



# THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD  
U.S.P.S. 0114-660

Printed on paper containing  
40% post-consumer material

VOLUME CXXXVI NUMBER 120

TUESDAY, JUNE 23, 2009

PRICE \$4.00

## TABLE OF CONTENTS

### PUBLIC HEARINGS & MEETINGS

Queens Borough President .....	2625
City Council .....	2625
City Planning Commission .....	2634
Community Boards .....	2639
Conflicts of Interest Board .....	2640
Board of Education Retirement System ..	2640
Landmarks Preservation Commission ..	2640
Board of Standards and Appeals .....	2641

Transportation .....

### COURT NOTICES

Supreme Court .....	2642
Queens County .....	2642

### PROPERTY DISPOSITION

Citywide Administrative Services .....	2643
Division of Municipal Supply Services ..	2643
Sale by Sealed Bid .....	2643
Police .....	2643

### PROCUREMENT

Citywide Administrative Services .....	2643
--	------

Division of Municipal Supply Services 2643

Education .....	2643
-----------------	------

Division of Contracts and Purchasing 2643

Health and Hospitals Corporation .....	2643
--	------

Homeless Services .....	2644
-------------------------	------

Office of Contracts and Procurement ..

Housing Authority .....	2644
-------------------------	------

Juvenile Justice .....	2644
------------------------	------

Parks and Recreation .....	2644
----------------------------	------

Contract Administration .....

Revenue and Concessions .....

Payroll Administration .....

Transportation .....	2644
----------------------	------

### AGENCY RULES

Environmental Protection .....	2644
--------------------------------	------

Health and Mental Hygiene .....	2645
---------------------------------	------

### SPECIAL MATERIALS

Housing Preservation and Development	2646
--------------------------------------	------

Youth and Community Development ..	2647
------------------------------------	------

Changes in Personnel .....	2647
----------------------------	------

### LATE NOTICE

Police .....	2647
--------------	------

READERS GUIDE .....	2648
---------------------	------

## THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.  
ELI BLACHMAN, Editor of The City Record.

Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.  
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office  
1 Centre Street, Room 2208  
New York N.Y. 10007-1602  
Telephone (212) 669-8252

Subscription Changes/Information  
1 Centre Street, Room 2208  
New York N.Y. 10007-1602  
Telephone (212) 669-8252

The City of New York Home Page  
provides Internet access via the WORLD  
WIDE WEB to solicitations and awards  
<http://www.nyc.gov/cityrecord>

## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### QUEENS BOROUGH PRESIDENT

#### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on **Thursday, June 25, 2009** at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than **FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.**

**CD11 - ULURP #C060551 ZMQ** - IN THE MATTER of an application submitted by the Briarwood Organization, LLC on behalf of Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, establishing within an existing R4 District a C2-2 District bounded by **36th Avenue, a line 150 feet northeasterly of Bell Boulevard, a line 200 feet northwesterly of 38th Avenue, and Bell Boulevard**, Block 6176, Lot 61, P/O Lot 2, Bayside, Borough of Queens.

j19-25

### CITY COUNCIL

#### PUBLIC HEARINGS

#### HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON TUESDAY, JUNE 30, 2009, AT 11:00 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTER:

- **M-1433**, Communication from the Mayor submitting the name of Burton Lehman, a resident of Manhattan, for appointment to the New York City Conflicts of Interest Board pursuant to § 2602 of the New York City Charter. Should Mr. Lehman receive the advice and consent of the Council, he will serve the remainder of a six-year term that expires on March 31, 2012.

#### AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Michael M. McSweeney  
City Clerk, Clerk of the Council

j23-30

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, June 23, 2009:

#### AMETHYST HOUSE, INC.

**STATEN ISLAND CB - 2 20095653 HHR**  
Application submitted by the New York Health and Hospitals Corporation pursuant to §7385(6) of its Enabling Act requesting the approval of the lease of a parcel of land located on the campus of Sea View Hospital Rehabilitation Center and Home to Amethyst House, Inc. to facilitate the development and operation of a community residential facility.

**HOWLAND HOOK MARINE TERMINAL**  
**STATEN ISLAND CB - 1 20095663 PNR**  
Application pursuant to Section 1301(2)(f) of the New York City Charter concerning the proposed lease amendment for the Howland Hook Marine Terminal between the Department of Small Business Services and the Port Authority of New York and New Jersey.

j16-23

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York, New York 10007, commencing at 9:30 A.M. on Tuesday, June 23, 2009:

**CORD MEYER-FOREST HILLS REZONING**  
**QUEENS CB - 6 C 090283 ZMQ**  
Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a; by changing from an R1-2 District to an R1-2A District property bounded by a line midway between 66th Avenue and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, and 108th Street, as shown on a diagram (for illustrative purposes only) dated March 2, 2009.

**LOWER CONCOURSE REZONING**  
**BRONX CB - 1 C 090303 ZMX**  
Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

1. changing from an M2-1 District to an R7-2 District property bounded by a line 190 feet southerly of a park and its easterly prolongation, Major Deegan Expressway, Park Avenue and its northeasterly and southwesterly prolongations, and a U.S. Pierhead and Bulkhead Line;
2. changing from an M1-2 District to a C4-4 District property bounded by East 149th Street, Morris Avenue, East 144th Street, Canal Place, East 146th Street, Park Avenue, East 144th Street, and the easterly street line of former Anthony J. Griffin Place and its northerly and southerly prolongations;

3. changing from an M2-1 District to a C4-4 District property bounded by:
  - a. East 149th Street, Major Deegan Boulevard, the northerly boundary of a park and its easterly and westerly prolongations, and a U.S. Pierhead and Bulkhead Line; and
  - b. the southerly boundary line of a park and its easterly and westerly prolongations, Major Deegan Expressway, a line 190 feet southerly of a park and its easterly prolongation, and a U.S. Pierhead and Bulkhead Line;
4. changing from an M1-2 District to a C6-2A District property bounded by East 144th Street, Grand Concourse, a line 120 feet southerly of East 144th Street, a line 100 feet easterly of Grand Concourse, the easterly prolongation of the southerly street line of East 140th Street, the westerly boundary line of the Metro North Rail Road (Harlem Division) right-of-way, East 138th Street, Major Deegan Boulevard, a line 100 feet northerly of East 138th Street, and Walton Avenue;
5. changing from an M2-1 District to a C6-2A District property bounded by a line 100 feet northerly of East 138th Street, Major Deegan Boulevard, East 138th Street, and Major Deegan Expressway;
6. changing from an M1-2 District to an M1-4 District property bounded by:
  - a. a line 75 feet southwesterly of East 138th Street, a line 100 feet northwesterly of Third Avenue, East 136th Street, and Rider Avenue; and
  - b. East 138th Street, Park Avenue and its southwesterly centerline prolongation, and an easterly service road of the Major Deegan Expressway;
7. changing from an M2-1 District to an M1-4 District property bounded by a line 75 feet southwesterly of East 138th Street, Rider Avenue and its southwesterly centerline prolongation, East 135th Street, the northeasterly centerline prolongation of Park Avenue, Major Deegan Expressway, East 138th Street, an easterly service road of the Major Deegan Expressway, Park Avenue and its southwesterly centerline prolongation, a line 300 feet southwesterly of East 138th Street, and Canal Place;
8. changing from an M1-2 District to an M1-4/R6A District property bounded by:
  - a. East 146th Street, Canal Place, East 144th Street, Rider Avenue, a line 275 feet northerly of East 141st Street, Canal Place, East 144th Street, and Park Avenue; and
  - b. a line 200 feet southerly of East 144th Street, Walton Avenue, a line 100 feet northerly of East 138th Street, Major Deegan Boulevard, and Gerard Avenue and its southerly centerline prolongation;
9. changing from an M2-1 District to an M1-4/R6A District property bounded by the westerly centerline prolongation of East 140th Street, Major Deegan Boulevard, a line 100 feet northerly of East 138th Street, and Major Deegan Expressway;
10. changing from an R6 District to an M1-4/R7A District property bounded by East 142nd Street, Morris Avenue, East 140th Street, and Rider Avenue;
11. changing from an M1-2 District to an M1-4/R7A District property bounded by:
  - a. East 144th Street, Morris Avenue, East 142nd Street, and Rider Avenue;
  - b. East 140th Street, Morris Avenue, a line 100 feet northeasterly of East 138th Street, and Rider Avenue; and
  - c. a line 75 feet southwesterly of 138th

Street, Lincoln Avenue, Major Deegan Expressway, Rider Avenue and its southwesterly centerline prolongation, East 136th Street, and a line 100 feet northwesterly of Third Avenue;

- 12. changing from an M1-2 District to an M1-4/R7X District property bounded by Park Avenue, a line 150 feet northeasterly of East 138th Street, Canal Place, a line 100 feet northeasterly of East 138th Street, Morris Avenue, Third Avenue, Lincoln Avenue, a line 75 feet southwesterly of East 138th Street, Rider Avenue, and East 138th Street;
13. changing from an M2-1 District to an M1-4/R7X District property bounded by Park Avenue, East 138th Street, Rider Avenue, a line 75 feet southwesterly of East 138th Street, Canal Place, and a line 300 feet southwesterly of East 138th Street;
14. changing from a C4-4 District to an M1-4/R8A District property bounded by East 149th Street, Walton Avenue, a line midway between East 144th Street and East 146th Street, and Gerard Avenue;
15. changing from an M1-2 District to and M1-4/R8A District property bounded by East 149th Street, Gerard Avenue, a line midway between East 144th Street and East 146th Street, Walton Avenue, a line 200 feet southerly of East 144th Street, Gerard Avenue and its southerly centerline prolongation, and Major Deegan Boulevard;
16. changing from an M2-1 District to an M1-4/R8A District property bounded by Major Deegan Boulevard, the westerly centerline prolongation of East 140th Street, and Major Deegan Expressway;
17. establishing within a proposed R7-2 District a C2-4 District bounded by a line 190 feet southerly of a park, Major Deegan Expressway, Park Avenue and its southwesterly and northeasterly centerline prolongations, and a U.S. Pierhead and Bulkhead Line;
18. establishing a Special Harlem River Waterfront District (HRW) bounded by East 149th Street, Major Deegan Expressway, Park Avenue and its southwesterly and northeasterly centerline prolongations, and a U.S. Pierhead and Bulkhead Line;
19. establishing a Special Mixed Use District (MX-13) bounded by:
a. East 149th Street, Walton Avenue, a line 100 feet northerly of East 138th Street, Major Deegan Expressway, Major Deegan Boulevard, the easterly centerline prolongation of East 149th Street, and the southerly centerline prolongation of River Avenue; and
b. East 146th Street, Canal Place, East 144th Street, Morris Avenue, Third Avenue, Lincoln Avenue, Major Deegan Expressway, Rider Avenue and its southwesterly centerline prolongation, East 136th Street, a line 100 feet northwesterly of Third Avenue, a line 75 feet southwesterly of East 138th Street, Canal Place, a line 300 feet southwesterly of East 138th Street, Park Avenue, East 138th Street, Park Avenue, a line 150 feet northeasterly of East 138th Street, Canal Place, a line 100 feet northeasterly of East 138th Street, Rider Avenue, a line 275 feet northerly of East 141st Street, Canal Place, East 144th Street, and Park Avenue;

as shown on a diagram (for illustrative purposes only), dated February 2, 2009, modified by the City Planning Commission on May 20, 2009, and which includes CEQR Designation E-227.

LOWER CONCOURSE REZONING BRONX CB - 1 C 090166 MMX Application, submitted by the Department of City Planning and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a waterfront Park in an area bounded by Major Deegan Boulevard, the Harlem River, and the extensions of East 144th Street and East 146th Street;
and any acquisition or disposition of real property related thereto,

in accordance with Map No. 13124 dated January 29, 2009 and signed by the Borough President.

LOWER CONCOURSE REZONING BRONX CB - 1 N 090302 ZRX 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, relating to Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article VIII, Chapter 7 establishing the Special Harlem River Waterfront District; and Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-13) and amending related sections of the Zoning Resolution.

Matter in underline is new, to be added; Matter in strikeout is to be deleted; Matter with # # is defined in Section 12-10; \* \* \* indicates where unchanged text appears in the Zoning Resolution

Article I General Provisions

Chapter 1 Title, Establishment of Controls and Interpretation of Regulations

\* \* \*

\* \* \*

11-12 Establishment of Districts

\* \* \*

Establishment of the Special Grand Concourse Preservation District

\* \* \*

Establishment of the Special Harlem River Waterfront District

In order to carry out the special purposes of this Resolution as set forth in Article VIII Chapter 7, the #Special Harlem River Waterfront District# is hereby established.

\* \* \*

Chapter 2 Construction of Language and Definitions

\* \* \*

12-10 DEFINITIONS

\* \* \*

Special Harlem River Waterfront District

The "Special Harlem River Waterfront District" is a Special Purpose District designated by the letter "HRW" in which special regulations set forth in Article VIII Chapter 7 apply. The #Special Harlem River Waterfront District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

\* \* \*

Article II Residence District Regulations

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

\* \* \*

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).

Table with 2 columns: Community District and Zoning District. Rows include Community District 1, Bronx (R6A, R7-2, R7A, R7X, R8A), 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 6, Manhattan (R10), Community District 7, Manhattan (R9A), and Community District 2, Queens (R7X).

\* \* \*

23-90 INCLUSIONARY HOUSING

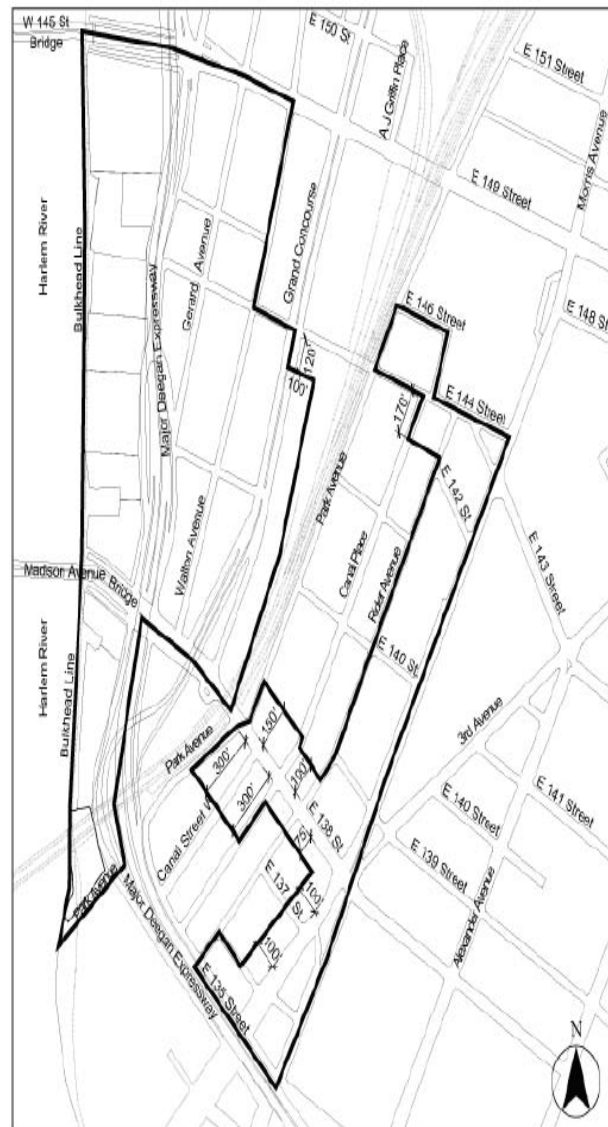
\* \* \*

23-922 Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

\* \* \*

- (17) In Community District 1, in the Borough of the Bronx, in the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 17:



Map 17. Portion of Community District 1, Bronx

\* \* \*

Article IV Manufacturing District Regulations

Chapter 2 Use Regulations

\* \* \*

42-10 USES PERMITTED AS-OF-RIGHT

\* \* \*

42-12 Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16

M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that foodstores, including supermarkets, grocery stores, or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, foodstores, including supermarkets, grocery stores, or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment.

\* \* \*

Article VI Special Regulations Applicable to Certain Areas

\* \* \*

Chapter 2 Special Regulations Applying in the Waterfront Area

\* \* \*

62-90 WATERFRONT ACCESS PLANS

\* \* \*

62-92 Borough of The Bronx The following Waterfront Access Plans are hereby established within the Borough of the Bronx. 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:
BX-1: Harlem River, in the #Special Harlem River Waterfront District#, as set forth in Section 87-60 (Harlem River Waterfront Access Plan).

\* \* \*

Note: All text in Article VIII, Chapter 7 is new; it is not underlined. Article VIII Special Purpose Districts

Chapter 7 Special Harlem River Waterfront District

87-00 GENERAL PURPOSES

The "Special Harlem River Waterfront 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) maintain and reestablish physical and visual public access to and along the waterfront;
(b) create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
(c) promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
(d) encourage well-designed new development that complements the built character of the neighborhood;
(e) take advantage of the Harlem River waterfront and provide an open space network comprised of parks, public open space and public access areas;
(f) provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus to encourage more attractive and economic building forms; and
(g) promote the most desirable use of land and building development in accordance with the District Plan for the Harlem River waterfront.

87-01 Definitions

Parcel 1 Building Line The "Parcel 1 Building Line" shall be:

- (a) in the event that the portion of the Major Deegan Expressway traversing Parcel 1 has been widened after (effective date of amendment), a line 22 feet west of and parallel to the as-built western edge of such expressway structure; or
(b) in the event that the portion of the Major Deegan Expressway traversing Parcel 1 has not been widened after (effective date of amendment), a line connecting the points described below:
(1) a point located on the southern #street line# of East 149th Street that is 47 feet west of its intersection with Exterior Street; and
(2) a point on the southern boundary of Parcel 1 that is 107 feet west of its intersection with Exterior Street.

87-02 General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Harlem River Waterfront District#, the regulations of the #Special

Harlem River Waterfront District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Harlem River Waterfront 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.

#### 87-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Harlem River Waterfront District# Plan as set forth in the Appendix to this Chapter. The plan area has been divided into parcels consisting of tax blocks and lots as established on (effective date of amendment), as follows:

Parcel 1:	Block 2349, Lot 112
Parcel 2:	Block 2349, Lot 100
Parcel 3:	Block 2349, Lots 46, 47 & 146
Parcel 4:	Block 2349, Lot 38
Parcel 5:	Block 2349, Lots 15 & 20
Parcel 6:	Block 2349, Lots 3 & 4
Parcel 7:	Block 2323, Lot 43
Parcel 8:	Block 2323, Lot 28
Parcel 9:	Block 2323, Lots 5, 13 & 18

The District Plan includes the following maps:

Map 1	#Special Harlem River Waterfront District# and Parcels
Map 2	Waterfront Access Plan: Public Access Elements

#### 87-04 Applicability of Article I, Chapter 1

Within the #Special Harlem River Waterfront 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 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 of the City of New York stating:

- 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
- 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.

#### 87-05 Applicability of Article VI, Chapter 2

Parcels 1, 2, 3 and 4, as shown on Map 1 (Special Harlem River District and Parcels) shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after (effective date of amendment).

#### 87-06 Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all #use# and #bulk# regulations of this Zoning Resolution.

#### 87-10 SPECIAL USE REGULATIONS

The #use# regulations of the underlying districts are modified in Sections 87-11 through 87-24, inclusive.

As used in this Section, "ground floor level" shall mean the finished floor level within five feet of an adjacent public sidewalk or any other publicly accessible open area.

#### 87-11 Vehicle Storage Establishments

Commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps as listed in Use Group 16C shall be a permitted #use# on Parcel 5, provided that:

- such #use# is the primary #use# on the parcel;
- no more than 10,000 square feet of #floor area# shall be provided on Parcel 5, and
- a #shore public walkway# is provided as set forth in paragraph (a) of Section 87-61 (Public Access Provisions by Parcel).

The streetscape provisions of Section 87-13, the maximum width of establishment provisions of Section 87-23 and the special height and setback regulations of Section 87-30, inclusive, shall not apply to such #use#.

#### 87-12 Location of Commercial Space

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 use#. 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#.

#### 87-13 Streetscape Regulations

- Ground floor #use#

All #uses# shall have a depth of at least 25 feet from #building walls# facing a #shore public walkway#, #park# or #upland connection#. Lobbies and entrances may not occupy more than 20 feet or 25 percent of such #building wall# width, whichever is less. The level of the finished ground floor shall be located not higher than two feet above nor lower

than two feet below the as-built level of the adjacent public sidewalk or other publicly accessible open area.

For #buildings# on Parcels 1 through 6 that face a #shore public walkway#, #park# or #upland connection#, not less than 20 percent of the ground floor level #floor area# of such portions of #buildings#, to a depth of 25 feet shall consist of #uses# from Use Groups 6A, 6C, 6F, 8A, 8B and 10A, as set forth in Article III, Chapter 2.

- Transparency

Any #building wall# containing ground floor level #commercial# and #community facility uses# that faces a #shore public walkway#, #park# or #upland connection# shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #building wall#, measured to a height of ten feet above the level of the adjoining public sidewalk or other publicly accessible open area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #building wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

- 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 publicly accessible open area, except that this provision shall not apply to entrances or exits to parking garages.

#### 87-14 Location of Underground Uses

Notwithstanding the provisions of Section 62-332 (Rear yards and waterfront yards), underground #uses#, such as parking garages, shall not be allowed in #waterfront yards#.

#### 87-20 SPECIAL FLOOR AREA REGULATIONS

The #Special Harlem River Waterfront District# 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 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special District.

#### 87-21 Special Residential Floor Area Regulations

The base #floor area ratio# for any #zoning lot# containing #residences# shall be 3.0. Such base #floor area ratio# may be increased to a maximum of 4.0 through the provision of #lower income housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (b) of Section 23-942 (In Inclusionary Housing designated areas) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

#### 87-22 Special Retail Floor Area Requirement

For each square foot of #commercial floor area# in a #building# from the #uses# listed in paragraph (a) of this Section, an equal or greater amount of #residential#, #community facility# or #commercial floor area# from #uses# listed in paragraph (b) of this Section shall be provided.

- Use Groups 6A and 6C, except for:

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour, and

Docks for water taxis with vessel capacity limited to 99 passengers, and

Docks or mooring facilities for non-commercial pleasure boats;

The following from Use Group 10:

Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment

Department stores

Dry goods or fabric stores, with no limitation on #floor area# per establishment

The following from Use Group 12:

Billiard parlor or pool halls

Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment

Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing

The following retail establishments:

Antique stores

Art gallery, commercial

Book stores

Candy or ice cream stores

Cigar and tobacco stores

Delicatessen stores

Drug stores

Gift shops

Jewelry or art metal craft shops

Music stores

Photographic equipment stores

Record stores

Stationery stores

Toy stores

- All #residential uses# in Use Groups 1 and 2

All #community facility uses# from Use Group 3, 4A, and 4B, except cemeteries

All #commercial uses# from Use Groups 5A, 6B and 8A

However, the City Planning Commission may authorize a modification or waiver of this provision upon finding that such #building# includes:

- a superior site plan that enables safe and efficient pedestrian connectivity to and between establishments and publicly accessible open areas;
- a superior parking and circulation plan that reduces conflicts between pedestrian and vehicular traffic, minimizes open parking lots, and limits conflicts between curb cuts;
- a design that enhances and is integrated with publicly accessible open areas including provision of a public entrance fronting on a #waterfront public access area#;
- a variety of retail establishments; and
- #uses# that do not unduly affect the #residential uses# in the nearby area or conflict with future land use and #development# of adjacent areas.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on publicly accessible open areas.

#### 87-23 Maximum Width of Establishments

On Parcels 5 and 6, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway# or #upland connection#, shall be limited to 60 feet for each #street wall# facing such #shore public walkway# or #upland connection#.

#### 87-24 Location of Building Entrances

On Parcels 1, 2, 3 and 4, the main front entrance of at least one #building#, as the term "main front entrance" is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), shall be located facing the #shore public walkway#. Such main front entrance of a #building# shall be:

- on Parcel 1, located no less than 120 feet from 149th Street;
- on Parcel 2, located no less than 95 feet from a #park#; and
- on Parcels 3 and 4, located no less than 45 feet from an #upland connection#.

#### 87-30 SPECIAL HEIGHT AND SETBACK REGULATIONS

The underlying height and setback regulations shall not apply. In lieu thereof, the special height and setback regulations of this Section 87-30, inclusive, shall apply. For the purposes of applying such regulations:

- a #shore public walkway#, #park#, #upland connection# or fire apparatus access road, as required by the New York City Fire Code, shall be considered a #street# and its boundary shall be considered a #street line#. However, the following shall not be considered #streets# for the purposes of applying the #street wall# location provisions of paragraph (a) of Section 87-32:
  - Exterior street, and
  - That portion of any other #street#, #park#, #upland connection# or fire apparatus access road that is located east of the #Parcel 1 Building Line#.
- the height of all #buildings# or other structures# shall be measured from the #base plane#.

