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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED BY the President of The Borough of The Bronx, Honorable Ruben Diaz Jr, on Thursday, April 20, 2017. The hearing will commence at 11:00 A.M., in the office of the Borough President, 851 Grand Concourse, Room 206, Bronx, NY 10451. The following matter will be heard:



CD #2-ULURP APPLICATION NO: C 170087 ZMX-Whitlock Avenue and East 165th Street Rezoning:

IN THE MATTER OF an application submitted by the Ader Group LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 6c:

1. Changing from an M1-1 District to an R8A District property, bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue; and
2. Establishing within the proposed R8A District, a C2-4 District, bounded by East 165th Street, Whitlock Avenue; and a line 100 feet easterly of Longfellow Avenue;

Borough of The Bronx, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 30, 2017, and subject to the condition of CEQR Declaration E-413.

Accessibility questions: Samuel M. Goodman: (718) 590-6124, by: Thursday, April 20, 2017, 10:00 A.M.



a13-19

BOROUGH PRESIDENT - MANHATTAN

■ MEETING

The Manhattan Borough Board, will meet Thursday, April 20, 2017, at 8:30 A.M., in the Manhattan Borough President's office, 1 Centre Street, 19th Floor South, New York, NY 10007.



a13-20

BUILDINGS

■ MEETING

The next meeting of the New York City Loft Board, will take place on Thursday, April 20, 2017, at 280 Broadway, 3rd Floor Conference Room, New York, NY 10007, at 2:30 P.M.



a13-20

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York City, NY 10007, commencing at 9:30 A.M., on Wednesday, April 19, 2017:

The Council has scheduled the following public hearings on the matters indicated below:

FIVE MILE STONE

MANHATTAN CB - 8 20175241 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Coliemoire Inc, d/b/a Five Mile Stone, for the renewal of a revocable consent to continue to maintain and operate an unenclosed sidewalk café, located at 1640 2nd Avenue.

901 MANOR ROAD COMMERCIAL OVERLAY

STATEN ISLAND CB - 2 C 160378 ZMR

Application submitted by Clara Fazzino, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 21b and 27a by establishing within an existing R3-1 District, a C1-1 District, bounded by a line 100 feet easterly of Manor Road, a line midway between Norwalk Avenue and Tillman Street, a line 190 feet easterly of Manor Road, and Tillman Street, Borough of Staten Island, Community District 2, as shown on a diagram (for illustrative purposes only) dated November 14, 2016.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York City, NY 10007, commencing at 11:00 A.M., on Wednesday, April 19, 2017:

PEOPLE'S TRUST COMPANY BUILDING

BROOKLYN CB - 2 20175219 HKK (N 170265 HKK)

The proposed designation by the Landmarks Preservation Commission [DL-494/LP-2586] pursuant to Section 3020 of the New York City Charter of the People's Trust Company Building, located at 181 Montague Street aka 181-183 Montague Street (Block 244, Lot 15), as an historic landmark.

NATIONAL TITLE GUARANTY COMPANY BUILDING

BROOKLYN CB - 2 20175220 HKK (N 170266 HKK)

The proposed designation by the Landmarks Preservation Commission [DL-494/LP-2587] pursuant to Section 3020 of the New York City Charter of the National Title Guaranty Company Building, located at 185 Montague Street (Block 244, Lot 13), as an historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matter in the Council Committee Room, 16th Floor, 250 Broadway, New York City, NY 10007, commencing at 1:00 P.M., on Wednesday, April 19, 2017:

CONCOURSE VILLAGE WEST

BRONX CB - 4 20175318 HAX

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law, Section 577, for the approval of a new real property tax exemption for property, located at Block 2458, Lots 13, 35, and 49, Borough of the Bronx, Community District 4, Council District 17.

Accessibility questions: City Council Land Use Division (212) 482-5154, by: Monday, April 17, 2017, 4:30 P.M.



a13-19

CITY PLANNING

■ NOTICE

**PUBLIC NOTICE OF A SCOPING MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 17DCP159M)**

NOTICE IS HEREBY GIVEN that pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) and 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC) as CEQR lead agency, has determined that a Draft Environmental Impact Statement (DEIS) is to be prepared for the proposed actions related to the development of the **"675 East Rezoning"** (CEQR No. 17DCP159M).

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on May 17, 2017, at 10:00 A.M., at Spector Hall, 22 Reade Street, New York, NY, 10007. Written comments will be accepted by the lead agency until the close of business on Tuesday, May 30, 2017.

The Applicants, DD West 29th Street LLC and West 30th Street LLC, respectively seek separate discretionary actions ("the Proposed Actions") to facilitate the redevelopment of properties at 601 West 29th Street (Block 675, Lots 12, 29 and 36) ("Project Site A") and 606 West 30th Street (Block 675, Lot 39) ("Project Site B"). Project Site A, Project Site B and the neighboring Lot 38 constitute the Project Area, which is located in an M2-3 zoning district in the Chelsea neighborhood of Manhattan Community District 4 on the block bounded by West 30th Street to the north, Eleventh Avenue to the east, West 29th Street to the south, and Twelfth Avenue to the west. The Proposed Actions include zoning map amendments to rezone the Project Area from a M2-3 to C6-4X district, zoning text amendments to Appendix F to establish Mandatory Inclusionary Housing ("MIH") areas, and zoning text amendments to the Special Hudson River Park District ("SHRPD") regulations. The text amendments to SHRPD would define a portion of Hudson River Park as the "Granting Site" (Block 662, Lots 11, 16, 19 and a portion of Lot 62) and Project Sites A and B and Lot 38 as the "Receiving Sites" for the transfer of unused development rights. In addition, a Chairperson's certification pursuant to ZR Section 89-21 of the SHRPD would be required.

The Proposed Actions would facilitate, on Project Site A, a proposal by the Applicant to construct an approximately 960,000 gsf, 62-story (approximately 702 feet tall including the mechanical bulkheads) mixed-use building containing up to 905,000 gsf of residential floor area (990 dwelling units), 15,000 gsf of commercial floor area, 21,000 gsf of accessory parking (up to 198 accessory parking spaces), and 6,500 gsf of bicycle parking. The building on Project Site A may also include an approximately 12,500 gsf FDNY EMS facility, dependent on subsequent actions taken by FDNY and DCAS and the construction staging requirements of the Hudson River Tunnel project. Pursuant to MIH, between 25 and 30 percent of the residential floor area would be affordable (representing 248 to 297 of the 990 proposed dwelling units).

On Project Site B, the Proposed Actions would facilitate a proposal by the Applicant to construct an approximately 229,157 gsf, 32-story (approximately 507 feet tall) mixed-use building containing up to 175,393 gsf of residential floor area (206 dwelling units), 20,732 gsf of commercial floor area and 33,032 gsf of accessory uses (including up to 42 accessory parking spaces). Pursuant to MIH, between 25 and 30 percent of the residential floor area would be affordable (representing 52 to 62 of the 206 proposed dwelling units).

The Proposed Actions requested to facilitate the Applicant's proposal for Project Site A are as follows:

- Zoning text amendment to modify the Appendix to the Special Hudson River Park District regulations (Zoning Resolution Section 89-00 et seq.) to define a portion of Piers 59, 60 and 61 and the headhouse in Hudson River Park as the "granting site" and project site A as the "receiving site" in the special district.
- Zoning text amendment to Appendix F of the Zoning Resolution to map a Mandatory Inclusionary Housing (MIH) designated area on project site A.
- Zoning text amendment to Zoning Resolution Section 89-10 of the Special Hudson River Park District to modify the bulk regulations of the underlying C6-4X District.
- Zoning map amendment to rezone project site A from an M2-3 manufacturing zoning district to a C6-4X commercial zoning district, which would permit residential, community facility, and

local retail and service uses and increased density. Under the special district regulations, the uses and increased density permitted by the proposed C6-4X zoning district would not be applicable to the project site absent the grant of the special permit.

- Special permit pursuant to Zoning Resolution Section 89-21 of the Special Hudson River Park District to permit the transfer of 123,437.5 square feet of unused development rights from the granting site to project site A, and to permit certain bulk waivers on project site A, which are being developed.
- Chairperson's certification pursuant to Zoning Resolution Section 89-21 of the Special Hudson River Park District to allow a building permit for project site A to be issued.

The Proposed Actions requested to facilitate the Applicant's proposals for Project Site B are as follows:

- Zoning text amendment to create a Map in the Appendix to the Special Hudson River Park District regulations (ZR Section 89-00 et seq.) to define a portion of Piers 59, 60 and 61 and the headhouse in Hudson River Park as the "granting site," and project site B and Lot 38 as the "receiving site" in the special district.
- Zoning text amendment to Appendix F of the Zoning Resolution to map an MIH designated area on project site B.
- Zoning text amendment to Zoning Resolution Section 89-10 of the Special Hudson River Park District to modify the bulk regulations of the underlying C6-4X District.
- Zoning map amendment to rezone project site B from an M3-2 manufacturing zoning district to a C6-4X commercial zoning district, which would permit residential, community facility, and local retail and service uses and increased density. Under the special district regulations, the uses and increased density permitted by the proposed C6-4X zoning district would not be applicable to the project site absent the grant of the special permit.
- Special permit pursuant to ZR Section 89-21 of the Special Hudson River Park District to permit the transfer of 29,625 square feet of unused development rights from the granting site to project site B and to permit certain bulk and use waivers on project site B, which are being developed.
- Chairperson's certification pursuant to ZR Section 89-21 of the Special Hudson River Park District to confirm that building permits for project site B may be issued.

It is expected that the Applicants will each enter into a Restrictive Declaration in connection with the Proposed Actions.

In addition, HRPT must conduct a Significant Action process as required by the Hudson River Park Act, Chapter 592 of the Laws of New York, 1998, and as amended by Chapter 517 of the Laws of New York, 2013, before its Board of Directors can approve the sale of the defined amount of floor area. Further, before the Board can approve the sale, it must also comply with SEQRA and adopt SEQRA Findings.

Independent of the Proposed Actions described above, the New York City Fire Department ("FDNY") and the Department of Citywide Administrative Services ("DCAS") may seek a site selection to include an approximately 12,500 gsf Emergency Medical Services ("EMS") facility within the proposed building on Project Site A.

Absent the Proposed Actions, it is assumed that the Project Area would remain in its existing condition. The analysis year for the Proposed Actions is 2021.

While each of the two proposed projects are separate development proposals, their potential environmental impacts will be considered in a single Environmental Impact Statement due to their physical proximity and the likelihood of their being constructed during the same or similar time periods.

Public comments are requested with respect to issues to be addressed in the draft environmental impact statement.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271, Robert Dobruskin, AICP, Director (212) 720-3423; or from the Mayor's Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, NY 10007, Hilary Semel, Director (212) 676-3290. The Draft Scope of Work and scoping protocol will also be made available for download at www.nyc.gov/planning.



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, NY, on Wednesday, April 26, 2017, at 10:00 A.M.

BOROUGH OF QUEENS

Nos. 1 & 2

74-04 NORTHERN BOULEVARD REZONING

No. 1

CD 3 **C 170162 ZMQ**

IN THE MATTER OF an application submitted by H&M, LLC pursuant to Sections 197-c, and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9d, changing from a C8-1 District to a C4-3 District property bounded by Northern Boulevard, 75th Street, a line 100 feet southerly of Northern Boulevard, and 74th Street, as shown on a diagram (for illustrative purposes only) dated January 3, 2017.

No. 2

CD 3 **N 170163 ZRQ**

IN THE MATTER OF an application submitted by H&M, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

**APPENDIX F
 Inclusionary Housing Designated Areas and Mandatory
 Inclusionary Housing Areas**

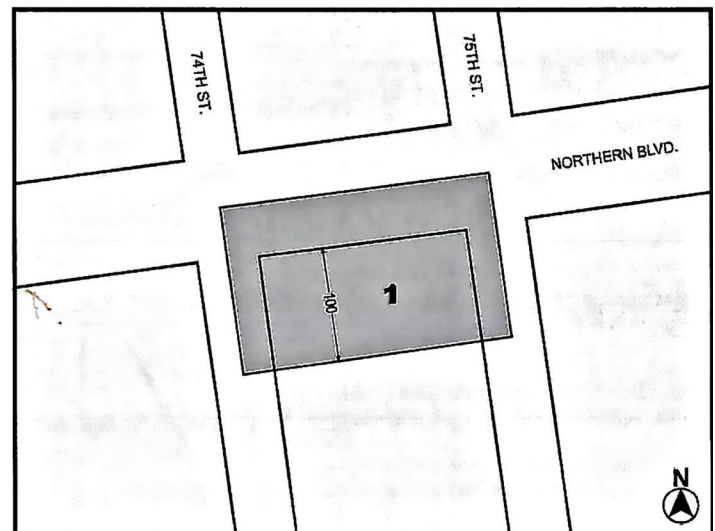
Queens * * *

Queens Community District 3 * * *

In the C4-3 District (R6 equivalent) within the area shown on the following Map 1:

Map 1. [date of adoption]

[PROPOSED MAP]



■ **Mandatory Inclusionary Housing Area (MIHA) - see Section 23-154 (d) (3)**

1 **Area 1 - [date of adoption] - MIH Program Option 1 and Option 2**

Portion of Community District 3, Queens

* * *

BOROUGH OF MANHATTAN

No. 3

242 WEST 53RD STREET PARKING GARAGE

CD 5

C 170112 ZMM

IN THE MATTER OF an application submitted by Roseland Development Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 184 spaces on portions of the ground floor, cellar, and subcellar levels of a proposed mixed-use building on property, located at 242 West 53rd Street (Block 1024, Lots 52 and 7), in C6-5 and C6-7 Districts, within the Special Midtown District (Theater Subdistrict).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271.

No. 4 SECTION 93-122 TEXT AMENDMENT

CD 4 N 170251 ZRM IN THE MATTER OF an application submitted by 517 West 35th LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article IX, Chapter 3 (Special Hudson Yards District).

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

ARTICLE IX SPECIAL PURPOSE DISTRICTS

Chapter 3 Special Hudson Yards District

* * *

93-10 USE REGULATIONS

93-122 Certification for residential use in Subdistricts A, B and E

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

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

- (a) Except as provided in Paragraph (c) of this Section, for #zoning lots# with less than 69,000 square feet of #lot area#, the Chairperson shall allow for phased development, upon certification that a plan has been submitted whereby the ratio of #commercial floor area# to #residential floor area#, in buildings in each phase, is no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot# as specified in Section 93-21 or 93-22, as applicable; and;
(b) For #zoning lots# with at least 69,000 square feet of #lot area#, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 or 93-22, as applicable, upon certification that a plan has been submitted whereby one or more regularly-shaped portions of the #zoning lot# with a minimum area of 50,000 square feet are reserved for future development of not more than two million square feet of #commercial floor area# on each such portion, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21 or 93-22, as applicable; and
(c) For #zoning lots# with at least 55,000 square feet but less than 69,000 square feet of #lot area# within Subarea A3 of the Large Scale Subdistrict A, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Paragraph (a) of Section 93-21, upon certification that a plan has been submitted whereby one or more regularly shaped portions of the #zoning lot# with a minimum area of 35,000 square feet are

reserved for future development, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21.

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

* * *

Nos. 5, 6 & 7 GREATER EAST MIDTOWN No. 5

CD 6 C 170187 ZMM IN THE MATTER OF an application submitted by NYC Department of City Planning pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 8d:

- 1. changing from a C5-2 District to a C5-3 District property, bounded by East 43rd Street, Second Avenue, East Forty-Second Street, and a line 200 feet easterly of the Third Avenue; and
2. establishing a Special Midtown District (MiD), bounded by East 43rd Street, Second Avenue, East Forty-Second Street, and a line 200 feet easterly of the Third Avenue, as shown on a diagram (for illustrative purposes only) dated January 3, 2017.

No. 6

CD 5, 6, 8 N 170186 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 to Article VIII, Chapter 1 (Special Midtown District) of the Zoning Resolution of the City of New York, concerning the establishment of the East Midtown Subdistrict.

Matter underlined is new, to be added; Matter ~~struck out~~ is to be deleted; Matter within # # is defined in Section 12-10 or 81-613; * * * indicates where unchanged text appears in the Zoning Resolution

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* * *

Chapter 1 Special Midtown District

81-00 GENERAL PURPOSES

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

- (a) to strengthen the business core of Midtown Manhattan by improving the working and living environments;
(b) to stabilize development in Midtown Manhattan and provide direction and incentives for further growth where appropriate;
(c) to control the impact of buildings on the access of light and air to the streets and avenues of Midtown;
(d) to link future Midtown growth and development to improved pedestrian circulation, improved pedestrian access to rapid transit facilities, and avoidance of conflicts with vehicular traffic;
(e) to preserve the historic architectural character of development along certain streets and avenues and the pedestrian orientation of ground floor uses, and thus safeguard the quality that makes Midtown vital;

- (f) to continue the historic pattern of relatively low building bulk in midblock locations compared to avenue frontages;
- (g) to improve the quality of new development in Midtown by fostering the provision of specified public amenities in appropriate locations;
- (h) to preserve, protect and enhance the character of the Theater Subdistrict as the location of the world's foremost concentration of legitimate theaters and an area of diverse uses of a primarily entertainment and entertainment-related nature;
- (i) to strengthen and enhance the character of the Eighth Avenue Corridor and its relationship with the rest of the Theater Subdistrict and with the Special Clinton District;
- (j) to create and provide a transition between the Theater Subdistrict and the lower-scale Clinton community to the west;
- (k) to preserve, protect and enhance the scale and character of Times Square, the heart of New York City's entertainment district, and the Core of the Theater Subdistrict, which are characterized by a unique combination of building scale, large illuminated signs and entertainment and entertainment-related uses;
- (l) to preserve, protect and enhance the character of Fifth Avenue as the showcase of New York and national retail shopping;
- (m) to preserve the midblock area north of the Museum of Modern Art for its special contribution to the historic continuity, function and ambience of Midtown;
- (n) to protect and strengthen the economic vitality and competitiveness of the East Midtown Grand Central Subdistrict by facilitating the development of exceptional and sustainable buildings within the Vanderbilt Corridor and enabling improvements to the pedestrian and mass transit circulation network;
- (o) to ensure that development within the Vanderbilt Corridor East Midtown Subdistrict occurs on sites that meet sound site planning criteria and therefore can accommodate additional density as appropriate;
- (p) to protect and strengthen the role of landmark buildings as important features of the East Midtown Subdistrict;
- (q) to protect and enhance the role of Grand Central Terminal as a major transportation hub within the City, to expand and enhance the pedestrian and mass transit circulation network connecting Grand Central Terminal to surrounding development, to minimize pedestrian congestion and to protect the surrounding area's special character;
- (r) to expand the retail, entertainment and commercial character of the area around Pennsylvania Station and to enhance its role as a major transportation hub in the City;
- (s) to provide freedom 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 without the need for special development permissions or "negotiated zoning"; and
- (t) to promote the most desirable use of land and building development in accordance with the District Plan for Midtown and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

**81-01
Definitions**

For purposes of this Chapter, matter in italics is defined in Sections 12-10, 81-261, or 81-271 or Section 81-613 (Definitions).

* * *

**81-03
District Plan**

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

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

- Map 1 Special Midtown District and Subdistricts
- Map 2 Retail and Street Wall Continuity
- Map 3 Subway Station and Rail Mass Transit Facility Improvement Areas
- Map 4 East Midtown Subdistrict and Subareas

The maps are located in Appendix A of this Chapter and are hereby incorporated and made a 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.

**81-04
Subdistricts and Subareas**

In order to carry out the purposes and provisions of this Chapter, five special Subdistricts are established within the #Special Midtown District#. In each of these Subdistricts certain special regulations apply which do not apply in the remainder of the #Special Midtown District#. The Subdistricts are outlined on Map 1 (Special Midtown District and Subdistricts) in Appendix A.

The Subdistricts, together with the Sections of this Chapter specially applying to each, are as follows:

Subdistricts	Sections HavingSpecial Application
Penn Center Subdistrict	81-50
<u>East Midtown Grand Central Subdistrict</u>	81-60
Theater Subdistrict	81-70
Fifth Avenue Subdistrict	81-80
Preservation Subdistrict	81-90

The Subdistricts are also subject to all other regulations of the #Special Midtown District# and, where applicable pursuant to Section 81-023, the #Special Clinton District# and the underlying districts, except as otherwise specifically provided in the Subdistrict regulations themselves.

Within the East Midtown Subdistrict, certain special regulations apply to Subareas, which do not apply within the remainder of the Subdistrict. Such Subareas are established, as follows:

- Grand Central Transit Improvement Zone Subarea
- Park Avenue Subarea
- Other Transit Improvement Zone Subarea
- Southern Subarea
- Northern Subarea
- Vanderbilt Corridor Subarea

The combination of the Vanderbilt Corridor Subarea, the Grand Central Transit Improvement Zone Subarea and the portions of the Other Transit Improvement Zone Subarea south of East 48th Street, are hereinafter referred to as the Grand Central Core Area.

These Subareas, as well as the boundary of the Grand Central Core Area, are shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter.

* * *

**81-067
Modification of provisions for minimum base height and street wall location in Historic Districts**

Within the Special Midtown District, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, any applicable provisions relating to minimum base height and #street wall# location requirements as modified in Sections 81-43 (Street Wall Continuity Along Designated Streets), 81-671 (Special street wall requirements) 81-621 (Special street wall requirements) pertaining to the East Midtown Grand Central Subdistrict, 81-75 (Special Street Wall and Setback Requirements) pertaining to the Theater Subdistrict, 81-83 (Special Street Wall Requirements) pertaining to the Fifth Avenue Subdistrict, and 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT) pertaining to mandatory #street walls# may be modified pursuant to Sections 23-633 (Street wall location and height and setback regulations in certain districts) and 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts).

* * *

**81-10
USE REGULATIONS**

**81-11
Modifications of Use Regulations in Subdistricts**

The #use# regulations of the underlying districts are modified in the East Midtown Subdistrict in accordance with the provisions of Section 81-62 (Special Use Provisions), inclusive, are modified in the Theater Subdistrict in accordance with the provisions of Sections 81-72 (Use Regulations Modified) and 81-73 (Special Sign and Frontage Regulations) and are modified in the Fifth Avenue Subdistrict in accordance with the provisions of Section 81-82 (Special Regulations on Permitted and Required Uses).

* * *

**81-20
BULK REGULATIONS**

**81-21
Floor Area Ratio Regulations**

The #floor area ratio# regulations of the underlying districts are modified in accordance with the provisions of this Section or Section 81-241 (Maximum floor area ratios for a residential building or the residential portion of a mixed building). However, the provisions of this Section, inclusive, shall not apply to #non-residential buildings# or #mixed buildings# in the East Midtown Subdistrict, where the special #floor area# provisions of Sections 81-62, 81-63, or 81-64 shall apply.

**81-211
Maximum floor area ratio for non-residential or mixed buildings**

- (a) For #non-residential buildings# or #mixed buildings#, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section.
- (b) In the #Special Midtown District#, the basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

MAXIMUM FLOOR AREA ALLOWANCES FOR SPECIFIED FEATURES AND MAXIMUM FLOOR AREA RATIOS BY DISTRICTS

[REMOVE GRAND CENTRAL SUBDISTRICT FROM CHART. PROVISIONS REPLACED BY THOSE IN SECTION 81-60]

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	Maximum #Floor Area Ratio# (FAR)						
	Outside the Grand Central Subdistrict					Grand Central Subdistrict	
	C5P	C6-4 C6-5 M1-6	C5-2.5 C6-4.5 C6-5.5 C6-6.5	C6-7T	C5-3 C6-6 C6-7	C5-2.5	C5-3 C6-6
A. Basic Maximum FAR	8.0	10.0	12.0	14.0	15.0	12.0	15.0
Maximum As-of-Right #Floor Area# Allowances:(District-wide Incentives), #Public plazas# (Section 81-23)	---	1.0 ^{1,2}	1.0 ^{1,3}	---	1.0 ²	---	---
Maximum Total FAR with As-of-Right Incentives	8.0	11.0 ^{1,2,7,8}	13.0 ^{1,3}	14.0	16.0	12.0	15.0
Maximum Special Permit #Floor Area# Allowances:(District-wide Incentives), Subway station improvements (Section 74-634)	---	2.0 ^{1,6,7}	2.4 ¹	---	3.0	2.4	3.0
Maximum Total FAR with District-wide and As-of-Right Incentives	8.0	12.0	14.4	14.0	18.0	14.4	18.0
F. Maximum Special Permit #Floor Area# Allowances in Penn Center Subdistrict: Mass Transit Facility Improvement (Section 74-634)	---	2.0	---	---	3.0	---	---
G. Maximum Total FAR with As-of-Right, District-wide and Penn Center Subdistrict Incentives:	---	12.0	---	---	18.0	---	---
H. Maximum As-of-Right #Floor Area# Allowances in Theater Subdistrict:	Development rights (FAR) of a "granting site" (Section 81-744)						
	---	10.0	12.0	14.0	15.0	---	---
Maximum amount of transferable development rights (FAR) from "granting sites" that may be utilized on a "receiving site" (Section 81-744(a))	---	2.0	2.4	2.8	3.0	---	---
Inclusionary Housing (Sections 23-90 and 81-22)	---	2.0 ⁴	---	---	---	---	---

I. Maximum Total FAR with As-of-Right #Floor Area# Allowances in Theater Subdistrict	---	12.0	14.4	16.8	18.0	---	---
J. Maximum #Floor Area# Allowances by Authorization in Eighth Avenue Corridor (Section 81-744(b))	---	2.4	---	---	---	---	---
K. Maximum Total FAR with As-of-Right and Theater Subdistrict Authorizations	---	14.4	14.4	16.8	18.0	---	---
L. Maximum Special Permit #Floor Area# Allowances in Theater Subdistrict:	Rehabilitation of "listed theaters" (Section 81-745)						
	---	4.4	2.4	2.8	3.0	---	---
M. Maximum Total FAR with Theater Subdistrict, District-wide and As-of-Right Incentives	8.0	14.4	14.4	16.8	18.0	---	---
N. Maximum FAR of Lots Involving Landmarks:	Maximum FAR of a lot containing non-bonusable landmark (Section 74-711 or as-of-right)						
	8.0	10.0	12.0	14.0	15.0	12.0	15.0
	Development rights (FAR) of a landmark lot for transfer purposes (Section 74-79)						
	8.0	10.0	13.0 ⁵	14.0	16.0	12.0	15.0
	Maximum amount of transferable development rights (FAR) from landmark #zoning lot# that may be utilized on:						
	(a) — an "adjacent lot" (Section 74-79)						
	1.6	2.0	2.4	No Limit	No Limit	2.4	No Limit
	(b) — a "receiving lot" (Section 81-634)						
	---	---	---	---	---	1.0	1.0
	(c) — a "receiving lot" (Section 81-635)						
	---	---	---	---	---	9.6	6.6
	(d) — a "receiving lot" located in the Vanderbilt Corridor (Section 81-635)						
	---	---	---	---	---	---	15.0
O. Maximum #Floor Area# Allowances by Special Permit for Grand Central Public Realm Improvement Bonus (Section 81-64)	---	---	---	---	---	---	15.0
O. P. Maximum Total FAR of a Lot with Transferred Development Rights from Landmark #Zoning Lot#, Theater Subdistrict Incentives, District-wide Incentives and As-of-Right Incentives	9.6	14.4	14.4	No Limit	No Limit	21.6	No ⁶ -Limit

¹ Not available for #zoning lots# located wholly within Theater Subdistrict Core

² Not available within the Eighth Avenue Corridor

³ Not available within 100 feet of a #wide street# in C5-2.5 Districts

⁴ Applicable only within that portion of the Theater Subdistrict also located within the #Special Clinton District#

⁵ 12.0 in portion of C6-5.5 District within the Theater Subdistrict Core

⁶ Limited to 21.6 FAR on a "receiving lot" pursuant to Section 81-635 in the Grand Central Subdistrict, and limited to 30.0 FAR on a #zoning lot# located within the Vanderbilt Corridor, pursuant to Sections 81-635 or 81-64 in the Grand Central Subdistrict

^{6.7} Not available on west side of Eighth Avenue within the Eighth Avenue Corridor

^{7.8} 12.0 for #zoning lots# with full #block# frontage on Seventh

Avenue and frontage on West 34th Street, pursuant to Section 81-542 (Retention of floor area bonus for plazas or other public amenities)

81-212**Special provisions for transfer of development rights from landmark sites**

The provisions of Section 74-79 (Transfer of Development Rights from Landmark Sites) shall apply in the #Special Midtown District#, subject to the modification set forth in this Section and Sections 81-254, 81-266 and 81-277 pertaining to special permits for height and setback modifications, Section 81-747 (Transfer of development rights from landmark theaters) and Section 81-85 (Transfer of Development Rights from Landmark Sites).

The provisions of Section 74-79 pertaining to the meaning of the term "adjacent lot" in the case of lots, located in C5-3, C5-5, C6-6, C6-7 or C6-9 Districts are modified to apply in the #Special Midtown District# where the "adjacent lot" is in a C5-3, C6-6, C6-7, C6-5.5, C6-6.5 or C6-7T District.

The provisions of Paragraph (c) of Section 74-792 as applied in the #Special Midtown District# shall be subject to the restrictions set forth in the table in Section 81-211 on the development rights (FAR) of a landmark "granting lot" for transfer purposes.

Wherever there is an inconsistency between any provision in Section 74-79 and the table in Section 81-211, the table in Section 81-211 shall apply.

[EXISTING TEXT MOVED TO SECTION 81-63]

Within the Grand Central Subdistrict, any transfer of development rights from a landmark site may be made pursuant to either Section 74-79, or Section 81-63 (Transfer of Development Rights from Landmark Sites); but not both.

For #developments# or #enlargements# in C5-3, C6-6, C6-7 and C6-7T Districts, the City Planning Commission may also modify or waive the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) and requirements governing the minimum dimensions of a #court#, where:

- the required minimum distance as set forth in Section 23-86 is provided between the #legally required windows# in the #development# or #enlargement# and a wall or #lot line# on an adjacent #zoning lot# occupied by the landmark; and
- such required minimum distance is provided by a light and air easement on the #zoning lot# occupied by the landmark #building or other structure#, and such easement is acceptable to the Department of City Planning and recorded in the County Clerk's office of the county in which such tracts of land are located.

For #developments# or #enlargements#, on #zoning lots# located in C5-3, C6-6, C6-7 and C6-7T Districts and with frontage on #streets# on which curb cuts are restricted, pursuant to Section 81-44, the Commission may also modify or waive the number of loading berths required pursuant to Section 36-62. In granting such special permit, the Commission shall find that:

- a loading berth permitted by Commission authorization, pursuant to Section 81-44, would have an adverse impact on the landmark #building or other structure# that is the subject of the special permit;
- because of existing #buildings# on the #zoning lot#, there is no other feasible location for the required loading berths; and
- the modification or waiver will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement. For #developments# or #enlargements#, on #zoning lots# located in C5-3, C6-6, C6-7 and C6-7T Districts, the Commission may also modify the dimensions and minimum clear height required for pedestrian circulation space, pursuant to Sections 37-50 and 81-45. In granting such special permit, the Commission shall find that the modification will result in a distribution of #bulk# and arrangement of #uses# on the #zoning lot# that relate more harmoniously with the landmark #building or other structure# that is the subject of the special permit.

* * *

81-214**Special provisions within the Vanderbilt Corridor in the Grand Central Subdistrict**

[EXISTING TEXT MOVED TO SECTION 81-63]

For #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) of Appendix A of this Chapter, additional #floor area# may be permitted by the City Planning Commission pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus), or any combination thereof, up to the

maximum permitted #floor area# set forth in the table in Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings), respectively. In no event shall the total #floor area ratio# of the #zoning lot# resulting from such proposed #development# or #enlargement# exceed 30.0-

* * *

81-23**Floor Area Bonus for Public Plazas**

Within the #Special Midtown District#, for each square foot of #public plaza# provided on a #zoning lot#, the basic maximum #floor area# permitted on that #zoning lot# under the provisions of Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings) may be increased by six square feet, provided that in no case shall such bonus #floor area# exceed a #floor area ratio# of 1.0.

This Section shall be applicable in all underlying districts throughout the #Special Midtown District#, except that there shall be no #floor area# bonus for a #public plaza# that is:

- on #zoning lots# in the C5P District within the Preservation Subdistrict;
- within 50 feet of a #street line# of a designated #street# on which retail or #street wall# continuity is required, pursuant to Sections 81-42 (Retail Continuity Along Designated Streets) or 81-43 (Street Wall Continuity Along Designated Streets);
- on a #zoning lot#, any portion of which is within the Theater Subdistrict Core, as defined in Section 81-71 (General Provisions); and
- on #zoning lots#, any portion of which is in the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, or on #qualifying sites#, as defined in Section 81-613, in any other subarea of the East Midtown Subdistrict the Grand Central Subdistrict.

All #public plazas# provided within the #Special Midtown District# shall comply with the requirements for #public plazas# set forth in Section 37-70, inclusive.

A major portion of a #public plaza# may overlap with a sidewalk widening which may be provided to fulfill the minimum pedestrian circulation space requirements set forth in Section 81-45 (Pedestrian Circulation Space), provided that the overlapping portion of the #public plaza# also conforms to the design standards of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE) for a sidewalk widening. Such sidewalk widening may be included in the major portion of a #public plaza# for purposes of calculating the proportional restrictions set forth in Section 37-715.

* * *

81-24**Floor Area, Lot Coverage and Building Spacing Regulations for Residential Uses****81-241****Maximum floor area ratios for a residential building or the residential portion of a mixed building**

* * *

81-25**General Provisions Relating to Height and Setback of Buildings**

* * *

81-253**Special provisions for the East Midtown Grand Central, Theater, Fifth Avenue, Penn Center and Preservation Subdistricts**

The provisions of Sections 81-26 (Height and Setback Regulations) and 81-27 (Alternate Height and Setback Regulations) are supplemented and modified by special provisions applying in the Fifth Avenue Subdistrict, as set forth in Sections 81-81 (General Provisions) and 81-83 (Special Street Wall Requirements) or in the Theater Subdistrict as set forth in Sections 81-71 (General Provisions) and 81-75 (Special Street Wall and Setback Requirements) or in the East Midtown Grand Central Subdistrict as set forth in Sections 81-61 (General Provisions), 81-66 (Special Height and Setback Regulations), inclusive, or Section 81-671 (Special street wall requirements 81-621 (Special street wall requirements) and 81-622 (Special height and setback requirements).

The provisions of Sections 81-26 and 81-27 are not applicable in the Preservation Subdistrict, where height and setback is regulated by the provisions of Section 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT), or in the Penn Center Subdistrict as set forth in Section 81-532 (Special street wall requirements).

81-254**Special permit for height and setback modifications**

In the #Special Midtown District#, the City Planning Commission may modify the special height and setback regulations set forth in this Chapter only in accordance with the following provisions:

Section 74-711 (Landmark preservation in all districts) as

modified by the provisions of Sections 81-266 or 81-277 (Special permit for height and setback modifications)

Section 74-79 (Transfer of Development Rights from Landmark Sites) where development rights are transferred from a landmark site to an adjacent lot in a C5-3, C6-6 or C6-7 District, as modified by Section 81-212, and the total #floor area# on the adjacent lot resulting from such transfer exceeds the basic maximum #floor area ratio# by more than 20 percent. In such cases, the granting of a special permit by the Commission for height and setback modifications shall be in accordance with the provisions of Sections 81-266 or 81-277

Section 81-066 (Special permit modifications of Section 81-254, Section 81-40 and certain Sections of Article VII, Chapter 7)

Section 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea)

Section 81-64-81-633 (Special Permit for Grand Central public realm improvements Public Realm Improvement Bonus)

Section 81-685 (Special Permit to modify Qualifying Site provisions)

Section 81-635 (Transfer of development rights by special permit):

81-27 Alternative Height and Setback Regulations - Daylight Evaluation

81-271 Definitions

Daylight Evaluation Chart (DEC)

A graphic tool which permits objective measurements of portions of sky blocked by a #building# when it is viewed from a #vantage point#. There are three #daylight evaluation charts# for use with #street# widths of 60 feet, 75 to 80 feet and 100 feet and over, respectively. All #buildings# are drawn on the appropriate #daylight evaluation chart# to evaluate their compliance with the regulations of Section 81-27 (Alternate Height and Setback Regulations). The three #daylight evaluation charts# are presented in Appendix B Appendix A of this Chapter. A fourth chart, also presented in Appendix B, is available for use for #qualifying sites# in the East Midtown Subdistrict, as defined in Section 81-613, with frontage along Park Avenue.

