



CITY PLANNING COMMISSION

March 22, 2006 Calendar No. 15

N 060351 PXM

IN THE MATTER OF a Notice of Intent to acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter, for the use of property located at 780 Third Avenue (Block 1303, Lot 33)(NYS Court of Appeals), Community District 5, Borough of Manhattan.

WHEREAS, on February 22, 2006, the Department of Citywide Administrative Services (DCAS) submitted a Notice of Intent to acquire Office Space pursuant to Section 195 of the New York City Charter for use of space located at 780 Third Avenue (Block 1303, Lot 33), Community District 5, Borough of Manhattan, which is intended for use by the New York State Court of Appeals as the New York City Chambers of the Honorable Robert S. Smith, Associate Judge of the New York State Court of Appeals,

WHEREAS, this application (N 060351 PXM) 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 91 of 1977. This application was determined to be a Type II action which requires no further environmental review; and

WHEREAS, the Notice of Intent was referred by the Department of City Planning to Manhattan Community Board 5 and to all Borough Presidents pursuant to Section 195 of the New

York City Charter; and

WHEREAS, the Borough President of Manhattan has not submitted a recommendation; and

WHEREAS, no recommendations were received from other Borough Presidents; and

WHEREAS, the City Planning Commission held a public hearing on the application on March 8, 2006 (Calendar No. 23); and

WHEREAS, there were no speakers on this application; and

WHEREAS, the public hearing was closed; and

WHEREAS, the City Planning Commission, in reviewing the proposed location of office space, has considered the following criteria of Article 7 of the Criteria for the Location of City Facilities as adopted by the City Planning Commission on December 3, 1990 pursuant to Section 203 (a) of the New York City Charter:

a) **Suitability of the site to provide cost-effective operations.** The space is intended for use as offices by the NYS Court of Appeals as the New York City Chambers of the Honorable Robert S. Smith, Associate Judge of the NYS Court of Appeals. The proposed site will provide modern office facilities including private and non-private offices, a conference room and filing space. This office will be staffed by 5 employees relocated from the current site in the Supreme Civil Court at 71 Thomas Street.

b) **Suitability of the site for operational efficiency.** 780 Third Avenue is a 490,000 square foot, fifty-story building located between East 48th and East 49th streets. The site is zoned C6-6 which permits the use. The space will be totally renovated to meet the operational needs of the Associate Judge. Upon completion of the renovations, the space will comply with the provisions of the Americans with Disabilities Act.

c) **Consistency with locational and other specific criteria for the facility stated in the Statement of Needs.** The facility was not listed in the Citywide Statement of Needs. Access to the site by public transportation is via the #6 subway which is within a few blocks from the site at Lexington Avenue, and the M-101, M102, and M103 buses which all have stops along Third Avenue within a block of the site.

d) **Whether the facility can be located so as to support development and revitalization of the city's regional business districts without constraining operational efficiency.** The proposed space is not located within the City's regional business districts but is located conveniently to mass transit subways and buses.

WHEREAS, the Commission has determined that the application warrants approval and therefore adopts the following resolution:

RESOLVED, by the City Planning Commission that the Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services on February 22, 2006 for use of property located at 780 Third Avenue (Block 1303, Lot 33), Community District 5, Borough of Manhattan, is hereby **APPROVED**.

The above resolution, duly adopted by the City Planning Commission on March 22, 2006 (Calendar No.15), is filed with the Office of the Speaker, City Council in accordance with the requirements of Section 195 of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair,
KENNETH J. KNUCKLES, Esq., Vice-Chairman
IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL,
LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO
KAREN A. PHILIPS, DOLLY WILLIAMS, Commissioners