#### 87-31 Permitted Obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, 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).

#### 87-32 Street Wall Location and Building Base

- #Street wall# location

The #street wall# of the #development# or #enlargement# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except that:

- ground floor level recesses up to three feet deep shall be permitted for access to building entrances; and
- to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#, and

- (3) for #buildings# that are required to locate at least one main front entrance facing a #shore public walkway#, pursuant to Section 87-24 (Location of Building Entrances), no portion of the #street wall# containing such entrance shall be closer to the #shore public walkway# than the main front entrance; and
- (4) no portion of a #building# facing a #shore public walkway#, except on Parcel 1, shall exceed a width of 300 feet.

However, on Parcel 1, in order to accommodate a sewer easement located within an area bounded by the eastern boundary of the #shore public walkway#, East 149th Street, a line 120 feet south of and parallel to East 149th Street and a line 120 feet east of and parallel to the #shore public walkway#, no #street wall# shall be required along that portion of East 149th Street and any fire apparatus access road within such easement area. Such area not #developed# as a fire apparatus access road and open to the sky shall be at least 35 percent planted and shall not be used for parking or loading. Furthermore, in the event such area contains a driveway, it shall be screened from the #shore public walkway# and East 149th Street, except for curb cuts and pedestrian paths, with densely planted evergreen shrubs maintained at a height of three feet.

(b) Minimum and Maximum Base Heights

The #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of six #stories# or 60 feet, or the height of the #building#, whichever is less, and a maximum base height of eight #stories# or 85 feet, whichever is less, before a setback is required. However, on Parcels 5 and 6, for #street walls# facing a #shore public walkway#, the minimum base height shall be 20 feet and the maximum base height shall be four #stories# or 40 feet, whichever is less, before a setback is required. Any portion of a #building# or other structure# that does not exceed such maximum base heights shall hereinafter be referred to as a "building base".

All portions of #buildings# that exceed the maximum base heights set forth in this paragraph, (b), shall be set back from the #street wall# of the #building# at least ten feet along a #shore public walkway#, #park# and Exterior Street, and at least 15 feet along an #upland connection#.

For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, except on Parcels 5, 6, 7 and 9, not more than 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of six #stories# or 60 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of eight #stories# or 85 feet, whichever is less.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in subparagraph (a)(1) of this Section.

(c) Transition heights

All #street walls#, except on Parcels 5 and 6, may rise to a maximum transition height of 115 feet, provided that, except on Parcel 7, not more than 60 percent of the #aggregate width of street walls# facing a #shore public walkway# exceeds a height of 85 feet. On Parcels 5 and 6, a #street wall# may rise to a maximum transition height of 85 feet, without limitation.

All portions of #buildings# that exceed the transition heights set forth in this paragraph, (c), shall comply with the tower provisions of Section 87-33.

**87-33 Towers**

All #stories# of a #development# or #enlargement# located partially or wholly above the applicable transition height set forth in paragraph (c) of Section 87-32 shall be considered a "tower" and shall comply with the provisions of this Section. For #zoning lots# with less than 130,000 square feet of #lot area#, only one tower shall be permitted. For #zoning lots# with 130,000 square feet of #lot area# or more, not more than two towers shall be permitted.

(a) Maximum tower height

For #zoning lots# with 100,000 square feet of #lot area# or less, the maximum height of a #building# shall be 300 feet. The maximum height of #buildings# on #zoning lots# with more than 100,000 square feet of #lot area# shall be 400 feet; however, for #zoning lots# with two towers, such maximum #building# height of 400 feet shall apply to not more than one tower, a maximum #building# height of 260 feet shall apply to the second tower, and there shall be a height differential of at least 40 feet between both towers.

(b) Location rules for #zoning lots# adjacent to #parks#

Where a tower is provided on a #zoning lot# adjacent to a #park#, such tower or portion thereof shall be located within 85 feet of such #park#, and if two towers are provided on such #zoning lot#, the second tower or portion thereof shall be located either within 120 feet of East 149th Street or within 45 feet of an #upland connection#. Where two towers are provided on a #zoning lot# adjacent to a #park#, the shorter of the towers shall be located nearer the #park#.

(c) Maximum tower size

The outermost walls of each #story# located entirely above the applicable transition height shall be inscribed within a rectangle. The maximum length of any side of such rectangle shall be 135 feet. Each #story# of a tower located entirely above the applicable transition height shall not exceed a gross area of 8,800 square feet.

(d) Tower top articulation

All #buildings# that exceed a height of 200 feet shall provide articulation in accordance with at least one of following provisions:

(1) Setbacks on each tower face

- (i) For #buildings# less than 260 feet in height, the highest three #stories#, or as many #stories# as are located entirely above a height of 200 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.
- (ii) For #buildings# 260 feet or more in height, the highest four #stories#, or as many #stories# as are located entirely above a height of 260 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.

Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this subparagraph (1), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(2) Three setbacks facing Harlem River

The upper #stories# of a tower shall provide setbacks with a minimum depth of 15 feet measured from the west facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 230 feet, whichever is less. The lowest level at which such setbacks may be provided is 230 feet, and the highest #story# shall be located entirely within the eastern half of the tower.

**87-40 SPECIAL REQUIREMENTS FOR CERTAIN ROADS AND SIDEWALKS**

**87-41 Fire Apparatus Access Roads**

Where a fire apparatus access road is provided as required by the New York City Fire Code, such road shall comply with the following requirements.

- (a) The width of a paved road bed shall be 34 feet, constructed to minimum Department of Transportation standards for public #streets#, including curbs and curb drops.
- (b) Curbs shall be provided along each side of the entire length of such road.
- (c) A minimum 13 foot paved sidewalk shall be provided adjacent to and along the entire length of the required curb.
- (d) For the purposes of making the #street# tree requirements of Section 26-41 applicable to fire apparatus access roads, a fire apparatus access road shall be considered a #street#.
- (e) All such roads shall be constructed with lighting, signage, materials and crosswalks to minimum Department of Transportation standards for public #streets#.

**87-42 Sidewalks**

In the event that Parcel 1 is #developed# with #mixed-use buildings#, sidewalks shall be provided on Parcel 1 as follows:

- (a) Sidewalks with a depth of at least 15 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire Exterior Street and 149th Street frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 15 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 15 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement.
- (b) A 22 foot wide walkway shall extend east of and along the #Parcel 1 Building Line#, linking East 149th Street and a #park#, or fire apparatus access road if such road is #developed# adjacent to the #park#. In the event that a parking lot is #developed# east of such walkway, the easternmost seven feet of such walkway shall be densely planted with evergreen shrubs maintained at a maximum height of three feet above the adjoining walkway. Such walkway and planting strip may be interrupted to allow vehicular or pedestrian access.
- (b) Any driveway located east of the #Parcel 1 Building Line# that extends along a sewer easement and intersects Exterior Street shall have curbs and sidewalks with a minimum width of 13 feet along each curb, which may be interrupted to allow for vehicular access to a parking lot.

All sidewalks and sidewalk widenings shall be constructed or improved to Department of Transportation standards, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

**87-50 SPECIAL PARKING REGULATIONS**

The following provisions shall apply to all parking facilities:

Use of parking facilities

All #accessory# off-street parking spaces may be made available for public use; any such space, however, 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.

(b) Off-site parking

The off-site parking location provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required off-#street# parking spaces may be provided on a #zoning lot# other than the same #zoning lot# to which such spaces are #accessory#, provided the lot to be used for parking is within the #Special Harlem River Waterfront District#.

(c) Location requirements for parking facilities

No parking facility, open or enclosed, shall front upon or be visible from

- (1) a #shore public walkway#, except as provided for in paragraph (e) for Parcel 5;
- (2) any #upland connection# or #park#, or portion thereof, that is located west of the #Parcel 1 Building Line#.

(d) Design requirements for enclosed off-street parking facilities

All enclosed off-street parking facilities shall be located either entirely below the level of any #street# or publicly accessible open area upon which such facility fronts, or when located above grade, in compliance with the following provisions:

- (1) The provisions of this subparagraph (1) shall apply to facilities facing a #shore public walkway, #upland connection#, #park#, or northern #street line# of 138th Street.

Such facilities shall be located at every level above-grade, behind #commercial#, #community facility# or #residential floor area# with a minimum depth of 25 feet as measured any #building wall# facing a #shore public walkway#, or facing that portion of an #upland connection# or #park# located west of the #Parcel 1 Building Line# so that no portion of such parking facility is visible from the #shore public walkway#, #upland connection# or #park#. All such parking facilities shall be exempt from the definition of #floor area#.

On Parcel 6, the ground floor of a #building# within 60 feet of the intersection of Exterior Street and East 138th Street shall be occupied to a depth of 25 feet with #commercial#, #community facility# or #residential floor area# so that no portion of a parking facility is visible from such portion of Exterior Street or East 138th Street.

- (2) The provisions of this subparagraph (2) shall apply to facilities not facing a #shore public walkway#, or that portion of an #upland connection# or #park# located west of the #Parcel 1 Building Line#, or northern #street line# of East 138th Street.

Such facilities shall be designed so that:

- (i) any non-horizontal parking desk structures are not visible from the exterior of the #building# in elevation view;
- (ii) opaque materials are located on the exterior #building wall# between the bottom of the floor of each parking desk and no less than three feet above such deck; and
- (iii) a total of at least 50 percent of such exterior #building wall# with adjacent parking spaces consists of opaque materials which may include permitted #signs#, graphic or sculptural art, or living plant material.

(e) Open parking lots

The requirements of Section 37-90 (PARKING LOTS) and screening requirements for open parking lots of Article VI Chapter 2 (Special Regulations Applying in the Waterfront Area) are modified as set forth in this paragraph (e).

For the purposes of applying the requirements of Section 37-90 (PARKING LOTS), a fire apparatus access road shall be considered a #street#.

On Parcel 1, for parking lots or portions thereof located east of the #Parcel 1 Building Line#, no landscaping shall be required. Such parking lots shall be screened from #streets# and any other publicly accessible areas by ornamental fencing, excluding chain link fencing, with a surface area at least 50 percent open and not more than four feet in height. However, along that portion of Exterior Street located between East 149th Street and a sewer easement, a seven foot wide strip, densely planted with evergreen shrubs maintained at a height of three feet shall be provided.

On Parcel 5, if a commercial or public utility vehicle storage #use# , as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel, the screening requirements applicable to open parking lots set forth in Article VI, Chapter 2 shall not apply. In lieu thereof, such open parking lot shall be screened from the adjacent #shore public walkway# and #upland connection# with a wall or fence, other than a chain link fence, not more than 50 percent opaque, and at least five feet in height, but not more than six feet in height.

(f) Roof parking

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 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.

87-51 Curb Cut Restrictions

On Parcels 1, 2, 3 and 4, no curb cuts shall be provided facing a #shore public walkway# and, further, on Parcel 2, no curb cuts shall be provided facing a #park#.

87-60 HARLEM RIVER WATERFRONT ACCESS PLAN

Map 2 (Waterfront Access Plan: Public Access Elements) in the Appendix to this Chapter shows the boundaries of the area comprising the Harlem River Waterfront Access Plan and the location of certain features mandated or permitted by the Plan.

87-61 Special Public Access Provisions

The provisions of 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) shall apply as follows:

(a) Shore public walkways

- (1) The #shore public walkway# shall be constructed at an elevation of two feet above the highest level of the Oak Point Rail Link, except that:
(i) on Parcels 6 and 7, no such elevation requirement shall apply.
(ii) on Parcel 5, if commercial or public utility vehicle storage, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the #zoning lots#, such elevation requirement shall not apply. However, if commercial or public utility vehicle storage, as listed in Use Group 16C, is not #developed# or #enlarged# as the primary #use# on the #zoning lots#, such elevation requirement shall only apply along the westernmost section of the #shore public walkway# to a depth of 40 feet.
(iii) on all #zoning lots#, a #shore public walkway# shall be required to meet the grade of an existing adjacent #street#, which may include deviating from such elevation requirement where necessary.

(2) A dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification extend into a designated #shore public walkway# as set forth in Section 87-73 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).

(3) In the event that a portion of a #waterfront zoning lot# is within 40 feet of the #shoreline#, yet does not abut the #shoreline# because of an intervening #zoning lot#, a #shore public walkway# shall be provided on such upland portion. The width of the #shore public walkway# on such portion shall be 40 feet measured from the #shoreline# of the intervening #zoning lot# and shall include the width of the intervening #zoning lot#. The portion of such #shore public walkway# located upland of the intervening #zoning lot# shall be improved with a circulation path at least ten feet wide, and any required planted screening buffer shall have a width of at least four feet.

(4) On Parcel 5, if a commercial or public utility vehicle storage #use# is #developed# or #enlarged# as the primary #use# on the parcel, the #shore public walkway# requirements set forth in Section 62-62 shall apply except that:

- (i) the required width of the #shore public walkway# may be reduced to a minimum of 20 feet along the northern edge of the inlet and may be reduced to a minimum of 30 feet along the eastern edge of the inlet.
(ii) the circulation path required in paragraph (a)(1) of Section 62-62 shall be modified to a minimum width of 10 feet along the northern and eastern edge of the inlet,
(iii) the screening provisions of paragraph (c)(2) of Section 62-62 shall not apply. In lieu thereof, a planted screening buffer with a width of four feet shall be provided. Such planted buffer

shall consist of densely planted shrubs or multi-stemmed screening plants, with at least 50 percent being evergreen species. Shrubs shall have a height of at least four feet at the time of planting; and

- (iv) in the event that the #upland connection# on Parcel 6 has not been #developed#, a ten foot wide pedestrian walkway between the #shore public walkway# and Exterior Street shall be provided on Parcel 5 adjacent to such #upland connection# location.

(b) Upland connections

#Upland connections# shall be located on Parcels 3, 4 and 6, as designated on Map 2 in the Appendix to this Chapter.

The provisions of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) are modified as follows:

- (1) Parcel 3 may provide the #upland connection# at either of the two optional locations indicated on Map 2 in the Appendix to this Chapter.
(2) The required width for an #upland connection# on Parcel 6, as indicated on Map 2, is reduced to 12 feet. Such #upland connection# shall be subject only to the applicable pedestrian path provisions.

(c) Supplemental public access areas

#Supplemental public access areas# pursuant to this Plan shall be provided on Parcels 1 and 2, as indicated on Map 2 in the Appendix to this Chapter, however, the requirement may be waived by certification by the Chairperson of the City Planning Commission as set forth in Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement).

(d) Visual Corridors

#Visual corridors# shall be located within Parcels 1 and 4, and the #park#, as indicated on Map 2 in the Appendix to this Chapter.

87-62 Certification to Waive Supplemental Public Access Area Requirement

For Parcels 1 and 2, the requirement to provide a designated #supplemental public access area#, as indicated on Map 2 in the Appendix to this Chapter, may be waived by the Chairperson of the City Planning Commission upon finding that:

- (a) the site plan includes a vehicular connection through the #zoning lot# pursuant to the design guidelines set forth in Section 87-41 (Fire Apparatus Access Roads); and
(b) a declaration of restrictions has been provided pursuant to Section 87-64 (Declaration of Restrictions); and
(c) the design meets all applicable connection requirements set forth in Section 87-66 (Connection with adjacent zoning lots); and
(d) such a vehicular connection either:
(1) on Parcel 1, provides access between East 149th Street and Exterior Street, serving all #buildings# along the #shore public walkway# and #park#; or
(2) on Parcel 2, provides a bidirectional connection between Exterior Street at its intersection with East 144th Street and the southernmost #lot line# of the #development#.

87-63 Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways

On Parcels 2, 3 and 4, a dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification, extend into the designated #shore public walkway#, provided that:

- (a) a declaration of restrictions has been provided pursuant to Section 87-64; and
(b) a fire apparatus access road abutting the shared #zoning lot line# between the #development# seeking certification under this section and Parcels 2, 3 or 4 does not exist; and
(c) the fire apparatus access road serves as a segment of a bidirectional loop road along the #shore public walkway#, providing a connection to Exterior Street at the northeast corner of Parcel 2 and a connection to Exterior Street at the southeast corner of Parcel 4.

Such turnaround shall have a diameter of 70 feet and be located at the end of the fire apparatus access road, abutting the adjacent #lot line#. At no point may the turnaround extend into the #shore public walkway# for a distance greater than 23 feet. Sidewalks shall not be required adjacent to the turnaround. The portion of the turnaround that lies within a #shore public walkway# shall remain clear of obstacles, shall be composed of permeable materials, and shall meet all applicable requirements set forth in the New York City Fire Code Section 503.1.1 (Fire apparatus access roads). In addition, the roadbed material of a fire apparatus access road leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be raised to be flush of the level of adjoining sidewalks.

87-64 Declaration of Restrictions

For any fire apparatus access road proposed for certification pursuant to Sections 87-62 or 87-63, a declaration of restrictions shall be provided to guarantee the construction, improvement, operation, maintenance and repair of such road,

to guarantee that such road remains open, unobstructed and accessible to all members of the public, except as necessary to avoid public dedication, and to ensure compliance with all applicable provisions. Such declaration of restrictions shall be prepared in a form acceptable to the Department of City Planning, shall be filed and duly recorded in the Borough Office of the Register of the City of New York and indexed against the property. Filing and recording of the declaration of restrictions shall be a precondition for the Chairperson's certification under Section 87-62 and 87-63, where applicable.

For certifications proposed pursuant to Section 87-63, at the time a declaration of restrictions has been provided by the adjacent #development#, pursuant to this section, permitting vehicular connection between #zoning lots#, the #zoning lot# containing a previously constructed fire apparatus access turnaround shall be responsible for the following actions on the portion of the connection on such #zoning lot#:

- (a) deconstructing the fire apparatus access road turnaround; and
(b) re-landscaping the area that had extended into the #shore public walkway#, so as to create the conditions of the immediately surrounding #shore public walkway#, which may include any combination of tree planting, laying sod, removing pavers, or any other required landscaping action; and
(c) extending all required sidewalks that had remained short of the #lot line# to the shared #lot line# to connect to the required adjacent sidewalks and enable pedestrian movement across #developments#; and
(d) complying with all applicable waterfront rules, street regulations and the New York City Fire Code.

87-65 Applicability of Waterfront Regulations

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all waterfront regulations of the Zoning Resolution.

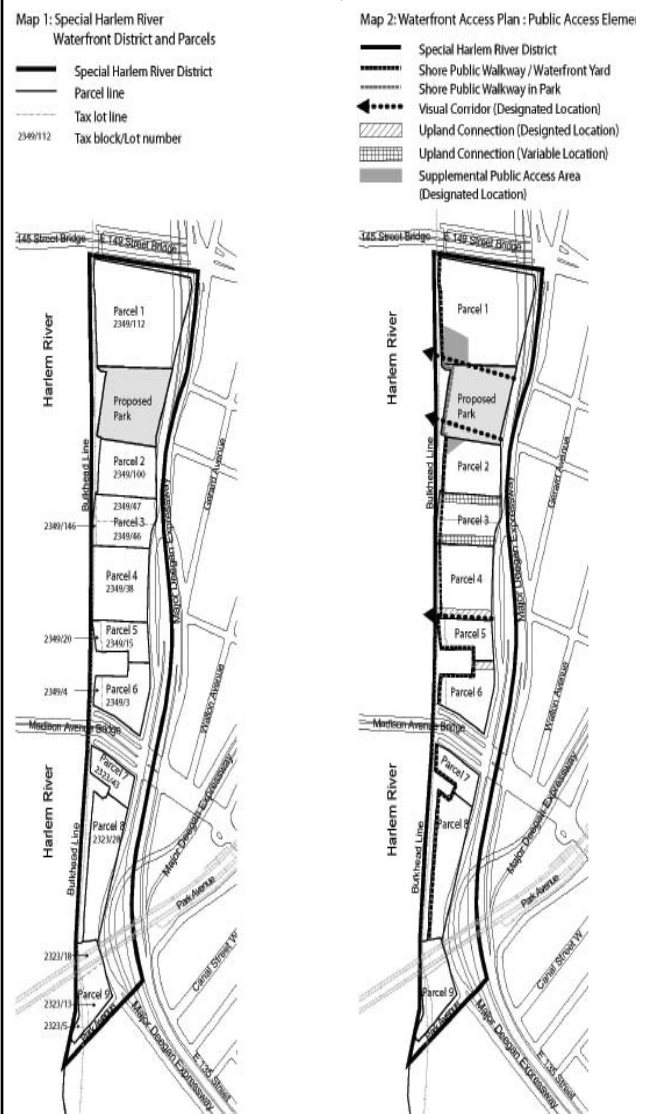
87-66 Connection with Adjacent Zoning Lots

The following provisions apply to #developments# pursuing certification pursuant to either Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement) or Section 87-63 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).

On each of Parcels 2, 3 and 4, and only among Parcels 2, 3 and 4, a #development# shall provide a connection for bidirectional vehicular travel at an adjacent #zoning lot line# if such adjacent #zoning lot# has previously constructed a connection that terminates at the shared #lot line#. Any connection of fire apparatus access roads across a shared #zoning lot line# must meet the grade of and maintain the street width of the existing adjacent private street. In addition to such physical shared #lot line# connection, a private road declaration shall be provided pursuant to the provisions of Section 87-74 of this Chapter. A connection need not be opened unless and until such declaration of restrictions, in accordance with 87-74, has been recorded against the adjacent #zoning lot#.

When no connection for vehicular travel terminating at the opposite side of a shared #zoning lot line# exists, one may, by certification pursuant to Section 87-63, construct a dead-end fire apparatus access road turnaround that may extend into the designated #shore public walkway#. Such certification is also contingent upon providing a declaration of restrictions, in accordance with Section 87-64.

APPENDIX



Note: Only underlined text is new in the following Section.

Article XII - Special Purpose Districts

**Chapter 3  
Special Mixed Use District**

\* \* \*

**123-66  
Height and Setback Regulations**

\* \* \*

**123-662  
All buildings in Special Mixed Use Districts with R6,  
R7, R8, R9 and R10 District designations**

\* \* \*

TABLE B  
\* \* \*

In addition, in #Special Mixed-Use District# 13 in the Borough of The Bronx, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified for the applicable district as set forth in Table B above, or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# may be located beyond eight feet of the #street line#. Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph.

