



CITY PLANNING COMMISSION

August 23, 2006/Calendar No. 7

C 060444 PCM

IN THE MATTER OF an application submitted by the Board of Elections and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for site selection and acquisition of property located at 450 West 33rd Street (Block 729, Lot 9001) for use as a storage facility, Community District 4, Borough of Manhattan.

The application (C 060444 PCM) was filed on April 24, 2006 by the Board of Elections (BOE) and the Department of Citywide Administrative Services (DCAS) for site selection and acquisition of property located at 450 West 33rd Street (Block 729, Lot 9001) for use as a storage facility, Community District 4, Borough of Manhattan.

BACKGROUND

The BOE proposes the site selection and acquisition of privately-owned property located at 450 West 33rd Street (Block 729, Lot 9001) for use as a storage facility. The site is bounded by West 31st and West 33rd streets and Tenth Avenue and the midblock approaches to the Lincoln Tunnel. It is occupied by an approximately 1.5 million square foot 15-story office and warehouse building. The BOE proposes to occupy a total of 124,862 square feet on the eighth (69,365 square feet) tenth (50,263 square feet) and first floors (5,234 square feet in the loading dock area). Currently the space proposed to be occupied by the BOE is vacant. The spaces on the tenth and eighth floors that are not the subject of this application are occupied by office uses.

The BOE facility would be used to store voting machines, as well as voter registration forms, archived voting records and other miscellaneous election materials. There are approximately 1,800 voting machines used in general, primary and special elections in Manhattan and all would

be stored in this space. In addition, the archived voting records would be available for public viewing. It is estimated that 16 BOE employees would be employed on-site. The hours of operation are anticipated to be 9:00 AM to 5:00 PM every business day.

The proposed BOE space would be most active for several days before and after an election day. In the three or four days before an election day, the voting machines would be moved from this location between the hours of 7:00 AM and 9:00 AM to various polling locations in Manhattan. Then, approximately three or four days after an election, within the same hours of 7:00 AM and 9:00 AM, the machines would be returned to the site, taking approximately the same amount of time as it did to take the machines off-site.

Presently, the BOE facility is in space temporarily leased under a license agreement in the Farley Post Office Building between West 33rd and West 31st streets and eighth and ninth avenues. Prior to being located in the Farley Post Office Building the facility was located for several years in a building between West 38th and West 39th Streets and Twelfth and Eleventh Avenues (460 Twelfth Avenue). This building is scheduled to be razed due to the expansion of the Jacob K. Javits Convention Center.

The site is located within a C6-4 district of the Special Hudson Yards District (SHYD) and was rezoned from M1-6 as a part of the 2005 Hudson Yards rezoning. It is within Subarea B1 of the SHYD which provides for a base density of 10.0 FAR bonusable to 21.6 FAR. The surrounding area consists predominantly of a mix of uses including residential, manufacturing, commercial, parking, and approaches to the Lincoln Tunnel.

The proposed facility is not a permitted use within the C6-4 district. In this instance, the City is exercising its option not to be subject to its zoning requirements when performing a governmental function.

ENVIRONMENTAL REVIEW

This application (C 060444 PCM) 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 06BOE001M. The lead agency is the BOE.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on March 10, 2006.

UNIFORM LAND USE REVIEW

This application (C 060444 PCM) was certified as complete by the Department of City Planning on May 8, 2006, and was duly referred to Community Board 4 and the Manhattan Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 4 held a public hearing on this application (C 060444 PCM) on June 7, 2006, and on that date, by a vote of 33 to 0 with 3 abstentions, adopted a resolution recommending

approval of the application.

Borough President Recommendation

This application (C 060444 PCM) was considered by the Manhattan Borough President, who issued a recommendation approving the application on July 11, 2006.

City Planning Commission Public Hearing

On July 12, 2006 (Calendar No. 5), the City Planning Commission scheduled July 26, 2006 for a public hearing on this application (C 060444 PCM). The hearing was duly held on July 26, 2006 (Calendar No. 11). A representative of the Board of Elections appeared in support of the application, no one spoke in opposition and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application by the BOE and the DCAS for the site selection and acquisition of property located at 450 W. 33rd Street (Block 729, Lot 9001) is appropriate.

Given the future demolition of the location at 460 Twelfth Avenue due to the expansion of the Javits Center and the temporary nature of its lease at the Farley Post Office it is imperative to relocate the facility to a nearby building with sufficient facilities to accommodate the needs of the BOE. The need for the proposed facility was not noted in the Citywide Statement of Needs, however a letter pursuant to Section 204g of the New York City Charter was sent to the Manhattan Borough President.

The proposed site is centrally located in Manhattan. It has access to nearby public transportation and major Manhattan thoroughfares such as the West Side Highway. This will facilitate not only the transportation of the voting machines to locations in the borough for use on election days but also improve access for citizens wishing to research the facility's archived voting records.

The proposed site has more than adequate loading capacity due to its large elevators and large uninterrupted floor spaces. Additionally, the building is secure and is fully air-conditioned; both factors that will foster continued viability of the current machines and future electronic machines.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action 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 of the New York City Charter that, based on the environmental determination and the consideration described in this report, the application of the Board of Elections and the Department of Citywide Administrative Services for site selection and acquisition of property located at 450 W. 33rd Street (Block 729, Lot 9001), Community District 4, Borough of Manhattan, for use as a storage facility, is approved.

The above resolution (C 060444 PCM), duly adopted by the City Planning Commission on August 23, 2006 (Calendar No. 7), 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.

KENNETH J. KNUCKLES, *Esq.*, *Vice Chair*,

IRWIN G. CANTOR, *P.E.*,

ALFRED C. CERULLO, III,

JANE D. GOL,

LISA A. GOMEZ,

JOHN MEROLO,

KAREN A. PHILIPS,

DOLLY WILLIAMS, *Commissioners*.