



Legislation Details (With Text)

File #: Res 1684-2013 **Version:** * **Name:** LU 765 - Zoning, Avery Ave, the southerly centerline prolongation of Haight St, Fowler Ave & 131st St, Queens (C 070352 ZMQ)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 3/13/2013

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 070352 ZMQ, a Zoning Map amendment (L.U. No. 765).

Sponsors: Leroy G. Comrie, Jr., Mark S. Weprin

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 3-13-13

Date	Ver.	Action By	Action	Result
3/7/2013	*	Committee on Land Use	Approved by Committee	
3/13/2013	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1684

Resolution approving the decision of the City Planning Commission on ULURP No. C 070352 ZMQ, a Zoning Map amendment (L.U. No. 765).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on February 8, 2013 its decision dated February 6, 2013 (the "Decision"), on the application submitted by Avery Fowler Owners, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, to facilitate new medium density mixed-use development on an entire block in the Flushing area, Community District 7 (ULURP No. C 070352 ZMQ), Borough of Queens (the "Application");

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 March 5, 2013;

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 conditional negative declaration (CEQR No. 07DCP050Q) issued on February 6, 2013 (the "Conditional Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to (i) CEQR Declaration E-290 and (ii) the following terms of the Conditional Negative Declaration:

The applicant has entered into a restrictive declaration (Block 5076, Lots 9, 11, 14 and 16) to ensure that the appropriate archaeological identification, investigation and mitigation will occur prior to construction on the premises (Block 5076, Lots 9, 11, 14 and 16). The restrictive declaration would ensure that appropriate archaeological testing be conducted and that any necessary mitigation measures be undertaken prior to any site disturbance.

Pursuant to Sections 197-d and 200 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 070352 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 10b:

1. changing from an M1-1 District to a C2-6A District property bounded by Avery Avenue, College Point Boulevard, Fowler Avenue, and the southerly centerline prolongation of Haight Street; and
2. changing from an M1-2 District to a C2-6A District property bounded by Avery Avenue, the southerly centerline prolongation of Haight Street, Fowler Avenue, and 131st Street;

as shown on a diagram (for illustrative purposes only), dated October 15, 2012, and subject to the conditions of CEQR Declaration E-290, Community District 7, Borough of Queens.

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 March 13, 2013, on file in this office.

City Clerk, Clerk of The Council