\* \* \*

**123-90  
SPECIAL MIXED USE DISTRICTS SPECIFIED**

The #Special Mixed Use District# is mapped in the following areas:

\* \* \*

#Special Mixed Use District# - 13: (effective date)  
Lower Concourse, Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

**CANARSIE REZONING**

**BROOKLYNCB - 18 C 090313 ZMK**

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17d, 23a, 23c and 23d:

1. eliminating from an existing R4 District a C1-1 District bounded by Avenue L, East 95th Street, a line 200 feet southeasterly of Avenue L, and East 93rd Street;
2. eliminating from an existing R4 District a C1-2 District bounded by:
  - a. a line 200 feet southeasterly of Farragut Road, Rockaway Parkway, Glenwood Road, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 150 feet southeasterly of Flatlands Avenue, and East 96th Street;
  - b. a line 150 feet northwesterly of Flatlands Avenue, East 89th Street, Flatlands Avenue, and a line midway between East 88th Street and East 89th Street;
  - c. a line 150 feet northwesterly of Avenue L, East 95th Street, Avenue L, East 93rd Street, a line 150 feet southeasterly of Avenue L, and East 91st Street;
  - d. Avenue N, Rockaway Parkway, Seaview Avenue, and a line midway between East 96th Street and Rockaway Parkway;
3. eliminating from an existing R5 District a C1-2 District bounded by:
  - a. Ralph Avenue, East 79th Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly East 78th Street, a line perpendicular to the northeasterly street line of East 78th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 78th Street and the easterly street line of Ralph Avenue, and East 78th Street;
  - b. Ralph Avenue, East 77th Street, a line 150 feet southeasterly of Ralph Avenue, East 76th Street, and Glenwood Road,
  - c. East 88th Street, a line 150 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, and Flatlands Avenue;
  - d. a line 150 feet northwesterly of Glenwood Road, East 105th Street, Glenwood Road, and East 103rd Street;
  - e. a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, St. Jude Place, Seaview Avenue, and Rockaway Parkway;
  - f. Schenck Street, Rockaway Parkway, a line 100 feet southeasterly of Schenck Street, and a line 215 feet southwesterly of Rockaway Parkway;
4. eliminating from an existing R4 District a C 2-1 District bounded by a line 150 feet northwesterly of Avenue L, Rockaway Parkway, a line 320 feet southeasterly of Avenue L, East 96th Street, a line 150 feet southeasterly of Avenue L, and East 95th Street;
5. eliminating from an existing R5 District a C2-1 District bounded by:
  - a. Avenue M, East 98th Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway; and
  - b. Flatlands Avenue, a line 325 feet

northeasterly of 108th Street, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, and East 108th Street;

6. eliminating from an existing R4 District a C2-2 District bounded by:
  - a. Foster Avenue, East 98<sup>th</sup> Street, a line 150 feet southeasterly of Foster Avenue, and Rockaway Avenue;
  - b. a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street and its southeasterly prolongation, Glenwood Road, Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, a line midway between East 96th Street and Rockaway Parkway, a line 150 feet northwesterly of Farragut Road, and Rockaway Parkway;
  - c. Conklin Avenue, a line midway between East 92nd Street and East 93rd Street, a line 150 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street;
7. eliminating from an existing R5 District a C2-2 District bounded by:
  - a. a line 100 feet northwesterly of Flatlands Avenue, East 83rd Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and the northwesterly centerline prolongation of East 77th Street; and
  - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96th Street;
8. changing from an R5 District to an R3-1 District property bounded by a line 100 feet southeasterly of Avenue L, East 105th Street, a line 100 feet northwesterly of Avenue M, and a line midway between East 100th Street and East 101st Street;
9. changing from an R5 District to an R3X District property bounded by a line 100 feet southeasterly of Avenue L, a line midway between East 100th Street and East 101st Street, a line 100 feet northwesterly of Avenue M, East 105th Street, Avenue L, a line 100 feet northeasterly of East 105th Street, a line midway between Avenue L and Flatlands 5th Street, East 108th Street, the northeasterly centerline prolongation of Flatlands 6th Street, a line 150 feet northeasterly of East 108th Street, the northeasterly centerline prolongation of Avenue M, East 108th Street, Seaview Avenue, a line midway between East 104th Street and East 105th Street, Avenue N, East 105th Street, a line 175 feet southeasterly of Avenue M, a line midway between East 102nd Street and East 103rd Street, a line 100 feet northwesterly of Avenue N, East 102nd Street, Avenue N, a line midway between East 101st Street and East 102nd Street, a line 175 feet northwesterly of Avenue N, a line midway between East 100th Street and East 101st Street, a line 100 feet southeasterly of Avenue M, and East 99th Street;
10. changing from an R5 District to an R4 District property bounded by:
  - a. Glenwood Road, East 103rd Street, Flatlands Avenue, East 102nd Street, a line 100 feet southeasterly of Flatlands Avenue, East 101st Street, Avenue K, East 102nd Street, Avenue L, East 104th Street, Avenue K, East 103rd Street, Avenue J, East 104th Street, Flatlands 1st Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of East 105th Street, Flatlands 3rd Street, East 105th Street, a line 100 feet southeasterly of Avenue L, East 99th Street, a line 100 feet northwesterly of Avenue L, a line midway between East 98<sup>th</sup> Street and East 99<sup>th</sup> Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 400 feet southeasterly of Avenue J, a line 100 feet southwesterly of East 98th Street, a line 200 feet northwesterly of Avenue J, East 98th Street, a line 375 feet southeasterly of Flatlands Avenue, East 99th Street, Flatlands Avenue, and a line midway between East 101st Street and East 102nd Street; and
  - b. Avenue M, East 99th Street, a line 100 feet southeasterly of Avenue M, a line midway between East 100th Street and East 101st Street, a line 175 feet northwesterly of Avenue N, a line midway between East 101st Street and East 102nd Street, Avenue N, East 101st Street, Seaview Avenue, East 98th Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 98th Street and East 99th Street;
11. changing from an R4 District to an R4-1 District property bounded by:
  - a. Krier Place, East 92nd Street, a line 100 feet southeasterly of Foster Avenue, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Farragut Road, East 92nd Street, Farragut Road, East 93rd Street, a line 250 feet southeasterly of Farragut Road, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, a line 175 feet southeasterly of Foster Avenue and its southwesterly prolongation, and a line 100 feet northeasterly of Remsen Avenue;
  - b. Foster Avenue, a line midway between East 95th Street and East 96th Street, a line 275 feet southeasterly of Foster Avenue, East 96th Street, a line 175 feet
- southeasterly of Foster Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 100 feet northwesterly of Flatlands Avenue, East 96th Street, a line 100 feet southeasterly of Flatlands Avenue, Rockaway Parkway, a line 225 feet southeasterly of Avenue K, East 95th Street, Avenue K, East 94th Street, a line 100 feet northwesterly of Avenue L, East 91st Street, a line perpendicular to the southwesterly street line of East 91st Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91st Street and the southeasterly street line of Avenue K, Remsen Avenue, a line 100 feet northwesterly of Avenue J, a line midway between East 88th Street and East 89th Street, Flatlands Avenue, East 91st Street, a line 100 feet southeasterly of Flatlands Avenue, East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 94th Street and East 95th Street;
- c. Foster Avenue, East 99th Street, a line 200 feet southeasterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street, a line 200 feet southeasterly of Foster Avenue, East 98th Street;
- d. Glenwood Road, East 100th Street, a line 75 feet northwesterly of Flatlands Avenue, East 99th Street, Flatlands Avenue, Rockaway Parkway, Conklin Avenue, and a line midway between Rockaway Parkway and East 98th Street;
- e. a line 100 feet southeasterly of Avenue L, Remsen Avenue, a line 100 feet southeasterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue M, and East 89th Street;
- f. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, Seaview Avenue, a line midway between East 95th Street and East 96th Street, a line 250 feet northwesterly of Seaview Avenue, East 95th Street, Avenue N, a line midway between East 92nd Street and East 93rd Street and its northwesterly prolongation, a line 100 feet northwesterly of Seaview Avenue, East 92nd Street, Seaview Avenue, Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, a line midway between East 89th Street and Remsen Avenue, a line 150 feet southeasterly of Avenue N, Remsen Avenue, Avenue N, and East 91st Street;
12. changing from an R5 District to an R4-1 District property bounded by:
  - a. a line 100 feet southeasterly of Foster Avenue, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Glenwood Road, East 86th Street, a line 100 feet southeasterly of Farragut Road, and East 88th Street;
  - b. a line 100 feet southeasterly of Flatlands Avenue, East 88th Street, Flatlands Avenue, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue J, and East 86th Street;
  - c. a line 100 feet northwesterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue M, East 88th Street, Avenue N, and East 87th Street;
  - d. Flatlands Avenue, East 99th Street, a line 375 feet southeasterly of Flatlands Avenue, and East 98th Street;
  - e. a line 100 feet southeasterly of Avenue L, East 99th Street, Avenue M, a line midway between East 98th Street and East 99th Street, a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, Rockaway Parkway, Avenue M, and a line midway between Rockaway Parkway and East 98th Street;
  - f. a line 175 feet southeasterly of Avenue M, East 105th Street, Avenue N, a line midway between East 104th Street and East 105th Street, Seaview Avenue, East 103rd Street, a line 100 feet northwesterly of Avenue N, and a line midway between East 102nd Street and East 103rd Street;
  - g. Flatlands 4th Street, East 108th Street, a line midway between Avenue L and Flatlands 5th Street, a line 100 feet northeasterly of East 105th Street, a line midway between Flatlands 4th Street and Avenue L, and a line 250 feet northeasterly of East 105th Street;
  - h. East 108th Street, the northeasterly centerline prolongation of Avenue M, a line 100 feet northeasterly of East 108th Street, a line midway between the northeasterly centerline prolongation of Avenue M and Flatlands 7th Street and its northeasterly prolongation, a U.S. Pierhead and Bulkhead Line, and Flatlands 9th Street and its northeasterly centerline prolongation;
13. changing from a C8-1 District to an R4-1 District property bounded by:
  - a. Farragut Road, a line midway between East 99th Street and East 100th Street, a line 200 feet southeasterly of Farragut

- Road, and East 99th Street;
- b. a line 50 feet northwesterly of Glenwood Road, a line 80 feet northeasterly of East 99th Street, Glenwood Road, and a line midway between Rockaway Parkway and East 98th Street;
14. changing from an R4 District to an R4A District property bounded by:
- a. a line 330 feet northwesterly of Foster Avenue, East 94th Street, Foster Avenue, a line midway between East 94th Street and East 95th Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 92nd Street and East 93rd Street, a line 250 feet southeasterly of Farragut Road, East 93rd Street, Farragut Road, East 92nd Street, a line 100 feet northwesterly of Farragut Road, a line midway between East 92nd Street and East 93rd Street, a line 100 feet southeasterly of Foster Avenue, East 92nd Street, Foster Avenue, and East 93rd Street;
- b. a line perpendicular to the southwesterly street line of East 91st Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91st Street and the southeasterly street line of Avenue K, East 91st Street, a line 100 feet southeasterly of Avenue L, East 89th Street, a line 100 feet northwesterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue K, and Remsen Avenue;
- c. Avenue K, East 95th Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 100 feet northwesterly of Avenue L, and East 94th Street;
15. changing from an R5 District to an R4A District property bounded by:
- a. a line 100 feet southeasterly of Avenue K, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue M, East 87th Street, a line 175 feet northwesterly of Avenue M, a line midway between East 86th Street and East 87th Street, a line 100 feet southeasterly of Avenue L, East 87th Street, Avenue L a line midway between East 86th Street and East 87th Street, a line 275 feet northwesterly of Avenue L, and East 87th Street;
- b. a line 225 feet southeasterly of Avenue K, a line midway between East 98th Street and East 99th Street, a line 100 feet northwesterly of Avenue L, East 99th Street, a line 100 feet southeasterly of Avenue L, a line midway between Rockaway Parkway and East 98th Street, Avenue M, and Rockaway Parkway;
16. changing from an R4 District to an R5 District property bounded by:
- a. Avenue N, Remsen Avenue, a line 150 feet southeasterly of Avenue N, a line midway between East 89th Street and Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, Remsen Avenue, Seaview Avenue, and a line midway between East 88th Street and East 89th Street, and
- b. Avenue N, East 95th Street, a line 250 feet northwesterly of Seaview Avenue, a line midway between East 95th Street and East 96th Street, Seaview Avenue, East 92nd Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 92nd Street and East 93rd Street and its northwesterly prolongation;
17. changing from a C3 District to an R5 District property bounded by the southwesterly centerline prolongation of Paerdegat 12th Street, Paerdegat Avenue North, a northwesterly boundary line of Canarsie Beach Park, and a U.S. Pierhead and Bulkhead Line;
18. changing from an R4 District to an R5B District property bounded by:
- a. a line 100 feet northwesterly of Foster Avenue, East 93rd Street, Foster Avenue, and East 92nd Street;
- b. a line 100 feet northwesterly of Foster Avenue, East 96th Street, Foster Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 175 feet southeasterly of Foster Avenue, East 96th Street, a line 275 feet southeasterly of Foster Avenue, a line midway between East 95th Street and East 96th Street, Foster Avenue, and East 94th Street; and
- c. a line 100 feet northwesterly of Avenue J, Remsen Avenue, a line 100 feet southeasterly of Avenue K, a line midway between East 88th Street and East 89th Street, Avenue K, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Church Lane and its southwesterly centerline prolongation, and a line midway between East 88th Street and East 89th Street;
19. changing from an R5 District to an R5B District property bounded by:
- a. a line 200 feet southeasterly of Foster Avenue, East 85th Street, a line 100 feet southeasterly of Foster Avenue, East 88th Street, a line 100 feet southeasterly of Farragut Road, East 86th Street, a line 100 feet southeasterly of Glenwood Road, East 85th Street, a line 100 feet northwesterly of Flatlands Avenue, a line
- 100 feet southwesterly of East 78th Street, Flatlands Avenue, the southeasterly centerline prolongation of East 77th Street, Glenwood Road, Ralph Avenue, East 79th Street, Glenwood Road, East 80th Street, Farragut Road, and East 81st Street;
- b. a line 100 feet southeasterly of Flatlands Avenue, East 81st Street, Flatlands Avenue, East 84th Street, a line 100 feet southeasterly of Flatlands Avenue, East 85th Street, Flatlands Avenue, East 86th Street, a line 100 feet northwesterly of Avenue J, a line midway between East 88th Street and East 89th Street, Church Lane and its southwesterly centerline prolongation, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Avenue K, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue K, East 87th Street, a line 275 feet northwesterly of Avenue L, a line midway between East 86th Street and East 87th Street, Avenue L, East 85th Street, Avenue M, East 82nd Street, Avenue K, a line midway between East 81st Street and East 82nd Street, Avenue J, East 80th Street, a line midway between Paerdegat 2nd Street and Paerdegat 3rd Street, a line perpendicular to the northwesterly street line of Paerdegat 2nd Street distant 250 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 80th Street and the northwesterly street line of Paerdegat 2nd Street, a line midway between Paerdegat 1st Street and Paerdegat 2nd Street, Paerdegat Avenue, and East 76th Street;
- c. a line 100 feet southeasterly of Flatlands Avenue, East 103rd Street, Flatlands Avenue, East 104th Street, a line 100 feet southeasterly of Flatlands Avenue, East 106th Street, Flatlands Avenue, East 107th Street, Avenue J, East 108th Street, Flatlands 1st Street and its southwesterly centerline prolongation, East 104th Street, Avenue J, East 103rd Street, Avenue K, East 104th Street, Avenue L, East 102nd Street, Avenue K, and East 101st Street;
- d. a line 100 feet northwesterly of Avenue N, East 103rd Street, Seaview Avenue, East 101st Street, Avenue N, and East 102nd Street;
20. changing from an R4 District to an R5D District property bounded by:
- a. Foster Avenue, East 98th Street, a line 200 feet southeasterly of Foster Avenue, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96th Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 96th Street and Rockaway Parkway;
- b. a line 100 feet northwesterly of Flatlands Avenue, East 93rd Street, a line 100 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line midway between East 88th Street and East 89th Street; and
- c. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 91st Street;
21. changing from an R5 District to an R5D District property bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, Flatlands Avenue, East 88th Street, a line 100 feet southeasterly of Flatlands Avenue, East 86th Street, Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Flatlands Avenue, East 84th Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78th Street;
- b. Flatlands Avenue, East 98th Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
- c. Flatlands Avenue, East 103rd Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102nd Street;
- d. Flatlands Avenue, East 106th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104th Street;
- e. Flatlands Avenue, a line 325 feet northeasterly of East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108th Street;
22. establishing within a proposed R4-1 District a C1-3 District bounded by:
- a. Avenue N, Rockaway Parkway, a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, and a line midway between East 96th Street and Rockaway Parkway;
- b. Glenwood Road, a line midway between East 96th Street and Rockaway Parkway, a line 100 feet southeasterly of Glenwood Road, and East 96th Street; and
- c. a line 100 feet southeasterly of Avenue L, a line midway between East 93rd Street
- and East 94th Street, a line 150 feet southeasterly of Avenue L, and East 93rd Street;
23. establishing within an existing R5 District a C1-3 District bounded by:
- a. Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, and St. Jude Place; and
- b. a line 100 feet northwesterly of Glenwood Road, East 105th Street, Glenwood Road, and East 103rd Street;
24. establishing within a proposed R5B District a C1-3 District bounded by:
- a. Ralph Avenue, East 79th Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly of East 78th Street, a line perpendicular to the northeasterly street line of East 78th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the easterly street line of Ralph Avenue and the northeasterly street line of East 78th Street, and East 78th Street; and
- b. Ralph Avenue, East 77th Street, a line 150 feet easterly of Ralph Avenue, East 76th Street, and Glenwood Road; and
25. establishing within a proposed R5D District a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 89th Street, Flatlands Avenue, and East 88th Street;
- b. Glenwood Road, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96th Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, and Rockaway Parkway; and
- c. a line 100 feet northwesterly of Avenue L, East 95th Street, a line 100 feet southeasterly of Avenue L, and East 91st Street;
26. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. Avenue M, East 98th Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway;
- b. a line 50 feet northwesterly of Glenwood Road, a line 200 feet northeasterly of Rockaway Parkway, Glenwood Road, and a line 100 feet northeasterly of Rockaway Parkway;
- c. Conklin Avenue, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street; and
- d. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, a line 220 feet southeasterly of Avenue L, and East 96th Street;
27. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet northwesterly of Avenue L, East 96th Street, a line 100 feet northwesterly of Avenue L, and East 95th Street;
28. establishing within an existing R5 District a C2-3 District bounded by:
- a. Flatlands Avenue, East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, East 108th Street, a line 400 feet southeasterly of Flatlands Avenue, and East 107th Street; and
- b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96th Street;
29. establishing within a proposed R5D District a C2-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 88th Street, a line 100 feet southeasterly of Flatlands Avenue, East 86th Street, Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Flatlands Avenue, East 84th Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78th Street;
- b. a line 100 feet northwesterly of Flatlands Avenue, a line 125 feet northeasterly of Remsen Avenue, Flatlands Avenue, and East 89th Street;
- c. a line 100 feet northwesterly of Flatlands Avenue, East 93rd Street, a line 100 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street;
- d. Foster Avenue, East 98th Street, a line 200 feet southeasterly of Foster Avenue, and Rockaway Avenue;

- e. a line midway between East 96<sup>th</sup> Street and Rockaway Parkway, a line 225 feet northwesterly of Farragut Road, Rockaway Parkway, a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street and its southeasterly prolongation, and Glenwood Road;
- f. Flatlands Avenue, East 98<sup>th</sup> Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
- g. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 94th Street;
- h. Flatlands Avenue, East 103rd Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102nd Street;
- i. Flatlands Avenue, East 106th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104th Street; and
- j. Flatlands Avenue, a line 325 feet northeasterly of East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108th Street;

as shown on a diagram (for illustrative purposes only) dated February 17, 2009 and which includes CEQR Designation E-230.

**BATTERY PARK CITY SITE 3  
MANHATTAN CB - 1 N 090306 ZRM**  
Application submitted by the Battery Park City Authority 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 VII, Chapter 4 (Special Battery Park City District) relating to paragraph (e) of Section 84-144 (Location of Curb Cuts) on the east side of Battery Place between Second Place and Third Place.

**Chapter 84  
Special Battery Park City District**

**84-144  
Location of curb cuts**

Curb cuts are permitted only in the areas or locations indicated in Appendices 2.6 and 3.5. The aggregate width of all curb cuts provided for any #development# shall not exceed 20 feet, except that:

- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;
- (b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;
- (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut to the #accessory# off-street parking facility;
- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet;
- (e) for each #zoning lot# located on the east side of Battery Place;
  - (1) between First Place and Third Second Place, the aggregate width of all curb cuts shall not exceed 40 feet;
  - (2) between Second Place and Third Place, the aggregate width of all curb cuts shall not exceed 50 feet; and
- (f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.

**SPECIAL LONG ISLAND CITY DISTRICT TEXT AMENDMENT**

**QUEENS CB - 2 N 090304 ZRQ**  
Application submitted by the New York City Department of City Planning pursuant to Section 200 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify certain provisions concerning the Queens Plaza, Court Square, and Hunters Point subdistricts of the Special Long Island City Mixed Use District.

Matter Underlined is new, to be added;  
Matter in ~~Strikethrough~~ is old, to be deleted;  
Matter within # # is defined in Section 12-10;  
\*\*\* indicate where unchanged text appears in the Zoning Resolution

**Article III – Commercial District Regulations**

\* \* \*

**Chapter 7  
Special Urban Design Regulations**

\* \* \*

**37-40  
OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR**

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Long Island City Mixed Use District# as described in Section 117-44, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the

#zoning lot#. The new entrance or entrances\* shall be provided in accordance with the provisions of this Section.

\* \* \*

**Article XI - Special Purpose Districts**

**Chapter 7  
Special Long Island City Mixed Use District**

\* \* \*

**117-10  
HUNTERS POINT SUBDISTRICT**

\* \* \*

**117-23  
Street Wall Location in Certain Designated Districts  
R6B M1-4/R6A M1-4/R6B M1-4/R7A M1-4/R7X M1-5/R8A**

In the districts indicated, the #street wall# of any #development# or #enlargement# containing #residences# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. However, the #street wall# of a #building# need not be located further from a #street line# than 15 feet. On #corner lots#, the #street wall# along one #street line# need not be located further from the #street line# than five feet. Recesses, not to exceed three feet in depth from the #street line# or eight feet in depth where ramps for the physically handicapped are required, shall be permitted on the ground floor where required to provide access to the #building#.

Existing #buildings# may be vertically enlarged by up to one #story# or 15 feet without regard to the #street wall# location provisions of this Section.

\* \* \*

**117-40  
COURT SQUARE SUBDISTRICT**

\* \* \*

**117-401  
General provisions**  
The regulations governing #developments#, #enlargements#, #extensions# or changes of #use# within the Court Square Subdistrict of the #Special Long Island City Mixed Use District# are contained within Sections 117-40 through 117-45, inclusive. These regulations supplement the provisions of Sections 117-01 through 117-03, inclusive, of the #Special Long Island City Mixed Use District# and supersede the underlying districts.

Mandatory ~~pedestrian circulation and~~ subway improvements are those elements of the Subdistrict Plan which shall be built by the developer of the #zoning lot# to which they apply.

For the purposes of the mandatory ~~pedestrian circulation and~~ subway improvements in the Subdistrict, the #floor area# of the #development# or #enlargement# shall be the total amount of #floor area# resulting from #developments# or #enlargements# after August 14, 1986.

For the purposes of the mandatory ~~pedestrian circulation and~~ subway improvements in the Subdistrict, any tract of land consisting of two or more contiguous lots of record under single ownership or control as of March 1, 1986, shall be considered a single #zoning lot#.

**117-41  
Court Square Subdistrict Plan**  
The Subdistrict Plan for the Court Square Subdistrict specifies the location of Blocks 1, 2 and 3 and identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix B of this Chapter, which consists of the Subdistrict Plan Map and the Description of Improvements, and is incorporated into the provisions of this Chapter.

**117-42  
Special Bulk and Use Regulations in the Court Square Subdistrict**  
#Developments# or #enlargements# containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

Other #developments# or #enlargements# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an M1-4/R6B designated district pursuant to the regulations of Article XII, Chapter 3 (Special Mixed Use District), as modified by Sections 117-00 through 117-22, inclusive.

**117-421  
Special bulk regulations**

- (a) #Developments# or #enlargements# that meet the minimum #floor area# and #zoning lot# standards of Section 117-44 and provide mandatory subway improvements as required by Section 117-44, may #develop# to a #floor area ratio# of 15.0. #Developments# or #enlargements# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratio# of the designated district for the applicable #use#.
- (b) The following provisions shall not apply within the Court Square Subdistrict:
  - Section 33-13 (Floor Area Bonus for a Public Plaza)
  - Section 33-14 (Floor Area Bonus for Arcades)
  - Section 33-26 (Minimum Required Rear Yards)
  - Section 34-223 (Floor area bonus for a public plaza)
  - Section 34-224 (Floor area bonus for an arcade)
  - Section 34-23 (Modification of Yard Regulations)
- (c) The height and setback regulations of the underlying C5-3 District shall apply, except that:
  - (1) no #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road, and
  - (2) on Blocks 1 and 3, the #street wall# of a #building# or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet

and a maximum height of 85 feet before setback. ecesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above the level of the second #story#, up to 30 percent of the #aggregate width of #street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above a height of 85 feet, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#. The provisions of this paragraph (c)(2), shall not apply to #enlargements# on #zoning lots# existing on (the effective date of amendment), where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.

\* \* \*

**117-423  
Sidewalk widening**  
For any #development# or #enlargement# on Block 3 with a building wall facing 45th Road, a sidewalk widening of five feet shall be provided on 45th Road between 23rd Street and Jackson Avenue. Such sidewalk widening shall be a continuous, paved open area along the #front lot line# of the #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. Such sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least eight feet above #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of six inches. No #street# trees, vehicle storage, parking or trash storage is permitted on such sidewalk widening.

\* \* \*

**117-43  
Mandatory Circulation Improvement**

All #developments# or #enlargements# on #zoning lots# of at least 15,000 square feet that contain at least 50,000 square feet of #floor area# or on #zoning lots# of any size providing at least 200,000 square feet of #floor area# shall provide a minimum amount of pedestrian circulation space at the rate provided in the following table:

#Lot Area#	Minimum Area of Pedestrian-Circulation Space
15,000 to 40,000 sq. ft.	1 sq. ft. per 250 sq. ft. of #floor area#
Above 40,000 sq. ft.	1 sq. ft. per 300 sq. ft. of #floor area#

The pedestrian circulation space provided shall be one or more of the following types: building entrance recess area, corner circulation space, sidewalk widening or subway stair relocation.

Such pedestrian circulation space shall meet the requirements set forth in Section 117-431 (Design standards for pedestrian circulation spaces). No sidewalk widenings or corner circulation spaces shall be permitted along 23rd Street within the Court Square Subdistrict.

