Legislation Details (With Text)

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Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 040503 PQM (L.U. No. 327), the acquisition of aerial easements located midblock between Tenth and Eleventh Avenues from West 39th to West 41st Streets (Block 711/Lot 1; and Block 1069/Lot 43), Manhattan, for a pedestrian bridge.

Sponsors: Melinda R. Katz, Tony Avella

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Attachments: 1. Committee Report

Date	Ver.	Action By	Action	Result
1/10/2005	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
1/19/2005	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 786

Resolution approving the decision of the City Planning Commission on ULURP No. C 040503 PQM (L.U. No. 327), the acquisition of aerial easements located midblock between Tenth and Eleventh Avenues from West 39th to West 41st Streets (Block 711/Lot 1; and Block 1069/Lot 43), Manhattan, for a pedestrian bridge.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on November 22, 2004 its decision dated November 22, 2004 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the Department of Citywide Administrative Services for the acquisition of aerial easements located midblock between Tenth and Eleventh Avenues from West 39th to West 41st Streets (Block 711/Lot 1; and Block 1069/Lot 43), Community District 4, Borough of Manhattan (the "Site"), for use as a pedestrian bridge (ULURP No. C 040503 PQM) (the "Application");

WHEREAS, the Application is related to Applications Numbers C 040499 (A) ZMM (L.U. No. 323), an amendment to the Zoning Map; N 040500 (A) ZRM (L.U. No. 324), an amendment to the text of the Zoning Resolution; C 040501 PCM (L.U. No. 325), site selection and acquisition of property for use as a sanitation garage and tow pound facility; C 040502 PCM (L.U. No. 326), site selection and acquisition of property for use as a public parking garage; C 040504 PQM (L.U. No. 334), acquisition of property and easements for construction of a subway extension; C 040505 PQM (L.U. No. 335), an acquisition of property; C040506 PPM (L.U. No.328), disposition of thirty-six city-owned properties; C 040507 MMM (L.U. No. 329), an amendment

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to the City Map involving the establishment and the elimination, discontinuance and closing of streets; C 040508 MMM (L.U. No. 336), amendment to the City Map establishing a park; and 20055114 TAM (L.U. No. 357), proposed transfer of real property for construction of a subway extension;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b) (2) and (3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 13, 2004; and

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") (CEQR No. 03DCP031M);

A positive declaration was issued on April 21, 2003 and distributed, published and filed, and the applicant was asked to prepare or have prepared a Draft Generic Environmental Impact Statement ("DGEIS"). A public meeting for the Draft Scope of Work for the DGEIS was held on June 6, 2003 and the Final Scope of Work for the DGEIS was issued on May 28, 2004;

The co-lead agencies prepared a DGEIS and a Notice of Completion for the DGEIS was issued on June 21, 2004. Pursuant to the SEQRA regulations and CEQR procedures, a joint public hearing was held on the DGEIS on September 23, 2004 in conjunction with the public hearing on this application (N 040500 (A) ZRM) and related items (C 040499 (A) ZMM, N 040500 ZRM, C 040501 PCM, C 040502 PCM, C 040503 PQM, C 040504 PQM, C 040505 PQM, C 040506 PPM, C 040507 MMM, C 040508 MMM); and

WHEREAS, a Final Generic Environmental Impact Statement ("FGEIS") was completed and Notices of Completion for the FGEIS were issued by the co-lead agencies on November 8, 2004.

WHEREAS, the FGEIS identified significant adverse impacts and proposed mitigation measures that are summarized in the Co-Lead Agency Findings Statement set forth in Exhibit A to the Reports of the City Planning Commission approving said application and such summary is incorporated by reference herein; and

WHEREAS, modifications of the applications adopted by the City Planning Commission in the form of changes to ULURP Applications Nos. N 040500 (A) ZRM and C 040507 MMM were considered in a Technical Memorandum of the Co-Lead Agencies, dated November 17, 2004; and

WHEREAS, modifications of ULURP Applications Nos. C 040499 (A) ZMM and N 040500 (A) ZRM adopted by the City Council are considered in a Technical Memorandum of the Co-Lead Agencies, dated January 14, 2005;

Now, therefore be it

RESOLVED:

Having considered the FGEIS, with respect to the Application, the Council finds that:

(1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

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(2) Consistent with the social, economic and other essential considerations, 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 FGEIS 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;

(2) The Decision and the FGEIS and the Technical Memoranda described above 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 Section 197-d of the City Charter and on the basis of the Application and Decision, the Council approves the Decision.

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 January 19, 2005, on file in this office.

…….....……
City Clerk, Clerk of The Council

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