



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 494

Resolution approving the decision of the City Planning Commission on ULURP No. C 140187 MMQ, an amendment to the City Map (L.U. No. 155).

By Council Members Salamanca and Kallos

WHEREAS, the City Planning Commission filed with the Council on June 25, 2018 its decision dated June 25, 2018 (the "Decision"), on the application submitted by 219-25, LLC, 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 a portion of North Conduit Avenue between Springfield Boulevard and 144th Avenue;
- 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. 5025 dated May 12, 2017 and signed by the Borough President (ULURP No. C 140187 MMQ), Community District 13, Borough of Queens (the "Application");

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 July 17, 2018;

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, including the negative declaration (CEQR No. 15DCP020Q) issued on January 16, 2018 (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

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 the report, C 140187 MMQ, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map

involving:

- the elimination, discontinuance and closing of a portion of North Conduit Avenue between Springfield Boulevard and 144th Avenue;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5025 dated May 12, 2017 and signed by the Borough President, is approved; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. 5025 dated May 12, 2017 providing for the discontinuance and closing of a portion of North Conduit Avenue between Springfield Boulevard and 144th Avenue, said street to be discontinued and closed being more particularly described as follows:

DISCONTINUANCE AND CLOSING OF A PORTION OF NORTH CONDUIT AVENUE BETWEEN SPRINGFIELD BOULEVARD AND 144TH AVENUE

Beginning at a point on the southerly line of 144th Avenue, said point being a distance of 283.13 feet from the corner formed by the intersection of the southerly line of 144th Avenue and the easterly line of Springfield Boulevard, as said streets are shown on Alteration Map No. 5025 dated May 12, 2017;

No.1 Running thence easterly along the southerly line of 144th Avenue, for a 107.82 feet to a point;

No. 2 Thence southerly along a line, forming an interior angle of 111 degrees 25 minutes 51 seconds with the last mentioned course, for 11.67 feet to the northwesterly line of North Conduit Avenue;

No.3 Thence southwesterly along the northwesterly line of North Conduit Avenue, forming an interior angle of 93 degrees 00 minutes 00 seconds with the last mentioned course, for 149.39 feet to an angle point;

No.4 Thence continuing southwesterly along the northwesterly line of North Conduit Avenue, Forming an interior angle of 178 degrees 08 minutes 58.8 seconds with the last mentioned course, for 218.80 feet to a point;

No.5 Thence westerly, northwesterly northerly along the easterly Springfield Boulevard, on the arc of a circle, curving to the right, the radius of which is 40.00 feet, the tangent of which forms an angle of 4 degrees 50 minutes 57.3 seconds with the last mentioned course, for 74.23 feet to the former northwesterly line of North Conduit Avenue, discontinued and closed;

No.6 Thence northeasterly along the former northwesterly line of North Conduit Avenue, discontinued and closed, forming an interior angle of 20 degrees 01 minutes 41.1 seconds with the radius of the last mentioned course, for 302.58 feet to a point;

No.7 Thence northerly along a line, discontinued and closed, forming an interior angle of 270 degrees 00 minutes 00 seconds with the last mentioned course for, 9.65 feet to the southerly line of 144th Avenue, the point or place of beginning.

The area described above consists of 18,656 square feet or 0.43 acres and be it further

RESOLVED that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein;

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. 5025 dated May 12, 2017 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; 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, 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; and
- c. The subject street to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

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 August 8, 2018, on file in this office.

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City Clerk, Clerk of The Council