**117-431  
Design standards for pedestrian circulation spaces**

- (a) **Sidewalk widening**  
A sidewalk widening is a continuous, paved open area along the #front lot line# of a #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. A sidewalk widening shall meet the following requirements:
  - (i) **Dimensions**  
A sidewalk widening shall have a width no less than 5 feet nor greater than 10 feet measured perpendicular to the #street line#, and shall be contiguous along its entire length to a sidewalk.
  - (ii) **Permitted interruptions**  
Only under the following conditions shall any interruptions of the continuity of a qualifying sidewalk widening be permitted.
    - (i) A sidewalk widening may be overlapped by a corner circulation space or a building entrance recess area that permits uninterrupted pedestrian flow.
    - (ii) An off street subway entrance may interrupt a sidewalk widening, provided such an entrance is located at a #side lot line# or is located at the intersection of two #street lines#.
    - (iii) A sidewalk widening may be overlapped by the queuing space of a relocated subway entrance, provided that the queuing space for the entrance leaves a 5-foot uninterrupted width of sidewalk widening along the entire length of the queuing space.
    - (iv) A sidewalk widening may be interrupted by a driveway that is located at a #side lot line#. The area occupied by the driveway, up to the width of the sidewalk widening, may be counted towards meeting the pedestrian circulation space requirement, provided that there shall be no change of grade within the area of the sidewalk widening.
  - (3) **Permitted obstructions**  
A sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements



and any attachments thereto are at least 8 feet above the #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of 6 inches.

(4) Specific prohibitions

No #street# trees are permitted on a sidewalk widening. No vehicle storage, parking or trash storage is permitted on a sidewalk widening. Gratings may not occupy more than 50 percent of the sidewalk widening area nor be wider than one half the width of the sidewalk widening.

(5) Special design treatment

When one end of the sidewalk widening abuts an existing #building# on the #zoning lot# or an existing #building# on the #side lot line# of the adjacent #zoning lot#, design treatment of the termination of the sidewalk widening is required to smooth pedestrian flow. The portion of the sidewalk widening subject to design treatment, hereinafter called the transition area, shall not extend more than 10 feet along the sidewalk widening from its termination.

The transition area shall be landscaped and the paved portion shall have a curved or diagonal edge effecting a gradual reduction of its width over the length of the transition area to no width at the point of the sidewalk widening termination. The unpaved portion of such landscaped treatment shall not exceed 50 percent of the transition area and shall be considered a permitted obstruction.

(b) Corner circulation space

A corner circulation space is a small open space on the #zoning lot# of a #development# or #enlargement#, adjoining the intersection of two #streets#, at the same elevation as the adjoining sidewalk or sidewalk widening and directly accessible to the public at all times. A corner circulation space shall meet the following requirements:

(1) Dimensions

A corner circulation space shall have a minimum area of 200 square feet, a minimum depth of 15 feet measured along a line bisecting the angle of intersecting #street lines#, and shall extend along both #street lines# for at least 15 feet but not more than 40 feet from the intersection of the two #street lines#.

(2) Obstructions

A corner circulation space shall be clear of all obstructions, including, without limitation, door swings, building columns, #street# trees, planters, vehicle storage, parking or trash storage. No gratings except for drainage are permitted.

(3) Building entrances

Entrances to ground level #uses# are permitted from a corner circulation space. An entrance to a building lobby is permitted from a corner circulation space, provided that the entrance is at no point within 20 feet of the intersection of the two #street lines# which bound the corner circulation space.

(4) Permitted overlap

A corner circulation space may overlap with a sidewalk widening.

(e) Building entrance recess area

A building entrance recess area is a space which adjoins and is open to a sidewalk or sidewalk widening for its entire length and provides unobstructed access to the building's lobby entrance. A building entrance recess area shall meet the following requirements.

(1) Dimensions

A building entrance recess area shall have a minimum length of 15 feet and a maximum length of 40 feet measured parallel to the #street line#. It shall have a maximum depth of 15 feet measured from the #street line#, and if it adjoins a sidewalk widening shall have a minimum depth of 10 feet measured from the #street line#.

(2) Obstructions

A building entrance recess area shall either be completely open to the sky or completely under an overhanging portion of the #building# with a minimum clear height of 15 feet. It shall be free of obstructions except for building columns, between any two of which there shall be a clear space of at least 15 feet measured parallel to the #street line#. Between a building column and a wall of the #building# there shall be a clear path at least 5 feet in width.

(3) Permitted overlap

A building entrance recess area may overlap with a sidewalk widening or a corner circulation space.

#Developments# or #enlargements# containing at least 70,000 square feet of total #floor area# on #zoning lots# of at least 10,000 square feet shall provide mandatory subway improvements as described in Appendix B of this Chapter

Subway improvements are required for qualifying #developments# or #enlargements# as follows:

(a) #Zoning lots# with at least 5,000 square feet of #lot area# #Developments# or #enlargements# on #zoning lots# with 5,000 square feet or more of #lot area#, which front on a sidewalk containing a sidewalk entrance(s) to the E and V subway lines, shall relocate the stairway or entrance(s) to such subway onto the #zoning lot# in accordance with the provisions of Section 37-40 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-44, the additional standards for location, design and hours of public accessibility contained in Section 37-41 may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

(b) #Zoning lots# with at least 10,000 square feet of #lot area# #Developments# or #enlargements# on Blocks 1, 2 or 3, identified in Appendix B (Court Square Subdistrict Plan Map and Description of Improvements) of this Chapter, containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet of #lot area# shall provide mandatory subway improvements as described in paragraph (a) for Block 1, paragraph (b) for Block 2 and paragraph (c)(1) for Block 3 in Appendix B.

In addition, on #Block # 3, any #development# or #enlargement# containing at least 300,000 square feet of total #floor area# or any #development# or #enlargement# on a #zoning lot# of at least 30,000 square feet of #lot area# shall provide all the mandatory subway improvements for the #block #, as described in paragraphs (c)(1) and (c)(2) for Block 3).

117-441 Standards and procedures for mandatory subway improvements

\* \* \*

(b) Procedure

(1) Pre-application

\* \* \*

(6) Where a #development# or #enlargement# is located on a #zoning lot# which fronts on a sidewalk containing a sidewalk entrance or entrances into a subway and such #zoning lot# contains 5,000 square feet or more of #lot area#, such #development# or #enlargement# shall relocate the stairway entrance or entrances to the subway onto the #zoning lot# in accordance with the provisions of Section 37-03 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-034 (Waiver of requirements), the additional standards contained in Section 37-031 (Standards for location, design and hours of public accessibility) may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

\* \* \*

117-50 QUEENS PLAZA SUBDISTRICT

\* \* \*

117-531 Street wall location

\* \* \*

(g) For any #development# or #enlargement# on a #zoning lot# located on Jackson Avenue between 42nd Road and Queens Plaza South, the #street wall# fronting on Jackson Avenue may be set back ten feet from the #street line# only upon certification of the Chairperson of the City Planning Commission to the Department of Buildings that the Jackson Avenue sidewalk adjacent to the #zoning lot# will be landscaped in accordance with a plan acceptable to the Department of Transportation and the Chairperson. Such plan shall include five planting beds that shall contain a mixture of deciduous and evergreen shrubs, ground covers and flowers. Such planting beds shall be installed and maintained by the owner of the #development# or #enlargement#. The #street wall# of any subsequent #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

\* \* \*

Appendix B Court Square Subdistrict Plan Map and Description of Improvements

\* \* \*

Description of Improvements This Appendix describes the mandatory lot improvements that are designated on the District Plan Map in Appendix B for the Court Square Subdistrict. This Descriptions refers to the text for requirements and standards for the following improvements.

(a) # Block #1

(4) A subway improvement, to consist of a connection between the G and 7 lines and maintenance of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine which are to be installed by the developer of #Block #2. The developer shall notify the Chairperson of the City Planning Commission upon both application for and issuance of a first building permit for the #development# on this #block#.

(b) # Block #2

(4) A subway improvement, to consist of a connection between the E/F and G lines, preparation of preliminary plans for a G/7 connection and installation of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine upon receipt of a written request by the Chairperson of the City Planning Commission, which shall occur only after the issuance of a first building permit for the #development# on #Block#-1.

(c) #Block #3

(1) A subway improvement, to consist of construction of a building entrance within the #lot line# at the northwestern corner of the #block#, a direct link to the 7 platform and construction of a new mezzanine area; and/or The first #development# to meet the criteria for a subway improvement shall construct new entrances at the intersection of 44th Drive and 23rd Street for the Number 7 45th Road/Courthouse Square station in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

(2) A subway improvement, to consist of a substantial physical improvement to the G platform and mezzanine areas, including reconfiguration of control areas as necessary and acoustical upgrading. For subsequent #developments#, a subway improvement to the north end of the Number 7 45th Road/Courthouse Square station shall be required. Such improvement shall be determined in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

\* \* \*

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York, New York 10007, commencing at 11:00 A.M. on Tuesday, June 23, 2009:

P.S. 133-BROOKLYN

BROOKLYN CB - 6 20095371 SCK Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 900-seat primary school facility, known as P.S. 133-Brooklyn, to be located at 375 Butler Street (Block 940, Lots 1, 16, 65), serving Community School District Nos. 13 and 15.

JAMAICA HIGH SCHOOL

QUEENS CB - 8 20095459 HKQ (N 090369 HKQ) Designation (List No. 411, LP- 2316) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of Jamaica High School located at 167-01 Gothic Drive (Block 9858, Lot 100), as an historic landmark.

RUTAN-JOURNEY HOUSE

STATEN ISLAND CB - 3 20095460 HKR (N 090370 HKR) Designation (List No. 411, LP- 2211) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Rutan-Journey House located at 7647 Amboy Road (Block 8050, Lot 13), as an historic landmark.

NEW YORK BOTANICAL GARDEN MUSEUM BRONX CB - 6, 7, 12 20095461 HKX (N 090371 HKX)

Designation (List No. 411, LP- 2311) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of New York Botanical Garden Museum (now Library) Building, Fountain of Life, and Tulip Tree Allee, Watson Drive and Garden Way, New York Botanical Garden, Bronx Park Tax Map (Block 3272, Lot 1 in part), as an historic landmark.

NEW YORK PUBLIC LIBRARY- WOODSTOCKBRANCH

BRONX CB - 1 20095554 HKX (N 090392 HKX) Designation (List No. 412, LP- 2322) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of New York Public Library, Woodstock Branch, located at 761 East 160th Street (Block 2567, Lot 30), as an historic landmark.

NEW YORK PUBLIC LIBRARY- HUNTS POINT BRANCH

BRONX CB - 2 20095555 HKM (N 090393 HKX) Designation (List No. 412, LP- 2323) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of New York Public Library, Hunts Point Branch, located at 871-877 Southern Boulevard (aka 860 Tiffany Street), (Block 2722, Lot 63), as an historic landmark.

PROPOSED INT. No. 542-A

To amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to issue notice to the department of buildings when a property has been calendared for designation as a landmark, requiring the department of buildings to issue notice to the landmarks preservation commission when permit applications for buildings that have been calendared for designation as a landmark are received, and revoking permits previously issued by the department of buildings when a property is designated as a landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York, New York 10007, commencing at 1:00 P.M. on Tuesday, June 23, 2009:

UHAB

MANHATTAN CB - 3 20095673 HAM Application submitted by the New York City Department of Housing Preservation and Development for Council approval, pursuant to Section 577 of the Private Housing Finance Law, for a modification to a previously approved Urban Development Action Area Project and related tax exemption for property located at 21 Avenue C, Borough of Manhattan, Council District no. 2.

UHAB

MANHATTAN CB - 3 20095674 HAM Application submitted by the New York City Department of Housing Preservation and Development for Council approval,

pursuant to Section 577 of the Private Housing Finance Law, for a modification to a previously approved Urban Development Action Area Project and related tax exemption for property located at 209 East 7th Street, Borough of Manhattan, Council District no. 2.

Proposal subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

- 1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law.

Table with columns: NO., ADDRESS, BLOCK/LOT, BORO, COMMUNITY PROGRAM BOARD. Lists various addresses in the Bronx and their corresponding zoning blocks.

j17-23

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, July 1, 2009, commencing at 10:00 a.m.

BOROUGH OF THE BRONX Nos. 1 & 2 161 STREET ZONING No. 1

CD 4 N 090364 ZRY 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, modifying regulations establishing two new zoning districts: C6-3D and R9D and modifying related regulations.

Matter in underline is new, to be added; Matter in strikeout is to be deleted; Matter with # # is defined in Section 12-10; \* \* \* indicates where unchanged text appears in the Zoning Resolution

Article 1 General Provisions

Chapter 1 Title, Establishment of Controls and Interpretation of Regulations

11-12 Establishment of Districts

Table listing zoning districts: R9 General Residence District, R9-1 General Residence District, R9A General Residence District, R9D General Residence District, R9X General Residence District.

Table listing zoning districts: C6-3 General Central Commercial District, C6-3A General Central Commercial District, C6-3D General Central Commercial District, C6-3X General Central Commercial District.

ARTICLE II RESIDENCE DISTRICT REGULATIONS Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

23-011 Quality Housing Program

(a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #development# or #enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

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).

Table mapping Community Districts to Zoning Districts: Community District 4, Bronx to R8A R9D; Community District 1, Brooklyn to R6 R6A R6B R7A; etc.

23-145 For residential buildings developed or enlarged pursuant to the Quality Housing Program

R6 R7 R8 R9 R10 In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for any #residential building# on a #zoning lot developed# or #enlarged# pursuant to the Quality Housing Program shall be as set forth in the following table and the maximums for #developments#, or #enlargements# where permitted, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#, shall be as designated by the same district with an asterisk. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

MAXIMUM LOT COVERAGE AND FLOOR AREA RATIO FOR QUALITY HOUSING BUILDINGS (in percent) Maximum #Lot Coverage#

Table with columns: District, #Corner Lot, #Interior Lot# or #Through Lot#, Maximum #Floor Area Ratio#. Lists zoning districts R6 through R10 and their corresponding lot coverage and floor area ratios.

23-532 Required rear yard equivalents

However, in #lower density growth management areas# and in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, on any #through lot# at least 180 feet in maximum depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

23-621 Permitted obstructions in certain districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the permitted obstructions set forth in Section 23-62 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

23-633 Street wall location and height and setback regulations in certain districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X In the districts indicated, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply, except as otherwise set forth for #buildings# in R9D and R10X Districts.

- (a) #Street wall# location R6A R7A R7D R7X R9D (1) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program on #wide streets# in R6 or R7 Districts without a letter suffix, the #street wall# of any #development# or #enlargement# shall be located no closer to the #street line# than the closest #street wall# of an existing #building# to such #street line#, located on the same #block#, and within 150 feet of such #development# or #enlargement#. However, a #street wall# need not be located further from the #street line# than 15 feet. On #corner lots#, these #street wall# location provisions shall apply along only one #street line#.
(b) Setback regulations

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in the table in this Section. Such setbacks shall be provided in accordance with the following regulations: (1) At a height not lower than the minimum base height or higher than the maximum

base height specified in the table in this Section, 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 such dimensions may include the depth of any permitted recesses in the #street wall#. On #narrow streets#, where a #street wall# is required to be located further than 10 feet from a #street line# in accordance with paragraph (a) of this Section, the depth of the required setback above the minimum base height may be reduced one foot for every foot that the #street wall# is required to be located beyond 10 feet of the #street line#, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.

(2) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it, in plan, would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of Section 23-621 may penetrate a required setback area.

(4) In R9D Districts, for #developments# or #enlargements# that front upon an elevated rail line, at a height between grade level and 25 feet, a setback with a depth of at least 20 feet shall be provided from the #street line# fronting on such elevated rail line. The depth of such setback may be reduced by one foot for every foot that the depth of the #zoning lot#, measured perpendicular to the elevated rail line, is less than 110 feet, but in no event shall a setback less than 10 feet in depth be provided.

(c) Maximum building height No #building or other structure# shall exceed the maximum building height specified in the table in this Section, except as otherwise provided below: R9D R10X

In the districts indicated, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# (or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in Section 23-651), above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Dormers permitted within a required setback area pursuant to Section 23-621 (Permitted obstructions in certain districts) shall not be included in tower coverage. Such tower or towers may exceed a height limit of 85 feet above the #base plane# provided:

- (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
(2) the base of such tower complies with the #street wall# location provisions of paragraph (a) of this Section and the setback provisions of paragraph (b) of this Section; and
(3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower.

Dormers permitted within a required setback area pursuant to Section 23-621 (Permitted obstructions in certain districts) shall not be included in tower coverage.

- (4) In R9D Districts, the highest four #stories# or as many #stories# as are located entirely above a height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, (c)(4), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.
(5) In R9D Districts, for towers fronting on elevated rail lines, the outermost walls of each #story# located entirely above a height of 85 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 such elevated rail line shall be 125 feet, or 75 percent of the frontage of the #zoning lot# along such elevated rail line, whichever is less.

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(d) Additional regulations In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the following additional regulations shall apply:

- \* \* \* (5) In R9D Districts, where a #building# on

an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT

Table with 4 columns: District, Minimum Base Height, Maximum Base Height, Maximum Building Height. Rows include R6B, R6A, R7B, R7A, R7D, R7X, R8B, R8A, R8X, R9A, R9X, R10A, R10X.

- Refers to that portion of a district which is within 100 feet of a #wide street#.
Refers to that portion of a district on a #narrow street# except within a distance of 100 feet from its intersection with a #wide street#.
Core refers to #Manhattan Core#.
Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (c) of this Section.
For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.

23-663 Required rear setbacks for tall buildings in other districts

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the applicable maximum base height specified in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall be nearer to a #rear yard line# than 10 feet.
In the case of a #through lot# on which a #rear yard equivalent# is provided as set forth in paragraph (a) of Section 23-533, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. If a #rear yard equivalent# is provided as set forth in paragraph (b) of Section 23-533, the requirements of this Section shall not apply.

23-90 INCLUSIONARY HOUSING

23-92 Applicability

23-922 Inclusionary Housing designated areas
The Inclusionary Housing Program shall apply in the following areas:

(YY) In Community District 4, in the Borough of the Bronx, in the R8A and R9D Districts within the areas shown on the following Map XX:



23-942 In Inclusionary Housing designated areas

The provisions of this Section shall apply in the #Inclusionary Housing designated areas# set forth in Section 23-922, except within Waterfront Access Plan BK-1 and in R7-3 Districts within Community District 1, Borough of Brooklyn.

(a) Maximum #floor area ratio#
The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table. However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

Table with 3 columns: District, Base #floor area ratio#, Maximum #floor area ratio#. Rows include R6\*, R6A, R6B, R7A, R7D, R7X, R8, R9, R9A, R9D, R10.

Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

24-011 Quality Housing Program
In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #residential# portion of a #building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In R5D Districts, certain provisions of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

24-11 Maximum Floor Area Ratio and Percentage of Lot Coverage

In R9A, R9D, R9X, R10A and R10X Districts, the bonus provisions of Sections 24-14 (Floor Area Bonus for a Public Plaza) and 24-15 (Floor Area Bonus for Arcades) shall not apply and the maximum #floor area ratio# shall not exceed that set forth in the following table:

Table with 5 columns: #Floor Area Ratio#, #Corner Lot#, Interior Lot#, Through Lot#, District. Rows include R1, R2, R3, R4, R5, R5A, R5B, R6, R6A, R5D, R6B, R7-1, R7-2, R7A, R7D, R7B, R7X, R8, R8A, R8B, R8X, R9, R9A, R9D, R9X, R10, R10A, R10X.

24-111 Maximum floor area ratio for certain community facility uses

R3 R4 R5 R6 R7 R8 R9
(b) In the districts indicated, for any #zoning lot# containing nursing homes, health-related facilities or domiciliary care facilities for adults, each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the #floor area ratio# as set forth in the following table, except where the permissible #floor area ratio# is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

The provisions of paragraph (b) of this Section are not applicable in R8B Districts in Community Board 8 in the Borough of Manhattan.

Table with 2 columns: District, Maximum #Floor Area Ratio# Permitted. Rows include R3, R4, R5, R5A, R5B, R6, R6A, R7, R7D, R7X, R7A, R8B, R8, R8A, R8X, R9, R9A, R9D, R9X.

24-164 Location of open space for residential portion

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X
(b) In the districts indicated, and for #buildings# in which the #residential# portion is #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of Section 28-30 (RECREATION SPACE AND PLANTING AREAS) shall apply.

24-351 Special provisions applying along district boundaries R6 R7 R8 R9 R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4 or R5 District coincides with a #side lot line# of a #zoning lot#, a #side yard# at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall apply to any portion of a #building# located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the #building# that contains such portion is:
(a) within an R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X District; or
(b) within an R6, R7, R8, R9 or R10 District, without a letter suffix, and any portion of the #zoning lot# is #developed# pursuant to the Quality Housing Program.

24-381 Exceeded through lots

R5D R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X
(b) In the districts indicated, and in other R6, R7, R8, R9 and R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

24-382 Required rear yard equivalents

However, in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and in other R6 through R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, on any #through lot# at least 180 feet in depth from #street to street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

24-522 Front setbacks in districts where front yards are not required

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X
(b) In the districts indicated, for any #development# or #enlargement#, the provisions of this Section, Section 24-53 (Alternate Front Setbacks) and Section 24-54 (Tower Regulations) shall not apply. In lieu thereof, the provisions of Section 23-60 (HEIGHT AND SETBACK REGULATIONS) shall apply.

24-552 Required rear setbacks for tall buildings

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X
(b) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the maximum base height specified in the table in Section 23-633 shall be nearer to a #rear yard line# than 10 feet.

Chapter 8 The Quality Housing Program

28-01 Applicability of this Chapter
The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#. In R5D Districts, only the requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-33 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply.

ARTICLE III COMMERCIAL DISTRICT REGULATIONS

Chapter 2 Use Regulations

32-656 Height of signs above roof
C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9
In the districts indicated, no #sign# displayed from the wall of a #building or other structure# shall extend above the parapet wall or roof of such #building or other structure#, except that a vertical #sign#, the horizontal width of which, parallel to the wall, does not exceed 28 inches, may extend no higher than 15 feet above the roof level.

32-434 Ground floor use in C4-5D and C6-3D Districts and in Certain C2 Districts

C4-5D C6-3D
In all C4-5D Districts, the districts indicated and in C2 Districts mapped within R7D or R9D Districts, #uses# on the ground floor or within five feet of #curb level# shall be limited to non-#residential uses# which shall extend along the entire width of the #building#, and lobbies, entrances to subway stations and #accessory# parking spaces, provided such lobbies and entrances do not occupy, in total, more than 25

percent of the #street wall# width of the #building# or more than 20 linear feet of #street wall# frontage on a #wide street# or 30 linear feet on a #narrow street#, whichever is less. Such non-residential uses# shall have a minimum depth of 30 feet from the #street wall# of the #building#. In C6-3D Districts, a vertical circulation core shall be permitted within such minimum 30 foot depth.

Enclosed parking spaces, or parking spaces within a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building#. However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage and, if such #building# fronts on both a #wide street# and a #narrow street#, such loading berth shall be located only on a #narrow street#.

In C6-3D Districts, each ground floor level #street wall# of a #commercial# or #community facility use# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials. However, where the #street wall# or portion thereof fronts an elevated rail line or is located within 50 feet of a #street wall# that fronts an elevated rail line, the glazing requirement of the area of the ground floor level #street wall# may be reduced from 70 percent to 50 percent, and not less than 35 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 15 percent of such area may be glazed with translucent materials. Furthermore, all security gates installed after (date of enactment), 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#, except that this provision shall not apply to entrances or exits to parking garages.

Chapter 3 Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

33-12 Maximum Floor Area Ratio

In addition, the following limitations on maximum permitted #floor area# shall apply: C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A

(a) In contextual Commercial Districts In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9D, R9X, R10A or R10X Districts, no #floor area# bonuses are permitted.

33-121 In districts with bulk governed by Residence District bulk regulations

In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

MAXIMUM FLOOR AREA RATIO

Table with 4 columns: District, For #Commercial Buildings#, For #Community Facility Buildings#, For #Buildings# Used for Both #Commercial# and #Community Facility Uses#. Rows include R1 R2, R3-1 R3A R3X, R3-2, R4 R5, R5D R6B, R6A R7B, R7A R8B, R7D, R6 R7-1, R7X, R7-2 R8, R8X, R9, R9A, R9D, R9X, R10.

