



CITY PLANNING COMMISSION

June 3, 2009/Calendar No. 9

C 090319 ZMQ

IN THE MATTER OF an application submitted by the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 7b & 10a:

1. changing from an M3-1 District to an M1-1 District property bounded by a line perpendicular to the southwesterly street line of Ulmer Street distant 500 feet southeasterly (as measured along the street line) from the point of intersection of the southerly street line of 28th Avenue and the southwesterly street line of Ulmer Street, the centerline of former 131st Street, 31st Avenue, and a line perpendicular to the northerly street line of 31st Avenue distant 650 feet westerly (as measured along the street line) from the point of intersection of the northwesterly street line of Whitestone Expressway and the northerly street line of 31st Avenue;
2. changing from an M1-1 District to an M2-1 District property bounded by:
 - a. 20th Avenue, a line 700 feet northwesterly of Whitestone Expressway, a line 600 feet northeasterly of Linden Place, a line 400 feet northwesterly of Whitestone Expressway, 28th Avenue and its easterly centerline prolongation, 127th Street and its southerly centerline prolongation, the centerline of former 25th Road, the centerline of former 128th Street, 25th Avenue, and 130th Street;
 - b. 28th Avenue, a line 160 feet northeasterly of College Point Boulevard, 30th Avenue and its easterly and westerly centerline prolongations, the centerline of former 119th Street, a line 100 feet southerly of 29th Avenue, and 120th Street; and
 - c. 31st Avenue, the northwesterly service road of the Whitestone Expressway, and the centerline of former 131st Street;
3. changing from an M3-1 District to an M2-1 District property bounded by 28th Avenue, Ulmer Street, a line perpendicular to the southwesterly street line of Ulmer Street distant 500 feet southeasterly (as measured along the street line) from the point of intersection of the southerly street line of 28th Avenue and the southwesterly street line of Ulmer Street, a line perpendicular to the northerly street line of 31st Avenue distant 650 feet westerly (as measured along the street line) from the point of intersection of the northwesterly street line of Whitestone Expressway and the northerly street line of 31st Avenue, 31st Avenue, the centerline of former 131st Street, the northwesterly service road of the Whitestone Expressway, College Point Boulevard, the northwesterly service road of the Whitestone Expressway, a U.S. Pierhead and Bulkhead Line, a U.S. Pierhead Line, 29th Avenue and its westerly centerline prolongation, 119th Street, the centerline of former 119th Street and its northwesterly prolongation, 30th Avenue

and its westerly and easterly centerline prolongations, and a line 160 feet northeasterly of College Point Boulevard; and

4. establishing a Special College Point District bounded by 15th Avenue and its easterly centerline prolongation, the easterly street line of 132nd Street, the southerly boundary line of Frank Golden Memorial Park, the westerly street line of former 138th Street, the westerly street line of 138th Street, 15th Avenue and its westerly centerline prolongation, the northwesterly service road of Whitestone Expressway, College Point Boulevard, the northwesterly service road of Whitestone Expressway, a U.S. Pierhead and Bulkhead Line, a U.S. Pierhead Line, 29th Avenue and its westerly centerline prolongation, 119th Street, a line 100 feet southerly of 29th Avenue, 120th Street, 28th Avenue, 127th Street and its southerly centerline prolongation, the centerline of former 25th Road, the centerline of former 128th Street, 25th Avenue, and 130th Street;

Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only), dated February 17, 2009.

The application for an amendment of the Zoning Resolution was filed by the New York City Economic Development Corporation on February 11, 2009. The requested action, in conjunction with the related zoning text amendment, would facilitate the establishment of the Special College Point District.

RELATED ACTION

In addition to the Zoning Map amendment, which is the subject of this report (C 090319 ZMQ), implementation of the proposal also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 090318 ZRQ: Amendment to the Zoning Resolution, creating the Special College Point District in Article XII, Chapter 6, and amending related sections of the Zoning Resolution.

Background

A full background discussion and description of the project appears on the report for the related application for an amendment to the Zoning Resolution (N 090318 ZRQ).

ENVIRONMENTAL REVIEW

This application (C 090319 ZMQ) in conjunction with the related application (N 090318 ZRQ,) were reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 09DME007Q. The lead is the Office of the Deputy Mayor for Economic Development.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on February 3, 2009. Subsequent to the issuance of the Negative Declaration, the City Planning Commission modified the application, as discussed in the Consideration section below. The modifications were analyzed and a corrected negative declaration was issued on June 10, 2009.

UNIFORM LAND USE REVIEW

On February 17, 2009, this application (C 090319 ZMQ) was certified as complete by the Department of City Planning, and was duly referred to Community Board 7 and the Borough President in accordance with Title 62 of the Rules of the City of New York,

Section 2-02(b) along with the related application for a zoning text amendment (N 090318 ZRQ), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Review

Community Board 7 held a public hearing on the applications (C 090319 ZMQ and N 090318 ZRQ) on March 9, 2009, and on that date, by a vote of 34 in favor, 0 opposed and 1 abstaining, adopted a resolution recommending approval of the applications with conditions. A summary of the Board's recommendation appears in the report on the related application for an amendment of the Zoning Resolution (N 090318 ZRQ).

