



# THE CITY RECORD

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## THE CITY RECORD

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ELI BLACHMAN, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### STATEN ISLAND BOROUGH PRESIDENT

#### PUBLIC MEETING

Notice of Public Meeting of the Staten Island Borough Board on Wednesday, September 2, 2009 at 5:30 P.M. at Borough Hall, Stuyvesant Place, Conference Room 122, Staten Island, New York 10301.

a26-s2

### 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, September 9, 2009, commencing at 9:00 A.M.

#### BOROUGH OF BROOKLYN Nos. 1, 2, 3 & 4

#### BROADWAY TRIANGLE URBAN RENEWAL AREA No. 1

**CD 1 C 090413 ZMK**  
**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. 13b:

- changing from a C8-2 District to an R6A District property bounded by Lynch Street, Broadway, Middleton Street and its northeasterly centerline prolongation, and Union Avenue;
- changing from an M1-2 District to an R6A District property bounded by Middleton Street, Throop Avenue, Walton Street, Harrison Avenue, and Union Avenue;
- changing from an M3-1 District to an R6A District property bounded by Lorimer Street, Harrison Avenue, the southwesterly centerline prolongation of Walton Street, and Union Avenue;
- changing from an M1-2 District to an R7A District property bounded by Walton Street, Throop Avenue, Whipple Street, Flushing Avenue, and Harrison Avenue;

- changing from an M1-2 District to a C4-3 District property bounded by Whipple Street, Throop Avenue, and Flushing Avenue;
- establishing within a proposed R6A a C2-4 District bounded by Lynch Street, Broadway, the northeasterly centerline prolongation of Middleton Street, Throop Avenue, Lorimer Street, a line 100 feet southwesterly of Throop Avenue, a line midway between Lynch Street and Middleton Street, a line 100 feet northeasterly of Union Avenue, a line 100 feet northeasterly of Harrison Avenue, Lorimer Street, Harrison Avenue, the southwesterly centerline prolongation of Walton Street, and Union Avenue; and
- establishing within a proposed R7A a C2-4 District bounded by:
  - Walton Street, Throop Avenue, Bartlett Street, and a line 100 feet southwesterly of Throop Avenue; and
  - Walton Street, a line 100 feet northeasterly of Harrison Avenue, a line 100 feet northerly of Flushing Avenue, a line perpendicular to the northwesterly street line of Whipple Street distant 50 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Whipple Street and the northerly street line of Flushing Avenue, Whipple Street, Flushing Avenue, and Harrison Avenue,;

as shown on a diagram (for illustrative purposes only) dated May 18, 2009 and subject to the conditions of CEQR Declaration E-238.

#### No. 2

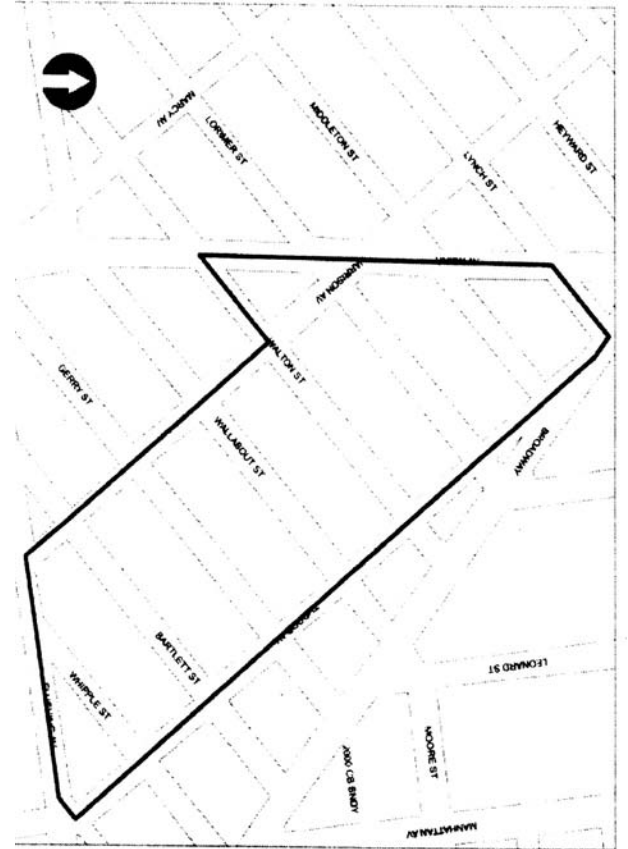
**CD1 N 090414 ZRK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the extension of the Inclusionary Housing Program to proposed R6A and R7A Districts.

Underlined matter is new, to be added.  
Matter in ~~strikeout~~ or crossed out is old, to be deleted.  
\* \* \* indicates where unchanged text appears in the Zoning Resolution.

**APPENDIX F (7/29/09)**  
**INCLUSIONARY HOUSING DESIGNATED AREAS**  
The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #residence districts#. \* \* \*

**Brooklyn, Community District 1**  
In Waterfront Access Plan BK-1, as set forth in Section 62-352, and in the R6, R6A, R6B, R7A and R7-3 Districts within the areas shown on the following Maps 1, 2, and 3 and 4:  
\* \* \*

### PROPOSED NEW MAP Map 4



Portion of Community District 1, Brooklyn  
\* \* \*

#### No. 3

**CD 1 C 090415 HUK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the First Amended Broadway Triangle Urban Renewal Plan for the Broadway Triangle Urban Renewal Area.

The First Amendment updates the land use of existing Sites 4A, 4B, 7A, and 7B from industrial to residential (the remaining industrial sites, 1A, 1B, 2 and 3 are being de-designated since these sites were not acquired pursuant to the Plan—the plan no longer includes any industrial sites); three privately owned properties, Block 2272, Lots 45, 46 and 147, are being acquired and added to existing Sites 7A and 7B to form a new Site 4; the plan no longer includes a commercial or public/semi-public land use; sites were renumbered to reflect site de-designations and reconfigurations; the boundary of the area has been modified to reflect site de-designations, and the language and format of the Plan have been revised to conform with HPD's current format for urban renewal plans; to facilitate the development of six sites containing residential, commercial and community facility uses within the Broadway Triangle Urban Renewal Area.

#### No. 4

**CD1 C 090416 HAK**  
**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 :
----	--

BLOCK	LOT	ADDRESS (UR Site Number and Name)
2269	14	68 Gerry Street : p/o Site 4 (Broadway Triangle Urban Renewal Area)
2269	16	72 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
2269	17	74 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
2269	18	76 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
2269	19	78 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
2269	23	86 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)

- 2269 24 Urban Renewal Area  
88 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 25 90-92 Gerry Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 27 84 Throop Avenue (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 28 86 Throop Avenue (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 29 88 Throop Avenue (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 30 90 Throop Avenue (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 31 92-94 Throop Avenue (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 33 69 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 35 65 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 36 59-63 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 39 57 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 40 55 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 41 53 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 42 51 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 43 47 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 45 43-45 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 47 41 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 48 39 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 49 37 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2269 50 35 Bartlett Street (p/o Site 4 Broadway Triangle Urban Renewal Area)
- 2272 11 34-36 Bartlett Street (p/o Site 7A Broadway Triangle Urban Renewal Area)
- 2272 45 11 Whipple Street
- 2272 46 9 Whipple Street
- 2272 49 669 Flushing Avenue (p/o Site 7B Broadway Triangle Urban Renewal Area)
- 2272 51 667 Flushing Avenue (p/o Site 7B Broadway Triangle Urban Renewal Area)
- 2272 52 665 Flushing Avenue (p/o Site 7B Broadway Triangle Urban Renewal Area)
- 2272 53 663 Flushing Avenue (p/o Site 7B Broadway Triangle Urban Renewal Area)
- 2272 108 24 Bartlett Avenue (p/o Site 7B Broadway Triangle Urban Renewal Area)
- 2272 147 5 Whipple Street

- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a six sites, tentatively known as Broadway Triangle, with approximately 488 residential units, commercial and community facility uses.

**NOTICE**

**On Wednesday, September 9, 2009, at 9:00 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 Department of Housing Preservation and Development in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning applications for amendments of the Zoning Map, the Zoning Resolution and for the UDAAP designation and disposition of city-owned property related to the Broadway Triangle Urban Renewal Area.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09HPD019K.**

**BOROUGH OF THE BRONX  
Nos. 5, 6, 7 & 8  
KINGSBRIDGE ARMORY  
No. 5**

**CD 7 C 090236 MMX**  
**IN THE MATTER OF** an application submitted by the Economic Development Corporation and Related Retail Armory, LLC pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Reservoir Avenue at its intersection with West Kingsbridge Road;
- the establishment of a Park (Barnhill Square);
- the adjustment of legal grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. 13126, dated May 11, 2009, and signed by the Borough President.

**No. 6**

**CD 7 C 090237 MMX**  
**IN THE MATTER OF** an application submitted by the Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of West 195<sup>th</sup> Street between Reservoir Avenue and Jerome Avenue;
- the adjustment of legal grades necessitated thereby; and

- any acquisition or disposition of real property related thereto,

in accordance with Map No. 13127, dated May 11, 2009, and signed by the Borough President.

**No. 7**

**CD 7 C 090437 ZMX**  
**IN THE MATTER OF** an application submitted by Related Retail Armory, LLC and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c: changing from an R6 District to a C4-4 District property bounded by West 195th Street\*, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue\*, as shown in a diagram (for illustrative purposes only) dated May 18, 2009.

\*Note: West 195th Street and Reservoir Avenue are proposed to be narrowed under related concurrent applications C 090236 MMX and C 090237 MMX for changes to the City Map.

**No. 8**

**CD 7 C 090438 PPX**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o 2), pursuant to zoning.

**NOTICE**

**On Wednesday, September 9, 2009, at 9:00 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 Office of the Deputy Mayor for Economic Development in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning applications for amendments of the City Map, the Zoning Map and for the disposition of city-owned property related to the Kingsbridge Armory.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DME004X.**

**BOROUGH OF MANHATTAN  
Nos. 9-17  
WESTERN RAIL YARD  
No. 9**

**CD 4 C 090408 MMM**  
**IN THE MATTER OF** an application, submitted by the Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- A change in grade on West 33rd Street, between Eleventh and Twelfth avenues, in accordance with Map No. C.P.C. 090408 MMM (Acc. No. 30230), dated May 18, 2009, and signed by the Director of the Department of City Planning.

**No. 10**

**CD 4 C 090422 HAM**  
**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 West 48th and West 49th streets, west of 10th Avenue (Block 1077, part of Lot 29), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a mixed-use building, tentatively known as The Westside Rail Yards/DEP Site, with residential and retail space.

**No. 11**

**CD 4 C 090423 HAM**  
**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 806 Ninth Avenue (Block 1044, p/o Lot 3); as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a mixed-use building, tentatively known as the Westside Rail Yard/MTA Site, with residential and commercial space.

**No. 12**

**CD 4 N 090429 ZRM**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX Chapter 6 (Special Clinton District), Borough of Manhattan, Community District 4.

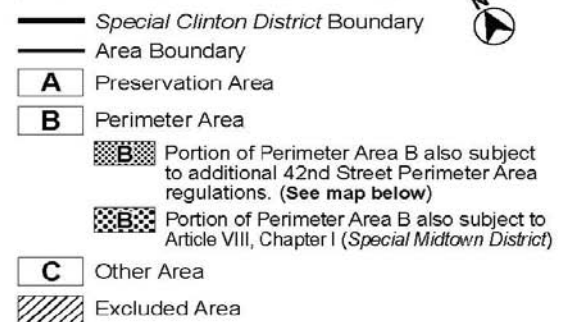
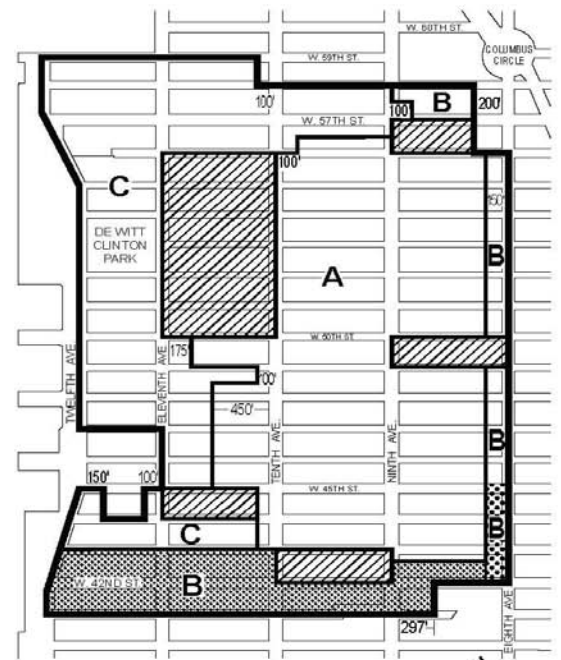
Underlined matter is new, to be added.  
Matter in ~~strikeout~~ or crossed out is old, to be deleted.  
\* \* \* indicates where unchanged text appears in the Zoning Resolution.

