

- a. East 10th Street, Avenue D, East Houston Street, Pitt Street, a line 100 feet southerly of East Houston Street, Norfolk Street, the southerly boundary line of a playground and its easterly and westerly prolongation, Essex Street, East Houston Street, a line 100 feet easterly of First Avenue, a line midway between East 2nd Street and East 1st Street, Avenue A, a line 100 feet southerly of East 2nd Street, Avenue B, East 2nd Street, Avenue C – Loaisaida Avenue, a line midway between East 2nd Street and East 3rd Street, and a line 100 feet westerly of Avenue D; and
 - b. Rivington Street, Pitt Street, Delancey Street and its westerly centerline prolongation (at Clinton Street), a line midway between Suffolk Street and Clinton Street, a line 100 feet northerly of Delancey Street, and a line 100 feet westerly of Pitt Street;
5. changing from an R7-2 District to a R8B District property bounded by:
- a. East 13th Street, a line 100 feet westerly of Second Avenue, East 1st Street, a line 100 feet easterly of Bowery, and a line 100 feet easterly of Third Avenue;
 - b. East 13th Street, a line 100 feet westerly of First Avenue, East Houston Street, and a line 100 feet easterly of Second Avenue;
 - c. East 13th Street, a line 100 feet westerly of Avenue A, East 6th Street, and a line 100 feet easterly of First Avenue;
 - d. East 4th Street, a line 100 feet westerly of Avenue A, a line midway between East 1st Street and East 2nd Street, a line 100 feet easterly of First Avenue, East 2nd Street, and a line 150 feet easterly of First Avenue;
 - e. East 13th Street, a line 100 feet westerly of Avenue B, the northerly boundary line of Tompkins Square Park, and a line 100 feet easterly of Avenue A;
 - f. East 4th Street, a line 100 feet westerly of Avenue B, a line 100 feet southerly of East 2nd Street, and a line 100 feet easterly of Avenue A;
 - g. East 12th Street, a line 100 feet westerly of Avenue C–Loisaida Avenue, East 2nd Street, and a line 100 feet Easterly of Avenue B; and
 - h. East 10th Street, a line 100 feet westerly of Avenue D, a line midway between East 2nd street and East 3rd Street, and a line 100 feet easterly of Avenue C– Loaisaida Avenue;
6. changing from a C6-1 District to a C4-4A District property bounded by:
- a. a line 100 feet southerly of East Houston Street, Essex Street, the southerly boundary line of a playground and its westerly prolongation, a line midway between Essex Street and Norfolk Street, a line 100 feet northerly of Delancey Street, and Chrystie Street; and
 - b. a line 100 feet southerly of Delancey Street, Ludlow Street, Grand Street, and Chrystie Street;
7. changing from a C6-1 District to a C6-2A District property bounded by:
- a. East 3rd Street, a line 100 feet easterly of Second Avenue, East Houston Street, Essex Street, a line 100 feet southerly of East Houston Street, Chrystie Street, East Houston Street, a line 65 feet westerly of Second Avenue, East 1st Street, and a line 100 feet westerly of Second Avenue; and
 - b. Stanton Street, Chrystie Street, a line 100 feet northerly of Delancey Street, a line midway between Suffolk Street and Clinton Street, the westerly centerline prolongation of Delancey Street (at Clinton Street), Ludlow Street, a line 100 feet southerly of Delancey Street, Chrystie Street, Grand Street, a line midway between Bowery and Chrystie Street, a line 100 feet southerly of Delancey Street, and a line 100 feet westerly of Christie Street; and
8. establishing within a proposed R7A District a C2-5 District bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated May 5, 2008 and subject to CEQR Declaration E-216.

No. 2

CD 3 C 080397(A) ZMM
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Map, Section No. 12c:

- 1. changing from an R7-2 District to an R7A District property bounded by:
 - a. East 13th Street, a line 100 feet easterly of Second Avenue, East 7th Street, and a line 100 feet westerly of Second Avenue;

- b. East 13th Street, a line 100 feet easterly of First Avenue, East 6th Street, First Avenue, East 2nd Street, a line 100 feet easterly of First Avenue, East Houston Street, and a line 100 feet westerly of First Avenue;
 - c. East 13th Street, a line 100 feet easterly of Avenue A, the northerly, westerly and southerly boundary line of Tompkins Square Park, a line 100 feet easterly of Avenue A, a line 100 feet southerly of East 2nd Street, a line 100 feet westerly of Avenue A, East 4th Street, Avenue A, the westerly centerline prolongation of East 5th Street, and a line 100 feet westerly of Avenue A;
 - d. East 13th Street, a line 100 feet easterly of Avenue B, East 2nd Street, Avenue B, a line 100 feet southerly of East 2nd Street, a line 100 feet westerly of Avenue B, the southerly, easterly and northerly boundary line of Tompkins Square Park, and a line 100 feet westerly of Avenue B;
 - e. East 12th Street, Avenue C – Loaisaida Avenue, East 10th Street, a line 100 feet easterly of Avenue C – Loaisaida Avenue, a line midway between East 2nd Street and East 3rd Street, Avenue C – Loaisaida Avenue, East 2nd Street, and a line 100 feet westerly of Avenue C – Loaisaida Avenue; and
 - f. a line 100 feet southerly of East Houston Street, Pitt Street, Rivington Street, a line 100 feet westerly of Pitt Street, a line 100 feet northerly of Delancey Street, a line midway between Essex Street and Norfolk Street, the southerly boundary line of a playground and its easterly prolongation, and Norfolk Street;
2. changing from an C6-1 District to a R7A District property bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;
3. changing from an R7-2 District to a R7B District property bounded by the southerly boundary line of Tompkins Square Park, a line 100 feet westerly of Avenue B, East 4th Street, and a line 100 feet easterly of Avenue A;
4. changing from an R7-2 District to a R8A District property bounded by:
- a. East 10th Street, Avenue D, East Houston Street, Pitt Street, a line 100 feet southerly of East Houston Street, Norfolk Street, the southerly boundary line of a playground and its easterly and westerly prolongation, Essex Street, East Houston Street, a line 100 feet easterly of First Avenue, a line midway between East 2nd Street and East 1st Street, Avenue A, a line 100 feet southerly of East 2nd Street, Avenue B, East 2nd Street, Avenue C – Loaisaida Avenue, a line midway between East 2nd Street and East 3rd Street, and a line 100 feet westerly of Avenue D; and
 - b. Rivington Street, Pitt Street, Delancey Street and its westerly centerline prolongation (at Clinton Street), a line midway between Suffolk Street and Clinton Street, a line 100 feet northerly of Delancey Street, and a line 100 feet westerly of Pitt Street;
5. changing from an R7-2 District to a R8B District property bounded by:
- a. East 13th Street, a line 100 feet westerly of Second Avenue, East 1st Street, a line 100 feet easterly of Bowery, and a line 100 feet easterly of Third Avenue;
 - b. East 13th Street, a line 100 feet westerly of First Avenue, East Houston Street, and a line 100 feet easterly of Second Avenue;
 - c. East 13th Street, a line 100 feet westerly of Avenue A, East 6th Street, and a line 100 feet easterly of First Avenue;
 - d. East 4th Street, a line 100 feet westerly of Avenue A, a line midway between East 1st Street and East 2nd Street, a line 100 feet easterly of First Avenue, East 2nd Street, and a line 150 feet easterly of First Avenue;
 - e. East 13th Street, a line 100 feet westerly of Avenue B, the northerly boundary line of Tompkins Square Park, and a line 100 feet easterly of Avenue A;
 - f. East 4th Street, a line 100 feet westerly of Avenue B, a line 100 feet southerly of East 2nd Street, and a line 100 feet easterly of Avenue A;
 - g. East 12th Street, a line 100 feet westerly of Avenue C – Loaisaida Avenue, East 2nd Street, and a line 100 feet Easterly of Avenue B; and
 - h. East 10th Street, a line 100 feet westerly of Avenue D, a line midway between East 2nd street and East 3rd Street, and a line 100 feet easterly of Avenue C – Loaisaida Avenue;
6. changing from a C6-1 District to a C4-4A District property bounded by:
- a. a line 100 feet southerly of East Houston Street, Essex Street, the southerly boundary line of a playground and its

- westerly prolongation, a line midway between Essex Street and Norfolk Street, a line 100 feet northerly of Delancey Street, and Chrystie Street; and
 - b. a line 100 feet southerly of Delancey Street, Ludlow Street, Grand Street, and Chrystie Street;
7. changing from a C6-1 District to a C6-2A District property bounded by:
- a. East 3rd Street, a line 100 feet easterly of Second Avenue, East Houston Street, Essex Street, a line 100 feet southerly of East Houston Street, Chrystie Street, East Houston Street, a line 65 feet westerly of Second Avenue, East 1st Street, and a line 100 feet westerly of Second Avenue; and
 - b. a line 100 feet northerly of Delancey Street, a line midway between Suffolk Street and Clinton Street, the westerly centerline prolongation of Delancey Street (at Clinton Street), Ludlow Street, a line 100 feet southerly of Delancey Street and Chrystie Street,
8. changing from a C6-1 District to a C6-3A District property bounded by Stanton Street, Chrystie Street, Grand Street, a line midway between Bowery and Chrystie Street, a line 100 feet southerly of Delancey Street, and a line 100 feet westerly of Chrystie Street; and
9. establishing within a proposed R7A District a C2-5 District bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated July 3, 2008 and subject to CEQR Declaration E-216.

No. 3

CD 3 N 080398 ZRM
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residential Districts), and Article V, Chapter 2 (Non-Conforming Uses) in the Borough of Manhattan, Community District 3.

Matter in underline is new, to be added
 Matter in ~~strikeout~~ is old, to be deleted;
 Matter within # # is defined in 12-10 or
 * * * indicates where unchanged text appears in the Zoning Resolution

23-144
 In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

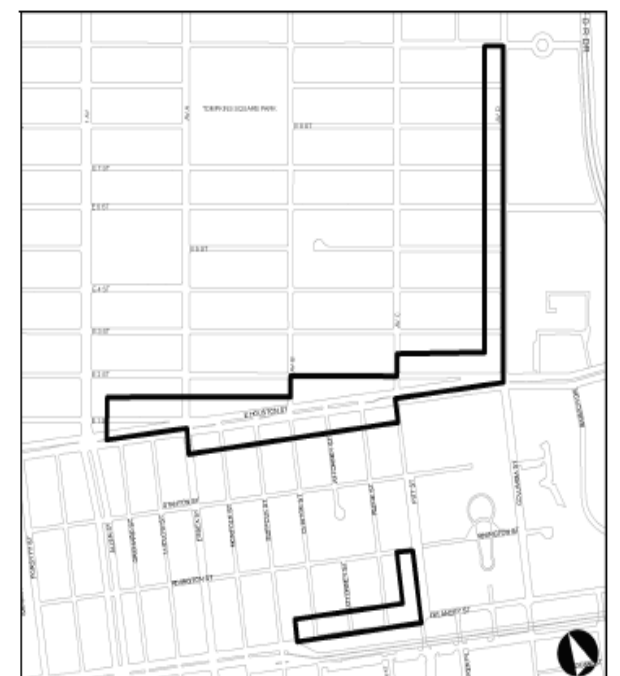
Community District	Zoning District
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 3, Manhattan	R8A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *
 3/26/08

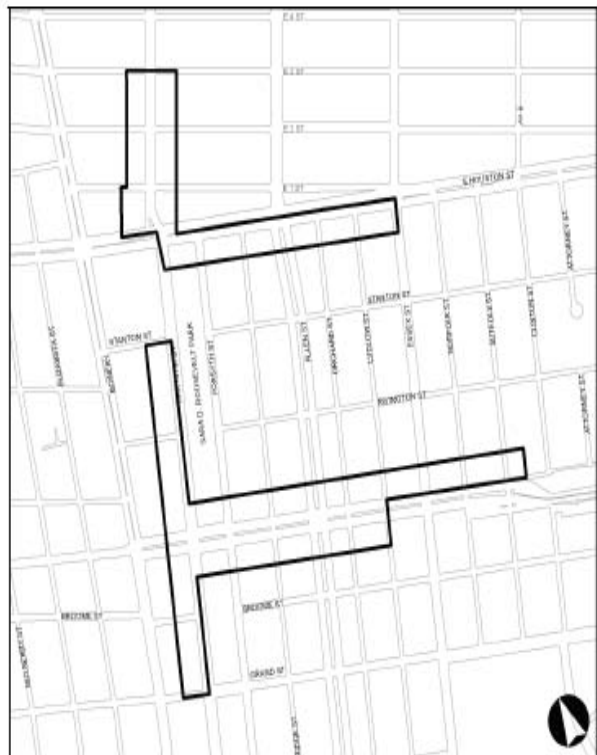
23-922
 Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

- * * *
- (i) In Community District 3, in the Borough of Manhattan, in the R8A Districts within the areas shown on the following Maps 14 and 15:



Map 14: Portion of Community District 3, Manhattan



Map 15: Portion of Community District 3, Manhattan

52-61
General Provisions

If, for a continuous period of two years, either the #non-conforming use# of #land with minor improvements# is discontinued, or the active operation of substantially all the #non-conforming uses# in any #building or other structure# is discontinued, such land or #building or other structure# shall thereafter be used only for a conforming #use#. Intent to resume active operations shall not affect the foregoing.

The provisions of this Section shall not apply where such discontinuance of active operations is directly caused by war, strikes or other labor difficulties, a governmental program of materials rationing, or the construction of a duly authorized improvement project by a governmental body or a public utility company.

Except in Historic Districts as designated by the Landmarks Preservation Commission, the provisions of this Section shall not apply to vacant ground floor or #basement# stores in #buildings designed for residential use# located in R5, R6 or R7 Districts, or R8B districts in Manhattan Community District 3, where the changed or reactivated #use# is listed in Use Group 6A, 6B, 6C or 6F excluding post offices, veterinary medicine for small animals, automobile supply stores, electrolysis studios and drive-in banks. In addition, the changed or reactivated #use# shall be subject to the provisions of Section 52-34 (Commercial Uses in Residence Districts).

No. 4

CD 3 N 080398(A) ZRM
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residential Districts), in the Borough of Manhattan, Community District 3.

Matter in underline is new, to be added
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in 12-10 or
*** indicates where unchanged text appears in the Zoning Resolution

23-144
In designated areas where the Inclusionary Housing Program is applicable

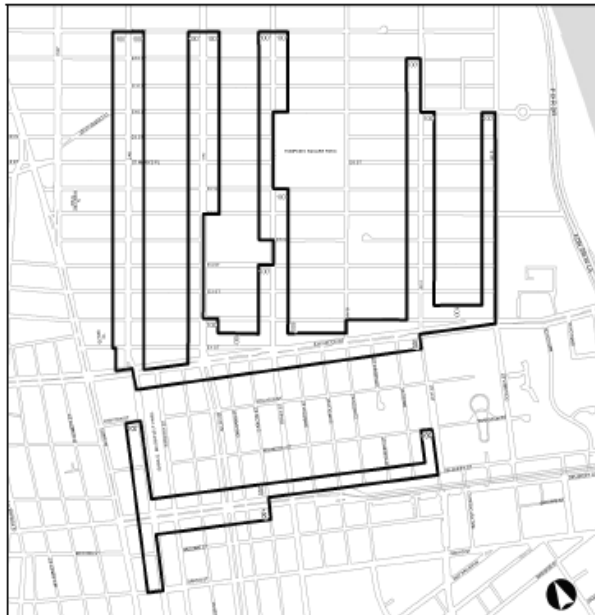
In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

23-922
Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

- ***
(i) In Community District 3, in the Borough of Manhattan, in the R7A, R8A and R9A Districts within the areas shown on the following Map 14:



Map 14: Portion of Community District 3, Manhattan

NOTICE

On Wednesday, August 13, 2008, at 9:00 A.M., in Tishman Auditorium of Vanderbilt Hall on the New York University School of Law campus located at 40 Washington Square South in Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map and text amendments and the disposition of a City property within East Village/Lower East Side neighborhood of Manhattan Community District 3. The proposed actions would preserve the low- to mid-rise character of the East Village and Lower East Side neighborhoods while concentrating new development towards specific corridors that are more suited for new residential construction with incentives for affordable housing:

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DCP078M.

Nos. 5, 6, 7, 8 & 9
HUNTERS POINT SOUTH

NOTE: This hearing is not likely to begin before 11:00 AM. No. 5

CD 2 C 080276 MMQ
IN THE MATTER OF an application, submitted by the New York City Economic Development Corporation and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- a change in the street system;
- the establishment of park and park additions;
- the delineation of permanent sewer corridors; within an area generally bounded by 50th Avenue, 2nd Street, and the U.S. Pierhead Line at Newtown Creek and the East River;
- the elimination of portions of 48th Avenue between Vernon Boulevard and 21st Street;
- the elimination of a park between Vernon Boulevard and 11th Street,
- the elimination, discontinuance and closing of a portion of Vernon Boulevard;
- the establishment of a Public Place between 50th and 51st Avenues;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 5003 dated April 1, 2008, and signed by the Borough President.

No. 6

CD 2 C 080362 ZMQ
IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. changing from an M1-4 District to an R7-3 District property bounded by 54th Avenue, a line 530 feet easterly of 2nd Street, the U.S. Pierhead and Bulkhead Line, and 2nd Street and its southerly centerline prolongation;
2. changing from an M3-1 District to an R10 District property bounded by the southerly street line of 50th Avenue and its westerly prolongation, 2nd Street and its southerly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and the U.S. Pierhead Line;
3. establishing within a proposed R7-3 District a C2-5 District bounded by 54th Avenue, a line 75 feet easterly of 2nd Street and its southerly centerline prolongation, a line 695 feet southerly of 54th Avenue, and 2nd Street and its southerly centerline prolongation;
4. establishing within a proposed R10 District a C2-5 District bounded by:
 - a. the southerly street line of 50th Avenue and its westerly prolongation, a line 5 feet easterly of Center Boulevard*, 51st Avenue*, and Center Boulevard*;

- b. the southerly street line of 50th Avenue, 2nd Street, 51st Avenue*, and a line 75 feet westerly of 2nd Street;
 - c. a line 105 feet northerly of Borden Avenue*, 2nd Street, a line 144 feet southerly of Borden Avenue*, a line 75 feet westerly of 2nd Street, a line 75 feet southerly of Borden Avenue*, Center Boulevard*, Borden Avenue*, a line 105 feet westerly of 2nd Street, a line 75 feet northerly of Borden Avenue*, and a line 75 feet westerly of 2nd Street;
 - d. a line 118 feet northerly of 54th Avenue*, 2nd Street, 55th Avenue*, and a line 75 feet westerly of 2nd Street;
 - e. 54th Avenue*, a line 75 feet easterly of Center Boulevard*, 55th Avenue*, and Center Boulevard*;
 - f. the southerly boundary line of a park* and its easterly prolongation, 2nd Street, 56th Avenue*, and a line 75 feet westerly of 2nd Street; and
 - g. the southerly boundary line of a park* and its westerly prolongation, a line 75 feet southeasterly of Center Boulevard*, 57th Avenue*, and Center Boulevard*; and
5. establishing a Special Hunter's Point South District ("SHP") bounded by the southerly street line of 50th Avenue and its westerly prolongation, 2nd Street, 54th Avenue; a line 530 feet easterly of 2nd Street, the U.S. Pierhead and Bulkhead Line, and the U.S. Pierhead Line;

as shown on a diagram (for illustrative purposes only), dated April 21, 2008, and subject to the conditions of CEQR Declaration E-213.

