



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 498

Resolution approving the decision of the City Planning Commission on ULURP No. C 130384 MMQ, an amendment to the City Map (L.U. No. 131).

By Council Members Greenfield and Weprin

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), on the application submitted by 2030 Astoria Developers, LLC, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination of 8th Street between 27th Avenue and the U.S. Pierhead and Bulkhead line;
- the establishment of 4th Street from 26th Avenue to a point 438.62 feet northeasterly along the westerly street line therefrom; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5021 dated April 17, 2014 and signed by the Borough President, (ULURP No. C 130384 MMQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140323 (A) ZSQ (L.U. No. 126), a special permit, pursuant to Section 74-743, to permit transfer of floor area between zoning lots, modify distance between buildings, modify yard, inner court and distance between windows or lot line requirement; C 140324 (A) ZSQ (L.U. 127), a special permit, pursuant to Section 62-836, to permit bulk modifications within waterfront blocks; C 140322 ZMQ (L.U. No. 128), an amendment to the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District with a C2-4 overlay; changing from an R6 District to an R7A District with a C2-4 overlay; and changing from an R6 District to an R6B District; N 140329 (A) ZRQ (L.U. No. 129), an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing and modifying Article VII, Chapter 4, relating to Large-Scale General Development; and N 140325 ZAQ (L.U. No. 130), an authorization by the City Planning Commission, pursuant to Section 62-822(a), to permit area and dimension modifications for a 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 20, 2014;

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”) (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the “Technical Memoranda”);

RESOLVED:

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

- (1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the “Modified Proposed Action”), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, those mitigation measures that were identified as practical; and
- (4) The Decision along with the FEIS and the Technical Memoranda 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 130384 MMQ, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination of 8th Street between 27th Avenue and the U.S. Pierhead and Bulkhead line;
- the establishment of 4th Street from 26th Avenue to a point 438.62 feet northeasterly along the westerly street line therefrom; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in the Borough of Queens, Community District 1, in accordance with Map No. 5021 dated April 17, 2014 and signed by the Borough President, is approved, 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. 5021, dated April 17, 2014, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter; and

- 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, in form and sufficiency acceptable to the Corporation Counsel, and which agreement shall be 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 November 25, 2014, on file in this office.

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City Clerk, Clerk of The Council