



Legislation Text

File #: Res 0601-2015, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 601

Resolution approving decision of the City Planning Commission on Application No. N 150083 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District) in Community District 4, Borough of Manhattan (L.U. No. 170).

By Council Members Greenfield and Weprin

WHEREAS, the City Planning Commission filed with the Council on January 23, 2015 its decision dated January 21, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by D Solnick Design & Development, for an amendment of the text of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), to amend the zoning text for Section 93-542 (Height and Setback in Subareas D4 and D5) in order to modify the underlying 'sliver law' affecting height limits in the two subareas. The modification would allow sites that are less than 45 feet in width on narrow streets to be built up to the height of the tallest abutting building. The proposed action would facilitate development of an approximately 16,500 gsf of residential space (7 units) and 2,469 gsf of ground-floor community facility space on the project site consisting of a 120-foot, 11-story building, located at 441 West 37th Street in the Hudson Yards neighborhood (Application No. N 150083 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 February 24, 2015;

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, including the negative declaration (CEQR No. 15DCP024M) issued on September 29, 2014 (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 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, N 150083 ZRM, incorporated by reference herein, 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 to be deleted.

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

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

ARTICLE IX SPECIAL PURPOSE DISTRICTS

Chapter 3 Special Hudson Yards District

* * *

93-542

Height and setback in Subareas D4 and D5

In Subareas D4 and D5 of Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply, except that:

- (a) the rooftop regulations set forth in Section 93-41 shall apply;
- (b) within the C2-5 District of Subarea D4, #commercial uses# shall be limited to two #stories# or a height of 30 feet, whichever is less; ~~and~~
- (c) within the C1-7A District of Subarea D5, recesses in the #street wall# of any #building# facing Ninth Avenue shall not be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except as provided for permitted corner articulation-;
and
- (d) the regulations set forth in paragraph (d) of Section 23-692 (Height limitations for narrow buildings or enlargements) shall be modified to allow portions of #buildings# with #street walls# less than 45 feet in width to reach the height of the tallest #abutting# #building# without regard to the width of the #street# onto which such #building# fronts.

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 February 26, 2015, on file in this office.

City Clerk, Clerk of The Council