* Note: Several streets are proposed to be demapped and new streets and parks are proposed to be established under a related concurrent application C 080276 MMQ for a change in the City Map.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 7

CD 2 N 080363 ZRQ
IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning the addition of Article XII, Chapter 5 (Special Southern Hunters Point District), to establish a special district and modify related regulations, in Community District 2, Borough of Queens.

Special Southern Hunters Point District

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 1
GENERAL PROVISIONS

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

11-12
Establishment of Districts

Establishment of the Special Southern Hunters Point District

In order to carry out the purposes of this Resolution, as set forth in Article XII, Chapter 5, the #Special Southern Hunters Point District# is hereby established.

12-10
Definitions

Special Southern Hunters Point District

The "Special Southern Hunters Point District" is a special purpose district designated by the letters "SHP" in which special regulations set forth in Article XII, Chapter 5, apply. The Special Southern Hunters Point District appears on the #zoning maps# superimposed on other districts and its regulations supersede, supplement and modify those of the districts upon which it is imposed.

Chapter 3
Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens

13-01
Applicability

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and the portion of Queens Community Districts 1 and 2 bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, ~~Second Street~~, the East River, the westerly prolongation of 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin, and the East River ("Long Island City subject area"), #accessory# off-street parking spaces, #public parking lots#

and #public parking garages# shall be used or #developed# in accordance with the provisions of this Chapter, except as otherwise provided in Section 13-011 (Exceptions). In the event of a conflict between the provisions of this Chapter and those contained in special purpose district regulations or Sections ~~26-05~~ 26-15 (Curb Cuts) or 37-30 (STREETSCAPE), the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit the:

* * *
Chapter 4
Sidewalk Cafe Regulations

* * *
14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Queens		
Downtown Jamaica District	No	Yes
Southern Hunters Point District	Yes	Yes

* * *
ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

* * *
CHAPTER 2
SPECIAL REGULATIONS APPLYING IN THE WATERFRONT AREA

* * *
62-80
WATERFRONT ACCESS PLANS

* * *
62-85
Borough of Queens

The following Waterfront Access Plans are hereby established within the Borough of Queens. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

- Q-1: Northern Hunters Point, as set forth in Section 62-851
- Q-2: Downtown Flushing, as set forth in Section 62-852.
- Q-3: Newtown Creek, in the #Special Southern Hunters Point District#, as set forth in Section 125-45 (Newtown Creek Waterfront Access Plan)

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

* * *
(All text is new; it is not underlined)

Chapter 5
Special Southern Hunters Point District

125-00
GENERAL PURPOSES

The "Special Southern Hunters Point District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to encourage well-designed new development that complements the built character of the Hunters Point neighborhood;
- (b) to maintain and reestablish physical and visual public access to and along the waterfront;
- (c) to broaden the regional choice of residences by introducing new affordable housing;
- (d) to achieve a harmonious visual and functional relationship with the adjacent neighborhood;
- (e) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (f) to take maximum advantage of the beauty of the East River waterfront and provide an open space network comprised of public parks, public open space and public access areas;
- (g) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and
- (h) to promote the most desirable use of land and building development in accordance with the

district plan for Southern Hunters Point and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

125-01
General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Southern Hunters Point District#, the regulations of the #Special Southern Hunters Point District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Southern Hunters Point District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

125-02
District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Southern Hunters Point District# Plan.

The District Plan includes the following nine maps:

- Map 1 Special Southern Hunters Point District Plan, Subdistricts and Parcels
- Map 2 Special Ground Floor Use Regulations
- Map 3 Maximum Base Heights and Street Wall Location
- Map 4 Tower Areas
- Map 5 Mandatory Sidewalk Widening and Publicly Accessible Open Area
- Map 6 Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict
- Map 7 Newtown Creek Waterfront Access Plan
- Map 8 Permitted Curb Cut Locations

125-03
Subdistricts

In order to carry out the purposes and provisions of this Chapter, the #Special Southern Hunters Point District# is divided into two subdistricts: the East River Subdistrict and the Newtown Creek Subdistrict. The East River Subdistrict is further subdivided into parcels A through G. The location and boundaries of the subdistricts and parcels are shown on Map 1 (Special Southern Hunters Point District Plan, Subdistricts and Parcels) in Appendix A.

125-04
Applicability of District Regulations

125-041
Modification of use and bulk regulations for zoning lots bounding parks

Where the #lot line# of a #zoning lot# coincides with the boundary of a #public park#, such #lot line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

125-042
Modification of Article VI, Chapter 2

The provisions of Sections 62-41 (Requirements for Waterfront Public Access) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified as set forth in Section 125-45 (Newtown Creek Waterfront Access Plan).

125-10
USE REGULATIONS

125-11
Ground Floor Use Along Designated Streets

Map 2 (Special Ground Floor Use Regulations) in Appendix A of this Chapter specifies locations where the special ground floor #use# regulations of this Section apply. Such regulations shall apply along the entire #street# frontage of the #building#, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 30 feet of the #street wall# shall be limited to #commercial# or #community facility uses# permitted by the underlying district. A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space. In no event shall the length of #street# frontage occupied by lobby space exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the length of lobby frontage need not be less than 20 feet.

125-12
Transparency Requirements

The provisions of this Section shall apply to any #street wall# of a #building# containing ground floor #commercial# or #community facility uses#, excluding #schools#. Each such ground floor #street wall# shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

125-13
Location of Uses in Mixed Buildings

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential uses#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

125-14
Security Gates

All security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or any publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

25-20
FLOOR AREA REGULATIONS

125-21
East River Subdistrict

In the East River Subdistrict, the maximum #residential floor area ratio# shall be as set forth in the table below, and no #floor area# bonuses shall apply.

Parcel	Maximum Floor Area
Parcel A	12.0
Parcel B	10.0
Parcel C	10.5
Parcel D	12.0
Parcel E	12.0
Parcel F	10.0
Parcel G	12.0

125-22
Newtown Creek Subdistrict

In the Newtown Creek Subdistrict, the maximum #floor area ratio# shall be 2.75, and may be increased only as set forth in this Section.

(a) Floor area bonus for public amenities

For #developments# located within the Newtown Creek Subdistrict that provide a publicly accessible private street and open area, the #floor area ratio# may be increased from 2.75 to a maximum permitted #floor area ratio# of 3.75, provided that the Chair of the City Planning Commission has certified that such publicly accessible private street and open area comply with the design standards of Section 125-43 (Private Street Requirements) and paragraph (b) of Section 125-44 (Publicly Accessible Open Area Requirements).

(b) Floor area increase for Inclusionary Housing

(1) Within the #Special Southern Hunters Point District#, the Newtown Creek Subdistrict shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, and this Section, applicable within the Special District.

(2) In the Newtown Creek Subdistrict, for #developments# that provide a publicly accessible private street and open area that comply with the provisions of paragraph (a) of this Section, the #floor area ratio# for any #zoning lot# with #buildings# containing #residences# may be increased from 3.75 to a maximum #floor area ratio# of 5.0 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (b) of Section 23-942 shall not apply. In lieu thereof, the special height and setback regulations of Section 125-30 (HEIGHT AND SETBACK REGULATIONS), inclusive, of this Chapter shall apply.

125-30
HEIGHT AND SETBACK REGULATIONS

The underlying height and setback regulations shall not apply, except as set forth in this Section. In lieu thereof, the height and setback regulations of this Section, 125-30, inclusive, shall apply. All heights shall be measured from the #base plane#.

125-31
Roof-top Regulations

(a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Southern Hunters Point District#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of

street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building# or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

125-32
Balconies

Balconies shall not be permitted below the applicable maximum base height set forth in Section 125-33. Above the applicable maximum base height, balconies are permitted provided that at least 50 percent of the perimeter of the balcony is bounded by building walls, exclusive of parapet walls.

125-33
Required Street Walls

For the purposes of applying the height and setback regulations of this Section, the boundaries of sidewalk widenings required pursuant to Section 125-41, the boundaries of publicly accessible private streets and open areas required pursuant to Sections 125-43 and 125-44, and #lot lines# of any #public park# that abut #zoning lots# shall be considered to be #street lines#.

(a) Street wall location

Map 3 (Maximum Street Wall Heights) in Appendix A specifies locations where #street walls# are required to be provided in accordance with the provisions of this Section. Such #street walls# shall be located as specified on Map 3.

(b) Maximum base heights and recesses

Required street walls shall extend up to at least a minimum base height of 40 feet or the height of the #building#, whichever is less. The maximum base height of such #street walls# shall be as indicated on Map 3. Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth, shall be permitted on the ground floor where required to provide access to the #building#, and recesses, not to exceed five feet in depth, shall be permitted on the ground floor where required to provide access to utilities. Above a height of 12 feet above adjoining grade, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#.

(c) Required setbacks and maximum building heights

Setbacks are required for all portions of #buildings# that exceed the applicable maximum base height, except #schools#. All required setbacks shall be provided at a height not lower than 40 feet. A setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that the depth of such setbacks may include the depth of any permitted recesses in the #street wall#. For the purposes of this paragraph, (c), the following shall be considered #wide streets#:

- (1) Second Street between 54th Avenue and Borden Avenue;
- (2) 55th Avenue between Center Boulevard and Second Street;
- (3) any publicly accessible private street and open area constructed pursuant to Section 125-43 or paragraph (b) of Section 125-44, as applicable; and
- (4) Center Boulevard between 50th Avenue and 57th Avenue.

Above the applicable maximum base height, the maximum building height shall be 125 feet, except where towers are permitted pursuant to Section 125-34.

125-34
Towers

Any portion of a #building# that exceeds a height of 125 feet shall comply with the following provisions:

(a) Tower location and maximum tower height

All towers shall be located entirely within a Tower Area as designated on Map 4. The maximum height of such towers shall be as indicated for the specified location on Map 4. Where tower heights are limited to 310 feet and 360 feet, such heights may be exceeded by a penthouse portion of a #building#, provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the

gross area of the highest #story# of the same #building# entirely below a height of 310 feet or 360 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet.

- (b) Orientation and maximum tower size
The outermost walls of each #story# located entirely above a height of 125 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street or Center Boulevard, whichever is closest, shall be 95 feet. The maximum length of any other side of such rectangle shall be 170 feet. Each #story# of a tower located entirely above a height of 125 feet shall not exceed a gross area of 11,000 square feet.

However, on Parcel G in the East River Subdistrict, the maximum length of the side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street shall not exceed 170 feet.

(e) Tower and base integration

Notwithstanding the setback provisions of paragraph (c) of Section 125-33, up to 50 percent of the #street wall# width of a tower may rise sheer from grade without setback.

125-35
Authorization for Height and Setback Modifications

Within the #Special Southern Hunters Point District#, for any #development# or #enlargement#, the City Planning Commission may modify the regulations set forth in Section 125-30, inclusive, provided the Commission finds that such modifications:

- (a) will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;
- (b) are consistent with the goals of the Special District to provide flexibility of architectural design and encourage more attractive building forms; and
- (c) will result in a #development# or #enlargement# that enhances the streetscape and is compatible with #development# in the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects of the #development# or #enlargement# on the character of the surrounding area.

125-40
DISTRICT PLAN ELEMENTS

125-41
Sidewalk Widenings

Map 5 (Mandatory Sidewalk Widenings and Publicly Accessible Open Area) in Appendix A of this Chapter specifies locations of mandatory sidewalk widenings. The depth of such sidewalk widenings shall be as indicated on Map 5 and shall be measured perpendicular to the #street line# unless otherwise indicated. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times.

125-42
Street Tree Plantings

All #developments#, #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more, or conversions of a non-#residential building# to a #residential use# shall provide one #street# tree, pre-existing or newly planted, for every 25 feet of #street# frontage of the #zoning lot#. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the #street#, except where the Department of Parks and Recreation determines such tree planting would be infeasible. The species and caliper of all #street# trees shall be determined by the Department of Parks and Recreation and all such trees shall be planted by the owner of the #development#, #enlargement# or converted #building# in accordance with the #street# tree planting standards of the Department of Parks and Recreation.

125-43
Private Street Requirements

In the Newtown Creek Subdistrict, where a private street is provided pursuant to paragraph (a) of Section 125-22, such private street shall be constructed to minimum Department of Transportation standards for public #streets#, including lighting, curbs and curb drops. Such private street shall consist of a paved road bed with a minimum width of 34 feet from curb to curb with 13-foot wide sidewalks on each side along its entire length. Such private street shall be located as shown on Map 6.

125-44
Publicly Accessible Open Area Requirements

- (a) In the East River Subdistrict, on Parcel G, where a publicly accessible private open area is required as shown on Map 5 (Mandatory Sidewalk Widenings and Publicly Accessible Open Area), no excavation or building permit shall be issued for any #development# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted for such area that is consistent with the Department of Parks and Recreation design standards used for the

development of the adjacent #public park#. A certification under this paragraph shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation.

In the event that Parcel G is not owned by the City, then, prior to design and development of the publicly accessible open area, the owner of Parcel G may make a request directed to the Office of the Mayor to transfer to the City its fee simple absolute interest, free and clear of any encumbrances in the such open area. The City may accept the transfer request, provided that development of the open area is made in accordance with guidelines established by the Chairperson of the City Planning Commission and the Commissioner of Parks and Recreation, and transfer is made pursuant to such instruments as are necessary for implementation. In the event of a transfer, the #bulk# and parking computations for the #zoning lot# shall include the transferred property and such transfer shall not be deemed a #non-compliance#.

- (b) In the Newtown Creek Subdistrict, where a publicly accessible private open area is provided pursuant to paragraph (a) of Section 125-22, no excavation or building permit shall be issued for any #development# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted for such area that is consistent with the Department of Parks and Recreation design standards used for the used for the development of the #public park# located on 55th Avenue between Center Boulevard and Second Street. A certification under this paragraph shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation.

125-45
Newtown Creek Waterfront Access Plan

Map 7 shows the boundaries of the area comprising the Newtown Creek Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area consists of Block 11, Lot 1, as established on (effective date of amendment).

- (a) Modification of #use# requirements
- All Use Group 6 and 9 #uses# listed in Section 62-212 (Waterfront-enhancing uses) shall be a permitted #use# in #Residence Districts# within the Newtown Creek Waterfront Access Plan, provided that:
- (1) such #use# is limited to not more than 10,000 square feet of #floor area# per establishment;
 - (2) the total amount of #floor area# used for such #uses# does not exceed two percent of the total amount of #floor area# permitted on the #zoning lot#; and
 - (3) such #uses# are located below the level of the first #story# ceiling of a #building#.

Additionally, docks for water taxis and docks or mooring facilities for non-commercial pleasure boats (Use Group 6) shall be a permitted #use# within the Newtown Creek Waterfront Access Plan.

(b) Modifications of design standards

The provisions of Sections 62-41 (Requirements for Waterfront Public Access) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified at the following designated locations which are shown on Map 7:

- (1) #Shore public walkway#
The requirements for Prototype I described in paragraph (b)(1) of Section 62-831 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) shall apply to all new #development#.
- (2) #Upland connection#
A single #upland connection# shall be provided through Block 11, Lot 1 abutting the prolongation of 5th Street and extending from the shore public walkway northerly to 54th Avenue.
- (3) #Supplemental public access area#
#Supplemental public access areas# shall be provided pursuant to Section 62-415, paragraph (a), and shall be located as indicated on Map 7.

125-46
Phased Implementation of Publicly Accessible Areas

In the Newtown Creek Subdistrict, the Chairperson shall allow for the phased implementation of all required publicly accessible areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for an amount of public access area proportionate to the amount of #floor area# being #developed# in each phase. For any #development# located within 100 feet of a #shoreline#, the initial phase shall provide, at a minimum, the required #shore public walkway# and any adjacent #supplemental public access areas# located between such #development# and such #shore public walkway#. For any #development# that fronts upon 54th Avenue, the initial phase shall provide, at a minimum, the required publicly accessible private street.

125-50
PARKING REGULATIONS

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall apply except as set forth in this Section.

125-51
General Regulations

For the purposes of Section 125-50 (PARKING REGULATIONS), inclusive, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level#.

No #public parking garages# or #public parking lots# shall be permitted.

125-52
Location of off-street parking spaces

(a) Enclosure of spaces

All off-street parking spaces shall be located within facilities that, except for entrances and exits, are entirely below the level of any #street# or publicly accessible open area upon which such facility or portion thereof fronts, or shall be located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas. Such #floor area# shall have a minimum depth of 30 feet.

(b) Rooftop landscaping

Any roof area of a parking garage not otherwise covered by a #building# and larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area. #Schools# shall be exempt from the provisions of this paragraph, (b).

125-53
Maximum Size of Permitted Accessory Group Parking Facilities

In the East River Subdistrict, Section 13-134 (Multiple use development) shall apply except that the maximum number of spaces within an #accessory# parking facility for a multiple #use development# shall be 780. Section 13-141 (Location of accessory off-street parking spaces) shall not apply.

In the Newtown Creek Subdistrict, Section 13-134 shall apply except that the maximum number of spaces within an #accessory# parking facility for a multiple #use development# shall not exceed 40 percent of the number of #dwelling units# within the #development#.

125-54
Off-site Facilities in the East River Subdistrict

In the East River Subdistrict, all #accessory# off-street parking spaces may be provided within parking facilities on #zoning lots# other than the same #zoning lot# as the #uses# to which they are #accessory#, provided such parking facilities are located within the #Special Southern Hunters Point District#, and the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each off-site #zoning lot# using such facility, less the number of any spaces provided on such #zoning lots#.

125-55
Location of curb cuts

Curb cuts are permitted only in the locations indicated on Map 8 (Permitted Curb Cut Locations) in Appendix A. The aggregate width of all curb cuts provided for any #development# shall not exceed 50 feet.

