



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 789

Resolution approving the decision of the City Planning Commission on ULURP No. C 040504 PQM (L.U. No. 334), an acquisition of property generally bounded by Eighth and Eleventh Avenues, West 25th and West 42nd Streets (Block 697/Lots 1 and 60; Block 705/Lots 1, 5, and 54; Block 706/Lot 1; Block 763/Lot 47; Block 1051/Lot 1; and Block 1069/Lots 29 and 34), Manhattan, to facilitate the construction of a subway extension.

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 acquisition of property generally bounded by Eighth and Eleventh Avenue, West 25th and West 42nd Streets:

<u>Block</u>	<u>Lot</u>	<u>Property Address</u>
697	1	220 Eleventh Avenue
697	60	544 West 26th Street
705	1	380-386 Eleventh Avenue
705	5	553-557 West 33rd Street
705	54	528-556 West 34th Street
706	1	400 Eleventh Avenue
763	47	310-312 West 40th Street
1051	1	562-574 Tenth Avenue
1069	29	537-541 Tenth Avenue
1069	34	543-551 Tenth Avenue

the acquisition of easements for construction of a subway extension:

<u>Block</u>	<u>Lot</u>	<u>Easement</u>	<u>Property Address</u>
670	1	Temporary	16480 12 Avenue
670	50	Temporary	239 11 Avenue
670	70	Temporary	231 11 Avenue
672	1	Temporary	20 Joe DiMaggio Highway
673	1	Temporary	261 11 Avenue
674	1	Temporary	24058 12 Avenue
675	29	Temporary	301 11 Avenue
675	36	Temporary	309 11 Avenue
679	1	Temporary	651 12 Avenue
680	1	Temporary	360 Joe DiMaggio Highway
680	33	Temporary	491 11 Avenue
696	1	Temporary	202 11 Avenue
696	65	Temporary	210 11 Avenue

698	1	Temporary	244 11 Avenue
699	1	Temporary	262 11 Avenue
700	1	Temporary	282 11 Avenue
701	1	Temporary	302 11 Avenue
701	68	Temporary	314 11 Avenue
701	70	Temporary	312 11 Avenue
707	1	Temporary/Permanent	418 11 Avenue
708	1	Temporary	438 11 Avenue
708	65	Temporary	450 11 Avenue
709	1	Temporary	456 11 Avenue
709	2	Temporary	460 11 Avenue
709	3	Temporary	462 11 Avenue
709	68	Temporary	470 11 Avenue
709	70	Temporary	466 11 Avenue
709	71	Temporary	464 11 Avenue
710	1	Temporary	476 11 Avenue
711	1	Temporary/Permanent	11 Avenue
1012	1	Temporary	620 8 Avenue
1013	1	Temporary	640 8 Avenue

<u>Block</u>	<u>Lot</u>	<u>Easement</u>	<u>Property Address</u>
1013	12	Temporary	241 West 41 St.
1032	1	Temporary	566 9 Avenue
1032	5	Temporary	351 West 41 St.
1032	7	Temporary	347 West 41 St.
1032	29	Temporary/Permanent	641 8 Avenue
1032	48	Temporary	330 West 42 St.
1032	54	Temporary	338 West 42 St.
1032	101	Temporary	355 West 41 St.
1050	1	Temporary	538 10 Avenue
1050	6	Temporary	455 West 40 St.
1050	13	Temporary/Permanent	441 West 40 St.
1050	49	Temporary/Permanent	440 West 41 St.
1050	61	Temporary	554 10 Avenue
1050	158	Temporary	454 West 41 St.
1051	8	Temporary/Permanent	Street/ Sidewalk
1051	16	Permanent	Street/ Sidewalk/ Dyer Ave
1069	1	Temporary/Permanent	514 11 Avenue
1069	24	Temporary/Permanent	503 West 40 St.
1069	43	Temporary/Permanent	West 41 Street
1069	136	Temporary/Permanent	502 West 41 Street
1070	5	Temporary	521 West 41 Street
1070	20	Temporary	515 West 41 Street
1070	29	Temporary/Permanent	557 10 Avenue

Community Boards 4 and 5, Borough of Manhattan (the "Site"), to facilitate the construction of a subway extension (ULURP No. C 040504 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 040503 PQM (L.U. No. 327), acquisition of aerial easements for a pedestrian bridge; 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 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;
- (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.

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City Clerk, Clerk of The Council