81-41 General Provisions

The provisions of Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS) specify mandatory planning and urban design features. Requirements which apply generally or with minor specified exceptions throughout the #Special Midtown District# are fully set forth in the provisions of Section 81-40. For requirements which are not generally applicable but tied to specific locations within the District, the locations where these requirements apply are shown on Map 2 (Retail and Street Wall Continuity) or Map 3 (Subway Station and Rail Mass Transit Facility Improvement Areas) in Appendix A of this Chapter.

The provisions of Section 81-40 are all primarily oriented toward the accommodation and well-being of pedestrians. The requirements pertain to a number of elements which are interrelated and complement one another but are set forth in different sections because they can be treated separately. Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity along Designated Streets) and 81-44 (Curb Cut Restrictions) are a group of sections with closely related purposes concerned with amenity and the well-being and safety of pedestrians. Sections 81-45 to 81-48, inclusive, are all concerned primarily with pedestrian traffic circulation. Major #building# entrances are focal points of heavy pedestrian traffic, so that controls on the locations of these entrances, as set forth in Section 81-48, are closely related to the pedestrian circulation space requirements.

Special district plan requirements for the Penn Center Subdistrict are set forth in Section 81-50 (SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT), for the East Midtown Grand Central Subdistrict are set forth in Section 81-60 (SPECIAL REGULATIONS FOR THE EAST MIDTOWN GRAND-CENTRAL SUBDISTRICT), for the Theater Subdistrict are set forth in Section 81-70 (SPECIAL REGULATIONS FOR THEATER SUBDISTRICT), for the Fifth Avenue Subdistrict are set forth in Section 81-80 (SPECIAL REGULATIONS

FOR FIFTH AVENUE SUBDISTRICT) and for the Preservation Subdistrict are set forth in Section 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT).

81-42 Retail Continuity along Designated Streets

For #buildings developed# or #enlarged# after May 13, 1982, where the ground floor level of such #development# or #enlarged# portion of the #building# fronts upon a designated retail #street# (see Appendix A, Map 2), #uses# within #stories# on the ground floor or with a floor level within five feet of #curb level# shall be limited to retail, personal service or amusement #uses# permitted by the underlying zoning district regulations but not including #uses# in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 and 12D or automobile showrooms or plumbing, heating or ventilating equipment showrooms. Museums and libraries shall be permitted. A #building's street# frontage shall be allocated exclusively to such #uses#, except for:

Special #use# regulations apply along designated retail #streets# located within the boundaries of the Penn Center Subdistrict, the East Midtown Subdistrict, the Theater Subdistrict or the Fifth Avenue Subdistrict and #uses# along such designated #streets# shall be subject to the respective subdistrict retail requirements in Sections 81-531, 81-674, 81-72 and 81-82.

Special ground level and entertainment-related #use# regulations apply to #zoning lots# located within the Theater Subdistrict Core, as defined in Section 81-71 (General Provisions), and such #zoning lots# shall meet the ground level and entertainment-related #use# requirements of Section 81-72 (Use Regulations Modified).

81-60 SPECIAL REGULATIONS FOR THE EAST MIDTOWN GRAND-CENTRAL SUBDISTRICT

81-61 General Provisions

Special regulations are set forth in this Section in order to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers; enabling improvements to the above- and below-grade pedestrian circulation network; protecting and strengthening the role of landmark buildings as important features of East Midtown; protecting and enhancing the role of Grand Central Terminal as a major transportation hub within East Midtown and the city; expanding and enhancing the pedestrian circulation network connecting the Terminal to surrounding development and minimizing pedestrian congestion; and protecting the surrounding area's iconic character. Such regulations establish special provisions governing maximum floor area, sustainability, urban design and streetscape enhancements, the transfer of development rights from landmarks, and the improvement of the surface and subsurface pedestrian circulation network in the East Midtown Subdistrict.

In order to preserve and protect the character of the Grand Central Subdistrict, as well as to expand and enhance the Subdistrict's extensive pedestrian and mass transit circulation network, and to facilitate the development of exceptional and sustainable buildings within the Vanderbilt Corridor, special regulations are set forth in Section 81-60 (SPECIAL REGULATIONS FOR THE GRAND-CENTRAL SUBDISTRICT), inclusive, governing urban design and streetscape relationships, the transfer of development rights from landmarks, and the improvement of the pedestrian and mass transit circulation network.

The regulations of Sections 81-60 (SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT), inclusive, are applicable only in the East Midtown Grand Central Subdistrict, the boundaries of which are shown on Map 1 (Special Midtown District and Subdistricts) and Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter. These regulations supplement or modify the provisions of this Chapter applying generally to the #Special Midtown District#, of which this Subdistrict is a part.

As set forth in Section 81-212 (Special provisions for transfer of development rights from landmark sites), transfer of development rights from landmark sites may be allowed pursuant to Section 81-63.

The provisions of Section 81-23 (Floor Area Bonus for Public Plazas) are inapplicable to any #zoning lot#, any portion of which is located within the Grand Central Subdistrict.

Where the #lot line# of a #zoning lot# coincides with the boundary of the public place located at the southerly prolongation of Vanderbilt Avenue between East 42nd Street and East 43rd Street, such #lot line# shall be considered to be a #street line# for the purposes of applying the #use#, #bulk# and urban design regulations of this Chapter.

81-611**Applicability of regulations
Special use provisions**

The provisions of Section 81-60, inclusive, shall apply in the East Midtown Subdistrict as follows:

- (a) Section 81-61, inclusive, sets forth general provisions, applicability and definitions for the East Midtown Subdistrict;
- (b) Section 81-62, inclusive, sets forth special use provisions;
- (c) Section 81-63, inclusive, sets forth special #floor area# provisions for the Vanderbilt Corridor Subarea;
- (d) Section 81-64, inclusive, sets forth special #floor area# provisions for #qualifying sites#;
- (e) Section 81-65, inclusive, sets forth special #floor area# provisions for all other #zoning lots#;
- (f) Section 81-66, inclusive, sets forth certain height and setback modifications to the provisions of Sections 81-26 and 81-27;
- (g) Section 81-67, inclusive, sets forth certain modifications to the mandatory district plan elements of Section 81-40, inclusive; and
- (h) Section 81-68, inclusive, sets forth additional provisions pertaining to #qualifying sites#.

[EXISTING TEXT REPLACED BY TEXT IN SECTION 81-621]

- (a) Except as provided in Paragraph (b) of this Section, within the Vanderbilt Corridor, as shown in on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed by special permit of the City Planning Commission, pursuant to Section 81-65.
- (b) In the event a casualty damages or destroys a #building# within the Vanderbilt Corridor, that was used as a #transient hotel# as of May 27, 2015, to an extent greater than the limits set forth in Section 52-53 (Buildings or Other Structures in All Districts), such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the underlying #floor area ratio# regulations.

81-612**Applicability along district boundaries**

In addition to the requirements set forth in Sections 81-25 (General Provisions Relating to Height and Setback of Buildings) and 81-40 (MANDATORY DISTRICT PLAN ELEMENTS), the provisions of Section 81-60, inclusive, shall apply to a #zoning lot# having 50 percent or more of its #lot area# within the East Midtown Subdistrict. For the purposes of Section 81-60, inclusive, all such #zoning lots# shall be deemed to be entirely within the Subdistrict. If any of the provisions of Sections 81-25, 81-40 and 81-60, inclusive, are in conflict, the regulations of Section 81-60, inclusive, shall govern.

In addition, #zoning lots# with #landmark buildings or other structures# with more than 50 percent of their #lot area# in the Special Midtown District which #abut# the East Midtown Subdistrict boundary, may be considered as part of the Subdistrict for the purposes of transferring development rights pursuant to the applicable provisions of Sections 81-642 or 81-653. However, the maximum amount of #floor area# that may be transferred from a #granting lot#, or portion thereof, located outside the Special Midtown District shall be the maximum #floor area ratio# permitted under the applicable underlying zoning district. For #zoning lots# divided by Subarea boundaries, the provisions of Article 7, Chapter 7 shall apply.

81-613**Definitions****Adjacent lot**

For the purposes of Section 81-60, inclusive, an "adjacent lot" is:

- (a) a #zoning lot# that is contiguous to the lot occupied by the designated #landmark building or other structure# or one that is across a #street# and opposite to the lot occupied by such designated #landmark building or other structure#, or in the case of a #corner lot#, one that fronts on the same #street# intersection as the lot occupied by such #landmark building or other structure#; and
- (b) in C5-3 or C6-6 Districts, a lot contiguous to, or across a #street# and opposite to another lot or series of lots that, except for the intervention of #streets# or #street# intersections, extend to the lot occupied by such designated #landmark building or other structure#. All such lots shall be in the same ownership (fee ownership or ownership as defined under #zoning lot# in Section 12-10 (DEFINITIONS)).

Granting lot

For the purposes of Section 81-60, inclusive, a "granting lot" shall mean a #zoning lot# that contains a #landmark building or other structure#. Such granting lot may transfer development rights pursuant to Sections 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), 81-642 (Transfer of development rights from landmarks to qualifying sites), or 81-653 (Special Permit for transfer of development rights from landmarks to non-qualifying sites).

Landmark #building or other structure#

For the purposes of Section 81-60, inclusive, a "landmark #building or other structure#" shall include any structure designated as a landmark by the Landmarks Preservation Commission pursuant to the New York City Charter and Administrative Code, but shall not include those portions of #zoning lots# used for cemetery purposes, statues, monuments or bridges. No transfer of development rights is permitted pursuant to this Section from those portions of #zoning lots# used for cemetery purposes, or any structures within historic districts, statues, monuments or bridges.

Non-qualifying site

For the purposes of Section 81-60, inclusive, a "non-qualifying site" shall refer to a #zoning lot# that does not meet the criteria for a #qualifying site# and is located in a Subarea other than the Vanderbilt Corridor Subarea.

Qualifying Site

For the purposes of Section 81-60, inclusive, a "qualifying site" shall refer to a #zoning lot#:

- (a) that is not located in the Vanderbilt Corridor Subarea;
- (b) that has frontage along a #wide street#;
- (c) where, at the time of #development#, there are no existing #buildings or other structures# to remain along such #wide street# frontage, or a portion thereof;
- (d) where a #building# is #developed# in accordance with the #floor area# provisions of Section 81-64 (Special Floor Area Provisions for Qualifying Sites);
- (e) where a maximum of 20 percent of the #floor area# permitted on such #zoning lot# is allocated to #residential uses#; and
- (f) where such #building# being #developed# complies with the performance requirements of Section 81-681 (Building Performance Requirements for Qualifying Sites).

Public Realm Improvement Fund

For the purposes of Section 81-60, inclusive, the "Public Realm Improvement Fund" (the "Fund") shall be a separate account established for the deposit of contributions made when #developments# on #qualifying sites# in the East Midtown Subdistrict are planned to exceed the basic maximum #floor area ratio# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) by utilizing the provisions of either Sections 81-642 (Transfer of development rights from landmarks to Qualifying Sites) or Section 81-643 (Special provisions for retaining non-complying floor area). The Fund shall be utilized, at the discretion of the #Public Realm Improvement Governing Group#, to provide funding to implement improvements to the East Midtown Subdistrict, and in its immediate vicinity.

Public Realm Improvement Fund Floor Price

For the purposes of Section 81-60, inclusive, the "Public Realm Improvement Fund Floor Price" ("Floor Price") shall be a value per square foot of transferrable development rights in the East Midtown Subdistrict, which shall provide a basis for establishing a minimum contribution to the #Public Realm Improvement Fund#. As of (date of enactment) the "Floor Price" shall be set at \$393.00 per square foot.

When proposing an adjustment to the Floor Price, the Department of City Planning shall undertake a transferrable development rights valuation study conducted by qualified professionals utilizing industry best practices. The City Planning Commission shall, by rule, review and adjust the Floor Price pursuant to the City Administrative Procedures Act not more than once every three years and not less than once every five years. When proposing an adjustment to the Floor Price, the Department of City Planning shall undertake a transferrable development rights valuation study conducted by qualified professionals utilizing industry best practices.

An applicant, upon written request to the City Planning Commission, may request a transferrable development rights valuation study to determine any recent changes in market conditions within the Subdistrict. The study must be paid for by the applicant and completed within a one-year timeframe. The Department of City Planning shall initiate the study, to be conducted by qualified professionals utilizing industry best practices and the City Planning Commission shall, by rule, review and adjust the Floor Price pursuant to the City Administrative Procedures Act.

Public Realm Improvement Fund Governing Group

For the purposes of Section 81-60, inclusive, the "Public Realm Improvement Fund Governing Group" (the "Governing Group") shall be established to administer the #Public Realm Improvement Fund#, and shall consist of nine members: five members shall be representatives of City agencies, appointed by and serving at the pleasure of the Mayor; one member shall be a representative of the Office of the Manhattan Borough President; one member shall be a representative of the New York City Council member representing the City Council district encompassing the largest portion of the East Midtown Subdistrict; one member shall be a representative of Manhattan Community Board 5; and one member shall be a representative of Manhattan Community Board 6.

The Governing Group's purpose shall be to bolster and enhance East Midtown's status as a premier central business district with a high-quality public realm, by allocating funds from the #Public Realm Improvement Fund# to implement above-grade or below-grade public realm improvement projects. The Governing Group shall establish and maintain a Public Realm Improvement Concept Plan ("Concept Plan"), for the purpose of creating a list of priority improvements, and shall have the authority to amend such Concept Plan, and associated list of improvements, as necessary. All priority improvements in the Concept Plan shall meet the criteria set forth in Section 81-683 (Criteria for Improvements in the Public Realm Improvement Concept Plan).

The Governing Group shall adopt procedures for the conduct of its activities, which shall be consistent with the goals of the Subdistrict. All meetings of the Governing Group shall be open to the public with advance notice of all meetings and public hearings provided.

Receiving lot

For the purposes of Section 81-60, inclusive, a "receiving lot" shall mean a #zoning lot# to which development rights of a #granting lot# are transferred. Such receiving lot may receive a transfer of development rights pursuant to Sections 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), 81-642 (Transfer of development rights from landmarks to qualifying sites), or 81-653 (Special Permit for transfer of development rights from landmarks to non-qualifying sites).

81-62 Special Use Provisions Bulk and Urban Design Requirements

[EXISTING TEXT REPLACED BY TEXT IN SECTION 81-611]

In addition to the requirements set forth in Sections 81-25 (General Provisions Relating to Height and Setback of Buildings) and 81-40 (MANDATORY DISTRICT PLAN ELEMENTS), the provisions of this Section shall apply to a #zoning lot# having 50 percent or more of its #lot area# within the Grand Central Subdistrict. For the purposes of this Section, all such #zoning lots# shall be deemed to be entirely within the Subdistrict. If any of the provisions of Sections 81-25, 81-40 and 81-62 are in conflict, the regulations of this Section shall govern.

81-621 Special provisions for transient hotels Special street wall requirements

Within the East Midtown Subdistrict, as shown in on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed by special permit of the City Planning Commission.

However, in the event a casualty damages or destroys a #building# within the East Midtown Subdistrict that was used as a #transient hotel# as of May 27, 2015 in the Vanderbilt Corridor Subarea or [date of enactment] in other Subareas, and the extent of such damage or destruction is greater than the limits set forth in Section 52-53 (Buildings or Other Structures in All Districts), such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the applicable basic maximum #floor area ratio# set forth in Section 81-60, inclusive.

In order to permit such a #transient hotel#, the Commission shall find that such #transient hotel# will:

- be appropriate to the needs of businesses in the vicinity of the East Midtown area; and
- provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.

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

[EXISTING TEXT REPLACED BY SECTION 81-671]

The requirements of Section 81-43 (Street Wall Continuity Along

Designated Streets) shall be applicable within the Subdistrict, except as modified in this Section.

#Buildings# with frontage on Park, Lexington, Madison and Vanderbilt Avenues, or Depew Place, shall have a #street wall# within 10 feet of the #street line# of such #streets#.

On 42nd Street, the #street wall# shall be at the #street line#. The width of the required #street wall# shall be at least 80 percent of the length of the #front lot line#. The minimum height of such #street walls# without any setback shall be 120 feet above #curb level# or the height of the #building#, whichever is less, and the maximum height shall not exceed 150 feet above #curb level#. Where a #zoning lot# is bounded by the intersection of Park, Lexington, Madison and Vanderbilt Avenues, 42nd Street or Depew Place and any other #street#, these #street wall# height regulations shall apply along the full length of the #zoning lot# along the other #street# or to a distance of 125 feet from the intersection, whichever is less.

Beyond 125 feet from the intersection, the maximum height of the #street wall# above #curb level# shall not exceed 120 feet. For such #building#, the provisions of Section 81-262 (Maximum height of front wall at the street line) shall not be applicable.

However, the ten foot setback requirement of Section 81-263, Paragraph (a), shall apply only to those portions of the #building# above this height.

81-622 Location of uses in mixed buildings Special height and setback requirements

For #mixed buildings developed# on #qualifying sites#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit the following #uses#, subject to the underlying zoning district regulations, on the same #story# as, or at any #story# above, #residential uses#, provided that no access exists between such #uses# at any level above the ground floor:

- open or enclosed observation decks;
- open or enclosed publicly-accessible spaces;
- eating or drinking establishments, as listed in Use Groups 6C, 10A and 12A;
- bowling alleys, as listed in Use Group 8A and 12A;
- theaters, as listed in Use Group 8A;
- commercial art galleries, as listed in Use Group 8B;
- gymnasiums, used exclusively for basketball, handball, paddleball, racketball, squash and tennis, as listed in Use Group 9A;
- wedding chapels and banquet halls, as listed in Use Group 9A;
- enclosed skating rinks, as listed in Use Group 12A;
- swimming pools and gymnasium #uses# which are #accessory# to any other #use# located within the #building#; and
- #physical culture or health establishments# permitted pursuant to Section 73-36.

[EXISTING TEXT REPLACED BY SECTION 81-661]

Within the Subdistrict, the provisions of Sections 81-26 (Height and Setback Regulations-Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations-Daylight Evaluation) shall apply to all #buildings# on a #zoning lot#, except that:

- where such #buildings# are governed by Section 81-26, no #compensating recess# shall be required for the #encroachment# of that portion of the #building# below 150 feet above #curb level#; or
- where such #buildings# are governed by Section 81-27, the computation of daylight evaluation shall not include any daylight blockage, daylight credit, profile daylight blockage or available daylight for that portion of the #building# below 150 feet above #curb level#. However, the passing score required pursuant to Paragraph (i) of Section 81-274 shall apply.

81-623 Building lobby entrance requirements

[EXISTING TEXT REPLACED BY PARAGRAPH (B) OF SECTION 81-674]

For #buildings developed# or #enlarged# on the ground floor after August 26, 1992, #building# lobby entrances shall be required on each #street# frontage of the #zoning lot# where such #street# frontage is greater than 75 feet in length, except that if a #zoning lot# has frontage on more than two #streets#, #building# entrances shall be required only on two #street# frontages. Each required #building# entrance shall lead directly to the #building# lobby. #Buildings developed# from May 13, 1982, to August 25, 1992, shall be subject to the provisions of Section 81-47 (Major Building Entrances):

Required #building# entrances on opposite #street# frontages shall

be connected directly to the #building# lobby by providing a through #block# connection in accordance with Paragraph (h) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), except that such through #block# connection shall be located at least 50 feet from the nearest north/south #wide street#.

Each required #building# entrance shall include a #building# entrance recess area, as defined in Paragraph (b) of Section 37-53, except that for #developments# or #enlargements# with frontage on Madison or Lexington Avenues or 42nd Street, the width of a #building# entrance recess area shall not be greater than 40 feet parallel to the #street line# and there may be only one #building# entrance recess area on each such #street# frontage.

**81-624
Curb cut restrictions and loading berth requirements**

[EXISTING TEXT REPLACED BY SECTION 81-675]

In addition to the provisions of Section 81-44 (Curb Cut Restrictions), for a #through lot#, the required loading berth shall be arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.

The maximum width of any curb cut (including splays) shall be 15 feet for one-way traffic and 25 feet for two-way traffic. Curb cuts shall not be permitted on 47th Street between Park and Madison Avenues or on 45th Street between Depew Place and Madison Avenue.

**81-625
Pedestrian circulation space requirements**

[EXISTING TEXT REPLACED BY SECTION 81-676]

Any #development# or #enlargement# within the Grand Central Subdistrict shall be subject to the provisions of Sections 81-45 (Pedestrian Circulation Space); 81-46 (Off-street Relocation or Renovation of a Subway Stair) and 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), except that:

- (a) no arcade shall be allowed within the Subdistrict;
- (b) within the Subdistrict, a sidewalk widening may be provided only for a #building# occupying an Avenue frontage, provided that such sidewalk widening extends for the length of the full #block# front; and
- (c) for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, up to a maximum of 3,000 square feet of on-site improvements to the public realm provided in accordance with a special permit pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) may be applied toward the pedestrian circulation space requirement.

**81-626
Retail continuity requirements**

[EXISTING TEXT REPLACED BY PARAGRAPH (a) OF SECTION 81-674]

For #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, where a #building# fronts upon a designated retail #street#, as shown on Map 2 (Retail and Street Wall Continuity), any portion of such #building's# ground floor level frontage along such designated retail #street# allocated to above- or below-grade public realm improvements provided in accordance with a special permit pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) shall be excluded from the retail continuity requirements of Section 81-42 (Retail Continuity along Designated Streets).

**81-63
Special Floor Area Regulations for the Vanderbilt Corridor Subarea
Transfer of Development Rights from Landmark Sites**

For #non-residential buildings# or #mixed buildings# in the Vanderbilt Corridor Subarea of the East Midtown Subdistrict, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

	Means for Achieving Permitted FAR Levels on a #Zoning Lot# for #qualifying sites#	Maximum #Floor Area Ratio# (FAR)
A	Basic Maximum FAR	15
B	Maximum Special Permit #Floor Area# Allowances: (District-wide Incentives), Subway station improvements (Section 74-634)	3.0
C	Maximum FAR of Lots Involving Landmarks:	
	Maximum FAR of a lot containing non-bonusable landmark (Section 74-711 or as-of-right)	15.0
	Development rights (FAR) of a landmark lot for transfer purposes (Section 74-79)	15.0
	Maximum amount of transferable development rights (FAR) from a landmark #zoning lot# that may be utilized on:	
	(a) an #adjacent lot# (Section 74-79)	No Limit
	(b) a #receiving lot# (Section 81-632)	15.0
E	Maximum #Floor Area# Allowances by Special Permit for Grand Central public realm improvements (Section 81-633)	15.0
F	Maximum Total FAR of a Lot with Transferred Development Rights from Landmark #Zoning Lot# and District-wide Incentives	No Limit

Any transfer of development rights from a landmark site may be made pursuant to either Section 74-79 or Section 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), but not both.

Additional #floor area# may be permitted by the City Planning Commission pursuant to Section 81-632 or Section 81-633 (Special Permit for Grand Central public realm improvements), or any combination thereof, up to the maximum permitted #floor area# set forth in the table above, respectively. In no event shall the total #floor area ratio# of the #zoning lot# resulting from such proposed #development# or #enlargement# exceed 30.0.

[EXISTING TEXT REPLACED BY DEFINITIONS IN SECTION 81-613]

For the purposes of the Grand Central Subdistrict:

A "landmark #building or other structure#" shall include any structure designated as a landmark pursuant to the New York City Charter, but shall not include those portions of #zoning lots# used for cemetery purposes, statues, monuments or bridges. No transfer of development rights is permitted pursuant to this Section from those portions of #zoning lots# used for cemetery purposes, or any structures within historic districts, statues, monuments or bridges.

A "granting lot" shall mean a #zoning lot# which contains a landmark #building or other structure#. Such "granting lot" may transfer development rights pursuant to Sections 81-634 or 81-635 provided that 50 percent or more of the "granting lot" is within the boundaries of the Grand Central Subdistrict.

A "receiving lot" shall mean a #zoning lot# to which development rights of a "granting lot" are transferred. Such "receiving lot" may receive a transfer of development rights pursuant to Sections 81-634 or 81-635 provided that 50 percent or more of the "receiving lot" is within the boundaries of the Grand Central Subdistrict and provided that the "receiving lot" occupies frontage on Madison or Lexington Avenues or 42nd Street, if such "receiving lot" is west of Madison Avenue or east of Lexington Avenue.

**81-631
Special provisions for transfers of development rights
Requirements for application**

All applications for transfers of development rights pursuant to the special permit by the City Planning Commission in Section 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea) shall additionally comply with the regulations of this Section.

(a) Requirements for applications

In addition to the land use review application requirements, an application filed with the City Planning Commission for certification pursuant to Section 81-634 (Transfer of development rights by certification) or special permit pursuant to Section 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea) Section 81-635-

(Transfer of development rights by special permit) shall be made jointly by the owners of the #granting lot# and #receiving lot# "granting lot" and "receiving lot" and shall include:

- (a)(1) site plan and zoning calculations for the #granting lot# and #receiving lot# "granting lot" and "receiving lot";
- (b)(2) a program for the continuing maintenance of the landmark;
- (c)(3) a report from the Landmarks Preservation Commission concerning the continuing maintenance program of the landmark and, for those "receiving" sites in the immediate vicinity of the landmark, a report concerning the harmonious relationship of the #development# or #enlargement# to the landmark;
- (d)(4) for #developments# or #enlargements# pursuant to Section 81-635, a plan of any required pedestrian network improvement; and
- (e)(5) any such other information as may be required by the Commission.

A separate application shall be filed for each transfer of development rights to an independent #receiving lot# "receiving lot" pursuant to Section 81-632 81-63 (Special Permit for transfer of development rights from landmarks Transfer of Development Rights from Landmark Sites).

(b) Conditions and limitations

[INSERT THE FOLLOWING EXISTING TEXT FROM SECTION 81-632]

The transfer of development rights from a #granting lot# to a #receiving lot#, "granting lot" to a "receiving lot," pursuant to Section 81-632 Section 81-63, shall be subject to the following conditions and limitations:

- (a)(1) the maximum amount of #floor area# that may be transferred from a #granting lot# "granting lot" shall be the maximum #floor area# allowed by Section 33-12 for #commercial buildings# on such landmark #zoning lot#, as if it were undeveloped, less the total #floor area# of all existing #buildings# on the landmark #zoning lot#;
- (b)(2) for each #receiving lot#, "receiving lot," the #floor area# allowed by the transfer of development rights under Section 81-632 shall be in addition to the maximum #floor area# allowed by the district regulations applicable to the #receiving lot#, "receiving lot," as shown in the table in Section 81-63 (Special Floor Area Provisions for the Vanderbilt Corridor Subarea) Section 81-211; and
- (c)(3) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the #granting lot# "granting lot" by the amount of #floor area# transferred. If the landmark designation is removed, the #landmark #building or other structure# is destroyed or #enlarged#, or the #zoning lot# with the #landmark building or other structure# "landmark lot" is redeveloped, the #granting lot# "granting lot" may only be #developed# or #enlarged# up to the amount of permitted #floor area# as reduced by each transfer.

(c) Transfer instruments and notice of restrictions

[INSERT THE FOLLOWING EXISTING TEXT FROM SECTION 81-633]

The owners of the #granting lot# "granting lot" and the #receiving lot# "receiving lot" shall submit to the City Planning Commission a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the #granting lot# "granting lot" and the #receiving lot# "receiving lot" shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York), a certified copy of which shall be submitted to the City Planning Commission.

Both the instrument of transfer and the notice of restrictions shall specify the total amount of #floor area# transferred and shall specify, by lot and block numbers, the lots from which and the lots to which such transfer is made.

81-632

Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea Conditions and limitations

[INSERT THE FOLLOWING EXISTING TEXT FROM 81-635]

Within the Vanderbilt Corridor Subarea Grand Central Subdistrict Core, as shown on Map 4 (East Midtown Subdistrict and Subareas) Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the City Planning Commission may permit the transfer of development rights from a #granting lot# in the Grand Central Core

Area, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter, to a #receiving lot# "granting lot" to a "receiving lot", and, in conjunction with such transfer, the Commission may permit modifications to #bulk# regulations, mandatory plan elements, and provisions regarding #zoning lots# divided by district boundaries, as set forth in Paragraph (a) of this Section, provided that the Commission determines that the #development# or #enlargement# complies with the conditions of Paragraph (b), the findings of Paragraph (c) and the additional requirements of Paragraph (d) of this Section.

(a) The Commission may permit:

- (1) a transfer of development rights from a #granting lot# to a #receiving lot# "granting lot" to a "receiving lot" provided that:
 - (i) for #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 in Appendix A of this Chapter, the resultant #floor area ratio# on the #receiving lot# "receiving lot" does not exceed 30.0; and
 - (ii) for #zoning lots# outside the Vanderbilt Corridor, the resultant #floor area ratio# on the "receiving lot" does not exceed 21.6;
- (2) modifications of the provisions of Sections 77-02 (Zoning Lots not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions), 77-22 (Floor Area Ratio) and 77-25 (Density Requirements) for any #zoning lot#, whether or not it existed on December 15, 1961, or any applicable subsequent amendment thereto, #floor area# or #dwelling units# permitted by the district regulations which allow a greater #floor area ratio# may be located within a district that allows a lesser #floor area ratio#;
- (3) in the case of an #enlargement# to an existing #building# utilizing the transfer of development rights from a designated landmark, modifications of the provisions of Sections 81-66 (Special Height and Setback Requirements), 81-671 81-621 (Special street wall requirements), 81-622 (Special height and setback requirements), 81-674 (Ground floor use provisions) 81-623 (Building lobby entrance requirements), 81-675 81-624 (Curb cut restrictions and loading berth requirements), 81-676 81-625 (Pedestrian circulation space requirements), and Sections 81-25 (General Provisions Relating to Height and Setback of Buildings), 81-26 (Height and Setback Regulations-Daylight Compensation) and 81-27 (Alternate Height and Setback Regulations-Daylight Evaluation) in order to accommodate existing structures and conditions;
- (4) for #zoning lots# of more than 40,000 square feet of #lot area# that occupy an entire #block#, modifications of #bulk# regulations, except #floor area ratio# regulations; and
- (5) for #zoning lots# located within the Vanderbilt Corridor, modifications, whether singly or in any combination, to:
 - (i) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets), or 81-671 81-621 (Special street wall requirements), inclusive;
 - (ii) the height and setback regulations of Sections 81-26 (Height and Setback Regulations-Daylight Compensation), inclusive, 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation), inclusive, or 81-622 (Special height and setback requirements); or
 - (iii) the mandatory district plan elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions) 81-623 (Building lobby entrance requirements), 81-675 81-624 (Curb cut restrictions and loading berth requirements), 81-676 81-625 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted.

(b) Conditions

As a condition for granting a special permit pursuant to this Section, the design of the #development# or #enlargement# shall include a major improvement of the above- or below-grade, pedestrian or mass transit circulation network in the Grand Central Core Area Subdistrict. However, in the case of #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, this condition may be waived by the Commission, where appropriate, or may be deemed to have been met by utilization of

the provisions of Section 81-634 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus). The improvement shall increase the general accessibility and security of the network, reduce points of pedestrian congestion and improve the general network environment through connections into planned expansions of the network. The improvement may include, but is not limited to, widening, straightening or expansion of the existing pedestrian network, reconfiguration of circulation routes to provide more direct pedestrian connections between the #development# or #enlargement# and Grand Central Terminal, and provision for direct daylight access, retail in new and existing passages, and improvements to air quality, lighting, finishes and signage.

The special permit application to the Commission shall include information and justification sufficient to provide the Commission with a basis for evaluating the benefits to the general public from the proposed improvement. As part of the special permit application, the applicant shall submit schematic or concept plans of the proposed improvement to the Department of City Planning, as well as evidence of such submission to the Metropolitan Transportation Authority (MTA) and any other entities that retain control and responsibility for the area of the proposed improvement. Prior to ULURP certification of the special permit application, the MTA and any other entities that retain control and responsibility for the area of the proposed improvement shall each provide a letter to the Commission containing a conceptual approval of the improvement including a statement of any considerations regarding the construction and operation of the improvement.

(c) Findings

In order to grant a special permit for the transfer of development rights to a #receiving lot#, "receiving lot," the Commission shall find that:

- (1) a program for the continuing maintenance of the landmark has been established;
- (2) for any proposed improvement required pursuant to this Section:
 - (i) the improvement to the above- or below-grade pedestrian or mass transit circulation network provided by the #development# or #enlargement# increases public accessibility to and from Grand Central Terminal;
 - (ii) the streetscape, the site design and the location of #building# entrances contribute to the overall improvement of pedestrian circulation within the surrounding area Subdistrict and minimize congestion on surrounding #streets#; and
 - (iii) a program is established to identify solutions to problems relating to vehicular and pedestrian circulation problems and the pedestrian environment within the surrounding area Subdistrict;
- (3) where appropriate, for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, the design of the #development# or #enlargement# includes provisions for public amenities including, but not limited to, publicly accessible open spaces, and subsurface pedestrian passageways leading to subway or rail mass transit facilities;
- (4) for #developments# or #enlargements# with a proposed #floor area ratio# in excess of 21.6 on #zoning lots# located within the Vanderbilt Corridor, the #building# has met the ground floor level, building design, sustainable design measures and, for #zoning lots# not located on two #wide streets#, the site characteristic considerations set forth in the applicable conditions and findings of Section 81-633 (Special Permit for Grand Central public realm improvements) Section 81-641 (Additional floor area for the provision of public realm improvements);
- (5) where the modification of #bulk# regulations is proposed:
 - (i) any proposed modification of regulations governing #zoning lots# divided by district boundaries or the permitted transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement# on the "receiving lot," density of population or intensity of #use# on any #block# to the detriment of the occupants of #buildings# on the #block# or the surrounding area;
 - (ii) for #enlargements# to existing #buildings#, any proposed modifications of height and setback requirements and the requirements of Section 81-66 81-62 are necessary because of the inherent constraints or conditions of the existing #building#, that the modifications are limited to the minimum needed, and that the proposal for modifications of height and setback requirements demonstrates to the satisfaction of the

Commission that an integrated design is not feasible for the proposed #enlargement# which accommodates the transfer of development rights due to the conditions imposed by the existing #building# or configuration of the site; and

- (iii) for #developments# or #enlargements# on #zoning lots# of more than 40,000 square feet of #lot area# that occupy an entire #block#, any proposed modifications of #bulk# regulations are necessary because of inherent site constraints and that the modifications are limited to the minimum needed; or
 - (6) for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, any proposed modifications to #street walls#, height and setback regulations and mandatory plan elements meet the applicable application requirements and findings set forth in Section 81-634 81-642 (Permitted modifications in conjunction with additional floor area).
- (d) Additional requirements
- Prior to the grant of a special permit, the applicant shall obtain approvals of plans from the MTA and any other entities that retain control and responsibility for the area of the proposed improvement, and, if appropriate, the applicant shall sign a legally enforceable instrument running with the land, setting forth the obligations of the owner and developer, their successors and assigns, to construct and maintain the improvement and shall establish a construction schedule, a program for maintenance and a schedule of hours of public operation and shall provide a performance bond for completion of the improvement.

The written declaration of restrictions and any instrument creating an easement on privately owned property shall be recorded against such private property in the Office of the Register of the City of New York (County of New York) and a certified copy of the instrument shall be submitted to the City Planning Commission.

No temporary certification of occupancy for any #floor area# of the #development# or #enlargement# on a #receiving lot# "receiving-lot" shall be granted by the Department of Buildings until all required improvements have been substantially completed as determined by the Chairperson of the City Planning Commission and the area is usable by the public. Prior to the issuance of a permanent certificate of occupancy for the #development# or #enlargement#, all improvements shall be 100 percent complete in accordance with the approved plans and such completion shall have been certified by letter from the Metropolitan Transportation Authority.

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

[MOVE EXISTING TEXT TO SECTION 81-631 (b)]

81-633

Special Permit for Grand Central public realm improvements Transfer instruments and notice of restrictions

[INSERT THE FOLLOWING EXISTING TEXT FROM 81-641]

For #developments# and #enlargements# on #zoning lots# located within the Vanderbilt Corridor Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the City Planning Commission may allow, by special permit, #floor area# in excess of the basic maximum #floor area ratio# established in the table in Section 81-63 (Special Floor Area Provisions for the Vanderbilt Corridor Subarea) Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings), up to the maximum #floor area# set forth in the table, in accordance with the provisions of this Section.

All applications for a special permit for additional #floor area# pursuant to this Section shall include on-site or off-site, above- or below-grade improvements to the pedestrian or mass transit circulation network, or a combination thereof, in the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter Grand Central Subdistrict. In addition, requirements pertaining to the ground floor level, building design and sustainable design measures are set forth in this Section in order to ensure that any #development# or #enlargement# receiving additional #floor area# constitutes an exceptional addition to the #Special Midtown District#.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# or #enlargement# complies with the conditions and application requirements of Paragraph (a), the findings of Paragraph (b) and the additional requirements of Paragraph (c) of this Section.

