**THE COUNCIL OF THE CITY OF NEW YORK**

**RESOLUTION NO. 355**

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220133 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 115).**

**By Council Members Salamanca and Riley**

WHEREAS, Robert Thomas, filed an application pursuant to Sections 197‑c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13d, changing from an R5 District to an R5D District and establishing within the proposed R5D District a C2-3 District, in the Middle Village neighborhood of Queens, Community District 5 (ULURP No. C 220133 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 21, 2022 its decision dated September 21, 2022 (the "Decision") on the Application;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197‑d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 22, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued April 25th, 2022 (CEQR No. 22DCP092Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-664) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-664) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220133 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

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 No. 13d:

1. changing from an R5 District to an R5D District property bounded by Metropolitan Avenue, 79th Street, a line midway between Metropolitan Avenue and 67th Road, and a line 50 feet westerly of 79th Street; and
2. establishing within the proposed R5D District a C2-3 District bounded by Metropolitan Avenue, 79th Street, a line midway between Metropolitan Avenue and 67th Road, and a line 50 feet westerly of 79th Street;

as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-664, Borough of Queens, Community District 5.

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 \_\_\_\_\_\_\_\_\_\_\_\_, 2022, on file in this office.

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City Clerk, Clerk of The Council