



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1056

Resolution approving the decision of the City Planning Commission on ULURP No. C 070158 MMQ, an amendment to the City Map (L.U. No. 520).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on July 16, 2007 its decision dated July 11, 2007 (the "Decision"), on the application submitted by JFK Center Associates, LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* for a change in the City Map involving:

- the elimination, discontinuance and closing of a portion of 148th Street between 94th Avenue and Atlantic Avenue;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in Community District 12, Borough of Queens, in accordance with Map No. 4996 dated January 18, 2007 and signed by the Borough President (ULURP No. C 070158 MMQ) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070314 (A) ZMQ (L.U. No. 498), an amendment to the Zoning Map; N 070315 (A) ZRQ (L.U. No. 499), an amendment to the text of the Zoning Resolution concerning Article XI, Chapter 5 (Special Downtown Jamaica District), establishing a special district and modifying related regulations; C 070316 HUQ (L.U. No. 500), an approval of the Jamaica Gateway Urban Renewal Plan; N 070317 HGQ (L.U. No. 501), designation of the Jamaica Gateway Urban Renewal Area; C 070322 HDQ (L.U. No. 502), disposition of city-owned property within the Jamaica Gateway Urban Renewal Plan; C 070318 PPQ (L.U. No. 521), a disposition of one (1) city-owned property;

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 the Decision and Application on August 20, 2007;

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 and the Final Environmental

Impact Statement (“FEIS”) for which a Notice of Completion was issued on June 29, 2007 that states (CEQR No. 05DCP081Q):

It was determined that the originally proposed actions may have a significant effect on the environment, and that an environmental impact statement would be required. A Positive Declaration was issued on May 20, 2005, and distributed, published and filed. Public meetings on the Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) were held on June 23, 2005, and November 3, 2005, and the Final Scope of Work for the DEIS was issued on September 19, 2006.

The lead agency prepared a DEIS and a Notice of Completion for the DEIS was issued on February 5, 2007. Pursuant to the SEQRA regulations and CEQR procedures, a joint public hearing was held on the DEIS on May 23, 2007, in conjunction with the public hearing on this ULURP item (C 070314 (A) ZMQ) and the related items (C 070158 MMQ, C 070314 ZMQ, N 070315 ZRQ, C 070316 HUQ, N 070317 HGQ, C 070318 PPQ C 070322 HDQ, N 070315(A) ZRQ).

The Final Environmental Impact Statement (FEIS) was completed, and a Notice of Completion of the FEIS was issued on June 29, 2007. The FEIS included an alternative, the Affordable Housing Alternative, which reflects the modified ULURP applications (N 070315(A) ZRQ, C 070314(A) ZMQ) that were submitted subsequent to the issuance of the DEIS. On July 11, 2007, subsequent to the issuance of the FEIS, a Technical Memorandum was completed which addresses the potential impacts of further modifications by the CPC to the modified applications, N 070315(A) ZRQ and C 070314(A) ZMQ), (the “CPC modifications”) which are discussed later in this report.

The following is a summary of the significant adverse impacts and proposed mitigation measures identified for the modified applications, N 070315(A) ZRQ and C 070314(A) ZMQ) (the “Affordable Housing Alternative”), as set forth in the FEIS. The summary is followed by a discussion of (E) designations, mapped as part of the zoning map amendment and lastly, a description of the conclusions of the Technical Memorandum prepared with respect to the CPC modifications.

The FEIS included an alternative, the Affordable Housing Alternative, which reflects the modified ULURP applications (N 070315(A) ZRQ, C 070314(A) ZMQ) that were submitted subsequent to the issuance of the DEIS. On July 11, 2007, subsequent to the issuance of the FEIS, a Technical Memorandum was completed which addresses the potential impacts of further modifications by the CPC to the modified applications, N 070315(A) ZRQ and C 070314(A) ZMQ),

**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 Affordable Housing Alternative set forth in the FEIS and the Technical Memorandum, dated July 11, 2007, is one that avoids or which minimizes adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts disclosed in the FEIS with respect to the Affordable Housing Alternative 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 together with the FEIS and the Technical Memorandum, dated July 11, 2007, 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 199 of the New York City Charter, 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 September 10, 2007, on file in this office.

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City Clerk, Clerk of The Council