

CITY PLANNING COMMISSION

January 5, 2005 | Supplemental Calendar No. 1

M 970087 B ZSM

IN THE MATTER OF an application submitted by the Dormitory Authority of the State of New York for the cancellation of Restrictive Declaration D-144, to facilitate the enlargement of an existing community facility on property bounded by West 58th Street, Tenth Avenue, West 59th Street, and Eleventh Avenue (Block 1087, Lots 1, 5 and 25) within a general large scale development in C2-7, C4-7 and C6-2 districts partially within the Special Clinton District, Community District 4, Borough of Manhattan.

WHEREAS, on July 1, 2004, the Dormitory Authority of the State of New York (DASNY) submitted applications to cancel Restrictive Declaration D-144 (M 970087 B ZSM) and for related special permits (C 050002 ZSM and C 050003 ZSM) as they relate to Tax Lots 1, 5 and 25 of Block 1087 in the Borough of Manhattan (the “John Jay College Expansion Site”); and

WHEREAS, Restrictive Declaration D-144 was entered into in connection with an approval for a special permit (C 970087 ZSM), sponsored by River Center LLC, to facilitate an approximately 1,600-unit residential development with two accessory parking garages (the “River Center Project”) on the entire block bounded by West 58th Street, Tenth Avenue, West 59th Street, and Eleventh Avenue in Community District 4, Borough of Manhattan; and

WHEREAS, the special permit application (C 970087 ZSM) and the River Center Project were the subject of a Final Environmental Impact Statement which was certified as complete on January 15, 1999; and

WHEREAS, the River Center Project did not proceed and River Center LLC no longer has any interest or involvement in the John Jay College Expansion Site; and

WHEREAS, the subject application is a request by DASNY to cancel Restrictive Declaration D-144 as it relates to the John Jay College Expansion Site so as to permit an alternative development; and

WHEREAS, as an alternative to the River Center Project, DASNY proposes to develop the John Jay College Expansion Site with an enlargement of an existing community facility (the "John Jay College Expansion Project"); and

WHEREAS, in furtherance thereof, Restrictive Declaration D-144 is proposed to be canceled, and DASNY has submitted related applications (C 050002 ZSM and C 050003 ZSM), which are being considered concurrently with this application; and

WHEREAS, this application (M 970087 B ZSM) 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. The lead is the Dormitory Authority of the State of New York. After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on August 4, 2004;

and

WHEREAS, this application was referred by the Department of City Planning to Community Board 4 and the Manhattan Borough President; and

WHEREAS, Community Board 4, on May 8, 2002, by a vote of 31 to 0, with 1 abstention, adopted a resolution recommending approval of the application and the related actions with the following conditions:

1. That the rooftop Commons be open to the public to the maximum extent possible.
2. That the City undertake a comprehensive area-wide traffic study.
3. That demolition and construction activities be conducted in accordance with City regulations.
4. That redevelopment of the North Hall site address local planning needs and incorporate a planning process that includes local institutions and Community Boards 4 and 7.
5. That the expansion project be developed substantially in accordance with the plans that are part of the application and using “green” building practices; and

WHEREAS, the application was considered by the President of the Borough of Manhattan, who on October 20, 2004, issued a recommendation approving the application and the related actions

subject to the following conditions:

1. That the rooftop Commons be open to the public to the maximum extent possible.
2. That the City undertake a comprehensive area-wide traffic study.
3. That demolition and construction activities are conducted in accordance with City regulations.
4. That the expansion project be developed substantially in accordance with the plans that are part of the application and using “green” building practices; and

WHEREAS, the Commission has determined that this application (M970087 B ZSM) and the applications for the related actions warrant approval, as described in the City Planning Commission report for the related action (C 050052 ZSM);

THEREFORE, be it **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 certifies its approval of the application (M 970087 B ZSM) submitted by DASNY for the cancellation of Restrictive Declaration D-144, which was previously approved in connection with an application for a special permit (C 970087 ZSM).

The above resolution, duly adopted by the City Planning Commission on January 5,

2005,(Supplemental Calendar No. 1), is hereby filed with the Office of the Speaker, City Council,
pursuant to Section 4(a) of Restrictive Declaration D-144.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, Esq., Vice Chair

**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,
RICHARD W. EADDY, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO, KAREN
PHILLIPS, Commissioners**

LISA A. GOMEZ, Commissioner, abstained

DOLLY WILLIAMS, Commissioner, recused