



Legislation Details (With Text)

File #: Res 1982-2013 **Version:** * **Name:** LU 909 - Zoning, Halletts Point Peninsula, Queens (C 130068 MMQ)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 10/9/2013

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 130068 MMQ, an amendment to the City Map (L.U. No. 909).

Sponsors: Mark S. Weprin

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 10-9-13

Date	Ver.	Action By	Action	Result
10/9/2013	*	Committee on Land Use	Approved by Committee	
10/9/2013	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1982

Resolution approving the decision of the City Planning Commission on ULURP No. C 130068 MMQ, an amendment to the City Map (L.U. No. 909).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on August 26, 2013 its decision dated August 21, 2013 (the "Decision"), on the application submitted by Halletts A Development Company, LLC, New York City Housing Authority (NYCHA), and the New York City 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 an amendment to the City Map involving:

- the elimination, discontinuance and closing of portions of two cul-de-sacs in Astoria Boulevard between 1st Street and 8th Street;
- the establishment of a park between 2nd Street, 26th Avenue and the U.S. Pierhead and Bulkhead Line;
- the elimination of a portion of park west of 1st Street and south of 27th Avenue;
- the elimination, discontinuance and closing of 26th Avenue and 27th Avenue between 1st Street and the U.S. Pierhead and Bulkhead Line;
- the delineation of a street easement; and
- the adjustment of grades and block dimensions necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5019 dated February 5, 2013 and signed by the Borough President, (ULURP No. C 130068 MMQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications N 090485 ZRQ (L.U. No. 904), an amendment to the Zoning Resolution modifying Article II, Chapter 3, and Appendix F relating to Inclusionary Housing, Article VI, Chapter 2 (SPECIAL REGULATIONS APPLYING IN WATERFRONT AREAS), Article VI, Chapter III (SPECIAL REGULATIONS APPLYING TO FRESH FOOD STORES) and Article VII, Chapter 4 relating to large-scale general development; C 090484 ZMQ (L.U. No. 905), an amendment to the Zoning Map, Section No. 9a, changing from an R6 District to an M1-1 District, changing from an M1-1 and R6 Districts to an R7-3 District, establishing C1-4 Districts within existing and proposed R6 and R7-3 Districts, and establishing an R6 District in a [proposed] former portion of a Park; C 130244 ZSQ (L.U. No. 906), a special permit pursuant to Section 62-836 to modify various bulk requirements of Section 62-341 and the distance between buildings requirement of Section 23-711, within a large-scale general development; C 090486 ZSQ (L.U. No. 907), a special permits pursuant to Sections 74-743(a)(1), 74-743(a)(2), and 74-743(a)(11) to distribute floor area and lot coverage, modify the rear yard requirements of Sections 23-532 and 35-53, to modify the height and setback requirements of Section 62-341, and to allow the distribution of floor area from a zoning lot containing existing public housing buildings within a large-scale general development; and N 090487 ZAQ (L.U. No. 908), an authorization by the City Planning Commission pursuant to Section 62-822(a) to modify the location, area, and dimension requirements of Section 62-50 for waterfront public access area and visual corridors within a large-scale general development;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 2, 2013;

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 Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on August 9, 2013 (CEQR No. 09DCP084Q), and the CEQR Technical Memorandum dated August 19, 2013 (the “Technical Memorandum”);

RESOLVED:

Having considered the FEIS and the Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be approved with the modifications set forth and analyzed in the Technical Memorandum, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS and the Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A, and attached to the related City Planning Commission reports for special permits (C 130244 ZSQ and C 090486 ZSQ), those project components related to the environment and mitigation

measures that were identified as practicable.

- (4) The Decision together with the FEIS and the Technical Memorandum 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 City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130068 MMQ, incorporated by reference herein, the Council approves the Decision for the amendment to the City Map as set forth in Map No. 5019 dated February 5, 2013 providing for the discontinuance and closing of portions of two cul-de-sacs in Astoria Boulevard between 1st Street and 8th Street; and for portions of 26th Avenue and 27th Avenue between 1st Street and the U.S. Pierhead and Bulkhead Line, said streets to be discontinued and closed being more particularly described as follows:

DISCONTINUANCE AND CLOSING OF PORTIONS OF TWO CUL-DE-SACS IN ASTORIA BOULEVARD BETWEEN 1ST AND 8TH STREET

A portion of Astoria Boulevard, Commencing at a point on the southerly street line of Astoria Boulevard, as that street was hereinbefore laid out on the City Map; said point being distant 260.26 feet westerly from the corner formed by the intersection of the northerly line of 26th Avenue and the westerly line of 2nd Street; thence, 1145.69 feet southerly to a point of curvature on the westerly line of 1st Street; thence running southeasterly 172.18 feet on the arc of a circle curving to the right, with a radius of 110.00 feet and a central angle of 89 degrees-41 minutes and 07.1 seconds to a point of tangency on the southerly line of Astoria Boulevard; thence easterly 110.00 feet along said southerly line of Astoria Boulevard to a point of curvature, said point being the Point of Beginning;

- 1) Running thence southeasterly 25.67 feet along the arc of a circle curving to the right with a radius of 35.000 feet and a central angle of 42 degrees-01 minutes and 02.4 seconds to a point of tangency on the southwesterly line of Astoria Boulevard, discontinued and closed;
- 2) Running thence 51.24 feet along said southwesterly line of Astoria Boulevard, discontinued and closed, to a point of curvature;
- 3) Running thence southeasterly and northeasterly 144.77 feet along the arc of a circle curving to the left with a radius of 65.000 feet and a central angle of 127 degrees-36 minutes and 20.2 seconds to a point on the easterly line of Astoria Boulevard;
- 4) Running thence southwesterly 169.81 feet, to the point or place of beginning.

