NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

nyc.gov/law

For Immediate Release

JUDGE UPHOLDS CITY'S PLAN TO REVITALIZE WEST HARLEM AND ALLOW COLUMBIA UNIVERSITY TO DEVELOP A NEW, MIXED-USE ACADEMIC CAMPUS

RULING MEANS THAT THE MANHATTANVILLE PROJECT CAN MOVE FORWARD

Kate O'Brien Ahlers, Communications Director, New York City Law Department,
(212) 788-0400, media@law.nyc.gov

New York, Sept. 26, 2008 – A Manhattan judge has upheld the New York City Council and the New York City Planning Commission's approval of the Manhattanville project, a rezoning effort that affects approximately 35 acres of West Harlem – and which will facilitate development of a new academic mixed-use campus by Columbia University in the vicinity of its existing Morningside Heights campus. The project, know also as the West Harlem Rezoning and Academic Mixed-Use Development, was approved last year.

The rezoning will also foster redevelopment in the area by allowing greater density and a wider variety of land uses. Columbia University has proposed to expand and modernize its facilities through the creation of new scientific research facilities, other academic facilities, and university housing. The Manhattanville plan also calls for streetscape improvements, creation of several acres of new public open spaces, and other changes to revitalize this underutilized former industrial area and enhance public use and enjoyment of the area.

Corporation Counsel Michael A. Cardozo of the New York City Law Department said, "We believe that the Court correctly determined that the City Planning Commission and the City Council carefully and appropriately considered all the potential environmental impacts of this project before issuing their approvals. We are pleased that the plan for revitalizing the Manhattanville neighborhood is now closer to becoming a reality."

Victoria Benitez, Senior Public Affairs Officer for Communications and Public Affairs at Columbia University, added: "The Court has affirmed the close attention and care that the City of New York and Columbia University have given to the safety of the communities of West Harlem. This was achieved through a rigorous public land use and environmental review process. The University will maintain that same emphasis on the health and safety of the community in moving forward with wisely planned, environmentally sustainable growth in Manhattanville."

This week's ruling from New York County Supreme Court Justice Jane Solomon, which was issued Wednesday and just recently received by the Law Department, concerned a challenge to the City's environmental review of the rezoning in a case entitled *Tuck-It-Away Associates et al. v. City of New York et al.* (Index No. 2008/104415). The petitioners, a group of self-storage businesses located in and around the rezoned area, contended that the City's Environmental Impact Statement (EIS) insufficiently analyzed the risks associated with a portion of Columbia's plan known as the Central Below-Grade Service Area.

The petitioners contended that the EIS should have provided more information about the potential impacts of floods, hurricanes and earthquakes on the Central Below-Grade Service Area.

However, Justice Solomon found that the City's review of the potential environmental impacts of the rezoning was proper. In her opinion, Justice Solomon wrote: "The City had a hard enough look at the environmental impacts identified by the Petitioners, and gave due consideration to pertinent environmental factors." She further held that the EIS provided a "comprehensive treatment" of the Manhattanville plan as a whole and of the Central-Below Grade Service area in particular. The EIS concluded that the Central Below-Grade Service Area could be built and maintained safely using standard engineering techniques, and thus would not result in any significant adverse impacts to the environment.

Before it can begin construction on its proposed new campus, Columbia University must obtain a separate approval from the Empire State Development Corporation for its General Project Plan. The public review process for the General Project Plan is currently underway.

This case was handled by Environmental Law Division attorneys Susan Amron and Amanda Goad, with support from paralegal Francine Galvez and Law Department intern Lisa Blake.

For further press assistance:

- **NYC Law Department** – Questions regarding the Law Department's efforts can be addressed to our press office at (212) 788-0400 or media@law.nyc.gov.
- **Columbia University** – Questions regarding Columbia University can be directed to Victoria Benitez in the Media Office at (212) 854-6732 or vbenitez@columbia.edu.
- **City Planning** – Questions regarding NYC City Planning and its rezoning effort can be directed to the agency's Press Secretary, Rachaele Raynoff, at (212) 720-3471 or r_raynoff@planning.nyc.gov.
- **New York City Council** – Questions regarding the City Council and its rezoning vote and efforts can be directed to its Press Office at (212) 788-7116 or it its media staff, Jamie McShane and Maria Alvarado, at jamie.mcshane@council.nyc.gov or maria.alvarado@council.nyc.gov.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department has an active caseload of 90,000 matters and transactions in 17 legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's 690 attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. For more information, please visit nyc.gov/law.

# # #