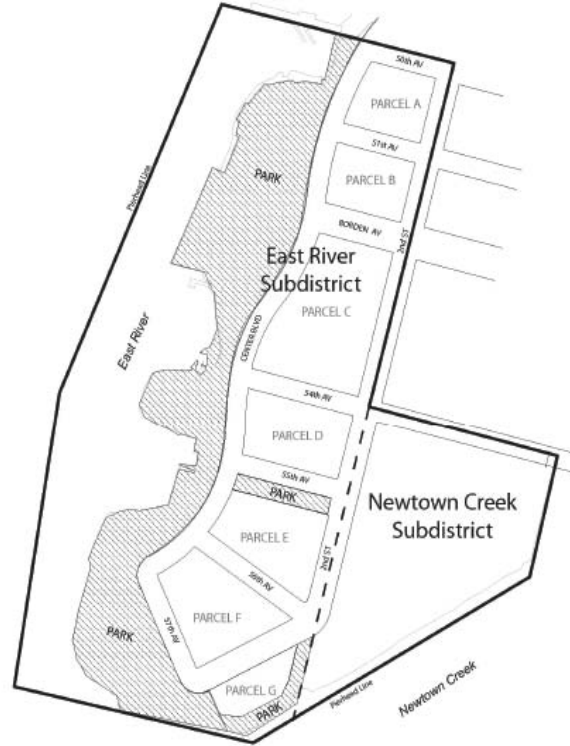
125-56
Accessory Indoor Bicycle Parking

Within the #Special Southern Hunters Point District#, a designated area for #accessory# bicycle parking shall be provided for all #developments# or #enlargements#. Such designated area shall be enclosed, accessible and secure, and

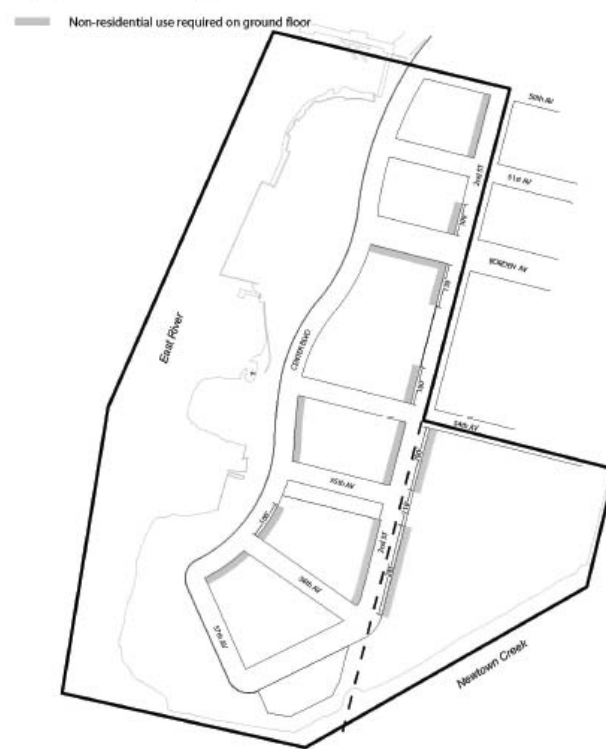
excluded from the definition of #floor area#. #Accessory# facilities, such as lockers, showers and circulation space shall also be excluded from the definition of #floor area#.

- (a) For #residential buildings# with ten or more #dwelling units#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
- (b) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6B office #use#, one bicycle parking space shall be provided for every 5,000 square feet of such office #use#, up to a maximum of 200 bicycle parking spaces.
- (c) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6A or 6C retail #use#, one bicycle parking space shall be provided for every 5,000 square feet of such #use#, up to a maximum of 100 bicycle parking spaces.

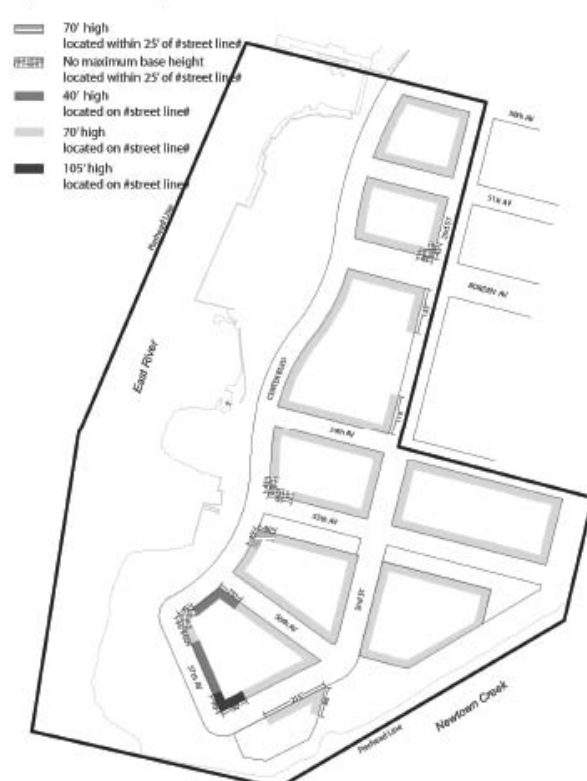
Special Southern Hunters Point District
Map 1. Special Southern Hunter's Point District Plan, Subdistricts and Parcels



Special Southern Hunters Point District
Map 2. Special Ground Floor Use Regulations

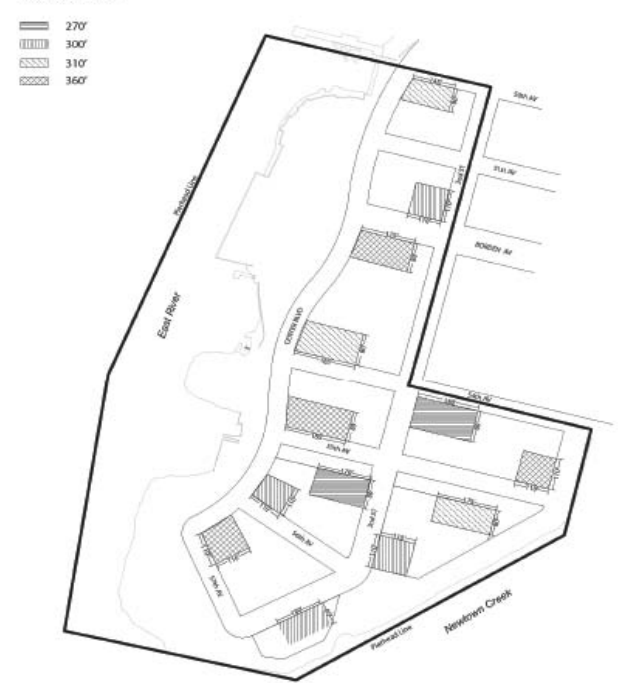


Special Southern Hunters Point District
Map 3. Maximum Base Heights and Street Wall Locations



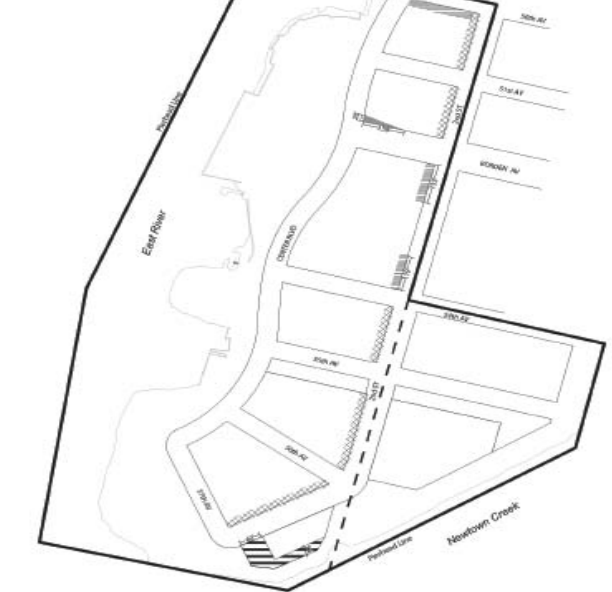
Special Southern Hunters Point District

Map 4. Lower Areas



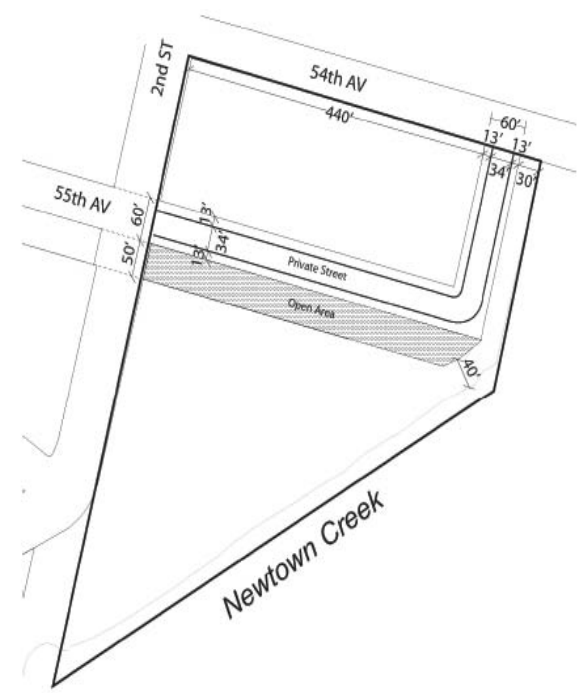
Special Southern Hunters Point District

Map 5. Mandatory Sidewalk Widening and Publicly Accessible Open Area



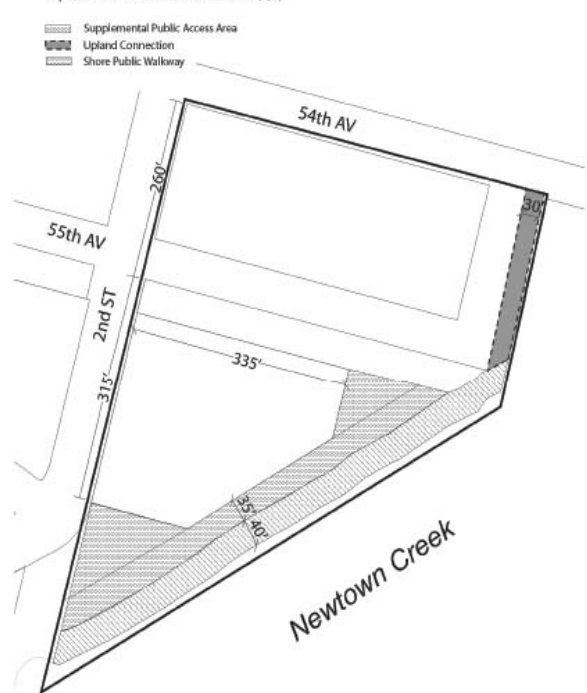
Special Southern Hunters Point District

Map 6. Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict



Special Southern Hunters Point District

Map 7. Newtown Creek Waterfront Access Plan (Q-3)



Special Southern Hunters Point District
Map 8. Permitted Curb Cut Locations



No. 8

CD 2 C 080364 PQQ
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 2nd Street (Block 1, lots 1 and 10; Block 5, lot 1; Block 6, lots 1, 2, and 14); the bed of 54th Avenue between 2nd Street and the East River; and the bed of 55th Avenue between 2nd Street and the East River.

No. 9

CD 2 C 080365 HAQ
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 1, 2nd Street (Block 1, Lot 1), 2nd Street (Block 1, Lot 10), 54-02 2nd Street (Block 5, Lot 1), 51-24, 51-20, and 52-50 2nd Street (Block 6, Lots 1, 2, and 14), and de-mapped portions of 54th and 55th Avenues, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of Hunters Point South, a mixed-use development.

NOTICE

On Wednesday, August 13, 2008, at 9:00 A.M., in the Tishman Auditorium, of Vanderbilt Hall, New York University Law School Campus, located at 40 Washington Square South in Manhattan, a public hearing is being held by the Deputy Mayor for Economic Development in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning various actions to establish the Special Hunters Point South District including a change to the Zoning Map; discontinuance, elimination and closure all of the streets and parkland in the new special district and the establishment of a new street system and parks; and the acquisition and disposition of a site to create 5,000 units of housing, in Queens Community District 2.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DME006Q.

BOROUGH OF QUEENS
Nos. 10, 11, 12, 13, 14 & 15

WILLETS POINT DEVELOPMENT PLAN

NOTE: This hearing is not likely to begin before 12 noon.
No. 10

CD 7 C 080221 MMQ
IN THE MATTER OF an application, submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code by the New York City Economic Development Corporation, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of streets within an area bounded by 126th Street, Northern Boulevard, Van Wyck Expressway Extension and Roosevelt Avenue;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map Nos. 5000, 5001 and 5002, all dated March 25, 2008, and signed by the Borough President.

No. 11

CD 7 C 080381 ZMQ
IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10a and 10b:

1. changing from an R3-2 District to a C4-4 District property bounded by Northern Boulevard, the westerly line of a westerly service entrance of Van Wyck Expressway Extension, the southeasterly street line of a service entrance, the southeasterly

street line of Willets Point Boulevard*, the northeasterly centerline prolongation of 34th Avenue*, Willets Point Boulevard*, and a southerly service exit of Northern Boulevard;

2. changing from an M3-1 District to a C4-4 District property bounded by Northern Boulevard, a southerly service exit of Northern Boulevard, Willets Point Boulevard*, the northeasterly centerline prolongation of 34th Avenue*, the southeasterly street line of Willets Point Boulevard*, the southeasterly street line of a service entrance, the westerly boundary line of a park, a line 1280 feet northwesterly of Roosevelt Avenue, a line 540 feet northwesterly of a U.S. Pierhead and Bulkhead Line, Roosevelt Avenue, and 126th Street; and
3. establishing a Special Willets Point District ("WP") bounded by Northern Boulevard, a westerly service entrance of Van Wyck Expressway Extension, the westerly boundary line of a park, a line 1280 feet northwesterly of Roosevelt Avenue, a line 540 feet northwesterly of a U.S. Pierhead and Bulkhead Line, Roosevelt Avenue, and 126th Street;

as shown on a diagram (for illustrative purposes only), dated April 21, 2008, and subject to the conditions of CEQR Declaration E-214.

* Note: Willets Point Boulevard and 34th Avenue are proposed to be demapped under a related concurrent application C 080221 MMQ for a change in the City Map.

No. 12

CD 7 N 080382 ZRQ
IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter for amendments of the Zoning Resolution of the City of New York, concerning the addition of Article XII, Chapter 4 (Special Willets Point District) and modifications of related sections, establishing a special district in Community District 7, Borough of Queens.

Matter underlined is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in ~~strikeout~~ is old, to be deleted;
* * * indicates where unchanged text appears in the Zoning Resolution

11-12
Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Establishment of the Special West Chelsea District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 8, the #Special West Chelsea District# is hereby established.

Establishment of the Special Willets Point District

In order to carry out the special purposes of this Resolution as set forth in Article XII, Chapter 4, the #Special Willets Point District# is hereby established.

* * *

12-10
DEFINITIONS

* * *

Special West Chelsea District

Special Willets Point District

The "Special Willets Point District" is a Special Purpose District designated by the letters "WP" in which special regulations set forth in Article XII, Chapter 4, apply. The #Special Willets Point District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Story * * *

14-44
Special Zoning Districts Where Certain Sidewalk Cafes are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes are Permitted).

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Downtown Jamaica District	No	Yes
Special Willets Point District	Yes	Yes

* * *

All text is new; it is not underlined

Article XII - Special Purpose Districts
Chapter 4
Special Willets Point District

124-00
GENERAL PURPOSES

The "Special Willets Point District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to transform Willets Point into a diverse and sustainable community that enhances connections to its surroundings through a unique combination of uses;
- (b) to create a retail and entertainment destination that catalyzes future growth and strengthens Flushing's role as a nexus of economic, social and cultural activity;
- (c) to encourage a mix of uses that compliment sporting venues within Flushing Meadows – Corona Park;
- (d) to maximize utilization of mass transit, reducing the automobile dependency of the redevelopment;
- (e) to create a livable community combining housing, retail and other uses throughout the district;
- (f) to create a walkable, urban streetscape environment with publicly accessible parks and open spaces for pedestrians;
- (g) to build upon the diversity of Queens as well as the proximity of regional transportation facilities, including the Van Wyck and Whitestone expressways, LaGuardia and JFK Airports and the Long Island Railroad;
- (h) to encourage the pedestrian orientation of ground floor uses;
- (i) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and
- (j) to promote the most desirable use of land and building development in accordance with the District Plan and Urban Renewal Plan for Willets Point and thus improve the value of land and buildings and thereby improve the City's tax revenues.

124-01
General Provisions

The provisions of this Chapter shall apply to all #developments#, #enlargements#, #extensions#, alterations and changes of #use# within the #Special Willets Point District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

124-02
Definitions

Connector street

A "connector street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Eastern perimeter street

The "eastern perimeter street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Primary retail street

The "primary retail street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Residential street

A "residential street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Retail street

A "retail street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Service street

A "service street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Street

For the purposes of establishing #blocks# and applying the #use#, #signage#, height and setback, #court#, publicly accessible open space regulations and curb cut regulations of this Chapter, #connector streets#, the #eastern perimeter street#, the #primary retail street#, #residential streets#, #retail streets# and #service streets# shall be considered #streets#, and their boundaries shall be treated as #street lines#.

124-03
District Plan and Maps

District Maps are located within Appendix A of this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

The District Plan includes the following five maps:

- Map 1 - Special Willets Point District
- Map 2 - Mandatory Intersections
- Map 3 - Location Requirements for Convention Center, Cinema and Office Tower

Map 4 - Height Limits
Map 5 - Sheer Tower Wall Locations

124-04 Applicability of District Regulations

124-041 Applicability of Chapter 1 of Article I

Within the #Special Willets Point District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a tax lot or #zoning lot# that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

124-042 Applicability of Chapter 3 of Article VII

The following special permits by the Board of Standards and Appeals shall not be applicable:

Section 73-16 (Public Transit, Railroad or Electric Utility Substations) shall not apply to electrical utility substations. In lieu thereof, such #uses# shall be allowed within the #Special Willets Point District# upon authorization of the City Planning Commission pursuant to Section 124-16 (Authorization for Electrical Utility Substations)

124-043 Applicability of Chapter 4 of Article VII

The following special permits by the City Planning Commission shall not be applicable:

Section 74-61 (Public Transit, Railroad or Electric Utility Substations) shall not apply to electrical utility substations. In lieu thereof, such #uses# shall be allowed within the #Special Willets Point District# upon authorization of the City Planning Commission pursuant to Section 124-16 (Authorization for Electrical Utility Substations)

124-05 Certification for Large Developments

The requirements of this Section shall apply to #zoning lots# of at least 200,000 square feet of #lot area# containing:

- (a) #developments# resulting in at least 100,000 square feet of #floor area#, and
- (b) #enlargements# resulting in at least 100,000 square feet of #floor area# on such #zoning lots#.

No building permit shall be issued until the Chairperson of the City Planning Commission certifies to the Department of Buildings that such #developments# or #enlargements# comply with the provisions of this Section.

A set of drawings of sufficient scope and detail shall be submitted showing that:

- (1) all #streets# and private streets within or abutting the proposed #development# or #enlargement# comply with the provisions of Section 124-41 (Standards for Streets and Blocks), inclusive;
- (2) all #streets# and private streets within or abutting the proposed #development# or #enlargement# are constructed to grades acceptable to the Commissioner of Buildings and the Commissioner of Transportation;
- (3) all publicly accessible open areas within or abutting the proposed #development# or #enlargement# comply with the provisions of Section 124-50 (PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS), inclusive, and
- (4) for any portion of the #Special Willets Point District# not within the proposed #development# or #enlargement# and for which a certification pursuant to this Section has not been obtained, plans shall be submitted showing that the #development# or #enlargement# that is the subject of this certification will not preclude such portions of the #Special Willets Point District# from complying with the provisions of Section 124-41 and 124-50 under future certifications pursuant to this Section.

The Chairperson may allow for phased #development# upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any private streets and publicly accessible open spaces that are integral to the #development# of a #building# or #buildings# within each phase

All required private streets and publicly accessible open areas, once certified in accordance with the provisions of this Section, shall be duly recorded in the form of a signed declaration of restrictions, including a maintenance and operation agreement, indexed against the property, binding the owners, successors and assigns to provide such private streets and publicly accessible open areas and public access thereto in accordance with the plans certified by the Chairperson of the City Planning Commission. Such declaration or maintenance and operation agreement shall require that a bond be posted that would ensure that the private streets and public access areas are maintained in accordance with the declaration or maintenance and operation agreement and are closed only at authorized times.

