



Legislation Text

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**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 724**

Resolution approving the decision of the City Planning Commission on ULURP No. C 140440 MMM, an amendment to the City Map (L.U. No. 198).

By Council Members Greenfield and Weprin

WHEREAS, the City Planning Commission filed with the Council on March 30, 2015 its decision dated March 30, 2015 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Vanderbilt Avenue between East 42nd Street and East 43rd Street;
- the establishment of Public Place above a lower limiting plane; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30244 dated October 17, 2014 and signed by the Borough President, (ULURP No. C 140440 MMM), Community District 5, Borough of Manhattan (the "Application");

WHEREAS, the application is related to Application N 150127 ZRM (L.U. No. 197), a proposed zoning text amendment to the Special Midtown District;

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 April 13, 2015;

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 Environmental Impact Statement ("FEIS"), for which a Notice of Completion was issued on March 20, 2015 (CEQR No. 14DCP188M), the CEQR Technical Memoranda dated March 27, 2015 and May 15, 2015 (the "CEQR Technical Memoranda");

RESOLVED:

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

- (1) The FEIS 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 available, the action as modified with the modifications adopted herein as analyzed in the FEIS and the CEQR Technical Memoranda, is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and;
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations (E-357) for Hazardous Materials, Air Quality, and Noise (as set forth in Exhibit B to the CPC Decision (C 150129 ZSM), which form part of the action; and
- (4) The Decision, together with the FEIS and the CEQR Technical Memoranda, 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 City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140440 MMM, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Vanderbilt Avenue between East 42nd Street and East 43rd Street;
- the establishment of Public Place above a lower limiting plane; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in the Borough of Manhattan, Community District 5, in accordance with Map No. 30244 dated October 17, 2014 and signed by the Borough President as more particularly described as follows:

BEGINNING at the southeast corner of the intersection of Madison Avenue and East 43rd Street as said streets are shown on Map No. 30244:

- 1) THENCE running easterly 215.67 feet along the southerly street line of East 43rd Street to THE POINT OF BEGINNING;
- 2) THENCE running northeasterly 94.25 feet along a curve to the left having a radius of 60.00 feet and a central angle of 90 degrees 0 minutes and 0 seconds to a point;
- 3) THENCE running southerly 260.83 feet along a line that is tangent to the last known point to an angle point;
- 4) THENCE running westerly 60.00 feet, along a line that forms an angle of 90 degrees 0 minutes and 0

seconds on its northerly side with the preceding course to an angle point;

- 5) THENCE running northerly 200.83 feet, along a line that forms an angle of 90 degrees 0 minutes and 0 seconds on its easterly side with the preceding course to the POINT OF BEGINNING.

Described area being 12,822.37 square feet or 0.29 acres.

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. 30244 dated October 17, 2014, 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; and
- b. The subject street 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 May 27, 2015, on file in this office.

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City Clerk, Clerk of The Council