



Legislation Text

File #: Res 1770-2021, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1770**

Resolution approving the decision of the City Planning Commission on ULURP No. C 210324 ZMM, a Zoning Map amendment (L.U. No. 854).

By Council Members Salamanca and Moya

WHEREAS, 495 11 Avenue Owner Realty, LLC and NYC Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d, changing from an M1-5 District to a C6-4 District and establishing a Special Hudson Yard District, which in conjunction with the related actions would facilitate the development of a 57-story mixed-use building with affordable and supportive housing, hotel, office, retail and an NYPD vehicle storage facility at 495 Eleventh Avenue in the Clinton/Hell's Kitchen neighborhood of Manhattan Community District 4 (ULURP No. C 210324 ZMM) (the "Application");

WHEREAS the City Planning Commission filed with the Council on September 17, 2021 its decision dated September 1, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 210325 ZRM (L.U. No. 855), a zoning text amendment to modify Article IX, Chapter 3 of the Zoning Resolution (ZR) to establish a new Subdistrict G within the Special Hudson Yards District (SHYD) and modify Appendix F to establish a Mandatory Inclusionary Housing (MIH) area; and C 210326 PCM (L.U. No. 856), a site selection and acquisition to develop an NYPD vehicle storage facility for 55 vehicles;

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 24, 2021;

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 Revised Positive Declaration issued October 1st, 2019, which supersedes the Positive Declaration issued March 23rd, 2018 (CEQR No. 18DME001M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was Issued on August 20, 2021 which identified significant adverse impacts with respect to shadows, transportation (traffic and pedestrians), and construction (traffic and pedestrians); and significant adverse impacts related to hazardous materials and noise would be avoided through the placement of (E) designations (E-610) on the project site. The identified adverse impacts and proposed mitigation measures

under the proposed actions are summarized in Chapter 18 “Mitigation” of the FEIS.

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, adopted herein is one which minimizes or avoids environmental impacts to the maximum extent practicable;
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the greatest extent practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210324 ZMM, 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. 8d:

1. changing from an M1-5 District to a C6-4 District bounded by West 40th Street, Eleventh Avenue, West 39th Street, and a line 125 feet westerly of Eleventh Avenue; and
2. establishing a Special Hudson Yard District bounded by West 40th Street, Eleventh Avenue, West 39th Street, and a line 125 feet westerly of Eleventh Avenue;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-610, Borough of Manhattan, Community District 4.

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 October 21, 2021, on file in this office.

City Clerk, Clerk of The Council