



Legislation Text

File #: Res 0585-2018, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 585**

Resolution approving the decision of the City Planning Commission on ULURP No. C 180384 ZSQ (L.U. No. 210), for the grant of a special permit pursuant to Section 117-533 to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) to facilitate a proposed 49-story, mixed-use development on property located at 26-32 and 26-46 Jackson Avenue (Block 267, Lots 21 & 25), in an M1-5/R9 District, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict - Area B), Community District 2, Borough of Queens.

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on September 11, 2018 its decision dated August 22, 2018 (the "Decision"), on the application submitted by 2632 Jackson, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 117-533 to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) to facilitate a proposed 49-story, mixed-use development on property located at 26-32 and 26-46 Jackson Avenue (Block 267, Lots 21 & 25), in an M1-5/R9 District, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict - Area B), to facilitate the construction of a 49-story, mixed residential and commercial building at 26-32 Jackson Avenue, Borough of Queens, Community District 2, (ULURP No. C 180384 ZSQ) (the "Application");

WHEREAS, the Application is related to application C 180386 PPQ (L.U. No. 209), a disposition of city-owned property to an adjacent, privately-owned development site;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 117-533 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 17, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued May 3, 2018 (CEQR No. 18HPD041Q) (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 200 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 180384 ZSQ, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 180384 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans, prepared by SLCE Architects, LLC, filed with this application and incorporated in this resolution:

<u>Dwg Nos.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-001	Zoning Analysis	05/02/2018
Z-002	Zoning Lot Site Plan	04/26/2018
Z-004	Waiver Plan	04/26/2018
Z-005	Waiver Sections	05/02/2018
Z-006	Waiver Sections	05/02/2018

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computation are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation, and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with

the provisions of this special permit.

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 31, 2018, on file in this office.

City Clerk, Clerk of The Council