(a) Conditions and application requirements

All applications for a special permit for additional #floor area# pursuant to this Section shall include the following:

- (1) Above- or below-grade improvements to the pedestrian or mass transit circulation network.

In order to ensure that the proposed #development# or #enlargement# contributes to the improvement of pedestrian and mass transit circulation in the Grand Central Core Area Grand Central Subdistrict, especially in the vicinity of Grand Central Terminal, any #development# or #enlargement# proposed under the provisions of this Section shall include above- or below-grade public realm improvements.

- (i) Where a #development# or #enlargement# proposes the inclusion of above-grade public realm improvements, such improvements may consist of on-site or off-site improvements to the pedestrian circulation network, or a combination thereof.

On-site, above-grade public realm improvements shall consist of open or enclosed publicly accessible spaces, of ample size, provided for public use and enjoyment. Such publicly accessible spaces shall include amenities characteristic of #public plazas# or public atriums, as applicable, and include amenities for the comfort and convenience of the public.

Off-site, above-grade public realm improvements shall consist of major improvements to the public right-of-way that support pedestrian circulation in the areas surrounding Grand Central Terminal. Where the area of such improvements is to be established as a pedestrian plaza, such improvements shall be characteristic of best practices in plaza design, as set forth by the Department of Transportation. Where the area of such improvements is along a #street# accommodating both vehicular and pedestrian access, such improvements shall be characteristic of current best practices in #street# design, as set forth by the Department of Transportation, and include improvements to the right-of-way such as pedestrian amenities, or streetscape, sidewalk, crosswalk and median enhancements.

- (ii) Where a #development# or #enlargement# proposes the inclusion of below-grade public realm improvements, such improvements shall consist of on-site or off-site enhancements to the below-grade pedestrian and mass transit circulation network. Such improvements shall be characteristic of current best practice in mass-transit network design, and shall include improvements such as on-site or off-site widening, straightening, expanding or otherwise enhancing the existing below-grade pedestrian circulation network, additional vertical circulation, reconfiguring circulation routes to provide more direct pedestrian connections to subway or rail mass transit facilities, or providing daylight access, retail #uses#, or enhancements to noise abatement, air quality, lighting, finishes or rider orientation in new or existing passageways.

Applications shall include information and justification sufficient to provide the Commission with the basis for evaluating the benefits to the general public; determining the appropriate amount of bonus #floor area# to grant; and determining whether the applicable findings set forth in Paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.

Where the Metropolitan Transportation Authority or any other City or State agency has control and responsibility for the area of a proposed improvement, the applicant shall submit concept plans for the proposed improvement to such agency and the Commission. At the time of certification of the application, any such agency with control and responsibility for the area of the proposed improvement shall each provide a letter to the Commission containing a conceptual approval of the improvement, including a statement of any considerations regarding the construction and operation of the improvement.

- (2) Ground floor level

In order to ensure that the proposed #development# or #enlargement# contributes to the improvement of the pedestrian circulation network in the surrounding area Grand Central Subdistrict, especially in the vicinity of Grand Central Terminal, any #development# or #enlargement# proposed under the provisions of this Section shall provide enhancements to the ground floor level of the #building#, including, but not limited to, sidewalk widenings, streetscape

amenities or enhancements to required pedestrian circulation spaces.

Where a #development# or #enlargement# includes #street# frontage along Madison Avenue or a #narrow street# between East 43rd Street and East 47th Street, sidewalk widenings shall be provided as follows:

- (i) where a #development# or #enlargement# is on a #zoning lot# which occupies the entire #block# frontage along Madison Avenue, a sidewalk widening shall be provided along Madison Avenue, to the extent necessary, so that a minimum sidewalk width of 20 feet is achieved, including portions within and beyond the #zoning lot#. However, no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#;
- (ii) where a #development# or #enlargement# is on a #zoning lot# that does not occupy the entire #block# frontage along Madison Avenue, a sidewalk widening shall be provided along Madison Avenue where all existing #buildings# on the #block# frontage have provided such a widening. Such required widening shall match the amount of widened sidewalk provided on adjacent #zoning lots#, provided that no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#; or
- (iii) where a #development# or #enlargement# with frontage on a #narrow street# between East 43rd Street and East 47th Street is on a #zoning lot# with a #lot width# of 100 feet or more, as measured along the #narrow street line#, a sidewalk widening shall be provided along such #narrow street#, to the extent necessary, so that a minimum sidewalk width of 15 feet is achieved, including portions within and beyond the #zoning lot#. However, no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#.

Applications shall contain a ground floor level site plan, and other supporting documents of sufficient scope and detail to enable the Commission to determine the type of proposed #uses# on the ground floor level, the location of proposed #building# entrances, the size and location of proposed circulation spaces, the manner in which such spaces will connect to the overall pedestrian circulation network and the above- or below-grade public realm improvements required pursuant to this Section and any other details necessary for the Commission to determine whether the applicable findings set forth in Paragraph (b) of this Section have been met.

- (3) Building design

In order to ensure that the proposed #development# or #enlargement# contributes to its immediate surroundings, with particular emphasis on Grand Central Terminal, any #development# or #enlargement# proposed under the provisions of this Section shall demonstrate particular attention to the building design, including, but not limited to, the proposed #uses#, massing, articulation and relationship to #buildings# in close proximity and within the Midtown Manhattan skyline.

Applications shall contain materials of sufficient scope and detail to enable the Commission to determine the proposed #uses# within the #building#, as well as the proposed #building bulk# and architectural design of the #building#, and to evaluate the proposed #building# in the context of adjacent #buildings# and the Midtown Manhattan skyline. Such materials shall include a description of the proposed #uses# within the #building#; measured elevation drawings, axonometric views, and perspective views showing such proposed #building# within the Midtown Manhattan skyline; and any other materials necessary for the Commission to determine whether the applicable findings set forth in Paragraph (b) of this Section have been met.

For those #receiving lots# "receiving lots" that are contiguous to a lot occupied by Grand Central Terminal or a lot that is across a #street# and opposite the lot occupied by Grand Central Terminal, or, in the case of a #corner lot#, one that fronts on the same #street# intersection as the lot occupied by Grand Central Terminal, applications shall contain a report from the Landmarks Preservation Commission concerning the harmonious relationship of the #development# or #enlargement# to Grand Central Terminal.

- (4) Sustainable design measures

In order to foster the development of sustainable #buildings# in the Vanderbilt Corridor Subarea Grand Central Subdistrict, any #development# or #enlargement# proposed under the provisions of this Section shall include sustainable design measures, including, but not limited to, enhancements

to the energy performance, enhanced water efficiency, utilization of sustainable or locally sourced materials and attention to indoor environmental air quality of the #building#.

Applications shall contain materials of sufficient scope and detail to enable the Commission to determine whether the applicable findings in Paragraph (b) of this Section have been met. In addition, any application shall include materials demonstrating the sustainable design measures of the #building#, including its anticipated energy performance, and the degree to which such performance exceeds either the New York City Energy Conservation Code (NYCECC) or the Building Performance Rating method of the applicable version and edition of American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc., Standard 90.1 (ASHRAE 90.1), as referenced within the NYCECC.

(b) Findings

The Commission shall find that:

- (1) for a #development# or #enlargement# not located on two #wide streets#, the amount of additional #floor area# being granted is appropriate based on the extent to which any or all of the following physical factors are present in the #development# or #enlargement#:
 - (i) direct access to subway stations and other rail mass transit facilities;
 - (ii) the size of the #zoning lot#;
 - (iii) the amount of wide #street# frontage; and
 - (iv) adjacency to the open area above Grand Central Terminal;
- (2) for above-grade improvements to the pedestrian circulation network that are located:
 - (i) on-site, the proposed improvements will, to the extent practicable, consist of a prominent space of generous proportions and quality design that is inviting to the public; improve pedestrian circulation and provide suitable amenities for the occupants; front upon a #street# or a pedestrian circulation space in close proximity to and within view of and accessible from an adjoining sidewalk; provide or be surrounded by active #uses#; be surrounded by transparent materials; provide connections to pedestrian circulation spaces in the immediate vicinity; and be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; or
 - (ii) off-site, the proposed improvements to the public right-of-way, to the extent practicable, will consist of significant street and sidewalk designs that improve pedestrian circulation in the surrounding area; provide comfortable places for walking and resting, opportunities for planting and improvements to pedestrian safety; and create a better overall user experience of the above-grade pedestrian circulation network that supports the surrounding area Grand Central Subdistrict as a high-density business district. Where the area of such improvement is to be established into a pedestrian plaza that will undergo a public design and review process through the Department of Transportation subsequent to the approval of this special permit, the Commission may waive this finding;
- (3) for below-grade improvements to the pedestrian or mass transit circulation network, the proposed improvements will provide:
 - (i) significant and generous connections from the above-grade pedestrian circulation network and surrounding #streets# to the below-grade pedestrian circulation network;
 - (ii) major improvements to public accessibility in the below-grade pedestrian circulation network between and within subway stations and other rail mass transit facilities in and around Grand Central Terminal through the provision of new connections, or the addition to or reconfiguration of existing connections; or
 - (iii) significant enhancements to the environment of subway stations and other rail mass transit facilities including daylight access, noise abatement, air quality improvement, lighting, finishes, way-finding or rider orientation, where practicable;
- (4) the public benefit derived from the proposed above- or below-grade improvements to the pedestrian or mass transit

circulation network merits the amount of additional #floor area# being granted to the proposed #development# or #enlargement# pursuant to this special permit;

- (5) the design of the ground floor level of the #building#:
 - (i) contributes to a lively streetscape through a combination of retail #uses# that enliven the pedestrian experience, ample amounts of transparency and pedestrian connections that facilitate fluid movement between the #building# and adjoining public spaces; and demonstrates consideration for the location of pedestrian circulation space, #building# entrances, and the types of #uses# fronting upon the #street# or adjoining public spaces;
 - (ii) will substantially improve the accessibility of the overall pedestrian circulation network, reduce points of pedestrian congestion and, where applicable, establish more direct and generous pedestrian connections to Grand Central Terminal; and
 - (iii) will be well-integrated with on-site, above or below-grade improvements required by this Section, where applicable and practicable;
 - (6) the design of the proposed #building#:
 - (i) ensures light and air to the surrounding #streets# and public spaces through the use of setbacks, recesses and other forms of articulation, and the tower top produces a distinctive addition to the Midtown Manhattan skyline which is well-integrated with the remainder of the #building#;
 - (ii) demonstrates an integrated and well-designed facade, taking into account factors such as #street wall# articulation and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area, especially Grand Central Terminal; and
 - (iii) involves a program that includes an intensity and mix of #uses# that are harmonious with the type of #uses# in the surrounding area;
 - (7) the proposed #development# or #enlargement# comprehensively integrates sustainable measures into the #building# and site design that:
 - (i) meet or exceed best practices in sustainable design; and
 - (ii) will substantially reduce energy usage for the #building#, as compared to comparable #buildings#; and
 - (8) in addition:
 - (i) the increase in #floor area# being proposed in the #development# or #enlargement# will not unduly increase the #bulk#, density of population or intensity of #uses# to the detriment of the surrounding area; and
 - (ii) all of the separate elements within the proposed #development# or #enlargement#, including above- or below-grade improvements, the ground floor level, #building# design, and sustainable design measures, are well-integrated and will advance the applicable goals of the #Special Midtown District# described in Section 81-00 (GENERAL PURPOSES).
- (c) Additional requirements
- Prior to the grant of a special permit pursuant to this Section, and to the extent required by the Metropolitan Transportation Authority (MTA) or any other City or State agencies with control and responsibility for the area in which a proposed improvement is to be located, the applicant shall execute an agreement, setting forth the obligations of the owner, its successors and assigns, to establish a process for design development and a preliminary construction schedule for the proposed improvement; construct the proposed improvement; where applicable, establish a program for maintenance; and, where applicable, establish a schedule of hours of public access for the proposed improvement. Where the MTA, or any other City or State agencies with control and responsibility for the area of a proposed improvement, deems necessary, such executed agreement shall set forth obligations of the applicant to provide a performance bond or other security for completion of the improvement in a form acceptable to the MTA or any other such agencies.
- Where the proposed #development# or #enlargement# proposes an off-site improvement located in an area to be acquired by a City or State agency, the applicant may propose a phasing plan to sequence the construction of such off-site improvement. To determine if such phasing plan is reasonable, the Commission may consult with the City or State agency that intends to acquire the area of the proposed improvement.

Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to construct, and, where applicable, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

Except where a phasing plan is approved by the City Planning Commission, no temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# granted pursuant to the provisions of Section 81-633 (Special Permit for Grand Central public realm improvements) Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) until the required improvements have been substantially completed, as determined by the Chairperson of the City Planning Commission, acting in consultation with the MTA, or any other City or State agencies with control and responsibility for the area where a proposed improvement is to be located, where applicable, and such improvements are usable by the public. Such portion of the #building# utilizing bonus #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson, acting in consultation with the MTA, or any other City or State agencies with control and responsibility for the area where a proposed improvement is to be located, where applicable.

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

[MOVE EXISTING TEXT TO SECTION 81-631 (c)]

81-634

Permitted modifications in conjunction with additional floor area

Transfer of development rights by certification

[INSERT THE FOLLOWING EXISTING TEXT FROM 81-642]

In conjunction with the grant of a special permit pursuant to Section 81-633 (Special Permit for Grand Central public realm improvements) Section 81-641 (Additional floor area for the provision of public realm improvements), the City Planning Commission may permit modifications to #street walls#, height and setback regulations and mandatory plan elements, as set forth in Paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in Paragraph (b) and the findings set forth in Paragraph (c) of this Section are met.

- (a) The Commission may modify the following, whether singly or in any combination:
 - (1) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-671 81-621 (Special street wall requirements), inclusive;
 - (2) the height and setback regulations of Sections 81-26 (Height and Setback Regulations-Daylight Compensation), inclusive, 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation), inclusive, or 81-66 81-622 (Special height and setback requirements); or
 - (3) the mandatory district plan elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions) 81-623 (Building lobby entrance requirements), 81-675 81-624 (Curb cut restrictions and loading berth requirements), 81-676 81-625 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted.

- (b) Application requirements

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:

- (1) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43 (Street Wall Continuity Along Designated Streets), or as such provisions are modified pursuant to Section 81-671 81-621 (Special street wall requirements), as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), or as such provisions are modified pursuant to Section 81-66 81-622 (Special height and setback requirements), as applicable;
- (2) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-66 81-622; and
- (3) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-66 81-622.

- (c) Findings

The Commission shall find that such proposed modifications:

- (1) to the mandatory district plan elements will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions); and
- (2) to the #street wall# or height and setback regulations will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations).

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

[EXISTING TEXT DELETED]

Within the Grand Central Subdistrict, the City Planning Commission may allow by certification:

- (a) a transfer of development rights from a “granting lot” to a “receiving lot” in an amount not to exceed a #floor area ratio# of 1.0 above the basic maximum #floor area ratio# allowed by the applicable district regulations on the “receiving lot,” provided that a program for the continuing maintenance of the landmark approved by the Landmarks Preservation Commission has been established; and
- (b) in conjunction with such transfer of development rights, modification of the provisions of Sections 77-02 (Zoning Lots not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions), 77-22 (Floor Area Ratio) and 77-25 (Density Requirements), as follows:

For any “receiving lot,” whether or not it existed on December 15, 1961, or any applicable subsequent amendment thereto, #floor area# or #dwelling units# permitted by the applicable district regulations which allow a greater #floor area ratio# may be located on a portion of such “receiving lot” within a district which allows a lesser #floor area ratio#, provided that the amount of such #floor area# or #dwelling units# to be located on the side of the district boundary permitting the lesser #floor area ratio# shall not exceed 20 percent of the basic maximum #floor area ratio# or number of #dwelling units# of the district in which such #bulk# is to be located.

81-635

Transfer of development rights by special permit

[EXISTING TEXT MOVED TO SECTION 81-632]

81-64

**Special Floor Area Provisions for Qualifying Sites
Special Permit for Grand Central Public Realm Improvement Bonus**

For #non-residential buildings# or #mixed buildings# on #qualifying sites# in the East Midtown Subdistrict, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

MAXIMUM FLOOR AREA RATIOS AND ALLOWANCES FOR QUALIFYING SITES

	Means for Achieving Permitted FAR Levels on a #Zoning Lot# for #qualifying sites#	Grand Central Transit Improvement Zone Subarea		Park Avenue Subarea		Other Transit Improvement Zone Subarea		Southern Subarea		Northern Subarea	
		C5-2.5	C5-3	C5-2.5	C5-3	C5-2.5 C6-4.5	C5-3 C6-6	C5-2.5 C6-4.5	C5-3 C6-6	C5-2.5 C6-4.5	C5-3 C6-6
A	Basic Maximum FAR										
		12	15	12	15	12	15	12	15	12	15
B	Minimum #Floor Area# Allowances through identified transit improvements (Section 81-641) if exceeding base maximum FAR										
		2.7	2.7	-	-	2.3	2.3	-	-	-	-
C	Maximum #Floor Area# Allowances through identified transit improvements (Section 81-641)										
		5.4	5.4	-	-	4.6	4.6	-	-	-	-
D	Maximum amount of transferable development rights (FAR) from landmark #zoning lots# that may be utilized on a #qualifying site# (Section 81-642)										
		12.3	9.3	11	10	8.7	5.7	9.6	6.6	6	3
E	Maximum as-of-right #Floor Area Ratio# on #qualifying sites#										
		27	27	23	25	23	23	21.6	21.6	18	18
F	Maximum FAR for transit improvement special permit (Section 81-644)										
		3	3	-	-	3	3	-	-	-	-
G	Maximum FAR for public concourse special permit (Section 81-645)										
		3	3	3	3	3	3	3	3	3	3
H	Maximum Total FAR on a #qualifying site#										
		30	30	26	28	26	26	24.6	24.6	21	21

[EXISTING TEXT DELETED]

In order to facilitate the development of exceptional and sustainable #buildings# within the Vanderbilt Corridor as well as improvements to the pedestrian and mass transit circulation network in the vicinity of Grand Central Terminal, for #developments# and #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown in on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the City Planning Commission may permit:

- (a) additional #floor area# for the provision of on-site or offsite, above- or below-grade improvements to the pedestrian or mass transit circulation network in the Grand Central Subdistrict, in accordance with the provisions of Section 81-641 (Additional floor area for the provision of public realm improvements); and
- (b) in conjunction with additional #floor area# granted pursuant to Section 81-641, modifications to #street wall# regulations, height and setback regulations and mandatory district plan elements, provided such modifications are in accordance with the provisions of Section 81-642 (Permitted modifications in conjunction with additional floor area):

**81-641
Additional floor area for Transit Improvements on Qualifying Sites
Additional floor area for the provision of public realm improvements**

All #developments# on #qualifying sites# located within the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown

Subdistrict and Subareas) in Appendix A of this Chapter, that exceed the basic #floor area ratio# set forth in Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) shall comply with the provisions of this Section.

The Chairperson of the City Planning Commission shall allow, by certification, #floor area# on a #qualifying site# to be increased above the applicable basic maximum #floor area ratio# provided that such resulting increase in #floor area ratio# is not less than the minimum specified in Row B of Section 81-64, nor more than the maximum specified in Row C of such table, as applicable, and further provided that a public realm improvement, or a combination of public realm improvements, will be constructed in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, in accordance with the provisions of this Section.

- (a) The following requirements shall be completed prior to application for certification by the Chairperson:
 - (1) The applicant shall select a public realm transit improvement project that has been identified on the Priority Improvement List in Section 81-682 (Priority Improvement List for Qualifying Sites) and is commensurate with the minimum #floor area# required, and results in a #floor area ratio# increase not exceeding the maximum #floor area ratio# permitted to be achieved through the provisions of this Section. The process for such selection is also set forth in Section 81-682;
 - (2) The applicant shall submit concept plans for the proposed transit improvement to the Chairperson and any applicable City or State agencies with jurisdiction over and control of

the proposed improvement;

- (3) The applicant shall obtain and provide to the Chairperson a conceptual approval of the improvement from any applicable City or State agencies with jurisdiction over and control of the proposed improvement in letter form, wherein such agencies state that such improvements meet the technical requirements set forth in Section 81-682; and
- (4) the applicant shall execute agreements and legally enforceable instruments running with the land, setting forth the obligations of the owner and developer, their successors and assigns, to design and construct the improvement in accordance with the requirements of the applicable City or State agencies with jurisdiction over and control of the proposed improvement. A certified copy of such legal instruments shall be sent to the Chairperson.

(b) The following items shall be submitted to the Chairperson as part of an application for certification:

- (1) zoning calculations for the proposed #development# on the #qualifying site# showing the additional #floor area# associated with the completion of such transit improvement; and
- (2) drawings, including but not limited to plans, sections, elevations, three-dimensional projections or other drawings deemed necessary or relevant by the Chairperson for the transit improvement.

The Chairperson shall allow, by certification, a reduction in, or waiver of, the minimum #floor area ratio# required pursuant to Row B of Section 81-64, where there are an insufficient number of available projects on the Priority Improvement List in Section 81-682. The Chairperson shall also allow, by certification, the maximum #floor area ratio# for a #qualifying site# to be increased beyond the limit set forth in Row C in the Table of Section 81-64, where the Metropolitan Transportation Authority requires improvements to the 5th Avenue and East 53rd Street Station to be combined in order to adequately phase improvements and avoid practical difficulties in operating the station.

When an applicant has submitted materials to the Chairperson that satisfy the requirements of paragraphs (a) and (b) of this Section, the Chairperson shall certify to the Department of Buildings that a #development# on a #qualifying site# is in compliance with the provisions of this Section. Such certification shall be a precondition to the issuance of any foundation permit or new building permit by the Department of Buildings allowing a #development# on a #qualifying site# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# identified as utilizing the additional #floor area# granted pursuant to the provisions of this Section until the Chairperson of the City Planning Commission, acting in consultation with the applicable City or State agencies having jurisdiction over and control of the proposed improvement, has certified that the improvements are substantially complete and usable by the public. Such portion of the #building# shall be designated by the applicant in drawings included in the instruments filed pursuant to Paragraph (b) of this Section.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing such additional #floor area# until the improvements have finally been completed in accordance with the approved plans and such final completion has been approved by the Chairperson, acting in consultation with the applicable City or State agencies having jurisdiction over and control of the proposed improvement.

[EXISTING TEXT MOVED TO 81-633]

81-642

Transfer of development rights from landmarks to Qualifying Sites

Permitted modifications in conjunction with additional floor area

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of development rights from #zoning lots# occupied by #landmark buildings or other structures# within the East Midtown Subdistrict to a #qualifying site#, provided that the provisions of this Section are met.

(a) The transfer of development rights shall be subject to the following conditions:

- (1) For #qualifying sites# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas), the applicant shall comply with the provisions of Section 81-641 (Additional floor area for Transit Improvements) prior to, or in conjunction with, meeting the requirements of this Section.

- (2) The maximum amount of #floor area# that may be transferred from a #granting lot# shall be the applicable basic maximum #floor area# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), less the total #floor area# of all existing #buildings# on the landmark #zoning lot#, and any previously transferred #floor area#. In no event shall a #granting lot# transfer any previously granted bonus #floor area# received for subway station improvements, #publicly accessible open areas# or the provision of district improvements pursuant to the provisions of this Chapter, or any preceding regulations.

- (3) For each #receiving lot#, the increased #floor area# allowed by the transfer of development rights pursuant to this Section shall not exceed the amount resulting in the maximum #floor area ratio# set forth in Row D of the table in Section 81-64.

- (4) Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the #granting lot# by the amount of #floor area# transferred. If the landmark designation is removed from the #landmark building or other structure#, the #landmark building or other structure# is destroyed or #enlarged#, or the #zoning lot# with the #landmark building or structure# is redeveloped, the #granting lot# may only be #developed# or #enlarged# up to the amount of permitted #floor area# as reduced by each transfer.

- (5) The owners of the #granting lot# and the #receiving lot# shall submit to the Chairperson a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the #granting lot# and the #receiving lot# shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York), a certified copy of which shall be submitted to the Chairperson.

Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by lot and block numbers, the #granting lot# and the #receiving lot# that are a party to such transfer.

- (6) A contribution shall be deposited by the applicant into the #Public Realm Improvement Fund#. Such contribution shall be equal to the greater of:

- (i) 20 percent of the sales price of the transferred #floor area#; or
- (ii) an amount equal to 20 percent of the #Public Realm Improvement Fund Floor Price# multiplied by the amount of transferred #floor area#.

- (b) An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the #granting lot# and #receiving lot#. The following items shall be submitted to the Chairperson as part of an application for certification:

- (1) For #qualifying sites# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, materials that are sufficient to demonstrate compliance with the provisions of Section 81-641 (Additional floor area for transit improvements on qualifying sites);
- (2) site plans and zoning calculations for the #granting lot# and #receiving lot#;
- (3) materials to demonstrate the establishment of a program for the continuing maintenance of the #landmark building or other structure#;
- (4) a report from the Landmarks Preservation Commission concerning the continuing maintenance program of the #landmark building or other structure#; and
- (5) for those #receiving lots# that are contiguous to a lot occupied by Grand Central Terminal or a lot that is across a #street# and opposite the lot occupied by Grand Central Terminal, or in the case of a #corner lot#, one that fronts on the same #street# intersection as the lot occupied by Grand Central Terminal, a report from the Landmarks Preservation Commission concerning the harmonious relationship of the #development# to Grand Central Terminal.

When an applicant has submitted materials to the Chairperson that satisfy the requirements of paragraphs (a) and (b) of this Section, the Chairperson shall certify to the Department of Buildings that a #development# on a #qualifying site# is in compliance with the provisions of this Section.

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 ratio# for such #development# on a #qualifying site#.

A separate application shall be filed for each transfer of development rights to an independent #receiving lot# pursuant to this Section.

[EXISTING TEXT MOVED TO SECTION 81-634]

81-643

Special provisions for retaining non-complying floor area

A #non-complying commercial building# with #non-complying floor area# constructed prior to December 15, 1961 may be demolished and reconstructed on a #qualifying site# to retain the amount of pre-existing #non-complying floor area# in accordance with the applicable district #bulk# regulations of this Chapter, upon certification by the Chairperson of the City Planning Commission to the Department of Buildings first, that prior to demolition, such #non-complying commercial building# complies with the provisions of Paragraph (a) of this Section, as applicable, and, subsequently, prior to reconstruction, the proposed #development# complies with the applicable provisions of Paragraph (b) of this Section.

- (a) A #non-complying commercial building# may be demolished to reconstruct pre-existing #non-complying floor area# pursuant to the provisions of Paragraph (b) of this Section, provided that calculations of the amount of #non-complying floor area# in such existing #non-complying commercial building# to be replaced in such reconstructed #building# shall be submitted to the Chairperson. Such calculations shall be shown on either the #building's# construction documents previously submitted for approval to the Department of Buildings at the time of such #building's# construction, #enlargement#, or subsequent alterations, as applicable; or on an as-built drawing set completed by a licensed architect prior to such #building's# demolition.

For the purpose of calculating the amount of #non-complying floor area# to be retained on #zoning lots# with multiple existing #buildings# at the time of application, the maximum amount of #non-complying floor area# that is able to be reconstructed shall be equivalent to the #floor area# of the #zoning lot# at the time of application, less the total #floor area# of all existing #buildings# to remain.

Certification pursuant to the provisions of Paragraph (a) of this Section shall be a precondition to the issuance of any demolition permit by the Department of Buildings for a #zoning lot# reconstructing #non-complying floor area#. Such certification shall set forth the calculation of the amount of #non-complying floor area# which may be reconstructed pursuant to Paragraph (b) of this Section, as determined by the Chairperson.

- (b) Upon certification pursuant to Paragraph (a) of this Section, a #building# may reconstruct the amount of pre-existing #non-complying floor area# calculated pursuant to such certification, provided that:
- (1) All requirements for #qualifying sites# set forth in the definition in Section 81-613 (Definitions), inclusive are met; and
 - (2) A contribution shall be deposited by the applicant into the #Public Realm Improvement Fund#. Such contribution shall be an amount equal to 20 percent of the #Public Realm Improvement Fund Floor Price# multiplied by the amount of such pre-existing #non-complying floor area#.

The payment of the non-refundable contribution to the #East Midtown District Improvement Fund# pursuant to the provisions of Paragraph (b) of this Section, shall be a precondition to the issuance of any foundation permit or new building permit by the Department of Buildings allowing a #development# on a #qualifying site# or other site.

Any proposed #floor area# in the reconstructed #building# beyond the amount contained in the pre-existing #non-complying building# shall be obtained by utilizing the applicable provisions of Section 81-64 (Special Floor Area Provisions for Qualifying Sites). For the purposes of applying the provisions of such Section, the reconstructed #floor area ratio# shall be considered the basic maximum #floor area ratio#.

81-644

Special Permit for Transit Improvements

For #qualifying sites# located in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where subway station improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with the special permit application.

81-645

Special Permit for a Public Concourse

For #qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment, is provided on the #qualifying site#. Such publicly accessible spaces shall include amenities that are characteristic of #public plazas# or public atriums, as applicable, for the comfort and convenience of the public.

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with the special permit application.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# complies with the conditions and application requirements of Paragraph (a), the findings of Paragraph (b) and the additional requirements of Paragraph (c) of this Section.

- (a) Applications shall include information and justification sufficient to provide the Commission with the basis for: evaluating the benefits to the general public; determining the appropriate amount of increased #floor area# to grant; and determining whether the applicable findings set forth in Paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.
- (b) The Commission shall find that:
 - (1) to the extent practicable, the open or enclosed public concourse will: consist of a prominent space of generous proportions and quality design that is inviting to the public; improve pedestrian circulation and provide suitable amenities for the occupants; front upon a #street# or a pedestrian circulation space in close proximity to and within view of, and accessible from, an adjoining sidewalk; provide or be surrounded by active #uses#; be surrounded by transparent materials; provide connections to pedestrian circulation spaces in the immediate vicinity; and be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; and
 - (2) the public benefit derived from the proposed public concourse merits the amount of additional #floor area# being granted to the proposed #development# pursuant to this special permit;
- (c) Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to construct, and, where applicable, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson of the City Planning Commission, and such improvements are usable by the public. Such portion of the #building# utilizing increased #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson.

81-65

Special Floor Area Provisions for All Other Sites Special Permit for Transient Hotels

For #non-residential buildings# or #mixed buildings# on #non-qualifying sites# in the East Midtown Subdistrict, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only

in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

Row	Means for achieving permitted FAR on a #zoning lot# for all other sites	Grand Central Core Area		Any other Areas	
		C5-3 C6-6	C5-2.5 C6-4.5	C5-3 C6-6	C5-2.5 C6-4.5
A	Basic Maximum FAR	15	12	15	12
B	Additional FAR for provision of a #public plaza# (Section 81-651)	-	-	1	1
C	Total as-of-right FAR	15	12	16	13
D	Additional FAR for subway station improvements through special permit (Section 81-652)	3	2.4	3	2.4
E	Maximum FAR of a #landmark or other structure# for transfer purposes (Section 74-79)	15	12	16	13
F	Maximum amount of transferable development rights from a landmark #zoning lot# that may be utilized on an #adjacent lot# (Section 74-79)	No limit	2.4	No limit	2.4
G	Maximum FAR permitted on an #adjacent lot#	No limit	14.4	No limit	14.4

[EXISTING TEXT REPLACED BY TEXT IN SECTION 81-621

Within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the City Planning Commission may permit the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or may permit the #conversion# or change of #use# within an existing #building# to a #transient hotel#, provided the Commission finds that the proposed #transient hotel# will:

- (a) be appropriate to the needs of businesses in the vicinity of Grand Central Terminal; and
- (b) provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.

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

81-651

Floor area bonus for public plazas

For #non-qualifying sites# in Subareas outside the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the basic maximum #floor area ratio# permitted on such #zoning lots# shall be increased, up to the amount specified in Row B of the table in Section 81-65 (Special Floor Area Provisions for All Other Sites), where a #public plaza# is provided in accordance with the provisions of Section 81-23 (Floor Area Bonus for Public Plazas).

81-652

Floor area bonus for subway station improvements

For #non-qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row D of the table in Section 81-65 (Special Floor Area Provisions for All Other Sites), as applicable, where subway station improvements are made in accordance with the provisions of Sections 81-292 (Subway station

improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

81-653

Special Permit for transfer of development rights from landmarks to non-qualifying sites

For #non-qualifying sites#, the City Planning Commission may permit the transfer of development rights from a #granting lot# to a #receiving lot#, pursuant to the provisions of Section 74-79 (Transfer of Development Rights from Landmark Sites), provided that:

- (a) the maximum amount of #floor area# that may be transferred from a #granting lot# shall be the applicable basic maximum #floor area# set forth in Section 81-65 (Special Floor Area Provisions for All Other Sites), less the total #floor area# of all existing #buildings# on the landmark #zoning lot#, and any previously transferred #floor area#. In no event shall a #granting lot# transfer any previously granted bonus #floor area# received for subway station improvements, #publicly accessible open areas# or the provision of district improvements pursuant to the provisions of this Chapter, or any preceding regulations;
- (b) for each #receiving lot#, the increased #floor area# allowed by the transfer of development rights pursuant to this Section shall not exceed the amount resulting in the maximum #floor area ratio# set forth in Row F of the table in Section 81-65; and
- (c) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the #granting lot# by the amount of #floor area# transferred.

81-66

Special Height and Setback Requirements

For #buildings# which are #developed# or #enlarged# within the East Midtown Subdistrict, the applicable height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, and 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation), inclusive, are modified by the provisions of this Section, inclusive.

81-661

Height and setback modifications for buildings in the Grand Central Core Area

[RELOCATED TEXT FROM SECTION 81-622]

Within the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter, the provisions of Sections 81-26 (Height and Setback Regulations-Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations-Daylight Evaluation) shall apply to all #buildings# on a #zoning lot#, except that:

- (a) where such #buildings# are governed by Section 81-26, no #compensating recess# shall be required for the #encroachment# of that portion of the #building# below 150 feet above #curb level#; or
- (b) where such #buildings# are governed by Section 81-27, the computation of daylight evaluation shall not include any daylight blockage, daylight credit, profile daylight blockage or available daylight for that portion of the #building# below 150 feet above #curb level#. However, the passing score required pursuant to Paragraph (i) of Section 81-274 shall apply.

81-662

Daylight Compensation modifications for qualifying sites

#Buildings# on #qualifying sites# in the East Midtown Subdistrict using the daylight compensation method of height and setback regulations may modify the provisions of Section 81-26 (Height and Setback Regulations-Daylight Compensation) as follows:

- (a) for the purposes of determining permitted #encroachments# and #compensating recesses# pursuant to Section 81-264 (Encroachments and compensating recesses):
 - (1) no #compensating recess# shall be required where #encroachments#, or portions thereof, are provided on the portion of the #building# below a height of 150 feet, as measured from #curb level#;
 - (2) #compensating recesses# provided for #encroachments#, or portions thereof, above a height of 400 feet, as measured from #curb level#, need not comply with the provisions of Paragraph (c)(1) of Section 81-264. In lieu thereof, for any portion of the #building# located above a height of 400 feet, the amount of #compensating recess# required for any particular level of the #building# shall be equal to the amount of #encroachment# provided at such level. The remaining provisions of Paragraph (c) of Section 81-264 shall continue to apply to such #compensating recess#; and
 - (3) For #buildings# on #qualifying sites# with frontage along Vanderbilt Avenue, a portion of Vanderbilt Avenue may be

considered part of the #zoning lot# for the purposes of determining permitted #encroachments# and #compensating recesses#. Such modified #zoning lot# shall be constructed by shifting the westerly boundary of the #zoning lot# to the westerly #street line# of Vanderbilt Avenue, and by prolonging the #narrow street lines# to such new westerly boundary. The Vanderbilt Avenue portion of such modified #zoning lot# may be considered a #compensating recess# for encroachments along such #building's narrow street frontage zone#, provided that any portion of the #building# fronting along Vanderbilt Avenue above a height of 100 feet, as measured from #curb level#, is setback a minimum 15 feet from the Vanderbilt Avenue #street line#, and further provided that the #street frontage zone# calculation along Park Avenue shall not include Vanderbilt Avenue;

- (b) for the purposes of determining the permitted length of #encroachments# pursuant to Section 81-265 (Encroachment limitations by length and height rules) the minimum length of recess required by Formula 2 in Paragraph (c) shall be modified to 20 percent of the length of the #front lot line#; and
- (c) for #buildings# on #qualifying sites# with frontage along Park Avenue, as an alternative to the setback requirements of Table A, B, or C in Paragraph (b) of Section 81-263 (Standard setback requirements), the Park Avenue wall of such #building# shall be set back behind the applicable #setback line# to the depth of the #setback line# required at that particular height, in accordance with the applicable requirements of Table D of this Section.

Table D

SETBACK REQUIREMENTS ON STREETS AT LEAST 140 WIDE
Depth of #Setback Line# from #Street Line# at Stated Heights above #Curb Level#.

Height	Depth of #Setback Line#	Height	Depth of #Setback Line#
210	0.00	470	29.75
220	1.00	480	30.50
230	2.50	490	31.50
240	4.25	500	32.00
250	5.50	510	33.00
260	7.00	520	33.50
270	8.75	530	34.50
280	10.00	540	35.00
290	11.25	550	35.50
300	12.75	560	36.00
310	14.25	570	37.00
320	15.25	580	37.50
330	16.25	590	38.00
340	17.50	600	38.50
350	18.75	610	39.00
360	19.75	620	39.75
370	21.00	630	40.25
380	21.75	640	41.00
390	23.00	650	41.50
400	23.75	660	41.75
410	25.00	670	42.25
420	25.75	680	43.00
430	26.75	690	43.50
440	27.50	700	43.75
450	28.50	710	44.25
460	29.25	Above 710	*

*For every 10 feet of height above 710 feet, the depth shall increase by one foot.

81-663

Daylight Evaluation modifications for qualifying sites

#Buildings# on #qualifying sites# in the East Midtown Subdistrict using the daylight evaluation method of height and setback regulations may modify the provisions of Section 81-27 (Alternate Height and Setback Regulations-Daylight Evaluation) as follows:

- (a) for the purposes of calculating the daylight evaluation score pursuant to Section 81-274 (Rules for determining the daylight evaluation score):
 - (1) the computation of daylight evaluation shall not include any daylight blockage or profile daylight blockage for that portion of the #building# above the curved line representing 70 degrees in the applicable Daylight Evaluation Charts, and below a height of 150 feet above #curb level#;
 - (2) the computation of unblocked daylight squares which are below the curved line representing an elevation of 70 degrees, pursuant to Paragraph (c) of Section 81-274, may apply along designated #streets# where #street wall# continuity is required;
 - (3) the profile penalty for #profile encroachment#, set forth in Paragraph (a) of Section 81-274, shall not apply; and
 - (4) the provisions of Paragraph (i) of Section 81-274 shall be modified to require an overall passing score of 66 percent. However for #qualifying sites# with existing #buildings# with #non-complying floor area# to be reconstructed pursuant to the provisions of Section 81-643 (Special provisions for retaining non-complying floor area), the overall passing score of the #zoning lot#, as existing on [date of enactment], may be utilized as the passing score for the proposed #development# on the #qualifying site#;
- (b) for #buildings# on #qualifying sites# with frontage along Vanderbilt Avenue, a portion of Vanderbilt Avenue may be considered part of the #zoning lot# for the purposes of constructing the #daylight evaluation chart# pursuant to Section 81-272 (Features of the Daylight Evaluation Chart). Such modified #zoning lot# shall be constructed by shifting the westerly boundary of the #zoning lot# to the westerly #street line# of Vanderbilt Avenue, and by prolonging the #narrow street lines# to such new westerly boundary. Such modified #zoning lot# may be utilized to create a modified pedestrian view along Vanderbilt Avenue and intersecting #narrow streets# provided that:
 - (1) any portion of the #building# fronting along Vanderbilt Avenue above a height of 100 feet, as measured from #curb level#, is setback a minimum 15 feet from the Vanderbilt Avenue #street line#;
 - (2) #vantage points# along Vanderbilt Avenue are taken 30 feet west of the westerly #street line# instead of the #center line of the street#; and
 - (3) #vantage points# along #narrow streets# are taken from the corner of the modified #zoning lot#; and
- (c) for #buildings# with frontage along Park Avenue:
 - (1) for the purposes of establishing #vantage points# along Park Avenue to construct a #daylight evaluation chart# pursuant to the provisions of Section 81-272 (Features of the Daylight Evaluation Chart), the definition of #centerline of the street#, as set forth in Section 81-271 (Definitions), shall be modified along Park Avenue to be a line 70 feet from, and parallel to, the Park Avenue #street line# of the #zoning lot#; and
 - (2) for the purpose of plotting #buildings# on the #daylight evaluation chart# pursuant to Section 81-273 (Rules for plotting buildings on the daylight evaluation chart), Chart 4 (Daylight Evaluation Diagram – Park Avenue) in Appendix B of this Chapter, shall be utilized in lieu of the chart for #streets# 100 feet or more in width.

81-67

Special Mandatory District Plan Element Requirements

For #buildings# which are #developed# or #enlarged# within the East Midtown Subdistrict, the applicable provisions of Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS) shall be modified in accordance with the provisions of this Section, inclusive.

81-671

Special street wall requirements

[RELOCATED TEXT FROM SECTION 81-621]

The requirements of Section 81-43 (Street Wall Continuity Along Designated Streets) shall be applicable within the Subdistrict, except as modified in this Section.

#Buildings# with frontage on Park, Lexington, Madison and Vanderbilt Avenues, or Dewey Place in the Grand Central Core Area, as shown on

Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, shall have a #street wall# within 10 feet of the #street line# of such #streets#.

On 42nd Street, the #street wall# shall be at the #street line#. The width of the required #street wall# shall be at least 80 percent of the length of the #front lot line#. The minimum height of such #street walls# without any setback shall be 120 feet above #curb level# or the height of the #building#, whichever is less, and the maximum height shall not exceed 150 feet above #curb level#. Where a #zoning lot# is bounded by the intersection of Park, Lexington, Madison and Vanderbilt Avenues, 42nd Street or Depew Place and any other #street#, these #street wall# height regulations shall apply along the full length of the #zoning lot# along the other #street# or to a distance of 125 feet from the intersection, whichever is less.

Beyond 125 feet from the intersection, the maximum height of the #street wall# above #curb level# shall not exceed 120 feet. For such #building#, the provisions of Section 81-262 (Maximum height of front wall at the street line) shall not be applicable.

However, the ten foot setback requirement of Section 81-263, Paragraph (a), shall apply only to those portions of the #building# above this height.

81-672 Sidewalk widenings

All sidewalk widenings provided pursuant to the provisions of this Section shall be improved as sidewalks to Department of Transportation standards, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times. The design provisions set forth in Paragraph (f) of Section 37-53 (Design Standards for Pedestrian Circulations Spaces) shall apply, except as modified in this Section. All sidewalk widenings provided in accordance with the provisions of this Section shall constitute pedestrian circulation space, as required pursuant to Section 81-45 (Pedestrian Circulation Space).

(a) Mandatory sidewalk widenings along Madison and Lexington Avenues

#Developments# on #qualifying sites# with frontage along Madison and Lexington Avenues, shall provide mandatory sidewalk widenings as follows:

- (1) where such #development# is on a #zoning lot# which occupies the entire #block# frontage, a sidewalk widening shall be provided to the extent necessary so that a minimum sidewalk width of 20 feet is achieved, including portions within and beyond the #zoning lot#. However, no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#;
- (2) where such #development# is on a #zoning lot# which does not occupy the entire #block# frontage, a sidewalk widening shall be provided where all existing #buildings# on the #block# frontage have provided such a widening. Such required widening shall match the amount of widened sidewalk provided on adjacent #zoning lots#, provided that no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#.

(b) Permitted sidewalk widenings

Sidewalk widenings may be provided, in accordance with the applicable size and design standards established in Section 37-50 (Pedestrian Circulation Space):

- (1) along #narrow streets# in the Grand Central Subarea, as shown on Map 4, for #developments# and #enlargements# on #zoning lots# with a #lot width# of 100 feet or more, as measured along such #narrow street line#; and
- (2) where a #street wall#, or portions thereof, is permitted to be located beyond the #street line# pursuant to the applicable provisions of Section 81-671 (Special Street Wall Requirements), inclusive.

(c) Permitted obstructions

In the Grand Central Subarea, as shown on Map 4, awnings and canopies shall be permitted obstructions within a sidewalk widening provided that no structural posts or supports are located within any portion of the sidewalk or such widening.

81-673 Mass transit access

For #developments# on #qualifying sites# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter, involving ground level construction shall provide on certain #zoning lots# a transit easement volume on such #zoning lot# for public access between the #street# and the below-grade subway station or rail mass transit facility.

Prior to filing any applications with the Department of Buildings

for an excavation permit, foundation permit, new building permit or alteration permit for a #development# or #enlargement#, the owner of the #zoning lot# shall file an application with the Metropolitan Transportation Authority (MTA) and the Chairperson of the City Planning Commission requesting a certification as to whether or not a transit easement volume is required on the #zoning lot#.

Within 60 days after receipt of such application, the MTA and the Chairperson shall jointly certify whether or not a transit easement volume is required on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a transit easement volume on such #zoning lot#.

When the MTA and the Chairperson indicate that a transit easement volume is required, the owner shall submit a site plan showing a proposed location and size of the transit easement volume that would provide access between the #street# and the below-grade subway station or rail mass transit facility and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days after its receipt and may, within such 45 day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the City Planning Commission to the Department of Buildings.

Legal instruments creating a transit easement volume shall be executed and recorded in a form acceptable to the City. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing a #development# or #enlargement#.

If a transit easement volume is required on the #zoning lot#, pursuant to the provisions of this Section, an off-street subway or rail mass transit access improvement may be constructed and maintained by either the owner of the #development# or #enlargement#, or the MTA, as follows:

(a) where such mass transit access improvement is constructed and maintained by the owner of the #development# or #enlargement#:

- (1) each square foot of mass transit access may constitute three square feet of pedestrian circulation space required pursuant to Section 81-45 (Pedestrian Circulation Space), not to exceed 3,000 square feet. Such mass transit access shall be measured in accordance with the provisions of Section 81-48 (Off-street Improvement of Access Rail Mass Transit Facility), and shall comply with the following:
 - (i) such mass transit access shall be improved to the standards set forth in Section 81-48 and shall be approved by the MTA;
 - (ii) where the #building's# lobby abuts such mass transit access, in addition to mass transit access to the #street#, such mass transit access shall provide a direct connection to the #building's# lobby which is open during normal business hours; and
 - (iii) such mass transit access shall provide directional #signs# in accordance with the provisions of Section 81-412 (Directions signs). Such #signs# shall be exempt from the maximum #surface area# of non-illuminated signs permitted by Section 32-642 (Non-illuminated signs); and

- (2) No temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the MTA, has certified that the improvements are substantially complete and usable by the public.

(b) where such mass transit access is constructed and maintained by the MTA:

- (1) where construction of the transit easement volume by the MTA is not contemporaneous with the construction of the #development#:
 - (i) any underground walls constructed along the #front lot line# of a #zoning lot# shall contain a knockout panel, not less than twelve feet wide, below #curb level# down to the bottom of the easement. The actual location and size of such knockout panel shall be determined through consultation with the MTA; and
 - (ii) temporary construction access shall be granted to the MTA on portions of the #zoning lot# outside of the transit easement volume, as necessary, to enable construction within and connection to the transit easement volume; and

- (2) in the event that the MTA has approved of obstructions associated with the #development# or #enlargement# within the transit easement volume, such as #building# columns or footings, such construction and maintenance shall exclude any such obstructions within the transit easement volume.

The floor space occupied by any transit easement volume shall not count as #floor area#.

81-674

Ground floor use provisions

- (a) Within the Vanderbilt Corridor Subarea

[RELOCATED TEXT FROM SECTION 81-626]

For #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, where a #building# fronts upon a designated retail #street#, as shown on Map 2 (Retail and Street Wall Continuity), any portion of such #building's# ground floor level frontage along such designated retail #street# allocated to above- or below-grade public realm improvements provided in accordance with a special permit pursuant to Section 81-632 (Special Permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea) or Section 81-633 (Special Permit for Grand Central public realm improvements) shall be excluded from the retail continuity requirements of Section 81-42 (Retail Continuity along Designated Streets).

- (b) Within the Grand Central Core Area

[RELOCATED TEXT FROM SECTION 81-623]

For #buildings developed# or #enlarged# on the ground floor after August 26, 1992 in the Grand Central Core Area, as shown on Map 4, #building# lobby entrances shall be required on each #street# frontage of the #zoning lot# where such #street# frontage is greater than 75 feet in length, except that if a #zoning lot# has frontage on more than two #streets#, #building# entrances shall be required only on two #street# frontages. Each required #building# entrance shall lead directly to the #building# lobby. #Buildings developed# from May 13, 1982, to August 25, 1992, shall be subject to the provisions of Section 81-47 (Major Building Entrances).

Required #building# entrances on opposite #street# frontages shall be connected directly to the #building# lobby by providing a through #block# connection in accordance with Paragraph (h) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), except that such through #block# connection shall be located at least 50 feet from the nearest north/south #wide street#.

Each required #building# entrance shall include a #building# entrance recess area, as defined in Paragraph (b) of Section 37-53, except that for #developments# or #enlargements# with frontage on Madison or Lexington Avenues or 42nd Street, the width of a #building# entrance recess area shall not be greater than 40 feet parallel to the #street line# and there may be only one #building# entrance recess area on each such #street# frontage.

- (c) Along #narrow streets# of #qualifying sites# in the Grand Central Core Area

For #developments# on #qualifying sites# in the Grand Central Core Area, as shown on Map 4, a minimum of 50 percent of a #building's# ground floor level #street wall# frontage along a #narrow street# shall be limited to retail, personal service or amusement #uses# permitted by the underlying zoning district regulations, but not including #uses# in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 and 12D or automobile showrooms or plumbing, heating or ventilating equipment showrooms. Such ground floor level retail, personal services or amusement #uses# shall comply with the transparency provisions of Section 81-42.

81-675

Curb cut restrictions and loading berth requirements

[RELOCATED AND MODIFIED TEXT FROM SECTION 81-624]

For #developments# or #enlargements# within the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, in addition to the provisions of Sections 81-30 (OFF-STREET PARKING AND LOADING REGULATIONS), inclusive, and 81-44 (Curb Cut Restrictions), the following shall apply:

- (a) Loading berth provisions

For #through lots#, the required loading berth shall be arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.

However, the Commissioner of Buildings may waive such head-in and head-out requirements, provided that:

- (1) the #zoning lot# has frontage along a #street# where curb

cuts accessing a loading berth are permitted, but there is no access to such #zoning lot# from the #street# due to the presence of:

- (i) a #building# existing on (date of adoption) containing #residences#;
 (ii) a #non-residential building# existing on (date of adoption) that is three or more #stories# in height; or
 (iii) a #building# designated as a landmark or considered a contributing #building# in an Historic District designated by the Landmarks Preservation Commission;
 or

- (2) there are subsurface conditions, ventilation requirements from below-grade infrastructure or other site planning constraints that would make accommodating such loading berths infeasible.

- (a) Curb cut provisions

The maximum width of any curb cut (including splays) shall be 15 feet for one-way traffic and 25 feet for two-way traffic. Curb cuts shall not be permitted on 47th Street between Park and Madison Avenues or on 45th Street between Depew Place and Madison Avenue.

81-676

Pedestrian circulation space requirements

[EXISTING TEXT FROM SECTION 81-625]

Any #development# or #enlargement# within the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, Grand Central Subdistrict shall be subject to the provisions of Sections 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair) and 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), except that:

- (a) no arcade shall be allowed within the Subdistrict;
 (b) within the Subdistrict, a sidewalk widening may be provided only for a #building# occupying an Avenue frontage, provided that such sidewalk widening extends for the length of the full #block# front; and
 (c) for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, up to a maximum of 3,000 square feet of on-site improvements to the public realm provided in accordance with a special permit pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) may be applied toward the pedestrian circulation space requirement.

81-68

Additional Provisions for Qualifying Sites

81-681

Building Performance Requirements for Qualifying Sites

In order to ensure advancement of goals for the reduction of greenhouse gas emissions, #buildings# on #qualifying sites# shall either:

- (a) utilize a district steam system for the #building's# heating and hot water systems; or
 (b) the core and shell of such #building# shall exceed the standards of the chosen commercial building energy-efficiency compliance path within the 2016 New York City Energy Conservation Code (NYCECC), by three percent.

Compliance with the provisions of this Section shall be demonstrated to the Department of Buildings at the time of issuance of a new building permit for a #development# on a #qualifying site#.

The City Planning Commission may, by rule, modify the standards of this Section, as necessary, to ensure that the environmental standards established herein, meet or exceed the current best practices in reducing greenhouse gas emissions.

81-682

Priority Improvement List for Qualifying Sites

In accordance with the provisions of Section 81-641 (Additional floor area for Transit Improvements), any applicant for a #development# on a #qualifying site# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, shall select a transit improvement, or combination thereof, to be completed in accordance with the provisions of this Section.

- (a) Selecting an Improvement

An applicant shall select a transit improvement from the Priority Improvement List in Paragraph (b) of this Section based on the

#floor area# such improvement generates relative to the minimum #floor area# required and maximum #floor area# permitted for completion of such improvement pursuant to Section 81-641, and based on the following geographical and technical considerations:

- (1) First, the applicant shall select a transit improvement in the same Subarea of the East Midtown Subdistrict as the proposed #development# on a #qualifying site#;
- (2) If none of the transit improvements on the Priority Improvement List meet the criteria of Paragraph (a)(1) of this Section, the applicant shall select a transit improvement on a transit route that passes through, and has stations or other facilities in the same Subarea of the East Midtown Subdistrict as the proposed #development# on a #qualifying site#;
- (3) If none of the transit improvements on the Priority Improvement List meet the criteria of paragraphs (a)(1) or (a)(2) of this Section, the applicant shall select any remaining improvement on the list.

In addition, applicants shall consult with the applicable City or State agencies with jurisdiction over and control of the proposed improvement to ensure that the selected improvement will meet the operational and long-term planning needs of the station or transit route, including any phasing requirements, and compliance with the Americans with Disabilities Act (ADA).

(b) The Priority Improvement List

The Priority Improvements List (the "Improvements List"), set forth in the tables below, details physical improvements to subway stations and other rail mass transit facilities in, or adjacent to, the East Midtown Subdistrict, that an applicant on a #qualifying site# may complete for additional #floor area#.

Three levels of improvements are available for completion, which, accordingly, generate three different amount of additional #floor area#:

- (1) Type 1 Improvements generate 40,000 square feet of #floor area#, and include new or expanded on-street station entrances, new or expanded on-street station entrances, new or expanded accessible routes for persons with physical disabilities between two levels of a station, and four or less new or reconfigured station stairs.
- (2) Type 2 Improvements generate 80,000 square feet of #floor area#, and include new or expanded station escalators, new or expanded accessible routes for persons with physical disabilities between three or more station levels, new or expanded paid areas of a station, including widened platforms or mezzanine levels, and more than four new or reconfigured station stairs.
- (3) Type 3 Improvements generate 120,000 square feet of #floor area#, and include large-scale renovations that significantly improve the environment of stations, and new connections between two or more stations.

In consultation with the Metropolitan Transportation Authority (MTA), the City Planning Commission may, by rule, modify such Improvements List to reflect new improvements needed in the transit network.

**TABLE 1
PRIORITY IMPROVEMENT LIST**

TYPE 1 IMPROVEMENTS

Location	Type of Improvement	Transit Line
<u>Lexington/53rd Street station</u>	Replace escalator and stair connecting downtown Lexington platform to station with widened stair	<u>Lexington Avenue Line/53rd Street Line</u>
<u>Lexington/53rd Street station</u>	Provide new street entrance to uptown Lexington platform from 50th Street	<u>Lexington Avenue Line/53rd Street Line</u>
<u>Bryant Park station</u>	Provide ADA access between Flushing platform and mezzanine level	<u>Flushing Line/Sixth Avenue Line</u>
<u>Bryant Park station</u>	Provide new street entrance from north side of West 42nd street	<u>Flushing Line/Sixth Avenue Line</u>
<u>Bryant Park station</u>	Provide ADA access between Sixth Avenue northbound platform and mezzanine level	<u>Flushing Line/Sixth Avenue Line</u>

<u>Bryant Park station</u>	Provide ADA access between Sixth Avenue southbound platform and mezzanine level	<u>Flushing Line/Sixth Avenue Line</u>
<u>59th Street station</u>	Provide new street entrance from north side of 60th Street	<u>Lexington Avenue Line/Broadway-60th Street Line</u>
<u>59th Street station</u>	Provide ADA access between local southbound platform and street level	<u>Lexington Avenue Line/Broadway-60th Street Line</u>
<u>59th Street station</u>	Provide ADA access between 60th Street line platform and mezzanine level	<u>Lexington Avenue Line/Broadway-60th Street Line</u>
<u>59th Street station</u>	Provide new platform stair and widen existing stairs between 60th Street line platform and mezzanine level	<u>Lexington Avenue Line/Broadway-60th Street Line</u>
<u>5th and 53rd Street station</u>	Provide new street entrance on west side of Madison Avenue	<u>53rd Street Line</u>
<u>Grand Central/42nd Street</u>	Widen platform stairs at east end of Flushing platform	<u>Flushing Line</u>
<u>Grand Central/42nd Street</u>	Widen stairs between Flushing and Lexington platforms	<u>Flushing Line</u>

TYPE 2 IMPROVEMENTS

Location	Type of Improvement	Transit Line
<u>Lexington/53rd Street station</u>	Provide widened escalator between 53rd street platform and mezzanine	<u>Lexington Avenue Line/53rd Street Line</u>
<u>59th Street station</u>	Provide ADA access between northbound platforms and 60th Street line mezzanine	<u>Lexington Avenue Line/Broadway-60th Street Line</u>
<u>59th Street station</u>	Provide ADA access between southbound platforms and 60th Street line mezzanine	<u>Lexington Avenue Line/Broadway-60th Street Line</u>
<u>47th/50th Street station</u>	Provide two platform stairs and widen remaining platform stairs	<u>Sixth Avenue Line</u>
<u>Fifth and 53rd Street station</u>	Provide new stairs to multiple levels of station	<u>53rd Street Line</u>
<u>Fifth and 53rd Street station</u>	Provide ADA access to multiple levels of station	<u>53rd Street Line</u>
<u>Fifth and 53rd Street station</u>	Provide escalators to multiple levels of station	<u>53rd Street Line</u>
<u>Fifth and 53rd Street station</u>	Provide new mezzanine area	<u>53rd Street Line</u>
<u>Fifth and 53rd Street station</u>	Provide new access core between platforms and street level	<u>53rd Street Line</u>
<u>Grand Central/42nd Street station</u>	Expand paid area and add new platform stair between Flushing platform and upper mezzanine	<u>Flushing Line</u>

TYPE 3 IMPROVEMENTS

Location	Type of Improvement	Transit Line
<u>Grand Central/42nd Street station</u>	Renovation of remaining portions of Lexington mezzanine	<u>Flushing Line/Lexington Avenue Line</u>

81-683

Criteria for Improvements in the Public Realm Improvement Concept Plan

The #Public Realm Improvement Fund Governing Group# shall select priority improvements for the Public Realm Improvement Concept Plan (the "Concept Plan") in accordance with the provisions of this Section.

All improvements in the Concept Plan, which may be funded through contributions to the #East Midtown Public Realm Improvement Fund#, shall:

- (a) be within the East Midtown Subdistrict, a location immediately adjacent thereto, or in a subway or rail mass transit facility with significant ridership into and out of the Subdistrict;
- (b) have a sponsoring agency a City or State agency as a project sponsor;
- (c) meet the definition of a capital project under Section 210 of the New York City Charter; and
- (d) consist of either:
 - (1) below-grade public realm improvements, including, but not limited to widening, straightening, expanding or otherwise enhancing the existing below-grade pedestrian circulation network, additional vertical circulation, reconfiguring circulation routes to provide more direct pedestrian connections to subway or rail mass transit facilities, or providing daylight access, or enhancements to noise abatement, air quality, lighting, finishes or rider orientation in new or existing passageways, or improved or new disabled access; or
 - (2) above-grade public realm improvements, including, but not limited to, pedestrian plazas that provide opportunities for passive recreation, or improvements along a street accommodating both vehicular and pedestrian access that may include pedestrian amenities, or streetscape, sidewalk, crosswalk and median enhancements.

81-684

Authorization to allow enlargements on qualifying sites

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may authorize modifications to the definition of #qualifying site# set forth in Section 81-613, to allow #enlargements# on #qualifying sites#, provided that the Commission finds that such #enlargement# includes significant renovations to the existing #building# that will bring it, to the greatest extent feasible, up to contemporary space standards.

81-685

Special Permit to modify qualifying site provisions

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may permit modifications to the certain criteria necessary to be considered a #qualifying site#, as well as height and setback regulations and mandatory plan elements, as set forth in Paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in Paragraph (b) and the findings set forth in Paragraph (c) of this Section are met.

- (a) The Commission may modify the following, whether singly or in any combination:
 - (1) the following #qualifying site# criteria:
 - (i) the requirement for #wide street# frontage, including the requirement that no existing #buildings# will remain on such #wide street# frontage, set forth in paragraphs (b) and (c) of the definition of a #qualifying site# in Section 81-613;
 - (ii) the #building# performance requirements in the Paragraph (f) of the definition of a #qualifying site# and Section 81-681 (Building Performance Requirements for Qualifying Sites); or
 - (iii) the requirement that the additional #floor area# permitted through the provisions of Section 81-64 be achieved exclusively through a #development#;
 - (2) the provisions for #zoning lots# divided by district boundaries set forth in Sections 77-02 Zoning Lots no Existing Prior to Effective Date of Amendment of Resolution, 77-21 (General Provisions) or 77-22 (Floor Area Ratio);
 - (3) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-671 (Special street wall requirements), inclusive;
 - (4) the height and setback regulations of Sections 81-26 (Height

and Setback Regulations-Daylight Compensation), inclusive, 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation), inclusive, or 81-66 (Special height and setback requirements); or

- (5) the mandatory district plan elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions), 81-675 (Curb cut restrictions and loading berth requirements), 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted.
- (b) Application requirements

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:

- (1) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43 (Street Wall Continuity Along Designated Streets), or as such provisions are modified pursuant to Section 81-671 (Special street wall requirements), as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), or as such provisions are modified pursuant to Section 81-66 (Special Height and Setback Requirements), as applicable;
- (2) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-66; and
- (3) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-66.
- (c) Findings

The Commission shall find that such proposed modifications:

- (1) to the definition of #qualifying site# are the minimum extent necessary, and are harmonious with the Subdistrict objective to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers;
- (2) to the requirement for #wide street# frontage in the definition of #qualifying ground floor# will not unduly concentrate #bulk# towards the middle of the #block# to the detriment of the surrounding area;
- (3) to the #building# performance requirements in the definition of #qualifying ground floor# and Section 81-681:
 - (i) are necessary due to the presence of existing #buildings# on the site; and
 - (ii) will not detract from the incorporation of innovative sustainable design measures;
- (4) to regulations pertaining to #zoning lots# divided by district boundaries will result in better site planning;
- (5) to the mandatory district plan elements:
 - (i) will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions); and
 - (ii) any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #zoning lot#;
- (6) to the #street wall# or height and setback regulations:
 - (i) are necessary due to constraints or conditions of the

#development# or #enlargement# and conditions imposed by the configuration of the site;

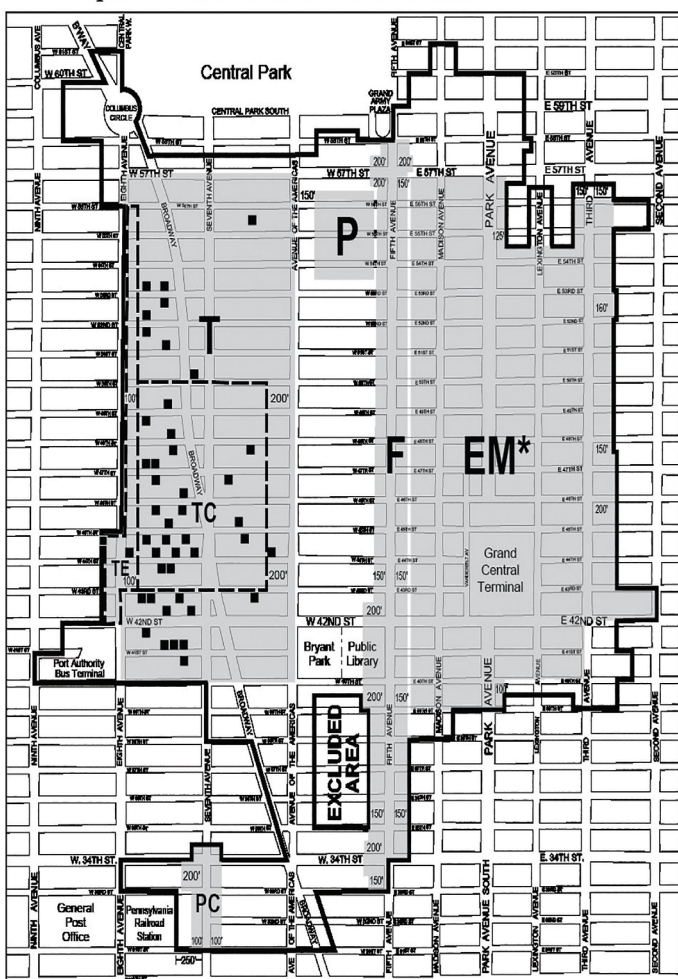
- (ii) will not unduly obstruct the access of light and air to surrounding properties; and
- (iii) will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations); and
- (iv) the overall design of the #building# demonstrates an integrated and well-considered facade, taking into account factors such as #street wall# articulation, and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area; and constitutes a distinctive addition to the Midtown Manhattan skyline.

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

Appendix A
Midtown District Plan Maps

Map 1: Special Midtown District and Subdistricts

[REPLACE EXISTING MAP WITH THIS]

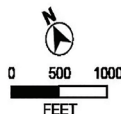


MIDTOWN DISTRICT PLAN

MAP 1 - Special Midtown District and Subdistricts

- F Fifth Avenue Subdistrict
- EM East Midtown Subdistrict
- PC Penn Center Subdistrict
- P Preservation Subdistrict
- T Theater Subdistrict
- TC Theater Subdistrict Core
- TE Theater Subdistrict Eighth Avenue Corridor
- Listed Theaters
- Special Midtown District

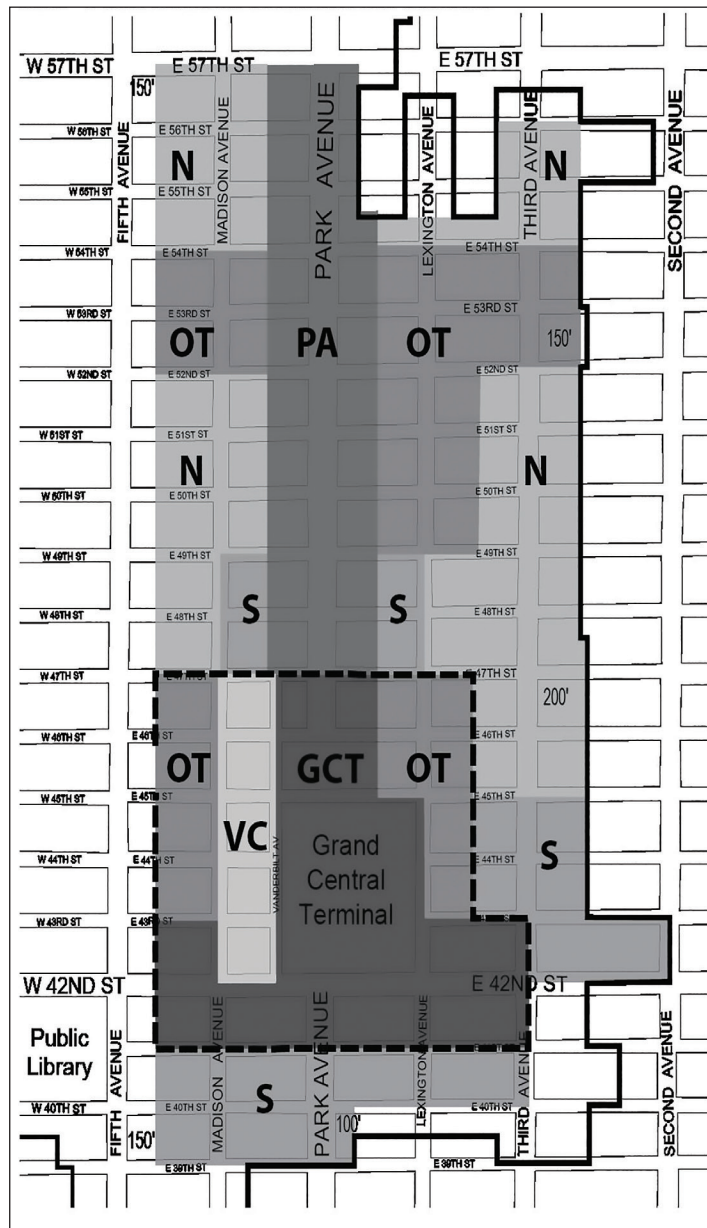
* East Midtown Subareas are shown on Map 4



* * *

Map 4: East Midtown Subdistrict and Subareas

[NEW MAP TO BE ADDED]



MIDTOWN DISTRICT PLAN

MAP 4 - East Midtown Subdistrict and Subareas

- Grand Central Transit Improvement Zone Subarea (GCT)
- Park Avenue Subarea (PA)
- Other Transit Improvement Zone Subarea (OT)
- Southern Subareas (S)
- Northern Subareas (N)
- Vanderbilt Corridor (VC)
- Grand Central Core Area
- Special Midtown District

* * *

Appendix B
Daylight Evaluation Diagrams

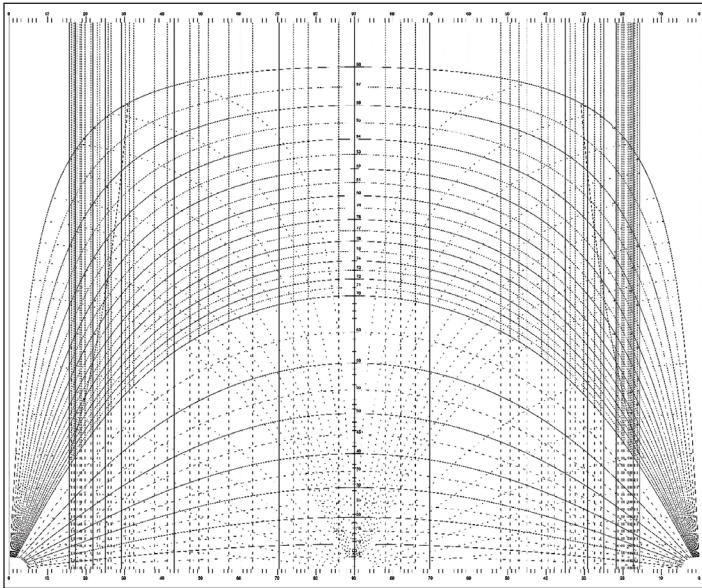
[MOVE EXISTING DAYLIGHT EVALUATION CHARTS INTO APPENDIX B]

* * *

Chart 4. Daylight Evaluation Diagram – Park Avenue

[New Chart]

(A full size, 30" by 36", copy of this chart is available for purchase and inspection at the Department of City Planning's Bookstore.)



Daylight Evaluation Diagram, Park Avenue

No. 7

CD 5, 6, 8 **N 170186(A) ZRM**
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment to Article VIII, Chapter 1 (Special Midtown District) of the Zoning Resolution of the City of New York, concerning the establishment of the East Midtown Subdistrict.