33-122 Commercial buildings in all other Commercial Districts

In the districts indicated, the maximum #floor area ratio# for a #commercial building# shall not exceed the #floor area ratio# set forth in the following table:

Table with 2 columns: Districts, Maximum #Floor Area Ratio#. Rows include C3, C4-1 C8-1, C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8, C2-7 C2-8 C7 C8-2 C8-3 C4-2A C4-3A, C4-2 C4-2F C4-3 C4-4 C4-4D C4-5 C4-6, C4-4A C4-5A C4-5X C5-1 C4-5D C8-4, C6-1 C6-2 C6-3 C6-3D 9.00, C4-7 C5-2 C5-4 C6-4 C6-5 C6-8 C5-3 C5-5 C6-6 C6-7 C6-9.

33-123 Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

In the districts indicated, the maximum #floor area ratio# for a #community facility building#, or for a #building# used for

both #commercial# and #community facility uses#, shall not exceed the #floor area ratio# set forth in the following table:

Table with 2 columns: Districts, Maximum #Floor Area Ratio#. Rows include C3, C4-1, C8-1, C4-2A C4-3A, C1-6A C2-6A C4-4A C4-5A, C4-5D, C4-2 C4-3 C8-2, C4-5X, C6-1A, C1-6 C1-7 C2-6 C4-2F C4-4 C4-4D C4-5 C6-1 C6-2 C8-3 C8-4, C1-8A C2-7A C6-3A, C1-8X C2-7X C6-3D C6-3X, C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8 C5-3 C5-5 C6-6 C6-7 C6-9.

33-283 Required rear yard equivalents

In the districts indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided: (a) an open area with a minimum depth of 40 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts. In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or

33-294 Other special provisions along certain district boundaries

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, the #development# or #enlargement# of a #building#, or portions thereof, within 25 feet of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts).

33-431 In C1 or C2 Districts with bulk governed by surrounding Residence District

In the districts indicated, when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R10A or R10X Districts, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

33-432 In other Commercial Districts

In the districts indicated, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

33-492 Height limitations for narrow buildings or enlargements

In the districts indicated, and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts, if the width of the #street wall# of a new #building# or the #enlarged# portion of an existing #building# is 45 feet or less, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

34-011 Quality Housing Program

In C1 and C2 Districts mapped within #Residence Districts# with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, #residential buildings# shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

34-112 Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

In the districts indicated, the applicable #bulk# regulations are the #bulk# regulations for the #Residence Districts# set forth in the following table:

Table with 2 columns: Districts, Applicable #Residence District#. Rows include C3, C4-1, C4-2 C4-3 C6-1A, C4-2A C4-3A, C1-6 C2-6 C4-4 C4-5 C6-1 C1-6A C2-6A C4-4A C4-5A, C4-5D, C4-5X, C1-7 C4-2F C6-2, C1-7A C4-4D C6-2A, C1-8 C2-7 C6-3, C1-8A C2-7A C6-3A, C6-3D, C1-8X C2-7X C6-3X.

Table with 2 columns: Districts, Applicable #Residence District#. Rows include C1-9 C2-8 C4-6 C4-7 C5, C6-4 C6-5 C6-6 C6-7 C6-8 C6-9, C1-9A C2-8A C4-6A C4-7A, C5-1A C5-2A C6-4A, C6-4X, \* \* \*

Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

35-011 Quality Housing Program

In C1 and C2 Districts mapped within R6 through R10 Districts with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, any #residential# portion of a #mixed building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In C1 and C2 Districts mapped within R5D Districts, #mixed buildings# shall comply with certain regulations of Article II, Chapter 8, as set forth in Section 28-01 (Applicability of this Chapter).

35-23 Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

In the districts indicated, the #bulk# regulations for #residential# portions of #mixed buildings# are the #bulk# regulations for the #Residence Districts# set forth in the following table. However, the height and setback regulations of Sections 23-60 through 23-65, inclusive, shall not apply. In lieu thereof, Section 35-24 shall apply to such #mixed building#.

Table with 2 columns: Applicable #Residence District#, District. Rows include R6A, R7A, R7D, R7X, R8A, R9A, R9D, R9X, R10A, R10X, \* \* \*

35-24 Special Street Wall Location and Height and Setback Regulations in Certain Districts

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings# or other structures# shall be measured from the #base plane#.

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the permitted obstructions set forth in Section 33-42 shall apply to any #building# or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback area. Such dormer may exceed a maximum base height specified for such district provided that, on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

(b) #Street wall# location C1-7A C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-4D C4-5D (2) In the districts indicated, and in C1 or C2 Districts when mapped within R7D, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other C1 or C2 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following #street wall# location provisions shall apply along #wide streets#, and along #narrow streets# within 50 feet of their intersection with a #wide street#:

(i) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts or the height of the #building#, whichever is less. To allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

In C1 or C2 Districts when mapped within R9D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#. However, where one such #street line# fronts an

elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.

(ii) Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

Above a height of 12 feet above the #base plane#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in paragraph (b)(2)(i) of this Section.

(iii) For #developments# that occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

The preceding #street wall# provisions shall not apply along #narrow streets# beyond 50 feet of their intersection with a #wide street#, nor along any #street frontage# of a #zoning lot# occupied by existing #buildings#. C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(3) In the districts indicated, and in other C4, C5 or C6 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the #street wall# location requirements shall be as set forth in paragraph (b)(2), inclusive, of this Section, except that a #street wall# with a minimum height of 12 feet shall be required on a #narrow street line# beyond 50 feet of its intersection with a #wide street#, and shall extend along such entire #narrow street# frontage of the #zoning lot#. In C6-4X Districts, #public plazas# are only permitted to front upon a #narrow street line# beyond 50 feet of its intersection with a #wide street line#. The #street wall# location provisions of this Section shall not apply along any such #street line# occupied by a #public plaza#.

In C6-3D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#. However, where one such #street line# fronts an elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(c) Setback regulations In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, all #developments# or #enlargements# shall comply with the following provisions:

(1) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section for #buildings# in contextual districts, and Table B for #buildings# in non-contextual districts, 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 such dimensions may include the depth of any permitted recesses in the #street wall#.

(2) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it in plan would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of paragraph (a) of this Section may penetrate a required setback area.

(3) In C6-3D Districts, for #developments# or #enlargements# that front upon an elevated rail line, at a height not lower than 15 feet or higher than 25 feet, a setback with a depth of at least 20 feet shall be provided from any #street wall# fronting on such elevated rail line, except that such dimensions may include the depth of any permitted recesses in the #street wall# and the depth of such setback may be reduced by one foot for every foot that the depth of the #zoning lot#, measured perpendicular to the elevated rail line, is less than 110 feet, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.

(i) The setback provisions of paragraph (c) of this Section are optional for such #developments# or #enlargements# where a building wall is within the area bounded by two intersecting #street lines# and lines parallel to and 70 feet from such #street lines#.

(ii) Where such #development# or #enlargement# is adjacent to a #public park#, such setback may be provided at grade for all portions of #buildings# outside of the area bounded by two intersecting #street lines# and lines parallel to and 70 feet from such #street lines#, provided

that any area unoccupied by a #building# shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

(d) Maximum building height No #building or other structure# shall exceed the maximum building height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts, except as provided in this paragraph, (d), inclusive: C6-3D C6-4X

In the districts indicated, any #building# or #buildings#, or portions thereof, which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# (or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in Section 33-454) above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Dormers permitted within a required setback area pursuant to paragraph (a) of this Section shall not be included in tower #lot coverage#. Such tower or towers may exceed a height limit of 85 feet above the #base plane#, provided:

(1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street#, and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;

(2) the base of such tower complies with the #street wall# location provisions of paragraph (b) of this Section, and the setback provisions of paragraph (c) of this Section; and

(3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower. In C6-3D Districts, the highest four #stories#, or as many #stories# as are located entirely above a height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(4) In C6-3D Districts, for towers fronting on elevated rail lines, the outermost walls of each #story# located entirely above a height of 85 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 such elevated rail line shall be 125 feet, or 75 percent of the frontage of the #zoning lot# along such elevated rail line, whichever is less.

Dormers permitted within a required setback area pursuant to paragraph (a) of this Section shall not be included in tower #lot coverage#.

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(e) Additional regulations In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following additional provisions shall apply to all #developments# or #enlargements#:

(5) In C6-3D Districts, where a #building# on an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

TABLE A HEIGHT AND SETBACK FOR BUILDINGS IN CONTEXTUAL DISTRICTS

Table with 4 columns: District, Minimum Base Height, Maximum Base Height, Maximum Building Height. Lists various zoning districts and their corresponding height and setback requirements.

Table with 4 columns: District, Minimum Base Height, Maximum Base Height, Maximum Building Height. Lists various zoning districts and their corresponding height and setback requirements.

\* Refers to that portion of a district which is within 100 feet of a #wide street#
\*\* Refers to that portion of a district on a #narrow street#, except within a distance of 100 feet from its intersection with a #wide street#
\*\*\* #Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (d) of this Section
\*\*\*\* For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.

35-31 Maximum Floor Area Ratio for Mixed Buildings C1 C2 C3 C4 C5 C6 In all districts, except as set forth in Section 35-311, the provisions of this Section shall apply to any #zoning lot# containing a #mixed building#.

The maximum #floor area ratio# permitted for a #commercial# or #community facility use# shall be as set forth in Article III, Chapter 3, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#. However, in C4-7 Districts within Community District 7 in the Borough of Manhattan, such maximum #residential floor area ratio# may be increased pursuant to the provisions of Section 23-90 (INCLUSIONARY HOUSING).

In the designated areas set forth in Section 23-922 (#Inclusionary Housing designated areas#), except within Waterfront Access Plan BK-1, and in Community District 1, Brooklyn, in R6 Districts without a letter suffix, the maximum #floor area ratio# permitted for #zoning lots# containing #residential# and #commercial# or #community facility uses# shall be the base #floor area ratio# set forth in Section 23-942 for the applicable district. However, in #Inclusionary Housing designated areas# mapped within C4-7, C5-4, C6-3D and C6-4 districts, the maximum base #floor area ratio# for #zoning lots# containing #residential# and #commercial# or #community facility uses# shall be either the base #floor area ratio# set forth in Section 23-942 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, or the maximum #floor area ratio# for #commercial uses# in such district, whichever is lesser.

Such The maximum base #floor area ratio# in #Inclusionary Housing designated areas# may be increased to the maximum #floor area ratio# set forth in such Section 23-942 only through the provision of #lower income housing# pursuant to Section 23-90 (INCLUSIONARY HOUSING).

A non-#residential use# occupying a portion of a #building# that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations on maximum #floor area ratio# shall not apply to such change of #use#.

Article III Chapter 6 Accessory Off-Street Parking and Loading Regulations

36-52 Size and Location of Spaces

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A C6-4X

(b) Location of parking spaces in certain districts In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#.

Article III Chapter 7 Special Urban Design Regulations

37-38 Sidewalk Widening in Certain Districts C6-3D

In the district indicated, and in C1 or C2 districts mapped within an R9D district, for #developments# or #enlargements# on #zoning lots# fronting upon #wide streets#, or fronting upon #narrow streets# that include an elevated rail line, sidewalks, with a minimum depth of 20 feet measured perpendicular to the curb of the #street#, shall be provided along such entire #street# frontages of the #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 20 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 20 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times. In addition, the provisions of paragraph (f) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), subparagraphs (2) through (5) shall apply.

37-40 OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the

#Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances\* shall be provided in accordance with the provisions of this Section.

A relocated subway stair or a subway stair that has been renovated in accordance with the provisions of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE) may be counted as pedestrian circulation space pursuant to Section 37-50.

Station	Line
8th Street	BMT-Broadway
23rd Street	BMT-Broadway
23rd Street	IRT-Lexington Ave.
28th Street	IRT-Lexington Ave.
33rd Street	IRT-Lexington Ave.
34th Street	IND-8th Avenue
59th Street	IRT-Lexington Ave.
Lexington Avenue-60th St.	BMT-Broadway
161st Street	IND-6th Avenue

\* Provision of a new subway entrance or entrances pursuant to the requirements of this Section may also require satisfaction of additional obligations under the Americans for Disabilities Act of 1990 (ADA), including the ADA Accessibility Guidelines. The New York City Transit Authority should be consulted with regard to any such obligations.

\* \* \*  
**No. 2**

**CD 4 C 090365 ZMX**

**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 for an amendment of the Zoning Map, Section Nos.3b and 6a:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by Morris Avenue a line 100 feet northeasterly of East 161st Street, a line 100 feet southeasterly of Morris Avenue, and East 161st Street;
2. eliminating from within an existing R8 District a C1-4 District bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 100 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, and a line 150 feet northeasterly of East 158th Street;
3. changing from an R7-1 District to an R8A District property bounded by East 162nd Street and its southeasterly prolongation, Park Avenue, East 161st Street, and Morris Avenue;
4. changing from an R8 District to a C6-2 District property bounded by East 161st Street, Concourse Village West, a line 50 feet northeasterly of East 159th Street, and a line 100 feet northwesterly of Concourse Village West;
5. changing from a C4-6 District to a C6-2 District property bounded by a line 140 feet northeasterly of East 161st Street, Sheridan Avenue, East 161st Street, and a line 100 feet northwesterly of Sheridan Avenue;
6. changing from a C8-3 District to a C6-2 District property bounded by East 161st Street, Concourse Village East, a line 150 feet southwesterly of East 161st Street, and Concourse Village West;
7. changing from an R8 District to a C6-3D\* District property bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 110 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, and a line 150 feet northeasterly of East 158th Street
8. changing from a C8-3 District to a C6-3D\* District property bounded by River Avenue, a line 150 feet northeasterly of East 158th Street, a line midway between River Avenue and Gerard Avenue, and a line perpendicular to the southeasterly street line of River Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of River Avenue and the northeasterly street line of East 153rd Street; and
9. establishing within the proposed R8A district a C2-4 District bounded by East 162nd Street, a line 100 feet southeasterly of Morris Avenue, a line midway between East 161st Street and East 162nd Street, a line 100 feet northwesterly of Park Avenue, a line 100 feet northeasterly of East 161st Street, a line perpendicular to the northeasterly street line of East 161st Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 161st Street and the northwesterly street line of Park Avenue, East 161st Street, and Morris Avenue;

as shown on a diagram (for illustrative purposes only) dated March 30, 2009 and subject to the conditions of CEQR Declaration E-225.

\* Note: A C6-3D District is proposed to be created under a related application N 090364 ZRY for an amendment of the Zoning Resolution.

**NOTICE**

**On Wednesday, July 1, 2009, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning applications for amendments to the Zoning Map and, the Zoning Resolution, related to the 161st Street rezoning proposal.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP024X.**

**Nos. 3 & 4**

**SOCIAL SECURITY ADMINISTRATION PARKING**

**No. 3**

**CD 6 C 090342 ZMX**

**IN THE MATTER OF** an application submitted by 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. 3d, by:

1. eliminating within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Southern Boulevard, a line 70 feet southwesterly of East 176th Street, and a line 80 feet southeasterly of Trafalgar Place; and
2. establishing within an existing R7-1 District a C1-4 District bounded by:
  - a. Trafalgar Place, East 176th Street, a line 100 feet northwesterly of Southern Boulevard, and a line 70 feet southwesterly of East 176th Street; and
  - b. a line 80 feet southeasterly of Trafalgar Place, a line 100 feet northwesterly of Southern Boulevard, and East 175th Street;

as shown on a diagram (for illustrative purposes only) dated April 20, 2009.

**No. 4**

**CD 6 N 090343 HAX**

**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 906 and 916 East 176th Street (Block 2958, p/o Lots 106 and 109) and 907 East 175th Street (Block 2958, Lot 120) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area;

to facilitate accessory parking.

**BOROUGH OF BROOKLYN**

**Nos. 5 & 6**

**SUNSET PARK REZONING**

**No. 5**

**CD 7 C 090386 ZMK**

**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 for an amendment of the Zoning Map, Section Nos. 16b, 16d, 22a & 22c:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
  - a. a line 150 feet northwesterly of Fourth Avenue, 41st Street, Fourth Avenue, a line midway between 39th Street and 40th Street, a line 150 feet southeasterly of Fourth Avenue, and 42nd Street;
  - b. a line 150 feet northwesterly of Fourth Avenue, 44th Street, a line 150 feet southeasterly of Fourth Avenue, a line midway between 45th Street and 46th Street, Fourth Avenue, and 45th Street;
  - c. a line 150 feet northwesterly of Fourth Avenue, 47th Street, Fourth Avenue, 46th Street, a line 150 feet southeasterly of Fourth Avenue, 61st Street, a line 150 feet northwesterly of Fourth Avenue, 58th Street, Fourth Avenue, and 57th Street;
  - d. a line 150 feet northwesterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 150 feet southeasterly of Fifth Avenue, and 41st Street;
  - e. a line 150 feet northwesterly of Fifth Avenue, 43rd Street, Fifth Avenue, 44th Street, a line 150 feet southeasterly of Fifth Avenue and 50th Street;
  - f. a line 150 feet northwesterly of Fifth Avenue, 56th Street, a line 150 feet southeasterly of Fifth Avenue, 59th Street, Fifth Avenue, and 60th Street;
  - g. a line 150 feet northwesterly of Sixth Avenue, a line midway between 48th Street and Sunset Terrace, a line 150 feet southeasterly of Sixth Avenue, a line midway between 54th Street and 55th Street, Sixth Avenue, a line midway between 52nd Street and 53rd Street, a line 150 feet northwesterly of Sixth Avenue, 51st Street, Sixth Avenue, and 50th Street;
  - h. a line 150 feet northwesterly of Sixth Avenue, 56th Street, a line 150 feet southeasterly of Sixth Avenue, and a line midway between 58th Street and 59th Street;
  - i. a line 150 feet northwesterly of Seventh Avenue, 58th Street, a line 150 feet southeasterly of Seventh Avenue, a line midway between 60th Street and 61st Street, Seventh Avenue, and a line midway between 61st Street and 62nd Street; and
  - j. a line 150 feet northwesterly of Eighth Avenue, a line midway between 39th Street and 40th Street/Finlandia Street, a line 150 feet southeasterly of Eighth Avenue, and a line midway between 60th Street and 61st Street;
2. eliminating from within an existing R6 District a C2-3 District bounded by: Fourth Avenue, 30th Street, a line 150 feet Southeasterly of Fourth Avenue, and 34th Street;
  - a. a line 150 feet northwesterly of Fourth Avenue, 61st Street, a line 150 feet southeasterly of Fourth Avenue, the

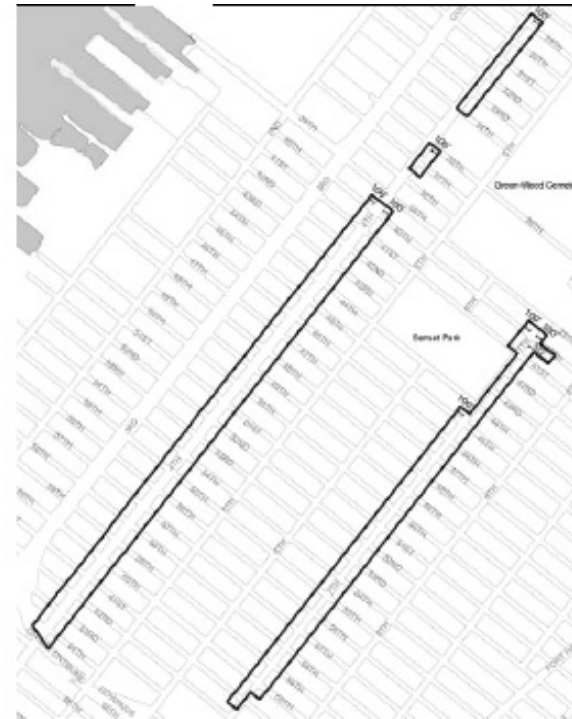
northeasterly service road of the Gowanus Expressway, Fourth Avenue, 64th Street, a southeasterly boundary line of a Park and its southwesterly prolongation, and a northeasterly boundary line of a Park; and

- b. a line 150 feet northwesterly of Fifth Avenue, 60th Street, a line 150 feet southeasterly of Fifth Avenue, a line midway between 62nd Street and 63rd Street, a line 100 feet southeasterly of Fifth Avenue, and 63rd Street;
3. changing from an R6 District to an R4-1 District property bounded by Gowanus Expressway, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Fourth Avenue, and a line midway between 62nd Street and 63rd Street;
4. changing from an R6 District to an R4A District property bounded by the northwesterly street line of Second Avenue, a line midway between 61st Street and 62nd Street and its northwesterly prolongation, a line 380 feet southeasterly of Second Avenue, 62nd Street, a north westerly service road of the Gowanus Expressway, and a line midway between 62nd Street and 63rd Street and its northwesterly prolongation;
5. changing from an R6 District to an R6A District property bounded by:
  - a. Gowanus Expressway, a line midway between 57th Street and 58th Street, a line 100 feet northwesterly of Fourth Avenue, and 60th Street;
  - b. a line 100 feet northwesterly of Gowanus Expressway, 61st Street, a line 100 feet northwesterly of Fourth Avenue, a line midway between 61st Street and 62nd Street, Gowanus Expressway, a line midway between 62nd and 63rd Street, a line 100 feet northwesterly of Fourth Avenue, Gowanus Expressway, 64th Street, Third Avenue (Northwesterly portion), a north westerly service road of the Gowanus Expressway, and 62nd Street;
  - c. a line 100 feet southeasterly of Fourth Avenue, a line midway between 60th Street and 61st Street, a line 100 feet northwesterly of Fifth Avenue, 57th Street, a line 100 feet southeasterly of Fifth Avenue, 63rd Street, Fifth Avenue, 64th Street, a line 100 feet northwesterly of Fifth Avenue, and a line midway between 61st Street and 62nd street;
  - d. a line 100 feet northwesterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet southeasterly of Fifth Avenue, the northeasterly, northwesterly and southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Fifth Avenue, and 47th Street;
  - e. a line 505 feet northwesterly of Sixth Avenue and its southwesterly prolongation, 40th Street, a line 155 feet northwesterly of Sixth Avenue and its southwesterly prolongation, and the northeasterly boundary line of Sunset Park; and
  - f. a line 100 feet northwesterly of Sixth Avenue and its northeasterly prolongation, the southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Sixth Avenue and its northeasterly prolongation, the northeasterly, northwesterly and southwesterly boundary line of Rainbow Park, a line 100 feet southeasterly of Sixth Avenue, and 61st Street;
6. changing from an R6 District to an R6B District property bounded by:
  - a. a line 100 feet southeasterly of Fourth Avenue, a line midway between 28th Street and 29th Street, Fifth Avenue, 35th Street, a line 200 feet northwesterly of Fifth Avenue, a line midway between 37th Street and 38th Street, a line 100 feet southeasterly of Fourth Avenue, 36th Street, Fourth Avenue, and 34th Street;
  - b. Gowanus Expressway, a line midway between 39th Street and 40th Street, a line 100 feet northwesterly of Fourth Avenue, and a line midway between 57th Street and 58th Street;
  - c. the northwesterly street line of Second Avenue, a line midway between 60th Street and 61st Street and its northwesterly prolongation, a line 350 feet southeasterly of Second Avenue, a line midway between 59th Street and 60th Street, a line 100 feet northwesterly of Third Avenue, 60th Street, a line 100 feet northwesterly of Fourth Avenue, 61st Street, a line 100 feet northwesterly of Third Avenue, 62nd Street, a line 380 feet southeasterly of Second Avenue, and a line midway between 61st Street and 62nd Street and its northwesterly prolongation;
  - d. a line 100 feet southeasterly of Fourth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet northwesterly of Fifth Avenue, 50th Street, a line 150 feet northwesterly of Fifth Avenue, 56th Street, a line 100 feet northwesterly of Fifth Avenue, and a line midway between 60th Street and 61st Street;
  - e. a line 100 feet southeasterly of Fourth Avenue, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Fifth Avenue, 64th Street, Fifth Avenue, and the northeasterly service road of Gowanus Expressway;