Article IX - Special Purpose Districts  
\* \* \*

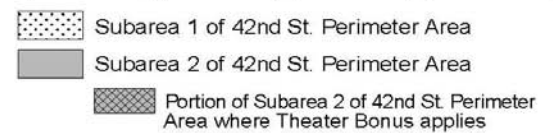
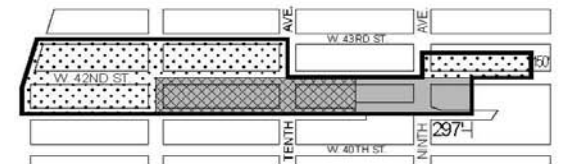
Chapter 6  
Special Clinton District  
\* \* \*

Appendix A  
Special Clinton District Map

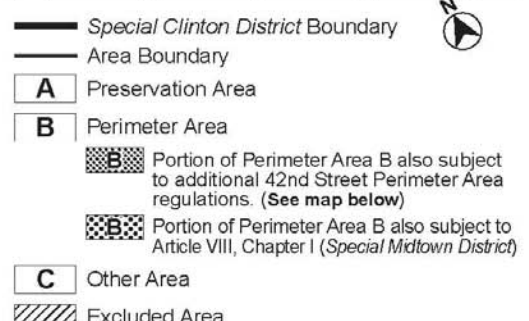
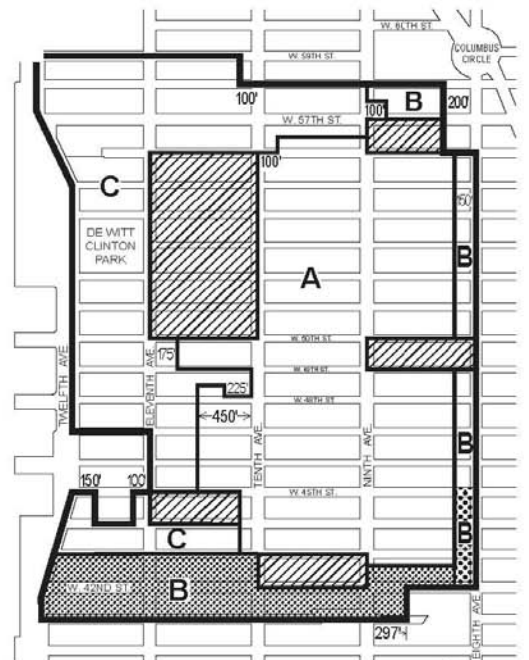
Existing



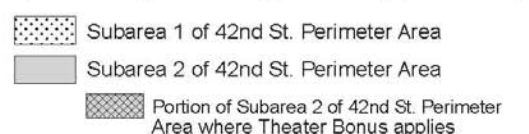
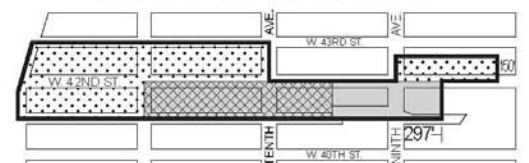
**42nd Street Perimeter Area**



Proposed



**42nd Street Perimeter Area**



**No. 13**

**CD 4 C 090430 ZMM**  
**IN THE MATTER OF** an application submitted by New York City 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. 8c: establishing within an existing R8 District a C1-5 District bounded by West 54th Street, a line 525 feet easterly of Ninth Avenue, a line midway between West 54th Street and West 53rd Street, and a line 100 feet easterly of Ninth Avenue, as shown in a diagram (for illustrative purposes only) dated May 18, 2009.

**No. 14**

**CD 4 C 090433 ZMM**  
**IN THE MATTER OF** an application submitted by RG WRY LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8b:

1. changing from an M2-3 District to a C6-4 District property bounded by West 33rd Street, Eleventh Avenue, West 30th Street, and Twelfth Avenue; and
2. establishing a Special Hudson Yards District bounded by West 33rd Street, Eleventh Avenue, West 30th Street, and Twelfth Avenue;

as shown in a diagram (for illustrative purposes only) dated May 18, 2009.

**No. 15**

**CD 4 N 090434 ZRM**  
**IN THE MATTER OF** an application submitted by RG WRY LLC, 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 IX, Chapter 3 (Special Hudson Yards District) relating to the addition of Western Rail Yard Subdistrict F and the expansion of the Special Hudson Yards District, Community District 4, Borough of Manhattan.

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

**Article IX - Special Purpose Districts**

**Chapter 3  
 Special Hudson Yards District**

\* \* \*

**93-00  
 General Purposes**

The "Special Hudson Yards 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:

- (j) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms;
- (k) to provide a transition between the Hudson Yards District and the Hudson River to the west;
- (l) to facilitate the restoration and reuse of the #High Line# elevated rail line as an accessible, public open space through special height and setback regulations; and
- (m) ~~(k)~~ to promote the most desirable use of land and building development in accordance with the District Plan for the Hudson Yards and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

**93-01  
 Definitions**

**Hudson Yards Redevelopment Area**  
 The "Hudson Yards Redevelopment Area" shall be the areas within the #Special Hudson Yards District#, Area P-2 of the #Special Garment Center District#, the 42nd Street Perimeter Area of the #Special Clinton District#, and the area bounded by the center line of Eleventh Avenue, the northern #street line# of West 43rd Street, the westerly prolongation of the northern #street line# of West 43rd Street to the U.S. Pierhead Line, the U.S. Pierhead Line, the westerly prolongation of the southern #street line# of West 29th Street to the U.S. Pierhead Line, and the southern #street line# of West 29th Street. However, the area bounded by the westerly side of Eleventh Avenue, the southerly side of West 43rd Street, the westerly side of Twelfth Avenue and the northerly side of ~~West 30th Street~~ West 33rd Street shall not be included in the #Hudson Yards Redevelopment Area#, except for any portion of such #blocks# containing a transit easement for subway-related use. Furthermore, the #Hudson Yards Redevelopment Area# shall not include any underground connections from a subway station to any #use# located on such excluded #blocks# or between any such #uses#.

\* \* \*  
 Special Hudson Yards District (repeated from Section 12-10)

The "Special Hudson Yards District" is a Special Purpose District designated by the letters "HY" in which special regulations set forth in Article IX, Chapter 3, apply to all #developments#. The #Special Hudson Yards 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.  
High Line

For the purposes of this Chapter, the "High Line" shall refer to the elevated rail line structure located between West 30th Street and West 33rd Street and between Eleventh and Twelfth Avenues.

High Line Bed

The "High Line bed" is the highest level of the horizontal surface (platform) of such elevated rail line structure.

**93-03  
 District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Hudson Yards District Plan#.

The District Plan includes the following ~~four~~ nine maps:

- Map 1 - Special Hudson Yards District, Subdistricts and Subareas
- Map 2 - Mandatory Ground Floor Retail

Map 3 - Mandatory Street Wall Requirements

Map 4 - Mandatory Sidewalk Widening

Map 5 - Transit Easements and Subway Entrances

Map 6 - Subdistrict F Site Plan

Map 7 - Subdistrict F Public Access Area Plan

Map 8 - Subdistrict F Mandatory Ground Floor Requirements

Map 9 - Subdistrict F Mandatory Street Wall Requirements

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

**93-04  
 Subdistricts and Subareas**

In order to carry out the provisions of this Chapter, six subdistricts are established, as follows:

- The Large-Scale Plan Subdistrict A
- Farley Corridor Subdistrict B
- 34th Street Corridor Subdistrict C
- Hell's Kitchen Subdistrict D
- South of Port Authority Subdistrict E
- Western Rail Yard Subdistrict F

\* \* \*

**93-052  
 Applicability of Chapter 3 of Article I**

#Public parking lots# authorized pursuant to Section 13-552 (Public parking lots) prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit has been granted pursuant to Section 13-561 prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Chapter 3 of Article I in its entirety shall be applied to Subdistrict F.

\* \* \*

**93-10  
 USE REGULATIONS**

The #use# regulations of the underlying districts are modified as set forth in this Section, inclusive. The only permitted change of #use# for the #High Line# shall be to provide publicly accessible open space in accordance with Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

\* \* \*

**93-13  
 Special Office Use Regulations**

**93-131  
 Certification for office use**

The provisions of this Section shall apply to all #development# or #enlargement# in the #Hudson Yards Redevelopment Area# with the exception of Subdistrict F.

- (a) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# in the #Hudson Yards Redevelopment Area# that includes Use Group 6B offices constructed after January 19, 2005, until the Chairperson of the Department of City Planning certifies to the Commissioner of Buildings that:

\* \* \*

**93-132  
 Authorization for office use**

The provisions of this Section shall apply to all #development# or #enlargement# in the #Hudson Yards Redevelopment Area# with the exception of Subdistrict F.

Where the amount of Use Group 6B office #floor area# in a #development# or #enlargement# will result in over 25 million square feet of such #use developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area#, and such #development# or #enlargement# utilizes increased #floor area# pursuant to Sections 23-90 (INCLUSIONARY HOUSING), 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Legitimate Theater Use), such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission that:

\* \* \*

**93-14  
 Retail Continuity Along Designated Streets**

The following provisions shall apply to all Subdistricts in the #Special Hudson Yards District#, except that the provisions of this Section shall not apply along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

- (a) Retail continuity along designated streets in Subdistricts A-E

Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the building's #street# frontage, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 50 feet of the #street line# shall be limited to #commercial uses# permitted by the underlying district, but not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D.

A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations. In no event shall the length of #street# frontage occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the width of a lobby need not be less than 20 feet.

For any new #development# or #enlargement# on such designated #streets# glazing shall be provided in accordance with the provisions set forth in paragraph (c) of this Section 93-14.

- (b) Retail continuity along designated streets in Subdistrict F

Map 8 (Subdistrict F Mandatory Ground Floor Requirements) in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section 93-14 apply. Such regulations shall apply along either 100 percent or 70 percent of the building's #street# frontage, as indicated on Map 8.

- (1) Along Eleventh Avenue

The ground floor retail provisions established in paragraph (a) of this Section 93-14 shall apply to the ground floor #street# frontage of #buildings# along Eleventh Avenue. In addition if a #street# frontage is occupied by a 'Bank' as listed in Use Group 6, such a #street# frontage shall not exceed a #street wall# width, in total, of 25 feet.

- (2) Along designated streets other than Eleventh Avenue

In addition to the #uses# listed in paragraph (a) of this Section 93-14, the following #community facility uses# from Use Groups 3 and 4 as well as the following #commercial use# from Use Group 6B shall be permitted on the ground floor level of a #building# or within five feet of #curb level# for frontages along designated #streets# (as shown in Map 8) other than Eleventh Avenue.

From Use Group 3:  
 Art galleries (Non-Commercial)  
 Libraries  
 Museums  
 Nursery, kindergarten, elementary or secondary #schools# (with no living or sleeping accommodations)

From Use Group 4:  
 Ambulatory diagnostic and treatment health care facilities  
 Community centers  
 Recreation centers, non-commercial  
 Houses of worship

From Use Group 6B:  
 Veterinary medicine, limited to small animals

A minimum of 70 percent of the #aggregate width of street wall# shall be occupied by #uses# permitted in this Section 93-14. A minimum of 50 percent of the #street# frontage of a #building# shall be allocated exclusively to #uses# listed in paragraph (a) of this Section and/or Use Group 3 #uses# listed in this paragraph (b) (2). In addition, a maximum of 20 percent of the #street# frontage of a #building# shall be permitted to provide the Use Group 4 and 6B #uses# listed in this paragraph (b) (2). However, if a #street# frontage is occupied by a 'Bank' as listed in Use Group 6, such a #street# frontage shall not exceed a #street wall# width, in total, of 25 feet.

The remaining portion of the #street wall# may be occupied by #uses# listed in this Section 93-14, or by lobby space, mechanical space or entrances to #accessory# parking garages, provided that:

- (i) The maximum width of a lobby shall be 40 feet, or 25 percent of the #street wall#, whichever is less. However, if more than one lobby is provided, the #aggregate width of street wall# occupied by such lobbies shall not exceed 60 feet; and
- (ii) The maximum width of a #street wall# occupied by an entrance to #accessory# parking spaces shall not exceed 35 feet.

For any new #development# or #enlargement# on such designated #streets# glazing shall be provided in accordance with the provisions set forth in paragraph (c) of this Section.

- (c) Transparency

Each ground floor level #street wall# of a #commercial# or #community facility use#, as set forth in this Section 93-14, 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, or public access area, 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.

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

For #developments# or #enlargements# fronting upon Hudson Boulevard that are adjacent to existing #buildings# located within the Hudson Boulevard #street# bed or #public park#, the Hudson Boulevard #street wall# of such new #development# or #enlargement# shall be designed in a manner that will enable the glazing requirements of this Section to be met upon demolition of the #buildings# within such #street# bed or #public park# and, within six months of such demolition, such glazing requirements shall be complied with.

The provisions of this Section shall not apply along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map

2. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

\* \* \*

93-17 Modification of Sign Regulations

(a) Subdistricts A, B, C, D, and E

Within Subdistricts A through E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39th Street and its southerly prolongation to West 33rd Street. Furthermore, #flashing signs# shall not be allowed on any portion of a #building# fronting upon the outdoor plaza required in the Eastern Rail Yards Subarea A1, pursuant to Section 93-71.

(b) Subdistrict F

For the purposes of calculating the permitted #surface area of a #sign#, each Site set forth on Map 6 (Subdistrict F Site Plan) shall be considered a separate #zoning lot#.

(1) Along the #High Line#

The #sign# regulations of the underlying districts shall not apply to #signs# located within 50 feet of the #High Line#, except for #signs# located entirely below the level of the #High Line bed# In lieu thereof, the #sign# regulations of a C1 District shall apply, except that #accessory signs# located within the #High Line# frontage may have a maximum height of 20 feet above the level of the #High Line bed#.

No #signs# affixed to or resting upon the #High Line# shall be permitted, except as pursuant to a signage plan for the #High Line#, as authorized by the City Planning Commission, provided the Commission finds that such signage plan will:

- (i) Enhance the use of the #High Line# by providing signage that is consistent with the use of the #High Line# as a public open space;
(ii) Provide, at a minimum, directional, informational and interpretive signage consistent with the use of the #High Line# as a public open space;
(iii) Be integrated with the design of the #High Line# open space; and
(iv) Not adversely affect #development# adjacent to the #High Line# and in the surrounding neighborhood.

(2) Other locations

Within Subdistrict F, the underlying #sign# regulations shall apply for #signs# located beyond 50 feet of the #High Line#, and for portions of #signs# located entirely below the level of the #High Line bed# along West 30th Street, except that #flashing signs# shall not be permitted in Subdistrict F.

\* \* \*

93-20 FLOOR AREA REGULATIONS

\* \* \*

93-22 Floor Area Regulations in Subdistricts B, C, D, E and F

(a) Subdistricts B, C, D, and E

In Subdistricts B, C, D, E the basic maximum #floor area ratio# is determined by the subdistrict and, where applicable, subarea, as specified in the table in this Section. The basic maximum #floor area ratios# for non-#residential buildings# are set forth in Row A, and the basic maximum #floor area ratios# for #buildings# containing #residences# are set forth in Row B. Such basic maximum #floor area ratios# may be increased to the amount specified in Row C only pursuant to Section 93-31 (District Improvement Fund Bonus) or as otherwise specified in Sections 93-221 through 93-224.

Notwithstanding the provisions of this Section, the basic maximum permitted #floor area ratio# may be increased on an "adjacent lot" pursuant to Section 74-79 (Transfer of Development Rights from Landmark Sites), provided that the maximum #floor area# transferred from the landmark lot does not exceed the basic maximum permitted #floor area ratio# less the total #floor area# of all #buildings# on the landmark lot.

\* \* \*

(b) Subdistrict F

In Subdistrict F, the #floor area ratio# provisions of Section 93-225 shall apply.

\* \* \*

93-225 Floor Area Regulations in Subdistrict F

In Subdistrict F, the maximum #floor area ratio# for #residential#, #community facility# and #commercial use# shall be as follows:

- (a) The maximum #residential floor area ratio# shall be 8.0;
(b) The maximum #community facility floor area ratio# shall be 2.0. However, any floor space occupied by a public #school# constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education may be exempted from the definition of #floor area# for the purposes of calculating the permitted #community facility floor area ratio# and the total maximum #floor area ratio# of the #zoning lot#;
(c) The maximum #commercial floor area ratio# shall be 8.0; and
(d) The total maximum #floor area ratio# shall be 10.0, except as modified pursuant to Section 93-23

(Modifications of Inclusionary Housing Program).

93-23

Modifications of Inclusionary Housing Program

The provisions of Section 23-90 (INCLUSIONARY HOUSING) shall be applicable within the #Special Hudson Yards District# and Area P2 of the #Special Garment Center District#, except as modified in this Section. However, the modifications set forth in this Section shall not be applicable in the area bounded by West 35th Street, Eighth Avenue, West 33rd Street, and a line 100 feet east of and parallel to Ninth Avenue, where the underlying provisions of Section 23-90 shall apply, and shall only be applicable in Subdistrict F as modified by Section 93-233.

\* \* \*

93-232 Floor area increase in Subdistricts B, C, D, and E, and Preservation Area P2

The provisions of Section 23-94 (Floor Area Compensation) shall not apply. In lieu thereof, the #floor area# compensation provisions of this Section shall apply. In accordance with the provisions set forth in Section 93-22 (Floor Area Regulations in Subdistricts B, C, D and E,) or 121-31 (Maximum Permitted Floor Area), the maximum permitted #residential floor area ratio# for #developments# or #enlargements# that provide Inclusionary Housing may be increased, as follows:

\* \* \*

93-233 Lower income housing requirements Floor area increase for affordable housing in Subdistrict F

The #floor area# of any #building# containing #residences# in Subdistrict F may be increased by up to five percent, and such increase may be in excess of the maximum #floor area ratio# of 8.0 for #residential use#, and the total maximum #floor area ratio# of 10.0 provided that:

- (a) At least 20 percent of the #residential floor area# in such #building#, inclusive of any #floor area increase# permitted by this Section, shall be occupied by #lower income households#, as defined in Section 23-93;
(b) Such #building# shall comply with the provisions of Section 93-234 (Lower Income Housing Requirements) for onsite new construction; and
(c) The sum of all #floor area# increases permitted pursuant to this Section does not exceed 0.4 times the total #lot area# of Subdistrict F.

93-234

Lower income housing requirements

#Developments# that increase #floor area# in accordance with the provisions of this Section shall comply with the lower income housing requirements of Section 23-95, except as modified in this Section.

\* \* \*

93-30 SPECIAL FLOOR AREA REGULATIONS

93-31

District Improvement Fund Bonus

Except in Subdistrict F, in the #Special Hudson Yards District# and Area P-2 of the #Special Garment Center District#, the Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio# to be increased up to the maximum amount specified in Sections 93-21, 93-22 or 121-31, as applicable, provided that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #Hudson Yards District Improvement Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area# for such #development# or #enlargement#.

\* \* \*

93-40 HEIGHT AND SETBACK REGULATIONS

\* \* \*

93-42 Height and Setback in Subdistricts A through E F

In Subdistricts A through E F, the underlying height and setback regulations shall not apply, except as set forth in Section 93-542 (Height and setback in Subareas D4 and D5). In lieu thereof, the provisions of this Section shall apply. These regulations are further modified in certain locations as set forth in Section 93-50 (SPECIAL HEIGHT AND SETBACK REGULATIONS IN SUBDISTRICTS A THROUGH E). The rooftop regulations set forth in Section 93-41 shall apply. The height of all #buildings or other structures# shall be measured from #curb level#.

In Subareas D4 and D5 of the Hells Kitchen Subdistrict, the underlying height and setback regulations shall apply as set forth in Section 93-542 (Height and setback in Subareas D4 and D5), as modified by Section 93-41 (Rooftop Regulations).

In Subdistricts A, B, and C, Subareas D1, D2 and D3 of the Hells Kitchen Subdistrict, and Subdistrict E, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 (Rooftop Regulations) and paragraphs (a) through (d) of this Section shall apply. These regulations are further modified in certain locations as set forth in Section 93-50 (SPECIAL HEIGHT AND SETBACK REGULATIONS). The height of all #buildings or other structures# shall be measured from #curb level#.

In Subdistrict F, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 (Rooftop Regulations) and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

\* \* \*

93-50 SPECIAL HEIGHT AND SETBACK REGULATIONS IN SUBDISTRICTS A THROUGH E

In Subdistricts A through E, B, and C, and Subareas D1, D2 and D3 of the Hells Kitchen Subdistrict, and Subdistrict E, the height and setback regulations set forth in paragraphs (a) through (d) of Section 93-42 shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations, minimum base heights and maximum length of building walls for towers, and modifications of maximum base heights, depths of required setbacks, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

\* \* \*

(b) Sidewalk Widenings

Where a #street wall# is required to extend along the entire #street# frontage of a #zoning lot#, and such #street# is intersected by a #street# with a mandatory sidewalk widening, no #street wall# shall be required within such sidewalk widening. Where corner articulation rules apply, the inner boundary of any required sidewalk widening may be considered to be the #street line#. The mandatory #street wall# requirements are illustrated on Map 3 in Appendix A of this Chapter. Where sidewalk widening lines are specified, such lines shall be parallel to and five or ten feet from the #street line#, as required pursuant to Section 93-61 and illustrated on Map 4 (Mandatory Sidewalk Widenings) in Appendix A.

In Subdistrict F, the provisions of Section 93-41 (Rooftop Regulations) and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

\* \* \*

93-56 Special Permit for Modification of Height and Setback Regulations Special Height and Setback Regulations in Subdistrict F

The height and setback regulations set forth in this Section 93-56, inclusive, shall apply to specific sites identified as Sites 1 through 6 on Map 6 (Subdistrict F Site Plan) in Appendix A of this Chapter. Portions of a #building# located entirely below grade, and exempt from the definition of #floor area# shall be permitted to extend beyond such designated site locations. However, Site 6 may be extended in a westerly direction, by up to 40 feet to accommodate a public #school# in accordance with the provisions of paragraph (b) of Section 93-568 (Site 6).

Map 4 (Mandatory Sidewalk Widenings) in Appendix A of this Chapter identifies the location of a sidewalk widening required along Eleventh Avenue that is referenced in this Section 93-56, inclusive. Regulations governing the design of this sidewalk widening are set forth in Section 93-61 (Sidewalk Widenings).

Public Access Areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways. Map 7 (Subdistrict F Public Access Area Plan) in Appendix A of this Chapter, identifies the location of publicly accessible open spaces, private streets, and pedestrian ways which are referenced in this Section 93-56.

Publicly accessible open spaces are comprised of the 'Western Open Space', the 'Central Open Space', the 'Southwest Open Space', the 'Northeast Plaza', the 'Midblock Connection', and the '#High Line#'. General rules governing such publicly accessible open spaces are set forth in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

Publicly accessible private streets are comprised of the 'Northern Street' (including the alley) and the 'Southern Street'. Publicly accessible pedestrian ways are comprised of the 'West 30th Street Corridor', and the 'Connector'. General rules governing such private streets and pedestrian ways are set forth in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F).

The chairperson of the City Planning Commission may modify the height and setback regulations set forth in this Section provided that the Chairperson certifies to the Commissioner of Buildings that such a change is the minimum necessary to accommodate the ventilation requirements of the below-grade rail operations. Any application for such change shall include a Mechanical Plan that conveys the extent of the needs and required modifications, as well as a letter from the Metropolitan Transit Authority describing the needs for such modifications.

93-561 General rules for Subdistrict F

The following regulations shall apply to all #buildings or other structures# within Sites 1 through 6:

(c) #Street wall# location

For the purposes of applying the height and setback regulations of this Section 93-56, inclusive, wherever a #building# fronts upon any publicly accessible open space, private street, or pedestrian way as shown on Map 7, the boundary of such publicly accessible open spaces, private streets, pedestrian ways shall be considered to be a #street line#. Furthermore, for the purposes of applying such height and setback regulations, the sidewalk widening line required along Eleventh Avenue shall be considered the Eleventh Avenue #street line#.

Wherever a #building# on Sites 1, 5 or 6 faces the #High Line#, the #street wall# shall not be located closer than five feet to the edge of the #High Line# (as shown on Map 7).

(b) Measurement of #building# heights

(1) Measurement of #street wall# heights

For portions of a #building# that front upon a publicly accessible sidewalk, the maximum base height, and, where applicable, transition height of a #street wall# shall be measured from the mean level of the public sidewalk that such #street wall# fronts upon. For portions of a #building# that front upon publicly accessible open spaces in which no sidewalks are provided adjacent to a #street wall#, the maximum base height, or, where applicable, transition height of a #street wall# shall be measured from the mean level of the final grade of the open space that such #street wall# fronts upon. However, the following #street wall# heights shall be measured from the #High Line bed#:

- (i) On Site 6, the portion of a #street wall# above the #High Line bed# facing the #High Line# beyond 60 feet of Eleventh Avenue; and
(ii) On Site 6 along the Southwest Open Space within 60 feet of the #High Line#.

(2) Measurement of tower heights

The height of a tower of a #building# shall be measured from the highest level of the adjoining public sidewalk or finished grade adjoining such #building# on its respective site, except that on Site 5 the height of the tower shall be measured from the #High Line bed#.

Where minimum height differences are required between towers, such heights, for each tower, shall be measured from the Manhattan Datum, which is 2.75 feet above Sea Level.

(c) Towers

Criteria for towers on Sites 1 through 6 are set forth in this Section 93-56, inclusive. The minimum distance between all such towers shall be 60 feet.

**93-562  
Street wall regulations for certain streets**

The locations of all #street walls# identified in this Section 93-562 are shown on Map 9 (Subdistrict F Mandatory Street Wall Requirements) in Appendix A of this Chapter.

(a) Applicability

The provisions of this Section 93-562 shall apply to:

- (1) All #street walls# of #buildings# on Site 1:
  - (i) That front along the Northern Street;
  - (ii) That front along the Western Open Space within 60 feet of the Northern Street; and
  - (iii) That front along the Midblock Connection within 60 feet of the Northern Street.
- (2) All #street walls# of #buildings# on Site 2:
  - (i) That front along Eleventh Avenue south of the Northeast Plaza;
  - (ii) That front along the Northern Street; and
  - (iii) That front along the Midblock Connection within 60 feet of the Northern Street.
- (3) All #street walls# of a #building# on Site 4:
  - (i) That front along Eleventh Avenue;
  - (ii) That front along the Northern Street within 50 feet of Eleventh Avenue; and
  - (iii) That front along the Southern Street within 50 feet of Eleventh Avenue.
- (4) All #street walls# of a #building# on Site 6:
  - (i) That front along Eleventh Avenue five feet north of the #High Line#;
  - (ii) That front along the Southern Street;
  - (iii) That front along the #High Line#, completely above the #High Line bed#;
  - (iv) That front along the Southwest Open Space within 60 feet of the #High Line#; and
  - (v) That front along the Southwest Open Space within 60 feet of the Southern Street.

(b) #Street wall# location

All #street walls# of #developments# or #enlargements# identified in paragraph (a) of this Section shall be located on the #street line#.

All such #street walls# shall extend along the entire #street# frontage of the site, or required portion identified in paragraph (a) of this Section. However, such #street wall# location rules may be modified in accordance with the recess provisions of paragraph (c) of this Section.

(c) Recesses

- (1) Ground floor recesses up to three feet deep shall be permitted for access to #building# entrances;
- (2) To allow for corner articulation, the required #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such lines;
- (3) To ensure variation in the required #street wall#, a #building# shall provide recesses or ground floor level setbacks in accordance with the following provisions.
  - (i) A minimum of 20 percent of the #aggregate width of street walls# shall provide a minimum recess of three feet from the #street wall# above the level of the second #story#, except for the portion of Site 6 which fronts along the High Line, such recess shall be provided above the level of the first #story#. However, no portion of such recess shall be located within 30 feet of the intersection of two #street lines#, except where corner articulation is provided in accordance with paragraph (2) of this paragraph.
  - (ii) A maximum of 30 percent (or 50 percent for Site 4) of the #aggregate width of street walls# may provide a recess of up to 15 feet at any level, which may extend to the height of the building base, and, may allow for portions of towers to rise without setback from the ground floor level. However, no such setbacks shall be permitted within 30 feet of the intersection of two #street lines#, except where corner articulation is provided in accordance with paragraph (2) of this paragraph.

**93-563  
Site 1**

In addition to the applicable requirements set forth in

Section 93-562, the provisions of this Section 93-563 shall apply to #buildings# on Site 1.

(a) Building base

- (1) Facing West 33rd Street
 

The #street wall# of the #development# or #enlargement# facing West 33rd Street may rise without setback to a maximum base height of 120 feet before a setback is required. However, no setbacks shall be required within 150 feet of Twelfth Avenue.
- (2) Facing the Northern Street
 

The provisions of this paragraph (2) shall apply to #street walls# facing the Northern Street, the Western Open Space and the Midblock Connection within 60 feet of the Northern Street. Such #street walls# shall rise without setback to a minimum base height of 60 feet and a maximum base height of 90 feet.
- (3) Facing the Western Open Space
 

The provisions of this paragraph (3) shall apply to #street walls# facing the Western Open Space beyond 60 feet of its intersection with the Northern Street. The #street wall# of the #development# or #enlargement# may rise without setback to a maximum base height of 90 feet before a setback is required. However, no setbacks shall be required within 150 feet of Twelfth Avenue.

(b) Transition height

All portions of a #building# that exceed the applicable maximum base height specified in paragraph (a) of this Section shall be set back in accordance with the provisions of this paragraph (b), except that where towers are provided directly above a portion of the transition height, such a portion of transition height located directly below a tower shall provide setbacks in accordance with the tower provisions of paragraph (c) of this Section.

Portions of a #building# facing West 33rd Street that exceed the maximum base height shall be set back from the West 33rd Street #street line# a minimum of 20 feet. Portions of a #building# facing the Western Open Space that exceed the maximum base height shall be set back from the #street wall# of a #building# facing the Western Open Space a minimum of 30 feet. However, in both cases, no such setback shall be required within 150 feet of Twelfth Avenue.

Above the maximum base height a #street wall# may rise to a maximum transition height equal to one-half the height of the #street wall# of the #building# base facing the Western Open Space. Such a transition height shall not exceed a maximum height of 135 feet.

All portions of a #building# that exceed the maximum transition height shall comply with the tower provisions of paragraph (c) of this Section.

(c) Towers

All #stories# of a #development# or #enlargement# located partially or wholly above the maximum transition height shall be considered a 'tower' and shall comply with the provisions of this paragraph.

