



CITY PLANNING COMMISSION

December 3, 2003/Calendar No. 12

C 040014 PPM

IN THE MATTER OF an application submitted by the Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for **the disposition to the UnConvention Center, Inc., of one (1) city-owned property located at Pier 94, Twelfth Avenue between West 53rd and West 54th Streets (Block 1109, Lot 5, and p/o Marginal Street, Wharf or Place.**, pursuant to zoning, Community District 4, Borough of Manhattan.

The application for the disposition of city-owned property was filed by the New York City Department of Small Business Services (DSBS) on July 10, 2003.

RELATED ACTIONS

In addition to the disposition that is the subject of this report (C 040014 PPM), 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 040011 ZSM: Special permit pursuant to Section 74-41;

N 040012 ZAM: Authorization for the modification of waterfront public access pursuant to Sections 67-722(a) & (b) to modify Sections 62-40 and 62-20; and

N 040013 ZCM: Chair's certification of waterfront access and view corridors pursuant to Section 62-711(a).

BACKGROUND

DSBS submitted an application for the disposition of a 260,000 square-foot lot currently occupied by an existing pier structure and headhouse. The subject site is located at Pier 94,

between 53rd and 54th streets (Block 1109, Lot 5) in Manhattan Community District 4 in the borough of Manhattan. The site contains 426,205 square feet of lot area.

A more detailed description of the site, surrounding area, and proposed project is included in the report on the related action for a special permit (C 040011 ZSM).

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ENVIRONMENTAL REVIEW

This application (C 040014 PPM), in conjunction with the applications for the related actions (C 040014 PPM; N 040012 ZAM; and N 040013 ZCM), 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 lead agency is the Department of Small Business Services. The designated CEQR number is 03DBS009M). After a study of the potential environmental impact of the proposed action, a negative declaration was issued on July 18, 2003.

UNIFORM LAND USE REVIEW

This application (C 040014 PPM), along with the related special permit application (C 040011 ZSM), was certified as complete by the Department of City Planning on July 21, 2003, and was

duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, in conjunction with the non-ULURP authorization application (N 040012 ZAM), which was referred for review and comment.

Community Board Public Hearing

Community Board 4 held a public hearing on this application (C 040014 PPM) on September 3, 2003, and on that date, by a vote of 36 in favor, 0 opposed and 1 present but not eligible to vote and 0 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the vote and recommendation of Community Board 4 appears in the report on the related application for the special permit (C 040011 ZSM).

Borough President Recommendation

This application (C 040014 PPM) was considered by the Borough President, who issued a recommendation approving the application on October 3, 2003.

A summary of the recommendation of the Borough President appears in the report on the related application for the special permit (C 040011 ZSM).

City Planning Commission Public Hearing

On October 22, 2003 (Calendar No. 5), the City Planning Commission scheduled November 5, 2003, for a public hearing on this application (C 040014 PPM). The hearing was duly held on

November 5, 2003 (Calendar No. 7), in conjunction with the public hearing on the related special permit application (C 040011 ZSM). There were 10 speakers in favor of the application, and 6 speakers in opposition. A summary of the public hearing appears in the report on the related application for the special permit (C 040011 ZSM).

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law 910 *et seq.*). The designated WRP number is 03-039.

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

CONSIDERATION

The Commission believes that the application for disposition of city-owned property at Pier 94, Twelfth Avenue between West 53rd and West 54th Streets (Block 1109, Lot 5 and p/o Marginal Street, Wharf or Place), Borough of Manhattan, Community District 4, is appropriate. A full consideration and analysis of the issues and the reasons for approving this application appears in

the report on the related application for the grant of a special permit (C 040011 ZSM).

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, 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 the disposition of one (1) city-owned property located at Pier 94 (Block 1109, Lot 5) in the Borough of Manhattan , Community District 4, proposed in an application by the Department of Small Business Services , dated July 9, 2003, is approved.

The above resolution (C 040014 PPM), duly adopted by the City Planning Commission on December 3, 2003, 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, AICP, Chairman

KENNETH J. KNUCKLES, ESQ, Vice Chairman

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