The filing of such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

In addition, the private streets and publicly accessible open areas integral to the #development# or #enlargement# of a #building# or #buildings# shall be recorded on the certificate of occupancy for such #building# or #buildings# by the Department of Buildings and shall be a condition of issuance of such certificate of occupancy.

124-10 USE REGULATIONS

The #use# regulations of the underlying district are modified as set forth in this Section, inclusive.

124-11 Regulation of Residential Uses

124-111 Location of residential use within buildings

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential uses#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

124-112 Residential entrances on residential streets

Each ground floor #dwelling unit# on a #residential street# shall be directly accessible from such #residential street#. No more than one entrance to a #residential street# shall be required for any one ground floor #dwelling unit#.

124-12 Regulation of Commercial Uses

- (a) Within Area A, #uses# permitted in the underlying district shall be permitted.
- (b) Within Area B, #commercial# and special permit #uses# shall be limited to those #uses# permitted in a C1-4 District, provided that #commercial uses# shall be located no more than 100 feet from a #connector street#, 34th Avenue, Willets Point Boulevard or Area A. However, Physical Culture or Health Establishments shall be permitted within Area B pursuant to Section 73-36, provided that such use shall be located no more than 100 feet from a #connector street#, 34th Avenue, Willets Point Boulevard or Area A.
- (c) Within Area B, #uses# permitted in the underlying district shall be permitted within an area south of Willets Point Boulevard and contiguous with Area A, provided that such area shall be limited to 115,000 square feet in land area. Such area shall be the same area to which Section 124-15(h) applies.

124-13 Uses Permitted As-of-Right (not requiring Special Permit)

The following uses shall be permitted as-of-right and shall not require a special permit from the City Planning Commission or the Board of Standards and Appeals:

Trade Expositions with a capacity in excess of 2,500 persons (pursuant to Sections 124-181 and 124-41 (b)) provided that the facility has an area of no more than 400,000 square feet

Group Parking facilities exceeding 225 spaces, provided such facilities comply with the regulations set forth in Section 124-60 (OFF-STREET PARKING REGULATIONS), inclusive.

The following uses shall be permitted as-of-right in #buildings# with frontage on 126th Street and shall not require a special permit from the City Planning Commission or the Board of Standards and Appeals:

Eating and Drinking Establishments with a capacity of more than 200 persons (Use Group 12) shall be permitted as-of-right within 100 feet of a #Residence District# boundary

Physical Culture or Health Establishments

Indoor Interactive Entertainment Facilities

Amusement Arcades

124-14 Retail Continuity

The following regulations shall apply within Area A to all portions of #buildings# with frontage on 126th Street, the #primary retail street#, the #secondary retail streets# and #connector streets#.

- (a) Ground floor #uses#
#Uses# located on the ground floor level or within five feet of #base flood elevation# shall be limited to #commercial uses# permitted by the underlying district, but not including #uses# listed in Use Groups 6B, 6E, 8C, 8D, 9B, 10B or 12D. A building's frontage shall be allocated exclusively to such #uses#, except for lobby space or entryways, parking where permitted pursuant to Section 124-60, inclusive, and vehicular access where permitted pursuant to Section 124-64 (Curb Cut restrictions). Such #uses# shall have a minimum depth of 50 feet measured from any #street wall# facing 126th Street, the #primary retail street# and #connector streets#.

In no event shall the length of such frontage occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the #building's# frontage, whichever is less, except that the width of

a lobby need not be less than 20 feet.

- (b) Maximum length of establishments facing 126th Street and the #primary retail street#

The length of ground floor frontage occupied by any establishment shall not exceed 110 feet along 126th Street and 65 feet along the #primary retail street#. Such maximum lengths shall apply within 50 feet of any #streetwall# facing 126th Street and the #primary retail street#. However, the provisions of this paragraph (b) shall not apply within 300 feet of Northern Boulevard.

- (c) Access to each establishment

Access to each ground floor establishment shall be provided directly from a #street.

- (d) Transparency

For any new #development# or #enlargement#, each ground floor #streetwall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of the area of each such ground floor #streetwall#, measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. Not less than 50 percent of such glazed area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

However, in locations where such ground floor #streetwall# above the level of the adjoining sidewalk or public access area is below #base flood elevation#, the required glazed area shall occupy an area measured from #base flood elevation# to a height 10 feet above #base flood elevation#.

124-15 Modification of Sign Regulations

The height of all #signs# shall be measured from #base flood elevation#. The underlying #sign# regulations shall apply, except as set forth in this Section.

- (a) Within Area B, the #sign# regulations of a C1 District shall apply, except pursuant to subsection (h) below.
- (b) Within Area A, the #sign# regulations of a C4 District shall apply, except for #streetwalls# facing Roosevelt Avenue, Northern Boulevard and 126th Street.
- (c) Within Area A, for #streetwalls# facing Roosevelt Avenue or Northern Boulevard, the #sign# regulations of a C4 District shall apply, except that #signs# shall be limited to 85 feet in height.
- (d) For #streetwalls# facing 126th Street to a height of 35 feet, the #sign# regulations of a C4 District shall apply, provided that the maximum projection of any #sign# from the exterior wall of a #building# shall be 4 feet, and the transparency requirements of paragraph (d) of Section 124-14 are met.
- (e) For #streetwalls# facing 126th Street above 35 feet in height, all #signs#, including #advertising signs#, #illuminated signs# and #flashing signs# shall be permitted without limitation on #surface area#, provided that:
 - (1) no such #signs# are higher than 85 feet;
 - (2) the maximum projection of any #sign# from the exterior wall of a #building# shall be 4 feet, except that projections not exceeding 6 feet are permitted, provided that such projections beyond four feet shall comprise not more than 20 percent of the #surface area# of such all #signs# on the establishment;
 - (3) the screening requirements for structured parking, if provided, of Section 124-62 are met;
- (f) Within 150 feet of the neighborhood park required pursuant to Section 124-50(b), #flashing signs# whose message is visible from such park shall not be permitted.
- (g) The provisions of Section 32-67 (Special Provisions Applying Along District Boundaries) shall not apply in the #Special Willets Point District#.
- (h) Within the area wherein Section 124-12 (c) applies, subsection (b) above applies.

124-16 Authorization for Electrical Utility Substations

Electrical utility substations shall be allowed in the #Special Willets Point District# in order to serve the needs of the District, and the regulations thereof shall be modified as necessary to accommodate the operational needs of the substation, upon authorization of the City Planning Commission which shall be issued upon finding, with respect to a proposed site, that:

- (a) to the extent reasonably permitted by the operational needs of the substation, the architectural and landscaping treatment of such #use# will blend harmoniously with the abutting area; and
- (b) if the site proposed for such #use# is within Area A, that there are difficulties in locating such #use# within Area B.

The City Planning Commission may, consistent with cost-effective operations and capital planning, and the operational needs of the substation, prescribe appropriate conditions and safeguards on matters necessary to effectuate the provisions of paragraph (a) of this Section which are not regulated by other applicable codes, laws, rules or regulations. The applicant shall provide the Department of City Planning with a general description of such codes, laws, rules or regulations and a certification that the proposed substations shall comply therewith.

**124-17
Special Permit for Cogeneration Power Plant**

The City Planning Commission may permit a power plant not to exceed 25,000 square feet in #floor area#, provided that:

- (a) the power plant is designed to maximize cogeneration potential to the greatest extent feasible; and
- (b) the power plant is designed primarily to serve the Willets Point District; and

In addition, the Commissioner shall refer such application to the Department of Environmental Protection for a report.

The Commission may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area including safety devices and the concealment of such use with building enclosures, landscaping, buffer zones, or other methods.

**124-18
Location and Other Requirements for Specific Uses**

**124-181
Convention center**

A trade exposition center, hereinafter referred to as a convention center, is permitted in the #Special Willets Point District# only in accordance with this Section and Section and 124-412(b). A convention center may only be located in either of two areas within the #Special Willets Point District#, as depicted on Map 3 and as further described herein:

- (a) Entirely within 1,800 feet of the intersection of Roosevelt Avenue and 126th Street; or
- (b) Entirely within 650 feet of Northern Boulevard.

Furthermore, a convention center may not be located within 200 feet of 126th Street, and any portion of a convention center located between 200 feet and 450 feet of 126th Street shall be limited to no more than 50,000 square feet of #floor area#.

Section 124-14 (Retail Continuity) shall not be applicable to a convention center. In lieu thereof, the transparency requirements of this Section shall apply to the #streetwall# of the convention center facing a #connector street#. Such #streetwall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of such #streetwall#, measured to a height of 15 feet above the level of the adjoining sidewalk or public access area. Not less than 40 percent of such area shall be glazed with transparent materials.

The main entrance(s) of such convention center shall be on a #connector street#.

**124-182
Location of theaters**

Theaters comprising over 10,000 square feet in #floor area# shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street.

**124-183
Location of office uses in towers**

Use Group 6B office #uses# located on any #story# entirely above 120 feet in height shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street.

**124-20
BULK REGULATIONS**

In the #Special Willets Point District#, bulk regulations shall be as set forth in this Section, inclusive.

**124-21
Floor Area Regulations**

#Zoning lots# containing less than 200,000 square feet of #lot area# shall not exceed a #floor area ratio# of 2.0.

#Zoning lots# containing at least 200,000 square feet of #lot area# shall have a maximum #floor area ratio# as follows:

- (a) Except as set forth in paragraph (3) below:
 - (1) Within Area A north of 34th Avenue, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 3.4.
 - (2) Within Area A south of 34th Avenue, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 5.0.
 - (3) #Zoning lots# within Area A of at least 28 acres of #lot area# shall have a maximum #commercial floor area ratio# of 2.0 and a maximum total #floor area ratio# of 4.6.
- (b) Except as set forth in paragraph (4) below:
 - (1) Within Area B north of 34th Avenue, the #floor area ratio# shall not exceed 2.0.
 - (2) Within Area B south of 34th Avenue and north of Willets Point Boulevard, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 3.0.
 - (3) Within Area B south of Willets Point Boulevard, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 4.0.
 - (4) #Zoning lots# within Area B of at least 33 acres of #lot area# shall have a maximum #commercial floor area ratio# of 2.0 and a maximum total #floor area ratio# of 2.25.

**124-22
Height and Setback Regulations**

The height and setback regulations of this Section shall apply throughout the #Special Willets Point District#, except that #developments# or #enlargements# that result in less than 100,000 square feet of #floor area# on #zoning lots# of less than 200,000 square feet shall be limited to the height and setback regulations of an R6B district. The height of all #buildings# or other structures# shall be measured from the level of the adjoining sidewalk or other publicly accessible open area. For the purposes of this Section, 34th Avenue and Willets Point Boulevard shall be considered to be #connector streets# and 127th Street shall be considered to be a #residential street#.

- (a) Street Wall Location and Base Heights
 - (1) Except along 126th Street, Northern Boulevard and #residential streets#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# or public access area and shall extend without setback to at least a minimum base height of 60 feet or the height of the building, whichever is less. The maximum height of a #building# or other structure# before setback shall be 85 feet. However, the minimum base height of a convention center shall be 40 feet or the height of the #building#, whichever is less.
 - (2) Along 126th Street, at least 80 percent of the #aggregate width of street walls# shall be located within 60 feet of the #street line# of 126th Street and shall extend to at least a minimum base height of 60 feet, or the height of the #building#, whichever is less. The maximum height of a #building# or other structure# before setback shall be 85 feet.
 - (3) Along 126th Street, for #buildings# directly opposite Citifield Stadium, the provisions of subparagraph (2) above shall apply except that an additional lower setback shall be permitted where eating and drinking establishments with outdoor seating on terraces overlooking 126th Street are provided or where Physical Culture or Health Establishments utilize the outdoor area on the second #story#. Such terraces shall be located on the roof level of the ground floor level of the #building#, at a height not lower than 20 feet or higher than 30 feet above the level of the sidewalk fronting the 126th #streetwall# of the #building#, and shall have a minimum depth of 15 feet.
 - (4) Along #residential streets#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# or public access area and shall extend without setback to at least a minimum base height of 40 feet or the height of the building, whichever is less. The maximum height of a #building# or other structure# before setback shall be 85 feet. Where #streetwalls# facing #residential streets# contain ground floor #dwelling units#, such #streetwalls# shall be set back at least four feet from the #street line#. The #building# may project into the required setback area provided that:
 - (i) any such projection does not exceed 20 feet in width;
 - (ii) any such projection does not exceed 25 feet in height;
 - (iii) the aggregate width of all such projections at the level of any #story# shall not exceed 50 percent of the width of the #street wall# of the #building#; and
 - (iv) all such projections are at least 10 feet apart.
 - (5) Along Northern Boulevard, no portion of a #streetwall# shall be located closer to Northern Boulevard than eight feet. At least 70 percent of the #aggregate width of street walls# shall be located between eight and 15 feet of the Northern Boulevard #street line# and shall extend without setback to at least a minimum base height of 60 feet or the height of the building, whichever is less. The maximum height of a #building# or other structure# before setback shall be 85 feet.
 - (6) Wherever an open area is provided between the #streetwall# of a #building# and the #streetline#, such area shall be planted, except at entrances to and exits from the #building#, and except where non-#residential uses# are provided at the ground floor level of the #building#.
- (b) Required setbacks and maximum building height

Except as provided in paragraph (c)(6) of this Section 124-22, setbacks are required for all portions of #buildings# that exceed a height of 85 feet. Such setbacks shall be provided at a height not lower than 60 feet. The depth of the required setback shall be at least 10 feet measured from any required #streetwall# fronting on a #wide street#, and at least 15 feet from any required #streetwall# fronting on a #narrow street#. Where portions of #buildings# that exceed a height of 85 feet are not located above a required #streetwall#, such portions

shall be set back at least ten feet from a #wide street line# and at least 15 feet from a #narrow street line#. However, dormers may penetrate a height of 85 feet in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). Within the area shown on Map 4 as limited to 218 feet above mean sea level, no portion of a #building# shall exceed a height of 120 feet except in accordance with the tower provisions of paragraph (c) below.

- (c) Towers

Within the area shown on Map 4 as limited to 218 feet above mean sea level, any #story# of a #building# containing #residences# located above a height of 120 feet shall comply with the provisions of this paragraph (c). Such portions of a #building# are hereinafter referred to as "towers."

 - (1) Maximum tower size

Each #residential story# of a tower located entirely above a height of 120 feet shall not exceed a gross area of 11,000 square feet.
 - (2) Maximum tower length

The maximum length of any #residential story# located entirely above a height of 120 feet shall not exceed 170 feet. Such length shall be measured by inscribing within a rectangle the outermost walls of the tower at the level of each #story# entirely above a height of 120 feet. No side of such rectangle shall exceed a length of 170 feet.
 - (3) Orientation

The length of any #residential story# located entirely above a height of 120 feet shall be at least 1.5 times its width and oriented so that the long side of the such tower faces within 15 degrees of south. Such length shall be measured by inscribing within a rectangle the outermost walls of the tower at the level of each #story# entirely above a height of 120 feet. The length of such rectangle shall be at least 1.5 times its width. The orientation provisions of this paragraph (3) need not apply if at least 75 percent of all towers in the #Special Willets Point District# for which building permits have been issued comply with such provisions.
 - (4) Uppermost #story#

The uppermost #story# that contains #floor area# within a tower must provide a setback so that such #story# covers not more than 85 percent and not less than 50 percent of the gross area of the #story# immediately below.
 - (5) Distance between towers

The minimum distance between all towers shall be 60 feet.
 - (6) Sheer tower walls

The setback provisions of paragraph (b) of this Section shall not apply to any tower or portion thereof located within the sheer tower location areas shown on Map 5.
- (d) Maximum total height

The maximum height of any #building# or other structure# shall be as depicted on Map 4 (Height Limits). The height limits established in Map 4 include reference points for two #airport referenced imaginary surfaces# that are continuous planes, and one area with a maximum height limitation of 218 feet. The coordinates of the points are as follows:

Point 1	73°50'36.8"W	40°45'45.6"N
Point 2	73°50'42.9"W	40°45'38.1"N
Point 3	73°50'26.6"W	40°45'39.3"N
Point 4	73°50'33.6"W	40°45'30.7"N

The height limits hereby established supersede the height limits described in Article VI, Chapter 1. Application may be made to the Board of Standards and Appeals pursuant to Section 73-66 (Height Regulations around Airports) for a permit to construct a #building# or other structure# in excess of what is permitted pursuant to this subparagraph (c), provided that such application is also referred to the Port Authority of New York and New Jersey.

**124-40
MANDATORY IMPROVEMENTS**

**124-41
Standards for Streets and Blocks**

#Developments# or #enlargements# that result in a total of at least 100,000 square feet of #floor area# on #zoning lots# of at least 200,000 square feet, shall front upon #streets# that comply with the requirements of this Section 124-41, inclusive.

**124-411
Maximum length of blocks**

- The maximum length of a #block# shall be 450 feet except as provided below:
- (a) where a #block# includes a convention center, such length shall be unlimited;
 - (b) where a #block# bounds the intersection of 126th Street and Northern Boulevard, such length shall

be limited to 675 feet;

- (c) where a #block# bounds the intersection of 126th Street and Roosevelt Avenue, such length shall be limited to 575 feet;
- (d) #Blocks# or portions of #blocks# east of a line 500 feet east of and parallel to 126th Street and west of a line 1,500 feet east of and parallel to 126th Street shall have a maximum distance between intersections on a #connector street# of 218 feet, except where a #block# includes a convention center or the minimum 2-acre park required pursuant to Section 124-50.

**124-412
New streets**

The provisions of this Section shall apply to all private streets constructed after (effective date of amendment):

- (a) Primary Retail Street.

One #primary retail street# shall be provided parallel to, or generally parallel to, 126th Street, and comply with the following requirements:
 - (1) the western boundary of such #street# shall be not less than 220 feet and not more than 320 feet from 126th Street;
 - (2) such #street# shall intersect two #retail streets# and two #connector streets#;
 - (3) the width of such #street# shall be 70 feet, comprised of:
 - (i) two 15 foot wide sidewalks on the outer edge of the #street#;
 - (ii) two nine foot wide strips adjacent to the inner edge of the sidewalks that can be used as either parking lanes or a landscaped amenity that may include seating and walkways; and
 - (iii) two travel lanes in the center totaling 22 feet in width.
- (b) Connector Streets

Two #connector streets# shall be provided as follows:
 - (1) One #connector street# shall intersect 126th Street opposite 34th Avenue within the area shown on Map 2;
 - (2) One #connector street# shall intersect 126th Street opposite the south side of Citifield Stadium within the area shown on Map 2;
 - (3) Both #connector streets# shall intersect with the #primary retail street# and with each other at a point east of the #primary retail street#.
 - (4) The width of each #connector street# shall be at least 75 feet and no more than 86 feet, comprised of:
 - (i) two 15 foot wide sidewalks, one on each outer edge;
 - (ii) two nine foot wide strips adjacent to the inner edge of the sidewalks that can be used as either parking lanes or a landscaped amenity that may include seating and walkways; and
 - (iii) at least two travel lanes and not more than three travel lanes totaling at least 22 feet and not more than 33 feet in width, and one bike lane at least 5 feet wide.
 - (iv) However, where portions of such #street# accommodates a change of grade, the sidewalk area shall be permitted to be divided into two areas, one 10 feet wide adjacent to the #building# and one 5 feet wide adjacent to and at the level of the travel lanes and/or parking areas, and street trees shall not be required until such time that the travel lanes are raised to the level of the 10-foot wide sidewalk.
 - (5) Where a convention center fronts upon a #connector street#, the requirements set forth in this paragraph (b) shall be modified to eliminate the nine foot wide strip and, in lieu thereof, require a 12 foot wide drop-off lane that, in the aggregate, shall not exceed 300 feet.
- (c) Retail Street.