- (1) Required setbacks
 

All towers, or portions of a transition height located beneath a tower, shall be set back at least 15 feet from the #street line# of West 33rd Street and from the #street walls# of the #building# facing the Northern Street, except that the depth of such set back distance may include the depth of any permitted recesses. However, no setbacks shall be required within 150 feet of Twelfth Avenue, along the Western Open Space, or along the Midblock Connection to allow portions of towers that comply with the provisions of sub-paragraphs (2) and (3) of this paragraph (c) to rise without setback.
- (2) Maximum floor plate
 

If more than one tower is provided on Site 1, the aggregate gross area of any such tower #stories#, measured at any height, shall not exceed 24,000 square feet.
- (3) Maximum length and height
 

The outermost walls of all #stories# of a tower, when viewed from above, shall be inscribed within a rectangle where the east-west dimension shall not exceed a length of 110 feet and the north-south dimension shall not exceed a length of 160 feet. Where more than one tower is located on Site 1, each tower shall comply independently with such maximum dimensions.

If more than one tower is located on Site 1, the height of the easternmost tower shall be a minimum of 100 feet greater than the height of the westernmost tower.

All #buildings# that exceed a height of 300 feet shall provide articulation in accordance with Section 93-569 (Tower Top Articulation).

**93-564  
Site 2**

In addition to the applicable requirements set forth in Section 93-562, the provisions of this Section 93-564 shall apply to #buildings# on Site 2.

(a) Building base

- (1) Facing Eleventh Avenue
 

The provisions of this paragraph (1) shall apply to #street walls# facing Eleventh

Avenue (exclusive of #street walls# facing the Northeast Plaza), and the Northern Street within 60 feet of Eleventh Avenue. Such #street walls# shall rise without setback to a minimum height of 120 feet and a maximum height of 150 feet. Above a height of 150 feet, all portions of such #building# shall be set back from the #street wall# of the #building# at least 15 feet, except such set back distance may include the depth of any permitted recesses. These building base provisions may apply along the Northern Street #street line# beyond 60 feet of Eleventh Avenue, up to a maximum distance of 100 feet from Eleventh Avenue.

(2) Facing the Northern Street

The provisions of this paragraph (2) shall apply to #street walls# facing the Northern Street beyond 60 feet of Eleventh Avenue (or beyond 100 feet if the optional building base provisions of sub-paragraph (1) of this paragraph (a) are applied along the Northern Street), and the Midblock Connection within 60 feet of the Northern Street. Such #street walls# shall rise without setback to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, all portions of such #buildings# facing the Northern Street shall be set back from the #street wall# of the #building# at least 15 feet, except such set back distance may include the depth of any permitted recesses. Portions of #street walls# along the Midblock Connection within 60 feet of the Northern Street need not setback after the maximum base height to allow tower portions that comply with the provisions of paragraph (b) of this Section to rise without setback.

(3) Facing West 33rd Street

#Street walls# facing West 33rd Street (exclusive of the Northeast Plaza) may rise without setback to a maximum base height of 150 feet. Above a height of 150 feet, setbacks shall be required as follows:

- (i) Portions of a #building# facing West 33rd Street within 150 feet of the Eleventh Avenue #street line# shall provide a 15 foot setback from the #street line# of West 33rd Street;
- (ii) Portions of a #building# beyond 150 feet of Eleventh Avenue that do not exceed an #aggregate width of street wall# of 150 feet, as measured along the West 33rd Street #street line# shall be permitted to rise without setback; and
- (iii) Portions of a #building# located beyond 150 feet of Eleventh Avenue, which exceed the #aggregate width of street wall# of 150 feet as measured along the West 33rd Street #street line# shall be set back a minimum of 15 feet from the #street line# of West 33rd Street.

All portions of a #building# that exceed a height of 150 feet shall comply with the tower provisions of paragraph (b) of this Section.

(b) Towers

All #stories# of a #development# or #enlargement# located partially or wholly above a height of 150 feet shall be considered a 'tower' and shall comply with the provisions of this paragraph (b). Not more than one tower shall be allowed on Site 2.

(1) Maximum floor plate

The gross area of any tower #story# shall not exceed 40,000 square feet. However, if a tower complies with the provisions of sub-paragraph (2) (i)-(ii) of this paragraph (b), such 40,000 square foot limitation shall not apply to any #story# located entirely below a height of 250 feet.

(2) Maximum length and height

The outermost walls of all #stories# of a tower, when viewed from above, shall be inscribed within a rectangle where the east-west dimension shall not exceed a length of 250 feet below a height of 400 feet. Above a height of 400 feet, such rectangle shall not exceed a length of 225 feet. However if setbacks are provided as follows, such lengths shall not apply to the portion of a #building# below a height of 250 feet provided:

- (i) All tower #stories# are set back at least 50 feet from the Eleventh Avenue #street line#; and
- (ii) All tower #stories# are set back at least 15 feet from the Midblock Connection #street line#.

All #buildings# that exceed a height of 300 feet shall provide articulation in accordance with Section 93-569 (Tower Top Articulation).

**93-565  
Site 3**

The regulations of this Section 93-565 shall apply to all #buildings# within Site 3.

All #stories# of a #development# or #enlargement# located wholly or partially above the highest level of the adjoining public sidewalk or finished grade on Site 3 shall be considered a 'tower' and shall comply with the provisions of this Section 93-565. Not more than one tower shall be permitted on Site 3.

(a) Ground floor

A maximum of 6,000 square feet of the ground floor shall be permitted to provide residential uses. The remaining portion of the ground floor shall provide an area that is accessible to the surrounding publicly accessible open spaces listed in Section 93-75. Such space may be open or enclosed, but shall have height of at least 40 feet measured from the level of an adjoining finished grade or sidewalk.

If open, such space shall be considered part of the Central Open Space and comply with the regulations set forth in 93-75.

If enclosed, such space shall provide ground floor uses pursuant to Section 93-14, and shall adjoin a minimum of 70 percent of the perimeter of the outermost walls of the ground floor of the building to a minimum depth of 30 feet. Such outermost wall shall be at least 70 percent glazed with transparent material to a height of 40 feet.

(b) Maximum floor plate

The gross area of any story of a building on Site 3 shall not exceed 12,000 square feet.

(c) Maximum length and height

The maximum horizontal dimension of the tower, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a diagonal line bisecting the Site 3 rectangle in plan (as shown on Map 6) from its southwest corner to its northeast corner, then the maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet.

The maximum height of a building within Site 3 shall be a minimum of 100 feet taller than the building height of Site 5.

All buildings that exceed a height of 300 feet shall provide articulation in accordance with Section 93-569 (Tower Top Articulation).

93-566 Site 4

In addition to the applicable requirements set forth in Section 93-562, the provisions of this Section 93-566 shall apply to buildings on Site 4. Not more than one tower shall be permitted on Site 4.

(a) Street wall location along Northern and Southern Streets

Any portion of a street wall facing the Northern Street within 100 feet of Eleventh Avenue shall be set back at least 15 feet from the Northern Street street line, which shall coincide with the northern edge of the Site 4 boundary. Any portion of a street wall facing the Northern Street that extends beyond 100 feet of Eleventh Avenue as measured along the Northern Street street line shall be set back at least 30 feet from the Northern Street street line. Any portion of a street wall facing the Southern Street that extends beyond 100 feet of Eleventh Avenue as measured along the Southern Street street line shall be set back at least 15 feet from the Southern Street street line.

(b) Building base facing Eleventh Avenue

The provisions of this paragraph (b) shall apply to street walls below a height of 120 feet facing Eleventh Avenue and the Northern and Southern Streets within 50 feet of Eleventh Avenue. Such street walls shall rise without setback to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, all portions of a building facing Eleventh Avenue shall be set back from the street wall of the building at least 15 feet, except such set back distance may include the depth of any permitted recesses. Portions of street walls along the Northern and the Southern Streets within 50 feet of Eleventh Avenue need not setback after the maximum base height to allow tower portions that comply with the provisions of paragraph (c) below to rise without setback.

All portions of a building that exceed the maximum base height of 120 feet shall comply with the tower provisions of paragraph (c) of this Section.

(c) Towers

All stories of a development or enlargement located partially or wholly above the maximum base height of 120 feet shall be considered a tower and shall comply with the provisions of this paragraph. Not more than one tower shall be permitted on Site 4.

(1) Maximum floor plate

The gross area of any such story shall not exceed 12,000 square feet.

(2) Maximum length and height

For any portion of a building above 120 feet, the maximum horizontal dimension, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a diagonal line bisecting the Site 4 rectangle in plan (as shown on Map 6) from its southwest corner to its northeast corner, then the maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed 120 feet.

The maximum height of a building on Site 4 shall be a minimum of 100 feet taller than any building located on Site 3.

All buildings that exceed a height of 300 feet shall provide articulation in accordance with Section 93-569 (Tower Top Articulation).

93-567 Site 5

All stories of a development or enlargement located wholly or partially above finished grade on Site 5 shall be considered a tower and shall comply with the provisions of this Section 93-567.

On Site 5, a building or other structure may be located adjacent to and above the High Line, provided no portion of such building or other structure is located within five feet of the edge of the High Line from the level of finished grade to a level of 60 feet above the level of the High Line bed (as shown on Map 7).

(a) Maximum floor plate

The gross area of any story within that portion of a building or other structure located wholly or partially above the finished grade to a height of 60 feet above the High Line bed shall not exceed 5,000 square feet. However, such maximum floor plate shall exclude portions of a building or other structure that are west of the High Line below a height of 60 feet above the High Line bed, provided that the maximum horizontal dimension of such portion, measured in any direction, shall be 30 feet.

The gross area of any story within that portion of a building located above a height of 60 feet above the High Line bed shall not exceed 12,000 square feet.

(b) Maximum length and height

At or below a height of 60 feet above the High Line bed, if a building or other structure is developed with portions on both sides of the High Line, the minimum horizontal dimension, measured in any direction between such portions shall be 60 feet.

For that portion of a building located above a height of 60 feet above the High Line bed, the maximum horizontal dimension, measured in any direction, shall not exceed 145 feet. However, if the angle of such maximum horizontal dimension is aligned within 15 degrees of a diagonal line bisecting the Site 5 rectangle in plan (as shown on Map 6) from its south-west corner to its north-east corner, then the maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed 120 feet. The maximum horizontal dimension for that portion of a building which spans over the High Line, measured in any direction, shall not exceed 120 feet.

The maximum height of a building on Site 5 shall be 450 feet.

All buildings that exceed a height of 300 feet shall provide articulation in accordance with Section 93-569 (Tower Top Articulation).

93-568 Site 6

In addition to the applicable requirements set forth in Section 93-562, the provisions of this Section 93-568 shall apply to buildings on Site 6.

(a) Height and setback regulations

(1) Street wall facing West 30th Street, beneath the High Line.

The provisions of this paragraph (a) shall apply to street walls on Site 6 beneath the High Line that face West 30th Street, Eleventh Avenue and the Southwest Open Space.

All such street walls shall extend along the entire street frontage of the site, except that along West 30th Street, the street wall shall be no closer to the northerly street line of West 30th Street than the northerly edge of the southern row of structural columns of the High Line, and along the Southwest Open Space and Eleventh Avenue, the street wall shall extend to a point five feet north of the High Line. Ground floor recesses up to three feet deep shall be permitted for access to building entrances.

All such street walls shall rise without setback to a maximum height of the underside of the High Line bed.

(2) Building base

(i) Facing Eleventh Avenue and the Southern Street, north of the High Line

The provisions of this paragraph (i) shall apply north of the High Line to street walls facing Eleventh Avenue, the Southern Street, portions of street walls facing the High Line within 60 feet of Eleventh Avenue, and portions of street walls facing the Southwest Open Space within 60 feet of the Southern Street. Such street walls shall rise without setback to a minimum height of 60 feet and a maximum height of 90 feet. Above a height of 90 feet, all portions of such buildings facing Eleventh Avenue, the High Line and the Southern Street shall be set back from the street wall of the building at least 15 feet, except such set back distance may include the depth of any permitted recesses. Portions of street walls along the Southwest Open Space within 60 feet of the Southern Street need not set back after the

maximum base height to allow portions of towers that comply with the provisions of sub-paragraph (3) of this paragraph (a) to rise without setback. These building base provisions may apply along the High Line beyond 60 feet of Eleventh Avenue, up to a maximum distance of 100 feet from Eleventh Avenue.

(ii) Facing West 30th Street, north of the High Line.

The provisions of this paragraph (ii) shall apply to street walls above the High Line bed, facing the High Line beyond 60 feet of Eleventh Avenue, and to those portions of street walls facing the Southwest Open Space that are within 60 feet of the High Line. Such street walls shall rise without setback to a minimum height of 50 feet as measured above the level of the High Line bed, and a maximum height of 60 feet as measured above the level of the High Line bed. Above a height of 60 feet, all portions of such buildings facing the High Line shall be set back from the street wall of the building at least 15 feet, except such set back distance may include the depth of any permitted recesses. Portions of street walls along the Southwest Open Space within 60 feet of Eleventh Avenue need not setback after the maximum base height to allow tower portions that comply with the provisions of sub-paragraph (3) of this paragraph (a) to rise without setback.

All portions of a building that exceed the maximum base height of 90 feet shall comply with the tower provisions of sub-paragraph (3) of this paragraph (a).

(3) Towers

All stories of a development or enlargement located partially or wholly above a height of 90 feet shall be considered a tower and shall comply with the provisions of this sub-paragraph (3).

(i) Maximum floor plate

If more than one tower is provided on Site 6, the aggregate gross area of any such tower stories, measured at any height, shall not exceed 24,000 square feet.

(ii) Maximum length and height

The outermost walls of all stories of a tower, when viewed from above, shall be inscribed within a rectangle where the east-west dimension shall not exceed a length of 160 feet and the north-south dimension shall not exceed a length of 110 feet. Where more than one tower is located on Site 6, each tower shall comply independently with such maximum dimensions.

The aggregate width of street walls of all stories of a tower facing the Southern Street or the High Line shall not exceed 220 feet within 40 feet of the street wall of the building base.

If more than one tower is provided on Site 6, such towers shall either be equal in height, or the easternmost tower shall have a height greater than the height of the westernmost tower.

All buildings that exceed a height of 300 feet shall provide articulation in accordance with Section 93-569 (Tower Top Articulation).

(b) Certification to expand Site 6

The area of Site 6, as shown on Map 6, may be extended westward by up to 40 feet in order to accommodate a public school upon certification of the Chairperson of the City Planning Commission that:

- (1) The Chairperson of the City Planning Commission is in receipt of a letter from the School Construction Authority that describes the need for the additional area;
(2) A Site Plan and Landscape Plan for the Southwest Open Space have been approved by the Chairperson of the City Planning Commission;
(3) No portion of a tower located on Site 6 extends beyond 395 feet west of the Eleventh Avenue street line; and
(4) Any portion of a building located beyond 395 feet from the Eleventh Avenue street line affects southwesterly view corridors from the Central Open Space towards the Hudson River to the minimum extent necessary to accommodate a public school.

93-569 Tower Top Articulation

All buildings that exceed a height of 300 feet and are required to comply with the tower top articulation provisions of this Section shall provide articulation in accordance with the following:

The uppermost 40 feet of the building shall have a lot coverage of at least 50 percent of the story immediately below such 40 feet, and a maximum lot coverage of 80

percent of the #story# immediately below such 40 feet. 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 Section, 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.

**93-57  
Special Permit for Modification of Height and Setback Regulations**

Within the #Special Hudson Yards District#, except within C1-7A Districts or C2-5 Districts mapped within R8A Districts, for #developments# or #enlargements# on #zoning lots# with at least 20,000 square feet of #lot area# or #developments# or #enlargements# on any size #zoning lot# that occupy the entire #block# front along a #wide street#, the City Planning Commission may modify the regulations set forth in Sections 93-40 (HEIGHT AND SETBACK REGULATIONS), inclusive, and 93-50 (SPECIAL HEIGHT AND SETBACK REGULATIONS IN SUBDISTRICTS A THROUGH E), inclusive, provided the Commission finds that:

\* \* \*  
**93-60  
MANDATORY IMPROVEMENTS**

**93-61  
Sidewalk Widening**

Map 4 (Mandatory Sidewalk Widening) in Appendix A of this Chapter specifies locations of mandatory sidewalk widening. The depth of such sidewalk widening shall be as indicated on Map 4 in Appendix A and shall be measured perpendicular to the #street line#. All sidewalk widening shall be improved as sidewalks to Department of Transportation standards, at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

\* \* \*  
**93-70  
PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES**

\* \* \*  
**93-75  
Publicly Accessible Open Spaces in Subdistrict F**

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible open spaces are listed in this Section 93-75, inclusive. Such publicly accessible open spaces shall be comprised of the Western Open Space, the Central Open Space, the Southwest Open Space, the Northeast Plaza, the Midblock Connection, and the #High Line# as described within this Section 93-75, inclusive. Map 7 (Subdistrict F Public Access Area Plan) in Appendix A of this Chapter identifies the location of publicly accessible open spaces.

General requirements for each publicly accessible open space are set forth within this Section. Design requirements for each publicly accessible open space are set forth in Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F). The phasing and approval process for each publicly accessible open space is set forth in Section 93-78 (Site and Landscape Plan for Public Access Areas in Subdistrict F).

All publicly accessible open spaces listed in this section shall be accessible to the public from the hours of 6:00 am to 1:00 am with the exception of the #High Line#, and the Northeast Plaza, which shall provide hours of access pursuant to Section 37-727.

**93-751  
General Requirements for the Western Open Space**

A publicly accessible open space, (henceforth referred to as the 'Western Open Space'), shall be provided in Subdistrict F. Such a space shall be open to the sky, except that amenities that are provided in accordance with this Section 93-75, and Section 93-77 shall be permitted to cover a portion of the Western Open Space.

(a) **General purpose**

The Western Open Space is intended to serve the following purposes:

- (1) To provide a major open space that joins the northern portion of the #High Line# open space network on its west to the open space networks leading to the Hudson Park and Boulevard on its east
- (2) To provide a large open lawn area overlooking the Hudson River for public use and enjoyment; and
- (3) To provide transition areas that offer shade, supplemental space between the open lawn and surrounding buildings, and connections between surrounding publicly accessible open spaces.

(b) **Location and minimum dimensions**

The Western Open Space shall be located east of the #High Line#, and encompass the area between Sites 1 and 5 as shown on Map 7. The Western Open Space shall have a minimum easterly boundary of 225 feet as measured from the easterly #street line# of Twelfth Avenue.

(c) **Core elements**

The Western Open Space shall provide the following core elements:

(1) **Lawn area**

An accessible lawn area shall be provided with a minimum area of one acre. Any lawn area located within 40 feet of a #building# wall on Sites 1 or 5 shall not contribute towards this one acre requirement. The required lawn area shall be comprised of the following amenities:

- (i) A continuous lawn area shall be provided

over a minimum of 75 percent of the required one acre. Such area shall have a maximum slope of three degrees and unobstructed visual access toward the Hudson River.

- (ii) A transitional lawn area may be provided for a maximum of 25 percent of the required one acre of lawn area. Such area need not be continuous, and shall have a maximum slope of 15 degrees. Trees and other plantings shall be permitted in such area.

(2) **#High Line# connection**

Access to the #High Line# shall be provided along a minimum of 75 feet and a maximum of 150 feet of #High Line# frontage length. Such frontage need not be continuous, however, in order to qualify as unobstructed access that contributes to the minimum 75 foot requirement set forth in this paragraph, a minimum frontage width of five feet is required. Such access need not be opened to the public until the #High Line# is reconstructed as public open space in accordance with the provisions of Section 93-756.

(3) **Supplemental area**

Any space provided in the Western Open Space which does not meet the criteria for lawn area set forth in paragraph (c) (1) of this Section or the criteria for the #High Line# connection set forth in paragraph (c) (2) of this Section shall be designated as supplemental area and shall comply with the requirements set forth in this paragraph (c) (3).

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 2,000 square feet of supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. One such pedestrian access shall link the Northern Street's alley to the #High Line#, and the second such pedestrian access shall link the Southern Street to the #High Line#.

A minimum of one linear foot of seating shall be provided for every 75 square feet of supplemental area. At least 50 percent of such required seating shall provide seatbacks. Such seating may be distributed anywhere within the supplemental area.

Permanent structures such as food or information kiosks, pavilions or public restrooms, may be placed within the supplemental area provided the height of such structures does not exceed 20 feet. The maximum #lot coverage# that all such permanent structures may occupy shall be 400 square feet, and shall be exempt from the definition of #floor area#.

(d) **Transparency**

For portions of #buildings# on Site 1 and Site 5 fronting upon the Western Open Space, a minimum of 50 percent of the surface area of the ground floor #street wall# fronting upon the open space shall be treated with clear, un-tinted transparent material.

(e) **Permitted encroachments from private streets and pedestrian ways**

The Connector and the terminus of the Northern Street shall be permitted to encroach upon the supplemental area of the Western Open Space, provided that a Site Plan incorporating the private street or pedestrian way is approved in conjunction with the Western Open Space pursuant to Section 93-78.

**93-752  
General Requirements for the Central Open Space**

A publicly accessible open space, (henceforth referred to as the 'Central Open Space'), shall be provided in Subdistrict F. Such a space shall be open to the sky, except that portions of a #building# on Site 3 and amenities that are provided in accordance with this Section 93-75, and Section 93-77, shall be permitted to cover a portion of the Central Open Space.

(a) **General purpose**

The Central Open Space is intended to serve the following purposes:

- (1) To serve as a neighborhood open space;
- (2) To provide amenities for area residents, workers, and the general public; and
- (3) To provide areas that offer varied programs, supplemental spaces between amenities and surrounding #buildings#, and connections between surrounding publicly accessible open spaces.

(b) **Location and dimensions**

The Central Open Space shall be located within the area bounded by the Northern Street, the Southern Street, the Connector and Eleventh Avenue, and shall also be comprised of any portion of Sites 3 and 4 which are not covered by #buildings# at the ground level as shown on Map 7.

The Central Open Space shall have a minimum dimension in the north-south direction as measured from the southerly #street line# of the Northern Street to the northerly #street line# of the Southern Street of 175 feet. In addition, the minimum dimension of the Central Open Space in the north-south direction between the northern boundary of Site 3 and the southerly #street line# of the Northern Street shall be 55 feet.

The Central Open Space shall have a minimum dimension in the east-west direction as measured from the easterly #street line# of the Connector to the westerly #street line# of Eleventh Avenue of 545 feet. In addition, the minimum dimension of the open space in the east-west direction between the eastern boundary of Site 3 and the western boundary of Site 4 shall be 265 feet.

Within 350 feet of the Eleventh Avenue #street

line#, the maximum height of the finished grade of the Central Open Space shall be 45 feet above the Manhattan Datum, which is 2.75 feet above Sea Level. Beyond 350 feet of Eleventh Avenue, the maximum height of the finished grade shall be 47 feet above the Manhattan Datum.

(c) **Core elements**

The Central Open Space shall provide the following core elements:

(1) **Lawn area**

An accessible lawn area shall be provided with a minimum aggregate area of 10,000 square feet and a maximum slope of three degrees. Such area need not be continuous. Any lawn area located within 12 feet of a #building# wall on Sites 3 or 4 shall not contribute towards such minimum gross area.

(2) **Playground**

A playground shall be provided with a minimum area of 10,000 square feet.

(3) **Supplemental area**

Any space in the Central Open Space other than the required lawn area set forth in paragraph (c) (1) of this Section or the required playground space set forth in paragraph (c) (2) of this Section, shall be designated as supplemental area and shall comply with the requirements set forth in this Section.

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 1,500 square feet of the supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. Such pedestrian access shall link the Northern and Southern Streets and be no closer than 150 feet to one another at any point.

A minimum of one linear foot of seating shall be provided for every 75 square feet of supplemental area. At least 50 percent of such required seating shall provide seatbacks. Such seating may be distributed anywhere within the supplemental area.

Within 15 feet of a required sidewalk or pedestrian access, the slope of the supplemental area shall not exceed 7.5 degrees, or a maximum height of two feet. Beyond 15 feet of a required sidewalk or pedestrian access, the slope of the supplemental area shall not exceed 15 degrees.

(d) **Permanent structures**

Permanent structures, such as food or information kiosks, pavilions or public restrooms may be placed within the Central Open Space, provided the height of such structures does not exceed 20 feet. The maximum #lot coverage# that all such permanent structures may occupy shall be 400 square feet and shall be exempt from the definition of #floor area#.

(e) **Transparency**

For portions of #buildings# in Site 4 fronting upon the Central Open Space, a minimum of 50 percent of the surface area of the ground floor #street wall# fronting upon the open space shall be treated with clear, un-tinted transparent material.

(f) **Permitted encroachments from private streets and pedestrian ways**

The Connector and the terminus of the Southern Street shall be permitted to encroach upon the supplemental area of the Central Open Space, provided that a Site Plan incorporating the private street or pedestrian way is approved in conjunction with the Central Open Space pursuant to Section 93-78.

**93-753  
General Requirements for the Southwest Open Space**

A publicly accessible open space, (henceforth referred to as the 'Southwest Open Space'), shall be provided in Subdistrict F. Such accessible open space shall be open to the sky, except that portions of a #building# or other structure# on Site 5, the #High Line# and amenities that are provided in accordance with this Section 93-75, and Section 93-77 shall be permitted to cover a portion of the Southwest Open Space.

(a) **General purpose**

The Southwest Open Space is intended to serve the following purposes:

- (1) To serve as an inviting pedestrian gateway to the Western Rail Yard from open space networks along the Hudson River;
- (2) To provide pedestrian amenities and connections between surrounding public spaces both on and adjacent to the Western Rail Yard; and
- (3) To offer a unique open space experience for pedestrians through the negotiation of the area's grade changes.

(b) **Location and minimum dimensions**

The Southwest Open Space shall be located within the area bounded by Twelfth Avenue, the Western Open Space, the Southern Street, Site 6, and West 30th Street, and shall also be comprised of any portion of Site 5 which is not covered by a #building

or other structure# at the ground level as shown on Map 7.

The Southwest Open Space shall have a minimum dimension in the east-west direction as measured from the easterly #street line# of Twelfth Avenue to the western boundary of Site 6 of 400 feet. However, if the length of Site 6 is extended to accommodate a public #school# in accordance with the provisions of paragraph (b) of Section 93-568, the minimum dimension shall be 360 feet.

The Southwest Open Space shall have a minimum dimension in the north-south direction as measured from the northerly #street line# of West 30th Street to the southern boundary of the Western Open Space of 180 feet and a maximum dimension of 200 feet.

(c) **Core elements**

The Southwest Open Space shall have the following core elements. For the purpose of determining the amount of an amenity to provide in relation to the area of the Southwest Open Space in this paragraph (c), the area of the Southwest Open Space shall exclude the area occupied by a #building or other structure# on Site 5 and the #High Line#.

A minimum of 50 percent of the area of the Southwest Open Space shall be landscaped with soft ground cover, and the remaining 50 percent of the Southwest Open Space may be paved. At least one tree shall be provided for every 1,500 square feet of Southwest Open Space.

An unimpeded paved pedestrian access with a minimum width of 12 feet shall link either Twelfth Avenue or West 30th Street and the Southern Street. If such pedestrian access contains 'switchbacks' comprised of a series of ascending pedestrian ways, the minimum distance between midpoints of each way, as measured in plan from the northerly edge of one way to the southerly edge of the next ascending way shall be 15 feet.

A second unimpeded paved pedestrian access with a minimum width of 12 feet shall link either Twelfth Avenue or West 30th Street and the #High Line bed# or with an elevator located adjacent to the #High Line# that provides public access to the #High Line bed#. Such access need not be opened to the public until the #High Line# is reconstructed as public open space in accordance with the provisions of Section 93-756.

A minimum of one linear foot of seating shall be provided for every 75 square feet of Southwest Open Space. At least 50 percent of such required seating shall provide seatbacks.

Permanent structures, such as food or information kiosks, pavilions or public restrooms shall be permitted within the Southwest Open Space provided the height of such structures does not exceed 20 feet. The maximum area #lot coverage# that all such permanent structures may occupy shall be 1,000 square feet, provided that such structures are located entirely west of the #High Line#. Such permanent structures shall be exempt from the definition of #floor area#.

(d) **Permitted encroachments from private streets**

The terminus of the Southern Street shall be permitted to encroach upon the Southwestern Open Space, provided that a Site Plan for the Southern Street is approved in conjunction with the Southwestern Open Space pursuant to Section 93-78.

**93-754  
General Requirements for the Northeast Plaza**

A publicly accessible open space, (henceforth referred to as the 'Northeast Plaza'), shall be provided at the intersection of West 33rd Street and Eleventh Avenue (as shown on Map 7). The area of such space shall be at least 2,600 square feet, and shall have a minimum #street# frontage of 40 feet along each #street#. The Northeast Plaza shall be #developed# in accordance with the standards of a #public plaza# as set forth in Section 37-70 (PUBLIC PLAZAS), exclusive of the area dimensions set forth in Section 37-712.

**93-755  
General Requirements for the Midblock Connection**

A pedestrian way (henceforth referred to as the 'Midblock Connection'), shall be provided between West 33rd Street and the Northern Street (as shown on Map 7).

(a) **General purpose**

The Midblock Connection is intended to serve the following purposes:

- (1) To provide pedestrian access between West 33rd Street and the Western Rail Yard Subdistrict F; and
- (2) To provide amenities similar to a through block public plaza.

(b) **Location and dimensions**

The entirety of the Midblock Connection shall be located between 335 feet and 455 feet west of the westerly Eleventh Avenue #street line#.

The minimum width of the Midblock Connection, measured in the east-west direction, shall be 60 feet.

(c) **Core elements**

The Midblock Connection shall provide the following core elements:

- (1) A minimum of one unimpeded pedestrian access, with a minimum width of 12 feet, shall be provided to connect the Northern Street with West 33rd Street;
- (2) A minimum of one linear foot of seating shall be provided for every 75 square feet of the Midblock Connection. A minimum

of 50 percent of the required seating shall provide seatbacks; and

- (3) A minimum of 20 percent of the gross area of the Midblock Connection shall be landscaped with soft ground cover, and shall provide a minimum of one tree per every 1,500 square feet.

**93-756  
General Requirements for the #High Line#**

For the portion of the #High Line# which is located within the boundary of Subdistrict F the following provisions shall apply.

(a) **General purpose**

The #High Line# is intended to serve the following purposes:

- (1) To serve as a continuation of the #High Line# public open space to the east and to the south of West 30th Street;
- (2) To offer a pedestrian and passive open space experience similar to the #High Line# open space south of West 30th Street, through planting, materials and amenities, while taking into account the nature and character of the Western Rail Yard site plan; and
- (3) To allow for connections to other public areas on the Western Rail Yard Subdistrict F.

(b) **Permitted #uses#**

Any permitted change of #use# for the #High Line# shall be made pursuant to the provisions of 93-10 (USE REGULATIONS).

**93-76  
Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F**

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible private streets and pedestrian ways shall be provided in Subdistrict F in addition to the publicly accessible open spaces required in Section 93-75. Such private streets and pedestrian ways shall be comprised of the Northern and Southern Streets, the West 30th Street Corridor and the Connector. Map 7 (Subdistrict F Public Access Area Plan) in Appendix A of this Chapter identifies the location of these publicly accessible private streets and pedestrian ways.

General requirements for each publicly accessible private street and pedestrian way are set forth within this Section. Design requirements for each publicly accessible private street and pedestrian way are set forth in Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F). The phasing and approval process for each publicly accessible private street and pedestrian way are set forth in Section 93-78 (Site and Landscape Plan for Public Access Areas in Subdistrict F).

Publicly accessible private streets and pedestrian ways listed in this section shall be accessible to the public at all times.

**93-761  
General Requirements for the Northern Street**

A private street, (henceforth referred to as the 'Northern Street'), shall be provided south of and parallel to West 33rd Street.

(a) **General purpose**

The Northern Street is intended to serve the following purposes:

- (1) To serve as the primary publicly accessible pedestrian and vehicular connection to the Western Rail Yard from Eleventh Avenue;
- (2) To provide an experience substantially similar to active public #streets# in other high-density, mixed-use districts on its north sidewalk; and
- (3) To provide a unique urban park-like experience for an active public street by connecting the Western Open Space and the Eastern Rail Yard plaza with a pedestrian alley.

(b) **Location and Dimensions**

The Northern Street shall have its northerly edge located a minimum of 180 feet and a maximum of 200 feet south of the West 33rd Street #street line# (as shown on Map 7), except that a terminus to the Northern Street, located west of the Connector shall be permitted to expand beyond the maximum dimensions, provided that such a terminus extends to provide a #building# entrance drive along Site 1, and complies with the provisions set forth in paragraph (e) of Section 93-751.

(c) **Core Elements**

The Northern Street shall provide the following core elements:

- (1) **Streets and sidewalk requirements**  
The Northern Street shall be a private street constructed to minimum Department of Transportation and Fire Department standards for public #streets#, including curbs and curb drops. Such private street shall consist of a road bed, paved with asphalt, with a minimum width pursuant to the requirements set forth by the Fire Department; a 20 foot minimum sidewalk along its entire northern curb; and a 25 foot minimum sidewalk along its entire southern curb.
- (2) **Planting and seating requirements for the southern sidewalk and alley**

Two trees shall be planted for every 20 feet of southern curb length of the Northern Street between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of the Northern Street.

Along the southern sidewalk trees shall be planted within five feet of the curb and the southern edge of the sidewalk. One row of trees shall be planted within five feet of the curb and a second row of trees shall be planted within five feet of the southern edge of the sidewalk. This double row of tree planting along the southern sidewalk of the Northern Street between Eleventh Avenue and the Connector shall henceforth be referred to as the 'allee'(as shown on Map 7). No #development# shall be permitted within 15 feet of the southern edge of the alley.

The alley shall provide a minimum of one linear foot of seating for every 75 square feet of the alley. A minimum of 50 percent of the required seating shall provide seatbacks.

(3) **Planting requirements for the northern sidewalk**

One tree shall be planted for every 25 feet of curb length of the Northern Street along its northern curb between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of the Northern Street, until the Connector. Along the northern sidewalk, trees shall be planted within five feet of the curb.

(4) **Curb cuts**

No curb cuts shall be permitted along the Northern Street, except for access to the Connector if required by the Fire Department.

**93-762  
General Requirements for the Southern Street**

A private street, (henceforth referred to as the 'Southern Street'), shall be provided north of and parallel to West 30th Street.

(a) **General purpose**

The Southern Street is intended to serve the following purposes:

- (1) To serve as a publicly accessible pedestrian and vehicular connection to the Western Rail Yard from Eleventh Avenue; and
- (2) To provide an experience substantially similar to active public #streets# in other high-density, mixed-use districts;

(b) **Location and Dimensions**

The Southern Street shall have its southerly edge located a minimum of 180 feet and a maximum of 200 feet north of the West 30th Street #street line# as shown on Map 7, except that a terminus to the Southern Street, located west of the Connector, shall be permitted to expand beyond the maximum dimensions, provided that such a terminus extends to provide a #building# entrance drive along Site 5, and complies with the provisions set forth in paragraph (d) of Section 93-753, and/ or paragraph (f) of Section 93-754 as applicable.

(c) **Core Elements**

The Southern Street shall provide the following core elements:

(1) **Street and sidewalk requirements**

The Southern Street shall be a private street constructed to minimum Department of Transportation and Fire Department standards for public #streets#, including curbs and curb drops. Such private street shall consist of a road bed, paved with asphalt, with a minimum width pursuant to requirements set forth by the Fire Department; a 15 foot minimum sidewalk along its entire northern curb; and a 20 foot minimum sidewalk along its entire southern curb;

(2) **Planting requirements for sidewalks**

One tree shall be planted for every 25 feet of curb length of the Southern Street between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the private street between Eleventh Avenue and the Connector; and

(3) **Curb cuts**

One curb cut shall be permitted along each side of the Southern Street. The maximum width of such curb cut shall be 30 feet. A third curb cut accessing the Connector shall be permitted if required by the Fire Department.

**93-763  
General Requirements for the West 30th Street Corridor**

A pedestrian way (henceforth referred to as the 'West 30th Street Corridor'), shall be provided along the northerly sidewalk of West 30th Street adjacent to the area below the #High Line#.



- (a) **General purpose**  
 The West 30th Street Corridor is intended to serve the following purposes:
- (1) To serve as a transition space between the #High Line# and the West 30th Street sidewalk;
  - (2) To allow for active frontages with publicly-accessible open areas for establishments below the #High Line#;
  - (3) To provide an overall streetscape design that compliments and provides views of the #High Line# along West 30th Street.
- (b) **Location and Dimensions**  
 The West 30th Street Corridor shall be located in the area bounded by the #High Line#, Eleventh Avenue, West 30th Street, and the eastern edge of the Southwest Open Space as shown on Map 7.  
 In the north-south direction, the West 30th Street Corridor shall extend from the #street wall# of #buildings# beneath the #High Line# facing West 30th Street (which shall coincide with the northerly edge of the southern row of structural columns of the #High Line#) to the northerly #street line# of West 30th Street.
- (c) **Core Elements**  
 The West 30th Street Corridor shall have the following provisions for its core elements:
- (1) A pedestrian access area at least 10 feet in width shall be provided along the entire length of the West 30th Street Corridor, linking Eleventh Avenue with the sidewalk adjacent to the Southwest Open Space. Such area shall be located a minimum of five feet beyond the northerly curb line of West 30th Street, and shall be free of obstructions;
  - (2) Portions between the required pedestrian access area and the #High Line# may be paved or landscaped; and
  - (3) Street trees shall be planted within five feet of the northern curb of West 30th Street. One tree shall be planted for every 25 feet of curb length. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of the West 30th Street.

**93-764  
 General Requirements for the Connector**

A publicly accessible connection (henceforth referred to as the 'Connector'), shall be provided between the Northern Street and the Southern Street.

- (a) **General purpose**  
 The Connector is intended to serve the following purposes:
- (1) To serve as a connection between the Northern Street and the Southern Street;
  - (2) To provide a space that compliments the surrounding publicly accessible open spaces; and
  - (3) To provide an emergency egress connector pursuant to Fire Department standards.
- (b) **Location and Dimensions**  
 The western #street line# of the Connector shall be located a minimum of 225 feet east of the easterly #street line# of Twelfth Avenue(as shown on Map 7).
- (c) **Core Elements**  
 The Connector shall provide the following core elements:
- (1) The Connector shall be constructed to minimum Fire Department standards for an emergency egress connection between the Northern Street and the Southern Street, including, but not limited to, the width and materials of paved area, and permitted obstructions within such area; and
  - (2) The Connector shall not be located within 15 feet of a #building#.

**93-77  
 Design Criteria for Public Access Areas in Subdistrict F**

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

- (a) **Design Criteria**  
 Where publicly accessible open spaces, private streets and pedestrian ways provide elements listed in this Section 93-77, such elements shall comply with the applicable minimum design standards set forth below as a minimum design standard.
- (1) **Seating**  
 Seating shall meet the minimum and maximum dimensional standards set forth in Section 37-741 (1-7), inclusive.
  - (2) **Planting and trees**  
 Where planting areas are provided, they shall meet the planting bed requirements, and irrigation requirements of Section 37-742.  
 Where trees are provided, they shall meet

- the applicable minimum tree caliper standards, soil requirements, and irrigation standards set forth in Section 37-742, except that within the Western Open Space, the Central Open Space, and the Southwest Open Space, the soil requirements for tree planting shall not apply. In lieu thereof, all trees in the Central and Western Open Spaces shall be planted in areas with soil depth of at least five feet. In the Southwest Open Space, all trees shall be planted in continuous planted areas that have a minimum depth of five feet and a minimum area of 500 square feet of soil.
- (3) **Paving**  
 Paving, exclusive of required asphalt paving in the Northern and Southern Street beds shall meet the minimum standards set forth in Section 37-718.
  - (4) **Steps**  
 Steps shall meet the minimum dimensional standards set forth in Section 37-725.
  - (5) **Kiosks and open air cafes**  
 Kiosks or open air cafes shall meet the operational and service requirements listed in Section 37-73(a) and (b). Seating provided as part of an open air cafe shall not count towards meeting the seating requirements of a public access area listed in Section 93-75.
  - (6) **Standards of accessibility for persons with disabilities**  
 All publicly accessible open spaces, private streets and pedestrian ways shall be designed pursuant to the standards of accessibility for persons with disabilities set forth in Section 37-728.
  - (7) **Lighting and electrical power**  
 All publicly accessible open spaces, private streets and pedestrian ways shall provide lighting and electrical power pursuant to the standards set forth in Section 37-743.
  - (8) **Litter receptacles**  
 All publicly accessible open spaces, private streets and pedestrian ways shall provide litter receptacles pursuant to the standards set forth in Section 37-744.
  - (9) **Bicycle parking**  
 Bicycle racks sufficient to accommodate at least 25 bicycle parking spaces shall be provided in the Southwest Open Space. Bicycle racks sufficient to accommodate at least 30 bicycle parking spaces shall be provided in the Central Open Space, and bicycle racks sufficient to accommodate at least 33 bicycle parking spaces shall be provided in the Western Open Space. Such racks shall be located adjacent to a paved circulation path within the open space or in public sidewalks adjacent to the open space.
  - (10) **Playgrounds and additional amenities**  
 Where playgrounds and additional amenities are provided in the open spaces of publicly accessible open spaces, such amenities shall be designed pursuant to the standards set forth in Section 37-748.
  - (11) **Signs**  
 All open spaces within the publicly accessible open spaces shall provide open space signage pursuant to the standards set forth in Section 37-751.
  - (12) **Canopies, awnings and marquees**  
 Where #buildings# front onto publicly access areas, private streets and pedestrian ways, canopies, awnings and marquees shall be permitted pursuant to the standards set forth in paragraph (c) of Section 37-726.
  - (13) **Gates and fences**  
 No gates, fences or other barriers shall be permitted within any publicly accessible open spaces, private streets or pedestrian ways, except where playgrounds are provided.
- (b) **Maintenance**  
 The owner of each of Sites 1 through 6 in Subdistrict F shall be responsible for the maintenance of the all publicly accessible open spaces, private streets and pedestrian ways, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation within the portion of the Subdistrict associated with such Site in the phased #development# provided in the Site Plan and Landscape Plan required pursuant to Section 93-78.

