



CITY PLANNING COMMISSION

June 8, 2022 / Calendar No. 20

C 220223 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 property located at 806 9th Avenue (Block 1044, Lot 3) to facilitate the expansion of Metropolitan Transportation Authority's New York City Transit operations.

This application for the acquisition of city-owned property was filed by the New York City Department of Citywide Administrative Services (DCAS) on November 24, 2021. The acquisition, along with the related actions, would facilitate the construction of a nine-story, mixed-use development containing 112 permanently affordable dwelling units, approximately 67 of which would be supportive housing, along with commercial and community facility space, at 806 Ninth Avenue in the Clinton/Hell's Kitchen neighborhood, Borough of Manhattan, Community District 4.

RELATED ACTIONS

In addition to the acquisition which is the subject of this report (C 220223 PQM), 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 220219 ZRM** Zoning text amendment to allow CPC to modify, by special permit, non-FAR bulk regulations
- C 220220 ZMM** Zoning map amendment eliminating an R8 and R8/C1-5 zoning districts and establishing a C6-2 zoning district
- C 220221 (A) ZSM** Special permit pursuant to Zoning Resolution Section 96-112 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations

C 220222 PPM Disposition of city-owned property

BACKGROUND

A full background discussion and description of this application appears in the report for the related special permit (C 220221 (A) ZSM).

ENVIRONMENTAL REVIEW

The application (C 220223 PQM), in conjunction with the applications for the related actions (N 220219 ZRM, C 220220 ZMM, C 220221 (A) ZSM, and C 220222 PPM), was reviewed pursuant the New York State Environmental Quality Review Act (SEQR), and the SEQR regulations set forth in Volume 6 of the New York Code of Rules and Regulations (NYCRR), Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 20HPD053M. The lead agency is HPD.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on December 23, 2021.

UNIFORM LAND USE REVIEW

On January 3, 2022, this application (C 220223 PQM), in conjunction with the applications for the related actions (C 220220 ZMM, C 220221 ZSM, and C 220222 PPM), was certified as complete by the Department of City Planning and was duly referred to Community Board 4 and the Manhattan 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 for a zoning text amendment (N 220219 ZRM), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Review

Manhattan Community Board 4 held public hearings on this application and the related actions on

March 2, 2022. On March 2, 2022, by a vote of 32 in favor, seven opposed, and none abstaining, adopted a resolution recommending disapproval of the application with conditions. A summary of the community board's recommendations appears in the report for the related special permit (C 220221 (A) ZSM).

Borough President Review

The application was considered by the Manhattan Borough President, who on April 13, 2022, issued a recommendation approving the application with conditions. A summary of the borough president's recommendations appears in the report for the related special permit (C 220221 (A) ZSM).

City Planning Commission Public Hearing

On April 13, 2022 (Calendar No. 5), the City Planning Commission scheduled April 27, 2022, for a public hearing on this application (C 220223 PQM) and the related applications (N 220219 ZRM, C 220220 ZMM, C 220221 (A) ZSM, and C 220222 PPM). The hearing was duly held on April 27, 2022 (Calendar No. 17). There were five speakers in favor of the application and 11 in opposition, as described in the report on the related special permit application (C 220221 (A) ZSM), and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition (C 220223 PQM), in conjunction with the related applications (N 220219 ZRM, C 220220 ZMM, C 220221 (A) ZSM, and C 220222 PPM), is appropriate. A full consideration and discussion of the issues appears in the report on the related application (C 220221 (A) ZSM).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on December 23, 2021 with respect to this application (CEQR No. 20HPD053M), the City Planning Commission finds that the actions 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, that the application submitted by the Department of Citywide Administrative Services, for the acquisition of City-owned property (Block 1044, Lot 3) to facilitate the expansion of the Metropolitan Transportation Authority’s New York City Transit operations, Borough of Manhattan, Community District 4, is approved.

The above resolution (C 220223 PQM), duly adopted by the City Planning Commission on June 8, 2022 (Calendar No. 20) 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.

DANIEL R. GARODNICK, Esq., *Chair*
KENNETH J. KNUCKLES, Esq., *Vice-Chairman*
DAVID J. BURNEY, ALFRED C. CERULLO, III, JOSEPH I. DOUEK,
LEAH GOODRIDGE, ANNA HAYES LEVIN, ORLANDO MARÍN,
RAJ RAMPERSHAD, *Commissioners*

LARISA ORTIZ, *Commissioner, ABSTAINING*