A minimum of two and maximum of three #retail streets# shall be provided as follows:
 - (1) One #retail street# shall intersect 126th Street opposite the entrance to Citifield stadium, within the area shown on Map 2;
 - (2) One #retail street# shall intersect 126th Street opposite the north side of Citifield Stadium within the area shown on Map 2;
 - (3) Two #retail streets# shall intersect with

the #primary retail street#;

- (4) The width of each #retail street# shall be no more than / at least 68 feet wide, comprised of:
 - (i) Two 13 foot wide sidewalks, one on each outer edge;
 - (ii) Two ten foot wide strips adjacent to the inner edge of the sidewalks that can be used as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) two travel lanes totaling at least 22 feet in width.
- (d) Eastern Perimeter Street

One #eastern perimeter street# shall be provided as follows:
 - (1) the eastern boundary of such #street# shall be within 20 feet of the eastern boundary of the #Special Willets Point District#, extending between Roosevelt Avenue and a #connector street#;
 - (2) the width of such #street# shall be at least 62 feet and no more than 75 feet, comprised of:
 - (i) a 13 foot wide sidewalk along its western boundary and a sidewalk at least five feet wide along its eastern boundary;
 - (ii) two eight foot wide strips adjacent to the inner edge of the sidewalks that can be used as either a parking lane or as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) at least two and no more than three travel lanes totaling at least 20 feet and not more than 33 feet in width.
- (e) Residential Street.

All #streets# other than those listed in paragraphs (a) through (d) above that have ground floor #residential uses# fronting on such #street# shall be considered #residential streets#, except where such #residential uses# are opposite a block containing no #residential uses# on any floor fronting such #street#. #Residential streets# shall be provided as follows:
 - (1) A #residential street# shall be 62 feet wide, comprised of:
 - (i) Two 13 foot wide sidewalks, one on each outer edge;
 - (ii) two eight foot wide strips adjacent to the inner edge of the sidewalks that can be used as either a parking lane or as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) two travel lanes totaling between 20 and 22 feet in width.
 - (iv) However, where portions of such #street# accommodates a change of grade, the sidewalk area shall be permitted to be divided into two areas, one 8 feet wide adjacent to the #building# and one 5 feet wide adjacent to and at the level of the travel lanes and/or parking areas, and street trees shall not be required until such time that the travel lanes is raised to the level of the 8-foot wide sidewalk.
 - (v) However, where a sidewalk is directly adjacent to publicly accessible open space, such sidewalk may be reduced to 10 feet in width.
- (f) Service Street.

All newly constructed #streets# other than those listed in paragraphs (a) through (e) above shall be improved as a #service street#, and shall be provided as follows:
 - (1) A #service street# shall be 62 feet wide, comprised of:
 - (i) Two 13 foot wide sidewalks, one on each outer edge;
 - (ii) two eight foot wide strips adjacent to the inner edge of the sidewalks that can be used as either a parking lane or as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) two travel lanes totaling between 20 and 22 feet in width.
 - (iv) However, where portions of such

#street# accommodates a change of grade, the sidewalk area shall be permitted to be divided into two areas, one 8 feet wide adjacent to the #building# and one 5 feet wide adjacent to and at the level of the travel lanes and/or parking areas, and street trees shall not be required until such time that the travel lanes is raised to the level of the 8-foot wide sidewalk.

**124-42
Street Tree Planting**

All new #developments# or #enlargements# shall provide and maintain trees of not less than three-inch caliper at the time of planting in the sidewalk adjacent to the #building# on the side of the sidewalk closest to the travel lane. All such trees shall be provided for the entire length of the frontage of the building, for every 25 feet of such frontage. Species shall be selected, installed and maintained in accordance with specifications established by the Department of Parks and Recreation. However, street trees need not be provided where such trees may interfere with truck movements in the loading area for a convention center.

**124-43
Mandatory Sidewalk Widening**

All #developments# or #enlargements# on 34th Avenue shall provide a sidewalk widening of no less than 13 feet in width. Such sidewalk widenings may be utilized to satisfy the requirements of Section 124-42 (Street Tree Planting). No obstructions shall be permitted from the lowest level to the sky except for those permitted pursuant to Section 37-073(f)(3). When one end of the sidewalk widening abuts an existing building, the special design treatment specified in Section 37-073(f)(5) shall be required.

**124-44
Roof Design Requirements**

Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust, and that it is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

**124-50
PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS**

Publicly accessible open spaces shall be provided as specified in this Section, inclusive. In the event of a conflict between the provisions of this Section, inclusive, and any underlying regulation, the provisions of this Section shall govern.

**124-51
Amount of Publicly Accessible Open Space**

Publicly accessible open space within the #Special Willets Point District# shall total not less than eight acres. Such required amounts shall be open to the sky and shall not include any sidewalks required pursuant to this Section.

- (a) Within Area A, for #developments# or #enlargements# that result in a total of at least 100,000 square feet of #floor area# on #zoning lots# of at least 200,000 square feet, 30 square feet of publicly accessible open space shall be provided for each 1,000 square feet of #floor area#.
- (b) Within Area B, for #developments# or #enlargements# that result in a total of at least 100,000 square feet of #floor area# on #zoning lots# of at least 200,000 square feet, 50 square feet of publicly accessible open space shall be provided for each 1,000 square feet of #floor area#.

Such publicly accessible open space may be transferred from the #zoning lot# containing the #development# or #enlargement# to any other #zoning lot# in the #Special Willets Point District# provided that such publicly accessible open space meets the standards of Section 124-52, inclusive.

**124-52
Types and Standards of Publicly Accessible Open Space**

The following types and standards of publicly accessible open space shall apply:

- (a) Park

At least one park not less than two acres in area shall be provided. Such park shall be bounded on all sides by #streets# or a #school#, and at least one of the #streets# bounding the park shall be a #connector street#. No portion of such park shall be closer than 200 feet from the boundaries of the #Special Willets Point District#. Up to five percent of the area of such outdoor park may be covered by a #building or other structure#.
- (b) 126th Street

The provisions of this paragraph (b) shall apply along the western boundary of #blocks# bounding 126th Street:
 - (1) A sidewalk with a minimum width of 15 feet shall be located adjacent to the curb, and have an elevation not higher than the one foot above the level of the road bed.

(2) A pedestrian amenity area at least 20 feet wide and no more than 35 feet wide shall be located between such sidewalk and the #streetwall# of any #building# fronting upon 126th Street. Pedestrian circulation space at least 5 feet wide shall be provided within such area within 1.5 feet of the #ground floor elevation# of such #streetwalls# to allow pedestrian movement in a direction parallel with the #street# and connecting with sidewalks of #streets# intersecting 126th Street;

(3) On each such #block# there shall be a minimum of two ramps connecting the sidewalk along 126th Street and the pedestrian circulation space. In addition, stairways shall be provided linking the sidewalk and pedestrian circulation space so that each establishment on the #block# with entrances facing 126th Street is readily accessible by such stairs or ramps;

(4) All publicly accessible open spaces shall comply with the provisions of Sections 37-725 (Steps), 37-726 (Permitted obstructions), 37-728 (Standards of accessibility for persons with disabilities), 37-73 (Kiosks and Open Air Cafes) and 37-74 (Amenities) except for the following modifications:

(i) Section 37-73 shall be modified so that only certification pursuant to Section 124-05 is required. Subsections (c) and (d) of Section 37-73 shall not apply, and filing of plans for cafes in the Borough Office of the City Register shall not be required.

(ii) Section 37-73 (b) shall be modified to permit open air cafes to be at a different elevation from adjoining public access areas and from adjoining sidewalks.

(iii) For publicly accessible open space on the western boundary of #blocks# facing Citifield Stadium, Section 37-73 (b) shall be modified to limit the aggregate area of open air cafes to no more than 50 percent of the public access area, and to allow open air cafes to occupy up to 75 percent of #street# frontage.

(iv) Section 37-741 shall be modified so that the sentence that reads "A minimum of one linear foot of the required seating for every two linear feet of #street# frontage must be located within 15 feet of the #street line#," shall not apply.

(v) For public access areas on the western boundary of #blocks# facing Citifield Stadium, Section 37-741 shall be modified so that seating for open air cafes may meeting the seating requirement, in the category of movable seating, provided that 25 percent of the linear seating capacity is provided through other seating types.

(vi) For publicly accessible open space on the western boundary of #blocks# not facing Citifield Stadium, Section 37-742 shall be modified to require planters, planting beds and accessible lawns at a rate of 200 square feet for every 1,000 square feet of publicly accessible open space.

(vii) Section 37-747 shall not apply; in lieu thereof, paragraph (i) of this Section 124-54 (Hours of Access) shall apply.

(c) Roosevelt Avenue

Along the south side of #blocks# bounding Roosevelt Avenue, the following provisions shall apply:

(1) A bike lane with a minimum width of 5 feet shall be located no more than 16 feet from the curb line;

(2) A pedestrian amenity area at least 20 feet and not more than 45 feet in width shall be provided between the bike lane and the #street wall# of a #building#;

(3) Within the pedestrian amenity area, there shall be a sidewalk with a minimum width of 13 feet generally parallel to Roosevelt Avenue linking the sidewalk along 126th Street to either a sidewalk along the #eastern perimeter street#, if built, or the sidewalk leading to the

Roosevelt Avenue Bridge.

(4) A minimum of 50 percent of the pedestrian amenity area shall be planted.

(d) Block at Roosevelt and 126th Street

In the event that a utility easement is retained on the #block# bounded by Roosevelt Avenue and 126th Street, improvements shall be provided as follows:

(1) An entry plaza of at least 7,000 square feet shall be provided adjacent to the intersection of 126th Street and Roosevelt Avenue, as follows:

(i) the plaza shall include no less than 60 feet and no more than 80 feet of frontage along 126th Street;

(ii) each #use# or establishment with frontage on the plaza shall include at least one entrance to such plaza;

(iii) at least two amenities shall be provided from among those listed in Section 37-748, except that a kiosk that provides information instead of food service shall also be permitted;

(iv) the area of such plaza does not overlap with the requirements of paragraph (c) (Roosevelt Avenue) above.

(2) A central plaza of at least 20,000 square feet shall be provided as follows:

(i) the plaza shall have at least 100 feet of frontage on a #connector street#;

(ii) the prolongation of the centerline of the primary retail street shall intersect with such plaza;

(iii) such plaza shall meet the pedestrian amenity standards of subsection (b) (4) (126th Street) above.

(3) A pedestrian corridor area shall be provided linking the entry plaza required pursuant to paragraph (d)(1) above and the central plaza required pursuant to paragraph (d)(2) above, as follows:

(i) such corridor shall be at least 60 feet in width and include within such width a 40 foot utility easement;

(ii) such corridor shall be at least 150 feet in length;

(iii) each #use# or establishment with frontage on such corridor shall include at least one entrance to such corridor;

(iv) each side of such corridor area shall be planted with street trees of not less than three-inch caliper at the time of planting for the entire length of such corridor, at a rate of one tree for every 25 feet of the length of each side of such corridor.

(e) Northern Boulevard

Along the north side of #blocks# bounding Northern Boulevard, the following provisions shall apply:

(1) A sidewalk with a minimum width of 13 feet shall be located adjacent to the curb and have an elevation not higher than one foot above the road bed of Northern Boulevard;

(2) An open area at least 8 feet wide and no more than 15 feet wide shall be located between the sidewalk and the #street wall# of a #building#, except that such area need not be provided where such areas may interfere with truck movements in the loading area for a convention center located on any such #block#;

(3) A minimum of 70 percent of such open area shall be planted.

However, the requirements of this paragraph (e) shall not apply if a convention center is located on such #block#.

(f) Eastern Perimeter Street

Along the #eastern perimeter street# between the required sidewalk and the eastern boundary of the #Special Willets Point District#, an open area with a minimum depth of 8 feet and a maximum depth of

15 feet shall be provided. At least 70 percent of such open area shall be planted.

(g) Convention Center

If a convention center is provided, a pedestrian amenity area shall be required between the #street line# and the #street wall# of the convention center. The pedestrian amenity area shall have a depth of at least 10 and not more than 22 feet and meet the standards of paragraph (b)(4) (126th Street) above.

(h) Standards for Additional Areas

If the amount of public access areas required pursuant to paragraphs (a) through (g) above does not total eight acres, the difference shall be provided in the form of one or more public access areas located anywhere not closer than 100 feet to the boundary of the #Special Willets Point District#.

(i) Hours of Access

All publicly accessible open space shall be accessible to the public from sunrise to one hour after sunset. Entry plaques for public access areas over one-half acre in size shall be provided as described in Section 37-751(a).

124-60 OFF-STREET PARKING REGULATIONS

124-61 Required and Permitted Parking

Off-street parking shall be provided for all required parking spaces and loading as specified by the underlying district, except as modified by the special regulations of this Section.

124-62 Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Willets Point District#.

Floor space used for parking shall be exempt from the definition of #floor area#.

Parking facilities with over 225 parking spaces shall provide adequate reservoir space at the vehicular entrances to accommodate either ten automobiles or five percent of the total parking spaces provided in such facility, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles.

(a) All off-street parking spaces shall be located within facilities that, except for entrances and exits, meet the following standards:

(1) Are located entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or

(2) Are located in a #cellar# no more than four feet above grade within Area B provided that the #street wall# is set back at least four feet from the #street line# except for projections permitted pursuant to Section 124-22(a)(4) and planted areas are provided pursuant to Section 124-22(a)(5) and further provided that 50 percent of such #streetwall# with adjacent parking spaces consists of opaque materials; or

(3) Are located, at every level above-grade, behind #commercial#, #community facility# or #residential# #floor area# at least 25 feet from any #streetwall# or public access area, or

(4) Are located above-grade and adjacent to a #streetwall# or public access area provided that any non-horizontal parking deck structures are not visible from the exterior of the #building# in elevation view and opaque materials are located in the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck and a total of at least 50 percent of such #streetwall# with adjacent parking spaces consists of opaque materials. A parking structure so screened shall be permitted only in the following locations:

(i) Except for within #blocks# that bound the intersection of 126th Street and Northern Boulevard or 126th Street and Roosevelt Avenue, a parking facility may be located adjacent to a #streetwall# facing 126th Street above a height of 35 feet and limited to a height of 85 feet, provided that no less than 60 percent and no more than 70 percent of the surface area of the portion of such #streetwall# with adjacent parking spaces consists of one or more of the following: #signs#, graphic or sculptural art, or living plant material; and provided that at

least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#;

(ii) A parking facility may be located adjacent to a #streetwall# limited to a height of 85 feet on a #block# that bounds the intersection of 126th Street and Northern Boulevard provided that such #streetwall# is on Northern Boulevard and is more than 100 feet from 126th Street; and provided that no less than 60 percent and no more than 70 percent of the surface area of the portion of such #streetwall# with adjacent parking spaces consists of one or more of the following: #signs#, graphic or sculptural art, or living plant material; and provided that at least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#;

(iii) A parking facility not on a #block# that bounds the intersection of 126th Street and Northern Boulevard may be located adjacent to a #streetwall# limited to a height of 40 feet facing Northern Boulevard provided that such #streetwall# with adjacent parking spaces is on Northern Boulevard and is more than 100 feet from 126th Street; and provided that at least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#;

(iv) A parking facility may be located adjacent to a #streetwall# on a #block# that bounds the intersection of 126th Street and Roosevelt Avenue provided that such #streetwall# with adjacent parking spaces is more than 100 feet from 126th Street, Roosevelt Avenue and any #connector street#;

(v) A parking facility may be located adjacent to a #streetwall# limited to a height of 40 feet facing the eastern boundary of the #Special Willets Point District#, within 200 feet of such eastern boundary, so that such parking facility is not visible from a #connector street#. and provided that at least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#.

(5) A parking facility with parking spaces adjacent to an exterior #building# wall that is not a #streetwall# shall provide screening of such exterior wall so that any non-horizontal parking deck structures are not visible from the exterior of the #building# in elevation view and opaque materials are located in the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck and a total of at least 50 percent of such exterior #building# wall with adjacent parking spaces consists of opaque materials.

(6) No parking spaces shall be open to the sky, and a parking facility shall have a roof that meets the requirements of Section 124-44.

(b) 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 block, all such spaces shall be located within the same parking facility.

(c) All #accessory# off-street parking spaces may be provided within parking facilities in #buildings# other than the same #building# as the #uses# to

which they are #accessory#, provided that:

- (1) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #building#; and
- (2) such parking facilities are located within the #Special Willets Point District#; or
- (3) such parking facilities are located within distances specified by Sections 36-421 and 36-43, as applicable.

124-63 Loading Restrictions

Loading areas shall not be permitted within 75 feet of 126th Street or within 50 feet of the Primary Retail Street. Loading areas for a convention center use shall not be permitted within 100 feet of a Connector Street.

124-64 Curb Cut Restrictions

Along 126th Street, the #primary retail street#, the #connector streets#, across from public open space of 2 acres in size or greater, and within 50 feet of the intersection of any #streets#, no driveway curb cuts for parking facilities or loading berths shall be permitted, except for a convention center or a #transient hotel# with 50,000 at least square feet of #floor area#, and except that the City Planning Commission may authorize curb cuts, provided the Commission finds that such curb cuts are needed, do not unduly inhibit surface traffic or pedestrian flow and do not impair the essential character of the surrounding area.

Where permitted, the maximum aggregate width of curb cuts on any frontage shall be limited to 24 feet for #residential streets# and 60 feet for all other #streets#, except that the maximum shall be 100 feet for #blocks# that bound the intersection of 126th Street and Northern Boulevard or 126th Street and Roosevelt Avenue and for #blocks# that contain a #transient hotel# #transient hotel# with 50,000 at least square feet of #floor area#. For a convention center, the maximum aggregate width of curb cuts on any frontage shall be limited to 100 feet, except that curb cuts shall be unlimited directly adjacent to the loading area of the convention center. All curb cuts shall be achieved without any reduction to the grade of the sidewalk over which they pass.

124-65 Indoor Bicycle Parking

Within the #Special Willets Point District#, a designated area for #accessory# bicycle parking shall be provided for all #developments# or #enlargements#. Such designated area shall be enclosed, accessible and secure, and excluded from the definition of #floor area#. #Accessory# facilities, such as lockers, showers and circulation space shall also be excluded from the definition of #floor area#.

- (a) For #residential buildings# with ten or more #dwelling units#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
- (b) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6B office #use#, one bicycle parking shall be provided for every 5,000 square feet of such Office #use#, up to a maximum of 200 bicycle parking spaces.
- (c) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6A or 6C retail #use#, one bicycle parking space shall be provided for every 10,000 square feet of such #use#, up to a maximum of 100 bicycle parking spaces.