The area described above consists of an area of approximately 6,400.3 square feet; and

An additional portion of Astoria Boulevard, Commencing at a point on the southerly street line of Astoria Boulevard, as that street was hereinbefore laid out on the City Map; said point being distant 424.31 feet westerly from the corner formed by the northerly line of Astoria Boulevard and the westerly line of 8th Street, thence southerly 65.00 feet along the westerly line of Astoria Boulevard to a point of tangency; thence southeasterly 5.00 feet, along the arc of a circle, curving to the right, having a radius of 65.000 feet and a central angle of 4 degrees-24 minutes - 42.2 seconds to a Point of Beginning;

- 1) Running thence southeasterly 148.15 feet along the arc of a circle curving to the right with a radius of 65.000 feet and a central angle of 131 degrees-35 minutes and 17.8 seconds to a point of tangency on the southeasterly line of Astoria Boulevard, discontinued and closed;
- 2) Running thence 43.43 feet northeasterly along said line of Astoria Boulevard, discontinued and closed, to a point of curvature;
- 3) Running thence northeasterly 27.49 feet along the arc of a circle curving to the right with a radius of 35.000 feet and a central angle of 45 degrees-00 minutes and 00 seconds to a point on the southerly line of Astoria Boulevard;
- 4) Running thence southwesterly 166.23 feet, to the point or place of beginning.

The area described above consists of an area of approximately 6,344.2 square feet.

DISCONTINUANCE AND CLOSING OF A PORTION OF 26TH AVENUE BETWEEN 1ST STREET AND THE U.S. PIERHEAD AND BULKHEAD LINE

Starting at a Point of Beginning on the northerly street line of 26th Avenue, as that street was hereinbefore laid out on the City Map; Said point being distant 260.26 feet westerly from the corner formed by the intersection of the northerly line of 26th Avenue and the westerly line of 2nd Street;

- 1) Running thence southerly 60.02 feet to the corner formed by the southerly line of 26th Avenue, discontinued and closed, and the westerly line of 1st Street;
- 2) Running thence westerly along the former southerly line of 26th Avenue, discontinued and closed, which forms an interior angle of 88 degrees-35 minutes with the last mentioned course for 190.00 feet to a point;
- 3) Running thence northeasterly along the arc of a circle curving to the right, having a radius of 6046.57 feet, a central angle of zero degrees- 35 minutes and 12 seconds, 61.92 feet to a point on the former northerly line of 26th Avenue, discontinued and closed. The radius of said circle forms a deflection angle to the right of 13 degrees-58 minutes and 47.2 seconds with the westerly extension of the southerly line of 26th Avenue, discontinued and closed;
- 4) Running thence easterly along the northerly line of 26th Avenue, discontinued and closed, for 173.17 feet to the point or place of beginning.

The area described above consists of an area of approximately 10, 898.5 square feet.

DISCONTINUANCE AND CLOSING OF A PORTION OF 27TH AVENUE BETWEEN 1ST STREET AND THE U.S. PIERHEAD AND BULKHEAD LINE

Starting at a Point of Beginning on the westerly street line of 1st Street, as that street was hereinbefore laid out on the City Map; Said point being distant 260.26 feet westerly from the corner formed by the intersection of the northerly line of 26th Avenue and the westerly line of 2nd Street; thence, 576.58 feet southerly to a corner formed by the westerly line of 1st Street and the northerly line of 27th Avenue, discontinued and closed;

- 1) Running thence southerly 60.02 feet to the corner formed by the southerly line of 27th Avenue,

discontinued and closed, and the westerly line of 1st Street;

- 2) Running thence westerly along the former southerly line of 27th Avenue, discontinued and closed, which forms an interior angle of 88 degrees-35 minutes with the last mentioned course for 275.94 feet to a point;
- 3) Running thence northeasterly along the former westerly line of 27th Avenue, discontinued and closed, which forms an interior angle of 86 degrees-45 minutes and 53.5 seconds with the last mentioned course, for 60.10 feet to a point;
- 4) Running thence easterly along the former northerly line of 27th Avenue, discontinued and closed, which forms an interior angle of 93 degrees-14 minutes and 06.5 seconds with the last mentioned course, for 271.06 feet to the point or place of beginning.

The area described above consists of an area of approximately 16,410.1 square feet; and be it further

RESOLVED that all such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 5019 dated February 5, 2013, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code;
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

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 October 9, 2013, on file in this office.

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City Clerk, Clerk of The Council