



Legislation Text

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**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 855**

Resolution approving the decision of the City Planning Commission on ULURP No. C 170353 MMX, an amendment to the City Map (L.U. No. 375).

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on March 8, 2019 its decision dated February 27, 2019 (the "Decision"), on the application submitted by Blondell Equities, 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 Fink Avenue between Blondell Avenue and Waters Avenue; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13141 dated December 13, 2017 and signed by the Borough President, (ULURP No. C 170353 MMX), Community District 11, Borough of The Bronx (the "Application");

WHEREAS, the Application is related to application C 170438 ZMX (L.U. No. 373), a zoning map amendment to change the project area from an M1-1 zoning district to an R7A/C2-4 district and N 170439 ZRX (L.U. No. 374), 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, upon due notice, the Council held a public hearing on the Decision and Application on March 19, 2019;

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 issued October 12th, 2018 (CEQR No. 17DCP194X), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-505) (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 (E) Designation (E-505) and 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 this report, C 170353 MMX, incorporated by reference herein, and the record before the Council, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Fink Avenue between Blondell Avenue and Waters Avenue; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 11, Borough of The Bronx, in accordance with Map No. 13141 dated December 13, 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. 13141 dated December 13, 2017 providing for the discontinuance and closing of Fink Avenue between Blondell Avenue and Waters Avenue, said street to be discontinued and closed being more particularly described as follows:

DISCONTINUING AND CLOSING FINK AVENUE BETWEEN BLONDELL AVENUE AND WATERS STREET, BOROUGH OF THE BRONX AS SHOWN ON THE MANHATTAN BOROUGH PRESIDENT'S MAP NO. 13141, DATED DECEMBER 13, 2017

Starting at the point of intersection of the easterly line of Blondell Avenue and the northerly line of Westchester Avenue, thence running 201.322 feet in a northerly direction, along the easterly line of Blondell Avenue to the point or place of beginning:

1. Thence, running 60.397 feet northerly along the extension of said easterly line of Blondell Avenue to a point on the northerly line of Fink Avenue, to be discontinued and closed;
2. Thence, running 666.998 feet easterly along said northerly line of Fink Avenue, which forms a deflection angle to the right of 96 degrees, 34 minutes and 14.8 seconds, with the previous course, to a point;
3. Thence, running 61.847 feet southerly, along a line which forms a deflection angle to the right of 104 degrees, 2 minutes and 2.4 seconds, with the previous course, to a point on the southerly line of said Fink Avenue;
4. Thence, running 643.961 feet westerly, along the southerly line of said Fink Avenue, which forms a deflection angle to the right of 75 degrees, 57 minutes and 49.5 seconds, with the previous course, to the point or place of beginning.

The area of Fink Avenue to be discontinued and closed is approximately 40,677.21 square feet or 0.93 acres.

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. 13141 dated December 13, 2017 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code.

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 April 18, 2019, on file in this office.

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City Clerk, Clerk of The Council