



CITY PLANNING COMMISSION

July 1, 2009 / Calendar No.14

C 080012 PCM

IN THE MATTER OF an application submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 770 Eleventh Avenue (Block 1082, p/o Lot 1) for use as a police mounted unit facility and stables, Borough of Manhattan, Community District 4.

This application for site selection and acquisition of property was filed by the applicant on February 3, 2009. The action would facilitate the development of the New York City Police Mounted Unit Headquarters and facilities for the Police Department's Mounted Troop "B" including stables.

BACKGROUND

The applicants seek a site selection and acquisition of approximately 36,000 square feet on portions of two floors of a proposed mixed-use building at 770 Eleventh Avenue within the Excluded Area of the Special Clinton District. The New York Police Department (NYPD) proposes to utilize this space to replace a temporary facility on Pier 76 of the Hudson River.

The proposed NYPD Mounted Unit facility would house Troop "B," which patrols Manhattan, as well as headquarters staff. The facility would operate and be staffed 24 hours a day, 7 days per week. As with the existing facility, the proposed facility would operate with approximately 47 officers and 27 horses.

The facility would consist of a stable area with approximately 27 stalls for the unit's horses, horse showers, and a horse shoeing room. A training ring for conditioning horses would be located adjacent to West 53rd Street, and would be visible from the street. The facility would also house loading and storage area for horse trailers and NYPD vehicles, and for hay and bedding. Horse trailers and associated department vehicles would be stored within the facility and would include one horse ambulance, two six-horse trailers, four two-horse trailers and other vehicles. The facility would be accessed via curb cuts on West 53rd Street between Tenth and Eleventh avenues.

The proposed facility would be located in a proposed development know as Clinton Park that required four land use actions: a zoning map amendment from M1-5 to C6-3X (C 080008 ZMM); a zoning text amendment relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and relating to Article IX, Chapter 6 (Special Clinton District) (N 080009 ZRM); a Special Permit pursuant to Section 74-743 to waive height and setback regulations (C 080010 ZSM); and a Special Permit pursuant to Section 74-744 to permit a commercial use and residential use to occupy the same floor and to waive signage regulations (C 080011 ZSM). These actions were approved by the City Planning Commission on March 18, 2009, and were approved by the City Council on May 20, 2009. The development would include approximately 729,000 square feet of residential floor area (900 dwelling units of which 180 will be developed pursuant to the Inclusionary Housing Program); a food market with approximately 8,000 square feet and a second retail space of approximately 800 square feet; an automobile dealership, including showroom, preparation and repair facilities, with a gross area of 330,000 square feet; a fitness center of 20,000 square feet; and accessory parking for up to 225 cars.

The site is zoned C6-3X. C6-3X districts do not typically allow Use Group 16. However, the text change to the Excluded Area of the Special Clinton District, approved by the City Planning Commission on March 18, 2009 and adopted by the City Council on May 20, 2009, permits police stables to be located on this site.

ENVIRONMENTAL REVIEW

The application (C 080012 PCM), 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 07DCP071M. The lead agency is the City Planning Commission.

It was determined that the proposed actions may have a significant effect on the environment. A Positive Declaration was issued on October 10, 2007, and distributed, published and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was also issued on October 10, 2007. A public scoping meeting was held on the Draft Scope of Work on November 15, 2007. A Final Scope of Work, reflecting the comments made during the scoping, was issued on October 23, 2008.

The applicant prepared a DEIS, and a Notice of Completion for the DEIS was issued October 24, 2008. On February 4, 2009, a public hearing was held on the DEIS pursuant to SEQRA and other relevant statutes. A Final Environmental Impact Statement (FEIS) was completed and a Notice of Completion for the FEIS was issued on March 6, 2009. On March 17, 2009, a Technical Memorandum was issued which describes and analyzes the modifications to the proposed actions made by the City Planning Commission, adopted herein, and also identifies newly developed partial mitigation for the significant adverse elementary school impact identified in the FEIS and slightly modified language regarding the day care mitigation. The FEIS and subsequent Technical Memorandum identified significant adverse impacts and proposed mitigation measures, which are described in the City Planning Commission Report for a Zoning Map Amendment (C 080 008 ZMM), dated May 20, 2009.

UNIFORM LAND USE REVIEW

This application (C 080012 PCM) was certified as complete by the Department of City Planning on March 2, 2009, and was duly referred to Community Board 4 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 4 held a public hearing on this application on April 1, 2009 and on that date by a vote of 42-0 with no abstentions voted to adopt a resolution recommending approval of the application.

Borough President Recommendation

This application (C 080012 PCM) was considered by the Borough President, who issued a recommendation approving the application on May 13, 2009.

City Planning Commission Public Hearing

On May 20, 2009 (Calendar No. 1), the City Planning Commission scheduled June 3, 2009, for a public hearing on this application (C 080012 PCM). The hearing was duly held on June 3, 2009 (Calendar No. 12).

There was one speaker in favor, and none opposed.

A representative from the Manhattan Borough President's Office reiterated the Borough President's recommendation of approval of the application.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a site selection and acquisition (C 080012 PCM) is appropriate.

The application would facilitate the development of a 36,000 square foot New York Police Department Mounted Unit facility that would hold both offices and stables. The current NYPD facility, located on Hudson River Pier 76 must be relocated to accommodate further development of the Hudson River Park.

The Commission notes that the applications it approved for the Clinton Park development included actions that would facilitate the location of the subject facility at the proposed location. The proposed facility would provide the NYPD with a modern location for its mounted personnel.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on March 6, 2009, with respect to this application (CEQR No. 07DCP071M), together with the Technical Memorandum, dated March 17, 2009, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act & regulations, have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is approved 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 possible be incorporating as conditions to the approval, pursuant to a Restrictive Declaration, dated March 18, 2009.

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 201 of the New York City Charter, that based on the environmental determination, an application submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 770 Eleventh Avenue (Block 1082, p/o Lot 1) for use as a police mounted unit facility and stables, Borough of Manhattan, Community District 4, is approved.

The above resolution (C 080012 PCM), duly adopted by the City Planning Commission on July 1, 2009 (Calendar No. 14), 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

KENNETH J. KNUCKLES, Esq., Vice Chairman

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,

ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,

RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE, Commissioners