



Legislation Details (With Text)

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Type:	Resolution	Status:		Adopted:	Adopted
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On agenda:	4/2/2009				
Enactment date:		Enactment #:			
Title:	Resolution approving the decision of the City Planning Commission on Application No. N 090211 ZRM, for an amendment of the Zoning Resolution of the City of New York relating to Sections 93-514 (a) (Eastern Rail Yards Subarea A1 - Location of Buildings), 93-71 (Public Access Areas in the Eastern Rail Yards Subarea A1), 93-81 (Required and Permitted Parking) and 93-82 (Use and Location of Parking Facilities) in Community District 4, Borough of Manhattan (L.U. No. 1039).				
Sponsors:	Melinda R. Katz, Tony Avella				
Indexes:					
Attachments:	1. Press Release, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 4/2/09				

Date	Ver.	Action By	Action	Result
4/1/2009	*	Committee on Land Use	Approved by Committee	
4/2/2009	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1920

Resolution approving the decision of the City Planning Commission on Application No. N 090211 ZRM, for an amendment of the Zoning Resolution of the City of New York relating to Sections 93-514(a) (Eastern Rail Yards Subarea A1 - Location of Buildings), 93-71 (Public Access Areas in the Eastern Rail Yards Subarea A1), 93-81 (Required and Permitted Parking) and 93-82 (Use and Location of Parking Facilities) in Community District 4, Borough of Manhattan (L.U. No. 1039).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on March 6, 2009 its decision dated March 4, 2009 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by RG ERY LLC, for an amendment of the Zoning Resolution of the City of New York relating to Sections 93-514(a) (Eastern Rail Yards Subarea A1 - Location of Buildings), 93-71 (Public Access Areas in the Eastern Rail Yards Subarea A1), 93-81 (Required and Permitted Parking) and 93-82 (Use and Location of Parking Facilities) in Community District 4, (Application No. N 090211 ZRM), Community District 4, Borough of Manhattan (the "Application");

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 March 31, 2009;

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 Negative Declaration which was issued on December 3, 2008 (CEQR No. 09DCP031M):

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article IX

Chapter 3

Special Hudson Yards District

* * *

93-51

Special Height and Setback Regulations in the Large Scale Plan Subdistrict A

* * *

93-514

Eastern Rail Yards Subarea A1

(a) Location of buildings

#Buildings# shall be located only in the following areas:

- (1) east of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East;
 - (2) west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 220 feet of West 33rd Street; and
 - (3) ~~for #buildings# containing only uses in Use Group 3 or 4, the footprint of such #buildings# at the level of the outdoor plaza required pursuant to paragraph (b) of Section 93-71 shall be west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 250 feet of West 30th Street.~~
- (3) west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within

220 feet of West 30th Street, provided that either:

- (i) #development# in such area contains only #uses# in Use Groups 3 and 4; or
- (ii) where #development# in such area includes #residential use#:
 - (a) such #residential use# is permitted only in a #building# located west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West, and such #building# may also include #uses# in Use Groups 3, 4, 6A and 6C; and
 - (b) a #building# containing only #uses# in Use Groups 3 or 4 may be located not closer than 50 feet east of such prolongation.

* * *

93-71

Public Access Areas in the Eastern Rail Yards Subarea A1

Any #development# in the Eastern Rail Yards Subarea A1 shall provide public access areas in accordance with the following requirements:

* * *

- (b) Outdoor plaza

* * *

The retail and glazing requirements of Section 93-14 (Retail Continuity Along Designated Streets) shall apply to at least 70 percent of the length of all building walls facing each side of the outdoor plaza, except that such retail requirements shall not apply to any #building# containing only #uses# in Use Group 3 or 4 located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street.

* * *

- (f) Connection to High Line

A publicly accessible connection between the High Line and the outdoor plaza shall be provided that has a minimum width, measured parallel to the High Line, of 80 feet. If covered, the average clear height of such connection shall be 60 feet. The retail and glazing requirements of Section 93-14 shall apply to at least 50 percent of the length of all building walls facing each side of such connection, except that such retail requirements shall not apply to any #building# containing only #uses# in Use Group 3 or 4 located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street.

* * *

93-80

OFF-STREET PARKING REGULATIONS

* * *

93-81

Required and Permitted Parking

All #developments# or #enlargements# on #zoning lots# greater than 15,000 square feet shall provide #accessory# parking spaces in accordance with the provisions of this Section. For #zoning lots# of 15,000 square feet or less, #accessory# parking spaces are permitted up to the maximum number allowed for required spaces as set forth in this Section.

- (a) Except in the Eastern Rail Yards Subarea A1, for #residences#, #accessory# off-street parking spaces shall be provided for at least 33 percent of the total number of dwelling units, except that where such #dwelling units# are government-assisted, pursuant to paragraph (e) of Section 25-25, #accessory# off-street parking spaces shall be provided for at least 25 percent of the total number of such #dwelling units#. In all areas, the total number of off-street parking spaces #accessory# to #residences# shall not exceed 40 percent of the total number of #dwelling units#. However, if the total number of #accessory# off-street parking spaces required for such use on the #zoning lot# is less than 15, no such spaces shall be required.
- (b) Except in the Eastern Rail Yards Subarea A1, for #commercial# and #community facility uses#, a minimum of 0.30 #accessory# off-street parking spaces shall be provided for each 1,000 square feet of #floor area# and not more than 0.325 off-street parking spaces shall be provided for every 1,000 square feet of #floor area#. If the total number of #accessory# off-street parking spaces required for such #uses# on the #zoning lot# is less than 40, no such spaces shall be required. No parking shall be required for houses of worship or #schools#.
- (c) Except in the Eastern Rail Yards Subarea A1, the required and permitted amounts of #accessory# off-street parking spaces shall be determined separately for #residential#, #commercial# and #community facility uses#.
- (d) In the Eastern Rail Yard Subarea A1, no #accessory# off-street parking shall be required, and any #accessory# parking shall comply with the following provisions:
- (1) For #residences#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#.
- (2) For #commercial# and #community facility use#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area# , provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility use# exceed 350 spaces.
- (3) In no event shall the total number of #accessory #off-street parking spaces for all #uses# exceed 1,000.
- (d)(e) The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted or required #accessory# off-street parking spaces.

93-82

Use and Location of Parking Facilities

Except as otherwise indicated, the provisions of this Section shall apply to all off-street Parking spaces within the #Special Hudson Yards District#.

- (a) All #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefore is made to the landlord. Furthermore, if #accessory# and public parking spaces are provided on the same #zoning lot#, all such spaces shall be located within the same parking facility. However, such regulations are modified in the following areas:
- (1) in C1-7A Districts and in C2-5 Districts mapped within R8A Districts, all #accessory# off-street parking spaces shall be used exclusively by the occupants of the #residential development#, #enlargement# or conversion. Where a parking facility is located partially within a C2-5 District mapped within an R8A District and partially within another district, all such

#accessory# off-street parking spaces may be made available for public use provided more than half of the floor space of the parking facility is located outside the C2-5 District mapped within an R8A District.

(2) in the Eastern Rail Yard Subarea 1, #use# of any #accessory# parking spaces shall be exclusively for #uses# located in the Subarea.

* * *

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 April 2, 2009, on file in this office.

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City Clerk, Clerk of The Council