



Legislation Text

File #: Res 1594-2017, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1594**

Resolution approving the decision of the City Planning Commission on Application No. N 170251 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying Article IX, Chapter 3 (Special Hudson Yards District), Community District 4, Borough of Manhattan (L.U. No. 689).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on June 12, 2017 its decision dated May 24, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 517 West 35th LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Article IX, Chapter 3 (Special Hudson Yards District). The text amendment to Section 93-122 would extend the availability of an existing Chairperson's certification to sites of a minimum of 55,000 square feet in Subarea A3 of the Special Hudson Yards District in Manhattan Community District 4, (Application No. N 170251 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 June 20, 2017;

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 final generic environmental impact statement (FGEIS) issued November 8, 2004 (CEQR No. 03DCP031M), and the Technical Memorandum to the FGEIS (TM007), which include (E) designations (E-137) relating to hazardous materials, noise and air quality (the "Technical Memorandum");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Final Generic Environmental Impact Statement and the Technical Memorandum.

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 170251 ZRM, incorporated by reference herein, the Council approves the Decision:

Matter underlined is new, to be added;

Matter ~~struck out~~ is old, to be deleted;
Matter within # # 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

* * *

93-10

USE REGULATIONS

93-122

Certification for residential use in Subdistricts A, B and E

Within the Large-Scale Plan Subdistrict A, Subareas B1 and B2 of the Farley Corridor Subdistrict B, and the South of Port Authority Subdistrict E, #residential use# shall be permitted only upon certification of the Chairperson of the City Planning Commission that the #zoning lot# on which such #residential use# is located contains the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 (Floor Area Regulations in the Large-Scale Plan Subdistrict A) or 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F), as applicable, and that for #zoning lots# in Subareas A2 through A5 of the Large-Scale Plan Subdistrict A, a certification pursuant to Section 93-34 (Distribution of Floor Area in the Large-Scale Plan Subdistrict A) has been made.

* * *

However, special regulations shall apply to #zoning lots# with phased developments, as follows:

- (a) Except as provided in paragraph (c) of this Section, for ~~For~~ #zoning lots# with less than 69,000 square feet of #lot area#, the Chairperson shall allow for phased development, upon certification that a plan has been submitted whereby the ratio of #commercial floor area# to #residential floor area#, in buildings in each phase, is no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot# as specified in Section 93-21 or 93-22, as applicable, ~~and~~;
- (b) For #zoning lots# with at least 69,000 square feet of #lot area#, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 or 93-22, as applicable, upon certification that a plan has been submitted whereby one or more regularly-shaped portions of the #zoning lot# with a minimum area of 50,000 square feet are reserved for future development of not more than two million square feet of #commercial floor area# on each such portion, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of

#commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21 or 93-22, as applicable; and

(c) For #zoning lots# with at least 55,000 square feet but less than 69,000 square feet of #lot area# within Subarea A3 of the Large Scale Subdistrict A, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in paragraph (a) of Section 93-21, upon certification that a plan has been submitted whereby one or more regularly shaped portions of the #zoning lot# with a minimum area of 35,000 square feet are reserved for future development, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21.

All #developments# or #enlargements# so certified shall be permitted only in accordance with the provisions of this Chapter.

* * *

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 July 20, 2017, on file in this office.

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City Clerk, Clerk of The Council