



CITY PLANNING COMMISSION

March 30, 2015 / Calendar No. 1

C 140440 MMM

IN THE MATTER OF an application, submitted by The New York City Department of City Planning, 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 Vanderbilt Avenue between East 42nd Street and East 43rd Street;
- the establishment of Public Place above a lower limiting plane; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in the Borough of Manhattan, Community District 5, in accordance with Map No. 30244 dated October 17, 2014 and signed by the Borough President.

This application for an amendment to the City Map was filed by The New York City Department of City Planning on June 25, 2014. The proposed City Map amendment, along with its related action, would facilitate commercial development along Madison and Vanderbilt Avenues in Manhattan, improve pedestrian circulation within Grand Central Terminal and its vicinity, and allow greater opportunity for area landmarks to transfer their unused development rights in the Mid-town East neighborhood of Manhattan, Community District 5.

RELATED ACTIONS

In addition to the amendment to the City Map (C 140440 MMM) which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

N 150127 ZRM A proposed zoning text amendment to the Special Midtown District.

BACKGROUND

A full background discussion and description of this application appears in the related report for a zoning text amendment to the Special Midtown District (N 150127 ZRM).

ENVIRONMENTAL REVIEW

This application (C 140440 MMM), in conjunction with the applications for the related actions (N 150127 ZRM, C 150128 ZSM, C 150129 ZSM, C 150130 ZSM and C 150130(A) ZSM) 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 14DCP188M. The lead is the Department of City Planning.

A summary of the environmental review appears in the report on the related application for a zoning text amendment (C 150127 ZRM).

UNIFORM LAND USE REVIEW

This application (C 140440 MMM), in conjunction with the application for the related actions (N 150127 ZRM, C 150128 ZSM, C 150129 ZSM, C 150130 ZSM and C 150130(A) ZSM) were certified as complete by the Department of City Planning on October 20, 2014, and was duly referred to Manhattan Community Boards 5, 6 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 6 held a public hearing on this action and the related action on November 17, 2014 and on December 10, 2014 by a vote of 39 in favor, 0 opposed, with 1 abstaining, the Board adopted a resolution recommending disapproval of the application unless certain conditions are met.

A summary of the recommendation and conditions of Community Board 5 appears in the related report for a zoning text amendment to the Special Midtown District (N 150127 ZRM).

Borough President Recommendation

This application (C 140440 MMM), in conjunction with the related action, was considered by the Borough President of Manhattan, who on January 28, 2015 issued a recommendation of approval with conditions.

A summary of the recommendation and conditions of the Borough President appears in the related report for a zoning text amendment to the Special Midtown District (N 150127 ZRM).

City Planning Commission Public Hearing

On January 21, 2015 (Calendar No. 6), the City Planning Commission scheduled February 4, 2015, for a public hearing on this application (C 140440 MMM). The hearing was duly held on February 4, 2015 (Calendar No. 22), in conjunction with the public hearing on the related action.

There were a number of appearances, as described in the related report for a zoning text amendment to the Special Midtown District (N 150127 ZRM) and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a City Map amendment (C 140440 MMM) is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the related report for a zoning text amendment to the Special Midtown District (N 150127 ZRM).

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 having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on March 20, 2015, with respect to this application (CEQR No. 14DCP188M), and the Technical Memorandum, dated March 27, 2015, (the “Technical Memorandum”), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action to be approved with the modifications set forth and analyzed in the FEIS and the Technical Memorandum, is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating those project components related to the environment and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS and the Technical Memorandum, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; 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 140440 MMM), for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Vanderbilt Avenue between East 42nd Street and East 43rd Street;
- the establishment of Public Place above a lower limiting plane; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in the Borough of Manhattan, in accordance with Map No. 30244 dated October 17, 2014 and signed by the Borough President is approved; and be it further

RESOLVED, by the City Planning Commission, that the established public place shall not generate development rights; 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. 30244 dated October 17, 2014 providing for the discontinuance and closing of Vanderbilt Avenue between East 42nd Street and East 43rd Street, said street to be discontinued and closed being more particularly described as follows:

BEGINNING at the southeast corner of the intersection of Madison Avenue and East 43rd Street as said streets are shown on Map No. 30244:

- 1) THENCE running easterly 215.67 feet along the southerly street line of East 43rd Street to THE POINT OF BEGINNING;
- 2) THENCE running northeasterly 94.25 feet along a curve to the left having a radius of 60.00 feet and a central angle of 90 degrees 0 minutes and 0 seconds to a point;
- 3) THENCE running southerly 260.83 feet along a line that is tangent to the last known point to an angle point;

- 4) THENCE running westerly 60.00 feet, along a line that forms an angle of 90 degrees 0 minutes and 0 seconds on its northerly side with the preceding course to an angle point;
- 5) THENCE running northerly 200.83 feet, along a line that forms an angle of 90 degrees 0 minutes and 0 seconds on its easterly side with the preceding course to the POINT OF BEGINNING.

Described area being 12,822.37 square feet or 0.29 acres.

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. 30244 dated October 17, 2014, 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 street 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 140440 MMM), duly adopted by the City Planning Commission on March 30, 2015 (Calendar No. 1), 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.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, Esq., Vice-Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E.,
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,
CHERYL COHEN EFFRON, BOMEI JUNG, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, Commissioners

ALFRED C. CERULLO, III, Commissioner Recused



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP
8
BOROUGH OF
MANHATTAN

New York, Certification Date
OCTOBER 20, 2014

Irene Sadko, P.E.
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 line of public place proposed to be established.
(Discontinuance and Closing is shown on Alt. Map No. 30244).