



CITY PLANNING COMMISSION

August 11, 2008/Calendar No. 19

C 080408 PPM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services and the Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Economic Development Corporation of city-owned property, pursuant to zoning, located at Block 644 Lots 1 and 10, which includes the disposition of easements over portions of Block 644 Lots 1 and 10, Borough of Manhattan, Community District 2.

The application for disposition was filed on April 28, 2008, by the Department of Citywide Administrative Services (DCAS) and the Department of Small Business Services (DSBS) to allow the disposition of the City-owned project site to the New York City Economic Development Corporation (EDC). The application also facilitates the disposition of three easements for the benefit of the project site.

RELATED ACTIONS

In addition to the disposition which is the subject of this report, 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:

- | | |
|--------------|---|
| N 080406 ZRM | Zoning Text Amendment to Section 74-92, to permit height and setback modifications for a building containing a Use Group 3A use museum in a M1-5 zoning district on a zoning lot over which the High Line passes |
| N 080407 PCM | Site Selection and Acquisition for a facility to be used by the Parks Department in connection with the operation and maintenance of the High Line public open space |
| C 080409 ZSM | Special permit pursuant to the proposed amended Section 74-921(a) to modify use to allow a museum in a M1-5 zoning district; and the proposed Section 74-921(b) to modify bulk in a building containing a museum use in a M1-5 district, located on a zoning lot over which the High Line passes. |

BACKGROUND

A full background discussion and project description appears in the report on the related special permit application (C 080409 ZSM).

ENVIRONMENTAL REVIEW

This application (C 080408 PPM), in conjunction with the related applications (N 080406 ZRM, C 080407 PCM, and C 080409 ZSM) were 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 07SBS021M. 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 April 30, 2008.

UNIFORM LAND USE REVIEW

This application (C 080408 PPM), in conjunction with the related applications (C 080407 PCM and C 080409 ZSM) were certified as complete by the Department of City Planning on May 5, 2008, and were duly referred to Community Board 2 and the Borough President of Manhattan, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 2 held a public hearing on this application (C 080408 PPM), in conjunction with the related applications (N 080406 ZRM, C 080407 PCM, and C 080409 ZSM) on May 15, 2008, and on May 22, 2008, by a vote of 43 to 0 with 0 abstentions, adopted a resolution recommending approval of the applications.

Borough President Review

This application (C 080408 PPM), in conjunction with the related applications was considered by the Borough President of Manhattan, who issued a recommendation on June 30, 2008, approving

the applications. A discussion of the Borough President's recommendation is included in the report on the related application for a special permit (C 080409 ZSM).

City Planning Commission Public Hearing

On June 18, 2008, Calendar No. 8, the City Planning Commission scheduled July 2, 2008, for a public hearing on this application (C 080408 PPM). The hearing was duly held on July 2, 2008, Calendar No. 31, in conjunction with the hearings on the related applications (N 080406 ZRM, C 080407 PCM, and C 080409 ZSM).

There were a number of speakers, as described in the report on the related application for the proposed special permit, (C 080409 ZSM), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 080408 PPM), in conjunction with the related applications (N 080406 ZRM, C 080407 PCM, and C 080409 ZSM), was 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 08-026M.

The 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 property located at Block 644 Lots 1 and 10, including the disposition of easements over portions of Block 644 Lots 1 and 10 is appropriate, as modified.

A full consideration of the issues and reasons for approving this application as modified, appears in the related report for a special permit, (C 080409 ZSM).

RESOLUTION

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, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 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 Citywide Administrative Services and the Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Economic Development Corporation of city-owned property, pursuant to zoning, located at Block 644 Lots 1 and 10, which includes the disposition of easements over portions of Block 644 Lots 1 and 10 is approved, with the following restriction: The disposition is restricted to a building containing a museum use and a maintenance and operations facility (High Line Support Facility) for the High Line pursuant to application numbers C 080409 ZSM and C 080407 PCM.

The above resolution (C 080408 PPM), duly adopted by the City Planning Commission on August 11, 2008 (Calendar No. 19), 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, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA,
ALFRED C. CERULLO, III, MARIA M. DEL TORO, RICHARD W. EADDY,
NATHAN LEVENTHAL, SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners