



Legislation Text

File #: Res 0603-2018, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 603

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 180267 ZSQ (L.U. No. 237), for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residence for seniors) to facilitate a proposed mixed-use development, within a large scale general development, on property generally bounded by Queens Boulevard, 70th Street, 47th Avenue, and 69th Street (Block 2432, Lots 9, 21, 41, 44, and 50), in R7X/C2-3 Districts, Community District 2, Borough of Queens.

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on September 17, 2018 its decision dated September 5, 2018 (the "Decision"), on the application submitted by 69-02 Queens Boulevard Woodside, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residence for seniors) to facilitate a proposed mixed-use development, within a large scale general development, on property generally bounded by Queens Boulevard, 70th Street, 47th Avenue, and 69th Street (Block 2432, Lots 9, 21, 41, 44, and 50), in R7X/C2-3 Districts, which in conjunction with the related actions would facilitate development of two new, mixed residential and commercial buildings with a total of 561 dwelling units, 169 of which would be permanently affordable, in the Woodside neighborhood in Queens, Community District 2, (ULURP No. C 180267 ZSQ) (the "Application");

WHEREAS, the Application is related to applications C 180265 ZMQ (L.U. No. 235), a zoning map amendment to change an M1-1 district to an R7X/C2-3 district and N 180266 ZRQ (L.U. No. 236), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area;

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 74-743(a)(2) 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 October 3, 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 Revised Negative Declaration issued September 5, 2018 (CEQR No. 18DCP132Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise on the development site (Block 2432, Lots 9, 21, 41, 44, and 50) (E-472) which supersedes the Negative Declaration issued April 9, 2018 and a previously-assigned (E) designation for hazardous materials, air quality, and noise placed on Lots 9 and 21 as part of the Maspeth-Woodside Rezoning (E-163) (CEQR No. 06DCP065Q) (the “E Designation (E-472)” and “Revised Negative Declaration”) and Technical Memorandum dated October 30, 2018 (“Technical Memorandum”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-472) and Revised Negative Declaration and Technical Memorandum.

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 180267 ZSQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter double struck out is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council;

1. The property that is the subject of this application (C 180267 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Perkins Eastman Architects, filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
G-01	Cover Sheet & Drawing List	08/27/2018
Z-20	Zoning Analysis	08 <u>10</u> /27 <u>25</u> /2018
Z-30	Zoning Lot Site Plan	08 <u>10</u> /27 <u>25</u> /2018
Z-31	Enlarged Zoning Lot Site Plan	08 <u>10</u> /27 <u>25</u> /2018
Z-50	Waiver Plan - Roof Plan	08 <u>10</u> /27 <u>25</u> /2018
Z-51	Lot Coverage Plan	08 <u>10</u> /27 <u>25</u> /2018
Z-52	Required Yards Plan	08 <u>10</u> /27 <u>25</u> /2018
Z-60	Waiver Sections - West Tower	08 <u>10</u> /27 <u>25</u> /2018
Z-61	Waiver Sections - West Tower	08 <u>10</u> /27 <u>25</u> /2018
Z-62	Waiver Sections - West Tower	08 <u>10</u> /27 <u>25</u> /2018
Z-63	Waiver Sections - East Tower	08 <u>10</u> /27 <u>25</u> /2018
Z-64	Waiver Sections - East Tower	08 <u>10</u> /27 <u>25</u> /2018
Z-65	Waiver Sections - Overall	08 <u>10</u> /27 <u>25</u> /2018
Z-66	Waiver Sections - Overall	08 <u>10</u> /27 <u>25</u> /2018
Z-67	Waiver Sections - West Tower	08 <u>10</u> /27 <u>25</u> /2018

Z-101

Landscape Walkway Plan

08/27/2018

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 computations 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. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, as such declaration has been modified by the Council, has been executed and recorded in the Office of the City Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition to this resolution.
5. In the event that the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
6. 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.
7. Upon 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.
8. 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