Matter underlined is new, to be added;
Matter struck out is to be deleted;
Matter within # # is defined in Section 12-10 or 81-613;
*** indicates where unchanged text appears in the Zoning Resolution

ARTICLE VIII
SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Midtown District

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Chapter 1
Special Midtown District

81-00
GENERAL PURPOSES

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

- (a) to strengthen the business core of Midtown Manhattan by improving the working and living environments;

- (b) to stabilize development in Midtown Manhattan and provide direction and incentives for further growth where appropriate;
- (c) to control the impact of buildings on the access of light and air to the streets and avenues of Midtown;
- (d) to link future Midtown growth and development to improved pedestrian circulation, improved pedestrian access to rapid transit facilities, and avoidance of conflicts with vehicular traffic;
- (e) to preserve the historic architectural character of development along certain streets and avenues and the pedestrian orientation of ground floor uses, and thus safeguard the quality that makes Midtown vital;
- (f) to continue the historic pattern of relatively low building bulk in midblock locations compared to avenue frontages;
- (g) to improve the quality of new development in Midtown by fostering the provision of specified public amenities in appropriate locations;
- (h) to preserve, protect and enhance the character of the Theater Subdistrict as the location of the world's foremost concentration of legitimate theaters and an area of diverse uses of a primarily entertainment and entertainment-related nature;
- (i) to strengthen and enhance the character of the Eighth Avenue Corridor and its relationship with the rest of the Theater Subdistrict and with the Special Clinton District;
- (j) to create and provide a transition between the Theater Subdistrict and the lower-scale Clinton community to the west;
- (k) to preserve, protect and enhance the scale and character of Times Square, the heart of New York City's entertainment district, and the Core of the Theater Subdistrict, which are characterized by a unique combination of building scale, large illuminated signs and entertainment and entertainment-related uses;
- (l) to preserve, protect and enhance the character of Fifth Avenue as the showcase of New York and national retail shopping;
- (m) to preserve the midblock area north of the Museum of Modern Art for its special contribution to the historic continuity, function and ambience of Midtown;
- (n) to protect and strengthen the economic vitality and competitiveness of the East Midtown ~~Grand Central~~ Subdistrict by facilitating the development of its exceptional and sustainable buildings ~~within the Vanderbilt Corridor~~ and enabling improvements to the pedestrian and mass transit circulation network;
- (o) to ensure that development within the ~~Vanderbilt Corridor~~ East Midtown Subdistrict occurs on sites that meet sound site planning criteria and therefore can accommodate additional density as appropriate;
- (p) to protect and strengthen the role of landmark buildings as important features of the East Midtown Subdistrict;
- (q)(r) to protect and enhance the role of Grand Central Terminal as a major transportation hub within the City, to expand and enhance the pedestrian and mass transit circulation network connecting Grand Central Terminal to surrounding development, to minimize pedestrian congestion and to protect the surrounding area's special character;
- (r)(q) to expand the retail, entertainment and commercial character of the area around Pennsylvania Station and to enhance its role as a major transportation hub in the city;
- (s)(r) to provide freedom 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 without the need for special development permissions or "negotiated zoning"; and
- (t)(s) to promote the most desirable use of land and building development in accordance with the District Plan for Midtown and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

81-01
Definitions

For purposes of this Chapter, matter in italics is defined in Sections 12-10, 81-261, or 81-271 or Section 81-613 (Definitions).

81-02
General Provisions

81-022
Applicability of Special Transit Land Use District regulations

Except as otherwise provided in Paragraphs (a), ~~and~~(b) or (c) of this Section, wherever the #Special Transit Land Use District# includes

an area which also lies within the #Special Midtown District#, as described in Paragraph (c) designated on the #zoning map# by the letters "MiD - TA", the requirements of the #Special Transit Land Use District#, as set forth in Article IX, Chapter 5, shall apply.

- (a) However, the requirements of Article IX, Chapter 5, shall be waived where the City Planning Commission certifies, in the case of a specific #development# otherwise subject to those requirements, that:
 - (1) the developer has agreed in a writing recorded against the property to implement a plan approved by the City Planning Commission and New York City Transit for off-street relocation of a subway stair entrance, in accordance with the requirements of Section 81-46 (Off-Street Relocation or Renovation of a Subway Stair); or
 - (2) the developer has agreed in a writing recorded against the property to implement a plan approved by the Commission and New York City Transit for the provision of a subway station improvement in accordance with the provisions of Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).
- (b) Where the requirements of Article IX, Chapter 5, are not waived, modifications of the underlying district #bulk# regulations as set forth in this Chapter shall prevail over any inconsistent #bulk# regulations in Article IX, Chapter 5.
- (c) In the East Midtown Subdistrict, the provisions of Paragraph (c) of Section 81-673 (Mass transit access) shall supersede the provisions of Section 95-031 (Selection of transit easement) and 95-052 (Special access facilities for persons with disabilities).
- (e) Within the #Special Midtown District#, the #Special Transit Land Use District# includes the area bounded by a line 100 feet west of Third Avenue, a line midway between East 53rd Street and East 54th Street, a line 160 feet east of Third Avenue (the #Special Midtown District# boundary) and a line midway between East 52nd Street and East 53rd Street.

* * *

81-03 District Plan

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

The District Plan includes the following four three maps:

- Map 1 Special Midtown District and Subdistricts
- Map 2 Retail and Street Wall Continuity
- Map 3 Subway Station and Rail Mass Transit Facility Improvement Areas
- Map 4 East Midtown Subdistrict and Subareas

The maps are located in Appendix A of this Chapter and are hereby incorporated and made a 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.

81-04 Subdistricts and Subareas

In order to carry out the purposes and provisions of this Chapter, five special Subdistricts are established within the #Special Midtown District#. In each of these Subdistricts certain special regulations apply which do not apply in the remainder of the #Special Midtown District#. The Subdistricts are outlined on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter.

The Subdistricts, together with the Sections of this Chapter specially applying to each, are as follows:

Subdistricts	Sections Having Special Application
Penn Center Subdistrict	81-50
East Midtown Grand Central Subdistrict	81-60
Theater Subdistrict	81-70
Fifth Avenue Subdistrict	81-80
Preservation Subdistrict	81-90

The Subdistricts are also subject to all other regulations of the #Special Midtown District# and, where applicable pursuant to Section 81-023, the #Special Clinton District# and the underlying districts, except as otherwise specifically provided in the Subdistrict regulations themselves.

Within the East Midtown Subdistrict, certain special regulations apply to Subareas, which do not apply within the remainder of the Subdistrict. Such Subareas are established, as follows:

- Grand Central Transit Improvement Zone Subarea
- Northern Subarea
- Other Transit Improvement Zone Subarea
- Park Avenue Subarea
- Southern Subarea
- Vanderbilt Corridor Subarea

The entirety of the Vanderbilt Corridor Subarea and the Grand Central Transit Improvement Zone Subarea as well as the portions of the Other Transit Improvement Zone Subarea south of East 48th Street, are hereinafter referred to as the Grand Central Core Area.

These Subareas, as well as the boundary of the Grand Central Core Area, are shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter.

* * *

81-067 Modification of provisions for minimum base height and street wall location in Historic Districts

Within the Special Midtown District, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, any applicable provisions relating to minimum base height and #street wall# location requirements as modified in Sections 81-43 (Street Wall Continuity Along Designated Streets), 81-62 81-671 (Special street wall requirements) pertaining to the East Midtown Grand Central Subdistrict, 81-75 (Special Street Wall and Setback Requirements) pertaining to the Theater Subdistrict, 81-83 (Special Street Wall Requirements) pertaining to the Fifth Avenue Subdistrict, and 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT) pertaining to mandatory #street walls# may be modified pursuant to Sections 23-66 and 35-65 (Height and Setback Regulations for Quality Housing Buildings).

* * *

81-10 USE REGULATIONS

81-11 Modifications of Use Regulations in Subdistricts

The #use# regulations of the underlying districts are modified in:

- (a) the East Midtown Subdistrict in accordance with the provisions of Section 81-62 (Special Use Provisions), inclusive;
- (b) the Theater Subdistrict in accordance with the provisions of Sections 81-72 (Use Regulations Modified) and 81-73 (Special Sign and Frontage Regulations); and ~~are modified in~~
- (c) the Fifth Avenue Subdistrict in accordance with the provisions of Section 81-82 (Special Regulations on Permitted and Required Uses).

* * *

81-20 BULK REGULATIONS

81-21 Floor Area Ratio Regulations

The #floor area ratio# regulations of the underlying districts are modified in accordance with the provisions of this Section or Section 81-241 (Maximum floor area ratios for a residential building or the residential portion of a mixed building). However, the provisions of this Section, inclusive, shall not apply to #non-residential buildings# or #mixed buildings# in the East Midtown Subdistrict, where the special #floor area# provisions of Sections 81-62, 81-63, or 81-64 shall apply.

81-211 Maximum floor area ratio for non-residential or mixed buildings

- (a) For #non-residential buildings# or #mixed buildings#, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section.
- (b) In the #Special Midtown District#, the basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

MAXIMUM FLOOR AREA ALLOWANCES FOR SPECIFIED FEATURES AND MAXIMUM FLOOR AREA RATIOS BY DISTRICTS

[REMOVE GRAND CENTRAL SUBDISTRICT FROM CHART.

PROVISIONS REPLACED BY THOSE IN SECTION 81-60)

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	Maximum #Floor Area Ratio# (FAR)							
	-Outside the Grand Central Subdistrict				-Grand Central Subdistrict			
	C5P	C6-4 C6-5 M1-6	C5-2.5 C6-4.5 C6-5.5 C6-6.5	C6-7T	C5-3 C6-6 C6-7	C5-2.5	C5-3 C6-6	
B. Basic Maximum FAR	8.0	10.0	12.0	14.0	15.0	-12.0	-15.0	
B. Maximum As-of-Right #Floor Area# Allowances:(District-wide Incentives), #Public plazas# (Section 81-23)	---	1.0 ^{1,2}	1.0 ^{1,3}	---	1.0 ²	---	---	
B. Maximum Total FAR with As-of-Right Incentives	8.0	11.0 ^{1,2,7,6}	13.0 ^{1,3}	14.0	16.0	-12.0	-15.0	
C. Maximum Special Permit #Floor Area# Allowances: (District-wide Incentives), Subway station improvements (Section 74-634)	---	2.0 ^{1,6,7}	2.4 ¹	---	3.0	-2.4	-3.0	
D. Maximum Total FAR with District-wide and As-of-Right Incentives	8.0	12.0	14.4	14.0	18.0	-14.4	-18.0	
F. Maximum Special Permit #Floor Area# Allowances in Penn Center Subdistrict: Mass Transit Facility Improvement (Section 74-634)	---	2.0	---	---	3.0	---	---	
G. Maximum Total FAR with As-of-Right, District-wide and Penn Center Subdistrict Incentives:	---	12.0	---	---	18.0	---	---	
H. Maximum As-of-Right #Floor Area# Allowances in Theater Subdistrict:	Development rights (FAR) of a "granting site" (Section 81-744)							
	---	10.0	12.0	14.0	15.0	---	---	
	Maximum amount of transferable development rights (FAR) from "granting sites" that may be utilized on a "receiving site" (Section 81-744(a))							
	---	2.0	2.4	2.8	3.0	---	---	
	Inclusionary Housing (Sections 23-90 and 81-22)							
	---	2.0 ⁴	---	---	---	---	---	
I. Maximum Total FAR with As-of-Right #Floor Area# Allowances in Theater Subdistrict	---	12.0	14.4	16.8	18.0	---	---	
J. Maximum #Floor Area# Allowances by Authorization in Eighth Avenue Corridor (Section 81-744(b))	---	2.4	---	---	---	---	---	
K. Maximum Total FAR with As-of-Right and Theater Subdistrict Authorizations	---	14.4	14.4	16.8	18.0	---	---	
L. Maximum Special Permit #Floor Area# Allowances in Theater Subdistrict:	Rehabilitation of "listed theaters" (Section 81-745)							
	---	4.4	2.4	2.8	3.0	---	---	
M. Maximum Total FAR with Theater Subdistrict, District-wide and As-of-Right Incentives	8.0	14.4	14.4	16.8	18.0	---	---	
N. Maximum FAR of Lots Involving Landmarks:								

Maximum FAR of a lot containing non-bonusable landmark (Section 74-711 or as-of-right)							
	8.0	10.0	12.0	14.0	15.0	-12.0	-15.0
Development rights (FAR) of a landmark lot for transfer purposes (Section 74-79)							
	8.0	10.0	13.0 ⁵	14.0	16.0	-12.0	-15.0
Maximum amount of transferable development rights (FAR) from a landmark #zoning lot# that may be utilized on: an "adjacent lot" (Section 74-79)							
(a) — an "adjacent lot" (Section 74-79)							
	1.6	2.0	2.4	No Limit	No Limit	-2.4	-No Limit
(b) — a "receiving lot" (Section 81-634)							
	---	---	---	---	---	-1.0	-1.0
(c) — a "receiving lot" (Section 81-635)							
	---	---	---	---	---	-9.6	-6.6
(d) — a "receiving lot" located in the Vanderbilt Corridor (Section 81-635)							
	---	---	---	---	---	---	-15.0
O. Maximum #Floor Area# Allowances by Special Permit for Grand Central Public Realm Improvement Bonus (Section 81-64)	---	---	---	---	---	---	-15.0
O. P. Maximum Total FAR of a Lot with Transferred Development Rights from Landmark #Zoning Lot#, Theater Subdistrict Incentives, District-wide Incentives and As-of-Right Incentives	9.6	14.4	14.4	No Limit	No Limit	-21.6	-No ⁶ -Limit

- ¹ Not available for #zoning lots# located wholly within Theater Subdistrict Core
- ² Not available within the Eighth Avenue Corridor
- ³ Not available within 100 feet of a #wide street# in C5-2.5 Districts
- ⁴ Applicable only within that portion of the Theater Subdistrict also located within the #Special Clinton District#
- ⁵ 12.0 in portion of C6-5.5 District within the Theater Subdistrict Core
- ⁶ Limited to 21.6 FAR on a "receiving lot" pursuant to Section 81-635 in the Grand Central Subdistrict, and limited to 30.0 FAR on a #zoning lot# located within the Vanderbilt Corridor, pursuant to Sections 81-635 or 81-64 in the Grand Central Subdistrict
- ⁶⁺ Not available on west side of Eighth Avenue within the Eighth Avenue Corridor
- ⁷ 12.0 for #zoning lots# with full #block# frontage on Seventh Avenue and frontage on West 34th Street, pursuant to Section 81-542 (Retention of floor area bonus for plazas or other public amenities spaces)

81-212 Special provisions for transfer of development rights from landmark sites

The provisions of Section 74-79 (Transfer of Development Rights from Landmark Sites) shall apply in the #Special Midtown District#, subject to the modification set forth in this Section and Sections 81-254, 81-266 and 81-277 pertaining to special permits for height and setback modifications, Section 81-747 (Transfer of development rights from landmark theaters) and Section 81-85 (Transfer of Development Rights from Landmark Sites).

The provisions of Section 74-79 pertaining to the meaning of the term "adjacent lot" in the case of lots located in C5-3, C5-5, C6-6, C6-7 or C6-9 Districts are modified to apply in the #Special Midtown District# where the "adjacent lot" is in a C5-3, C6-6, C6-7, C6-5.5, C6-6.5 or C6-7T District.

The provisions of Paragraph (c) of Section 74-792 as applied in the #Special Midtown District# shall be subject to the restrictions set forth in the table in Section 81-211 on the development rights (FAR) of a landmark "granting lot" for transfer purposes.

Wherever there is an inconsistency between any provision in Section 74-79 and the table in Section 81-211, the table in Section 81-211 shall apply.

[EXISTING PROVISION MOVED TO SECTION 81-63]

Within the Grand Central Subdistrict, any transfer of development rights from a landmark site may be made pursuant to either Section 74-79, or Section 81-63 (Transfer of Development Rights from Landmark Sites), but not both.

For #developments# or #enlargements# in C5-3, C6-6, C6-7 and C6-7T Districts, the City Planning Commission may also modify or waive the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) and requirements governing the minimum dimensions of a #court#, where:

- (a) the required minimum distance as set forth in Section 23-86 is provided between the #legally required windows# in the #development# or #enlargement# and a wall or #lot line# on an adjacent #zoning lot# occupied by the landmark; and
- (b) such required minimum distance is provided by a light and air easement on the #zoning lot# occupied by the landmark #building or other structure#, and such easement is acceptable to the Department of City Planning and recorded in the County Clerk's office of the county in which such tracts of land are located.

For #developments# or #enlargements#, on #zoning lots# located in C5-3, C6-6, C6-7 and C6-7T Districts and with frontage on #streets# on which curb cuts are restricted, pursuant to Section 81-44, the Commission may also modify or waive the number of loading berths required pursuant to Section 36-62. In granting such special permit, the Commission shall find that:

- (1) a loading berth permitted by Commission authorization, pursuant to Section 81-44, would have an adverse impact on the landmark #building or other structure# that is the subject of the special permit;
- (2) because of existing #buildings# on the #zoning lot#, there is no other feasible location for the required loading berths; and
- (3) the modification or waiver will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement. For #developments# or #enlargements#, on #zoning lots# located in C5-3, C6-6, C6-7 and C6-7T Districts, the Commission may also modify the dimensions and minimum clear height required for pedestrian circulation space, pursuant to Sections 37-50 and 81-45. In granting such special permit, the Commission shall find that the modification will result in a distribution of #bulk# and arrangement of #uses# on the #zoning lot# that relate more harmoniously with the landmark #building or other structure# that is the subject of the special permit.

* * *

**81-214
Special provisions within the Vanderbilt Corridor in the Grand Central Subdistrict**

[EXISTING PROVISION MOVED TO SECTION 81-63]

For #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown on Map I (Special Midtown District and Subdistricts) of Appendix A of this Chapter, additional #floor area# may be permitted by the City Planning Commission pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus), or any combination thereof, up to the maximum permitted #floor area# set forth in the table in Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings), respectively. In no event shall the total #floor area ratio# of the #zoning lot# resulting from such proposed #development# or #enlargement# exceed 30.0-

* * *

**81-23
Floor Area Bonus for Public Plazas**

Within the #Special Midtown District#, for each square foot of #public plaza# provided on a #zoning lot#, the basic maximum #floor area# permitted on that #zoning lot# under the provisions of Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings) may be increased by six square feet, provided that in no case shall such bonus #floor area# exceed a #floor area ratio# of 1.0.

This Section shall be applicable in all underlying districts throughout the #Special Midtown District#, except that there shall be no #floor area# bonus for a #public plaza# that is:

- (a) on #zoning lots# in the C5P District within the Preservation Subdistrict;
- (b) within 50 feet of a #street line# of a designated #street# on which retail or #street wall# continuity is required, pursuant to Sections 81-42 (Retail Continuity Along Designated Streets) or 81-43

(Street Wall Continuity Along Designated Streets);

- (c) on a #zoning lot#, any portion of which is within the Theater Subdistrict Core, as defined in Section 81-71 (General Provisions); and
- (d) on #zoning lots#, any portion of which is in the Grand Central Subdistrict Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, or on #qualifying sites#, as defined in Section 81-613, in any other subarea of the East Midtown Subdistrict.

All #public plazas# provided within the #Special Midtown District# shall comply with the requirements for #public plazas# set forth in Section 37-70, inclusive.

A major portion of a #public plaza# may overlap with a sidewalk widening which may be provided to fulfill the minimum pedestrian circulation space requirements set forth in Section 81-45 (Pedestrian Circulation Space), provided that the overlapping portion of the #public plaza# also conforms to the design standards of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE) for a sidewalk widening. Such sidewalk widening may be included in the major portion of a #public plaza# for purposes of calculating the proportional restrictions set forth in Section 37-715.

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**81-24
Floor Area, Lot Coverage and Building Spacing Regulations for Residential Uses**

**81-241
Maximum floor area ratios for a residential building or the residential portion of a mixed building**

* * *

**81-25
General Provisions Relating to Height and Setback of Buildings**

* * *

**81-253
Special provisions for Grand Central the East Midtown, Theater, Fifth Avenue, Penn Center and Preservation Subdistricts**

The provisions of Sections 81-26 (Height and Setback Regulations – Daylight Compensation) and 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation) are supplemented and modified by special provisions applying in the Fifth Avenue Subdistrict, as set forth in Sections 81-81 (General Provisions) and 81-83 (Special Street Wall Requirements) or in the Theater Subdistrict as set forth in Sections 81-71 (General Provisions) and 81-75 (Special Street Wall and Setback Requirements) or in the Grand Central East Midtown Subdistrict as set forth in Sections 81-61 (General Provisions), 81-621 (Special street wall requirements) and 81-622 (Special height and setback requirements) 81-66 (Special Height and Setback Regulations), inclusive, or Section 81-671 (Special street wall requirements).

The provisions of Sections 81-26 and 81-27 are not applicable in the Preservation Subdistrict, where height and setback is regulated by the provisions of Section 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT), or in the Penn Center Subdistrict as set forth in Section 81-532 (Special street wall requirements).

**81-254
Special permit for height and setback modifications**

In the #Special Midtown District#, the City Planning Commission may modify the special height and setback regulations set forth in this Chapter only in accordance with the following provisions:

- Section 74-711 (Landmark preservation in all districts) as modified by the provisions of Sections 81-266 or 81-277 (Special permit for height and setback modifications)
- Section 74-79 (Transfer of Development Rights from Landmark Sites) where development rights are transferred from a landmark site to an adjacent lot in a C5-3, C6-6 or C6-7 District, as modified by Section 81-212, and the total #floor area# on the adjacent lot resulting from such transfer exceeds the basic maximum #floor area ratio# by more than 20 percent. In such cases, the granting of a special permit by the Commission for height and setback modifications shall be in accordance with the provisions of Sections 81-266 or 81-277
- Section 81-066 (Special permit modifications of Section 81-254, Section 81-40 and certain Sections of Article VII, Chapter 7)
- Section 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt

Corridor Subarea)

- Section 81-64 81-633 (Special Permit permit for Grand Central public realm improvements Public Realm Improvement Bonus)
- Section 81-685 (Special permit to modify qualifying site provisions)
- Section 81-635- (Transfer of development rights by special permit):

* * *

**81-27
Alternative Alternate Height and Setback Regulations - Daylight Evaluation**

**81-271
Definitions**

* * *

Daylight Evaluation Chart (DEC)

A graphic tool which permits objective measurements of portions of sky blocked by a #building# when it is viewed from a #vantage point#. There are three #daylight evaluation charts# for use with #street# widths of 60 feet, 75 to 80 feet and 100 feet and over, respectively. All #buildings# are drawn on the appropriate #daylight evaluation chart# to evaluate their compliance with the regulations of Section 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation). The three #daylight evaluation charts# are presented located in Appendix A B of this Chapter. A fourth chart, also located in Appendix B, is available for use for #qualifying sites# in the East Midtown Subdistrict, as defined in Section 81-613, with frontage along Park Avenue.

* * *

**81-40
MANDATORY DISTRICT PLAN ELEMENTS**

**81-41
General Provisions**

The provisions of Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS) specify mandatory planning and urban design features. Requirements which apply generally or with minor specified exceptions throughout the #Special Midtown District# are fully set forth in the provisions of Section 81-40. For requirements which are not generally applicable but tied to specific locations within the District, the locations where these requirements apply are shown on Map 2 (Retail and Street Wall Continuity) or Map 3 (Subway Station and Rail Mass Transit Facility Improvement Areas) in Appendix A of this Chapter.

The provisions of Section 81-40 are all primarily oriented toward the accommodation and well-being of pedestrians. The requirements pertain to a number of elements which are interrelated and complement one another but are set forth in different sections because they can be treated separately. Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity along Along Designated Streets) and 81-44 (Curb Cut Restrictions) are a group of sections with closely related purposes concerned with amenity and the well-being and safety of pedestrians. Sections 81-45 to 81-48, inclusive, are all concerned primarily with pedestrian traffic circulation. Major #building# entrances are focal points of heavy pedestrian traffic, so that controls on the locations of these entrances, as set forth in Section 81-48, are closely related to the pedestrian circulation space requirements.

Special district plan requirements for the Penn Center Subdistrict are set forth in Section 81-50 (SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT), for the Grand Central East Midtown Subdistrict are set forth in Section 81-60 (SPECIAL REGULATIONS FOR THE GRAND CENTRAL EAST MIDTOWN SUBDISTRICT), for the Theater Subdistrict are set forth in Section 81-70 (SPECIAL REGULATIONS FOR THEATER SUBDISTRICT), for the Fifth Avenue Subdistrict are set forth in Section 81-80 (SPECIAL REGULATIONS FOR FIFTH AVENUE SUBDISTRICT) and for the Preservation Subdistrict are set forth in Section 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT).

* * *

**81-412
Directions Directional signs**

* * *

**81-42
Retail Continuity along Along Designated Streets**

For #buildings developed# or #enlarged# after May 13, 1982, where the ground floor level of such #development# or #enlarged# portion of the #building# fronts upon a designated retail #street# (see Appendix A, Map 2), #uses# within #stories# on the ground floor or with a floor level within five feet of #curb level# shall be limited to retail, personal

service or amusement #uses# permitted by the underlying zoning district regulations but not including #uses# in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 and 12D or automobile showrooms or plumbing, heating or ventilating equipment showrooms. Museums and libraries shall be permitted. A #building's street# frontage shall be allocated exclusively to such #uses#, except for:

* * *

Special #use# regulations apply along designated retail #streets# located within the boundaries of the Penn Center Subdistrict, the East Midtown Subdistrict, the Theater Subdistrict or the Fifth Avenue Subdistrict and #uses# along such designated #streets# shall be subject to the respective subdistrict retail requirements in Sections 81-531, 81-674, 81-72 and 81-82.

Special ground level and entertainment-related #use# regulations apply to #zoning lots# located within the Theater Subdistrict Core, as defined in Section 81-71 (General Provisions), and such #zoning lots# shall meet the ground level and entertainment-related #use# requirements of Section 81-72 (Use Regulations Modified).

* * *

**81-60
SPECIAL REGULATIONS FOR THE EAST MIDTOWN GRAND CENTRAL SUBDISTRICT**

**81-61
General Provisions**

In order to preserve and protect the character of the Grand Central Subdistrict, as well as to expand and enhance the Subdistrict's extensive pedestrian and mass transit circulation network, and to facilitate the development of exceptional and sustainable buildings within the Vanderbilt Corridor, special regulations are set forth in Section 81-60 (SPECIAL REGULATIONS FOR THE EAST MIDTOWN GRAND CENTRAL SUBDISTRICT), inclusive, governing urban design and streetscape relationships, the transfer of development rights from landmarks, and the improvement of the pedestrian and mass transit circulation network.

Special regulations are set forth in this Section to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers; enabling improvements to the above- and below-grade pedestrian circulation network; protecting and strengthening the role of landmark buildings as important features of East Midtown; protecting and enhancing the role of Grand Central Terminal as a major transportation hub within East Midtown and the City; expanding and enhancing the pedestrian circulation network connecting Grand Central Terminal to surrounding development and minimizing pedestrian congestion; and protecting the surrounding area's iconic character. Such regulations establish special provisions governing maximum floor area, sustainability, urban design and streetscape enhancements, the transfer of development rights from landmarks, and the improvement of the surface and subsurface pedestrian circulation network in the East Midtown Subdistrict.

The regulations of Sections 81-60 (SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT), inclusive, are applicable only in the Grand Central East Midtown Subdistrict, the boundaries of which are shown on Map 1 (Special Midtown District and Subdistricts) and Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter. These regulations supplement or modify the provisions of this Chapter applying generally to the #Special Midtown District#, of which this Subdistrict is a part.

As set forth in Section 81-212 (Special provisions for transfer of development rights from landmark sites), transfer of development rights from landmark sites may be allowed pursuant to Section 81-63.

The provisions of Section 81-23 (Floor Area Bonus for Public Plazas) are inapplicable to any #zoning lot#, any portion of which is located within the Grand Central Subdistrict.

Where the #lot line# of a #zoning lot# coincides with the boundary of the public place located at the southerly prolongation of Vanderbilt Avenue between East 42nd Street and East 43rd Street, such #lot line# shall be considered to be a #street line# for the purposes of applying the #use#, #bulk# and urban design regulations of this Chapter.

**81-611
Special use provisions
Applicability of regulations**

[EXISTING PROVISIONS REPLACED BY TEXT IN SECTION 81-621]

(c) Except as provided in Paragraph (b) of this Section, within the Vanderbilt Corridor, as shown in on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed by special permit of the City Planning Commission, pursuant to Section 81-65.

(d) In the event a casualty damages or destroys a #building# within the Vanderbilt Corridor, that was used as a #transient hotel# as of May 27, 2015, to an extent greater than the limits set forth in Section 52-53 (Buildings or Other Structures in All Districts); such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the underlying-district #floor area ratio# regulations.

The provisions of Section 81-60, inclusive, shall apply in the East Midtown Subdistrict as follows:

- (i) Section 81-61, inclusive, sets forth general provisions, applicability and definitions for the East Midtown Subdistrict;
- (j) Section 81-62, inclusive, sets forth special use provisions;
- (k) Section 81-63, inclusive, sets forth special #floor area# provisions for the Vanderbilt Corridor Subarea;
- (l) Section 81-64, inclusive, sets forth special #floor area# provisions for #qualifying sites#;
- (m) Section 81-65, inclusive, sets forth special #floor area# provisions for all other #zoning lots#;
- (n) Section 81-66, inclusive, sets forth certain height and setback modifications to the provisions of Sections 81-26 and 81-27;
- (o) Section 81-67, inclusive, sets forth certain modifications to the mandatory district plan elements of Section 81-40, inclusive; and
- (p) Section 81-68, inclusive, sets forth additional provisions pertaining to #qualifying sites#.

81-612

Applicability along district boundaries

For #zoning lots# divided by district boundaries, the underlying provisions shall apply, except as follows.

- (a) For #qualifying sites# divided by district boundaries where both districts have the same maximum #floor area ratio# set forth in Rows E and H of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the provisions of Section 33-16 (Special Provisions for Zoning Lots Divided by District Boundaries) shall not apply. In lieu thereof, the #floor area# resulting from the provisions of Section 81-64, inclusive, may be located anywhere on the #zoning lot#.
- (b) For #zoning lots# divided by subarea boundaries, the provisions of Article VII, Chapter 7 shall apply.
- (c) For #zoning lots# with #landmark buildings or other structures# where more than 50 percent of the #lot area# is located within the #Special Midtown District#, and which #abut# the East Midtown Subdistrict boundary, such #zoning lot# may be considered as part of the Subdistrict for the purposes of transferring development rights pursuant to the applicable provisions of Sections 81-642 (Transfer of development rights from landmarks to qualifying sites) or 81-653 (Special permit for transfer of development rights from landmarks to non-qualifying sites). However, the maximum amount of #floor area# that may be transferred from a #granting lot#, or portion thereof, located outside the Special Midtown District shall be the maximum #floor area ratio# permitted under the applicable underlying zoning district.

81-613

Definitions

Adjacent lot

For the purposes of Section 81-60, inclusive, an “adjacent lot” is:

- (c) a #zoning lot# that is contiguous to the lot occupied by the designated #landmark building or other structure# or one that is across a #street# and opposite the lot occupied by such designated #landmark building or other structure#, or, in the case of a #corner lot#, one that fronts on the same #street# intersection as the lot occupied by such #landmark building or other structure#; and
- (d) in C5-3 or C6-6 Districts, a #zoning lot# that is contiguous to, or across a #street# and opposite another lot or series of lots that, except for the intervention of #streets# or #street# intersections, extend to the lot occupied by such designated #landmark building or other structure#. All such lots shall be in the same ownership (fee ownership or ownership as defined under #zoning lot# in Section 12-10 (DEFINITIONS)).

Granting lot

For the purposes of Section 81-60, inclusive, a “granting lot” shall mean a #zoning lot# that contains a #landmark building or other structure#. Such #granting lot# may transfer development rights pursuant to Sections 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), 81-642 (Transfer

of development rights from landmarks to qualifying sites), or 81-653 (Special permit for transfer of development rights from landmarks to non-qualifying sites).

Landmark #building or other structure#

For the purposes of Section 81-60, inclusive, a “landmark #building or other structure” shall include any structure designated as a landmark by the Landmarks Preservation Commission pursuant to the New York City Charter and Administrative Code, but shall not include those portions of #zoning lots# used for cemetery purposes, statues, monuments or bridges. No transfer of development rights is permitted pursuant to this Section from those portions of #zoning lots# used for cemetery purposes, or any structures within historic districts, statues, monuments or bridges.

Non-qualifying site

For the purposes of Section 81-60, inclusive, a “non-qualifying site” shall refer to a #zoning lot# that does not meet the criteria for a #qualifying site# and is located in a subarea other than the Vanderbilt Corridor Subarea.

Public Realm Improvement Fund

For the purposes of Section 81-60, inclusive, the “Public Realm Improvement Fund” (the “Fund”) shall be a separate account established for the deposit of contributions made when #developments# on #qualifying sites# in the East Midtown Subdistrict will exceed the basic maximum #floor area ratio# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) through their utilization of the provisions of either Sections 81-642 (Transfer of development rights from landmarks to qualifying sites) or 81-643 (Special provisions for retaining non-complying floor area). The Fund shall be utilized, at the discretion of the #Public Realm Improvement Fund Governing Group#, to provide funding to implement improvements to the East Midtown Subdistrict, and its immediate vicinity.

Public Realm Improvement Fund Development Rights Valuation

For the purposes of Section 81-60, inclusive, the “Public Realm Improvement Fund Development Rights Valuation” (“Development Rights Valuation”) shall be a value per square foot of transferable development rights in the East Midtown Subdistrict, which shall provide a basis for establishing a minimum contribution to the #Public Realm Improvement Fund#. As of [date of enactment] the Development Rights Valuation shall be set at \$393.00 per square foot.

When proposing an adjustment to the Development Rights Valuation, the Department of City Planning shall undertake a transferrable development rights valuation study conducted by qualified professionals utilizing industry best practices. The City Planning Commission shall, by rule, review and adjust the Development Rights Valuation, pursuant to the City Administrative Procedures Act not more than once every three years and not less than once every five years.

An applicant, upon written request to the Commission, may request a transferable development rights valuation study to determine any recent changes in market conditions within the Subdistrict. The study must be paid for by the applicant and completed within a one-year timeframe. The Department of City Planning shall initiate the study, to be conducted by qualified professionals utilizing industry best practices and the Commission shall, by rule, review and adjust the Development Rights Valuation pursuant to the City Administrative Procedures Act.

Public Realm Improvement Fund Governing Group

For the purposes of Section 81-60, inclusive, the “Public Realm Improvement Fund Governing Group” (the “Governing Group”) shall be established to administer the #Public Realm Improvement Fund#, and shall consist of nine members: five members shall be representatives of City agencies, appointed by and serving at the pleasure of the Mayor; one member shall be a representative of the Office of the Manhattan Borough President; one member shall be a representative of the New York City Council member representing the City Council district encompassing the largest portion of the East Midtown Subdistrict; one member shall be a representative of Manhattan Community Board 5; and one member shall be a representative of Manhattan Community Board 6.

The Governing Group’s purpose shall be to bolster and enhance East Midtown’s status as a premier central business district with a high-quality public realm, by allocating funds from the #Public Realm Improvement Fund# to implement above-grade or below-grade public realm improvement projects. The Governing Group shall establish and maintain a Public Realm Improvement Concept Plan (“Concept Plan”), for the purpose of creating a list of priority improvements, and shall have the authority to amend such Concept Plan, and associated list of improvements, as necessary. All priority improvements in the Concept Plan shall meet the criteria set forth in Section 81-683 (Criteria for improvements in the Public Realm Improvement Concept Plan).

The Governing Group shall adopt procedures for the conduct of its

activities, which shall be consistent with the goals of the Subdistrict. All meetings of the Governing Group shall be open to the public with advance notice provided of all meetings and public hearings.

Qualifying site

For the purposes of Section 81-60, inclusive, a "qualifying site" shall refer to a #zoning lot#:

- (g) that is not located in the Vanderbilt Corridor Subarea;
- (h) that has frontage along a #wide street#;
- (i) where, at the time of #development#, either a portion of such #zoning lot's wide street# frontage is clear of #buildings or other structures#, or, the entire #block# frontage along such #wide street# is occupied by #landmark building or other structures#;
- (j) where a #building# is #developed# in accordance with the #floor area# provisions of Section 81-64 (Special Floor Area Provisions for Qualifying Sites);
- (k) where a maximum of 20 percent of the #floor area# permitted on such #zoning lot# is allocated to #residential uses#; and
- (l) where such #building# being #developed# complies with the performance requirements of Section 81-681 (Building energy design requirements for qualifying sites).

Receiving lot

For the purposes of Section 81-60, inclusive, a "receiving lot" shall mean a #zoning lot# to which development rights of a #granting lot# are transferred. Such #receiving lot# may receive a transfer of development rights pursuant to Sections 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), 81-642 (Transfer of development rights from landmarks to qualifying sites), or 81-653 (Special permit for transfer of development rights from landmarks to non-qualifying sites).

81-62

Special Bulk and Urban Design Requirements Use Provisions

[EXISTING PROVISIONS REPLACED BY TEXT IN SECTION 81-611]

In addition to the requirements set forth in Sections 81-25 (General Provisions Relating to Height and Setback of Buildings) and 81-40 (MANDATORY DISTRICT PLAN ELEMENTS), the provisions of this Section shall apply to a #zoning lot# having 50 percent or more of its #lot area# within the Grand Central Subdistrict. For the purposes of this Section, all such #zoning lots# shall be deemed to be entirely within the Subdistrict. If any of the provisions of Sections 81-25, 81-40 and 81-62 are in conflict, the regulations of this Section shall govern.

