



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 788

Resolution approving the decision of the City Planning Commission on ULURP No. C 040507 MMM, an amendment to the City Map (L.U. No. 329).

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 by the Department of City Planning and the Department of Parks and Recreation 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 amendments to the City Map involving, the establishment of Hudson Boulevard from West 33rd Street to West 38th Street between Tenth and Eleventh Avenues; the establishment of Parks within an area bounded by West 33rd Street, Tenth Avenue, West 42nd Street and Eleventh Avenue; the elimination, discontinuance and closing of a volume of West 35th Street and the elimination of West 32nd Street between Tenth and Eleventh Avenues; the establishment of grades on West 33rd Street through West 38th Street between Tenth and Eleventh Avenues; and any acquisition or disposition of real property related thereto, Community District 4, Borough of Manhattan, in accordance with Map No. C 040507 MMM dated June 18, 2004, modified on November 22, 2004 and signed by the Director of the Department of City Planning (ULURP No. C 040507 MMM) (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 040503 PQM (L.U. No. 327), acquisition of aerial easements for a pedestrian bridge; 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 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) (1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on

December 13, 2004;

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

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;
- (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 Sections 197-d and 199 of the New York City Charter, 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.

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City Clerk, Clerk of The Council