



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1562

Resolution approving the decision of the City Planning Commission on ULURP No. C 120156 MMM, an amendment to the City Map (L.U. No. 699).

By Council Members Comrie and Levin

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of Broome Street between Norfolk Street and Clinton Street;
- the establishment of Suffolk Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street;
- the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive;
- and the adjustment of grades necessitated thereby,

including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012 and signed by the Borough President, (ULURP No. C 120156 MMM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U.

No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; and C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated

August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

- (2) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the New York City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120156 MMM, incorporated by reference herein, the Council approves the Decision, for an amendment to the City Map involving:

- the establishment of Broome Street between Norfolk Street and Clinton Street;
- the establishment of Suffolk Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street;
- the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive;
- and the adjustment of grades necessitated thereby,

including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012 and signed by the Borough President, more particularly described as follows:

Clinton Street Discontinuance and Closing Description

Starting at a **Point of Beginning** located at the corner formed by the intersection of the westerly line of Clinton Street and the northerly line of Grand Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running westerly along the northerly line of Grand Street, a distance 30.00 feet to a point;

Thence running northerly along the former westerly line of Clinton Street, forming an interior angle of 90 degrees 14 minutes 44 seconds with the last mentioned course, a distance 301.82 feet to a point;

Thence running easterly along the southerly line of Broome Street, forming an interior angle of 89 degrees 50 minutes 11 seconds with the last mentioned course, a distance 30.00 feet to a point;

Thence running southerly along the westerly line of Clinton Street, forming an interior angle of 90 degrees 9 minutes 49 seconds with the last mentioned course, a distance 301.87 feet to the place or **Point of Beginning**.

Said area consists of 9,055 square feet (0.21 acres), more or less.

Clinton and Delancey Street Discontinuance and Closing Description

Starting at a **Point of Beginning** located at the corner formed by the intersection of the westerly line of Clinton Street and the northerly line of Broome Street, as said streets are shown on Alteration Map No. 30236, dated

March 14, 2012;

Thence running westerly along the northerly line of Broome Street, a distance 30.00 feet to a point;

Thence running northerly along the former westerly line of Clinton Street, forming an interior angle of 90 degrees 6 minutes 5 seconds with the last mentioned course, a distance 182.00 feet to a point;

Thence running westerly along the former southerly line of Delancey Street, forming an interior angle of 265 degrees 21 minutes 4 seconds with the last mentioned course, a distance 171.58 feet to a point;

Thence running northerly along the easterly line of Suffolk Street, forming an interior angle of 94 degrees 43 minutes 13 seconds with the last mentioned course, a distance 6.98 feet to a point;

Thence running easterly along the southerly line of Delancey Street, forming an interior angle of 89 degrees 39 minutes 28 seconds with the last mentioned course, a distance 200.96 feet to a point;

Thence running southerly along the westerly line of Clinton Street, forming an interior angle of 90 degrees 19 minutes 12 seconds with the last mentioned course, a distance 201.91 feet to the place or **Point of Beginning**.

Said area consists of 8,378 square feet (0.19 acres), more or less.

Clinton Street and Delancey Street Corner Discontinuance and Closing Description

Starting at the **Point of Beginning** located at the corner formed by the intersection of the easterly line of Clinton Street and the southerly line of Delancey Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running easterly along the southerly line of Delancey Street, a distance 20.08 feet to a point of curvature;

Thence running southerly along the former easterly line of Clinton Street, along an arc curving to the west, having a radius of 20.00 feet and forming an included angle of 90 degrees 13 minutes and 56 seconds, a distance 31.50 feet to a point of tangency;

Thence running northerly along the easterly line of Clinton Street, a distance 20.08 feet to the place or **Point of Beginning**.

Said area consists of 86 square feet (0.002 acres), more or less.

Delancey Street Discontinuance and Closing Description

Starting at a **Point of Beginning** located at the corner formed by the intersection of the westerly line of Suffolk Street and the southerly line of Delancey Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running southerly along the westerly line of Suffolk Street, a distance 3.14 feet to a point;

Thence running easterly along the former southerly line of Delancey Street, forming an interior angle of 85 degrees 13 minutes 14 seconds with the last mentioned course, a distance 41.05 feet to a point;

Thence running easterly along the southerly line of Delancey Street, forming an interior angle of 4 degrees 23 minutes 11 seconds with the last mentioned course, a distance 40.91 feet to the place or **Point of Beginning**.

Said area consists of 64 square feet (0.001 acres), more or less.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 30236, dated March 14, 2012, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code;
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission;
- c. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on October 11, 2012, on file in this office.

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City Clerk, Clerk of The Council