81-621

Special provisions for transient hotels Special street wall requirements

[EXISTING PROVISIONS REPLACED BY TEXT IN SECTION 81-671]

The requirements of Section 81-43 (Street Wall Continuity Along Designated Streets) shall be applicable within the Subdistrict, except as modified in this Section:

#Buildings# with frontage on Park, Lexington, Madison and Vanderbilt Avenues, or Depew Place, shall have a #street wall# within 10 feet of the #street line# of such #streets#.

On 42nd Street, the #street wall# shall be at the #street line#. The width of the required #street wall# shall be at least 80 percent of the length of the #front lot line#. The minimum height of such #street walls# without any setback shall be 120 feet above #curb level# or the height of the #building#, whichever is less, and the maximum height shall not exceed 150 feet above #curb level#. Where a #zoning lot# is bounded by the intersection of Park, Lexington, Madison and Vanderbilt Avenues, 42nd Street or Depew Place and any other #street#, these #street wall# height regulations shall apply along the full length of the #zoning lot# along the other #street# or to a distance of 125 feet from the intersection, whichever is less.

Beyond 125 feet from the intersection, the maximum height of the #street wall# above #curb level# shall not exceed 120 feet. For such #building#, the provisions of Section 81-262 (Maximum height of front wall at the street line) shall not be applicable.

However, the ten foot setback requirement of Section 81-263, Paragraph (a), shall apply only to those portions of the #building# above this height.

Within the East Midtown Subdistrict, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed by special permit of the City Planning Commission.

However, in the event a casualty damages or destroys a #building# within the East Midtown Subdistrict that was used as a #transient hotel# as of May 27, 2015 in the Vanderbilt Corridor Subarea or

on [date of enactment] in other Subareas, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the applicable basic maximum #floor area ratio# set forth in Section 81-60, inclusive.

To permit such a #transient hotel#, the Commission shall find that such #transient hotel# will:

- (c) be appropriate to the needs of businesses in the vicinity of the East Midtown area; and
- (d) provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.

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

81-622

Location of uses in mixed buildings Special height and setback requirements

[EXISTING PROVISIONS REPLACED BY TEXT IN SECTION 81-661]

Within the Subdistrict, the provisions of Sections 81-26 (Height and Setback Regulations-Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations-Daylight Evaluation) shall apply to all #buildings# on a #zoning lot#, except that:

- (c) where such #buildings# are governed by Section 81-26, no #compensating recess# shall be required for the #encroachment# of that portion of the #building# below 150 feet above #curb level#; or
- (d) where such #buildings# are governed by Section 81-27, the computation of daylight evaluation shall not include any daylight blockage, daylight credit, profile daylight blockage or available daylight for that portion of the #building# below 150 feet above #curb level#. However, the passing score required pursuant to Paragraph (i) of Section 81-274 shall apply.

For #mixed buildings developed# on #qualifying sites#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit the following #uses#, subject to the underlying zoning district regulations, on the same #story# as, or at any #story# above, #residential uses#, provided that no access exists between such #uses# at any level above the ground floor:

- open or enclosed observation decks;
- open or enclosed publicly-accessible spaces;
- eating or drinking establishments, as listed in Use Groups 6A, 6C, 10A and 12A;
- bowling alleys, as listed in Use Group 8A and 12A;
- theaters, as listed in Use Group 8A;
- commercial art galleries, as listed in Use Group 6C;
- gymnasiums, used exclusively for basketball, handball, paddleball, racketball, squash and tennis, as listed in Use Group 9A;
- wedding chapels and banquet halls, as listed in Use Group 9A;
- enclosed skating rinks, as listed in Use Group 12A;
- swimming pools and gymnasium #uses# which are #accessory# to any other #use# located within the #building#; and
- #physical culture or health establishments# permitted pursuant to Section 73-36.

For such #uses#, the provisions of Section 32-41 (Enclosure within Buildings) shall not apply.

81-623

Building lobby entrance requirements

[EXISTING PROVISIONS REPLACED BY TEXT IN PARAGRAPH (b) OF SECTION 81-674]

For #buildings developed# or #enlarged# on the ground floor after August 26, 1992, #building# lobby entrances shall be required on each #street# frontage of the #zoning lot# where such #street# frontage is greater than 75 feet in length, except that if a #zoning lot# has frontage on more than two #streets#, #building# entrances shall be required only on two #street# frontages. Each required #building# entrance shall lead directly to the #building# lobby. #Buildings developed# from May 13, 1982, to August 25, 1992, shall be subject to the provisions of Section 81-47 (Major Building Entrances):

Required #building# entrances on opposite #street# frontages shall be connected directly to the #building# lobby by providing a through-#block# connection in accordance with Paragraph (h) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), except that such through-#block# connection shall be located at least 50 feet from the

nearest north/south #wide street#.

Each required #building# entrance shall include a #building# entrance recess area, as defined in Paragraph (b) of Section 37-53, except that for #developments# or #enlargements# with frontage on Madison or Lexington Avenues or 42nd Street, the width of a #building# entrance recess area shall not be greater than 40 feet parallel to the #street line# and there may be only one #building# entrance recess area on each such #street# frontage.

81-624

Curb cut restrictions and loading berth requirements

[EXISTING PROVISIONS REPLACED BY TEXT IN SECTION 81-675]

In addition to the provisions of Section 81-44 (Curb Cut Restrictions), for a #through lot#, the required loading berth shall be arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.

The maximum width of any curb cut (including splays) shall be 15 feet for one-way traffic and 25 feet for two-way traffic. Curb cuts shall not be permitted on 47th Street between Park and Madison Avenues or on 45th Street between Depew Place and Madison Avenue.

81-625

Pedestrian circulation space requirements

[EXISTING PROVISIONS REPLACED BY TEXT IN SECTION 81-676]

Any #development# or #enlargement# within the Grand Central Subdistrict shall be subject to the provisions of Sections 81-45 (Pedestrian Circulation Space); 81-46 (Off-street Relocation or Renovation of a Subway Stair) and 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), except that:

- (d) no arcade shall be allowed within the Subdistrict;
- (e) within the Subdistrict, a sidewalk widening may be provided only for a #building# occupying an Avenue frontage, provided that such sidewalk widening extends for the length of the full #block# front; and
- (f) for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, up to a maximum of 3,000 square feet of on-site improvements to the public realm provided in accordance with a special permit pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) may be applied toward the pedestrian circulation space requirement.

81-626

Retail continuity requirements

[EXISTING PROVISIONS REPLACED BY TEXT IN PARAGRAPH (a) OF SECTION 81-674]

For #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, where a #building# fronts upon a designated retail #street#, as shown on Map 2 (Retail and Street Wall Continuity), any portion of such #building's# ground floor level frontage along such designated retail #street# allocated to above- or below-grade public realm improvements provided in accordance with a special permit pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) shall be excluded from the retail continuity requirements of Section 81-42 (Retail Continuity along Designated Streets).

81-63

**Transfer of Development Rights from Landmark Sites
Special Floor Area Provisions for the Vanderbilt Corridor Subarea**

[EXISTING PROVISIONS REPLACED BY TEXT IN DEFINITIONS IN SECTION 81-613]

For the purposes of the Grand Central Subdistrict:

A "landmark #building or other structure#" shall include any structure designated as a landmark pursuant to the New York City Charter; but shall not include those portions of #zoning lots# used for cemetery purposes, statues, monuments or bridges. No transfer of development rights is permitted pursuant to this Section from those portions of #zoning lots# used for cemetery purposes, or any structures within historic districts, statues, monuments or bridges.

A "granting lot" shall mean a #zoning lot# which contains a landmark #building or other structure#. Such "granting lot" may transfer development rights pursuant to Sections 81-634 or 81-635 provided that 50 percent or more of the "granting lot" is within the boundaries of the Grand Central Subdistrict.

A "receiving lot" shall mean a #zoning lot# to which development rights of a "granting lot" are transferred. Such "receiving lot" may receive a

transfer of development rights pursuant to Sections 81-634 or 81-635 provided that 50 percent or more of the "receiving lot" is within the boundaries of the Grand Central Subdistrict and provided that the "receiving lot" occupies frontage on Madison or Lexington Avenues or 42nd Street, if such "receiving lot" is west of Madison Avenue or east of Lexington Avenue.

For #non-residential buildings# or #mixed buildings# in the Vanderbilt Corridor Subarea of the East Midtown Subdistrict, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the basic maximum #floor area ratios# of the underlying-districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

	Means for Achieving Permitted FAR Levels on a #Zoning Lot# in the Vanderbilt Corridor Subarea	Maximum #Floor Area Ratio# (FAR)
A	Basic Maximum FAR	15
B	Maximum Special Permit #Floor Area# Allowances: (District-wide Incentives), Subway station improvements (Section 74-634)	3.0
C	Maximum FAR of Lots Involving Landmarks:	
	Maximum FAR of a lot containing non-bonusable landmark (Section 74-711 or as-of-right)	15.0
	Development rights (FAR) of a landmark lot for transfer purposes (Section 74-79)	15.0
	Maximum amount of transferable development rights (FAR) from a landmark #zoning lot# that may be utilized on:	
	(c) an #adjacent lot# (Section 74-79)	No Limit
	(d) a #receiving lot# (Section 81-632)	15.0
D	Maximum #Floor Area# Allowances by Special Permit for Grand Central public realm improvements (Section 81-633)	15.0
E	Maximum Total FAR of a Lot with Transferred Development Rights on #receiving lots# (Section 81-632) or District-wide Incentives (including Section 81-633)	30.0
F	Maximum Total FAR of a Lot with Transferred Development Rights on an #adjacent lot#(Section 74-79) or District-wide Incentives (other than Section 81-633)	No Limit

Any transfer of development rights from a landmark site may be made pursuant to either Section 74-79 or Section 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea), but not both.

81-631

Requirements for application

Special provisions for transfers of development rights

All applications for transfers of development rights pursuant to the special permit by the City Planning Commission in Section 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea) shall also comply with the regulations of this Section.

(d) Requirements for applications

In addition to the land use review application requirements, an application filed with the City Planning Commission for certification pursuant to Section 81-634 (Transfer of development rights by certification) or special permit pursuant to Section 81-635 (Transfer of development rights by special permit) Section 81-632 shall be made jointly by the owners of the "granting lot" and "receiving lot" #granting lot# and #receiving lot# and shall include:

- (a)(1) site plan and zoning calculations for the "granting lot" and

“receiving lot” #granting lot# and #receiving lot#;

- (b) (2) a program for the continuing maintenance of the landmark;
- (c) (3) a report from the Landmarks Preservation Commission concerning the continuing maintenance program of the landmark and, for those “receiving” sites in the immediate vicinity of the landmark, a report concerning the harmonious relationship of the #development# or #enlargement# to the landmark;
- (d) (4) for #developments# or #enlargements# pursuant to Section 81-635, a plan of any required pedestrian network improvement; and
- (e) (5) any such other information as may be required by the Commission.

A separate application shall be filed for each transfer of development rights to an independent “receiving lot” #receiving lot# pursuant to Section 81-63 Transfer of Development Rights from Landmark Sites) 81-632.

(e) Conditions and limitations

[INSERT THE FOLLOWING EXISTING TEXT FROM SECTION 81-632]

The transfer of development rights from a “granting lot” to a “receiving lot,” #granting lot# to a #receiving lot#, pursuant to Section 81-63 Section 81-632, shall be subject to the following conditions and limitations:

- (a) (1) the maximum amount of #floor area# that may be transferred from a “granting lot” #granting lot# shall be the maximum #floor area# allowed by Section 33-12 for #commercial buildings# on such landmark #zoning lot#, as if it were undeveloped, less the total #floor area# of all existing #buildings# on the landmark #zoning lot#;
- (b) (2) for each “receiving lot,” #receiving lot#, the #floor area# allowed by the transfer of development rights under Section 81-632 shall be in addition to the maximum #floor area# allowed by the district regulations applicable to the “receiving lot,” #receiving lot#, as shown in Section 81-211 the table in Section 81-63 (Special Floor Area Provisions for the Vanderbilt Corridor Subarea); and
- (c) (3) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the “granting lot” #granting lot# by the amount of #floor area# transferred. If the landmark designation is removed, the #landmark #building or other structure# is destroyed or #enlarged#, or the “landmark lot” #zoning lot# with the #landmark building or other structure# is redeveloped, the “granting lot” #granting lot# may only be #developed# or #enlarged# up to the amount of permitted #floor area# as reduced by each transfer.

(f) Transfer instruments and notice of restrictions

[INSERT THE FOLLOWING EXISTING TEXT FROM SECTION 81-633]

The owners of the “granting lot” #granting lot# and the “receiving lot” #receiving lot# shall submit to the City Planning Commission a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the “granting lot” #granting lot# and the “receiving lot” #receiving lot# shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York), a certified copy of which shall be submitted to the City Planning Commission.

Both the instrument of transfer and the notice of restrictions shall specify the total amount of #floor area# transferred and shall specify, by lot and block numbers, the lots from which and the lots to which such transfer is made.

81-632

Conditions and limitations

Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea

[INSERT THE FOLLOWING EXISTING TEXT FROM 81-635]

Within the Grand Central Subdistrict Core Vanderbilt Corridor Subarea, as shown on Map 1 (Special Midtown District and Subdistricts) Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit the transfer of development rights from a “granting lot” to a “receiving lot” #granting lot# in the Grand Central Core Area, as shown on Map 4, to a #receiving lot#, and, in conjunction with such transfer, the Commission may permit modifications to #bulk# regulations, mandatory plan elements, and provisions regarding #zoning lots# divided by district boundaries, as set forth in Paragraph

(a) of this Section, provided that the Commission determines that the #development# or #enlargement# complies with the conditions of Paragraph (b), the findings of Paragraph (c) and the additional requirements of Paragraph (d) of this Section.

(a) The Commission may permit:

- (1) a transfer of development rights from a “granting lot” to a “receiving lot” #granting lot# to a #receiving lot# provided that:
 - (i) for #zoning lots# located within the Vanderbilt Corridor, as shown on Map 1 in Appendix A of this Chapter, the resultant #floor area ratio# on the #receiving lot# “receiving lot” does not exceed 30.0; and
 - (ii) for #zoning lots# outside the Vanderbilt Corridor, the resultant #floor area ratio# on the “receiving lot” does not exceed 21.6;
- (2) modifications of the provisions of Sections 77-02 (Zoning Lots not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions), 77-22 (Floor Area Ratio) and 77-25 (Density Requirements) for any #zoning lot#, whether or not it existed on December 15, 1961, or any applicable subsequent amendment thereto, #floor area# or #dwelling units# permitted by the district regulations which allow a greater #floor area ratio# may be located within a district that allows a lesser #floor area ratio#;
- (3) in the case of an #enlargement# to an existing #building# utilizing the transfer of development rights from a designated landmark, modifications of the provisions of Sections 81-66 (Special Height and Setback Requirements), 81-621 81-671 (Special street wall requirements), 81-622 (Special height and setback requirements); 81-674 (Ground floor use provisions) 81-623 (Building lobby entrance requirements), 81-624 81-675 (Curb cut restrictions and loading berth requirements), 81-625 81-676 (Pedestrian circulation space requirements), and Sections 81-25 (General Provisions Relating to Height and Setback of Buildings), 81-26 (Height and Setback Regulations – Daylight Compensation) and 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation) in order to accommodate existing structures and conditions;
- (4) for #zoning lots# of more than 40,000 square feet of #lot area# that occupy an entire #block#, modifications of #bulk# regulations, except #floor area ratio# regulations; and
- (5) for #zoning lots# located within the Vanderbilt Corridor, modifications, whether singly or in any combination, to:
 - (i) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets), inclusive, or 81-621 81-671 (Special street wall requirements), inclusive;
 - (ii) the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation), inclusive, or 81-622 (Special height and setback requirements); or
 - (iii) the mandatory district plan elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-623 (Building lobby entrance requirements) 81-674 (Ground floor use provisions), 81-624 81-675 (Curb cut restrictions and loading berth requirements), 81-625 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted.

(b) Conditions

As a condition for granting a special permit pursuant to this Section, the design of the #development# or #enlargement# shall include a major improvement of the above- or below-grade, pedestrian or mass transit circulation network in the Subdistrict Grand Central Core Area. However, in the case of #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, this condition may be waived by the Commission, where appropriate, or may be deemed to have been met by utilization of the provisions of Section 81-633 81-64 (Special Permit permit for Grand Central Public Realm Improvement Bonus public realm improvements). The improvement shall increase the general accessibility and security of the network, reduce points of pedestrian congestion and improve the general network

environment through connections into planned expansions of the network. The improvement may include, but is not limited to, widening, straightening or expansion of the existing pedestrian network, reconfiguration of circulation routes to provide more direct pedestrian connections between the #development# or #enlargement# and Grand Central Terminal, and provision for direct daylight access, retail in new and existing passages, and improvements to air quality, lighting, finishes and signage.

The special permit application to the Commission shall include information and justification sufficient to provide the Commission with a basis for evaluating the benefits to the general public from the proposed improvement. As part of the special permit application, the applicant shall submit schematic or concept plans of the proposed improvement to the Department of City Planning, as well as evidence of such submission to the Metropolitan Transportation Authority (MTA) and any other entities that retain control and responsibility for the area of the proposed improvement. Prior to ULURP certification of the special permit application, the MTA and any other entities that retain control and responsibility for the area of the proposed improvement shall each provide a letter to the Commission containing a conceptual approval of the improvement including a statement of any considerations regarding the construction and operation of the improvement.

(c) Findings

In order to grant a special permit for the transfer of development rights to a #receiving lot#, "receiving lot," the Commission shall find that:

- (1) a program for the continuing maintenance of the landmark has been established;
- (2) for any proposed improvement required pursuant to this Section:
 - (i) the improvement to the above- or below-grade pedestrian or mass transit circulation network provided by the #development# or #enlargement# increases public accessibility to and from Grand Central Terminal;
 - (ii) the streetscape, the site design and the location of #building# entrances contribute to the overall improvement of pedestrian circulation within the surrounding area Subdistrict and minimize congestion on surrounding #streets#; and
 - (iii) a program is established to identify solutions to problems relating to vehicular and pedestrian circulation problems and the pedestrian environment within the surrounding area Subdistrict;
- (3) where appropriate, for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, the design of the #development# or #enlargement# includes provisions for public amenities including, but not limited to, publicly accessible open spaces, and subsurface pedestrian passageways leading to subway or rail mass transit facilities;
- (4) for #developments# or #enlargements# with a proposed #floor area ratio# in excess of 21.6 on #zoning lots# located within the Vanderbilt Corridor, the #building# has met the ground floor level, building design, sustainable design measures and, for #zoning lots# not located on two #wide streets#, the site characteristic considerations set forth in the applicable conditions and findings of Section 81-633 (Special permit for Grand Central public realm improvements) Section 81-641 (Additional floor area for the provision of public realm improvements);
- (5) where the modification of #bulk# regulations is proposed:
 - (i) any proposed modification of regulations governing #zoning lots# divided by district boundaries or the permitted transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement# on the "receiving lot," #receiving lot#, density of population or intensity of #use# on any #block# to the detriment of the occupants of #buildings# on the #block# or the surrounding area;
 - (ii) for #enlargements# to existing #buildings#, any proposed modifications of height and setback requirements and the requirements of Section 81-66 81-62 are necessary because of the inherent constraints or conditions of the existing #building#, that the modifications are limited to the minimum needed, and that the proposal for modifications of height and setback requirements demonstrates to the satisfaction of the Commission that an integrated design is not feasible for the proposed #enlargement# which accommodates the transfer of development rights due to the conditions imposed by the existing #building# or configuration of the site; and

(iii) for #developments# or #enlargements# on #zoning lots# of more than 40,000 square feet of #lot area# that occupy an entire #block#, any proposed modifications of #bulk# regulations are necessary because of inherent site constraints and that the modifications are limited to the minimum needed; or

(6) for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor, any proposed modifications to #street walls#, height and setback regulations and mandatory plan elements meet the applicable application requirements and findings set forth in Section 81-634 81-642 (Permitted modifications in conjunction with additional floor area).

(d) Additional requirements

Prior to the grant of a special permit, the applicant shall obtain approvals of plans from the MTA and any other entities that retain control and responsibility for the area of the proposed improvement, and, if appropriate, the applicant shall sign a legally enforceable instrument running with the land, setting forth the obligations of the owner and developer, their successors and assigns, to construct and maintain the improvement and shall establish a construction schedule, a program for maintenance and a schedule of hours of public operation and shall provide a performance bond for completion of the improvement.

The written declaration of restrictions and any instrument creating an easement on privately owned property shall be recorded against such private property in the Office of the Register of the City of New York (County of New York) and a certified copy of the instrument shall be submitted to the City Planning Commission.

No temporary certification certificate of occupancy for any #floor area# of the #development# or #enlargement# on a #receiving lot# "receiving lot" shall be granted by the Department of Buildings until all required improvements have been substantially completed as determined by the Chairperson of the City Planning Commission and the area is usable by the public. Prior to the issuance of a permanent certificate of occupancy for the #development# or #enlargement#, all improvements shall be 100 percent complete in accordance with the approved plans and such completion shall have been certified by letter from the Metropolitan Transportation Authority MTA.

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

[MOVE EXISTING TEXT TO SECTION 81-631 (b)]

81-633

**Transfer instruments and notice of restrictions
Special permit for Grand Central public realm improvements**

[INSERT THE FOLLOWING EXISTING TEXT FROM 81-641]

For #developments# and #enlargements# on #zoning lots# located within the Vanderbilt Corridor Subarea, as shown on Map 1 (Special Midtown District and Subdistricts) Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may allow, by special permit, #floor area# in excess of the basic maximum #floor area ratio# established in the table in Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings) Section 81-63 (Special Floor Area Provisions for the Vanderbilt Corridor Subarea), up to the maximum #floor area# set forth in the table, in accordance with the provisions of this Section.

All applications for a special permit for additional #floor area# pursuant to this Section shall include on-site or off-site, above- or below-grade improvements to the pedestrian or mass transit circulation network, or a combination thereof, in the Grand Central Subdistrict Grand Central Core Area, as shown on Map 4. In addition, requirements pertaining to the ground floor level, building design and sustainable design measures are set forth in this Section in order to ensure that any #development# or #enlargement# receiving additional #floor area# constitutes an exceptional addition to the #Special Midtown District#.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# or #enlargement# complies with the conditions and application requirements of Paragraph (a), the findings of Paragraph (b) and the additional requirements of Paragraph (c) of this Section.

(a) Conditions and application requirements

All applications for a special permit for additional #floor area# pursuant to this Section shall include the following:

- (1) Above- or below-grade improvements to the pedestrian or mass transit circulation network.

In order to ensure that the proposed #development# or #enlargement# contributes to the improvement of pedestrian and mass transit circulation in the Grand Central Subdistrict Grand Central Core Area, especially in the vicinity of Grand Central Terminal, any #development# or #enlargement# proposed under the provisions of this Section shall include above- or below-grade public realm improvements.

- (i) Where a #development# or #enlargement# proposes the inclusion of above-grade public realm improvements, such improvements may consist of on-site or off-site improvements to the pedestrian circulation network, or a combination thereof.

On-site, above-grade public realm improvements shall consist of open or enclosed publicly accessible spaces, of ample size, provided for public use and enjoyment. Such publicly accessible spaces shall include amenities characteristic of #public plazas# or public atriums, as applicable, and include amenities for the comfort and convenience of the public.

Off-site, above-grade public realm improvements shall consist of major improvements to the public right-of-way that support pedestrian circulation in the areas surrounding Grand Central Terminal. Where the area of such improvements is to be established as a pedestrian plaza, such improvements shall be characteristic of best practices in plaza design, as set forth by the Department of Transportation. Where the area of such improvements is along a #street# accommodating both vehicular and pedestrian access, such improvements shall be characteristic of current best practices in #street# design, as set forth by the Department of Transportation, and include improvements to the right-of-way such as pedestrian amenities, or streetscape, sidewalk, crosswalk and median enhancements.

- (ii) Where a #development# or #enlargement# proposes the inclusion of below-grade public realm improvements, such improvements shall consist of on-site or off-site enhancements to the below-grade pedestrian and mass transit circulation network. Such improvements shall be characteristic of current best practice in mass-transit network design, and shall include improvements such as on-site or off-site widening, straightening, expanding or otherwise enhancing the existing below-grade pedestrian circulation network, additional vertical circulation, reconfiguring circulation routes to provide more direct pedestrian connections to subway or rail mass transit facilities, or providing daylight access, retail #uses#, or enhancements to noise abatement, air quality, lighting, finishes or rider orientation in new or existing passageways.

Applications shall include information and justification sufficient to provide the Commission with the basis for evaluating the benefits to the general public; determining the appropriate amount of bonus #floor area# to grant; and determining whether the applicable findings set forth in Paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.

Where the Metropolitan Transportation Authority or any other City or State agency has control and responsibility for the area of a proposed improvement, the applicant shall submit concept plans for the proposed improvement to such agency and the Commission. At the time of certification of the application, any such agency with control and responsibility for the area of the proposed improvement shall each provide a letter to the Commission containing a conceptual approval of the improvement, including a statement of any considerations regarding the construction and operation of the improvement.

- (2) Ground floor level

In order to ensure that the proposed #development# or #enlargement# contributes to the improvement of the pedestrian circulation network in the surrounding area Grand Central Subdistrict, especially in the vicinity of Grand Central Terminal, any #development# or #enlargement# proposed under the provisions of this Section shall provide enhancements to the ground floor level of the #building#, including, but not limited to, sidewalk widenings, streetscape amenities or enhancements to required pedestrian circulation spaces.

Where a #development# or #enlargement# includes #street# frontage along Madison Avenue or a #narrow street# between

East 43rd Street and East 47th Street, sidewalk widenings shall be provided as follows:

- (i) where a #development# or #enlargement# is on a #zoning lot# which occupies the entire #block# frontage along Madison Avenue, a sidewalk widening shall be provided along Madison Avenue, to the extent necessary, so that a minimum sidewalk width of 20 feet is achieved, including portions within and beyond the #zoning lot#. However, no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#;
- (ii) where a #development# or #enlargement# is on a #zoning lot# that does not occupy the entire #block# frontage along Madison Avenue, a sidewalk widening shall be provided along Madison Avenue where all existing #buildings# on the #block# frontage have provided such a widening. Such required widening shall match the amount of widened sidewalk provided on adjacent #zoning lots#, provided that no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#; or
- (iii) where a #development# or #enlargement# with frontage on a #narrow street# between East 43rd Street and East 47th Street is on a #zoning lot# with a #lot width# of 100 feet or more, as measured along the #narrow street line#, a sidewalk widening shall be provided along such #narrow street#, to the extent necessary, so that a minimum sidewalk width of 15 feet is achieved, including portions within and beyond the #zoning lot#. However, no sidewalk widening need exceed 10 feet, as measured perpendicular to the #street line#.

Applications shall contain a ground floor level site plan, and other supporting documents of sufficient scope and detail to enable the Commission to determine the type of proposed #uses# on the ground floor level, the location of proposed #building# entrances, the size and location of proposed circulation spaces, the manner in which such spaces will connect to the overall pedestrian circulation network and the above- or below-grade public realm improvements required pursuant to this Section and any other details necessary for the Commission to determine whether the applicable findings set forth in Paragraph (b) of this Section have been met.

- (3) Building design

In order to ensure that the proposed #development# or #enlargement# contributes to its immediate surroundings, with particular emphasis on Grand Central Terminal, any #development# or #enlargement# proposed under the provisions of this Section shall demonstrate particular attention to the building design, including, but not limited to, the proposed #uses#, massing, articulation and relationship to #buildings# in close proximity and within the Midtown Manhattan skyline.

Applications shall contain materials of sufficient scope and detail to enable the Commission to determine the proposed #uses# within the #building#, as well as the proposed #building bulk# and architectural design of the #building#, and to evaluate the proposed #building# in the context of adjacent #buildings# and the Midtown Manhattan skyline. Such materials shall include a description of the proposed #uses# within the #building#; measured elevation drawings, axonometric views, and perspective views showing such proposed #building# within the Midtown Manhattan skyline; and any other materials necessary for the Commission to determine whether the applicable findings set forth in Paragraph (b) of this Section have been met.

For those "receiving lots" #receiving lots# that are contiguous to a lot occupied by Grand Central Terminal or a lot that is across a #street# and opposite the lot occupied by Grand Central Terminal, or, in the case of a #corner lot#, one that fronts on the same #street# intersection as the lot occupied by Grand Central Terminal, applications shall contain a report from the Landmarks Preservation Commission concerning the harmonious relationship of the #development# or #enlargement# to Grand Central Terminal.

- (4) Sustainable design measures

In order to foster the development of sustainable #buildings# in the Grand Central Subdistrict Vanderbilt Corridor Subarea, any #development# or #enlargement# proposed under the provisions of this Section shall include sustainable design measures, including, but not limited to, enhancements to the energy performance, enhanced water efficiency, utilization of sustainable or locally sourced materials and attention to indoor environmental air quality of the #building#.

Applications shall contain materials of sufficient scope and detail to enable the Commission to determine whether the applicable findings in Paragraph (b) of this Section have been met. In addition, any application shall include materials demonstrating the sustainable design measures of the #building#, including its anticipated energy performance, and the degree to which such performance exceeds either the New York City Energy Conservation Code (NYCECC) or the Building Performance Rating method of the applicable version and edition of American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc., Standard 90.1 (ASHRAE 90.1), as referenced within the NYCECC.

(b) Findings

The Commission shall find that:

- (1) for a #development# or #enlargement# not located on two #wide streets#, the amount of additional #floor area# being granted is appropriate based on the extent to which any or all of the following physical factors are present in the #development# or #enlargement#:
 - (i) direct access to subway stations and other rail mass transit facilities;
 - (ii) the size of the #zoning lot#;
 - (iii) the amount of wide #street# frontage; and
 - (iv) adjacency to the open area above Grand Central Terminal;
- (2) for above-grade improvements to the pedestrian circulation network that are located:
 - (i) on-site, the proposed improvements will, to the extent practicable, consist of a prominent space of generous proportions and quality design that is inviting to the public; improve pedestrian circulation and provide suitable amenities for the occupants; front upon a #street# or a pedestrian circulation space in close proximity to and within view of and accessible from an adjoining sidewalk; provide or be surrounded by active #uses#; be surrounded by transparent materials; provide connections to pedestrian circulation spaces in the immediate vicinity; and be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; or
 - (ii) off-site, the proposed improvements to the public right-of-way, to the extent practicable, will consist of significant street and sidewalk designs that improve pedestrian circulation in the surrounding area; provide comfortable places for walking and resting, opportunities for planting and improvements to pedestrian safety; and create a better overall user experience of the above-grade pedestrian circulation network that supports the Grand Central Subdistrict surrounding area as a high-density business district. Where the area of such improvement is to be established into a pedestrian plaza that will undergo a public design and review process through the Department of Transportation subsequent to the approval of this special permit, the Commission may waive this finding;
- (3) for below-grade improvements to the pedestrian or mass transit circulation network, the proposed improvements will provide:
 - (i) significant and generous connections from the above-grade pedestrian circulation network and surrounding #streets# to the below-grade pedestrian circulation network;
 - (ii) major improvements to public accessibility in the below-grade pedestrian circulation network between and within subway stations and other rail mass transit facilities in and around Grand Central Terminal through the provision of new connections, or the addition to or reconfiguration of existing connections; or
 - (iii) significant enhancements to the environment of subway stations and other rail mass transit facilities including daylight access, noise abatement, air quality improvement, lighting, finishes, way-finding or rider orientation, where practicable;
- (4) the public benefit derived from the proposed above- or below-grade improvements to the pedestrian or mass transit circulation network merits the amount of additional #floor area# being granted to the proposed #development# or #enlargement# pursuant to this special permit;
- (5) the design of the ground floor level of the #building#:

- (i) contributes to a lively streetscape through a combination of retail #uses# that enliven the pedestrian experience, ample amounts of transparency and pedestrian connections that facilitate fluid movement between the #building# and adjoining public spaces; and demonstrates consideration for the location of pedestrian circulation space, #building# entrances, and the types of #uses# fronting upon the #street# or adjoining public spaces;
 - (ii) will substantially improve the accessibility of the overall pedestrian circulation network, reduce points of pedestrian congestion and, where applicable, establish more direct and generous pedestrian connections to Grand Central Terminal; and
 - (iii) will be well-integrated with on-site, above or below-grade improvements required by this Section, where applicable and practicable;
- (6) the design of the proposed #building#:
- (i) ensures light and air to the surrounding #streets# and public spaces through the use of setbacks, recesses and other forms of articulation, and the tower top produces a distinctive addition to the Midtown Manhattan skyline which is well-integrated with the remainder of the #building#;
 - (ii) demonstrates an integrated and well-designed facade, taking into account factors such as #street wall# articulation and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area, especially Grand Central Terminal; and
 - (iii) involves a program that includes an intensity and mix of #uses# that are harmonious with the type of #uses# in the surrounding area;
- (7) the proposed #development# or #enlargement# comprehensively integrates sustainable measures into the #building# and site design that:
- (i) meet or exceed best practices in sustainable design; and
 - (ii) will substantially reduce energy usage for the #building#, as compared to comparable #buildings#; and
- (8) in addition:
- (i) the increase in #floor area# being proposed in the #development# or #enlargement# will not unduly increase the #bulk#, density of population or intensity of #uses# to the detriment of the surrounding area; and
 - (ii) all of the separate elements within the proposed #development# or #enlargement#, including above- or below-grade improvements, the ground floor level, #building# design, and sustainable design measures, are well-integrated and will advance the applicable goals of the #Special Midtown District# described in Section 81-00 (GENERAL PURPOSES).
- (c) Additional requirements

Prior to the grant of a special permit pursuant to this Section, and to the extent required by the Metropolitan Transportation Authority (MTA) or any other City or State agencies with control and responsibility for the area in which a proposed improvement is to be located, the applicant shall execute an agreement, setting forth the obligations of the owner, its successors and assigns, to establish a process for design development and a preliminary construction schedule for the proposed improvement; construct the proposed improvement; where applicable, establish a program for maintenance; and, where applicable, establish a schedule of hours of public access for the proposed improvement. Where the MTA, or any other City or State agencies with control and responsibility for the area of a proposed improvement, deems necessary, such executed agreement shall set forth obligations of the applicant to provide a performance bond or other security for completion of the improvement in a form acceptable to the MTA or any other such agencies.

Where the proposed #development# or #enlargement# proposes an off-site improvement located in an area to be acquired by a City or State agency, the applicant may propose a phasing plan to sequence the construction of such off-site improvement. To determine if such phasing plan is reasonable, the Commission may consult with the City or State agency that intends to acquire the area of the proposed improvement.

Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to

construct, and, where applicable, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

Except where a phasing plan is approved by the City Planning Commission, no temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# granted pursuant to the provisions of Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) Section 81-633 (Special permit for Grand Central public realm improvements) until the required improvements have been substantially completed, as determined by the Chairperson of the City Planning Commission, acting in consultation with the MTA, or any other City or State agencies with control and responsibility for the area where a proposed improvement is to be located, where applicable, and such improvements are usable by the public. Such portion of the #building# utilizing bonus #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing bonus #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson, acting in consultation with the MTA, or any other City or State agencies with control and responsibility for the area where a proposed improvement is to be located, where applicable.

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

[MOVE EXISTING TEXT TO SECTION 81-631 (c)]

81-634

Transfer of development rights by certification Permitted modifications in conjunction with additional floor area

[EXISTING TEXT DELETED]

Within the Grand Central Subdistrict, the City Planning Commission may allow by certification:

- (c) a transfer of development rights from a "granting lot" to a "receiving lot" in an amount not to exceed a #floor area ratio# of 1.0 above the basic maximum #floor area ratio# allowed by the applicable district regulations on the "receiving lot," provided that a program for the continuing maintenance of the landmark approved by the Landmarks Preservation Commission has been established; and
- (d) in conjunction with such transfer of development rights, modification of the provisions of Sections 77-02 (Zoning Lots not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions), 77-22 (Floor Area Ratio) and 77-25 (Density Requirements), as follows:

For any "receiving lot," whether or not it existed on December 15, 1961, or any applicable subsequent amendment thereto, #floor area# or #dwelling units# permitted by the applicable district regulations which allow a greater #floor area ratio# may be located on a portion of such "receiving lot" within a district which allows a lesser #floor area ratio#, provided that the amount of such #floor area# or #dwelling units# to be located on the side of the district boundary permitting the lesser #floor area ratio# shall not exceed 20 percent of the basic maximum #floor area ratio# or number of #dwelling units# of the district in which such #bulk# is to be located.

