



## CITY PLANNING COMMISSION

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November 22, 2004/Calendar No. 8

C 040504 PQM

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**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 acquisition of property bounded by Eighth and Eleventh avenues, West 25<sup>th</sup> and West 42<sup>nd</sup> streets (Block 697, Lots 1 and 60; Block 705, Lots 1, 5, and 54; Block 706, Lot 1; Block 763, Lot 47; Block 1051, Lot 1; and Block 1069, Lots 29 and 34), Borough of Manhattan, Community Districts 4 and 5, to facilitate the construction of a subway extension; and the acquisition of easements for construction of a subway extension.

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This application (C 040504 PQM) was filed on June 17, 2004 by the Department of Citywide Administrative Services (DCAS) for:

the acquisition of property generally bounded by Eighth and Eleventh Avenues, West 25<sup>th</sup> and West 42<sup>nd</sup> streets to facilitate the construction of a subway extension:

| <b>Block</b> | <b>Lot</b> | <b>Property Address</b>              |
|--------------|------------|--------------------------------------|
| 697          | 1          | 220 Eleventh Avenue                  |
| 697          | 60         | 544 West 26 <sup>th</sup> Street     |
| 705          | 1          | 380-386 Eleventh Avenue              |
| 705          | 5          | 553-557 West 33 <sup>rd</sup> Street |
| 705          | 54         | 528-556 West 34 <sup>th</sup> Street |
| 706          | 1          | 400 Eleventh Avenue                  |
| 763          | 47         | 310-312 West 40 <sup>th</sup> Street |
| 1051         | 1          | 562-574 Tenth Avenue                 |
| 1069         | 29         | 537-541 Tenth Avenue                 |
| 1069         | 34         | 543-551 Tenth Avenue                 |

the acquisition of easements for construction of a subway extension:

| <b>Block</b> | <b>Lot</b> | <b>Easement</b> | <b>Property Address</b>  |
|--------------|------------|-----------------|--------------------------|
| 670          | 1          | Temporary       | 16480 12 Avenue          |
| 670          | 50         | Temporary       | 239 11 Avenue            |
| 670          | 70         | Temporary       | 231 11 Avenue            |
| 672          | 1          | Temporary       | 20 Joe DiMaggio Highway  |
| 673          | 1          | Temporary       | 261 11 Avenue            |
| 674          | 1          | Temporary       | 24058 12 Avenue          |
| 675          | 29         | Temporary       | 301 11 Avenue            |
| 675          | 36         | Temporary       | 309 11 Avenue            |
| 679          | 1          | Temporary       | 651 12 Avenue            |
| 680          | 1          | Temporary       | 360 Joe DiMaggio Highway |
| 680          | 33         | Temporary       | 491 11 Avenue            |
| 696          | 1          | Temporary       | 202 11 Avenue            |
| 696          | 65         | Temporary       | 210 11 Avenue            |
| 698          | 1          | Temporary       | 244 11 Avenue            |
| 699          | 1          | Temporary       | 262 11 Avenue            |
| 700          | 1          | Temporary       | 282 11 Avenue            |
| 701          | 1          | Temporary       | 302 11 Avenue            |
| 701          | 68         | Temporary       | 314 11 Avenue            |
| 701          | 70         | Temporary       | 312 11 Avenue            |
| 707          | 1          | Temporary/Perm. | 418 11 Avenue            |
| 708          | 1          | Temporary       | 438 11 Avenue            |
| 708          | 65         | Temporary       | 450 11 Avenue            |
| 709          | 1          | Temporary       | 456 11 Avenue            |
| 709          | 2          | Temporary       | 460 11 Avenue            |
| 709          | 3          | Temporary       | 462 11 Avenue            |
| 709          | 68         | Temporary       | 470 11 Avenue            |
| 709          | 70         | Temporary       | 466 11 Avenue            |
| 709          | 71         | Temporary       | 464 11 Avenue            |
| 710          | 1          | Temporary       | 476 11 Avenue            |
| 711          | 1          | Temporary/Perm. | 11 Avenue                |
| 1012         | 1          | Temporary       | 620 8 Avenue             |
| 1013         | 1          | Temporary       | 640 8 Avenue             |

