



CITY PLANNING COMMISSION

June 17, 2009 / Calendar No. 17

C 090220 PPM

IN THE MATTER OF an application submitted by the New York City Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of two (2) city-owned properties located at Piers 92 and 94, westerly of route 9A (Miller Highway) between West 51st and 55th streets (Block 1109, Lots 5 and 30) and p/o Marginal Street, Wharf or Place), pursuant to zoning, Borough of Manhattan, Community District 4.

This application for the disposition of city-owned properties pursuant to zoning was filed by the applicant on November 25, 2008. The disposition, along with its related actions, would facilitate the renovation and enlargement of Piers 92 and 94 and their associated upland areas as a venue for trade shows and exhibitions, as well as the development of new public open space and public amenity space on the project site.

RELATED ACTIONS

In addition to the disposition (C 090220 PPM) which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following, which are being considered concurrently with this application:

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| C 090221 ZSM | Special permit to allow a trade exposition facility with a rated capacity in excess of 2,500 persons; |
| C 090222 ZSM | Special permit to modify the maximum length and maximum height of buildings or other structures pursuant to Section 62-342; |
| N 090223 ZAM | Authorization for the modification of waterfront public access requirements pursuant to Sections 62-722(a) and 62-722(b); and |
| N 090224 ZCM | Chairperson's certification of waterfront public access and view corridors pursuant to Section 62-711. |

BACKGROUND

A full background discussion and description of this application appears in the report for a special permit (C 090221 ZSM).

ENVIRONMENTAL REVIEW

This application (C 090220 PPM) 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 09SBS002M. The lead agency is the Department of Small Business Services.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on February 11, 2009.

UNIFORM LAND USE REVIEW

This application (C 090220 PPM), in conjunction with the application for the related actions, (C 090221 ZSM, C 090222 ZSM) was certified as complete by the Department of City Planning on February 17, 2009, and was duly referred to 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 non-ULURP applications (N 090223 ZAM and N 090224 ZCM), which were referred for review and comment.

Community Board Public Hearing

Community Board 4 held a public hearing on this application (C 090220 PPM) and the related actions, and on April 1, 2009, voted to adopt a resolution recommending approval of the application with conditions.

A summary of the recommendations of Community Board 4 appears on the related application for a special permit (C 090221 ZSM).

Borough President Recommendation

This application (C 090220 PPM), in conjunction with the related actions, was considered by the Borough President, who issued a recommendation of conditional approval of the application on April 24, 2009.

A summary of the recommendation of the Borough President appears on the related application for a special permit (C 090221 ZSM).

City Planning Commission Public Hearing

On May 6, 2009 (Calendar No. 4), the City Planning Commission scheduled May 20, 2009, for a public hearing on this application (C 090220 PPM). The hearing was duly held on May 20, 2009 (Calendar No. 23) in conjunction with the public hearings on the applications for the related actions (C 090221 ZSM and C 090222 ZSM).

There were ten speakers, as described in the related application for a special permit (C 090221 ZSM), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 090220 PPM), in conjunction with those for the related actions (C 090221 ZSM, C 090222 ZSM, N 090223 ZAM, and N 090224 ZCM), was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 22, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 09-009.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application for disposition of city-owned properties (C 090220 PPM), in conjunction with the application for related actions, is appropriate.

A full consideration and analysis of the issues, and reason for approving this application appear in the related report for a special permit (C 090221 ZSM).

RESOLUTION

RESOLVED, by the City Planning Commission finds that the action described herein will have no significant effect on the environment; and be it further

RESOLVED, that the City Planning Commission in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; 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 and findings described in this report, the application submitted by the New York City Department of Small Business Services for the disposition of two (2) city-owned properties located at Piers 92 and 94, westerly of route 9A (Miller Highway) between West 51st and 55th streets (Block 1109, Lots 5 and 30) and p/o Marginal Street, Wharf or Place), pursuant to zoning, Borough of Manhattan, Community District 4, is approved.

The above resolution (C 090220 PPM), duly adopted by the City Planning Commission on June 17, 2009 (Calendar No. 17), 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.

AMANDA M. BURDEN, FAICP, Chair

KENNETH J. KNUCKLES, Esq., Vice Chairman

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA,

ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,

RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,

KAREN A. PHILLIPS, Commissioners

RAYANN BESSER, Commissioner, Abstained