[INSERT THE FOLLOWING EXISTING TEXT FROM 81-642]

In conjunction with the grant of a special permit pursuant to Section 81-641 (Additional floor area for the provision of public realm improvements) Section 81-633 (Special permit for Grand Central public realm improvements), the City Planning Commission may permit modifications to #street walls#, height and setback regulations and mandatory plan elements, as set forth in Paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in Paragraph (b) and the findings set forth in Paragraph (c) of this Section are met.

- (a) The Commission may modify the following, whether singly or in any combination:
- (1) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-621 81-671 (Special street wall requirements), inclusive;
 - (2) the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, 81-27 (Alternative Alternate Height and Setback

Regulations – Daylight Evaluation), inclusive, or 81-622 81-66 (Special height and setback requirements Height and Setback Requirements); or

- (3) the mandatory district plan elements of Sections 81-42 (Retail Continuity along Along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-623 (Building lobby entrance requirements) 81-674 (Ground floor use provisions), 81-624 81-675 (Curb cut restrictions and loading berth requirements), 81-625 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted.
- (b) Application requirements
- Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:
- (1) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43 (Street Wall Continuity Along Designated Streets), or as such provisions are modified pursuant to Section 81-621 81-671 (Special street wall requirements), as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), or as such provisions are modified pursuant to Section 81-622 81-66 (Special height and setback requirements), as applicable;
 - (2) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-622 81-66; and
 - (3) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-622 81-66.
- (c) Findings

The Commission shall find that such proposed modifications:

- (1) to the mandatory district plan elements will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions); and
- (2) to the #street wall# or height and setback regulations will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations).

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

81-635

Transfer of development rights by special permit

[EXISTING TEXT MOVED TO SECTION 81-632]

81-64

Special Permit for Grand Central Public Realm Improvement Bonus Special Floor Area Provisions for Qualifying Sites

[EXISTING TEXT DELETED]

In order to facilitate the development of exceptional and sustainable #buildings# within the Vanderbilt Corridor as well as improvements to the pedestrian and mass transit circulation network in the vicinity of Grand Central Terminal, for #developments# and #enlargements# on #zoning lots# located within the Vanderbilt Corridor, as shown in on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the City Planning Commission may permit:

- (c) additional #floor area# for the provision of on-site or offsite, above- or below-grade improvements to the pedestrian or mass transit circulation network in the Grand Central Subdistrict, in accordance with the provisions of Section 81-641 (Additional floor area for the provision of public realm improvements); and

(d) in conjunction with additional #floor area# granted pursuant to Section 81-641, modifications to #street wall# regulations, height and setback regulations and mandatory district plan elements; provided such modifications are in accordance with the provisions of Section 81-642 (Permitted modifications in conjunction with additional floor area).

For #non-residential buildings# or #mixed buildings# on #qualifying sites# in the East Midtown Subdistrict, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

MAXIMUM FLOOR AREA RATIOS AND ALLOWANCES FOR QUALIFYING SITES

Table with 12 columns: Means for Achieving Permitted FAR Levels on a #Zoning Lot# for #qualifying sites#, Grand Central Transit Improvement Zone Subarea (C5-2.5, C5-3), Park Avenue Subarea (C5-2.5, C5-3), Other Transit Improvement Zone Subarea (C5-2.5, C6-4.5, C5-3, C6-6), Southern Subarea (C5-2.5, C5-3, C6-6), Northern Subarea (C5-2.5, C6-4.5). Rows A-H describe various FAR and development rights allowances.

81-641 Additional floor area for the provision of public realm improvements Additional floor area for Transit Improvements on Qualifying Sites

[EXISTING TEXT MOVED TO 81-633]

All #developments# on #qualifying sites# located within the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, that exceed the basic maximum #floor area ratio# set forth in Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) shall comply with the provisions of this Section.

The Chairperson of the City Planning Commission shall allow, by certification, #floor area# on a #qualifying site# to be increased above the applicable basic maximum #floor area ratio# provided that such resulting increase in #floor area ratio# is not less than the minimum specified in Row B of the table in Section 81-64, nor more than the maximum specified in Row C of such table, as applicable, and further provided that a public realm improvement, or a combination of public realm improvements, will be constructed in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, in accordance with the provisions of this Section.

(c) The following requirements shall be completed prior to application for certification by the Chairperson:

- (5) the applicant shall select a public realm transit improvement

project that has been identified on the Priority Improvement List in Section 81-682 (Priority Improvement List for qualifying sites) and is commensurate with the minimum #floor area# required, and results in a #floor area ratio# increase not exceeding the maximum #floor area ratio# permitted to be achieved through the provisions of this Section. The process for such selection is also set forth in Section 81-682;

- (6) the applicant shall submit concept plans for the proposed transit improvement to the Chairperson and any applicable City or State agencies with jurisdiction over and control of the proposed improvement;
(7) the applicant shall obtain and provide to the Chairperson a conceptual approval of the improvement from any applicable City or State agencies with jurisdiction over and control of the proposed improvement in letter form, wherein such agencies state that such improvements meet the technical requirements set forth in Section 81-682; and
(8) the applicant shall execute agreements and legally enforceable instruments running with the land, setting forth the obligations of the owner and developer, their successors and assigns, to design and construct the improvement in accordance with the requirements of the applicable City or State agencies with jurisdiction over and control of the proposed improvement. A certified copy of such legal instruments shall be sent to the Chairperson.

(d) The following items shall be submitted to the Chairperson as part of an application for certification:

- (3) zoning calculations for the proposed #development# on the #qualifying site# showing the additional #floor area# associated with the completion of such transit improvement; and
(4) drawings, including but not limited to plans, sections, elevations, three-dimensional projections or other drawings deemed necessary or relevant by the Chairperson for the transit improvement.

The Chairperson shall allow, by certification, a reduction in, or waiver of, the minimum #floor area ratio# required pursuant to Row B of the table in Section 81-64, where there are an insufficient number of available projects on the Priority Improvement List in Section 81-682. The Chairperson shall also allow, by certification, the maximum #floor area ratio# for a #qualifying site# to be increased beyond the limit set forth in Row C of the table in Section 81-64, where the Metropolitan Transportation Authority requires improvements to the Fifth Avenue and East 53rd Street Station to be combined in order to adequately phase improvements and avoid practical difficulties in operating the station.

When an applicant has submitted materials to the Chairperson that satisfy the requirements of paragraphs (a) and (b) of this Section, the Chairperson shall certify to the Department of Buildings that a #development# on a #qualifying site# is in compliance with the provisions of this Section. Such certification shall be a precondition to the issuance of any foundation permit or new building permit by the Department of Buildings allowing a #development# on a #qualifying site# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea,.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# identified as utilizing the additional #floor area# granted pursuant to the provisions of this Section until the Chairperson, acting in consultation with the applicable City or State agencies having jurisdiction over and control of the proposed improvement, has certified that the improvements are substantially complete and usable by the public. Such portion of the #building# shall be designated by the applicant in drawings included in the instruments filed pursuant to Paragraph (b) of this Section.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing such additional #floor area# until the improvements have finally been completed in accordance with the approved plans and such final completion has been approved by the Chairperson, acting in consultation with the applicable City or State agencies having jurisdiction over and control of the proposed improvement.

81-642 Permitted modifications in conjunction with additional floor area Transfer of development rights from landmarks to qualifying sites

[EXISTING TEXT MOVED TO SECTION 81-634]

The Chairperson of the City Planning Commission shall allow, by certification, a transfer of development rights from #zoning lots# occupied by #landmark buildings or other structures# within the East Midtown Subdistrict to a #qualifying site#, provided that the provisions of this Section are met.

- (a) The transfer of development rights shall be subject to the following conditions:
- (6) For #qualifying sites# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas), the applicant shall comply with the provisions of Section 81-641 (Additional floor area for transit improvements) prior to, or in conjunction with, meeting the requirements of this Section.
 - (7) The maximum amount of #floor area# that may be transferred from a #granting lot# shall be the applicable basic maximum #floor area# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), less the total #floor area# of all existing #buildings# on the landmark #zoning lot#, and any previously transferred #floor area#. In no event shall a #granting lot# transfer any previously granted bonus #floor area# received for subway station improvements, #publicly accessible open areas# or the provision of district improvements pursuant to the provisions of this Chapter, or any preceding regulations.
 - (8) For each #receiving lot#, the increased #floor area# allowed by the transfer of development rights pursuant to this Section shall not exceed the amount resulting in the maximum #floor area ratio# set forth in Row D of the table in Section 81-64.
 - (9) Each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the #granting lot# by the amount of #floor area# transferred. If the landmark designation is removed from the #landmark building or other structure#, the #landmark building or other structure# is destroyed or #enlarged#, or the #zoning lot# with the #landmark building or structure# is redeveloped, the #granting lot# may only be #developed# or #enlarged# up to the amount of permitted #floor area# as reduced by each transfer.
 - (10) The owners of the #granting lot# and the #receiving lot# shall submit to the Chairperson a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer. Notice of the restrictions upon further #development# or #enlargement# of the #granting lot# and the #receiving lot# shall be filed by the owners of the respective lots in the Office of the Register of the City of New York (County of New York), a certified copy of which shall be submitted to the Chairperson.
- Both the transfer instrument and the notices of restrictions shall specify the total amount of #floor area# transferred and shall specify, by lot and block numbers, the #granting lot# and the #receiving lot# that are a party to such transfer.
- (7) A contribution shall be deposited by the applicant into the #Public Realm Improvement Fund#. Such contribution shall be equal to the greater of:
 - (iii) 20 percent of the sales price of the transferred #floor area#; or
 - (iv) an amount equal to 20 percent of the #Public Realm Improvement Fund Development Rights Valuation# multiplied by the amount of transferred #floor area#.
- (c) An application filed with the Chairperson for certification pursuant to this Section shall be made jointly by the owners of the #granting lot# and the #receiving lot#. The following items shall be submitted to the Chairperson as part of an application for certification:
- (6) for #qualifying sites# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, materials that are sufficient to demonstrate compliance with the provisions of Section 81-641 (Additional floor area for transit improvements on qualifying sites);
 - (7) site plans and zoning calculations for the #granting lot# and #receiving lot#;
 - (8) materials to demonstrate the establishment of a program for the continuing maintenance of the #landmark building or other structure#;
 - (9) a report from the Landmarks Preservation Commission concerning the continuing maintenance program of the #landmark building or other structure#; and
 - (10) for those #receiving lots# that are contiguous to a lot occupied by Grand Central Terminal or a lot that is across a #street# and opposite the lot occupied by Grand Central Terminal, or, in the case of a #corner lot#, one that fronts on the same #street# intersection as the lot occupied by Grand Central Terminal, a report from the Landmarks Preservation Commission

concerning the harmonious relationship of the #development# to Grand Central Terminal.

When an applicant has submitted materials to the Chairperson that satisfy the requirements of paragraphs (a) and (b) of this Section, the Chairperson shall certify to the Department of Buildings that a #development# on a #qualifying site# is in compliance with the provisions of this Section.

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 ratio# for such #development# on a #qualifying site#. Additional provisions are set forth in Section 81-686 for applicants undertaking a sidewalk improvement immediately adjacent to their #qualifying site#.

A separate application shall be filed for each transfer of development rights to an independent #receiving lot# pursuant to this Section.

81-643

Special provisions for retaining non-complying floor area

For #non-complying commercial buildings# existing on December 15, 1961 with #non-complying floor area#, the provisions of Section 54-41 (Permitted Reconstruction) may be modified to allow such #non-complying building# to be demolished or altered, to the extent of 75 percent or more of its total #floor area#, and reconstructed on a #qualifying site# to retain the amount of pre-existing #non-complying floor area# in accordance with the applicable district #bulk# regulations of this Chapter, upon certification by the Chairperson of the City Planning Commission to the Department of Buildings first, that prior to demolition or alteration, the applicant meets the provisions of Paragraph (a) of this Section, as applicable, and, subsequently, prior to reconstruction, the proposed #development# will comply with the applicable provisions of Paragraph (b) of this Section.

- (b) Certification to demolish or alter a #non-complying building#

The Chairperson shall certify the amount of #non-complying floor area# existing within a #non-complying building# that may be reconstructed pursuant to the provisions of Paragraph (b) of this Section, based on calculations submitted to the Chairperson. Such calculations shall be based on either the #building's# construction documents previously submitted for approval to the Department of Buildings at the time of such #building's# construction, #enlargement#, or subsequent alterations, as applicable; or on an as-built drawing set completed by a licensed architect.

For the purpose of calculating the amount of #non-complying floor area# to be retained on #zoning lots# with multiple existing #buildings# at the time of application, the maximum amount of #non-complying floor area# that may be reconstructed shall be equivalent to the #floor area# of the #zoning lot# at the time of application, less the total #floor area# of all existing #buildings# to remain.

Certification pursuant to the provisions of Paragraph (a) of this Section shall be a precondition to the issuance of any demolition or alteration permit by the Department of Buildings for a #zoning lot# reconstructing #non-complying floor area#.

- (d) Certification to reconstruct #non-complying floor area#

The amount of #non-complying floor area# established pursuant to Paragraph (a) of this Section may be reconstructed, provided that the Chairperson certifies that:

- (3) all requirements for #qualifying sites# set forth in the definition in Section 81-613 (Definitions), inclusive are met; and
- (4) a contribution shall be deposited by the applicant into the #Public Realm Improvement Fund#. Such contribution shall be an amount equal to 20 percent of the #Public Realm Improvement Fund Development Rights Valuation# multiplied by the amount of such pre-existing #non-complying floor area#.

For the purposes of this Chapter, the reconstruction of such #non-complying floor area# shall be considered a #development#.

The payment of the non-refundable contribution to the #Public Realm Improvement Fund# pursuant to the provisions of Paragraph (b) of this Section, shall be a precondition to the issuance of any foundation permit or new building or alteration permit by the Department of Buildings allowing a #development# on a #qualifying site#.

Any proposed #floor area# in the reconstructed #building# beyond the amount contained in the pre-existing #non-complying building# may be obtained by utilizing the applicable provisions of Section 81-64 (Special Floor Area Provisions for Qualifying Sites). For the purposes of applying the provisions of such Section, the reconstructed #floor area ratio# shall be considered the basic maximum #floor area ratio#. However, the maximum #floor area ratios# of Row E and Row H shall continue to apply.

**81-644
Special permit for transit improvements**

For #qualifying sites# located in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where subway station improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

**81-645
Special permit for a Public Concourse**

For #qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment, is provided on the #qualifying site#. Such publicly accessible spaces shall include amenities that are characteristic of #public plazas# or public atriums, as applicable, for the comfort and convenience of the public.

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# complies with the conditions and application requirements of Paragraph (a), the findings of Paragraph (b) and the additional requirements of Paragraph (c) of this Section.

(d) Applications shall include information and justification sufficient to provide the Commission with the basis for:

- (1) evaluating the benefits to the general public;
- (2) determining the appropriate amount of increased #floor area# to grant; and
- (3) determining whether the applicable findings set forth in Paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.

(e) The Commission shall find that:

- (3) to the extent practicable, the open or enclosed public concourse will:
 - (i) consist of a prominent space of generous proportions and quality design that is inviting to the public;
 - (ii) improve pedestrian circulation and provide suitable amenities for the occupants;
 - (iii) front upon a #street# or a pedestrian circulation space in close proximity to and within view of, and accessible from, an adjoining sidewalk;
 - (iv) provide or be surrounded by active #uses#;
 - (v) be surrounded by transparent materials;
 - (vi) provide connections to pedestrian circulation spaces in the immediate vicinity; and
 - (vii) be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; and
- (4) the public benefit derived from the proposed public concourse merits the amount of additional #floor area# being granted to the proposed #development# pursuant to this special permit;

(f) Prior to obtaining a foundation permit or building permit from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to construct, and, where applicable, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the

declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, and such improvements are usable by the public. Such portion of the #building# utilizing increased #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# until all improvements have been completed in accordance with the approved plans, as determined by the Chairperson.

**81-65
Special Permit for Transient Hotels
Special Floor Area Provisions for All Other Sites**

[EXISTING TEXT REPLACED BY TEXT IN SECTION 81-621

Within the Vanderbilt Corridor, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the City Planning Commission may permit the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or may permit the #conversion# or change of #use# within an existing #building# to a #transient hotel#, provided the Commission finds that the proposed #transient hotel# will:

- (a) be appropriate to the needs of businesses in the vicinity of Grand Central Terminal; and
- (b) provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.

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

For #non-residential buildings# or #mixed buildings# on #non-qualifying sites# in the East Midtown Subdistrict, the basic maximum #floor area ratios# of the underlying-districts shall apply as set forth in this Section. Such basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

Row	Means for achieving permitted FAR on a #zoning lot# for all other sites	Grand Central Core Area		Any other Areas	
		C5-3 C6-6	C5-2.5 C6-4.5	C5-3 C6-6	C5-2.5 C6-4.5
A	Basic Maximum FAR	15	12	15	12
B	Additional FAR for provision of a #public plaza# (Section 81-651)	-	-	1	1
C	Total as-of-right FAR	15	12	16	13
D	Additional FAR for subway station improvements through special permit (Section 81-652)	3	2.4	3	2.4
E	Maximum FAR of a #landmark or other structure# for transfer purposes (Section 74-79)	15	12	16	13

F	Maximum amount of transferable development rights from a landmark #zoning lot# that may be utilized on an #adjacent lot# (Sections 74-79)	No limit	2.4	No limit	2.4
G	Maximum FAR permitted on an #adjacent lot#	No limit	14.4	No limit	14.4

**81-651
Floor area bonus for public plazas**

For #non-qualifying sites# in subareas outside the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the basic maximum #floor area ratio# permitted on such #zoning lots# shall be increased, up to the amount specified in Row B of the table in Section 81-65 (Special Floor Area Provisions for All Other Sites), where a #public plaza# is provided in accordance with the provisions of Section 81-23 (Floor Area Bonus for Public Plazas).

**81-652
Floor area bonus for subway station improvements**

For #non-qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row D of the table in Section 81-65 (Special Floor Area Provisions for All Other Sites), as applicable, where subway station improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

**81-653
Special permit for transfer of development rights from landmarks to non-qualifying sites**

For #non-qualifying sites#, the City Planning Commission may permit the transfer of development rights from a #granting lot# to a #receiving lot#, pursuant to the provisions of Section 74-79 (Transfer of Development Rights from Landmark Sites), provided that:

- (d) the maximum amount of #floor area# that may be transferred from a #granting lot# shall be the applicable basic maximum #floor area# set forth in Section 81-65 (Special Floor Area Provisions for All Other Sites), less the total #floor area# of all existing #buildings# on the landmark #zoning lot#, and any previously transferred #floor area#. In no event shall a #granting lot# transfer any previously granted bonus #floor area# received for subway station improvements, #publicly accessible open areas# or the provision of district improvements pursuant to the provisions of this Chapter, or any preceding regulations;
- (e) for each #receiving lot#, the increased #floor area# allowed by the transfer of development rights pursuant to this Section shall not exceed the amount resulting in the maximum #floor area ratio# set forth in Row F of the table in Section 81-65; and
- (f) each transfer, once completed, shall irrevocably reduce the amount of #floor area# that may be #developed# or #enlarged# on the #granting lot# by the amount of #floor area# transferred.

**81-66
Special Height and Setback Requirements**

For #buildings# which are #developed# or #enlarged# within the East Midtown Subdistrict, the applicable height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, and 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), inclusive, are modified by the provisions of this Section, inclusive.

**81-661
Height and setback modifications for buildings in the Grand Central Core Area**

[RELOCATED TEXT FROM SECTION 81-622]

For #buildings# on #non-qualifying sites# within the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter, the provisions of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, or 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), inclusive, are modified as follows:

- (c) where such #buildings# are governed by Section 81-26, no #compensating recess# shall be required for the #encroachment# of that portion of the #building# below a height of 150 feet, as measured from #curb level#; or

- (d) where such #buildings# are governed by Section 81-27, the computation of daylight evaluation shall not include any daylight blockage, daylight credit, profile daylight blockage or available daylight for that portion of the #building# below 150 feet above #curb level#. However, the passing score required pursuant to Paragraph (i) of Section 81-274 shall apply.

**81-662
Daylight compensation modifications for qualifying sites**

For #buildings# on #qualifying sites# in the East Midtown Subdistrict using the daylight compensation method of height and setback regulations, the provisions of Section 81-26 (Height and Setback Regulations – Daylight Compensation) are modified as follows:

- (d) for the purposes of determining permitted #encroachments# and #compensating recesses# pursuant to Section 81-264 (Encroachments and compensating recesses):
 - (4) no #compensating recess# shall be required for the #encroachment# of that portion of the #building# below a height of 150 feet, as measured from #curb level#;
 - (5) #compensating recesses# provided for #encroachments#, or portions thereof, above a height of 400 feet, as measured from #curb level#, need not comply with the provisions of Paragraph (c)(1) of Section 81-264. In lieu thereof, for any portion of the #building# located above a height of 400 feet, the amount of #compensating recess# required for any particular level of the #building# shall be equal to the amount of #encroachment# provided at such level. The remaining provisions of Paragraph (c) of Section 81-264 shall continue to apply to such #compensating recess#; and
 - (6) for #buildings# on #qualifying sites# with frontage along Vanderbilt Avenue, a portion of Vanderbilt Avenue may be considered part of the #zoning lot# for the purposes of determining permitted #encroachments# and #compensating recesses#. Such modified #zoning lot# shall be constructed by shifting the westerly boundary of the #zoning lot# to the westerly #street line# of Vanderbilt Avenue, and by prolonging the #narrow street lines# to such new westerly boundary. The Vanderbilt Avenue portion of such modified #zoning lot# may be considered a #compensating recess# for encroachments along such #building's narrow street frontage zone#, provided that any portion of the #building# fronting along Vanderbilt Avenue above a height of 100 feet, as measured from #curb level#, is setback a minimum 15 feet from the Vanderbilt Avenue #street line#, and further provided that the #street frontage zone# calculation along Park Avenue shall not include Vanderbilt Avenue;
- (e) for the purposes of determining the permitted length of #encroachments# pursuant to Section 81-265 (Encroachment limitations by length and height rules) the minimum length of recess required by Formula 2 in Paragraph (c) shall be modified to 20 percent of the length of the #front lot line#; and
- (f) for #buildings# on #qualifying sites# with frontage along Park Avenue, as an alternative to the setback requirements of Table A, B, or C in Paragraph (b) of Section 81-263 (Standard setback requirements), the Park Avenue wall of such #building# shall be set back behind the applicable #setback line# to the depth of the #setback line# required at that particular height, in accordance with the applicable requirements of Table D of this Section.

Table D
SETBACK REQUIREMENTS ON #STREETS# AT LEAST 140 FEET WIDE

Depth of #Setback Line# from #Street Line# at Stated Heights above #Curb Level#.

Height	Depth of #Setback Line#	Height	Depth of #Setback Line#
210	0.00	470	29.75
220	1.00	480	30.50
230	2.50	490	31.50
240	4.25	500	32.00
250	5.50	510	33.00
260	7.00	520	33.50
270	8.75	530	34.50
280	10.00	540	35.00
290	11.25	550	35.50

300	12.75	560	36.00
310	14.25	570	37.00
320	15.25	580	37.50
330	16.25	590	38.00
340	17.50	600	38.50
350	18.75	610	39.00
360	19.75	620	39.75
370	21.00	630	40.25
380	21.75	640	41.00
390	23.00	650	41.50
400	23.75	660	41.75
410	25.00	670	42.25
420	25.75	680	43.00
430	26.75	690	43.50
440	27.50	700	43.75
450	28.50	710	44.25
460	29.25	Above 710	*

*For every 10 feet of height above 710 feet, the depth shall increase by one foot.

81-663 Daylight evaluation modifications for qualifying sites

For #buildings# on #qualifying sites# in the East Midtown Subdistrict using the daylight evaluation method of height and setback regulations, the provisions of Section 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation) are modified as follows:

- (d) for the purposes of calculating the daylight evaluation score pursuant to Section 81-274 (Rules for determining the daylight evaluation score):
 - (5) the computation of daylight evaluation shall not include any daylight blockage for that portion of the #building# above the curved line representing 70 degrees in the applicable Daylight Evaluation Charts, and below a height of 150 feet, as measured from #curb level#. However, such computation shall include the daylight blockage created by extending the lines representing the outermost edges of the portion of the #building# above a height of 150 feet downwards to such 70 degree line
 - (6) the computation of unblocked daylight squares which are below the curved line representing an elevation of 70 degrees, pursuant to Paragraph (c) of Section 81-274, may apply along designated #streets# where #street wall# continuity is required;
 - (7) the profile penalty for #profile encroachment#, set forth in Paragraph (a) of Section 81-274, shall not apply; and
 - (8) the provisions of Paragraph (i) of Section 81-274 shall be modified to require an overall passing score of 66 percent. However for #qualifying sites# with existing #buildings# with #non-complying floor area# to be reconstructed pursuant to the provisions of Section 81-643 (Special provisions for retaining non-complying floor area), the overall score of the #zoning lot#, as existing on [date of enactment], may be utilized as the passing score for the proposed #development# on the #qualifying site#;
- (b) the reflectivity provisions of Section 81-276 may be utilized to raise both an individual score and the overall score by up to six percentage points;
- (c) for #buildings# on #qualifying sites# with frontage along Vanderbilt Avenue, a portion of Vanderbilt Avenue may be considered part of the #zoning lot# for the purposes of constructing the #daylight evaluation chart# pursuant to Section 81-272 (Features of the Daylight Evaluation Chart). Such modified #zoning lot# shall be constructed by shifting the westerly boundary of the #zoning lot# to the westerly #street line# of Vanderbilt Avenue, and by prolonging the #narrow street lines# to such new westerly boundary. Such modified #zoning lot# may be utilized to create a modified pedestrian view along Vanderbilt Avenue and intersecting #narrow streets# provided that:
 - (1) any portion of the #building# fronting along Vanderbilt

Avenue above a height of 100 feet, as measured from #curb level#, is setback a minimum of 15 feet from the Vanderbilt Avenue #street line#;

- (2) #vantage points# along Vanderbilt Avenue are taken 30 feet west of the westerly #street line# instead of the #center line of the street#; and
 - (3) #vantage points# along #narrow streets# are taken from the corner of the modified #zoning lot#; and
- (d) for #buildings# with frontage along Park Avenue:
- (3) for the purposes of establishing #vantage points# along Park Avenue to construct a #daylight evaluation chart# pursuant to the provisions of Section 81-272, the definition of #centerline of the street#, as set forth in Section 81-271 (Definitions), shall be modified along Park Avenue to be a line 70 feet from, and parallel to, the Park Avenue #street line# of the #zoning lot#; and
 - (4) for the purpose of plotting #buildings# on the #daylight evaluation chart# pursuant to Section 81-273 (Rules for plotting buildings on the daylight evaluation chart), Chart 4 (Daylight Evaluation Diagram – Park Avenue) in Appendix B of this Chapter, shall be utilized in lieu of the chart for #streets# 100 feet or more in width.

81-67 Special Mandatory District Plan Element Requirements

For #buildings# which are #developed# or #enlarged# within the East Midtown Subdistrict, the applicable provisions of Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS) shall be modified in accordance with the provisions of this Section, inclusive.

81-671 Special street wall requirements

[RELOCATED TEXT FROM SECTION 81-621]

The requirements of Section 81-43 (Street Wall Continuity Along Designated Streets) shall be applicable within the Subdistrict, except as modified in this Section.

#Buildings# with frontage on Park, Lexington, Madison and Vanderbilt Avenues, or Depew Place in the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, shall have a #street wall# within 10 feet of the #street line# of such #streets#.

On 42nd Street, the #street wall# shall be at the #street line#. The width of the required #street wall# shall be at least 80 percent of the length of the #front lot line#. The minimum height of such #street walls# without any setback shall be 120 feet above #curb level# or the height of the #building#, whichever is less, and the maximum height shall not exceed 150 feet above #curb level#. Where a #zoning lot# is bounded by the intersection of Park Avenue, Lexington Avenue, Madison Avenue, Vanderbilt Avenue, 42nd Street or Depew Place and any other #street#, these #street wall# height regulations shall apply along the full length of the #zoning lot# along the other #street# or to a distance of 125 feet from the intersection, whichever is less.

Beyond 125 feet of the intersection, the maximum height of the #street wall# above #curb level# shall not exceed 120 feet. For such #buildings#, the provisions of Section 81-262 (Maximum height of front wall at the street line) shall not be applicable.

However, the ten-foot setback requirement of Paragraph (a) of Section 81-263 shall apply only to those portions of the #building# above 120 feet.

81-672 Sidewalk widenings

All sidewalk widenings provided pursuant to the provisions of this Section shall be improved as sidewalks to Department of Transportation standards, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times. The design provisions set forth in Paragraph (f) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces) shall apply, except as modified in this Section. All sidewalk widenings provided in accordance with the provisions of this Section shall constitute pedestrian circulation space, as required pursuant to Section 81-45 (Pedestrian Circulation Space).

- (b) Mandatory sidewalk widenings along Madison and Lexington Avenues
 - #Developments# or #enlargements# on #qualifying sites# with frontage along Madison and Lexington Avenues, shall provide mandatory sidewalk widenings as follows:
 - (3) where such #zoning lot# occupies the entire #block# frontage, a sidewalk widening shall be provided to the extent necessary so that a minimum sidewalk width of 20 feet is achieved, including portions within and beyond the #zoning lot#. However, no sidewalk widening need exceed ten feet, as

measured perpendicular to the #street line#;

- (4) where such #zoning lot# does not occupy the entire #block# frontage, a sidewalk widening shall be provided where all existing #buildings# on the #block# frontage have provided such a widening. Such required widening shall match the amount of widened sidewalk provided on adjacent #zoning lots#, provided that no sidewalk widening need exceed ten feet, as measured perpendicular to the #street line#.

(d) Permitted sidewalk widenings

Sidewalk widenings may be provided, in accordance with the applicable size and design standards established in Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive:

- (1) along #narrow streets# in the Grand Central Subarea, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter, for #developments# or #enlargements# on #zoning lots# with a #lot width# of 100 feet or more, as measured along such #narrow street line#; and
- (2) where a #street wall#, or portions thereof, is permitted to be located beyond the #street line# pursuant to the applicable provisions of Section 81-671 (Special street wall requirements).

(e) Permitted obstructions

In the Grand Central Subarea, as shown on Map 4, awnings and canopies shall be permitted obstructions within a sidewalk widening provided that no structural posts or supports are located within any portion of the sidewalk or such widening.

81-673

Mass transit access

(a) On #qualifying sites#

Where a #zoning lot# contains an easement volume for pedestrian access to a subway station or rail mass transit facility and such #zoning lot# is proposed to be #developed# or #enlarged# in accordance with the provisions for #qualifying sites#, such existing easement volume shall be preserved, or reconfigured in accordance with standards and terms approved by the MTA, as part of such #development# or #enlargement#. Any reconfiguration shall be constructed by the owner of the #development# or #enlargement#.

For such #developments# or #enlargements#, the owner shall submit a site plan showing a proposed location and size of the transit easement volume that would provide access between the #street# and the below-grade subway station or rail mass transit facility and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Department of Buildings.

Legal instruments creating a transit easement volume shall be executed and recorded in a form acceptable to the City. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development# or #enlargement#.

(c) On #qualifying sites# in the Grand Central Transit Improvement Zone Subarea or the Other Transit Improvement Zone Subarea

For #developments# or #enlargements# involving ground floor level construction on #qualifying sites# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 4 (East Midtown Subdistricts and Subareas) in Appendix A of this Chapter, in addition to the provisions of Paragraph (a) of this Section, as applicable, a transit easement volume may be required on such #zoning lot# for public access between the #street# and a below-grade subway station or rail mass transit facility.

Prior to filing any applications with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for a #development# or #enlargement#, the owner of the #zoning lot# shall file an application with the Metropolitan Transportation Authority (MTA) and the Chairperson of the City Planning Commission requesting a certification as to whether or not a transit easement volume is required on the #zoning lot#.

Within 60 days of receipt of such application, the MTA and

the Chairperson shall jointly certify whether or not a transit easement volume is required on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a transit easement volume on such #zoning lot#.

When the MTA and the Chairperson indicate that a transit easement volume is required, the owner shall submit a site plan showing a proposed location and size of the transit easement volume that would provide access between the #street# and the below-grade subway station or rail mass transit facility and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45 day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Department of Buildings.

Legal instruments creating a transit easement volume shall be executed and recorded in a form acceptable to the City. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development# or #enlargement#.

If a transit easement volume is required on the #zoning lot#, pursuant to the provisions of this Section, an off-street subway or rail mass transit access improvement may be constructed and maintained by either the owner of the #development# or #enlargement#, or the MTA, as follows:

(c) where such mass transit access improvement is constructed and maintained by the owner of the #development# or #enlargement#:

- (2) Such mass transit access shall be improved to the standards set forth in Section 81-48 and shall be approved by the MTA, and shall comply with the following:

- (i) where the #building's# lobby abuts such mass transit access, in addition to mass transit access to the #street#, such mass transit access shall provide a direct connection to the #building's# lobby which is open during normal business hours; and
- (ii) such mass transit access shall provide directional #signs# in accordance with the provisions of Section 81-412 (Directional signs). Such #signs# shall be exempt from the maximum #surface area# of non-illuminated signs permitted by Section 32-642 (Non-illuminated signs); and

- (3) No temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the MTA, has certified that the improvements are substantially complete and usable by the public.

(d) where such mass transit access improvement is constructed and maintained by the MTA:

- (1) where construction of the transit easement volume by the MTA is not contemporaneous with the construction of the #development#:
- (i) any underground walls constructed along the #front lot line# of a #zoning lot# shall contain a knockout panel, not less than 12 feet wide, below #curb level# down to the bottom of the easement. The actual location and size of such knockout panel shall be determined through consultation with the MTA; and
- (ii) temporary construction access shall be granted to the MTA on portions of the #zoning lot# outside of the transit easement volume, as necessary, to enable construction within and connection to the transit easement volume; and
- (2) in the event that the MTA has approved of obstructions associated with the #development# or #enlargement# within the transit easement volume, such as building columns or footings, such construction and maintenance shall exclude any such obstructions within the transit easement volume.

(c) In other locations

For portions of the #Special Midtown District# within the #Special Transit Land Use District#, where, as part of a #development# or #enlargement# involving ground floor level construction, a transit easement volume is required by the MTA to accommodate, whether singly or in any combination, light wells, stairs, ramps, escalators, elevators, passageways, or

ancillary facilities required to support the functioning of subway station or rail mass transit facilities, including, but not limited to, emergency egress or ventilation structures, the MTA shall, in consultation with the owner of the #zoning lot# and the City Planning Commission, determine the appropriate type of transit easement and reasonable dimensions for such transit easement volume.

The floor space occupied by any transit easement volume required pursuant to this Section shall not count as #floor area#. Where access improvements are constructed by the owner of the #zoning lot#, each square foot of mass transit access may constitute three square feet of pedestrian circulation space required pursuant to Section 81-45 (Pedestrian Circulation Space), not to exceed 3,000 square feet.

81-674

Ground floor use provisions

- (a) Within the Vanderbilt Corridor Subarea

[RELOCATED TEXT FROM SECTION 81-626]

For #buildings developed# or #enlarged# on the ground floor on #zoning lots# located within the Vanderbilt Corridor Subarea, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, where a #building# fronts upon a designated retail #street#, as shown on Map 2 (Retail and Street Wall Continuity), any portion of such #building's# ground floor level frontage along such designated retail #street# allocated to above- or below-grade public realm improvements provided in accordance with a special permit pursuant to Section 81-632 (Special permit for transfer of development rights from landmarks to the Vanderbilt Corridor Subarea) or Section 81-633 (Special permit for Grand Central public realm improvements) shall be excluded from the retail continuity requirements of Section 81-42 (Retail Continuity Along Designated Streets).

- (b) Within the Grand Central Core Area

[RELOCATED TEXT FROM SECTION 81-623]

For #buildings developed# or #enlarged# on the ground floor after August 26, 1992 in the Grand Central Core Area, as shown on Map 4, #building# lobby entrances shall be required on each #street# frontage of the #zoning lot# where such #street# frontage is greater than 75 feet in length, except that if a #zoning lot# has frontage on more than two #streets#, #building# entrances shall be required only on two #street# frontages. Each required #building# entrance shall lead directly to the #building# lobby. #Buildings developed# from May 13, 1982, to August 25, 1992, shall be subject to the provisions of Section 81-47 (Major Building Entrances).

Required #building# entrances on opposite #street# frontages shall be connected directly to the #building# lobby by providing a through #block# connection in accordance with Paragraph (h) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), except that such through #block# connection shall be located at least 50 feet from the nearest north/south #wide street#.