124-70 SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS

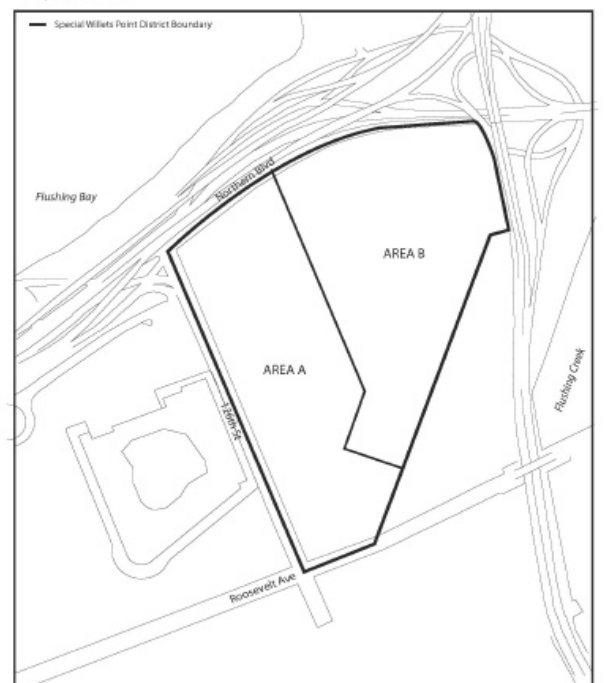
For any #development#, #enlargement#, alteration or change of #use# within the #Special Willets Point District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# provisions, provided the Commission shall find that such:

- (a) modification will aid in achieving the general purposes and intent of the Special District;
- (b) #use# modification will encourage a lively pedestrian environment along the street, or is necessary for, and the only practicable way to achieve the programmatic requirements of the #development#;
- (c) #bulk# modifications will enhance the distribution of #bulk# within the District;
- (d) #bulk# modifications will permit adequate access of light and air to surrounding streets; and
- (e) #development# or #enlargement# will relate harmoniously to the character of the surrounding area.

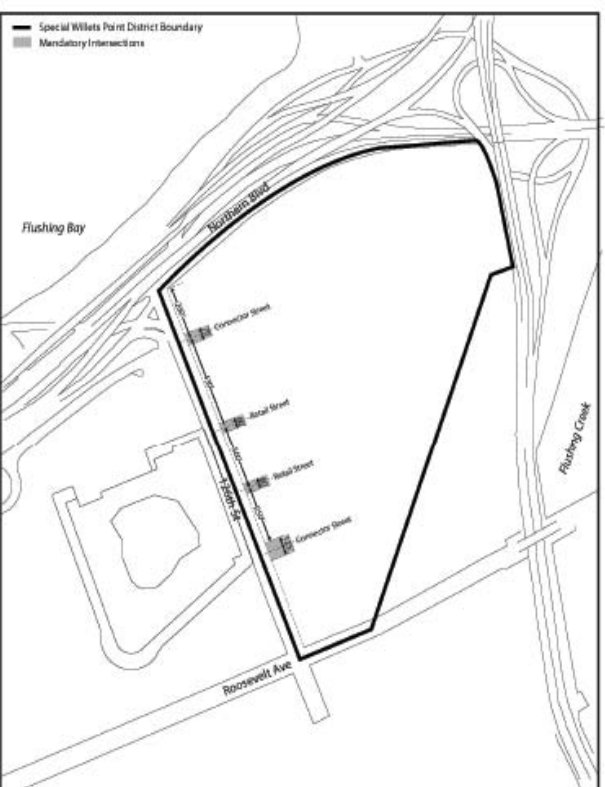
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

Appendix A Special Willets Point District

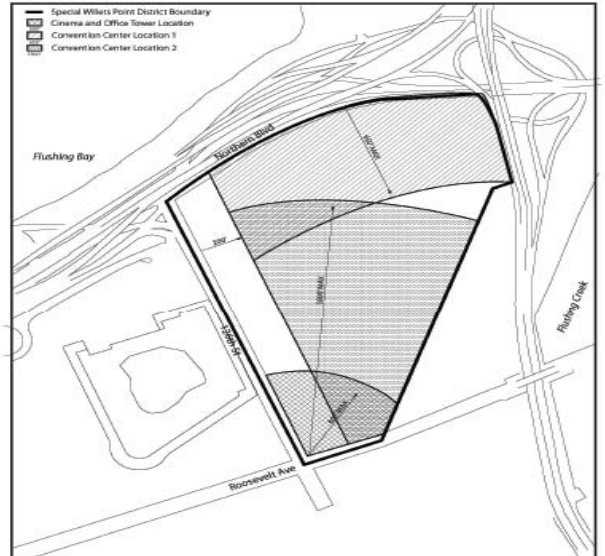
Special Willets Point District Map 1. District Plan



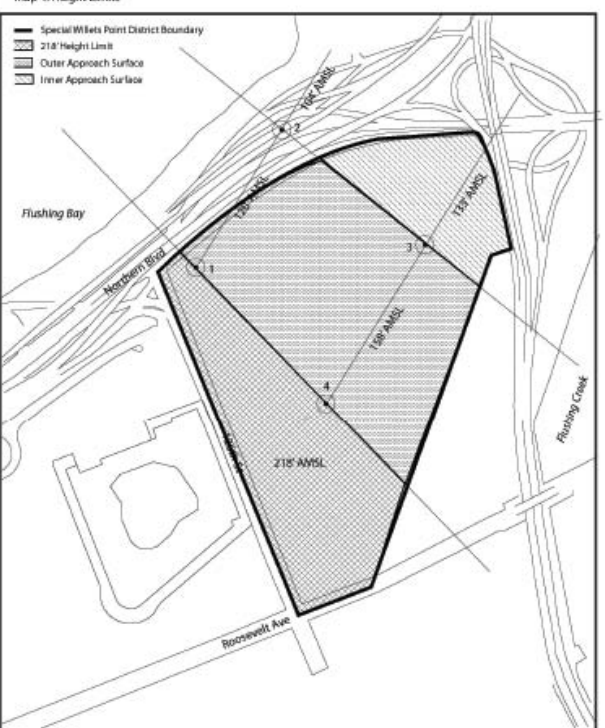
Special Willets Point District Map 2. Mandatory Intersections

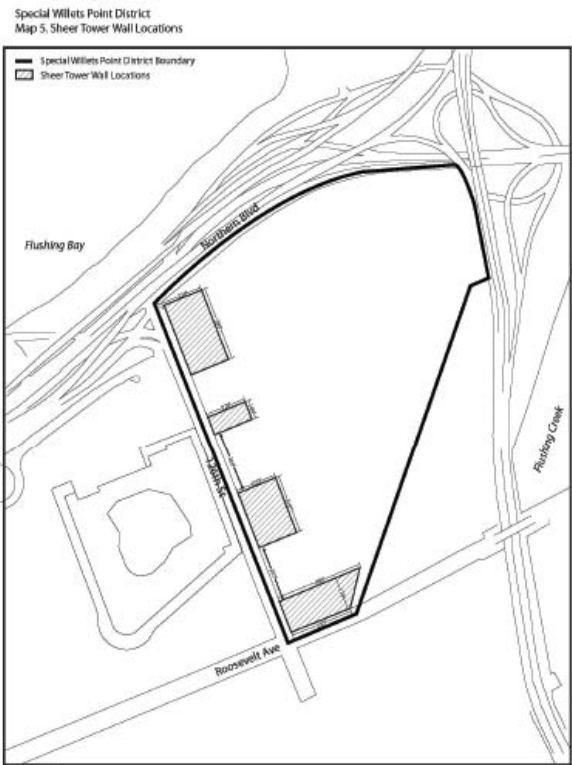


Special Willets Point District Map 3. Location Requirements



Special Willets Point District Map 4. Height Limits





No. 13

CD 7 N 080383 HGQ
IN THE MATTER OF the designation of the Willets Point Urban Renewal Area, as an area appropriate for urban renewal, pursuant to Section 504 of Article 15 of the General Municipal Law (Urban Renewal Law) of New York State, located in Community District 7 in the Borough of Queens and described as follows:

Land Use	Block	Lot(s)
Commercial	1820	1, 6, 9, 18, 34, 108
Commercial	1821	1, 6, 16, 25, 27
Commercial	1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58
Commercial	1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58, 59, 60
Commercial	1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53
Commercial	1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58
Commercial	1826	1, 5, 14, 18, 20, 31, 35
Commercial	1827	1
Commercial	1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39
Commercial	1829	19, 21, 40, 71
Commercial	1830	1, 9, 10, 21
Commercial	1831	1, 10, 35
Commercial	1832	1, 10
Commercial	1833	p/o 1, 103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172, 177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300, 425

All mapped and/or built streets within the project boundary.

No. 14

CD 7 C 080384 HUQ
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the Willets Point Urban Renewal Plan for the Willets Point Urban Renewal Area, Community District 7, Borough of Queens.

The proposed plan consists of the following properties to be acquired:

Block	Lot(s)
1820	1, 6, 9, 18, 34, 108
1821	1, 6, 16, 25, 27
1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58
1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58, 59, 60
1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53
1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58
1826	1, 5, 14, 18, 20, 31, 35
1827	1
1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39
1829	19, 21, 40, 71
1830	1, 9, 10, 21

- 1831 1, 10, 35
- 1832 1, 10
- 1833 p/o 1, 103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172, 177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300, 425

All mapped and/or built streets within the project boundary.

No. 15

CD 7 C 080385 HDQ
IN THE MATTER OF an application, submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property comprising sites within the Willets Point Renewal Area.

The properties are to be disposed to a developer to be selected by HPD for redevelopment in accordance with the Willets Point Urban Renewal Plan and consists of the following:

Block	Lot(s)
1820	1, 6, 9, 18, 34, 108
1821	1, 6, 16, 25, 27
1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58
1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58, 59, 60
1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53
1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58
1826	1, 5, 14, 18, 20, 31, 35
1827	1
1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39
1829	19, 21, 40, 71
1830	1, 9, 10, 21
1831	1, 10, 35
1832	1, 10
1833	p/o 1, 103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172, 177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300, 425

All mapped and/or built streets within the project boundary.

NOTICE

On Wednesday, August 13, 2008, at 9:00 A.M., in the Tishman Auditorium, Vanderbilt Hall, New York University School Law located at 40 Washington Square South in Manhattan, a public hearing is being held by the Deputy Mayor for Economic Development in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning various actions to implement the Willets Point Development Plan and create the new Willets Point Urban Renewal Area, including a text amendment to create the Special Willets Point District, a change to the Zoning Map to change existing M1-1 and R3-2 zoning districts to a C4-4 zoning district, and the discontinuance, elimination and closure all of the streets in the approximately 61-acre area generally bounded by the Van Wyck Expressway, Roosevelt Avenue, 126th Street, and Northern Boulevard, in Queens Community District 7.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DME014Q.

**YVETTE V. GRUEL, Calendar Officer
 City Planning Commission
 22 Reade Street, Room 2E
 New York, New York 10007
 Telephone (212) 720-3370**

jy28-a13

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, August 6, 2008 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

jy28-a6

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of

the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **August 5, 2008** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-1630 - Block 210, lot 11-32 Hicks Street - Brooklyn Heights Historic District
 An eclectic style brick house built between 1861 and 1879. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-1055 - Block 252, lot 23-36 Grace Court - Brooklyn Heights Historic District
 An Italianate style house, built in 1861-79. Application is to alter the front facade and construct a rear yard addition. Zoned R6, LH1.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-1366 - Block 214, lot 18-24 Willow Street - Brooklyn Heights Historic District
 A brick rowhouse built in 1847. Application is to construct a dormer at the roof. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 08-7642 - Block 253, lot 35-18 Grace Court Alley - Brooklyn Heights Historic District
 A brick carriage house built in the 19th century. Application is to construct a rooftop addition. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 08-7843 - Block 211, lot 39-55 Middagh Street - Brooklyn Heights Historic District
 A Federal style frame house built c. 1820. Application is to alter the front facade, rebuild a stoop, raise and alter the roofline, install dormers, and construct a rear yard addition. Zoned R7-1, LH-1.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 08-0171 - Block 300, lot 17-380 Henry Street - Cobble Hill Historic District
 A Romanesque Revival style institutional building designed by William Schikel & Co. and built in 1888 with a brick addition built in 1970. Application is to install HVAC units and sound attenuation screens at the roof. Zoned R6 in LH-1.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-1629 - Block 326, lot 21-21 Tompkins Place - Cobble Hill Historic District
 A Greek Revival style rowhouse built in the 1840s. Application is to lower the sills of the parlor floor windows.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-0793 - Block 942, lot 11-90 Park Place - Park Slope Historic District
 An Italianate style stable building built in the 19th century. Application is to legalize the fence at the side yard and to alter the exterior stair and modify openings at the secondary facade.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-0899 - Block 5119, lot 1-1510 Albemarle Road - Prospect Park South Historic District
 A Colonial Revival style house designed by John J. Petit, built in 1900. Application is to modify window and door openings and alter a covered terrace at the rear facade. Zoned R1-2.

BINDING REPORT
 BOROUGH OF MANHATTAN 09-0789 - Block 121, lot 1-1 Centre Street - Municipal Building - Individual Landmark
 A Beaux-Arts style skyscraper office building designed by William M. Kendall of McKim, Mead & White, and built in 1909-14. Application is to install two banner signs at the ground floor.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 08-8111 - Block 49, lot 1-81 Broadway - Trinity Church and Graveyard - Individual Landmark
 A Gothic Revival style church designed by Richard Upjohn and built in 1846. Application is to install a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 08-7133 - Block 180, lot 22-345 Greenwich Street - Tribeca West Historic District
 A Renaissance Revival style store and loft building built in 1896. Application is to establish a master plan governing the future replacement of windows throughout the building.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-0609 - Block 475, lot 7508-37 Greene Street - SoHo-Cast Iron Historic District
 A store building designed by Richard Berger and built in 1883-1884. Application is to construct of a rooftop addition and alter the rear facade. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 08-4302 - Block 631, lot 37-711 Greenwich Street - Greenwich Village Historic District
 A warehouse constructed in 1945. Application is to replace infill and to install a stair bulkhead. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-1728 - Block 632, lot 29-129 Charles Street - Greenwich Village Historic District
 A vernacular style stable and dwelling designed by Henry Andersen, and built in 1897. Application is to construct a rooftop and a rear yard addition. Zoned C6-1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-7986 - Block 641, lot 58
335 West 12th Street, aka 802-810 Greenwich Street-
Greenwich Village Historic District
A one-story garage building, built in 1944. Application is to
demolish the building and construct a four-story building.
Zoned R6.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 08-7067 - Block 1259, lot 48-
20 West 44th Street - Mechanics' and Tradesmen's Institute
(formerly Berkeley School) Individual Landmark
Beaux-Arts style educational/ institutional school building,
designed by Lamb and Rich, built 1890. Application is to
request that the Landmarks Preservation Commission issue
a report to the City Planning Commission relating to an
application for a Modification of Bulk pursuant to Section
74-711 of the Zoning Resolution. Zoned C6-4,5.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8327 - Block 1300, lot 1-
230 Park Avenue - Former New York Central/now the
Helmsley Building - Individual Landmark and Interior
Landmark
A Beaux-Arts style office building designed by Warren &
Wetmore and built in 1927-29. Application is to install
reception station, remove directory and install artwork.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8254 - Block 1377, lot 13-
19 East 62nd Street - Upper East Side Historic District
A rowhouse built in 1871 and altered in the neo-Federal style
by Harry Allen Jacobs in 1917. Application is to install a
sidewalk canopy.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8369 - Block 1409, lot 1-
799 Park Avenue - Upper East Side Historic District
An apartment building designed by H. I. Feldman and built
in 1958-61. Application is to install a privacy fence and
relocate HVAC condensers at the garage roof.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8309 - Block 1392, lot 64-
12 East 78th Street - Metropolitan Museum Historic District
A neo-Italian Renaissance style rowhouse built in 1886-87.
Application is to construct rooftop addition and rear yard
additions. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-0168 - Block 1211, lot 33-
428 Columbus Avenue - Upper West Side/Central Park West
Historic District
An Early 20th Century Commercial style office building
designed by Charles J. Perry and built in 1900. Application is
to alter and expand an existing rooftop addition.
Zoned C1-8A.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-3634 - Block 1250, lot 91-
601 West End Avenue - Riverside - West End Historic
District
A Renaissance Revival style apartment building built in
1915-16. Application is to establish a master plan governing
the future installation of windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8178 - Block 1717, lot 47-
24 West 119th Street - Mount Morris Historic District
A rowhouse designed by Cleverdon & Putzel and built in
1889. Application is to construct a rear addition. Zoned R7-2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 09-1285 - Block 8065, lot 25-
240 Ridge Road - Douglaston Historic District
A Tudor Revival style house designed by Henry Kiefer and
built in 1930. Application is to amend Certificate of
Appropriateness 07-9921 for construction of additions.
Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 08-8019 - Block 8033, lot 59-
225 Beverly Road - Douglaston Historic District
A Tudor Revival style house designed by Andrew Anderson
and built in 1926. Application is to legalize the installation of
a door and light fixture without Landmarks Preservation
Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 09-1225 - Block 8041, lot 38-
139 Arleigh Road - Douglaston Historic District
A Colonial Revival style house designed by William Heckman
and built in 1919. Application is to legalize the installation of
windows in non-compliance with Certificate of
Appropriateness 07-4589.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 08-1461 - Block 4960, lot 1-
137-35 Northern Boulevard - Flushing Municipal
Courthouse, formerly Flushing Town Hall-Individual
Landmark
A Romanesque Revival style courthouse and Town Hall built
in 1862. Application is to alter the areaway install fences,
and install a barrier-free access lift.

jy23-a5

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the
following proposed revocable consents, have been scheduled
for a public hearing by the New York City Department of
Transportation. The hearing will be held at 40 Worth Street,
Room 814 commencing at 2:00 P.M. on Wednesday, August

13, 2008. Interested Parties can obtain copies of proposed
agreements or request sign-language interpreters (with at
least seven days prior notice) at 40 Worth Street, 9th Floor
South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing
The Vilcek Foundation Inc. to maintain and use snow
melting tubing in the north sidewalk of East 73rd Street, east
of Lexington Avenue, in the Borough of Manhattan. The
proposed revocable consent is for a term of ten years from the
date of approval by the Mayor to June 30, 2019 and provides,
among other terms and conditions, for compensation payable
to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$2,326/annum
For the period July 1, 2009 to June 30, 2010 - \$2,392
For the period July 1, 2010 to June 30, 2011 - \$2,458
For the period July 1, 2011 to June 30, 2012 - \$2,524
For the period July 1, 2012 to June 30, 2013 - \$2,590
For the period July 1, 2013 to June 30, 2014 - \$2,656
For the period July 1, 2014 to June 30, 2015 - \$2,722
For the period July 1, 2015 to June 30, 2016 - \$2,788
For the period July 1, 2016 to June 30, 2017 - \$2,854
For the period July 1, 2017 to June 30, 2018 - \$2,920
For the period July 1, 2018 to June 30, 2019 - \$2,986

the maintenance of a security deposit in the sum of \$3,000,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing
W2001Z/15CPW Realty, LLC to construct, maintain and use
fenced-in planted areas on the west sidewalk of Central Park
West, between West 61st Street and West 62nd Street, in the
Borough of Manhattan. The proposed revocable consent is for
a term of ten years from the Date of Approval by the Mayor
to June 30, 2019 and provides, among other terms and
conditions, for compensation payable to the City according to
the following schedule:

From the Approval Date to June 30, 2019 - \$355/annum.

the maintenance of a security deposit in the sum of \$5,000,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing
Federal Reserve Bank of New York to maintain and use
bollards and a guard booth bollards located along Liberty,
William, Nassau Streets and Maiden Lane, guard booth
located at Luoise Nevelson Plaza triangle, in the Borough of
Manhattan. The proposed revocable consent is for a term of
ten years from July 1, 2008 to June 30, 2018 and provides,
among other terms and conditions, for compensation payable
to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$23,024
For the period July 1, 2009 to June 30, 2010 - \$23,111
For the period July 1, 2010 to June 30, 2011 - \$23,198
For the period July 1, 2011 to June 30, 2012 - \$23,285
For the period July 1, 2012 to June 30, 2013 - \$23,372
For the period July 1, 2013 to June 30, 2014 - \$23,459
For the period July 1, 2014 to June 30, 2015 - \$23,546
For the period July 1, 2015 to June 30, 2016 - \$23,633
For the period July 1, 2016 to June 30, 2017 - \$23,720
For the period July 1, 2017 to June 30, 2018 - \$23,807

the maintenance of a security deposit in the sum of \$100,000,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing
Macy's, Inc. to construct, maintain and use a tunnel under
and across Hoyt Street, north of Livingston Street, in the
Borough of Brooklyn. The proposed revocable consent is for a
term of ten years from July 1, 2008 to June 30, 2018 and
provides, among other terms and conditions, for
compensation payable to the City according to the following
schedule:

For the period July 1, 2008 to June 30, 2009 - \$12,045
For the period July 1, 2009 to June 30, 2010 - \$12,379
For the period July 1, 2010 to June 30, 2011 - \$12,713
For the period July 1, 2011 to June 30, 2012 - \$13,047
For the period July 1, 2012 to June 30, 2013 - \$13,381
For the period July 1, 2013 to June 30, 2014 - \$13,715
For the period July 1, 2014 to June 30, 2015 - \$14,049
For the period July 1, 2015 to June 30, 2016 - \$14,383
For the period July 1, 2016 to June 30, 2017 - \$14,717
For the period July 1, 2017 to June 30, 2018 - \$15,051

the maintenance of a security deposit in the sum of \$24,000,
and the filing of an insurance policy in the minimum amount
of \$1,250,000/\$5,000,000 for bodily injury and property
damage for each occurrence in the aggregate amount of
\$1,000,000.