Borough President Recommendation

The applications (N 090318 ZRQ and C 090319ZMQ) were considered by the Borough President, who issued a recommendation on March 24, 2009 approving the applications with one condition, which is summarized in the report on the related application for an amendment of the Zoning Resolution (N 090318 ZRQ).

City Planning Commission Public Hearing

On March 18, 2009 (Calendar No. 4), the City Planning Commission scheduled April 1, 2009 for a public hearing on the application (C 090319 ZMQ). The hearing was duly held on April 1, 2009 (Calendar No. 25), in conjunction with the hearing for the related action (N 090318 ZRQ). There were two speakers, as described in the report on the related

application for an amendment of the Zoning Resolution (N 090318 ZRQ) and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 09-007. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The City Planning Commission believes that the proposed zoning map amendment (C 090319 ZMQ) as modified, in conjunction with the related action (N 090318 ZRQ) as modified, is appropriate.

A full consideration and analysis of the issues and reasons for approving this application with modifications appears in the report on the related application for an amendment of the Zoning Resolution (N 090318 ZRQ).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c 200 of the New York City Charter, that based on the environmental determination and consideration and findings described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 7b & 10a:

1. changing from an M3-1 District to an M1-1 District property bounded by a line perpendicular to the southwesterly street line of Ulmer Street distant 500 feet southeasterly (as measured along the street line) from the point of intersection of the southerly street line of 28th Avenue and the southwesterly street line of Ulmer Street, the centerline of former 131st Street, 31st Avenue, and a line perpendicular to the northerly street line of 31st Avenue distant 650 feet westerly (as measured along the street line) from the point of intersection of the northwesterly street line of Whitestone Expressway and the northerly street line of 31st Avenue;
2. changing from an M1-1 District to an M2-1 District property bounded by:
 - a. 20th Avenue, a line 700 feet northwesterly of Whitestone Expressway, a line 600 feet northeasterly of Linden Place, a line 400 feet northwesterly of Whitestone Expressway, 28th Avenue and its easterly centerline prolongation, 127th Street and its southerly centerline prolongation, the centerline of former 25th Road, the centerline of former 128th Street, 25th Avenue, and 130th Street;

- b. 28th Avenue, a line 160 feet northeasterly of College Point Boulevard, 30th Avenue and its easterly and westerly centerline prolongations, the centerline of former 119th Street, a line 100 feet southerly of 29th Avenue, and 120th Street; and
 - c. 31st Avenue, the northwesterly service road of the Whitestone Expressway, and the centerline of former 131st Street;
- 3. changing from an M3-1 District to an M2-1 District property bounded by 28th Avenue, Ulmer Street, a line perpendicular to the southwesterly street line of Ulmer Street distant 500 feet southeasterly (as measured along the street line) from the point of intersection of the southerly street line of 28th Avenue and the southwesterly street line of Ulmer Street, a line perpendicular to the northerly street line of 31st Avenue distant 650 feet westerly (as measured along the street line) from the point of intersection of the northwesterly street line of Whitestone Expressway and the northerly street line of 31st Avenue, 31st Avenue, the centerline of former 131st Street, the northwesterly service road of the Whitestone Expressway, College Point Boulevard, the northwesterly service road of the Whitestone Expressway, a U.S. Pierhead and Bulkhead Line, a U.S. Pierhead Line, 29th Avenue and its westerly centerline prolongation, 119th Street, the centerline of former 119th Street and its northwesterly prolongation, 30th Avenue and its westerly and easterly centerline prolongations, and a line 160 feet northeasterly of College Point Boulevard; and
- 4. establishing a Special College Point District bounded by 15th Avenue and its easterly centerline prolongation, the easterly street line of 132nd Street, the southerly boundary line of Frank Golden Memorial Park, the westerly street line of former 138th Street, the westerly street line of 138th Street, 15th Avenue and its westerly centerline prolongation, the northwesterly service road of Whitestone Expressway, College Point Boulevard, the northwesterly service road of Whitestone Expressway, a U.S. Pierhead and Bulkhead Line, a U.S. Pierhead Line, a line 100 feet southerly of 29th Avenue and its westerly prolongation, 120th Street, 28th Avenue, 127th Street and its southerly centerline prolongation, the centerline of former 25th Road, the centerline of former 128th Street, 25th Avenue, and 130th Street;

Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only), dated February 17, 2009, and modified by the City Planning Commission on June 3, 2009.

The above resolution (C 090319 ZMQ), duly adopted, by the City Planning Commission on June 3, 2009 (Calendar No. 9), is filed with the Office of the Speaker, City Council,

and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman
IRWIN G. CANTOR, P.E., ANGELA R.CAVALUZZI, AIA,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,
KAREN A. PHILLIPS, Commissioners

RAYANN BESSER, Commissioner, Abstained