



Legislation Text

File #: Res 1901-2001, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1901

Resolution approving an Urban Development Action Area Project located at Beach 35th Street through Beach 39th Street between Beach Channel Drive, Rockaway Beach Boulevard and Norton Avenue (Block 15826/Lots 1, 19, 22, 25, 30, 32, 33, 36; Block 15828/Lots 36, 38, 39, 41, 48, 49, 59, 7, 107, 8, 10, 12, 14, 16, 70, 72, 74, 76, 90, 92, 94, 96, 110, 112, 114, 116; Block 15829/Lots 47, 48; Block 15845/Lots 4, 8, 10, 13-15, 21, p/o 44; Block 15952/Lots 1, 3, 5, 7, 45, 49, 51, 57, 59, 144; Block 15953/Lots 1, 3, 11, 13, 17, 19, 21, 51, 55, 57, 63, 65, 67, 69, 71; Block 15954/Lots 10, 13, 18, 21, 22, 60, 64, 66, 68, 72), p/o Rockaway Beach Boulevard that is included in Site 2 of the Edgemere Urban Renewal Area, Queens, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 1046; 20015303 HAQ).

By Council Members Eisland and Linares

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on March 13, 2001, its request dated February 20, 2001 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at Beach 35th Street through Beach 39th Street between Beach Channel Drive, Rockaway Beach Boulevard and Norton Avenue (Block 15826/Lots 1, 19, 22, 25, 30, 32, 33, 36; Block 15828/Lots 36, 38, 39, 41, 48, 49, 59, 7, 107, 8, 10, 12, 14, 16, 70, 72, 74, 76, 90, 92, 94, 96, 110, 112, 114, 116; Block 15829/Lots 47, 48; Block 15845/Lots 4, 8, 10, 13-15, 21, p/o 44; Block 15952/Lots 1, 3, 5, 7, 45, 49, 51, 57, 59, 144; Block 15953/Lots 1, 3, 11, 13, 17, 19, 21, 51, 55, 57, 63, 65, 67, 69, 71; Block 15954/Lots 10, 13, 18, 21, 22, 60, 64, 66, 68, 72), p/o Rockaway Beach Boulevard that is included in Site 2 of the Edgemere Urban Renewal Area, Borough of Queens (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;

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2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

WHEREAS, the Project is to be developed on land that is now a municipally-owned area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 1, 2001;

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on July 25, 1997 (CEQR No. HPD-94-031Q); and

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

RESOLVED:

Having considered the FEIS the Council finds that:

(1) the FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

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(2) consistent with social, economic and other essential considerations, from among the reasonable alternatives, the proposed action is the one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FEIS; and

(3) consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement will be minimized or avoided by incorporating as conditions to the approval those mitigative measures which were identified as practicable; and

The Decision and the FEIS constitute 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. §617.9(c)(5).

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement of the Disposition Area as an urban development action area under Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

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The exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

a. All of the value of the buildings, structures, and other improvements situated on the Disposition Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the July 1st following the conveyance of the Disposition Area to the Sponsor, during the last ten years of which such exemption shall decrease in equal annual decrements.

b. The partial tax exemption granted hereunder shall terminate with respect to all or any portion of the Disposition Area if the Department of Housing Preservation and Development determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor or the owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

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 May 9, 2001, on file in this office.

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City Clerk, Clerk of Council