



IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services and the Department of Environmental Protection, pursuant to Section 197-c of the New York City Charter for the acquisition of a surface easement generally bounded by West 155th Street, St. Nicholas Avenue and St. Nicholas Place (Block 2069, p/o Lot 21), to facilitate vehicular parking, access, storage and emergency staging, Borough of Manhattan, Community District 9.

The application for acquisition of a surface easement was filed by the Department of Citywide Administrative Services (DCAS) and the Department of Environmental Protection (DEP) on April 2, 2010. The requested action, in conjunction with the related actions, would facilitate the development of a 13-story mixed-use building with affordable housing, community facility and children museum space. The requested surface easement would provide vehicular parking, storage and emergency staging for a DEP facility that adjoins the proposed development site.

RELATED ACTIONS

In addition to the acquisition of a surface easement, 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:

C 100274 PPM: Disposition of a surface easement (Block 2069, part of Lot 26), Department of Citywide Administrative Services, applicant;

C 100277 ZMM: Zoning Map Amendment from C8-3 and R7-2, to R8A, Broadway Housing Development Fund Company, Inc., applicant.

BACKGROUND

The Department of Citywide Administrative Services (DCAS) and the Department of Environmental Protection seek to acquire a surface easement on private-owned property (Block

2069, p/o Lot 21). The subject property is located in West Harlem, Manhattan Community District 9. The requested surface easement directly adjoins a DEP facility and would be used by DEP for its vehicle storage, parking and emergency staging needs.

A full background discussion and description of the proposed mixed-use project appears in the report for the related application for the zoning map amendment (C 100277 ZMM).

ENVIRONMENTAL REVIEW

This application, in conjunction with the applications for the related actions (C 100274 PPM and C 100277 ZMM), 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 10DCP031M. The lead is the City Planning Commission (CPC).

A summary of the environmental review and the Final Environmental Impact Statement appears in the report for the related application for the zoning map amendment (C 100277 ZMM).

UNIFORM LAND USE REVIEW

This application (C 100275 PQM), in conjunction with the applications for the related actions (C 100274 PPM and C 100277 ZMM) was certified as complete by the Department of City Planning on June 7, 2010, and was duly referred to Community Board 9 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 20-02(b).

Community Board Public Hearing

Community Board 9 held a public hearing on this application on June 22, 2010, and on that date, by a vote of 43 in favor, 0 against, and 0 abstentions, adopted a recommendation approving the application.

Borough President Recommendation

This application was considered by the Brooklyn Borough President, who issued a recommendation approving the application on June 30, 2010.

City Planning Commission Public Hearing

On July 14, 2010 (Calendar No. 23), the City Planning Commission scheduled July 28, 2010 for a public hearing on this application (C 100275 PQM). The hearing was duly held on July 28, 2010 (Calendar No. 41), in conjunction with the hearings for the related applications (C 100274 PPM and C 100277 ZMM). There were a number of appearances, as described in the report for the related application (C 100277 ZMM) and the hearing was closed.

CONSIDERATION

The Commission believes that this application for the proposed acquisition of a surface easement, in conjunction with the related actions is appropriate.

A full consideration of the issues, and the reasons for approving this application, appear in the report on the related application for the proposed zoning map amendment (C 100277 ZMM).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on September 3, 2010, with respect to this application, the City Planning Commission finds that the requirements of Part 617 of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse

environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, 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 200 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 Department of Citywide Administrative Services and the Department of Environmental Protection, pursuant to Section 197-c, for the acquisition of a surface easement generally bounded by West 155th Street, St. Nicholas Avenue and St. Nicholas Place (Block 2069, p/o Lot 21), to facilitate vehicular parking, access, storage and emergency staging, Community District 9, Borough of Manhattan, is approved.

The above resolution (C 100275 PQM), duly adopted by the City Planning Commission on September 15, 2010 (Calendar No. 12), 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
ANGELA M. BATTAGLIA, RAYANN BESSER,
IRWIN G. CANTOR, P.E., BETTY Y. CHEN,
MARIA M. DEL TORO, RICHARD W. EADDY,
NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHIRLEY A. McRAE, KAREN B. PHILLIPS, Commissioners