- f. a line 100 feet southeasterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet northwesterly of Seventh Avenue, the northeasterly boundary line of Sunset Park, a line 155 feet northwesterly of Sixth Avenue and its southwesterly prolongation, 40th Street, a line 505 feet northwesterly of Sixth Avenue and its southwesterly prolongation, and the northeasterly boundary line of Sunset Park;
  - g. a line 100 feet southeasterly of Fifth Avenue, the southwesterly boundary line of Sunset Park, a line 100 feet northwesterly of Sixth Avenue and its northeasterly prolongation, 61st Street, a line 100 feet southeasterly of Sixth Avenue, the southwesterly, northwesterly and northeasterly boundary line of Rainbow Park, a line 100 feet southeasterly of Sixth Avenue and its northeasterly prolongation, the southwesterly boundary line of Sunset Park and its southeasterly prolongation, Seventh Avenue, a line midway between 44th Street and 45th Street, a line 100 feet northwesterly of Seventh Avenue, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Sixth Avenue, a line midway between 62nd Street and 63rd Street, a line 100 feet southeasterly of Fifth Avenue, 56th Street, a line 150 feet southeasterly of Fifth Avenue, and 50th Street; and
  - h. a line 100 feet southeasterly of Seventh Avenue, a line midway between 39th Street and 40th Street/ Finlandia Street, a line 100 feet northwesterly of Eighth Avenue, a line midway between 60th Street and 61st Street, a line 100 feet southeasterly of Seventh Avenue, a line midway between 40th Street/ Finlandia Street and 41st Street, a line 325 feet southeasterly of Seventh Avenue, and 40th Street/ Finlandia Street;
7. changing from a C4-3 District to an R6B District property bounded by:
- a. a line 150 feet northwesterly of Fifth Avenue, 50th Street, a line 100 feet northwesterly of Fifth Avenue, and 56th Street; and
  - b. a line 100 feet southeasterly of Fifth Avenue, 50th Street, a line 150 feet southeasterly of Fifth Avenue, and 56th Street;
8. changing from an R6 District to an R7A District property bounded by:
- a. Fourth Avenue, a line midway between 28th Street and 29th Street, a line 100 feet southeasterly of Fourth Avenue, and 34th Street;
  - b. Fourth Avenue, 36th Street, a line 100 feet southeasterly of Fourth Avenue, and a line midway between 37th Street and 38th Street;
  - c. a line 100 feet northwesterly of Fourth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet southeasterly of Fourth Avenue, and the north easterly service road of Gowanus Expressway, Fourth Avenue, and Gowanus Expressway; and
  - d. a line 100 feet northwesterly of Seventh Avenue, a line midway between 39th Street and 40th Street, a line 100 feet southeasterly of Seventh Avenue, 40th Street/ Finlandia Street, a line 325 feet southeasterly of Seventh Avenue, a line midway between 40th Street/ Finlandia Street and 41st Street, a line 100 feet southeasterly of Seventh Avenue, a line midway between 60th Street and 61st Street, Seventh Avenue, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Seventh Avenue, a line midway between 44th Street and 45th Street, Seventh Avenue, the southeasterly prolongation of the southwesterly boundary line of Sunset Park, and the southeasterly and northeasterly boundary line of Sunset Park;
9. changing from an R6 District to a C4-3A District property bounded by:
- a. a line 100 feet northwesterly of Fifth Avenue, 47th Street, a line 100 feet southeasterly of Fifth Avenue, and 50th Street; and
  - b. a line 100 feet northwesterly of Fifth Avenue, 56th Street, a line 100 feet southeasterly of Fifth Avenue and 57th Street;
10. changing from a C4-3 District to an C4-3A District property bounded by a line 100 feet northwesterly of Fifth Avenue, 50th Street, a line 100 feet southeasterly of Fifth Avenue, and 56th Street;
11. establishing within an existing R6 District a C2-4 District bounded by a line 100 feet northwesterly of

- Eighth Avenue, a line midway between 39th Street and 40th Street/ Finlandia Street, Eighth Avenue, and a line midway between 60th Street and 61st Street;
12. establishing within a proposed R6A District a C2-4 District bounded by:
- a. a line 100 feet northwesterly of Third Avenue, 61st Street, Third Avenue, and 62nd Street;
  - b. a line 100 feet northwesterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet southeasterly of Fifth Avenue, the northeasterly, northwesterly and southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Fifth Avenue, and 47th Street;
  - c. a line 100 feet northwesterly of Fifth Avenue, 57th Street, a line 100 feet southeasterly of Fifth Avenue, 59th Street, Fifth Avenue, 60th Street, a line 100 feet southeasterly of Fifth Avenue, 63rd Street, Fifth Avenue, and 64th Street;
  - d. Sixth Avenue, 50th Street, a line 100 feet southeasterly of Sixth Avenue and 51st Street;
  - e. a line 100 feet northwesterly of Sixth Avenue, 51st Street, Sixth Avenue, 52nd Street, a line 100 feet southeasterly of Sixth Avenue, 53rd Street, Sixth Avenue, and a line midway between 52nd Street and 53rd Street;
  - f. a line 100 feet northwesterly of Sixth Avenue, 56th Street, Sixth Avenue, and 57th Street;
  - g. Sixth Avenue, 57th Street, a line 100 feet southeasterly of Sixth Avenue, and 58th Street; and
  - h. a line 100 feet northwesterly of Sixth Avenue, 58th Street, Sixth Avenue, and a line midway between 58th Street and 59th Street;
13. establishing within a proposed R7A a C2-4 District bounded by:
- a. Fourth Avenue, a line midway between 28th Street and 29th Street, a line 100 feet southeasterly of Fourth Avenue, and 34th Street;
  - b. Fourth Avenue, 36th Street, a line 100 feet southeasterly of Fourth Avenue, and 37th Street;
  - c. a line 100 feet northwesterly of Fourth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet southeasterly of Fourth Avenue, the northeasterly service road of Gowanus Expressway, Fourth Avenue, and 64th Street; and
  - d. a line 100 feet northwesterly of Seventh Avenue, a line midway between 45th Street and 46th Street, Seventh Avenue, Sunset Terrace, a line 100 feet southeasterly of Seventh Avenue, a line midway between 60th Street and 61st Street, Seventh Avenue, and a line midway between 61st Street and 62nd Street;
- as shown on a diagram (for illustrative purposes only) dated April 20, 2009, and subject to the conditions of CEQR Declaration E-236.
- No. 6**
- CD 7 C 090387 ZRK**  
**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, relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the application of the Inclusionary Housing Program to proposed R7A districts, in the Borough of Brooklyn, Community District 7.
- 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 II: Residence District Regulations  
 Chapter 3  
 Bulk Regulations for Residential Buildings in Residence Districts  
 \* \* \*  
 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  | R7A 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:  
 \* \* \*  
 (x) In Community District 7, in the Borough of Brooklyn, in the R7A District within the areas shown on the following Maps X1:



Map X1. Portion of Community District 7, Brooklyn

**No. 7**  
**JARICAN CULTURAL CENTER**  
**CD 8 C 090219 ZSK**  
**IN THE MATTER OF** an application submitted by Jarican Cultural Foundation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-921 of the Zoning Resolution to allow a non-profit institution without sleeping accommodations (Use Group 4A) on the second floor of a proposed two-story building located at 1025 Pacific Street (Block 1125, lots 60 and 61), in an M1-1 District.  
 Plans for this proposal are on file with the City Planning Commission and may be seen at 22 Reade Street, Room 3N, New York, N.Y. 10007.

**BOROUGH OF STATEN ISLAND**  
**No. 8**  
**PRESENTATION CIRCLE**  
**CD 3 C 080374 ZSR**  
**IN THE MATTER OF** an application submitted by Presentations Sisters of Staten Island, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-732 of the Zoning Resolution to allow a private sewage pumping station which will serve a 97-unit residential development on property located at 419 Woodrow Road [Block 5735, p/o Lot 1 (tentative Lot 15)], in an R3-2 District, within the Special South Richmond District (SRD).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

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

j18-jy1

**COMMUNITY BOARDS**

**PUBLIC HEARINGS**

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

**BOROUGH OF QUEENS**

COMMUNITY BOARD NO. 7 - Monday, June 29, 2009, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

**#090403PSQ**  
**IN THE MATTER OF** an application submitted by the New York City Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property generally bounded by 28th Avenue, Ulmer Street, 31st Avenue and College Point Boulevard, for use as a police academy.

**BSA# 177-09-BZ**  
 Sky View Parc - 40-22 College Point Boulevard  
 Application seeks a special permit pursuant to Zoning Resolution 73-66 for the six residential towers that exceed the permitted heights found in Zoning Resolution 61-20.

Application by the New York City Department of Citywide Administrative Services, Division of Real Estate Services, for the disposition of a city-owned property in the College Point Corporate Park, pursuant to zoning. This property was inadvertently excluded in an earlier disposition ULURP application, this application is meant to correct the oversight from the previous application.

## CONFLICTS OF INTEREST BOARD

### PUBLIC MEETINGS

The Conflicts of Interest Board announces a public meeting of the Board on Tuesday, June 30, 2009, at 1:00 p.m., at the offices of Paul Weiss Rifkind Wharton & Garrison, 1285 Avenue of the Americas, 29th Floor, New York, New York. On the public agenda may be the Board's consideration of possible amendments to Chapter 68 of the New York City Charter, pursuant to Charter section 2603(j). To determine whether any item will be held in public session or, for any person planning to attend the meeting, to facilitate access through the building's security, please contact the Board's General Counsel, Wayne Hawley, at (212) 442-1415 before 5:00 p.m. on June 26th.

☛ j23

## BOARD OF EDUCATION RETIREMENT SYSTEM

### MEETING

The next regular meeting of the Board of Education Retirement System (BERS) of the City of New York Trustees will meet on Tuesday, June 23, 2009. This meeting will be held at the Tweed Courthouse, 52 Chambers Street, Room 105, New York, New York 10007.

The meeting will convene at 4:30 P.M. An agenda will be distributed to BERS Trustees prior to the meeting.

If you need more information, please contact Noro Healy at (718) 935-4529 or email: nhealy@bers.nyc.gov

j17-23

## LANDMARKS PRESERVATION COMMISSION

### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, June 23, 2009, at 9:00 A.M.**, the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks, Landmark Sites and Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

### ITEMS TO BE HEARD

**PUBLIC HEARING ITEM NO. 1**  
LP-2339 **PROPOSED PERRY AVENUE HISTORIC DISTRICT**, Borough of the Bronx.  
*Boundary Description*  
The (proposed) Perry Avenue Historic District consists of the property bounded by a line beginning at the intersection of the northwestern curblin of Perry Avenue with a line extending southeasterly from the northeastern property line of 2987 Perry Avenue, northwesterly along said property line to the northwestern property line of 2987 Perry Avenue, southwesterly along said property line and the property lines of 2985 through 2971 Perry Avenue to the southwestern property line of 2971 Perry Avenue, southeasterly along said property line to the northwestern curblin of Perry Avenue, northeasterly along said curblin to the point of the beginning.

**PUBLIC HEARING ITEM NO. 2**  
LP-2341 **LYDIA ANN BELL and J. WILLIAM AHLES HOUSE**, 39-24 to 39-26 213th Street, Queens.  
*Landmark Site:* Borough of Queens Tax Map Block 6236, Lot 18

**PUBLIC HEARING ITEM NO. 3**  
LP-2357 **138 SECOND AVENUE HOUSE**, 138 Second Avenue, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 450, Lot 5

**PUBLIC HEARING ITEM NO. 4**  
LP-2345 **145 EIGHTH AVENUE HOUSE**, 145 Eighth Avenue, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 741, Lot 31

**PUBLIC HEARING ITEM NO. 5**  
LP-2346 **147 EIGHTH AVENUE HOUSE**, 147 Eighth Avenue, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 741, Lot 32

**PUBLIC HEARING ITEM NO. 6**  
LP-2350 **143 ALLEN STREET HOUSE**, 143 Allen Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 415, Lot 23

**PUBLIC HEARING ITEM NO. 7**  
LP-2344 **57 SULLIVAN STREET HOUSE**, 57 Sullivan Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 489, Lot 2

**PUBLIC HEARING ITEM NO. 8**  
LP-2347 **177 WEST BROADWAY HOUSE**, 177 West Broadway, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 176, Lot 16

**PUBLIC HEARING ITEM NO. 9**  
LP-2342 **PARAMOUNT HOTEL** 235-245 West 46th Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map

Block 1018, Lot 6

**PUBLIC HEARING ITEM NO. 10**  
LP-2359 **SIRE BUILDING**, 211 West 58th Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 1030, Lot 25

**PUBLIC HEARING ITEM NO. 11**  
LP-2356 **HEBREW ACTORS' UNION**, 31 East 7th Street, Manhattan  
*Landmark Site:* Borough of Manhattan Tax Map Block 463, Lot 42

**PUBLIC HEARING ITEM NO. 12**  
LP-2543 **311 BROADWAY BUILDING**, 311 Broadway, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 151, Lot 31

**PUBLIC HEARING ITEM NO. 13**  
LP-2354 **(Former) GERMANIA FIRE INSURANCE COMPANY BUILDING**, 357 Bowery, Manhattan  
*Landmark Site:* Borough of Manhattan Tax Map Block 459

**PUBLIC HEARING ITEM NO. 14**  
LP-2353 **97 BOWERY BUILDING**, 97 Bowery, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 304, Lot 2

**PUBLIC HEARING ITEM NO. 15**  
LP-2351 **(Former) RIDLEY & SONS DEPARTMENT STORE**, 315 Grand Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 308, Lot 14

**PUBLIC HEARING ITEM NO. 16**  
LP-2352 **(Former) RIDLEY & SONS DEPARTMENT STORE**, 321 Grand Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 308, Lot 15

**PUBLIC HEARING ITEM NO. 17**  
LP-2363 **(Former) JARMULOWSKY BANK**, 54 Canal Street aka 54-58 Canal Street; 5-9 Orchard Street, Manhattan  
*Landmark Site:* Borough of Manhattan Tax Map Block 294, Lot 8

**PUBLIC HEARING ITEM NO. 18**  
LP-2340 **46 WEST 55TH STREET HOUSE**, 46 West 55th Street, Manhattan.  
*Landmark Site:* Borough of Manhattan Tax Map Block 1270, Lot 60

j10-23

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, July 07, 2009 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 THE BRONX 09-3008 - Block VARIOUS, lot VARIOUS-  
Various Addresses - Fieldston Historic District  
A Romantic style planned suburb laid out in 1914 by engineer Albert Wheeler based on recommendations made by Frederick Law Olmsted and James R. Croe. The Historic District is characterized by an eclectic variety of residential buildings and styles including Medieval, Tudor, and Mediterranean, as well as formal modernist houses. Application is to establish a Master Plan to govern certain types of alterations to buildings, other improvements and landscape improvements within the Fieldston Historic District, authorizing the staff to approve such work if it meets the requirements of the Master Plan.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF THE BRONX 09-6620 - Block VARIOUS, lot VARIOUS-  
Various Addresses - Fieldston Historic District  
A Romantic style planned suburb laid out in 1914 by engineer Albert Wheeler based on recommendations made by Frederick Law Olmsted and James R. Croe. The Historic District is characterized by an eclectic variety of residential buildings and styles including Medieval, Tudor, and Mediterranean, as well as formal modernist houses. Application is to adopt the Fieldston Historic District Implementation Rules for a proposed master plan for certain alterations to improvements in the Fieldston Historic District pursuant to the City Administrative Procedures Act.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 09-0740 - Block 1278, lot 38-78-27 37th Avenue - Jackson Heights Historic District  
A neo-Georgian style commercial building designed by Andrew J. Thomas and built in 1947. Application is to legalize the installation of an areaway fence without Landmarks Preservation Commission permits.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 09-5039 - Block 1443, lot 33-82-15 35th Avenue - Jackson Heights Historic District  
A neo-Georgian style apartment building, designed by Seelig & Finkelstein and built in 1937. Application is to construct a barrier-free access ramp and railing.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 09-8016 - Block 1009, lot 1-303 Manor Road, aka 32-15 East Drive, 32-15 240th Street - Douglaston Historic District  
A Colonial Revival style freestanding house designed by Hobart A. Walker and built in 1912. Application is to construct an addition, modify a driveway, replace retaining walls and a deck, and install HVAC equipment. Zoned R1-2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 09-7625 - Block 8066, lot 7-220 Forest Road - Douglaston Historic District  
A Contemporary Colonial Revival style house built in 1961. Application is to construct a rear addition and alter the facades. Zoned R1-2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-0267 - Block 87, lot 1-209 Broadway - St. Paul's Chapel and Graveyard-Individual Landmark  
A Georgian style church designed by Thomas McBean and built in 1764-66. Application is to install signage.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-0266 - 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 signage.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-9164 - Block 89, lot 1-135-139 Fulton Street, aka 93-99 Nassau Street - Bennett Building - Individual Landmark  
A Second Empire style office and store building designed by Arthur D. Gilman and built in 1872-1873, with additions designed by James M. Farnsworth and built in 1890-1892 and 1894. Application is to legalize the enlargement of a rooftop addition without Landmarks Preservation Commission permits. Zoned C 5-5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-9177 - Block 217, lot 1-250 West Street - Tribeca North Historic District  
A neo-Renaissance style warehouse designed by William H. Birkmire and built in 1903-1906. Application is to construct a rooftop addition, alter the facade, and replace windows. Zoned C6-3A.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-6877 - Block 497, lot 33-83 Spring Street - SoHo-Cast Iron Historic District  
A 19th century building altered by Richard Berger as a store and loft building in 1886. Application is to install a new storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-7598 - Block 230, lot 3-317 Canal Street - SoHo-Cast Iron Historic District  
A Federal style house built in 1821 and altered in 1869. Application is to install new storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-6476 - Block 532, lot 20-659-659A Broadway, aka 218-226 Mercer Street and 77 Bleecker Street - NoHo Historic District  
An Italianate style store building designed by Griffith Thomas and built in 1866-67. Application is to legalize alterations to the storefront and the installation of signage without Landmarks Preservation Commission permits.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-8652 - Block 609, lot 75-159 West 13th Street - Greenwich Village Historic District  
A rowhouse built in 1847-48 and altered in the 20th century. Application is to install windows and a cornice, and re-clad the brick facade.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 088334 - Block 625, lot 36-23 8th Avenue - Greenwich Village Historic District  
A rowhouse built in 1845. Application is to alter the existing rooftop addition. Zoned C1-6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-9426 - Block 712, lot 24-409 West 14th Street - Gansevoort Market Historic District  
An Italianate style French flats and brewery building designed by John B. Snook and built in 1876. Application is to install new storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-0043 - Block 847, lot 22-876 Broadway - Ladies( Mile Historic District  
A commercial palace style store and warehouse building design by Henry Fernbach and built in 1883-84. Application is to install new storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-3179 - Block 828, lot 41-230 Fifth Avenue - Madison Square North Historic District  
A Beaux Arts style office building designed by Schwartz & Gross and built in 1912-15. Application is to install a flagpole.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-2884 - Block 1030, lot 58-232-246 Central Park South, aka 233-241 West 58th Street, 1792-1810 Broadway - Central Park South Apartments - Individual Landmark  
An Art-Deco style apartment building designed by Mayer and Whittlesey and built in 1939-1940. Application is to legalize the installation of awnings and conduits without Landmarks Preservation Commission permits.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7422 - Block 1244, lot 33-80 Riverside Drive - Riverside Drive- West 80th-81st Street Historic District  
A neo-Classical style apartment building, designed by Maurice Deutsch and built in 1926-1927. Application is to construct a rooftop addition. Zoned R10A.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-8789 - Block 1202, lot 11-53 West 88th Street - Upper West Side/Central Park West Historic District  
A Romanesque Revival style rowhouse, designed by Neville & Bagge, built in 1892-94. Application is to construct a rear yard addition. Zoned R7-2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7680 - Block 1399, lot 5-113 East 64th Street - Upper East Side Historic District.  
A residence building, designed by W.P. & A.M. Parsons and built in 1881-82, and altered by Theodore A. Cieslewicz in 1948. Application is to alter the facade.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 099455 - Block 1503, lot 24-51 East 91st Street - Expanded Carnegie Hill Historic District  
A neo-Grec style rowhouse designed by A.B Ogden & Son, and built in 1884 and altered in 1950. Application is to construct a rooftop addition, modify the areaway and installed a barrier-free access lift. Zoned R8B and R10/C1.5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7400 - Block 1507, lot 1-1140 Fifth Avenue - Carnegie Hill Historic District



A neo-Renaissance style apartment building, designed in 1921 by the Fred F. French Co. Application is to establish a master plan governing the future installation of windows.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-8909 - Block 1523, lot 171-1211 Park Avenue - Carnegie Hill Historic District  
A neo-Georgian style townhouse designed by Flemer & Kohler and built in 1922. Application is to construct a rooftop addition. Zoned R10.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7411 - Block 1504, lot 16-1298 Madison Avenue - Carnegie Hill Historic District  
A Romanesque Revival/Queen Anne style rowhouse built in 1889 by A.B. Ogden & Son, altered in 1926 and again in 1955-56 by Glick & Gelman. Application is to modify the facade and construct rooftop and rear year additions. Zoned R10/C1-5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-8532 - Block 301, lot 44-155 Warren Street - Cobble Hill Historic District  
A Greek Revival style rowhouse built in 1838. Application is to construct dormers at the roof.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-6543 - Block 211, lot 15-72 Poplar Street - Brooklyn Heights Historic District  
A brick police station building with a one-story attached garage designed by Beverly King and Harry Walker and built in 1912. Application is to construct rooftop additions, modify the entrances and window openings. Zoned R7-1, R-8.

**MODIFICATION OF USE AND BULK**  
BOROUGH OF BROOKLYN 10-0214 - Block 211, lot 15-72 Poplar Street - Brooklyn Heights Historic District  
A brick police station building with a one-story attached garage designed by Beverly King and Harry Walker and built in 1912. 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. Zoning R 7-1, R-8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-9087 - Block 208, lot 209-138 Columbia Heights - Brooklyn Heights Historic District  
An Italianate style house built in 1860. Application is to install a rear yard deck.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-9497 - Block 386, lot 20-162 Bergen Street - Boerum Hill Historic District  
An Italianate style rowhouse built between 1856 and 1861. Application is to alter the areaway, install a ramp, and alter window openings.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-8710 - Block 1930, lot 5-321 Clinton Avenue - Clinton Hill Historic District  
A transitional Italianate/neo-Grec style residence designed by Ebenezer L. Roberts and built in 1875. Application is to construct a deck and railing.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 07-7542 - Block 1965, lot 9-51 Cambridge Place - Clinton Hill Historic District  
An Italianate style rowhouse built c.1856. Application is to construct a rear yard addition. Zoned R-6.