#5 In the matter of a proposed revocable consent authorizing
HS Townhouse Corp to construct, maintain and use a stoop,
steps and planted area on the north sidewalk of State Street,
west of Hoyt Street, in front of the property located at 301
State Street, in the Borough of Brooklyn. The proposed
revocable consent is for a term of ten years from the Date of
Approval by the Mayor to June 30, 2019 and provides, among
other terms and conditions, for compensation payable to the
City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$1,017
For the period July 1, 2010 to June 30, 2011 - \$1,043
For the period July 1, 2011 to June 30, 2012 - \$1,069
For the period July 1, 2012 to June 30, 2013 - \$1,095
For the period July 1, 2013 to June 30, 2014 - \$1,121
For the period July 1, 2014 to June 30, 2015 - \$1,147
For the period July 1, 2015 to June 30, 2016 - \$1,173

For the period July 1, 2016 to June 30, 2017 - \$1,199
For the period July 1, 2017 to June 30, 2018 - \$1,225
For the period July 1, 2018 to June 30, 2019 - \$1,251

the maintenance of a security deposit in the sum of \$3,700,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing
HS Townhouse Corp to construct, maintain and use a stoop,
steps and planted area on the north sidewalk of State Street,
west of Hoyt Street, in front of the property located at 301A
State Street, in the Borough of Brooklyn. The proposed
revocable consent is for a term of ten years from the Date of
Approval by the Mayor to June 30, 2019 and provides, among
other terms and conditions, for compensation payable to the
City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$1,017
For the period July 1, 2010 to June 30, 2011 - \$1,043
For the period July 1, 2011 to June 30, 2012 - \$1,069
For the period July 1, 2012 to June 30, 2013 - \$1,095
For the period July 1, 2013 to June 30, 2014 - \$1,121
For the period July 1, 2014 to June 30, 2015 - \$1,147
For the period July 1, 2015 to June 30, 2016 - \$1,173
For the period July 1, 2016 to June 30, 2017 - \$1,199
For the period July 1, 2017 to June 30, 2018 - \$1,225
For the period July 1, 2018 to June 30, 2019 - \$1,251

the maintenance of a security deposit in the sum of \$3,700,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing
HS Townhouse Corp to construct, maintain and use a step
and a planted area on the north sidewalk of State Street,
west of Hoyt Street, in front of the property located at 303
State Street, in the Borough of Brooklyn. The proposed
revocable consent is for a term of ten years from the Date of
Approval by the Mayor to June 30, 2019 and provides, among
other terms and conditions, for compensation payable to the
City according to the following schedule:

From the date of approval to June 30, 2009 - \$517/annum.
For the period July 1, 2009 to June 30, 2010 - \$528
For the period July 1, 2010 to June 30, 2011 - \$539
For the period July 1, 2011 to June 30, 2012 - \$550
For the period July 1, 2012 to June 30, 2013 - \$561
For the period July 1, 2013 to June 30, 2014 - \$572
For the period July 1, 2014 to June 30, 2015 - \$583
For the period July 1, 2015 to June 30, 2016 - \$594
For the period July 1, 2016 to June 30, 2017 - \$605
For the period July 1, 2017 to June 30, 2018 - \$616
For the period July 1, 2018 to June 30, 2019 - \$627

the maintenance of a security deposit in the sum of \$3,700,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#8 In the matter of a proposed revocable consent authorizing
HS Townhouse Corp to construct, maintain and use a stoop,
steps and planted area on the north sidewalk of State Street,
west of Hoyt Street, in front of the property located at 303A
State Street, in the Borough of Brooklyn. The proposed
revocable consent is for a term of ten years from the Date of
Approval by the Mayor to June 30, 2019 and provides, among
other terms and conditions, for compensation payable to the
City according to the following schedule:

From the date of approval to June 30, 2009 - \$991/annum.
For the period July 1, 2009 to June 30, 2010 - \$1,017
For the period July 1, 2010 to June 30, 2011 - \$1,043
For the period July 1, 2011 to June 30, 2012 - \$1,069
For the period July 1, 2012 to June 30, 2013 - \$1,095
For the period July 1, 2013 to June 30, 2014 - \$1,121
For the period July 1, 2014 to June 30, 2015 - \$1,147
For the period July 1, 2015 to June 30, 2016 - \$1,173
For the period July 1, 2016 to June 30, 2017 - \$1,199
For the period July 1, 2017 to June 30, 2018 - \$1,225
For the period July 1, 2018 to June 30, 2019 - \$1,251

the maintenance of a security deposit in the sum of \$3,700,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#9 In the matter of a proposed revocable consent authorizing
HS Townhouse Corp to construct, maintain and use a stoop,
steps and planted area on the north sidewalk of State Street,
west of Hoyt Street, in front of the property located at 305
State Street, in the Borough of Brooklyn. The proposed
revocable consent is for a term of ten years from the Date of
Approval by the Mayor to June 30, 2019 and provides, among
other terms and conditions, for compensation payable to the
City according to the following schedule:

From the date of approval to June 30, 2009 - \$991/annum.
For the period July 1, 2009 to June 30, 2010 - \$1,017
For the period July 1, 2010 to June 30, 2011 - \$1,043
For the period July 1, 2011 to June 30, 2012 - \$1,069
For the period July 1, 2012 to June 30, 2013 - \$1,095
For the period July 1, 2013 to June 30, 2014 - \$1,121
For the period July 1, 2014 to June 30, 2015 - \$1,147
For the period July 1, 2015 to June 30, 2016 - \$1,173
For the period July 1, 2016 to June 30, 2017 - \$1,199
For the period July 1, 2017 to June 30, 2018 - \$1,225
For the period July 1, 2018 to June 30, 2019 - \$1,251

the maintenance of a security deposit in the sum of \$3,700,
and the filing of an insurance policy in the minimum amount
of \$250,000/\$1,000,000 for bodily injury and property damage
for each occurrence in the aggregate amount of \$100,000.

#10 In the matter of a proposed revocable consent
authorizing HS Townhouse Corp to construct, maintain and
use a stoop, steps and planted area on the north sidewalk of

State Street, west of Hoyt Street, in front of the property located at 305A State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$991/annum.
For the period July 1, 2009 to June 30, 2010 - \$1,017
For the period July 1, 2010 to June 30, 2011 - \$1,043
For the period July 1, 2011 to June 30, 2012 - \$1,069
For the period July 1, 2012 to June 30, 2013 - \$1,095
For the period July 1, 2013 to June 30, 2014 - \$1,121
For the period July 1, 2014 to June 30, 2015 - \$1,147
For the period July 1, 2015 to June 30, 2016 - \$1,173
For the period July 1, 2016 to June 30, 2017 - \$1,199
For the period July 1, 2017 to June 30, 2018 - \$1,225
For the period July 1, 2018 to June 30, 2019 - \$1,251

the maintenance of a security deposit in the sum of \$3,700, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#11 In the matter of a proposed revocable consent authorizing HS Townhouse Corp to construct, maintain and use a step and a planted area on the north sidewalk of State Street, west of Hoyt Street, in front of the property located at 307 State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$517/annum.
For the period July 1, 2009 to June 30, 2010 - \$528
For the period July 1, 2010 to June 30, 2011 - \$539
For the period July 1, 2011 to June 30, 2012 - \$550
For the period July 1, 2012 to June 30, 2013 - \$561
For the period July 1, 2013 to June 30, 2014 - \$672
For the period July 1, 2014 to June 30, 2015 - \$583
For the period July 1, 2015 to June 30, 2016 - \$594
For the period July 1, 2016 to June 30, 2017 - \$605
For the period July 1, 2017 to June 30, 2018 - \$616
For the period July 1, 2018 to June 30, 2019 - \$627

the maintenance of a security deposit in the sum of \$3,700, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#12 In the matter of a proposed revocable consent authorizing HS Townhouse Corp to construct, maintain and use a stoop, steps and planted area on the north sidewalk of State Street, west of Hoyt Street, in front of the property located at 307A State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval of June 30, 2009 - \$891/annum.
For the period July 1, 2009 to June 30, 2010 - \$ 914
For the period July 1, 2010 to June 30, 2011 - \$ 937
For the period July 1, 2011 to June 30, 2012 - \$ 960
For the period July 1, 2012 to June 30, 2013 - \$ 983
For the period July 1, 2013 to June 30, 2014 - \$1,006
For the period July 1, 2014 to June 30, 2015 - \$1,029
For the period July 1, 2015 to June 30, 2016 - \$1,052
For the period July 1, 2016 to June 30, 2017 - \$1,075
For the period July 1, 2017 to June 30, 2018 - \$1,098
For the period July 1, 2018 to June 30, 2019 - \$1,121

the maintenance of a security deposit in the sum of \$3,700, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#13 In the matter of a proposed revocable consent authorizing HS Townhouse Corp to construct, maintain and use a step and a planted area on the north sidewalk of State Street, west of Hoyt Street, in front of the property located at 309 State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$517/annum.
For the period July 1, 2009 to June 30, 2010 - \$528
For the period July 1, 2010 to June 30, 2011 - \$539
For the period July 1, 2011 to June 30, 2012 - \$550
For the period July 1, 2012 to June 30, 2013 - \$561
For the period July 1, 2013 to June 30, 2014 - \$672
For the period July 1, 2014 to June 30, 2015 - \$583
For the period July 1, 2015 to June 30, 2016 - \$594
For the period July 1, 2016 to June 30, 2017 - \$605
For the period July 1, 2017 to June 30, 2018 - \$616
For the period July 1, 2018 to June 30, 2019 - \$627

the maintenance of a security deposit in the sum of \$3,700, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#14 In the matter of a proposed revocable consent authorizing WB IMICO Stanhope LLC to modify existing consent so as to construct, maintain and use snow melting conduits on the east sidewalk of Fifth Avenue, south of East 81st Street, in the Borough of Manhattan. The proposed modification of revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$10,788/annum
For the period July 1, 2009 to June 30, 2010 - \$11,095
For the period July 1, 2010 to June 30, 2011 - \$12,625
For the period July 1, 2011 to June 30, 2012 - \$12,932
For the period July 1, 2012 to June 30, 2013 - \$13,239
For the period July 1, 2013 to June 30, 2014 - \$13,546
For the period July 1, 2014 to June 30, 2015 - \$13,853
For the period July 1, 2015 to June 30, 2016 - \$14,160
For the period July 1, 2016 to June 30, 2017 - \$14,467

the maintenance of a security deposit in the sum of \$14,500, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

jy23-a13

URBAN DEVELOPMENT CORPORATION

NOTICE

LEGAL NOTICE

NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT CORPORATION NOTICE OF PUBLIC HEARING TO BE HELD TUESDAY, SEPTEMBER 2, 2008 AND CONTINUED ON THURSDAY, SEPTEMBER 4, 2008, PURSUANT TO SECTIONS 6 AND 16 OF THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION ACT AND ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE PROPOSED COLUMBIA UNIVERSITY EDUCATIONAL MIXED USE DEVELOPMENT LAND USE IMPROVEMENT AND CIVIC PROJECT

PLEASE TAKE NOTICE that a public hearing, open to all persons, will be held at the Aaron Davis Hall of the City University of New York, West 135th Street at Convent Avenue, New York, New York 10031, from 1:00 P.M. until 4:00 P.M. and from 5:30 P.M. until 9:00 P.M. on Tuesday, September 2, 2008 and continued on Thursday, September 4, 2008, from 1:00 P.M. until 4:00 P.M. and from 5:30 P.M. until 9:00 P.M. by the New York State Urban Development Corporation d/b/a Empire State Development Corporation ("ESDC") pursuant to Sections 6 and 16 of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended; the "UDC Act") and Article 2 of the New York State Eminent Domain Procedure Law ("EDPL") to consider: (a) the General Project Plan (the "General Project Plan") for the proposed Columbia University Educational Mixed-Use Development Land Use Improvement and Civic Project (the "Project"); (b) the proposed acquisition by ESDC, by condemnation or voluntary transfer, of certain property located within the Project Site (described below) in furtherance of the Project; and (c) the essential terms of proposed conveyances of property so acquired by ESDC to Columbia University in furtherance of the Project.

For those who wish to speak at the hearing, speaker registration will commence 15 minutes before each session on each hearing date at the Aaron Davis Hall.

The public hearing is for the purpose of (1) informing the public about the Project; (2) giving all interested persons an opportunity to provide comments on the General Project Plan, pursuant to Section 16 of the UDC Act; (3) describing the sub-standard conditions and underutilization of the Project Site; (4) giving all interested persons an opportunity to comment on the essential terms of the proposed property conveyances with respect to the Project, pursuant to Section 6 of the UDC Act; (5) reviewing the public use, benefit or purpose to be served by the proposed Project and the impact of the Project on the environment and residents of the locality where the Project would be constructed, pursuant to Article 2 of the EDPL; and (6) advising all persons and property owners within the Project Site of what properties are contemplated for acquisition by eminent domain.

Project Site and Project Description

The proposed Project is located in the Manhattanville neighborhood of West Harlem in northern Manhattan, on an approximately 17-acre site (the "Project Site"), the principal portion of which is bounded by and includes West 125th Street on the south, West 133rd Street on the north, Broadway on the east and Twelfth Avenue on the west, as well as certain areas located beneath City streets within this area and beneath other City streets in the Project Site. The remaining portion of the Project Site consists of an area which is bounded by and includes Broadway on the west, West 133rd and West 134th Streets on the south and north, respectively, and a line between West 133rd and West 134th Streets approximately 200 feet east of Broadway, along with an irregularly-shaped block enclosed by and including Broadway on the west, Old Broadway on the east, West 131st Street on the south and West 133rd Street on the north. The Project Site constitutes the principal component of the West Harlem Rezoning and Academic Mixed-Use Development Project (the "Rezoning").

The Project is described in detail in the General Project Plan, available to the public as set forth below. The Project consists of the development of a modern, open, integrated campus for Columbia University ("Columbia"). The new campus would comprise a total of approximately 6.8 million gross square feet ("GSF") of new, state-of-the-art facilities housed in up to 16 new buildings and in an adaptively reused existing building that would be used primarily for teaching facilities, academic research, Columbia housing, and recreational and open active ground floor uses. Approximately 2 million gross square feet of the Project total would be developed as a continuous, multi-level, below-grade facility of up to approximately 80 feet in depth which would be used for

activities that support the academic, academic research, housing, recreation and teaching programs of Columbia and other occupants of the Project Site. The Below-Grade Facility would extend in part below City owned streets, and would connect most of the buildings on the principal portion of the Project Site. In addition, approximately two acres (94,000 square feet) of publicly accessible, grade-level, open space and a market zone along Twelfth Avenue would be created, and sidewalks would be widened. Build out of the Project is anticipated to occur in two phases over an approximately 25-year period.

Public Use, Benefit or Purpose

The Project would: (i) maintain and improve the status of the City and State of New York as centers for higher education and scientific research, (ii) eliminate an underutilized and substandard urban landscape in order to accommodate new educational facilities with open areas accessible to the local community, (iii) create new, stable jobs in the community and thereby help preserve Columbia's position as the seventh largest private employer in the City, (iv) further scientific research into neurological ailments and other diseases, (v) expand the number of affordable housing units in proximity to the Project Site; (vi) provide tangible community benefits in terms of new publicly accessible, park-like open spaces, recreational opportunities and other civic amenities; and (vii) enliven 125th Street to help draw residents to the West Harlem Piers Park.

A number of ESDC discretionary actions are subject to review pursuant to the UDC Act and the EDPL. These actions include ESDC's affirmation of the General Project Plan, the voluntary acquisition or condemnation of privately owned property interests in land and City owned property interests in land and the disposition by ESDC of such property within the Project Site to Columbia in furtherance of the Project.

After the public hearing is held and the comment period is concluded, and after consideration of all comments received, the ESDC Directors will be requested to affirm or, if appropriate, modify the General Project Plan, and make statutory findings under the UDC Act and the EDPL. In addition, to effectuate the Project, as described in the General Project Plan, ESDC would exercise its statutory authority to override the requirements of Sections 198 and 199 (City Map) and Sections 197-c and 197-d (Uniform Land Use Review Procedure or "ULURP") of the New York City Charter to the extent otherwise applicable to Project implementation. In view of the benefits to be realized by the Project and the opportunity of the public to comment upon the General Project Plan at the public hearing, no concomitant public purpose would be served by the delay in having one or more governmental entities comply with additional approval processes.

Proposed Property Acquisition

The General Project Plan contemplates that ESDC would assist Columbia in assembling the Project Site through exercise of its statutory powers under the UDC Act, including the power of eminent domain. If so authorized by the Directors after this public hearing and their consideration of the comments on the General Project Plan and the proposed acquisitions, any acquisitions by ESDC would be considered in stages as necessary or appropriate in ESDC's discretion to carry out the development of the Project. Initially, ESDC would acquire certain properties and property interests needed for the first ten-year phase of the Project's development, including, without limitation, subsurface interests underlying and adjacent to City streets within the Project Site which are needed for tie backs and supports and for the construction, maintenance and development of the Below-Grade Facility beneath West 130th, West 131st, and West 132nd Streets. Later, to facilitate the Project's second phase of development, ESDC would consider the exercise of its power of eminent domain to acquire any remaining property interests on or in the Project Site as may be necessary to further Project purposes. ESDC would not use its eminent domain power to acquire the seven residential properties on the Project Site while they remain occupied by residential tenants.

