



CITY PLANNING COMMISSION

February 4, 2009/Calendar No. 13

C 090121 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 of one (1) city-owned property, located at the Battery Maritime Building, 10 South Street (Block 2, Lot 1) pursuant to zoning, Borough of Manhattan, Community District 1.

The application for the disposition of city-owned property was filed by the Department of Small Business Services on September 24, 2008, to facilitate the development of the Battery Maritime Building located at 10 South Street, Community District 1, Borough of Manhattan.

This application, in conjunction with the related actions, would facilitate redevelopment of the subject property.

RELATED ACTIONS

In addition to the proposed zoning map change, which is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 090120 ZMM: Zoning Map Amendment from M1-4 to C4-6

N 090122 ZAM: Authorization pursuant to 62-722(a) to modify waterfront public access and yard requirements

N 090123 ZCM: Chairperson Certification pursuant to 62-711 for compliance with Waterfront Public Access and Visual Corridor Requirements

BACKGROUND

Disposition of city-owned property---C 090121 PPM

The Department of Small Business Services proposes the disposition of one (1) city-owned property, the Battery Maritime Building. This disposition will include all of the upper floors and portion of the ground floor other than the boat slips and the areas intended for use by water taxis

or the Governor's Island Preservation and Education Corporation. NYC SBS intends to enter into a long term lease with a developer selected by EDC. Dermot BMB LLC has been conditionally designated as developer of the site by EDC.

A full background discussion and description of this application appears in the report on the related application for a zoning map change (C 090120 ZMM).

ENVIRONMENTAL REVIEW

This application (C 090121 PPM), in conjunction with the applications for the related actions (C 090120 ZMM, N 090122 ZAM, N 090123 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 09SBS003M. 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 September 23, 2008.

UNIFORM LAND USE REVIEW

This application, C 090121 PPM, in conjunction with the application for the related action (C 090120 ZMM) was certified as complete by the Department of City Planning on October 27, 2008, and was duly referred to Community Board 1 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 090122 ZAM) and N 090123 ZCM), which were referred for information and review.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on November 26, 2008, and on that date, by a vote of 34 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

The application was considered by the Borough President of Manhattan who issued a recommendation on December 31, 2008, approving the application.

City Planning Commission Public Hearing

On December 17, 2008 (Calendar No. 13), the City Planning Commission scheduled January 7, 2008 for a public hearing on this application (C 090121 PPM). The hearing was duly held on January 7, 2008 (Calendar No. 25), in conjunction with the hearing on the application for the related action (C 090120 ZMM).

There were several speakers in favor of the application and related actions and none in opposition, as described in the report for the related application (C 090120 ZMM) and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 090121 PPM), in conjunction with the applications for the related actions (C 090120 ZMM, N 090122 ZAM, N 090123 ZCM), were 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 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 08-102.

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

CONSIDERATION

The Commission believes that the proposed disposition of city-owned property, in conjunction with the related actions, is appropriate.

A full consideration and analysis of the issues, and reasons for approving this application appear in the report on the related application for the zoning map amendment, C 090120 ZMM.

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 and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Small Business Services, pursuant to 197-c of the New York City Charter, for the disposition of city-owned property, pursuant to zoning, located at 10 South Street, Borough of Manhattan, Community District 1, proposed in an application by the Department of Small Business Services, dated October 10, 2008, is approved.

The above resolution (C 090121 PPM), duly adopted by the City Planning Commission on February 4, 2009 (Calendar No. 13), 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, ANGELA R. CAVALUZZI, AIA, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHIN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,
JOHN MEROLO, Commissioners