| <b>Block</b> | <b>Lot</b> | <b>Easement</b>      | <b>Property Address</b>    |
|--------------|------------|----------------------|----------------------------|
| 1013         | 12         | Temporary            | 241 West 41 St.            |
| 1032         | 1          | Temporary            | 566 9 Avenue               |
| 1032         | 5          | Temporary            | 351 West 41 St.            |
| 1032         | 7          | Temporary            | 347 West 41 St.            |
| 1032         | 29         | Temporary/ Permanent | 641 8 Avenue               |
| 1032         | 48         | Temporary            | 330 West 42 St.            |
| 1032         | 54         | Temporary            | 338 West 42 St.            |
| 1032         | 101        | Temporary            | 355 West 41 St.            |
| 1050         | 1          | Temporary            | 538 10 Avenue              |
| 1050         | 6          | Temporary            | 455 West 40 St.            |
| 1050         | 13         | Temporary/ Permanent | 441 West 40 St.            |
| 1050         | 49         | Temporary/ Permanent | 440 West 41 St.            |
| 1050         | 61         | Temporary            | 554 10 Avenue              |
| 1050         | 158        | Temporary            | 454 West 41 St.            |
| 1051         | 8          | Temporary/ Permanent | Street/ Sidewalk           |
| 1051         | 16         | Permanent            | Street/ Sidewalk/ Dyer Ave |
| 1069         | 1          | Temporary/ Permanent | 514 11 Avenue              |
| 1069         | 24         | Temporary/ Permanent | 503 West 40 St.            |
| 1069         | 43         | Temporary/ Permanent | West 41 St.                |
| 1069         | 136        | Temporary/ Permanent | 502 West 41 St.            |
| 1070         | 5          | Temporary            | 521 West 41 St.            |
| 1070         | 20         | Temporary            | 515 West 41 St.            |
| 1070         | 29         | Temporary/ Permanent | 557 10 Avenue              |

## **RELATED ACTIONS**

In addition to the acquisition of property and 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 30<sup>th</sup> and West 41<sup>st</sup> 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 29<sup>th</sup> and West 30<sup>th</sup> streets and Eleventh and Twelfth avenues for use as atow pound and garage.
  
4. C 040502 PCM Site selection and acquisition of property generally bounded by West 34<sup>th</sup> and West 36<sup>th</sup> streets and Tenth and Eleventh avenues and acquisition of an easement for use as a public parking garage.
  
5. C 040503 PQM Acquisition of aerial easements located midblock between Tenth and Eleventh avenues from West 39<sup>th</sup> to West 41<sup>st</sup> streets for a pedestrian bridge.
  
6. C 040505 PQM Acquisition of property bounded by West 30<sup>th</sup> and West 33<sup>rd</sup> 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 25<sup>th</sup> to West 41<sup>st</sup> 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 35<sup>th</sup> Street; and the elimination of West 32<sup>nd</sup> Street.
  
9. C 040508 MMM Amendment to the City Map involving the establishment of a park above a lower limiting plane bounded by West 29<sup>th</sup> Street, Eleventh Avenue, West 30<sup>th</sup> 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 040500(A) ZRM).

## **ENVIRONMENTAL REVIEW**

This application (C 040504 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 Transportation Authority (MTA) 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 040504 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 040504 PQM) was certified as complete by the Department of City Planning on June 21, 2004 and was duly referred to Community Board 4, Community Board 5, the Borough President of Manhattan, and the Borough Board 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 040504 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).

### **Community Board 5 Public Hearing**

Community Board 5 held a public hearing on this application (C 040504 PQM) on July 8, 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 040504 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).

### **Borough Board Public Hearing**

This application (C 040504 PQM) was considered by the Manhattan Borough Board.

A full discussion of the Manhattan Borough Board'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. 15), the City Planning Commission scheduled September 23, 2004 for a public hearing on this application ( C 040504 PQM). The hearing was duly held on September 23, 2004 (Calendar No. 8), 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.

### **Waterfront Revitalization Program Consistency Review**

This application, in conjunction with the applications for the related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront 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 28, 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 04-050.

A discussion of WRP Consistency Review appears in the report on the related zoning text change application (N 040500(A) ZRM).

## **CONSIDERATION**

The Commission believes that this application by the New York Department of Citywide Administrative Services for the acquisition of property and the acquisition of easements for construction of a subway extension 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**, 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 described in this report, the application (C 040504 PQM) of the New York City Department of Citywide Administrative Services for:

the acquisition of property generally bounded by Eighth and Eleventh Avenues, West 25<sup>th</sup> and west 42<sup>nd</sup> Streets to facilitate the construction of a subway extension:

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| 1070         | 20         | Temporary            | 515 West 41 St.            |
| 1070         | 29         | Temporary/ Permanent | 557 10 Avenue              |

Community Districts 4 and 5, Borough of Manhattan, is approved.

The above resolution (C 040504 PQM), duly adopted by the City Planning Commission on November 22, 2004 (Calendar No. 8), 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**