• j23-jy7

## BOARD OF STANDARDS AND APPEALS

### ■ PUBLIC HEARINGS

**JULY 14, 2009, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, July 14, 2009, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

#### SPECIAL ORDER CALENDAR

**198-66-BZ**  
APPLICANT – Eric Palatnik, P.C., for 300 East 74 Owners Corporation, owner.  
SUBJECT – Application June 8, 2009 – Extension of Time to complete substantial construction of an existing plaza for a residential high rise building which expires on July 28, 2009; located in a C1-9 zoning district.  
PREMISES AFFECTED – 300 East 74th Street, between first and Second Avenues, Block 1448, Lot 3, Borough of Manhattan.  
**COMMUNITY BOARD #8M**

**200-00-BZ**  
APPLICANT – Eric Palatnik, P.C., for Blans Development Corporation, owner.  
SUBJECT – Application June 1, 2009 – Extension of Time to obtain a Certificate of Occupancy for a Physical Culture Establishment (Squash Total Fitness), in a C1-4(R6B) zoning district, which expired on February 19, 2009.  
PREMISES AFFECTED – 107-24 37th Avenue, southwest corner of 37th Avenue and 108th Street, Block 1773, Lot 10, Borough of Queens.  
**COMMUNITY BOARD #3Q**

**26-02-BZ**  
APPLICANT – Walter T. Gorman, P.E., for Exxon Mobil Corporation, owner; A & A Automotive Corporation, lessee.  
SUBJECT – Application June 8, 2009 – Extension of Time to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station (Mobil), in a C1-2(R3X) zoning district, which expires on July 13, 2009.  
PREMISES AFFECTED – 1680 Richmond Avenue, north west corner of Victory Boulevard, Block 2160, Lot 1, Borough of Staten Island.  
**COMMUNITY BOARD #2SI**

**322-05-BZ**  
APPLICANT – Eric Palatnik, P.C., for Queens Jewish Community Council, owner.  
SUBJECT – Application June 8, 2009 – Extension of Time to Complete Construction of a previously granted Variance (§72-21) for an enlargement of a single family home and the change in use from Residential to Community Use Facility (Queens Jewish community Council), located in an R4B zoning district, which will expire on March 7, 2010.  
PREMISES AFFECTED – 69-69 Main Street, Main Street and 70th Avenue, Block 6642, Lot 1, Borough of Queens.  
**COMMUNITY BOARD #8Q**

### APPEALS CALENDAR

**317-08-A**  
APPLICANT – Margaret R. Garcia, AIA, for Block 17 Lot 112 LLC, owner.  
SUBJECT – Application December 23, 2009 – Proposed construction of a four story dwelling located within the bed of a mapped street contrary to General City Law Section 35. R5 Zoning District.  
PREMISES AFFECTED – 124 Montgomery Avenue, west side of Montgomery Avenue, 140' north of Victory Boulevard, Block 17, Lot 112, Borough of Staten Island.  
**COMMUNITY BOARD #1SI**

**165-09-A**  
APPLICANT – Law Office of Howard Goldman, for 13 Hendricks LLC, owner.  
SUBJECT – Application April 30, 2009 – Appeal seeking a determination that the owner has acquired common law vested rights for a development commenced under the prior R4 district regulations. R3 Zoning district.  
PREMISES AFFECTED – 150 Hendricks Avenue, between Jersey Street and Bismark Avenue, Block 44, Lot 15, Borough of Staten Island.  
**COMMUNITY BOARD #1SI**

**172-09-A**  
APPLICANT – Gary D. Lenhart, for The Breezy Point Cooperative, Inc., owner; Susan & Brett Flynn, lessees.  
SUBJECT – Application May 19, 2009 – Reconstruction and enlargement of an existing single family dwelling not fronting on a legally mapped street contrary to General City Law Section 36 The proposed upgrade of the existing non complying private disposal located partly in the bed of the service road is contrary to Department of Building Policy. R4 zoning district.  
PREMISES AFFECTED – 10 Gotham Walk, west side of Gotham Walk, 105.46' south of mapped Oceanside Avenue, Block 16350, Lot 400, Borough of Queens.  
**COMMUNITY BOARD #14Q**

**JULY 14, 2009, 1:30 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, July 14, 2009, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

### ZONING CALENDAR

**46-09-BZ**  
APPLICANT – Eric Palatnik, P.C., for Igor Orak, owner.  
SUBJECT – Application March 23, 2009 – Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area, lot coverage and open space (23-141(b)); side yards (23-461) and rear yard (23-47) in an R3-1 zoning district.  
PREMISES AFFECTED – 122 Oxford Street, between Shore Boulevard and Oriental Avenue, Block 8757, Lot 92, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**56-09-BZ**  
APPLICANT – Omnipoint Communications, Inc., for The South Shore Swimming Club, Inc., owner.  
SUBJECT – Application April 15, 2009 – Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment.  
PREMISES AFFECTED – 6736 Hylan Boulevard, south side of Hylan Boulevard between Culotta Lane and Page Avenue, Block 7734, Lot 50, Borough of Staten Island.  
**COMMUNITY BOARD #3SI**

**168-09-BZ**  
APPLICANT – Lewis E. Garfinkel R.A., for Yaakov Miller, owner.  
SUBJECT – Application May 7, 2009 – Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to combine two semi-attached homes to create one single family home that varies in floor area and open space (ZR 23-141(a)) and less than the required rear yard (ZR 23-47) in an R-2 zoning district.  
PREMISES AFFECTED – 1435 & 1437 East 26th Street, east side of East 26th Street, 292' south of Avenue N, Block 7680, Lots 34 and 35, Borough of Brooklyn.  
**COMMUNITY BOARD #14BK**

**177-09-BZ**  
APPLICANT – Raymond H. Levin, Esquire Wachtel Masyr, LLP, for FTC Residential Company III, L.P., owner.  
SUBJECT – Application May 29, 2009 – Special Permit (§73-66) for to seek a waiver of the height restrictions within the Flight Obstruction Area (ZR§61-21) for six mid-rise residential towers located above a three story commercial/retail/accessory parking base.  
PREMISES AFFECTED – 40-22 College Point Boulevard, west side of College Point Boulevard, between Roosevelt Avenue and 40th Road, Block 5066, Lots 1 and 100 (tent. 9001, 9002 and 9100), Borough of Queens.  
**COMMUNITY BOARD #7Q**

*Jeff Mulligan, Executive Director*

• j23-24

## 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 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, June 24, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor, New York, NY 10013, or by calling (212) 839-6550.

**#1** In the matter of a proposed revocable consent authorizing 801 Amsterdam LLC to maintain and use a sidewalk vault under and along east sidewalk of Amsterdam Avenue, south of West 100th Street, in the Borough of Manhattan. For the first year of the consent, the annual period commencing on the date of the final approval of this consent by the Mayor (the "Approval Date") and terminating on June 30, 2010:

- \$40,794/annum  
For the period July 1, 2010 to June 30, 2011 - \$42,018  
For the period July 1, 2011 to June 30, 2012 - \$43,242  
For the period July 1, 2012 to June 30, 2013 - \$44,466  
For the period July 1, 2013 to June 30, 2014 - \$45,690  
For the period July 1, 2014 to June 30, 2015 - \$46,914  
For the period July 1, 2015 to June 30, 2016 - \$48,138

For the period July 1, 2016 to June 30, 2017 - \$49,362  
For the period July 1, 2017 to June 30, 2018 - \$50,588  
For the period July 1, 2018 to June 30, 2019 - \$51,810  
For the period July 1, 2019 to June 30, 2020 - \$53,034

the maintenance of a security deposit in the sum of \$53,000, 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.

**#2** In the matter of a proposed revocable consent authorizing 454 Equities LLC to construct, maintain and use planted areas on the north sidewalk of West 119th Street, east of Manhattan Avenue; on the east sidewalk of Manhattan Avenue, between West 119th Street and West 120th Street; and on the south sidewalk of 120th Street, east of Manhattan Avenue, all in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor 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, 2019 - \$1,053/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 110 Amity Street Equities LLC to construct, maintain and use a stoop, fenced-in area and an overhead cornice on the east sidewalk of Henry Street, between Congress Street and Amity Street, at 357 Henry 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 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, 2019 - \$25/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.

**#4** In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop, fenced-in area and an overhead cornice on the east sidewalk of Henry Street, between Congress Street and Amity Street, at 359 Henry 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 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, 2019 - \$25/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.

**#5** In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop, fenced-in area and an overhead cornice on the east sidewalk of Henry Street, between Congress Street and Amity Street, at 361 Henry 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 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, 2019 - \$25/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.

**#6** In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop and fenced-in area on the south sidewalk of Amity Street, between Henry Street and Clinton Street, at 120 Amity 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 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, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$4,000, 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.

**#7** In the matter of a proposed revocable consent authorizing Amalgamated Housing Corporation to maintain and use conduits under and across Gale Place, Orloff Avenue, Gouverneur Avenue, Hillman Avenue and Saxon Avenue, south of Van Cortland Park South, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2009 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 - \$18,109  
For the period July 1, 2010 to June 30, 2011 - \$18,636  
For the period July 1, 2011 to June 30, 2012 - \$19,163  
For the period July 1, 2012 to June 30, 2013 - \$19,690  
For the period July 1, 2013 to June 30, 2014 - \$20,217  
For the period July 1, 2014 to June 30, 2015 - \$20,744  
For the period July 1, 2015 to June 30, 2016 - \$21,271  
For the period July 1, 2016 to June 30, 2017 - \$21,798  
For the period July 1, 2017 to June 30, 2018 - \$22,325  
For the period July 1, 2018 to June 30, 2019 - \$22,852

the maintenance of a security deposit in the sum of \$22,900, 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.

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 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M., on Wednesday, July 8, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor, New York, NY 10013, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing Rodney Miller, Sr. to construct, maintain and use steps and planted area on the north sidewalk of East 92nd Street, west 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 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, 2020 - \$25/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.

#2 In the matter of a proposed revocable consent authorizing Lucille Lortel Theatre Foundation, Inc. to maintain and use name plates and bollards on the north sidewalk of Christopher Street, east of Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 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 from July 1, 2009 to June 30, 2019 - \$7,350/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 New York University to construct, maintain and use a conduit under, across and along East 13th Street, west of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 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 - \$8,870
For the period July 1, 2010 to June 30, 2011 - \$9,136
For the period July 1, 2011 to June 30, 2012 - \$9,402
For the period July 1, 2012 to June 30, 2013 - \$9,668
For the period July 1, 2013 to June 30, 2014 - \$9,934
For the period July 1, 2014 to June 30, 2015 - \$10,200
For the period July 1, 2015 to June 30, 2016 - \$10,466
For the period July 1, 2016 to June 30, 2017 - \$10,732
For the period July 1, 2017 to June 30, 2018 - \$10,998
For the period July 1, 2018 to June 30, 2019 - \$11,264

the maintenance of a security deposit in the sum of \$12,000, 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 New York University to maintain and use a conduit under and across a public walkway, between West 3rd Street and West 4th Street, east of LaGuardia Place, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 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 - \$1,775
For the period July 1, 2010 to June 30, 2011 - \$1,827
For the period July 1, 2011 to June 30, 2012 - \$1,879
For the period July 1, 2012 to June 30, 2013 - \$1,931
For the period July 1, 2013 to June 30, 2014 - \$1,983
For the period July 1, 2014 to June 30, 2015 - \$2,035
For the period July 1, 2015 to June 30, 2016 - \$2,087
For the period July 1, 2016 to June 30, 2017 - \$2,139
For the period July 1, 2017 to June 30, 2018 - \$2,191
For the period July 1, 2018 to June 30, 2019 - \$2,243

the maintenance of a security deposit in the sum of \$12,000, 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.

#5 In the matter of a proposed revocable consent authorizing 200 Park LP to construct, maintain and use bollards on the sidewalks adjacent to Viaduct East and Viaduct West, south of 45th 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. There shall be no compensation required for this revocable consent. the maintenance of a security deposit in the sum of \$15,000, and the filing of an insurance policy for property damage and/or bodily injury, including death, shall be not less than \$10,000,000 combined single limit per occurrence and a minimum \$20,000,000 aggregate.

#6 In the matter of a proposed revocable consent authorizing Goldman Sachs Headquarters LLC to maintain and use bollards on Murray Street, between West Street and Vesey Street; and on Vesey Street between West Street and Murray Street, in front of 200 West 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. There shall be no compensation required for this revocable consent.

the maintenance of a security deposit in the sum of \$30,000, 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.

#7 In the matter of a proposed revocable consent authorizing Metropolitan Transportation Authority to maintain and use bollards on 8th Avenue between 31st and 33rd Streets, and 7th Avenue and 34th Street, in front of Penn Station, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor. There shall be no compensation required for this revocable consent.

There is no maintenance of a security deposit required, 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 JP Morgan Chase Bank, N.A. to maintain and use a bridge over and across Duffield Street, south of Myrtle Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 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 - \$25,093
For the period July 1, 2010 to June 30, 2011 - \$25,824
For the period July 1, 2011 to June 30, 2012 - \$26,555
For the period July 1, 2012 to June 30, 2013 - \$27,286
For the period July 1, 2013 to June 30, 2014 - \$28,017
For the period July 1, 2014 to June 30, 2015 - \$28,748
For the period July 1, 2015 to June 30, 2016 - \$29,479
For the period July 1, 2016 to June 30, 2017 - \$30,210
For the period July 1, 2017 to June 30, 2018 - \$30,941
For the period July 1, 2018 to June 30, 2019 - \$31,672

the maintenance of a security deposit in the sum of \$31,700, 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.

#9 In the matter of a proposed revocable consent authorizing JP Morgan Chase Bank, N.A. to maintain and use a tunnel under and across Duffield Street, south of Myrtle Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 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 - \$25,517
For the period July 1, 2010 to June 30, 2011 - \$26,260
For the period July 1, 2011 to June 30, 2012 - \$27,003
For the period July 1, 2012 to June 30, 2013 - \$27,746
For the period July 1, 2013 to June 30, 2014 - \$28,489
For the period July 1, 2014 to June 30, 2015 - \$29,232
For the period July 1, 2015 to June 30, 2016 - \$29,975
For the period July 1, 2016 to June 30, 2017 - \$30,718
For the period July 1, 2017 to June 30, 2018 - \$31,461
For the period July 1, 2018 to June 30, 2019 - \$32,204

the maintenance of a security deposit in the sum of \$32,200, 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.

j17-jy8



SUPREME COURT

NOTICE

QUEENS COUNTY
IA PART 8
NOTICE OF ACQUISITION
INDEX NUMBER 8655/09

In the Matter of the Application of THE CITY OF NEW YORK, relative to acquiring title in fee to certain real property where not heretofore acquired for the same purpose located along

BEACH 43rd STREET
from Beach Channel Drive to Conch Basin Bulkhead; and

BEACH 44th STREET
from Beach Channel Drive to Conch Road; and

BEACH 45th STREET
from Beach Channel Drive to Norton Avenue; and

CONCH DRIVE
from Beach 43rd Street to Norton Basin Bulkhead; and

NORTON AVENUE
from Beach 45th Street to Beach 43rd Street; and

EDGEMERE DRIVE
from Beach 44th Street to Beach 43rd Street; and

HANTZ ROAD
from Beach 45th Street to Beach 44th Street; and

CONCH ROAD
from Beach 43rd Street to Beach 44th Street

in the Borough of Queens, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Queens, IA Part 8 (Hon. Jaime A. Rios, J.S.C.), duly entered in the office of the Clerk of the County of Queens on May 28, 2009, the application of the City of New York to acquire certain real property, for the Department of Design and Construction and the Department of Transportation, was granted and the City was thereby authorized to file an acquisition map with the Office of the City Register.

Said map, showing the property acquired by the City, was filed with the City Register on June 10, 2009. Title to the real property vested in the City of New York on June 10, 2009.

PLEASE TAKE FURTHER NOTICE, that the City has acquired the following parcels of real property:

Table with 3 columns: Damage Parcel, Block, Part of Lot. Lists parcel numbers 1 through 20 and their corresponding block and lot information.

Table with 2 columns: Parcel Number (1-303) and Lot Number (70-78). Lists the lot numbers for each parcel number.

304	15962	75
307	15962	67
308	15962	63
309	15962	61
310	15962	59
312	15962	56
314	15962	51
315	15962	50
316	15962	49
317	15962	48
318	15962	46
319	15962	45

**PLEASE TAKE FURTHER NOTICE**, that pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof is hereby required, on or before June 10, 2010 (which is one (1) calendar year from the title vesting date), to file a written claim with the Clerk of the Court of Queens County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007. Pursuant to EDPL § 504, the claim shall include:

- A. the name and post office address of the condemnee;
- B. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- C. a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- D. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to §5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007 on or before June 10, 2011 (which is two (2) calendar years from the title vesting date).

Dated: June 16, 2009, 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) 788-0424

j19-jy2



**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

■ AUCTION

**PUBLIC AUCTION SALE NUMBER 09001- Z and 01001 - A**

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, July 08, 2009 (SALE NUMBER 01001-A). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 AM until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: **The auction scheduled for Wednesday, June 24, 2009 (SALE NUMBER 09001-Z) has been cancelled.**

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets). A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>  
 Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

j18-jy8

■ SALE BY SEALED BID

**SALE OF: 14 PIECES OF USED LANDFILL EQUIPMENT.**

S.P.#: 09025 DUE: July 2, 2009

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.

j19-jy2

**SALE OF: 1 LOT OF 28,800 LBS. OF ONCE FIRED ASSORTED CALIBER CARTRIDGE CASES AND 1 LOT OF 40,000 LBS. OF BULLET LEAD, USED.**

S.P.#: 09026 DUE: July 7, 2009

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.

j23-jy7

**SALE OF: 1 LOT OF COPIER MACHINES, USED.**

S.P.#: 09024 DUE: June 25, 2009

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.

j12-25

**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



*"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. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."*

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

■ SOLICITATIONS

Goods

**COLD CEREALS FOR DOC RE-AD** – Competitive Sealed Bids – PIN# 8570901188 – DUE 06-26-09 AT 10:00 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.  
 Department of Citywide Administrative Services, 1 Centre Street, Room 1800, New York, NY 10007.  
 Anna Wong (212) 669-8610.

j23

■ AWARDS

Goods

**CISCO COMMUNICATIONS EQUIPMENT - DOITT** – Intergovernmental Purchase – PIN# 8570901143 – AMT: \$373,974.75 – TO: Bluewater Communications Group LLC, 110 Parkway Dr. South, Suite A, Hauppauge, NY 11788. NYS Contract #PT59009 and PS59010.  
**● COMMUNICATIONS NETWORKING EQUIPMENT - NYPD** – Intergovernmental Purchase – PIN# 8570901162 – AMT: \$226,074.50 – TO: Bluewater Communications Group LLC, 110 Parkway Dr. South, Suite A, Hauppauge, NY 11788. NYS Contract #PT59009 and PS59010.  
**● COMMUNICATIONS NETWORKING EQUIPMENT - NYPD** – Intergovernmental Purchase – PIN# 8570901161 – AMT: \$307,636.71 – TO: Bluewater Communications Group LLC, 110 Parkway Dr. South, Suite A, Hauppauge,

NY 11788. NYS Contract #PT59009 and PS59010.  
**● HAZARDOUS INCIDENT RESPONSE EQUIPMENT - DOC** – Intergovernmental Purchase – PIN# 8570901182 – AMT: \$193,802.00 – TO: Smiths Detection Inc., 30 Hook Mountain Rd., P.O. Box 410, Pine Brook, NJ 07058. NYS Contract #PC62007.  
**● DELL PC AGGREGATE PURCHASE - DOHMH** – Intergovernmental Purchase – PIN# 8570901178 – AMT: \$308,556.04 – TO: Calculator and Computer Center Inc., 555 Theodore Fremd Ave., Suite B102, Rye, NY 10580. NYS Contract #PT55666.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

j23

**EDUCATION**

**DIVISION OF CONTRACTS AND PURCHASING**

■ SOLICITATIONS

Goods & Services

**SNOW REMOVAL AT GLEN OAKS CAMPUS** – Competitive Sealed Bids – PIN# B1122040 – DUE 07-27-09 AT 5:00 P.M. – This is a five (5) year Requirements Contract. The intent of this contract is for snow removal services at Glen Oaks Campus. The scope of service includes removing snow from sidewalks, approach and interior roads, and parking lots. The contracted vendor will be responsible for all equipment, labor and material needed to perform this service.

Pre-bid conference: July 8, 2009, 10:00 A.M. at Glen Oaks Campus, 74-20 Commonwealth Blvd., Bellrose, NY 11426.  
 Bid opening date: July 28, 2009.

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 Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Ida Rios (718) 935-2300, vendorhotline@schools.nyc.gov

j23

**HEALTH AND HOSPITALS CORPORATION**

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

■ SOLICITATIONS

Goods

**SPECIMEN TRANSPORT BAGS** – Competitive Sealed Bids – PIN# QHN20091094EHC – DUE 07-09-09 AT 2:00 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.  
 Queens Health Network, 82-68 164th Street, "S" Building, Jamaica, NY 11432. Margaret Palma (718) 883-6000, palmam@nychhc.org

j23

Goods & Services

**UNINTERRUPTIBLE POWER SUPPLY AND BATTERIES SERVICE CONTRACT** – Competitive Sealed Bids – PIN# 11109154 – DUE 07-13-09 AT 3:00 P.M. – Bellevue Hospital Center is soliciting bids to furnish all labor and materials necessary and required to provide complete preventative maintenance, repair and emergency services for three (3) Uninterruptible Power Supplies and associated batteries. The initial contract will cover 7/01/09 through 6/30/10 with an option to renew for two additional years.

There will be a mandatory pre-bid meeting held on Wednesday, July 8, 2009, at 11:00 A.M. in the 3rd Floor Conference Room of Bellevue Hospital Center's C&D Building. All interested bidders must attend this meeting.

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.  
 Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 32, New York, NY 10016.  
 Matt Gaumer (212) 562-2887, matthew.gaumer@bellevue.nychhc.org

j23

**NEURO PRODUCTS** – Competitive Sealed Bids – PIN# 22209135 – DUE 07-10-09 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.  
 Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Erik Bryan (718) 579-5532.

j23

■ INTENT TO AWARD

Goods & Services

**SCRUB-DISPENSING SYSTEM** – Sole Source – Available only from a single source - PIN# 029-0067 – DUE 06-30-09 AT 11:00 A.M. – The Office of Health and Hospitals Corporation ("HHC"), in accordance with Section 3-05 of the Procurement Policy Board Rules, intends to enter into

agreement with KLS Martin, 11239-1 St. Johns Industrial Parkway South, Jacksonville, FL 32246, to provide goods and services, including Craniofacial Implants and Instruments. The term of the contract will be for three years.

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.  
Health and Hospitals Corporation, 346 Broadway, Room 516, New York, NY 10013. Naima Richardson (212) 442-0328, Naima.Richardson@nychhc.org

j18-24

## HOMELESS SERVICES

### OFFICE OF CONTRACTS AND PROCUREMENT

#### ■ SOLICITATIONS

Human/Client Service

**TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. 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.

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, mzmoira@dhs.nyc.gov

j12-24

## HOUSING AUTHORITY

#### ■ SOLICITATIONS

Construction/Construction Services

**NEW GREEN ROOFING SYSTEM OVER COMMUNITY CENTER WITH PARAPET AND BRICKWORK REPAIRS AT CORSI HOUSES** – Competitive Sealed Bids – PIN# ST9004577 – DUE 07-08-09 AT 10:30 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo, MPA, CPPO (212) 306-3121, gloria.guillo@nycha.nyc.gov

j18-24

**ROOFING REPLACEMENT AND ASBESTOS ABATEMENT AT FREDERICK SAMUELS HOUSES** – Competitive Sealed Bids – PIN# RF7007752 – DUE 07-07-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo, MPA, CPPO (212) 306-3121, gloria.guillo@nycha.nyc.gov

j17-23

**REPLACEMENT OF BASEMENT DOORS AND BUCKS AT GRANT HOUSES** – Competitive Sealed Bids – PIN# DR7003083 – DUE 07-10-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo (212) 306-3121 gloria.guillo@nychhc.org

j19-25

**REPLACEMENT OF VACUUM PUMPS ZONE VALVE STATIONS AT VLADECK I & II** – Competitive Sealed Bids – PIN# ME9002814 – DUE 07-08-09 AT 10:00 A.M. Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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, 90 Church Street, 11th Floor New York, NY 10007. Gloria Guillo, MPA, CPPO (212) 306-3121, gloria.guillo@nycha.nyc.gov

j18-24

## PURCHASING DIVISION

#### ■ SOLICITATIONS

Goods

**FURNISH VARIOUS TYPES OF ELECTRICAL LAMPS** – Competitive Sealed Bids – RFQ #6860 – DUE 07-07-09 AT 10:40 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 SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:  
http://hww.nyc.gov/html/nycha/html/business/good\_materials.shtml Atul Shah (718) 707-5450.

j23

## JUVENILE JUSTICE

#### ■ AWARDS

Human/Client Service

**NON SECURE DETENTION GROUP HOME** – Renewal – PIN# 13005DJJ001H – AMT: \$3,112,768.00 – TO: Episcopal Social Services, 305 Seventh Avenue, New York, NY 10001.

j23

## PARKS AND RECREATION

### CONTRACT ADMINISTRATION

#### ■ SOLICITATIONS

Construction/Construction Services

**DEMOLITION OF EXISTING AND CONSTRUCTION OF A NEW AMPHITHEATER IN MARCUS GARVEY PARK**

– Competitive Sealed Bids – DUE 07-30-09 AT 10:30 A.M. PIN# 8462009M058C02 - GENERAL CONSTRUCTION PIN# 8462009M058C03 - ELECTRICAL  
At Pelham Fritz Recreation Center, located at Mount Morris Park West, opposite West 122nd Street, in Marcus Garvey Park, Manhattan, known as Contract #M058-109M, M058-209M. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005. This contract is subject to Apprenticeship program requirements.

A Pre-bid meeting is schedule for Tuesday, July 14, 2009, at 11:00 A.M. at the Site.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents. Vendor Source ID#: 60819, 60820.

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.

Parks and Recreation, Olmsted Center, Room 64  
Flushing Meadows Corona Park, Flushing, NY 11368.  
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

j23-25

## REVENUE AND CONCESSIONS

#### ■ SOLICITATIONS

Services (Other Than Human Services)

**RENOVATION, OPERATION, AND MAINTENANCE OF THE PARKING LOT AT ORCHARD BEACH**

– Competitive Sealed Bids – PIN# X39-B-PL – DUE 07-31-09 AT 11:00 A.M. – In Pelham Bay Park, The Bronx. Parks will hold a recommended bidder meeting on Monday, July 13, 2009 at 10:00 A.M. at the concession site, which is located at Orchard Beach in Pelham Bay Park, Bronx. We will be meeting to the left of the ticket booths at the parking lot entrance. All interested parties are urged to attend.

**TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)**  
212-504-4115

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.

Parks and Recreation, The Arsenal-Central Park  
830 Fifth Avenue, Room 407, New York, NY 10021.  
Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov

j22 -jy6

## PAYROLL ADMINISTRATION

#### ■ SOLICITATIONS

Services (Other Than Human Services)

**MAINTENANCE - MOORE PRESSURE SEALING SYSTEM** – Sole Source – Available only from a single source - PIN# 09131000044453 – DUE 06-26-09 AT 5:00 P.M.