**93-78  
 Site and Landscape Plans for Public Access Areas in Subdistrict F**

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

All publicly accessible open spaces, or portions thereof listed in Section 93-75, and private streets and pedestrian ways, or portions thereof listed in Section 93-76, shall comply with the following provisions:

- (a) No #building# permit shall be issued for any #development# or #enlargement# within Subdistrict F unless the Chairperson of the City Planning Commission has certified to the Commissioner of Buildings that a Site Plan and Landscape Plan for the Subdistrict F Public Access Area has been approved by the Chairperson of the City Planning Commission pursuant to the provisions of this Section. Notwithstanding the foregoing, the Chairperson of the City Planning Commission shall allow for the phased #development# of public access areas or portions thereof upon certification to the Commissioner of Buildings that Site and Landscape Plans have been submitted that provide for the completion of public access areas in association with the #development# or #enlargement# of a #building# or a #buildings# within each phase.
- (b) An application under this section shall be filed with the Chairperson and such application shall include:
- (1) A Site Plan indicating the area and dimensions of the public access area or portions thereof and the location of all proposed #buildings# in the phase subject to the application;
  - (2) A Landscape Plan, prepared by a registered landscape architect for the public access area or portions thereof in the phase subject to the application; and
  - (3) A report to the Chairperson of the City Planning Commission demonstrating:
    - (i) That the Landscape Plan has been presented by the applicant to the affected Community Board, City Council Member and Borough President and the Community Board, City Council Member and Borough President have had at least 45 days to review; and
    - (ii) That any comments and recommendations of the affected Community Board, City Council Member and Borough President have been considered by the applicant, as set forth in a written response to such comments or recommendations. Where design modifications have been made in response to such recommendations, the report shall identify how the design has been modified.
- (c) The Chairperson of the City Planning shall approve the Site Plan and Landscape Plan within 45 days following filing provided that the following provisions are met:
- (1) That the Site Plan and Landscape Plan provide for the improvement of the public access area or portions thereof which, taking into account relevant considerations relating to platform construction and engineering:
    - (i) Are of sufficient size to provide a valuable public amenity and promote site access for the benefit of residents and/or workers in the #buildings# in the phase to which they relate as well as for the general public; and
    - (ii) Are appropriately sited and located in suitable proximity to the #building# locations in the phase to which they relate.
  - (2) That the Site Plan and Landscape Plan are consistent with the general purposes and contain the core elements listed in Section 93-75 and Section 93-76, inclusive;
  - (3) That all elements in the Landscape Plan comply with the design criteria as set forth in Section 93-77 (Design Criteria for Open Spaces in Subdistrict F);
  - (4) That the Landscape Plan is consistent and appropriate in relation to any previously approved Landscape Plan for other phases and in relation to conceptual plans for future phases, as applicable;
  - (5) That the level of public amenity provided in the Landscape Plan is equal to or better than the level of public amenity provided in public plazas built under the standards of Section 37-70 (PUBLIC PLAZAS), taking into account the nature and character of the Subdistrict F Public Access Areas; and
  - (6) That a maintenance plan for the public access area or portions thereof in the phase has been established that will ensure compliance with the provisions of paragraph (b) of Section 93-77.
- Approved Site and Landscape Plans shall be set forth in an instrument in a form acceptable to the City, including such provisions as are necessary to ensure

compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification to the Department of Buildings under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

(d) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# within a phase until the Chairperson certifies to the Department of Buildings that the public access area or portions thereof associated with such phase is substantially complete, and the public access area or portions thereof are open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such # development # or #enlargement# until the Chairperson certifies to the Department of Buildings that the public access areas or portions thereof are complete and that all requirements of this Section have been met in accordance with the Site and Landscape Plans for the public access area.

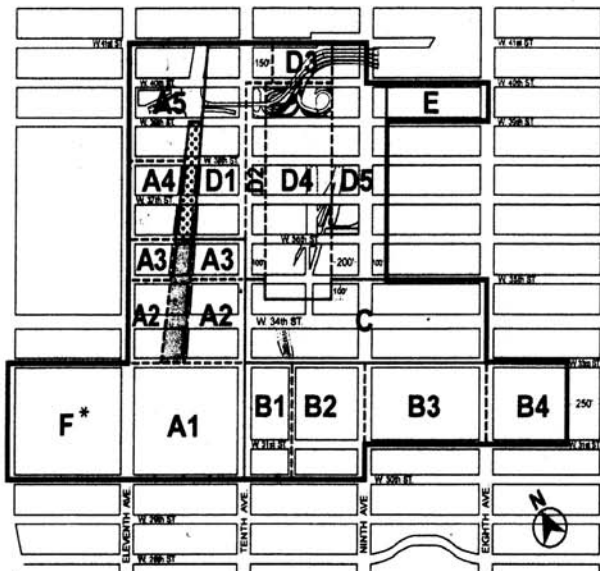
In addition to the Site Plan and Landscape Plan required pursuant to paragraph (a) of this Section, the Chairperson may also modify the general requirements of the publicly accessible open spaces listed in Section 93-75, and private streets and pedestrian ways listed in Section 93-76 provided that the Chairperson certifies to the Commissioner of Buildings that such a change is necessary to accommodate unforeseen ventilation demands within the Western Rail Yard. A Mechanical Plan shall be provided demonstrating the need to modify the general requirements listed in Section 93-75 and 93-76.

**93-80 OFF-STREET PARKING REGULATIONS**

In Subdistricts A-E, the regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistrict F, the regulations of Article I, Chapter 3 shall apply.

Map 1 Special Hudson Yards District, Subdistricts and Subareas



- Special Hudson Yards District
- Subdistricts
- Subareas within subdistricts
- Phase 1 Hudson Boulevard and Park
- Phase 2 Hudson Boulevard and Park

**Large-Scale Plan Subdistrict A**

- Eastern Rail Yards Subarea A1
- Four Corners Subarea A2
- Subareas A3 through A5

**Farley Corridor Subdistrict B**

- Western Blocks Subarea B1
- Central Blocks Subarea B2
- Farley Post Office Subarea B3
- Pennsylvania Station Subarea B4

**34th Street Corridor Subdistrict C**

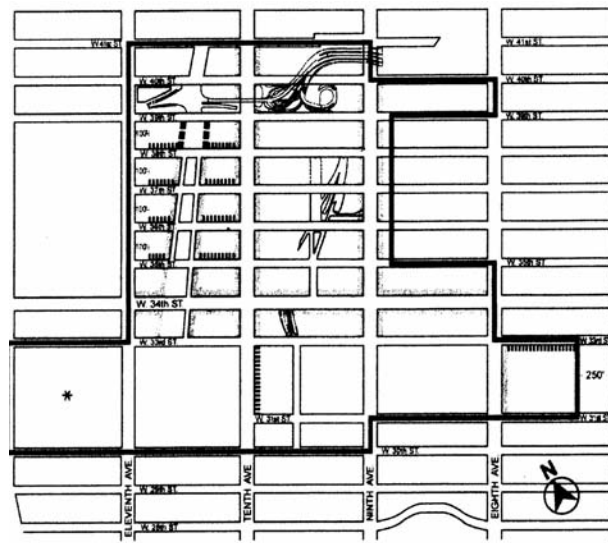
- Hell's Kitchen Subdistrict D
- Subareas D1 through D5

**South of Port Authority Subdistrict E**

**Western Rail Yard Subdistrict F**

\*For Site Locations and permitted dimensions within Subdistrict F See Map 6

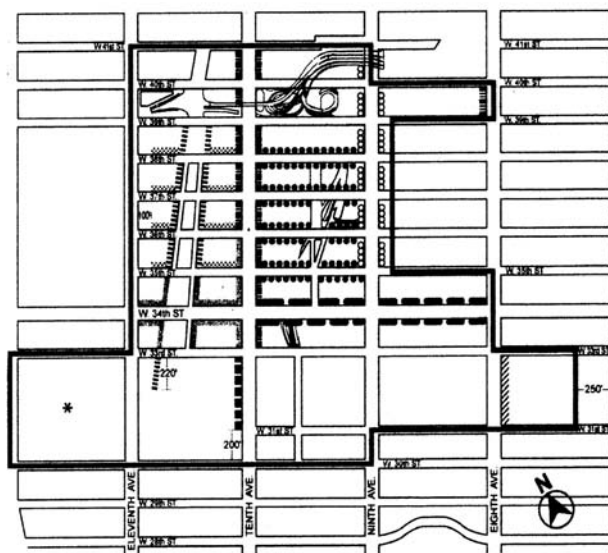
Map 2 Mandatory Ground Floor Retail



- Special Hudson Yards District
- 100% Retail and Glazing Requirement
- 50% Retail and Glazing Requirement
- Glazing Requirement Only

\*For Mandatory Ground Floor Requirement of Subdistricts F See Map 8

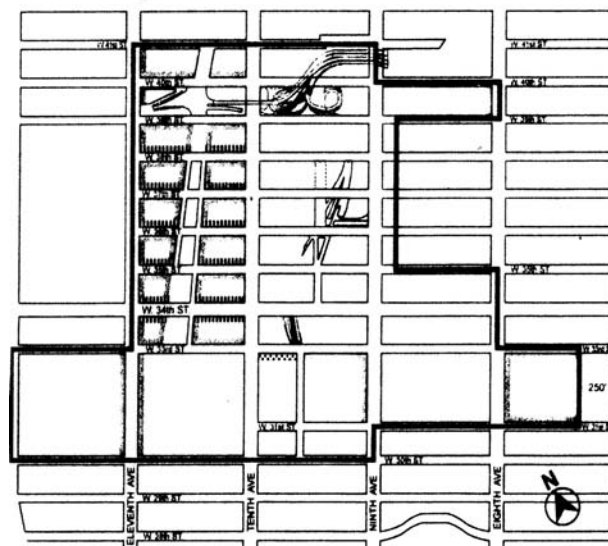
Map 3 Mandatory Street Wall Requirements



	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
○	60'	85'	100%
●	60'	85'	None
■	60'	120'	50%
■	90'	120'	70%
■	60'	150'	70%
■	90'	120'	100%
■	90'	150'	100%
■	90'	150'	70%
■	90'	150'	35%
■	120'	150'	100%

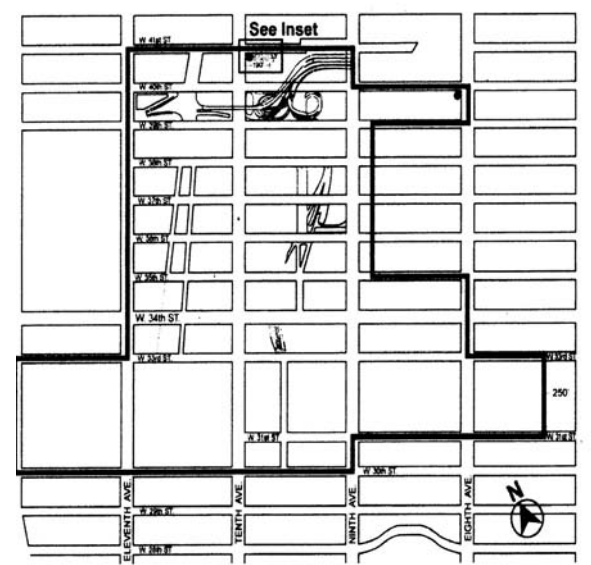
\*For Street Wall Requirement of Subdistricts F See Map 9

Map 4 Mandatory Sidewalk Widening



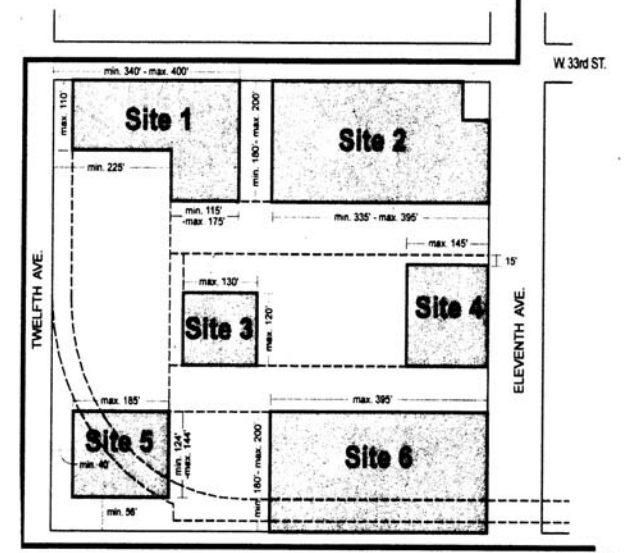
- Special Hudson Yards District
- 10' Sidewalk widening
- 5' Sidewalk widening
- 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

Map 5 Transit Easements and Subway Entrances



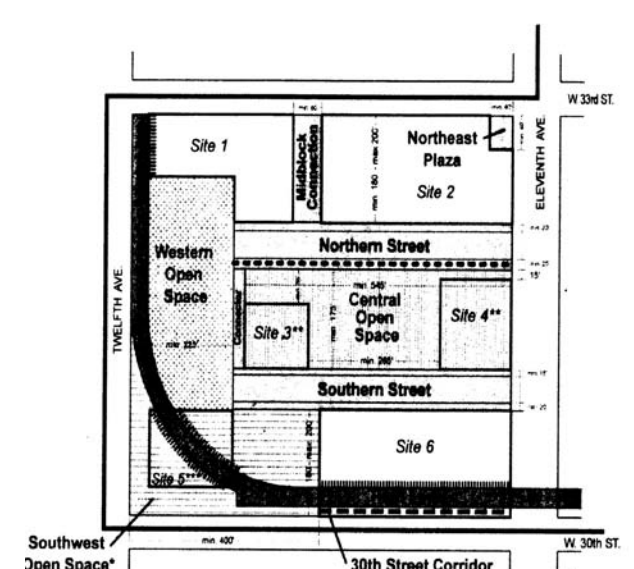
- Special Hudson Yards District
- Transit Easement
- Subway Entrance

Map 6 Subdistrict F Site Plan



- Special Hudson Yards District
- Site Boundaries
- Maximum Area within Site
- Open Space Boundaries

Map 7 Subdistrict F Public Access Area Plan



- Special Hudson Yards District
- Site Boundaries
- Open Space Boundaries
- Streets, Pedestrian Ways, and Northeast Plaza
- Western Open Space
- Central Open Space
- Southwest Open Space
- High Line
- 30th Street Corridor
- Required 5' Setback from High Line
- Allee

\* The Southwest Open Space connects beneath the High Line.  
 \*\* The area of Site 3 and Site 4 which is not part of a building is part of the Central Open Space.  
 \*\*\*The area of Site 5 which is not part of a building is part of the Southwest Open Space.







● U.S. FIXED INCOME INVESTMENT MANAGEMENT SERVICES - Request for Proposals - PIN# 015088117011FI - AMT: \$8,280,000.00 - TO: T. Rowe Price Associates Inc., 100 East Pratt Street, Baltimore, MD 21202.

a28

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

SOLICITATIONS

Goods

CASTLE LEARNING ONLINE SOFTWARE - Competitive Sealed Bids - PIN# Z1213040 - DUE 09-14-09 AT 5:00 P.M. - If you cannot download this bid, please send an e-mail to VendorHotline@schools.nyc.gov with the bid number and title in the subject line of your e-mail.

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.

UNITED STREAMING EDUCATIONAL SOFTWARE - Competitive Sealed Bids - PIN# Z1217040 - DUE 09-09-09 AT 5:00 P.M. - To supply the entire line of United Streaming Educational Software to schools and offices under the jurisdiction of the NYCDOE.

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.

ENVIRONMENTAL PROTECTION

SOLICITATIONS

Construction Related Services

RE-BID: SERVICE AND REPAIR OF LOW VOLTAGE VARIABLE FREQUENCY DRIVES AT VARIOUS WPCPS, CITYWIDE - Competitive Sealed Bids - PIN# 826101233VFD - DUE 09-16-09 AT 11:30 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.

