



## **CITY PLANNING COMMISSION**

July 28, 2004/Calendar No. 40

C 040255 HAM

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**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of 200 Chambers Street (Block 142, Lot 1 (part) and Lot 9), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to the Economic Development Corporation;

Borough of Manhattan, Community District 1.

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Approval of three separate matters is required:

- 1) The designation of 200 Chambers Street (Block 142, Lot 1 (part) and Lot 9), as an Urban Development Action Area; and
- 2) An Urban Development Action Area Project for such area; and
- 3) The disposition of 200 Chambers Street (Block 142, Lot 1 (part) and Lot 9) to the Economic Development Corporation;

The application for the proposed Urban Development Action Area designation and project, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on January 28, 2004. The requested action, in conjunction with the related actions, would facilitate the development of a mixed-use project in Lower Manhattan within the former Washington Market Urban Renewal Area which was established in 1961 and expired in January 2002.

Specific to the direct disposition from the HPD to the EDC, the application seeks ULURP approval for (a) the fee interest in the a portion of Block 142, Lot 9 referred to as the “Development Site”, (b) the floor area development rights attributable to, and the a light and air easement over, the remaining portion of Block 142, Lot 9 referred to as the “Dog Run”, and (c) a covenant not to build on portion of Block 142, Lot 1 referred to as the “School Yard Portion”.

The HPD states in its application that:

...the property contains an underutilized vacant lot which tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The Zoning Lot is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be a UDAAP pursuant to Article 16 of the General Municipal Law.

## **RELATED ACTIONS**

In addition to the proposed UDAAP designation, project approval and disposition of city-owned property, which is the subject of this report (C 040255 HAM), 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:

1. **C 040257 (A) ZSM:** Special permit to allow the modification of height and setback regulations.
2. **N 920048 MEM:** Amendment to the City Map to eliminate pedestrian easements within an area bounded by Murray, West, Chambers, and Greenwich Streets.

## **BACKGROUND**

A more detailed description of this application, the surrounding area, proposed project and special permit application, is included in the report on the related application for the proposed special permit (C 040257 (A) ZSM).

## **ENVIRONMENTAL REVIEW**

This application (C 040255 HAM), in conjunction with the applications for the related actions (C 040257 ZSM, C 040257 (A) 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 02DME003M. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding (ODMEDR).

A more detailed discussion of the environmental review is included in the report on the related application for a special permit (C 040257 (A) ZSM).

## **UNIFORM LAND USE REVIEW**

This application (C 040255 HAM), in conjunction with the applications for the related actions (C 040257 ZSM, C 040257 (A) ZSM), was certified as complete by the Department of City Planning on February 23, 2004, and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

## **Community Board Public Hearing**

Community Board 1 held a public hearing on this application on March 30, 2004, and on that date, by a vote of 37 to 0 with 3 abstentions, adopted a resolution recommending disapproval of

the application. A summary of the vote and recommendation of Community Board 1 appears in the report on the related application for a special permit (C 040257 (A) ZSM).

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on May 17, 2004.

A summary of the Borough President's recommendation appears in the report on the related application for a special permit (C 040257 (A) ZSM).

### **City Planning Commission Public Hearing**

On May 26, 2004 (Calendar No. 2), the City Planning Commission scheduled June 9, 2004, for a public hearing on this application (C 040255 HAM). The hearing was duly held on June 9, 2004 (Calendar No. 6), in conjunction with the public hearings on the applications for the related actions (C 040257 ZSM and C 040257 (A) ZSM).

There were a number of speakers, as described in the report for a special permit (C 040257 (A) ZSM), and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

The application (C 040255 HAM), in conjunction with the application for the related action (C 040257 (A) 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 04-069.

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 Urban Development Action Area designation and project (UDAAP), and disposition of city-owned property, in conjunction with the related actions, are appropriate.

A full consideration and analysis of the issues, and reasons for approving this application, appears in the related application for a special permit (C 040257 (A) ZSM).

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on July 16, 2004, with respect to this application (CEQR No. 02DME003M), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

- 1) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- 2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

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**, 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

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of 200 Chambers Street (Block 142, Lot 1 (part) and Lot 9), in Community District 1, Borough of Manhattan, as an Urban Development Action Area; and

**WHEREAS**, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

**THEREFORE**, be it further **RESOLVED**, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) the designation of 200 Chambers Street (Block 142, Lot 1 (part) and Lot 9), as an Urban Development Action Area; and
- b) An Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

- a) The present status of the area tends to impair or arrest the sound development of the municipality;
- b) The financial aid in the form of tax incentives to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act is necessary to enable the project to be undertaken; and
- c) The project is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act;

**BE IT FURTHER RESOLVED**, by the City Planning Commission, pursuant to Section 197-c 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 Housing Preservation and Development for the disposition of city-owned property at 200 Chambers Street (Block 142, Lot 1 (part) and Lot 9), in Community District 1, Borough of Manhattan, to the New York City Economic Development Corporation (NYCEDC), is approved (C 040255 HAM).

The above resolution (C 040255 HAM), duly adopted by the City Planning Commission on July 28, 2004 (Calendar No. 40), 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, AICP, Chair**  
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