The first ten-year phase of the Project includes the following property, which would be subject to acquisition by ESDC for Project purposes: Block 1986, Lots 30 and 65; Block 1987, Lots 1 and 7 and the western portion of Lot 9; Block 1995, Lots 31 and 35; Block 1996, Lots 14, 15, 16, 18, 20, 21, 23, 29, 34, 36, 50, 56 and 61; Block 1997, Lots 1, 6, 9, 14, 17, 18, 21, 27, 29, 30, 33, 34, 40, 44, 47, 48, 49, 52, 55, 56, 61 and 64; Block 1998, Lots 1, 3, 6, 10, 13, 16, 24, 26, 29, 38, 49, 57 and 61; and subsurface interests in below-grade portions of West 125th Street, West 129th Street, West 130th Street, West 131st Street and West 132nd Street, and adjacent areas of Broadway and Twelfth Avenue. During this first ten-year phase of the Project, ESDC would not acquire through eminent domain Block 1997, Lot 6 (owned by the City and leased to an affiliate of the MTA); Block 1997, Lots 29 and 48, so long as they continue to be used for religious purposes; Block 1998, Lot 38 (owned by the City of New York and operated by its Department of Housing Preservation and Development); Block 1998, Lot 49, so long as it continues to be used for public utility purposes; or any part of Block 1999.

All acquisitions by condemnation would be made in full compliance with the requirements of the UDC Act and EDPL.

Proposed Disposition

Columbia would pay the full cost of any property acquired by ESDC in connection with the Project. Upon ESDC's acquisition of any property interest in the Project Site, the payment by Columbia of all of ESDC's costs and expenses of acquiring the same, the payment of all fees, claims and expenses incurred or accrued by ESDC and ESDC's securing full possession thereof, ESDC would convey and release such

property interest, without further consideration, to Columbia by deed without any grantor's covenants. All property now or hereafter owned by Columbia within the Project Site and all property acquired by ESDC and conveyed to Columbia will be subject to a Declaration of Covenants and Restrictions that would secure Columbia's compliance with the requirements of the General Project Plan as well as certain obligations incurred by Columbia in connection with the Rezoning.

Availability of the General Project Plan

The General Project Plan, which contains a detailed description of the Project, the Final Environmental Impact Statement ("FEIS") and the Neighborhood Conditions Reports are on file at the office of ESDC, 633 Third Avenue, New York, New York 10017 and are available for inspection by the general public between the hours of 9:30 A.M. to 5:00 P.M., Monday through Friday, public holidays excluded.

A copy of the General Project Plan is available, without charge, to any person requesting such copies at the office of ESDC at the address given above. Copies of the General Project Plan are also available at the ESDC web site at <http://www.nylovesbiz.com/Columbia>. Pursuant to Section 16(2) of the UDC Act, ESDC also has filed a copy of the General Project Plan, and the findings required under Section 10 of the UDC Act, in the office of the Clerk of New York County and the office of the Clerk of the City of New York, and has provided copies thereof to the Mayor of the City of New York, the Manhattan Borough President, the Chair of the City Planning Commission, and the Chair of Manhattan Community Board 9. Copies of the General Project Plan, the FEIS and Neighborhood Conditions Reports will also be available at the public hearing. Maps and general property descriptions of the proposed properties that may be acquired and adjacent parcels shall also be available for viewing at the hearing. To inspect and/or obtain copies of the General Project Plan from ESDC, please contact Regina Stephens at (212) 803-3818.

Receipt of Comments

Comments on the General Project Plan, proposed condemnations, acquisitions and proposed transfers by ESDC to Columbia are requested. **According to EDPL Section 202(C), any property owner who may subsequently wish to challenge the condemnation of their property via judicial review, may do so only on the basis of issues, facts, and objections raised at the hearing.** Comments may be: (1) made orally or in writing at the hearing on September 2, 2008, or September 4, 2008; (2) delivered in writing to ESDC, 633 Third Avenue, New York, New York 10017 (Attention: Regina Stephens), on or before 5:30 pm on Friday, October 10, 2008; or (3) sent by e-mail to Columbia@empire.state.ny.us, on or before 5:30 P.M. on Friday, October 10, 2008. Written or e-mailed comments received after 5:30 P.M. on October 10, 2008 will not be considered.

The hearing is accessible to people who are mobility impaired. Sign language interpreter services will be provided upon advance request by contacting Regina Stephens at (212) 803-3818 on or before August 25, 2008.

Dated: August 3, 2008
New York, New York

NEW YORK STATE URBAN
DEVELOPMENT CORPORATION D/B/A
EMPIRE STATE DEVELOPMENT CORPORATION

By: Eileen McEvoy
Corporate Secretary

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COURT NOTICE

SUPREME COURT

NOTICE

KINGS COUNTY IA PART 74 NOTICE OF PETITION INDEX NUMBER 21531/08

In the Matter of Application of the CITY OF NEW YORK relative to acquiring title by leasehold condemnation to certain real property where not heretofore acquired for

EMS BATTALION 39, to an Estate for a Term of Five Years, at 265 Pennsylvania Avenue

located within an area generally bounded by Pitkin Avenue (a/k/a Industrial Park Road) on the north, Pennsylvania Avenue (a/k/a Granville Payne Avenue) on the east, Belmont Avenue on the south, and Sheffield Avenue on the west, in the Borough of Brooklyn, City and State of New York.

PLEASE TAKE NOTICE that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Kings County, IA Part 74, for certain relief.

The application will be made at the following time and place: At 360 Adams Street, in the Borough of Kings, City and State of New York, on August 15, 2008, at 9:30 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- authorizing the City to file an acquisition map in the Office of the City Register;
- directing that upon the filing of said map, title to an estate for a term of five years in the property sought to be acquired shall vest in the City for a term of five years;
- providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury, subject to Exhibit E annexed to the Petition; and
- providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title to an estate for a term of five years to certain real property where not heretofore acquired for the same purpose, for New York City Fire Department Emergency Medical Service ("EMS") Battalion 39 in the Borough of Kings, City and State of New York.

The description of the real property to be acquired is as follows:

In the matter of describing metes and bounds of real property for EMS Battalion 39, located on Pennsylvania Avenue (100 feet wide), between Pitkin Avenue (80 feet wide) and Belmont Avenue (60 feet wide) in which all streets mentioned are as laid out on the "City Map" of the City of New York, Borough of Brooklyn, follows:

Beginning at a point on the easterly line of the said Pennsylvania Avenue, said point being distant 200.00 feet south of the intersection of the easterly line of the said Pennsylvania Avenue and the southerly line of the said Pitkin Avenue, measured along the easterly line of the said Pennsylvania Avenue;

Running thence eastwardly, perpendicular to the easterly line of the said Pennsylvania Avenue, and along the southerly line of tax lot 10 in Brooklyn tax block 3738, for 110.00 feet to a point on a westerly line of tax lot 15 in Brooklyn tax block 3738;

Thence, southwardly, forming an interior angle of 90°00'00" with the previous course, partly along the said westerly line of tax lot 15 in Brooklyn tax block 3738 and partly along the westerly line of tax lot 30 in Brooklyn tax block 3738, for 75.00 feet to a point on the northerly line of tax lot 39 in Brooklyn tax block 3738;

Thence, westwardly, forming an interior angle of 90°00'00" with the previous course, partly along the said northerly line of tax lot 39 in Brooklyn tax block 3738 and along the northerly line of tax lot 6 in Brooklyn tax block 3738, for 110.00 feet to a point on the easterly line of the said Pennsylvania Avenue;

Thence, northwardly, forming an interior angle of 90°00'00" with the previous course, and along the easterly line of the said Pennsylvania Avenue, for 75.00 feet back to the point of beginning.

This parcel consists of tax lot 7 in Brooklyn tax block 3738 as shown on the "Tax Map" of the City of New York, Borough of Brooklyn, as said "Tax Map" existed on July 25, 2006, and comprises an area of 8,250 square feet or 0.18939 acres.

The above described property shall be acquired subject to encroachments, if any, of the structures, improvements, and appurtenances standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same so long as such encroachments shall stand.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL §402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: July 22, 2008, New York, New York.
MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street
New York, New York 10007
Tel. (212) 788-0710

SEE MAP ON BACK PAGES

jy25-a7

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: 18 PIECES OF USED LANDFILL EQUIPMENT.

S.P.#: 08023

DUE: August 7, 2008

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor, Bid Room, Municipal Building, New York, NY 10007. For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

jy25-a7

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

Pursuant to Section 1802(6)(j) of the NYC Charter, notice is hereby given that the Department of Housing Preservation and Development of the City of New York is proposing to sell the following Property to a designated sponsor for each project:

Address	Block	Lot	Price
BROOKLYN: HOUSING TRUST FUND:			
591,589,581,577,573,569			
Bushwick Ave.	3151	1,2,3,5,6,8	\$7.00
69 Melrose Street	3151	70	

The appraisal and proposed approval documents are available for public examination at the Office of HPD, 100 Gold Street, Rm. 5M, New York, New York during its regular hours on weekdays from 9:00 A.M. to 5:00 P.M.

PLEASE TAKE NOTICE that a Real Property Acquisition & Disposition Public Hearing will be held on **Wednesday, September 10, 2008, commencing at 10:00 A.M.**, before the Mayor's Office of City Legislative Affairs at Second Floor Conference Room, 22 Reade Street, Borough of Manhattan, at which time and place those wishing to be heard will be given the opportunity to testify on a proposed document determining that the Mayor approves the disposition pursuant to Section 1802(6)(j) of the Charter.

INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, ROOM 915, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

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POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

AUCTION

PUBLIC AUCTION SALE NUMBER 1138

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is August 11, 2008 from 10:00 A.M. - 2:00 P.M. Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on August 12, 2008 at approximately 9:30 A.M.

Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck Street).

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

jy30-a12

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human/Client Service

SAFE HAVEN OPEN-ENDED RFP – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-08S-04-1164 – DUE 08-27-10 – The Department of Homeless Services has issued an Open Ended Request for Proposals (PIN 071-08S-04-1164) as of August 27, 2007 seeking appropriately qualified vendors to develop and operate a stand-alone Safe Haven for chronic street homeless single adults and/or adult couples without minor children.

There is no due date for proposals under this RFP. Proposals will be reviewed by the Department as they are received and contracts will be awarded on an on-going basis until the Department's needs are met.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Homeless Services, 33 Beaver Street
 13th Floor, New York, NY 10004.
 Suellen Schulman (212) 361-8400, ssschulma@dhs.nyc.gov

a27-f12

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 01-02-09 AT 2:00 P.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Request for proposals is also available on-line at www.nyc.gov/cityrecord

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Homeless Services, 33 Beaver Street
 13th Floor, New York, NY 10004.
 Marta Zmoira (212) 361-0888, mzoita@dhs.nyc.gov

f29-d31

HOUSING AUTHORITY

PURCHASING DIVISION

SOLICITATIONS

Goods

READY-MIXED CONCRETE – Competitive Sealed Bids – RFQ #5743 WL – DUE 08-21-08 AT 10:35 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 23-02 49th Avenue, 5th Floor
 Long Island City, NY 11101.
 Wayne Lindenberg (718) 707-5464.

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HUMAN RESOURCES ADMINISTRATION

BUREAU OF CONTRACTS AND SERVICES

AWARDS

Services (Other Than Human Services)

RIGHT TO KNOW / HAZARD COMMUNICATION TRAINING – Competitive Sealed Bids – PIN# 069-08-310-0002 – AMT: \$314,100.00 – TO: Executive Safety and Health Consultants, Inc., 481 8th Ave., Suite 805, New York, NY 10001.

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JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

CORRECTION: PROVISION OF NON-SECURE DETENTION CENTERS – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13007DJJ001 – DUE 11-14-08 AT 3:00 P.M. – CORRECTION: The NYC Department of Juvenile Justice (DJJ) is seeking one or more appropriately qualified vendors to provide non-secure detention services for youth. Services shall include, but not be limited to, custody, basic youth care, food, clothing, shelter, education, health care, recreation, court related services, social work and case management services, social skills instruction, group sessions and monitoring and supervision of these services. In addition, the contract will require that a defibrillator shall be located in

each program facility and that all staff requiring CPR training shall be certified in use of said defibrillator.

Each program facility will provide at least 10 and no more than 12 beds in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq. The Department is seeking to provide services at facilities that will be operational at any time from January 1, 2007 to December 31, 2010. A vendor may submit an offer for more than one Facility Option. Current Agency vendors operating non-secure group homes that have contracts expiring in calendar year 2006 are urged to respond to this solicitation.

All program facilities shall be appropriately equipped to provide services for male or female youth as required by the Department, and be located in one of the five boroughs. The term of the contracts awarded from this solicitation will be for three years and will include an additional three-year option to renew. The anticipated maximum average annual funding available for each contract will be \$1,067,000, excluding start-up costs. Proposed start-up costs will be considered in addition to the proposed annual line item budget. Greater consideration will be given to applicants offering more competitive prices.

If your organization is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to my attention at 110 William Street, 13th Floor, New York, NY 10038. The expression of interest should specifically address the following:

1. Indicate each program facility for which the vendor is submitting.
2. Describe each proposed facility, its location, and proposed date of operation.
3. Attach appropriate documentation demonstrating the current use of each proposed facility and the vendor's site control of the facility for a period of at least 3 years.
4. For each proposed facility,
 - a) Indicate the number of beds to be provided and demonstrate that the facility has the capacity to provide the indicated number of beds.
 - b) Demonstrate that the facility will be appropriately equipped to provide services for male or female youth.
5. Demonstrate the vendor's organizational capability to:
 - a) Provide the indicated number of beds at each proposed facility. (If the vendor is a current provider, also demonstrate the capability to provide the indicated number of beds in addition to those already provided.)
 - b) Ensure that each proposed facility will be fully operational by required date in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq.
6. Demonstrate the quantity and quality of the vendor's successful relevant experience.
7. Attach for each proposed facility three-year annual line item operating budget. Include staffing details. Proposed start up costs should be included in addition to the proposed three-year annual line item operating budget.

All expressions of interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Expressions of interest determined to be non-responsive will not be further considered. Expressions of interest determined to be responsive will be considered in terms of the following factors:

- Appropriateness of each proposed facility.
- Demonstrated site control of each proposed facility.
- Demonstrated level of organizational capability to provide the proposed number of beds and to ensure that each proposed facility if fully operational by the applicable requisite date.
- Demonstrated quantity and quality of successful relevant experience.
- Annual budget amount and cost effectiveness of the budget.

The Department will enter into negotiations with the vendor(s) determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor(s) whose offer(s) is/are determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation. In the case that a vendor is eligible for award of more than one program facility, the Department reserves the right, based upon the vendor's demonstrated organizational capability and the best interest of the City, respectively, to determine how many and for which program facility(ies) the vendor will be awarded a contract.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Juvenile Justice, 110 William Street
 20th Floor, New York, NY 10038.
 Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

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TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

SOLICITATIONS

Goods

AERIAL TRUCKS – Competitive Sealed Bids – PIN# OP139900000 – DUE 08-21-08 AT 3:00 P.M.
● TIME STAMP MACHINES – Competitive Sealed Bids – PIN# MT136700000 – DUE 08-22-08 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Triborough Bridge and Tunnel Authority, 2 Broadway, Bid Suite, New York, NY 10004, Bid Administration, (646) 252-7094, vprocure@mtabt.org
 All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

POLICE

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, August 14, 2008, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10 A.M. on the following:

IN THE MATTER of a proposed contract between the Police Department of the City of New York and Intergraph Corporation, 241 Business Park Boulevard, Madison, AL 35758, for the provision of a Computer Aided Dispatch System for the NYPD's E-911 System. The contract amount shall not exceed \$72,541,534.00. The contract term shall be for 3,162 consecutive calendar days from the date stated in the Notice to Proceed and will contain one 5 year renewal options. PIN #: 056080000602.

The proposed contractor has been selected by means of the Negotiated Acquisition Method, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Police Department, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007, on business days, excluding Holidays, from August 5, 2008 to August 14, 2008, from 9:30 A.M. to 4:30 P.M. Please contact the Contract Administration Unit at (646) 610-5753 to arrange a visitation.

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SPECIAL MATERIALS

HEALTH AND MENTAL HYGIENE

NOTICE

Notice of Concept Paper

In advance of the release of a Request for Proposals for a Family Support Network, the Department of Health and Mental Hygiene (DOHMH) is issuing a concept paper presenting DOHMH's plan for this new citywide service. The concept paper will be posted on the Department's website on August 11, 2008 at <http://www.nyc.gov/html/doh/downloads/pdf/acco/2008/acco-concept-mh-200807.pdf> and public comment is invited. The concept paper will be posted until September 25, 2008. Comments must be received by August 15, 2008.

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CHANGES IN PERSONNEL

OFFICE OF THE COMPTROLLER
FOR PERIOD ENDING 07/11/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
TORRES	LORIAL S	10209	\$9.0000	APPOINTED	YES	06/16/08
UDDIN	MUHAMMED A	10116	\$8.0000	APPOINTED	YES	06/16/08
WATSON	TYDELL C	10116	\$8.0000	APPOINTED	YES	06/16/08
WEBSTER	JULES S	10209	\$9.0000	APPOINTED	YES	06/16/08
WEEKES	JADE	10209	\$9.0000	APPOINTED	YES	06/16/08

OFFICE OF EMERGENCY MANAGEMENT
FOR PERIOD ENDING 07/11/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
MCCONNELL	JAMES	06765	\$102382.0000	APPOINTED	YES	07/01/08

OFFICE OF MANAGEMENT & BUDGET
FOR PERIOD ENDING 07/11/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ABRAHAM	STEVEN A	06088	\$36362.0000	APPOINTED	YES	06/22/08
ARIAS-CLARKE	MARIA C	0608A	\$87424.0000	RESIGNED	YES	06/22/08
BRADY	CHARLES J	10026	\$173780.0000	RETIRED	NO	06/29/08
BROTHERS	NORBERT J	0608A	\$107994.0000	RETIRED	YES	07/01/08
ELWOOD	CARRIE C	06088	\$61632.0000	RESIGNED	YES	06/22/08

READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at NYC.gov/selltonyc
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application. If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://NYC.GOV.Selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/**only one source
- RS..... Procurement from a Required Source/ST/FED
- NA..... Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

- NA/9 New contractor needed for changed/additional work
- NA/10 Change in scope, essential to solicit one or limited number of contractors
- NA/11 Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12 Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 Prevent loss of sudden outside funding
- WA2 Existing contractor unavailable/immediate need
- WA3 Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F Federal
- IG/S State
- IG/O Other
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A Life
- EM/B Safety
- EM/C Property
- EM/D A necessary service
- AC **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE **Service Contract Extension/**insufficient time; necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a anti-apartheid preference
- OLB/b local vendor preference
- OLB/c recycled preference
- OLB/d other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

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ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.