



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1130

**Resolution approving the decision of the City Planning Commission on ULURP No. C 190117 MMQ, an amendment to the City Map (L.U. No. 526).**

**By Council Members Salamanca and Adams**

WHEREAS, the New York City Department of Correction filed an application 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 82<sup>nd</sup> Avenue between 126<sup>th</sup> Street and 132<sup>nd</sup> Street;
- the elimination of two Public Places within the area bounded by Union Turnpike, 132<sup>nd</sup> Street, Hoover Avenue, Queens Boulevard, 82<sup>nd</sup> Avenue and 126<sup>th</sup> Street;
- 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. C.P.C. 190117 MMQ dated March 25, 2019 and signed by the Director of the Department of City Planning, (ULURP No. C 190117 MMQ), Community District 9, Borough of Queens (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 3, 2019, its decision dated September 3, 2019 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 190333 PSY (L.U. No. 518), a site selection for four new borough-based jail facilities; N 190334 ZRY (Pre. L.U. No. 513), a text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system; C 190335 ZSX (L.U. No. 519), a special permit pursuant to ZR Section 74-832; C 190336 ZMX (Pre. L.U. No. 514), a zoning map amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X; N 190337 ZRX (Pre. L.U. No. 515), a zoning text amendment to Appendix F to establish a new Mandatory Inclusionary Housing (MIH) area; C 190338 HAX (Pre. L.U. No. 516), a designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP) Approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development; C 190339 ZSK (L.U. No. 520), a special permit pursuant to ZR Section 74-832; C 190116 MMK (L.U. No. 521), a city map amendment to establish upper and lower limiting planes to State Street between Boerum Place and Smith Street; C 190340 ZSM (L.U. No. 522), a special permit pursuant to ZR Section 74-832; C 190341 PQM (L.U. No. 523), an acquisition of a leasehold interest of retail space in Manhattan Detention Center

(MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet; C 190252 MMM (L.U. No. 524), a city map amendment to demap White Street between Centre Street and Baxter Street and reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way; and C 190342 ZSQ (L.U. No. 525), a special permit pursuant to ZR Section 74-832;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 18, 2019;

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

WHEREAS, the Council has considered the relevant environmental issues, including the positive declaration issued on August 14, 2018 (CEQR No. 18DOC001Y) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 23, 2019, in which the proposed development as analyzed in the FEIS identified significant adverse impacts for the selected Bronx site with respect to transportation (traffic) and construction (traffic, pedestrians and noise); for the selected Brooklyn site with respect to transportation (traffic), construction (traffic, pedestrians and noise), and historic and cultural resources; for the selected Manhattan site with respect to transportation (traffic), construction (pedestrians), and historic and cultural resources; and for the selected Queens site with respect to transportation (traffic) and construction (traffic, pedestrians and noise).

RESOLVED:

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

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter, and Section 5-430 et seq. of the New York City Administrative Code on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 190117 MMQ, 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 82<sup>nd</sup> Avenue between 126<sup>th</sup> Street and 132<sup>nd</sup> Street;
- the elimination of two Public Places within the area bounded by Union Turnpike, 132<sup>nd</sup> Street, Hoover Avenue, Queens Boulevard, 82<sup>nd</sup> Avenue and 126<sup>th</sup> Street;
- 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. C.P.C. 190117 MMQ dated March 25, 2019 and signed by the Director of the Department of City Planning is approved.

**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 Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. C 190117 MMQ dated March 25, 2019 providing for the discontinuance and closing of 82<sup>nd</sup> Avenue between 126<sup>th</sup> Street and 132<sup>nd</sup> Street being more particularly described as follows:

**DISCONTINUING AND CLOSING OF 82<sup>ND</sup> AVENUE BETWEEN 126<sup>TH</sup> STREET AND 132<sup>ND</sup> STREET, BOROUGH OF QUEENS, AS SHOWN ON THE CITY OF NEW YORK DEPARTMENT OF CITY PLANNING MAP C.P.C. NO. 190117 MMQ, DATED MARCH 25, 2019.**

Starting at the point of intersection of the northerly line of Queens Boulevard and easterly line of 82<sup>nd</sup> Avenue, thence running 314.50 feet northeasterly, along the easterly line of 82<sup>nd</sup> Avenue, to the point or place of beginning;

- 1) Thence, running 351.93 feet, in an easterly direction to a point, which makes an external angle to the right of the previous course of 123 degrees 19 minutes and 37.4 seconds;
- 2) Thence, running 84.37 feet, in a northwesterly direction to a point, which makes an internal angle with the previous course of 72 degrees 28 minutes and 50.4 seconds;
- 3) Thence, running 273.78 feet, in a westerly direction to a point, which makes an internal angle with the previous course of 108 degrees 31 minutes and 9.6 seconds;
- 4) Thence, running 95.07 feet, in a southwesterly direction, which makes an interior angle with the previous course of 123 degrees, 41 minutes and 53.3 seconds, to the point or place of beginning;

Said 82<sup>nd</sup> Avenue to be discontinued and closed between 126<sup>th</sup> Street and 132<sup>nd</sup> Street contains an area of 25,028.5 square feet, more or less.

**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. C 190117 MMQ dated March 25, 2019, 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 streets 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 October 17, 2019, on file in this office.

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City Clerk, Clerk of The Council