



## Legislation Text

**File #:** Res 0479-2006, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 479

Resolution approving the decision of the City Planning Commission on ULURP No. C 060325 ZSQ (L.U. No. 139), grant of a special permit pursuant to Sections 13-561 of the New York City Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 1,400 spaces in an M1-5/R10 District, within the Special Mixed Use District (MX-9), Queens.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on July 14, 2006 its decision dated July 12, 2006 (the "Decision") on the application submitted by Terra Cotta LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 13-561 of the New York City Zoning Resolution to allow an attended accessory off-street parking garage with a maximum capacity of 1,400 spaces on portions of the ground floor, mezzanine, cellar, and sub-cellar, in connection with a proposed mixed use development on property generally bounded by 43<sup>rd</sup> Avenue, the East River, Queensboro Bridge, Vernon Boulevard (Block 477, Lots 13, 15, 20, and 24), in an M1-5/R10 District, within a Special Mixed Use District (MX-9), Community District 2, Borough of Queens (ULURP No. C 060325 ZSQ) (the "Application");

WHEREAS, the Application is related to Applications Numbers C 050375 MMQ (L.U. No. 142), an amendment of the City Map involving a change of legal grades in 43<sup>rd</sup> Avenue between Vernon Boulevard and the East River; C 060323 ZMQ (L.U. No. 137), an amendment of the Zoning Map, changing from an M1-4 District to an M1-5/R 10 District and establishing a Special Mixed Use District (MX-9); N 060324 ZRQ (L.U. No. 138), zoning text amendments relating to Article XII, Chapter 3 (Special Mixed Use District) to establish the Special Mixed Use District MX-9 and establish special permit provisions for signs in the MX-9 District; C 060326 ZSQ (L.U. No. 140), special permit pursuant to Section 62-736 (Bulk modifications on waterfront blocks) for modifications to the height and setback provisions of the proposed M1-5/R10 underlying districts; and C 060327 ZSQ (L.U. No. 141), special permit pursuant to proposed Section 123-40 (Sign Regulations) to allow for a proposed approximately 9,745.8 square foot accessory, illuminated sign to be affixed to the building 90 feet above curb level;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 13-561 of the Zoning Resolution;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b) (1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on August 14, 2006 on the Decision and Application;

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 June30, 2006. The Notice of Completion for the FEIS identified significant adverse impacts and proposed mitigation measures that are summarized in the FEIS Executive Summary attached as Exhibit B to C 060326 ZSQ; L.U. No. 140; Resolution No. 480 (CEQR No. 05DCP080Q);

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

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable;
- (2) 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 the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the New York City Charter and on the basis of the Decision and Application, the Council approves the Decision.

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 August 16, 2006, on file in this office.

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City Clerk, Clerk of The Council