



Legislation Text

File #: Res 0480-2006, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 480

Resolution approving the decision of the City Planning Commission on ULURP No. C 060326 ZSQ (L.U. No. 140), grant of a special permit pursuant to Section 62-736 of the New York City Zoning Resolution to modify Section 123-662 and Section 62-341(c)1, Section 123-662 and Section 62-341(c)2, Section 62-341(c)4, Section 62-341(c)5, and Section 62-341(c)6, in connection with a proposed mixed use development, 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 62-736 of the New York City Zoning Resolution to permit the modification of the following sections:

1. Section 123-662 and Section 62-341(c)1 to allow the building within an initial setback distance to exceed 65 feet in height for commercial use and to exceed 110 feet in height for residential and community facility use;
2. Section 123-662 and Section 62-341(c)2 to allow the maximum building height to exceed 185 feet in height for commercial use and to exceed 350 feet in height for residential and community facility use;
3. Section 62-341(c)4 to allow the residential story located entirely above the maximum base height to exceed a gross area of 8,100 square feet;
4. Section 62-341(c)5 to allow any story of a building located entirely above a height of 150 feet to exceed 85 percent of the gross area of the highest story of the same building located entirely below a height of 150 feet; and
5. Section 62-341(c)6 to allow the maximum length of a building which faces a shoreline and is entirely above the maximum base height to exceed 100 feet;

in connection with a proposed mixed use development on property generally bounded by Queensboro Bridge, Vernon Boulevard, 43rd Avenue, and the East River (Block 477, Lots 13, 15, 20 and 24), in an M1-5/R10 District, within the Special Mixed Use District (MX-9), Community District 2, Borough of Queens (ULURP No. C 060326 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 43rd 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 060325 ZSQ (L.U. No. 139), special permit pursuant to Section 13-561 (Accessory off-street parking spaces) for a 1,400-space attended accessory parking garage; 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 62-736 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 June 30, 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 hereto as Exhibit B, (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.

.....
City Clerk, Clerk of The Council