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.

j1-d31

SOLICITATIONS

Goods

TRANSONIC MACHINES - Competitive Sealed Bids - PIN# 11210016 - DUE 09-10-09 - To access patients flow rate to be used in Hemodialysis Unit by doctors and nurses.

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.

I FLOW MEDICAL SUPPLIES - Sole Source - Available only from a single source - PIN# 231-10-008SS - DUE 09-08-09 AT 9:30 A.M.

Any other supplier who is capable of providing the products to the North Brooklyn Health Network may express their interest in doing so by writing to Abraham Caban, Procurement Analyst, 100 North Portland Avenue Room C-32, Brooklyn, NY 11205, (718) 260-7593 or Abraham.Caban@nychhc.org

a24-28

Goods & Services

ONE YEAR SERVICE CONTRACT FOR FIVE (5) CENTRIFUGES - Competitive Sealed Bids - PIN# 11110028 - DUE 09-03-09 AT 2:00 P.M. - ONE YEAR PM SERVICE CONTRACT FOR ONE (1) TISSUE TEK 5 EMBEDDING CENTER - Competitive Sealed Bids - PIN# 11110029 - DUE 09-03-09 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.

a28

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.

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.

j12-24

HOUSING AUTHORITY

SOLICITATIONS

Goods & Services

REMOVAL OF FLOOR TILES IN MOVE-OUT APARTMENTS (ASBESTOS ABATEMENT) - Competitive Sealed Bids - DUE 09-22-09 - PIN# 9013844 - Various Developments in Manhattan Due 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.

a28

MAINTENANCE PAINTING OF APARTMENTS

Competitive Sealed Bids - DUE 09-22-09 - PIN# 9000188 - L.E.S. II, East 4th Street Rehab., Bracetti, First Houses and L.E.S. Rehab. (Gr. 5) Due at 10:00 A.M.

There is a non-refundable fee of \$25.00 payable by certified check or postal money order for each set of contract documents.

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.

a28

VINYL COMPOSITION FLOOR TILE IN APARTMENTS - Competitive Sealed Bids - DUE 09-22-09 - PIN# 8021275 - Mitchel, Betances II (S.H. 48-52) and Betances III (S.H. 53) Due at 10:35 A.M.

Contract for installation for vinyl composition floor tile and removal and installation of vinyl composition floor tile in apartments.

There is a non-refundable fee of \$25.00 payable by certified check or postal money order for each set of contract documents.

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.

a28

Services (Other Than Human Services)

REAL ESTATE APPRAISAL - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 246810 - DUE 09-14-09 AT 4:00 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.

a28

PURCHASING DIVISION

SOLICITATIONS

Goods

MEPCO HEATING PARTS - Competitive Sealed Bids - RFQ #7056 HS - DUE 09-22-09 AT 10:30 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.

a28

JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

PROVISION OF NON-SECURE DETENTION GROUP HOMES - Negotiated Acquisition - Judgment required in evaluating proposals - PIN# 13010DJJ000 - DUE 06-30-11 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.

jy1-d16

PARKS AND RECREATION

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction/Construction Services

CONSTRUCTION OF THE FOUNDATION AND MISCELLANEOUS SITE WORK AND PROVIDING AND INSTALLING A PRE-ENGINEERED BUILDING - Competitive Sealed Bids - DUE 10-08-09 AT 10:30 A.M.

In connection with an Indoor Athletic Facility in Ocean Breeze Park, Staten Island, known as Contract #R149-109M and R149-209M. Vendor Source ID#s: 62862, 62914.

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 Wednesday, September 16, 2009 at 12:00 P.M. at Olmsted Center, Design Conference Room.

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.

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.

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AWARDS

Construction/Construction Services

PLUMBING WORK IN CONNECTION WITH THE RECONSTRUCTION OF THE RECREATION BUILDING

Competitive Sealed Bids - PIN# 8462008X104C03 - AMT: \$203,112.00 - TO: H2O Concept Plumbing and Heating Corp., 135-30 Roosevelt Ave., Flushing, NY 11354.

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CONTRACTS

SOLICITATIONS

Goods & Services

MEDIAEVAL FESTIVAL - Sole Source - Available only from a single source - PIN# 846SP10M000X03 - DUE 09-04-09 AT 5:00 P.M.



The proposed contractor has been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from August 28, 2009 to September 10, 2009, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

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## HOMELESS SERVICES

### PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, September 10, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the Department of Homeless Services and Housing Partners of NY, Inc. D/B/A Housing Bridge, 652 Willoughby Avenue, Brooklyn, NY 11206, to operate Neighborhood Cluster transitional residences for homeless families. The contract amount shall be \$50,212,210. The contract term shall be from January 1, 2010 to June 30, 2012 with two three-year options to renew from July 1, 2012 to June 30, 2015 and from July 1, 2015 to June 30, 2018. PIN#: 071-00S-003-270.

The proposed contractor has been selected by means of the Competitive Sealed Proposal Method (Open Ended Request for Proposals), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from August 28, 2009 to September 10, 2009, excluding Saturdays, Sundays and Holidays from 9:00 A.M. to 5:00 P.M.

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## HUMAN RESOURCES ADMINISTRATION

### PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, September 10, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of four (4) proposed contracts between the Human Resources Administration of the City of New York and the Contractors listed below, for the provision of Non-Emergency Permanent Congregate and Supportive Services for Persons Living with AIDS or Advanced HIV Illness and their Families with Children. The contract term shall be for six (6) months from October 1, 2009 to March 31, 2010.

#### Contractor/Address

- The Actors' Fund Of America  
729 Seventh Avenue, 10th Fl., New York, NY 10019  
**PIN#** 06910H072001 **Amount** \$674,902.00  
**Service Area** Manhattan
- Bowery Residents Committee, Inc.  
324 Lafayette Street, 8th Fl., New York, NY 10012  
**PIN#** 06910H072002 **Amount** \$421,730.00  
**Service Area** Manhattan
- Palladia, Inc.  
2006 Madison Avenue, New York, NY 10035  
**PIN#** 06910H072003 **Amount** \$213,443.00  
**Service Area** Bronx
- Project Renewal, Inc.  
200 Varick Street, 9th Fl., New York, NY 10014  
**PIN#** 06910H072004 **Amount** \$284,119.00  
**Service Area** Manhattan

The proposed contractors have been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 180 Water Street, Room 1420, New York, NY 10038, on business days, from August 28, 2009 to September 10, 2009, excluding Holidays, from 10:00 A.M. to 5:00 P.M.

**IN THE MATTER** of two (2) proposed contracts between the Human Resources Administration of the City of New York and the Contractors listed below, for the provision of Non-Emergency Transitional Congregate and Supportive Services for Persons Living with AIDS or Advanced HIV Illness and their Families with Children in the Borough of The Bronx. The contract term shall be for six (6) months from October 1, 2009 to March 31, 2010.

Contractor/Address	PIN#	Amount
1. Comunilife, Inc. 214 West 29th Street, 8th Fl. New York, NY 10001	06910H072008	\$801,949.00
2. Services for the Underserved, Inc. 305 Seventh Avenue, 10th Fl. New York, NY 10001	06910H072009	\$716,408.00

The proposed contractors have been selected by means of

Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 180 Water Street, Room 1420, New York, NY 10038, on business days, from August 28, 2009 to September 10, 2009, excluding Holidays, from 10:00 A.M. to 5:00 P.M.

**IN THE MATTER** of three (3) proposed contracts between the Human Resources Administration of the City of New York and the Contractors listed below, for the provision of Non-Emergency Permanent Congregate and Supportive Services for Persons Living with AIDS or Advanced HIV Illness and their Families with Children. The contract term shall be for six (6) months from October 1, 2009 to March 31, 2010.

#### Contractor/Address

- University Consultation & Treatment Center for Mental Hygiene, Inc., 1020 Grand Concourse, Bronx, NY 10451  
**PIN#** 06910H072005 **Amount** \$195,605.00  
**Service Area** Bronx
- Westside Federation for Senior Housing, Inc.  
2345 Broadway, New York, NY 10024  
**PIN#** 06910H072006 **Amount** \$364,206.00  
**Service Area** Manhattan
- 163rd Street Improvement Council, Inc.  
490 East 167th Street, Bronx, NY 10456  
**PIN#** 06910H072007 **Amount** \$272,570.00  
**Service Area** Bronx

The proposed contractors have been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 180 Water Street, Room 1420, New York, NY 10038, on business days, from August 28, 2009 to September 10, 2009, excluding Holidays, from 10:00 A.M. to 5:00 P.M.

**IN THE MATTER** of two (2) proposed contracts between the Human Resources Administration of the City of New York and the Contractors listed below, for the provision of engaging low-income non-custodial fathers in the lives of their children and increasing compliance with child support. The contract term shall be 36 months from date of registration.

#### Contractor/Address

- Structured Employment Economic Development Corporation (SEEDCO)  
915 Broadway, 17th fl., New York, NY 10010  
**PIN#** 06910H069301 **Amount** \$1,800,000.00  
**Service Area** Bronx
- Center for Employment Opportunities (CEO)  
32 Broadway, 15th fl., New York, NY 10004  
**PIN#** 06910H069302 **Amount** \$1,600,000.00  
**Service Area** Brooklyn

The proposed contractors have been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 180 Water Street, Room 1420, New York, NY 10038, on business days, from August 28, 2009 to September 10, 2009, excluding Holidays, from 10:00 A.M. to 5:00 P.M.

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## INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

### PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, September 10, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the Department of Information Technology and Telecommunications and Northrop Grumman Information Technology, Inc., 7575 Colshire Drive, McLean, VA 22102, to provide maintenance, repair, and replacement services of handheld electronic meter reading devices. The contract amount shall be \$521,500.00. The contract term shall be from September 1, 2009 to August 31, 2014 and will contain one three-year option to renew from September 1, 2014 to August 31, 2017. PIN#: 85809SS00040.

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Information Technology and Telecommunications, 75 Park Place, 9th Floor, New York, NY 10007, from August 28, 2009 to September 10, 2009, Monday to Friday, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

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## LAW

### PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, September 10, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the New York City Law Department and Bartlett McDonough Bastone & Monaghan, LLP, 300 Old Country Road, Suite 301, Mineola, New York 11501, for the provision of Legal Representation in Medical Malpractice Cases, Risk Management and Related Services. The cost of the contract is an amount not to exceed \$510,000.00. The contract term shall be from September 14, 2009 to September 13, 2014. PIN#: 02508X100B26.

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

A draft copy of the proposed contract is available for public inspection at the New York City Law Department, 100 Church Street, Fourth Floor East Reception Area, New York, New York 10007, from August 28, 2009 to September 10, 2009, excluding Saturdays, Sundays and Holidays, from 9:30 A.M. to 5:00 P.M.

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## SMALL BUSINESS SERVICES

### PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, September 10, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the Department of Small Business Services (DSBS) and Brooklyn Navy Yard Development Corporation, 63 Flushing Avenue, Building #292, Unit 300, Brooklyn, NY 11205, to provide certain economic development and capital improvement services. The contract amount shall be \$15,636,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 801SBS90116.

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules. The proposed contractor's services are available only from a single source, i.e., the contractor.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from August 28, 2009 to September 10, 2009, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Daryl Williams, Agency Chief Contracting Officer, at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: [dwilliams@sbs.nyc.gov](mailto:dwilliams@sbs.nyc.gov).

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## SPECIAL MATERIALS

## CITYWIDE ADMINISTRATIVE SERVICES

### DIVISION OF MUNICIPAL SUPPLY SERVICES

#### NOTICE

### OFFICIAL FUEL PRICE SCHEDULE NO. 6317 FUEL OIL AND KEROSENE

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 8/24/2009
2887105	2.0	#1DULS	MANH	SPRAGUE ENERGY CORP -.0022 GAL.	2.3199 GAL.
2887105	3.0	#1DULS	BRONX	SPRAGUE ENERGY CORP -.0022 GAL.	2.3199 GAL.
2887105	4.0	#1DULS	BROOKLYN	SPRAGUE ENERGY CORP -.0022 GAL.	2.3549 GAL.
2887105	5.0	#1DULS	QUEENS	SPRAGUE ENERGY CORP -.0022 GAL.	2.3549 GAL.





MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

Prompt Payment Interest Rate - July 1, 2009 - December 31, 2009

Section 4-06 of the Procurement Policy Rules requires City agencies to process contract payments efficiently and expeditiously so as to assure timely contract payments to those suppliers doing business with the City.

The Rule further requires that when payments are made after the Required Payment Date ("RPD"), interest, unless otherwise specified in the Rules, must be paid to the supplier.

The Comptroller and the Office of Management & Budget (OMB) have jointly set the new Prompt Payment Interest Rate. The new Prompt Payment Interest Rate is 4.875% effective on payments for the six month period July 1, 2009 - December 31, 2009.

Questions on this notice should be directed to:

Jahmeliah Nathan, Chief of Staff
Mayor's Office of Contract Services
253 Broadway, 9th Floor
New York, NY 10007
Tel: (212) 788-8525

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SCHOOL CONSTRUCTION AUTHORITY

NOTICE

NOTICE OF FILING

Pursuant to Section 1731 of the New York City School Construction Authority Act, notice has been filed for the proposed site selection of Block 3168, Lots 4, 20, and 195, and any other property in the immediate vicinity which may be necessary for the proposed project, located in the Borough of Staten Island, for the development of a new, approximately 416-seat primary school facility in Community School District No. 31.

The proposed site is privately-owned, contains approximately 96,000 square feet of lot area (approximately 2.2 acres), and is located at 1034 and 1050 Targee Street. The site currently contains the former Doctors' Hospital building, an administration building and a vacant, overgrown lot. Under the proposed project, on behalf of the New York City Department of Education, the New York City School Construction Authority would acquire the site, demolish the existing on-site structures, and construct a new public primary school facility.

Site plans and a summary thereof for the proposed action are available at:

New York City School Construction Authority
30-30 Thomson Avenue
Long Island City, New York 11101

Attention: Ross J. Holden

Comments on the proposed actions are to be sent to the New York City School Construction Authority at the above address and will be accepted until October 12, 2009.

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CHANGES IN PERSONNEL

POLICE DEPARTMENT
FOR PERIOD ENDING 07/24/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Police Department.

FIRE DEPARTMENT
FOR PERIOD ENDING 07/24/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Fire Department.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for various departments.

ADMIN FOR CHILDREN'S SVCS
FOR PERIOD ENDING 07/24/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Admin for Children's Svcs.



# 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.

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ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information 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.