Maintenance of Moore Wallace Pressure Sealing Equipment, Quantity: 2, Model: LM20, Serial #: 378 and 408. The Office of Payroll Administration (OPA) intends to enter into negotiations, on a Sole Source basis, with Moore/Peak Technologies to provide maintenance and support for aforesaid Moore manufactured Pressure Sealing equipment. The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules. The contract amount shall be \$16,920.00. The contract term shall be from July 1, 2009 to June 30, 2010. In accordance with Section 3-05 (C) (I) of the City's Procurement Policy Board Rules (the "PPB Rules"), the City of New York Office of Payroll Administration (OPA) is requesting expressions of interest from suppliers qualified to compete on this procurement now or in the future.

Expressions of Interest should be sent in writing to Aamer Parvez, Deputy Agency Chief Contracting Officer, Office of Payroll Administration, One Centre Street, Room 200N, New York NY 10007, and must be received by no later than 5:00 P.M. on June 26, 2009. Expressions of Interest received will be evaluated; if it appears that the requested services are available from more than a single source, a solicitation shall be issued in accordance with Chapter 3-08 of the PPB Rules. 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.

Office of Payroll Administration, 1 Centre Street, Room 200N, New York, NY 10007. Aamer Parvez (212) 669-4667, aparvez@payroll.nyc.gov

j19-25

## TRANSPORTATION

#### ■ AWARDS

Construction Related Services

**INSTALLATION OF PEDESTRIAN MALL PAVEMENT MARKINGS AND THERMOPLASTIC LINES** – Competitive Sealed Bids – PIN# 84109MBTR356 – AMT: \$1,718,000.00 – TO: Crossboro Contracting Co., Inc., 3640 Provost Avenue, Bronx, NY 10466.

j23

## AGENCY RULES

## ENVIRONMENTAL PROTECTION

#### ■ NOTICE

**Promulgation of Chapter 27 of Title 15 of the Rules of the City of New York Rules Concerning the Use of Ultra-Low Sulfur Fuel and Emissions Control Technology on Vehicles that are used in the fulfillment of Department of Sanitation contracts**

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Department of Environmental Protection by section 1043 of the New York City Charter and section 24-163.5 of the Administrative Code of the City of New York that the Department of Environmental Protection promulgates a rule concerning the use of ultra low sulfur diesel fuel and emissions control technology on vehicles that are used in the fulfillment of Department of Sanitation contracts (15 RCNY 27-01 et seq.) These amendments were proposed and published on July 17, 2007 in the City Record. The required hearing was held on August 22nd, 2007.**

#### Statement of Basis and Purpose

On May 9, 2005, Mayor Michael Bloomberg signed Local Law 40 for the year 2005. The law amended the Administrative Code of the City of New York in relation to the use of ultra low sulfur diesel fuel ("ULSDF") and the best available retrofit technology ("BART") by vehicles that handle, transport or dispose of the City's solid waste and recyclable materials. The law requires that any solid waste contract or recyclable materials contract specify that diesel fuel-powered vehicles and diesel fuel-powered nonroad vehicles used in the performance of such contracts be powered by ULSDF. The law further requires that any solid waste or recyclable materials contract specify that all diesel fuel-powered vehicles and diesel fuel-powered nonroad vehicles used in the performance of such contracts utilize BART for reducing the emission of pollutants. The law provides that the Commissioner shall make determinations, and shall publish a list of such determinations, as to the BART for reducing the emission of pollutants to be used for each type of diesel fuel-powered motor vehicle and diesel fuel-powered nonroad vehicle affected by the law.

This rulemaking sets forth the initial determinations of the Commissioner as to what constitutes BART for the purposes of compliance with section 24-163.5 of the Administrative Code.

The Rule is authorized by section 1043 of the Charter of the City of New York and section 24-163.5 of the Administrative Code of the City of New York.

The text of Rule follows.

\*\*\*

Chapter 27 of Title 15 of the Rules of the City of New York is hereby enacted to read as follows:

**Chapter 27**  
**Rules Concerning the Use of Ultra Low Sulfur Diesel Fuel and Emissions Control Technology on Solid Waste Vehicles**

**Subchapter**  
**A General Provisions**  
**B Use of Best Available Retrofit Technology and Ultra Low Sulfur Diesel Fuel**

**Subchapter A**  
**General Provisions**  
**§ 27-01 Definitions.**

§ 27-01 Definitions.

"Best available retrofit technology" means a technology, verified by the United States environmental protection agency or the California air resources board, for reducing the emission of pollutants that achieves reductions in particulate matter emissions at the highest classification level for diesel emission control strategies, as set forth in §27-04 of subchapter B of this chapter, that is applicable to the particular engine and application. Such technology shall also, at a reasonable cost, achieve the greatest reduction in emissions of nitrogen oxides at such particulate matter reduction level and shall in no event result in a net increase in the emissions of either particulate matter or nitrogen oxides.

"City agency" means a city, county, borough, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

"Commissioner" means the Commissioner of the New York

City Department of Environmental Protection or her designee.

“Contractor” means any person or entity that enters into a solid waste contract or recyclable materials contract with a city agency, or any person or entity that enters into an agreement with such person or entity, to perform work or provide labor or services related to such solid waste contract or recyclable materials contract.

“Motor vehicle” means a vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except electrically-driven mobility assistance devices operated or driven by a person with a disability.

“Nonroad engine” means an internal combustion engine (including the fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 or section 7521 of title 42 of the United States code, except that this term shall apply to internal combustion engines used to power generators, compressors or similar equipment used in the fulfillment of any solid waste contract or recyclable materials contract.

“Nonroad vehicle” means a vehicle that is powered by a nonroad engine, fifty horsepower and greater, and that is not a motor vehicle or a vehicle used solely for competition, which shall include, but not be limited to, front loaders, excavators, backhoes, cranes, compressors, generators, bulldozers and similar equipment.

“Operate primarily within the city of New York” means that greater than fifty percent of the time spent or miles traveled by a motor vehicle or nonroad vehicle during the performance of a solid waste contract or recyclable materials contract occurs within the city of New York.

“Person” means any natural person, co-partnership, firm, company, association, joint stock association, corporation or other like organization.

“Reasonable cost” shall mean that such technology does not cost greater than thirty percent more than other technology applicable to the particular engine and application that falls within the same classification level for diesel emission control strategies, as set forth in § 27-04, when considering the cost of the strategies, themselves, and the cost of installation.

“Recyclable materials” means solid waste that may be separated, collected, processed, marketed and returned to the economy in the form of raw materials or products, including but not limited to types of metal, glass, paper, plastic, food waste, tires and yard waste.

“Recyclable materials contract” means a contract with a city agency, the primary purpose of which is to provide for the handling, transport or disposal of recyclable materials.

“Solid waste” means all materials or substances discarded or rejected as being spent, useless, or worthless, including but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous forms.

“Solid waste contract” means a contract with a city agency, the primary purpose of which is to provide for the handling, transport or disposal of solid waste.

“Ultra low sulfur diesel fuel” shall mean diesel fuel that has a sulfur content of no more than fifteen parts per million.

#### **Subchapter B Use of Best Available Retrofit Technology and Ultra Low Sulfur Diesel Fuel**

##### **§ 27-02 Best Available Retrofit Technology Determination**

##### **§ 27-03 Motor Vehicles That Are Not Subject to BART**

##### **§ 27-04 Classification Levels**

##### **§ 27-05 Selection Process**

##### **§ 27-06 Best Available Retrofit Technology Selection Applicability**

##### **§ 27-07 Use of Ultra Low Sulfur Diesel Fuel**

§ 27-02 Best Available Retrofit Technology Requirement. Pursuant to section 24-163.5 of the Code, any solid waste contract or recyclable materials contract shall specify that all diesel fuel-powered motor vehicles and diesel fuel-powered nonroad vehicles used in the performance of such contract that operate primarily within the City of New York shall use the Best Available Retrofit Technology (“BART”). All contractors in the performance of such contract shall utilize the “BART”, as defined in §27-01. In making their selections, contractors are directed to consult the EPA and CARB verified lists at <http://www.epa.gov/otaq/retrofit/retroverifiedlist.htm> and <http://www.arb.ca.gov/diesel/verdev/background.htm>.

§ 27-03 Motor Vehicles and Nonroad Vehicles That Are Not Subject to BART. Any diesel fuel-powered motor vehicle that is equipped with an engine certified to the applicable 2007 United States Environmental Protection Agency standard for particulate matter as set forth in section 86.007-11 of title 40 of the code of federal regulations or to any subsequent United States environmental protection agency standard for such pollutant that is at least as stringent, shall not be required to utilize the BART as defined in §27-01 of subchapter A of this chapter. Any diesel fuel-powered nonroad vehicle that is equipped with an engine certified to the applicable United States environmental protection agency standard for particulate matter for such vehicle as set forth in the Control of Emissions of Air Pollution from Nonroad Diesel Engines and Fuel; Final Rule as set forth in the federal register at 69 Fed. Reg. 38,958 et seq., or to any subsequent United States environmental protection agency standard for such pollutant that is at least as stringent shall not be subject to the BART as defined in §27-01 of subchapter A of this chapter.

##### **§ 27-04 Classification Levels.**

###### **Level 4**

A Closed Crankcase Filtration System in combination with any Diesel Particulate Filter (DPF) or other technology verified for a specific application from either the CARB or EPA verified lists that reduces particulate matter emissions by 85 percent or greater, or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour.

###### **Level 3**

A Closed Crankcase Filtration System in combination with any DPF or Flow Through Filter or combination of technologies verified for a specific application from either the

CARB or EPA verified lists that reduces diesel particulate matter emissions by between 50 and 84 percent.

###### **Level 2**

A Closed Crankcase Filtration System in combination with any DOC or Flow Through Filter or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 25 and 49 percent.

###### **Level 1**

A Closed Crankcase Filtration System in combination with any DOC or emulsified diesel fuel or Flow Through Filter or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 20 and 24 percent.

##### **§ 27-05 Selection Process.**

(a) For each solid waste or recyclable materials contract that specifies that all diesel fuel-powered motor vehicles and diesel fuel-powered nonroad vehicles used in the performance of such contract that operate primarily within the city of New York shall utilize BART, the contractor operating such vehicle must identify, in list form, all types of pollution control technology devices verified for such vehicle at classification Level 4.

(b) All types of pollution control technology devices identified by the contractor as classification Level 4 devices that are not technologically feasible for use with respect to the particular vehicle, engine or application are to be eliminated from such list. To eliminate all types of pollution control technology devices identified by the contractor at classification Level 4, or a specific type of pollution control technology, or a particular pollution control technology device, the contractor must demonstrate to the satisfaction of the Commissioner that operational constraints or physical, chemical or engineering principles preclude the successful and effective use of the vehicle when used with such types of technology devices, or type of technology, or particular pollution control technology device.

(c) If, after the elimination process, no pollution control technology devices remain in classification Level 4 from which the contractor can select a BART, the same identification and elimination process must be done for classification Level 3. If, after the elimination process, no pollution control technology devices remain in classification Level 3 from which the contractor can select a BART, the same identification and elimination process must be done for classification Level 2. If, after the elimination process, no pollution control technology devices remain in classification Level 2 from which the contractor can select a BART, the same identification and elimination process must be done for classification Level 1.

(d) Once a level is selected as provided for in subdivisions (a), (b), and (c) of this section, an economic impact analysis is to be performed on the remaining technologies where the technology reduces both PM and nitrogen oxide (NOx). The contractor shall select the technology achieving, at a reasonable cost, the greatest reduction in NOx emissions. If the NOx emission does not meet the reasonable cost test, the technology that achieves the greatest PM reduction from the other remaining technologies must be selected.

##### **§ 27-06 Best Available Retrofit Technology Selection Applicability.**

No contractor shall be required to replace a selected BART within three years of having first utilized such technology. Furthermore, no contractor shall be required to replace Level 4 technology until it has reached the end of its useful life.

##### **§ 27-07 Use of Ultra Low Sulfur Diesel Fuel.**

All solid waste or recyclable materials contracts shall specify that diesel fuel-powered motor vehicles and diesel fuel-powered nonroad vehicles used in the performance of such contracts that operate primarily in the City of New York shall be powered by ultra low sulfur diesel fuel (“ULSDF”).

#### **Subchapter C Waiver Procedures**

##### **§ 27-08 Application for Approval of a Written Finding of Unavailability for ULSDF**

##### **§ 27-09 Application for Approval of a Written Finding of Unavailability for BART**

##### **§ 27-08 Application for Approval of a Written Finding of Unavailability for ULSDF**

(a) Once the solid waste contract or recyclable materials contract has been entered into, the Commissioner may issue a waiver for the use of ULSDF where the city agency that has entered into the contract makes a written finding that a sufficient quantity of ULSDF is unavailable.

Any application for approval of a Written Finding of Unavailability for the ULSDF must contain the following information:

- (1) The name of the contractor applying for approval of the Written Finding of Unavailability;
- (2) The name and identification number of the subject contract;
- (3) Identification of the specific diesel-fuel powered vehicle or diesel fuel-powered nonroad vehicle that is the subject of the Written Finding of Unavailability;
- (4) An explanation as to why the ULSDF is unavailable.

(b) Applications should be sent to:  
Director of the Division of Air and Noise Programs,  
Enforcement and Policy  
Bureau of Environmental Compliance  
New York City Department of Environmental Protection  
59-17 Junction Blvd.  
Flushing, NY 11373

(c) The Department will make a determination whether to approve the Written Finding of Unavailability no later than thirty days after receipt of the Written Finding.

(d) Waivers shall expire two months after issuance, unless the agency renews the Written Finding and the Commissioner approves such Finding, in accordance with the procedures set forth in subdivisions (a), (b) and (c) of this section. Any such application for renewal shall be submitted no later than thirty days prior to the expiration date of the approval.

##### **§ 27-09 Application for Approval of a Written Finding of Unavailability for BART**

(a) If the BART required for a diesel fuel-powered motor vehicle or diesel fuel-powered nonroad vehicle that is subject to a solid waste contract or recyclable materials contract with a city agency is unavailable, and the city agency that has

entered into the applicable contract has made a written finding that such technology is unavailable, the city agency may submit a Written Finding of Unavailability for the Commissioner’s approval.

Any application for approval of a Written Finding of Unavailability for the BART must contain the following information:

- (1) The name of the contractor applying for approval of the Written Finding of Unavailability;
  - (2) The name and identification number of the subject contract;
  - (3) Identification of the specific diesel-fuel powered vehicle or diesel fuel-powered nonroad vehicle that is the subject of the Written Finding of Unavailability;
  - (4) Identification of the required BART;
  - (5) An explanation as to why the BART is unavailable. Such explanation must include all documentation generated in the BART selection process described in this chapter;
  - (6) Identification of a technology for reducing the emission of pollutants, if any, that is available and appropriate for such vehicle, which may include a technology that does not appear on the EPA or CARB verified lists, and that, if available and appropriate, will be used instead of the BART.
  - (7) The name and contact number of the applicant.
- (b) Applications should be sent to:  
Director of the Division of Air and Noise Programs,  
Enforcement and Policy  
Bureau of Environmental Compliance  
New York City Department of Environmental Protection  
59-17 Junction Blvd.  
Flushing, NY 11373

(c) The Department will make a determination whether to approve the Written Finding of Unavailability no later than thirty days after receipt of the Written Finding.

(d) Waivers shall expire three years after issuance, unless the agency renews the Written Finding and the Commissioner approves such Finding, in accordance with the procedures set forth in subdivisions (a), (b) and (c) of this section. Any such application for renewal shall be submitted no later than thirty days prior to the expiration date of the approval.

• j23

## **HEALTH AND MENTAL HYGIENE**

### **■ NOTICE**

#### **NOTICE OF ADOPTION OF AMENDMENTS TO CHAPTER 23 (FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION PROCEDURES) OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK**

In compliance with §1043(a) of the New York City Charter (the “Charter”), a public hearing was held June 1, 2009 on a proposal to amend Chapter 23 (Food Service Establishment Sanitary Inspection Procedures) of Title 24 of the Rules of the City of New York. Three representatives of the Greater New York City Chapters of the New York State Restaurant Association testified. No changes have been made in response to their comments.

#### **Statutory Authority**

This amendment is authorized by §§389(b) and 1043 (a) of the New York City Charter (the “Charter”). Charter §389(b) provides that “heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law.” Charter §1043(a) authorizes each agency to “adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law.”

#### **Statement of Basis and Purpose**

Chapter 23 (Food Service Establishment Sanitary Inspection Procedures) was added to the rules of the Department of Health and Mental Hygiene (the Department) in 2005 to codify inspection procedures of the Bureau of Food Safety and Community Sanitation (BFSCS) of restaurants and other kinds of food service establishments operating pursuant to Department permits. These procedures establish objective measures of sanitary inspections, assigning points and condition values for sanitary violations of Article 81 of the Health Code and Subpart 14-1 of the New York State Sanitary Code (10 NYCRR Chapter 1).

Chapter 23 has been further amended to delete the point and condition values in Appendix 23-A and Appendix 23-B for administrative and documentation violations that had been counted in the scores received by food service establishments on sanitary inspections. The Department believes that these violations should not be counted as sanitary violations for the purpose of calculating the total score on a sanitary inspection, particularly if letter grade posting is to become a requirement. However, the Department may issue notices of violation for such violations and conduct compliance inspections to determine whether such violations have been corrected.

In Appendix 23-A and Appendix 23-B, the following “Administration” violations under the heading “Critical Violations” will not be scored and will be deleted from each worksheet:

1A Current valid permit, registration or other authorization to operate establishment not available.

1B Document issued by the Board of Health, Commissioner or Department unlawfully reproduced or altered.

1C Notice of the Department or Board of Health mutilated, obstructed, or removed.

1D Failure to comply with an Order of the Board of Health, Commissioner, or Department.

1F Failure to report occurrences of suspected food borne illness to the Department.

The only violation in this group that the Department plans to retain as a scored violation is “1E Duties of an officer of the Department interfered with or obstructed,” which would be retained as written but renumbered as 7A. The current violation designated as 7A (Administration) would be deleted. This is being retained because a food service establishment that denies access or obstructs an inspection, or whose operator or employees threaten an inspector, is more suspect of having unsanitary conditions.

Under the heading “General Violations,” the following “Documentation” violations would not be scored and would be deleted from each worksheet:

11A Permit not conspicuously displayed.

11B Manufacture of frozen dessert not authorized on food service establishment permit.

11C Failure of event sponsor to exclude vendor without a current valid permit or registration.

11D "Choking first aid" poster not posted. "Alcohol and pregnancy" warning sign not posted. "Wash hands" sign not posted at hand wash facility. Resuscitation equipment: exhaled air resuscitation masks (adult & pediatric), latex gloves, sign not posted. Inspection report sign not posted.

However, part of 11D would be retained as a scored sanitary violation. "Wash hands" sign not posted at hand wash facility is renumbered as 10M, a general violation under "Facility Maintenance."

The removal of administrative and documentation violations from the total inspection score will result in fewer points scored on food service establishment inspections so that the total points recorded for an inspection more accurately reflect sanitary conditions.

The comments received from the Greater New York City chapters of the New York State Restaurant Association representatives supported these changes but argued that even more violations related to facility maintenance and other aspects of operation that are allegedly not related to food safety should not be counted in the scoring. Such violations include citations for "excessive" grease under frying equipment; failure to wear hair restraints while adding milk to coffee; failure of the food protection certificate holder to be present at all times of operation; condition of entry doors at patron toilets; leaky faucets; cracked or missing tiles and holes in walls; unshielded light bulbs and conditions of non-food contact surfaces. The Department believes, however, that control of these conditions constitutes an important component of sanitary operation and affords necessary protection to the public health, and should therefore be kept in the scoring. Accordingly, no changes have been made to the proposal.

These amendments do not affect any other provisions of Chapter 23.

Statement Pursuant to Charter Section 1042 - Regulatory Agenda

The proposed rule change was not included in the Department's Regulatory Agenda because the need for the rule was not known at the time the Regulatory Agenda was published.

THE PROPOSAL IS AS FOLLOWS:

Note - Matter to be deleted is in [brackets] Matter underlined is new

§1 Appendix 23-A (Food Service Establishment Sanitary Inspection Score Worksheet) of Chapter 23 (Food Service Establishment Sanitary Inspection Procedures) of Title 24 of the Rules of the City of New York, is amended, to delete from such appendix violations numbered 1A, 1B, 1C, 1D, 1F, 11A, 11B, 11C, and 11D; to add a new violation numbered 10M; to renumber and reprint violation 1E as number 7A; and to renumber violation number 12B as 99B, to be printed to read as follows:

APPENDIX 23-A

FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION SCORE WORKSHEET

Table with columns: Critical Violations, Conditions (I, II, III, IV, V). Rows include 11A, 11B, 11C, 11D, 11E, 11F.

Table with columns: Other Criticals, Conditions (I, II, III, IV, V). Row includes 7A.

Table with columns: General Violations, CONDITIONS (I, II, III, IV, V). Row includes 7F.

Table with columns: Facility Maintenance, CONDITIONS (I, II, III, IV, V). Row includes 10L.

Table with columns: Facility Maintenance, CONDITIONS (I, II, III, IV, V). Row includes 10M.

Table with columns: [Documentation], CONDITIONS (I, II, III, IV, V). Row includes 11A.

Table with columns: Violation, Condition I, Condition II, Condition III, Condition IV, Condition V. Rows include 11B, 11C, 11D, 12A, 12B.

§2 Appendix 23B (Food Service Establishment Sanitary Inspection Scoring Parameters-A Guide to Conditions) of Chapter 23 (Food Service Establishment Sanitary Inspection Procedures) of Title 24 of the Rules of the City of New York, is amended, to delete from such appendix violations numbered 1A, 1B, 1C, 1D, 1F, 7A, 11A, 11B, 11C, and 11D; to add a new violation numbered 10M; to renumber and reprint violation 1E as number 7A; and to renumber violation number 12B as 99B, to be printed to read as follows:

APPENDIX 23B

FOOD SERVICE ESTABLISHMENT SANITARY INSPECTION SCORING PARAMETERS-A GUIDE TO CONDITIONS

Table with columns: Violation, Condition I, Condition II, Condition III, Condition IV, Condition V. Rows include 11A, 11B, 11C, 11D, 11E, 11F, 7A.

Table with columns: Violation, Condition I, Condition II, Condition III, Condition IV, Condition V. Rows include 10M, 11A, 11B, 11C, 11D, 11E, 11F, 12B.

HOUSING PRESERVATION & DEVELOPMENT NOTICE

OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT REQUEST FOR COMMENT ON

APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: June 23, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with columns: Address, Application #, Inquiry Period. Rows include 42 Hamilton Terrace and 39 West 67th Street.

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period.

OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL CLINTON DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: June 23, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with columns: Address, Application #, Inquiry Period. Row includes 437 West 54th Street.

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the Special Clinton District, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period.

OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL GREENPOINT-WILLIAMSBURG DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: June 23, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with columns: Address, Application #, Inquiry Period. Row includes 128 Metropolitan Avenue.

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the Special Greenpoint-Williamsburg District, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's

intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days

from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

j23-1y1

YOUTH AND COMMUNITY DEVELOPMENT

NOTICE

Notice of Concept Paper

The Out of School Youth Programs Concept Paper will be released June 26, 2009. The Department of Youth and Community Development (DYCD) will release the Out of

School Youth (OSY) Programs Concept Paper on June 26, 2009. As detailed in this concept paper, the purpose of OSY workforce development programs is to provide out-of-school youth with the skills necessary to build a successful career.

19-25

CHANGES IN PERSONNEL

OFFICE OF PROBATION FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like ALBRIGHT, MEYERS, SAVAGE.

DEPARTMENT OF BUSINESS SERV. FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like BLAZHEVICH, BROWN-SCULLY, GREENBAUM.

HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like BERGMAN, DIMORIAKU, EVANS JR.

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like ALDEA, BROWN, BRUNO, DART.

DEPT OF HEALTH/MENTAL HYGIENE FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like ABRAHAIM, ALVA, AMONOO-THOMAS, ARIF.

DEPT OF ENVIRONMENT PROTECTION FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like BAILY, BONNER, BOWEN, BUFFA.

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like DRAKE, EKHLAS, FISCHETTI, FRAZIER.

DEPARTMENT OF SANITATION FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like ANDREW, BARRETT, CAHOY, DURJENKOW.

DEPARTMENT OF FINANCE FOR PERIOD ENDING 05/29/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Includes names like HARVEY, LU, OKOLIE, SHAHID.

j23

LATE NOTICE

POLICE

CONTRACT ADMINISTRATION UNIT

SOLICITATIONS

Construction Related Services

CREATE AUDITORIUM - Competitive Sealed Bids - PIN# 056090000663 - DUE 07-16-09 AT 11:00 A.M. - All labor and material necessary and required for police laboratory auditorium.

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.

j23

## 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](http://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 <http://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.

☛ m27-30

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 or 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.