in the report on the related zoning text change application (N 040550(A) ZRM).

ENVIRONMENTAL REVIEW

This application (C 040503 PQM), in conjunction with the application for the related actions 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 03DCP031M. The City

Planning Commission and the Metropolitan Transit Authority are the co- lead agencies.

A positive declaration was issued on April 21, 2003 and distributed, published and filed, and the applicant was asked to prepare or have prepared a Draft Generic Environmental Impact Statement ("DGEIS"). A public meeting for the Draft Scope of Work for the DGEIS was held on June 6, 2003 and the Final Scope of Work for the DGEIS was issued on May 28, 2004.

The co-lead agencies prepared a DGEIS and a Notice of Completion for the DGEIS was issued on June 21, 2004. Pursuant to the SEQRA regulations and CEQR procedures, a joint public hearing was held on the DGEIS on September 23, 2004 in conjunction with the public hearing on this application (C 040503 PQM)) and the related actions.

A Final Generic Environmental Impact Statement ("FGEIS") was completed and Notices of Completion for the FGEIS were issued by the co-lead agencies on November 8, 2004. The FGEIS identified significant adverse impacts and proposed mitigation measures that are summarized in the Co-Lead Agency Findings Statement set forth as Exhibit A attached to report N 040500(A) ZRM.

UNIFORM LAND USE REVIEW

This application (C 040503 PQM) was certified as complete by the Department of City Planning on June 21, 2004, and was duly referred to Community Board 4 and the Borough President of Manhattan, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board 4 Public Hearing

Community Board 4 held a public hearing on this application (C 040503 PQM) on August 3, 2004.

A full discussion of the Community Board's resolution is described in the report on the related zoning text change application (N 040500(A) ZRM).

Borough President Recommendation

This application (C 040503 PQM) was considered by the Manhattan Borough President.

A full discussion of the Borough President's resolution appears in the report on the related zoning text change application (N 040500(A) ZRM).

City Planning Commission Public Hearing

On September 8, 2004 (Calendar No.14), the City Planning Commission scheduled September 23, 2004 for a public hearing on this application (C 040503 PQM). The hearing was duly held on September 23, 2004 (Calendar No. 7), in conjunction with the public hearing on the applications for the related actions.

There were a number of speakers, as described in the report on the related zoning text change application (N 040500(A) ZRM), and the hearing was closed.

CONSIDERATION

The Commission believes that this application by the Department of Citywide Administrative Services for the acquisition of aerial easements for a pedestrian bridge is appropriate.

A full discussion of the consideration of the issues appear in the report on the related zoning text change application (N 040500(A) ZRM).

RESOLUTION

RESOLVED, that the City Planning Commission adopts and incorporates by reference herein the Co-Lead Agencies Findings Statement for the Final Generic Environmental Impact statement for the No. 7 Subway Extension Hudson Yards Rezoning & Development Program, attached as Exhibit A to report N 040500(A) ZRM ; 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 040503 PQM) of the Department of Citywide Administrative Services for acquisition of aerial easements located midblock between Tenth and Eleventh avenues from West 39th to West 41st streets (Block 711, Lot 1; and Block 1069, Lot 43), Borough of Manhattan, Community District 4, for a pedestrian bridge is approved.

The above resolution (C 040503 PQM), duly adopted by the City Planning Commission on November 22, 2004 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President of Manhattan 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, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO III, JANE D. GOL, CHRISTOPHER KUI,
JOHN MEROLO, DOLLY WILLIAMS, Commissioners

KAREN A. PHILLIPS, Commissioner, Voting No