



## Legislation Text

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**File #:** Res 1053-2007, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1053

Resolution approving the Jamaica Gateway Urban Renewal Plan, for the Jamaica Gateway Urban Renewal Area, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 070316 HUQ (L.U. No. 500).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on July 16, 2007, its decision and report dated July 11, 2007 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD"), pursuant to Section 505 of the General Municipal Law of New York State and Section 197-c of the New York City Charter, regarding the proposed Urban Renewal Plan (the "Plan") for the Jamaica Gateway Urban Renewal Area (the "Area"), Community District 12, Borough of Queens (ULURP No. C 070316 HUQ) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070314 (A) ZMQ (L.U. No. 498), an amendment to the Zoning Map; N 070315 (A) ZRQ (L.U. No. 499), an amendment to the text of the Zoning Resolution concerning Article XI, Chapter 5 (Special Downtown Jamaica District), establishing a special district and modifying related regulations; N 070317 HGQ (L.U. No. 501), designation of the Jamaica Gateway Urban Renewal Area; and C 070322 HDQ (L.U. No. 501), disposition of city-owned property within the Jamaica Gateway Urban Renewal Plan; C 070158 MMQ (L.U. No. 520), an amendment to the City Map for the elimination, discontinuance and closing of a portion of 148<sup>th</sup> Street between 94<sup>th</sup> Avenue and Atlantic Avenue (95<sup>th</sup> Avenue); C 070318 PPQ (L.U. No. 521), a disposition of one (1) city-owned property;

WHEREAS, the City Planning Commission has certified that the Plan for the Area complies with the provisions of Section 502 of the General Municipal Law, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives, and that the Plan is in conformity with the findings and designation of the Area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the Area Designation is subject to review and action by the Council pursuant to Section 504 of the General Municipal Law;

WHEREAS, the Plan is subject to review and action by the Council pursuant to Section 505 of the General Municipal Law;

WHEREAS, the New York City Department of Housing Preservation and Development submitted to the Council its request dated July 16, 2007 regarding the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and the Plan on July 23, 2007;

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 June 29, 2007 that states (CEQR No. 05DCP081Q):

It was determined that the originally proposed actions may have a significant effect on the environment, and that an environmental impact statement would be required. A Positive Declaration was issued on May 20, 2005, and distributed, published and filed. Public meetings on the Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) were held on June 23, 2005, and November 3, 2005, and the Final Scope of Work for the DEIS was issued on September 19, 2006.

The lead agency prepared a DEIS and a Notice of Completion for the DEIS was issued on February 5, 2007. Pursuant to the SEQRA regulations and CEQR procedures, a joint public hearing was held on the DEIS on May 23, 2007, in conjunction with the public hearing on this ULURP item (C 070314 (A) ZMQ) and the related items (C 070158 MMQ, C 070314 ZMQ, N 070315 ZRQ, C 070316 HUQ, N 070317 HGQ, C 070318 PPQ C 070322 HDQ, N 070315(A) ZRQ).

The Final Environmental Impact Statement (FEIS) was completed, and a Notice of Completion of the FEIS was issued on June 29, 2007. The FEIS included an alternative, the Affordable Housing Alternative, which reflects the modified ULURP applications (N 070315(A) ZRQ, C 070314(A) ZMQ) that were submitted subsequent to the issuance of the DEIS. On July 11, 2007, subsequent to the issuance of the FEIS, a Technical Memorandum was completed which addresses the potential impacts of further modifications by the CPC to the modified applications, N 070315(A) ZRQ and C 070314(A) ZMQ), (the “CPC modifications”) which are discussed later in this report.

The following is a summary of the significant adverse impacts and proposed mitigation measures identified for the modified applications, N 070315(A) ZRQ and C 070314(A) ZMQ) (the “Affordable Housing Alternative”), as set forth in the FEIS. The summary is followed by a discussion of (E) designations, mapped as part of the zoning map amendment and lastly, a description of the conclusions of the Technical Memorandum prepared with respect to the CPC modifications.

**RESOLVED:**

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, the Affordable Housing Alternative set forth in the FEIS and the Technical Memorandum, dated July 11, 2007, is one that avoids or which minimizes adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts disclosed in the FEIS with respect to the Affordable Housing Alternative 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 together with the FEIS and the Technical Memorandum, dated July 11, 2007, 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).

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

Pursuant to Section 504 of the General Municipal Law, the Council approves the Designation of the Area.

Pursuant to Section 505(4) of the General Municipal Law, the Council finds that:

1. The Area is a substandard or insanitary area or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
2. The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the Plan;
3. The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program;
4. The Plan conforms to a comprehensive community plan for the development of the municipality as a whole;
5. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment; and
6. The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Area.

Pursuant to Section 505 of the General Municipal Law, the Council approves the Jamaica Gateway Urban Renewal Plan for the Jamaica Gateway Urban Renewal Area, dated December 2006.

Pursuant to Section 197-d of the New York City Charter, and on the basis of the Decision and Application, 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 September 10, 2007, on file in this office.

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City Clerk, Clerk of The Council