Each required #building# entrance shall include a #building# entrance recess area, as defined in Paragraph (b) of Section 37-53, except that for #developments# or #enlargements# with frontage on Madison Avenue, Lexington Avenue or 42nd Street, the width of a #building# entrance recess area shall not be greater than 40 feet parallel to the #street line# and there may be only one #building# entrance recess area on each such #street# frontage.

- (c) Along #narrow streets# of #qualifying sites# in the Grand Central Core Area

For #buildings developed# or #enlarged# on the ground floor on #qualifying sites# in the Grand Central Core Area, as shown on Map 4, a minimum of 50 percent of a #building's# ground floor level #street wall# frontage along a #narrow street# shall be limited to retail, personal service or amusement #uses# permitted by the underlying zoning district regulations, but not including #uses# in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 and 12D or automobile showrooms or plumbing, heating or ventilating equipment showrooms. Such ground floor level retail, personal services or amusement #uses# shall comply with the transparency provisions of Section 81-42.

81-675

Curb cut restrictions and loading berth requirements

[RELOCATED AND MODIFIED TEXT FROM SECTION 81-624]

For #developments# or #enlargements# within the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, in addition to the provisions of Sections 81-30 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive, and 81-44 (Curb Cut Restrictions), the following shall apply:

- (b) Loading berth provisions

For #through lots#, the required loading berth shall be arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.

However, the Commissioner of Buildings may waive such head-in and head-out requirements, provided that:

- (1) the #zoning lot# has frontage along a #street# where curb cuts accessing a loading berth are permitted, but there is no access to such #zoning lot# from the #street# due to the presence of:
 - (iv) a #building# existing on (date of adoption) containing #residences#;
 - (v) a #non-residential building# existing on (date of adoption) that is three or more #stories# in height; or
 - (vi) a #building# designated as a landmark or considered a contributing #building# in an Historic District designated by the Landmarks Preservation Commission; or
- (3) there are subsurface conditions, ventilation requirements from below-grade infrastructure or other site planning constraints that would make accommodating such loading berths infeasible.

- (c) Curb cut provisions

The maximum width of any curb cut (including splays) shall be 15 feet for one-way traffic and 25 feet for two-way traffic. Curb cuts shall not be permitted on 47th Street between Park and Madison Avenues or on 45th Street between Depew Place and Madison Avenue.

81-676

Pedestrian circulation space requirements

[EXISTING TEXT FROM SECTION 81-625]

Any #development# or #enlargement# within the Grand Central Core Area, as shown on Map 4 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, ~~Grand Central Subdistrict~~ shall be subject to the provisions of Sections 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair) and 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), except that:

- (d) no arcade shall be allowed ~~within the Subdistrict~~;
- (e) ~~within the Subdistrict~~, a sidewalk widening may be provided only for a #building# occupying an Avenue frontage, provided that such sidewalk widening extends for the length of the full #block# front; and
- (f) for #developments# or #enlargements# on #zoning lots# located within the Vanderbilt Corridor Subarea, as shown on Map 1-4 (~~Special Midtown District and Subdistricts~~) in Appendix A of this Chapter, up to a maximum of 3,000 square feet of on-site improvements to the public realm provided in accordance with a special permit pursuant to Section 81-635 (Transfer of development rights by special permit) or Section 81-64 (Special Permit for Grand Central Public Realm Improvement Bonus) may be applied toward the pedestrian circulation space requirement.

81-68

Additional Provisions for Qualifying Sites

81-681

Building energy design requirements for qualifying sites

To ensure advancement of goals for the reduction of greenhouse gas emissions, #buildings# on #qualifying sites# shall either:

- (a) utilize a district steam system for the #building's# heating and hot water systems; or
- (b) the core and shell of such #building# shall exceed the standards of the chosen commercial building energy-efficiency compliance path within the 2016 New York City Energy Conservation Code (NYCECC), by three percent.

Compliance with the provisions of this Section shall be demonstrated to the Department of Buildings at the time of issuance of a new building

permit for a #development# or #enlargement# on a #qualifying site#.

The City Planning Commission may, by rule, modify the standards of this Section, as necessary, to ensure that the environmental standards established herein, meet or exceed the current best practices in reducing greenhouse gas emissions.

81-682

Priority Improvement List for qualifying sites

In accordance with the provisions of Section 81-641 (Additional floor area for transit improvements), any applicant for a #development# or #enlargement# on a #qualifying site# in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, shall select a transit improvement, or combination thereof, to be completed in accordance with the provisions of this Section.

(b) Selecting an Improvement

An applicant shall select a transit improvement from the Priority Improvement List in Paragraph (b) of this Section based on the #floor area# such improvement generates relative to the minimum #floor area# required and maximum #floor area# permitted for completion of such improvement pursuant to Section 81-641, and based on the following geographical and technical considerations:

- (1) First, the applicant shall select a transit improvement in the same Subarea of the East Midtown Subdistrict as the proposed #development# or #enlargement# on a #qualifying site#;
- (2) If none of the transit improvements on the Priority Improvement List meet the criteria of Paragraph (a)(1) of this Section, the applicant shall select a transit improvement on a transit route that passes through, and has stations or other facilities in the same Subarea of the East Midtown Subdistrict as the proposed #development# or #enlargement# on a #qualifying site#;
- (3) If none of the transit improvements on the Priority Improvement List meet the criteria of paragraphs (a)(1) or (a)(2) of this Section, the applicant shall select from any remaining improvement on the list.

In addition, applicants shall consult with the applicable City or State agencies with jurisdiction over and control of the proposed improvement to ensure that the selected improvement will meet the operational and long-term planning needs of the station or transit route, including any phasing requirements, and compliance with the Americans with Disabilities Act (ADA).

(b) The Priority Improvement List

The Priority Improvement List (the "Improvement List"), set forth in the tables below, details physical improvements to subway stations and other rail mass transit facilities in, or adjacent to, the East Midtown Subdistrict, that an applicant on a #qualifying site# may complete to obtain additional #floor area#.

Three levels of improvements are available for completion, which, accordingly, generate three different amount of additional #floor area#:

- (4) Type 1 Improvements generate 40,000 square feet of #floor area#, and include new or expanded on-street station entrances, new or expanded on-street station entrances, new or expanded accessible routes for persons with physical disabilities between two levels of a station, and four or fewer new or reconfigured station stairs.
- (5) Type 2 Improvements generate 80,000 square feet of #floor area#, and include new or expanded station escalators, new or expanded accessible routes for persons with physical disabilities between three or more station levels, new or expanded paid areas of a station, including widened platforms or mezzanine levels, and more than four new or reconfigured station stairs.
- (6) Type 3 Improvements generate 120,000 square feet of #floor area#, and include large-scale renovations that significantly improve the environment of stations, and new connections between two or more stations.

In consultation with the Metropolitan Transportation Authority (MTA), the City Planning Commission may, by rule, modify such Improvements List to reflect new improvements needed in the transit network.

**TABLE 1
PRIORITY IMPROVEMENT LIST**

TYPE 1 IMPROVEMENTS

Location	Type of Improvement	Transit Line
Lexington Avenue/53rd Street station	Replace escalator and stair connecting downtown Lexington platform to station with widened stair	Lexington Avenue Line/53rd Street Line
Lexington Avenue/53rd Street station	Provide new street entrance to uptown Lexington platform from 50th Street	Lexington Avenue Line/53rd Street Line
Bryant Park station	Provide ADA access between Flushing platform and mezzanine level	Flushing Line/6th Avenue Line
Bryant Park station	Provide new street entrance from north side of West 42nd street	Flushing Line/6th Avenue Line
Bryant Park station	Provide ADA access between Sixth Avenue northbound platform and mezzanine level	Flushing Line/6th Avenue Line
Bryant Park station	Provide ADA access between Sixth Avenue southbound platform and mezzanine level	Flushing Line/6th Avenue Line
59th Street station	Provide new street entrance from north side of 60th Street	Lexington Avenue Line/Broadway-60th Street Line
59th Street station	Provide ADA access between local southbound platform and street level	Lexington Avenue Line/Broadway-60th Street Line
59th Street station	Provide ADA access between 60th Street line platform and mezzanine level	Lexington Avenue Line/Broadway-60th Street Line
59th Street station	Provide new platform stair and widen existing stairs between 60th Street line platform and mezzanine level	Lexington Avenue Line/Broadway-60th Street Line
Fifth Avenue and 53rd Street station	Provide new street entrance on west side of Madison Avenue	53rd Street Line
Grand Central/42nd Street station	Widen platform stairs at east end of Flushing platform	Flushing Line
Grand Central/42nd Street station	Widen stairs between Flushing and Lexington platforms	Flushing Line

TYPE 2 IMPROVEMENTS

Location	Type of Improvement	Transit Line
Lexington Avenue/53rd Street station	Provide widened escalator between 53rd street platform and mezzanine	Lexington Avenue Line/53rd Street Line
59th Street station	Provide ADA access between northbound platforms and 60th Street line mezzanine	Lexington Avenue Line/Broadway-60th Street Line
59th Street station	Provide ADA access between southbound platforms and 60th Street line mezzanine	Lexington Avenue Line/Broadway-60th Street Line

47th/50th Street station	Provide two platform stairs and widen remaining platform stairs	6th Avenue Line
Fifth and 53rd Street station	Provide new stairs to multiple levels of station	53rd Street Line
Fifth and 53rd Street station	Provide ADA access to multiple levels of station	53rd Street Line
Fifth and 53rd Street station	Provide escalators to multiple levels of station	53rd Street Line
Fifth and 53rd Street station	Provide new mezzanine area	53rd Street Line
Fifth and 53rd Street station	Provide new access core between platforms and street level	53rd Street Line
Grand Central/42nd Street station	Expand paid area and add new platform stair between Flushing platform and upper mezzanine	Flushing Line

TYPE 3 IMPROVEMENTS

Location	Type of Improvement	Transit Line
Grand Central/42nd Street station	Renovation of remaining portions of Lexington mezzanine	Flushing Line/ Lexington Avenue Line

81-683

Criteria for improvements in the Public Realm Improvement Concept Plan

The #Public Realm Improvement Fund Governing Group# shall select priority improvements for the Public Realm Improvement Concept Plan (the "Concept Plan") in accordance with the provisions of this Section.

All improvements in the Concept Plan, which may be funded through contributions to the #East Midtown Public Realm Improvement Fund#, shall:

- (e) be within the East Midtown Subdistrict, a location immediately adjacent thereto, or in a subway or rail mass transit facility with significant ridership into and out of the Subdistrict;
- (f) have a sponsoring City or State agency as a project sponsor;
- (g) meet the definition of a capital project under Section 210 of the New York City Charter; and
- (h) consist of either:
 - (3) below-grade public realm improvements, including, but not limited to widening, straightening, expanding or otherwise enhancing the existing below-grade pedestrian circulation network, additional vertical circulation, reconfiguring circulation routes to provide more direct pedestrian connections to subway or rail mass transit facilities, improved or new disabled access, or providing daylight access, or enhancements to noise abatement, air quality, lighting, finishes or rider orientation in new or existing passageways; or
 - (4) above-grade public realm improvements, including, but not limited to, pedestrian plazas that provide opportunities for passive recreation, or improvements along a street accommodating both vehicular and pedestrian access that may include pedestrian amenities, or streetscape, sidewalk, crosswalk and median enhancements.

81-684

Authorization to allow enlargements on qualifying sites

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may authorize modifications to the requirement in the definition of #qualifying site# in Section 81-613 that the additional #floor area# permitted through the provisions of Section 81-64 be achieved exclusively through a #development, and may allow #enlargements# on #qualifying sites#, provided that the Commission finds that such #enlargement# includes significant renovations to the existing #building# that will bring it up to contemporary space standards.

Where the existing #building# includes #non-complying floor area#, a contribution shall be deposited by the applicant into the #Public Realm Improvement Fund#. Such contribution shall be an amount equal to 20 percent of the #Public Realm Improvement Fund Development Rights Valuation# multiplied by the amount of such pre-existing #non-complying floor area#. For the purposes of such calculation, the amount of existing #non-complying floor area# shall not include any bonus #floor area# associated with a #publicly accessible open area# to remain on the #zoning lot#. The payment of the non-refundable contribution to the #Public Realm Improvement Fund#, shall be a precondition to the issuance of any foundation permit or new building permit by the Department of Buildings allowing the #enlargement# on a #qualifying site#.

For such #enlargements# to #buildings# with #non-complying floor area#, the proposed #floor area# beyond the amount contained in the pre-existing #non-complying building# shall be obtained by utilizing the applicable provisions of Section 81-64 (Special Floor Area Provisions for Qualifying Sites). For the purposes of applying the provisions of such Section, the reconstructed #floor area ratio# shall be considered the basic maximum #floor area ratio#. However, the maximum #floor area ratios# of Row E and Row H shall continue to apply.

81-685

Special permit to modify qualifying site provisions

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may permit modifications to the certain criteria necessary to be considered a #qualifying site#, as well as height and setback regulations and mandatory plan elements, as set forth in Paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in Paragraph (b) and the findings set forth in Paragraph (c) of this Section are met.

- (c) The Commission may modify the following, whether singly or in any combination:
 - (6) the following #qualifying site# criteria:
 - (iv) the requirement for #wide street# frontage, including the requirement that no existing #buildings# will remain on such #wide street# frontage, set forth in paragraphs (b) and (c) of the definition of a #qualifying site# in Section 81-613;
 - (v) the #building# performance requirements in the Paragraph (f) of the definition of a #qualifying site# and Section 81-681 (Building energy design requirements for qualifying sites); or
 - (vi) the requirement that the additional #floor area# permitted through the provisions of Section 81-64 be achieved exclusively through a #development#;
 - (7) the provisions for #zoning lots# divided by district boundaries set forth in Sections 77-02 (Zoning Lots no Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions) or 77-22 (Floor Area Ratio), and the provisions of Section 81-612 (Applicability along district boundaries) requiring that #zoning lots# divided by Subarea boundaries utilize the provisions of Article VII, Chapter 7;
 - (8) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-671 (Special street wall requirements), inclusive;
 - (9) the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, 81-27 (Alternate Height and Setback Regulations –Daylight Evaluation), inclusive, or 81-66 (Special Height and Setback Requirements); or
 - (10) the mandatory district plan elements of Sections 81-42 (Retail Continuity Along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions), 81-675 (Curb cut restrictions and loading berth requirements), 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted.

- (d) Application requirements

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed

modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:

- (4) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43 (Street Wall Continuity Along Designated Streets), or as such provisions are modified pursuant to Section 81-671 (Special street wall requirements), as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), or as such provisions are modified pursuant to Section 81-66 (Special Height and Setback Requirements), as applicable;
- (5) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-66; and
- (6) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-66.

(e) Findings

The Commission shall find that such proposed modifications:

- (7) to the definition of #qualifying site# are the minimum extent necessary, and are harmonious with the Subdistrict objective to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers;
- (8) to the requirement for #wide street# frontage in the definition of #qualifying ground floor# will not unduly concentrate #bulk# towards the middle of the #block# to the detriment of the surrounding area;
- (9) to the #building# performance requirements in the definition of #qualifying ground floor# and Section 81-681:
 - (i) are necessary due to the presence of existing #buildings# on the site; and
 - (ii) will not detract from the incorporation of innovative sustainable design measures;
- (10) to regulations pertaining to #zoning lots# divided by district boundaries will result in better site planning;
- (11) to the mandatory district plan elements:
 - (iii) will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions); and
 - (iv) any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #zoning lot#;
- (12) to the #street wall# or height and setback regulations:
 - (v) are necessary due to constraints or conditions of the #development# or #enlargement# and conditions imposed by the configuration of the site;
 - (vi) will not unduly obstruct the access of light and air to surrounding properties; and
 - (vii) will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations); and
 - (viii) the overall design of the #building# demonstrates an integrated and well-considered facade, taking into account factors such as #street wall# articulation, and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area; and constitutes a distinctive addition to the Midtown Manhattan skyline.

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

81-686

Contribution in-kind for certain public realm improvements

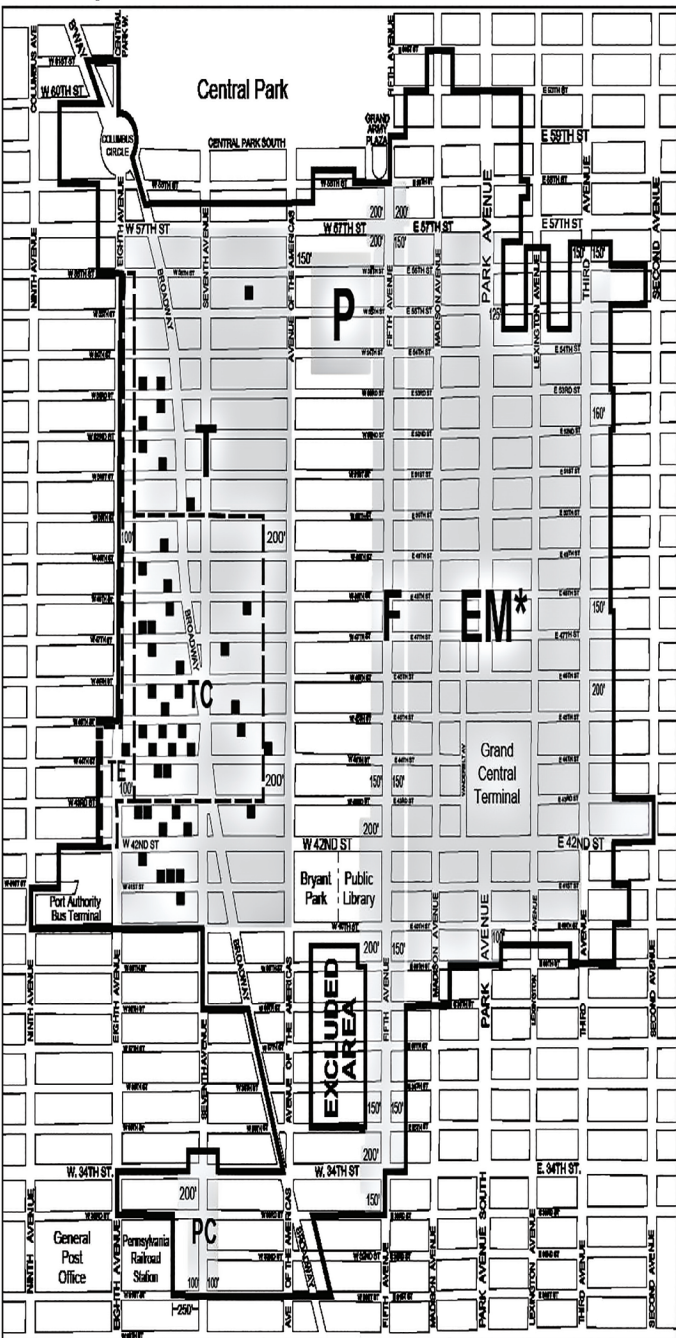
The Chairperson of the City Planning Commission shall allow, by certification, the applicant for a #development# or #enlargement# on a #qualifying site# that is immediately adjacent to a sidewalk improvement identified in the Public Realm Improvement Concept Plan to undertake such improvement, and be deducted the cost of such improvement from their contribution to the #Public Realm Improvement Fund#, provided that the provisions of this Section are met.

- (a) The following requirements shall be completed prior to application for certification by the Chairperson:
 - (1) The applicant shall submit concept plans for the proposed improvement to the Chairperson, the Department of Transportation (DOT), and the #Public Realm Improvement Fund Governing Group# (the “Governing Group”);
 - (2) DOT shall provide a letter to the Chairperson and the Governing Group containing a conceptual approval of the improvement including a statement of any considerations regarding the construction and operation of the improvement;
 - (3) Construction documents and cost estimates shall be prepared for such improvements by a professional engineer, and submitted to the Chairperson, the DOT and the Governing Group;
 - (4) Upon review, the DOT and the Governing Group shall either approve such construction documents and costs estimates or detail discrepancies to be resolved by the applicant; and
 - (5) Upon approval of the construction documents and cost estimates by the DOT and Governing Group, the applicant shall execute agreements and legally enforceable instruments running with the land, setting forth the obligations of the owner and developer, their successors and assigns, to design and construct the improvement in accordance with the requirements of the DOT. A certified copy of such legal instruments shall be sent to the Chairperson.
- (b) Upon submittal of all the items in Paragraph (a) of this Section, along with drawings indicating the portion of the #building# utilizing transferred #floor area# pursuant to the provisions of Section 81-642 (Transfer of development rights from landmarks to qualifying sites), the Chairperson shall certify that a #development# or #enlargement# on a #qualifying site# may undertake an improvement to an adjoining sidewalk.
The execution and recording of legal instruments in accordance with Paragraph (a) of this Section shall be a precondition to the issuance of any foundation permit or new building permit by the Department of Buildings allowing a #development# or #enlargement# on a #qualifying site# undertaking a contribution in-kind pursuant to this Section.
- (c) Upon certification by the Chairperson, monies equal to such agreed upon cost estimate between the applicant, DOT and the Governing Group shall be deposited into an escrow account or similar fund established by the Governing Group from the #Public Realm Improvement Fund# (“the Improvement Fund”).
- (d) No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing transferred #floor area# pursuant to Section 81-642 until the Chairperson of the City Planning Commission, acting in consultation with the DOT and the Governing Group, has certified that the improvements are substantially complete and usable by the public. No permanent certificate of occupancy shall be granted by the Department of Buildings until the improvements have finally been completed in accordance with the approved plans and such final completion has been approved by the Chairperson, the DOT and the Governing Group.
- (e) Upon completion of the sidewalk improvement, the monies secured in the escrow account or other similar fund established by the Governing Group shall be released to the applicant.
- (f) In the event that an applicant utilizing the provisions of this Section has not completed the sidewalk improvements within five years of obtaining a new building permit from the Department of Buildings, the Governing Group shall release the monies in the escrow account or other similar fund back to the Improvement Fund.

**Appendix A
Midtown District Plan Maps**

Map 1: Special Midtown District and Subdistricts

[REPLACE EXISTING MAP WITH THIS]



MIDTOWN DISTRICT PLAN

MAP 1 - Special Midtown District and Subdistricts

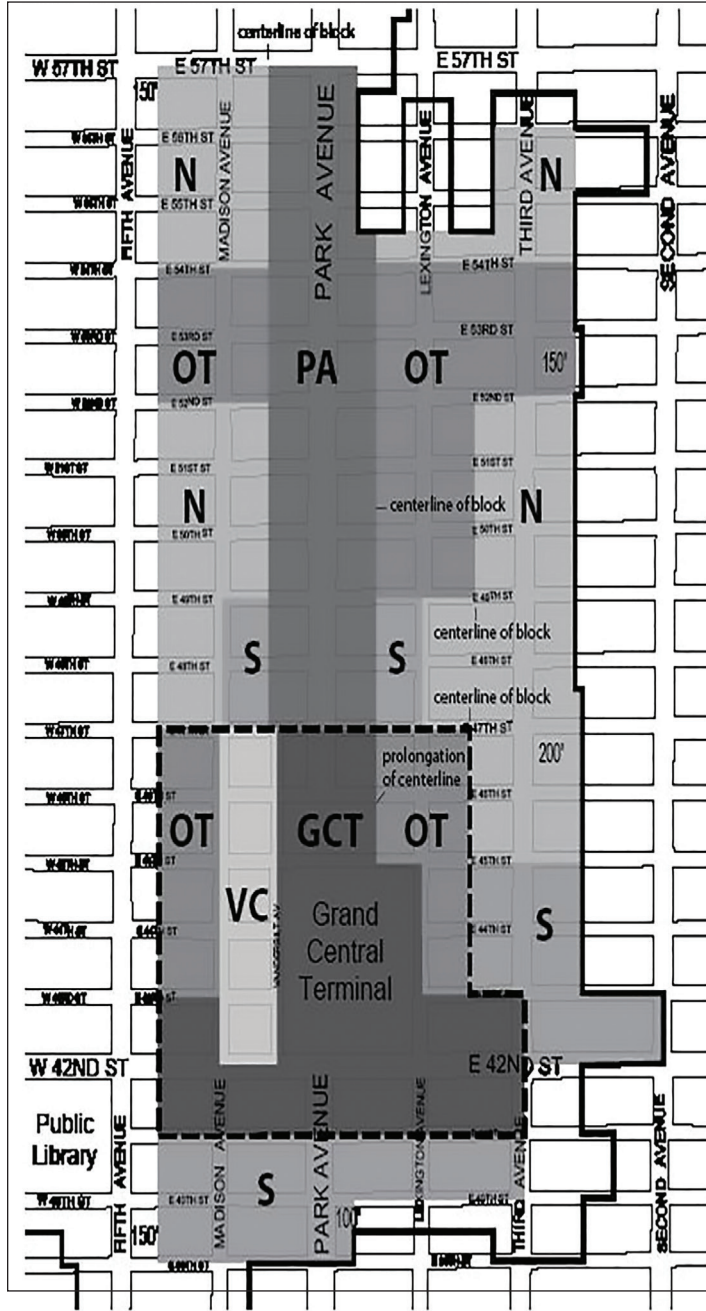
- F** Fifth Avenue Subdistrict
- EM** East Midtown Subdistrict
- PC** Penn Center Subdistrict
- P** Preservation Subdistrict
- T** Theater Subdistrict
- TC** Theater Subdistrict Core
- TE** Theater Subdistrict Eighth Avenue Corridor
- Listed Theaters
- Special Midtown District

* East Midtown Subareas are shown on Map 4



Map 4: East Midtown Subdistrict and Subareas

[NEW MAP TO BE ADDED]



MIDTOWN DISTRICT PLAN

MAP 4 - East Midtown Subdistrict and Subareas

- Grand Central Transit Improvement Zone Subarea (GCT)
- Park Avenue Subarea (PA)
- Other Transit Improvement Zone Subareas (OT)
- Southern Subareas (S)
- Northern Subareas (N)
- Vanderbilt Corridor (VC)
- Grand Central Core Area
- Special Midtown District

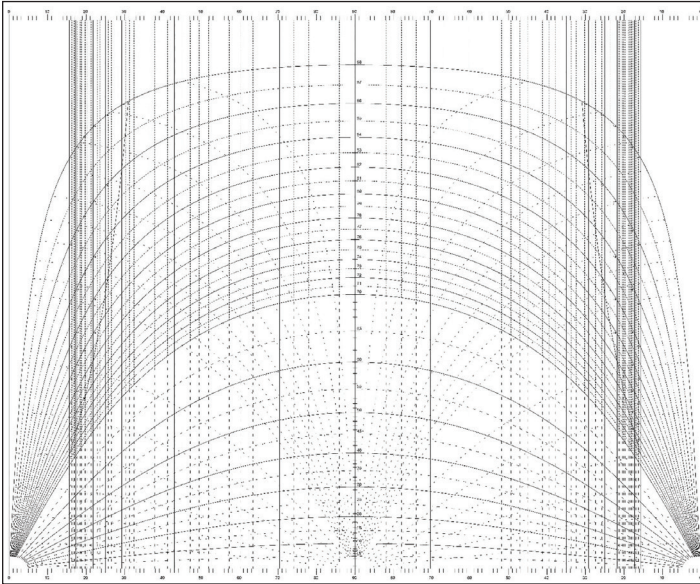
Appendix B Daylight Evaluation Charts

[MOVE EXISTING DAYLIGHT EVALUATION CHARTS INTO APPENDIX B]

Chart 4. Daylight Evaluation Diagram – Park Avenue

[NEW CHART]

(A full size, 30" by 36", copy of this chart is available for purchase and inspection at the Department of City Planning's Bookstore.)



Daylight Evaluation Diagram, Park Avenue

* * *

NOTICE

On Wednesday, April 26, 2017, at 10:00 A.M., in Spector Hall, at the Department of City Planning located at 22 Reade Street, New York, NY 10007, a Public Hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of City Planning (DCP). DCP proposes zoning text and zoning map amendments (collectively, the "Proposed Action") within the East Midtown neighborhood of Manhattan Community Districts 5 and 6. The rezoning area is generally bounded by East 57th Street to the north, East 39th Street to the south, a line generally between 150 and 200 feet easterly of Third Avenue and a line 250 feet westerly of Madison Avenue. Known as the Greater East Midtown Rezoning project, the Proposed Action includes a zoning text amendment to establish the East Midtown Subdistrict within an approximately 78-block area of the Special Midtown District. The proposed Subdistrict would supersede the existing Grand Central Subdistrict, and would allow for increased floor area ratios (FARs) between 18.0 and 27.0. The text amendment would also create four new special permits (ZR Sections 81-621, 81-644, 81-645, and 81-685) and one new authorization (ZR Section 81-684) within the Subdistrict. Under the proposed rezoning, an existing C5-2 district (bounded by East 43rd Street to the north, East 42nd Street to the south, Second Avenue to the east, and a line 200 feet easterly of Third Avenue to the west) would be replaced by a C5-3 district, and would be included in the proposed East Midtown Subdistrict. The Special Midtown District would be extended to encompass the proposed C5-3 district. The Proposed Action is intended to reinforce the area's standing as a premiere Central Business District, support the preservation of landmarked buildings, and provide for public realm improvements. The public hearing will also consider a modification to the zoning text amendment (ULURP No. N 170186 (A) ZRM). Written comments on the DEIS are requested and would be received and considered by the Lead Agency until Monday, May 8, 2017.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 17DCP001M.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3370



a12-26

COMMUNITY BOARDS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 02 - Thursday, April 20, 2017, 6:00 P.M., Long Island University, Metcalfe Hall, Jonas Board Room, Flatbush and DeKalb Avenues, Brooklyn, NY.

Department of Consumer Affairs Application #2461-2017-ASWC
515 Atlantic Avenue, Brooklyn, NY

IN THE MATTER OF an application by Atlantic J LLC, doing business as Jane, for review pursuant to Section 20-226(b) of the New York City Administrative Code, to operate an unenclosed sidewalk café with 11 tables and 25 seats, at 515 Atlantic Avenue, between Third and Fourth Avenues, in the Borough of Brooklyn.

590 Fulton Street

IN THE MATTER OF an application by Boqueria Brooklyn LLC, doing business as Boqueria, for review pursuant to Section 20-226(b) of the New York City Administrative Code, to operate an unenclosed sidewalk café with 19 tables and 38 seats, at 590 Fulton Street, beginning at the shared entrance near Rockwell Place and extending easterly for 46'-10" towards Ashland Place, in the Borough of Brooklyn.

Department of Consumer Affairs application #4510-2017-ASWC
211 DeKalb Avenue, Brooklyn, NY

IN THE MATTER OF an application by Aurora FB, Inc., for review pursuant to Section 20-226(b) of the New York City Administrative Code, to operate an unenclosed sidewalk café with 20 tables and 40 seats, at 211 DeKalb Avenue, on the northeast corner of DeKalb Avenue and Adelphi Street, in the Borough of Brooklyn.

◀ a14-20

NOTICE IS HEREBY GIVEN that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 02 - Wednesday, April 19, 2017, 6:00 P.M., NYU Tandon School of Engineering, Room LC400, Dibner Building, 5 MetroTech Center, Brooklyn, NY.

BSA# 2017-36-BZ

55 Prospect Street, Brooklyn, NY

IN THE MATTER OF an application filed at the Board of Standards and Appeals on behalf of Shadowbox Dumbo LLC, doing business as Shadowbox, for a special permit to allow the operation of a physical culture establishment in a portion of the first floor of the building, located at 55 Prospect Street (Block 63, Lot 1), at the north side of Prospect Street, between Adams and Pearl Streets, in the Borough of Brooklyn.

#C170029 ZMK and N170030 ZRK

50 Nevins Street Rezoning

IN THE MATTER OF applications submitted by Institute for Community Living, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from a C6-1 District to a C6-4 District property, bounded by Schermerhorn Street, Nevins Street, a line midway between Schermerhorn Street and State Street, and a line 100 feet northwesterly of Nevins Street (Block 172, Lot 37), Borough of Brooklyn, Community District 2, and for the amendment of the Zoning Resolution, Appendix F, designating portions of the Special Downtown Brooklyn District in the R6B and C6-4 (R10 equivalent) districts, (Block 172, Lot 37), as a Mandatory Inclusionary Housing Designated Area.

a13-19

NOTICE IS HEREBY GIVEN that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 11 - Tuesday, April 18, 2017, 6:30 P.M., National Black Theatre, 2031 Fifth Avenue, New York City, NY.

#C170269 PCM

DSNY District 11 Garage

IN THE MATTER OF an application submitted by Department of Sanitation, the Department of Housing Preservation and Development, and Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection acquisition of property, located at 207/217 East 127th Street (Block 1792, Lots 5 and part of 28), to facilitate the relocation of Department

of Sanitation, Manhattan 11 District Garage, and Lot Cleaning Unit Headquarters, Borough of Manhattan, Community District 11.

a12-18

NOTICE IS HEREBY GIVEN that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 09 - Wednesday April 19, 2017, 7:00 P.M., Ebbets Field M.S. 352, 46 McKeever Place, Brooklyn, NY.

#C170147 ZMK

Franklin Avenue Rezoning

IN THE MATTER OF an application submitted by Cornell Realty Management LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d: eliminating from an existing R6A District a C1-3 District, bounded by a line midway between Carroll Street and President Street, Franklin Avenue, Carroll Street, and a line 100 feet northwesterly of Franklin Avenue; changing from an R6A district to an R8X district, property bounded by a line midway between Carroll Street and President Street, Franklin Avenue, Carroll Street, and a line 300 feet northwesterly of Franklin Avenue; and Crown Street, Franklin Avenue, Montgomery Street, and line 300 feet northwesterly of Franklin Avenue.

C170316 PCK

Maple Street Open Space and Garden

IN THE MATTER OF an application submitted by the Department of Parks and Recreation (DPR), and the co-applicant, the Department of Citywide Administrative Services (DCAS), Project ID P2017K0164 involves the site selection and acquisition by the City of the vacant parcel, located at 237 Maple Street, Brooklyn (Block 5030, Lot 72), a midblock lot which sits between Rogers Avenue and Nostrand Avenue, which was converted into a passive open and community garden by residents living in the neighborhood. The acquisition and site selection actions will facilitate the continued use by the Department of Parks and Recreation for passive open space and community garden use.

a13-19

BOARD OF EDUCATION RETIREMENT SYSTEM

MEETING

The Board of Trustees, of the Board of Education Retirement System, of the City of New York, will be meeting at 5:00 P.M., on April 19, 2017, at Long Island City High School (14-30 Broadway, Queens, NY 11106).

Accessibility questions: Leslie Kearns, (718) 935-4500, lkearns2@bers.nyc.gov, by: Wednesday, April 19, 2017, 1:00 P.M.



a10-19

HOUSING AUTHORITY

MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, April 26, 2017, at 10:00 A.M., in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar are available on NYCHA's website, or can be picked up at the Office of the Corporate Secretary, at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are also available on NYCHA's website, or can be picked up at the Office of the Corporate Secretary, no earlier than 3:00 P.M., on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's website at http://www1.nyc.gov/site/nycha/about/board-calendar.page to the extent practicable at a reasonable time before the meeting.

The meeting is open to the public. Pre-Registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard, or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Corporate Secretary by phone at (212) 306-6088, or by email at corporate.secretary@nycha.nyc.gov, no later than five business days before the Board Meeting.

For additional information, please visit NYCHA's website, or contact (212) 306-6088.

Accessibility questions: Office of the Corporate Secretary by phone, at (212) 306-6088 or by email at corporate.secretary@nycha.nyc.gov, by: Wednesday, April 19, 2017, 5:00 P.M.



a12-26

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, April 25, 2017, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting, should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

120 Warwick Avenue - Douglaston Historic District

LPC-18-6649 - Block 8026 - Lot 25 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

An English Cottage style house designed by Froehlich and Quackenbush, Inc. and built in 1925. Application is to construct an addition.

230 Grosvenor Street - Douglaston Historic District

LPC-19-8265 - Block 8033 - Lot 44 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

A Tudor Revival style house designed by Walter I. Halliday and built in 1927. Application is to modify window and door openings and replace windows.

141 Clinton Street - Brooklyn Heights Historic District

LPC-19-8047 - Block 268 - Lot 23 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

An Anglo-Italianate style rowhouse built c. 1853. Application is to construct rooftop mechanical enclosures and privacy fences, and install solar panel arrays.

276 Hicks Street - Brooklyn Heights Historic District

LPC-19-7411 - Block 260 - Lot 37 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A carriage house built in 1903. Application is to construct rooftop and rear yard additions, and replace a door.

435 Clinton Avenue - Clinton Hill Historic District

LPC-19-7611 - Block 1961 - Lot 13 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A house built c. 1870 and subsequently altered. Application is to construct a rear addition.

281 Cumberland Street - Fort Greene Historic District

LPC-18-7617 - Block 2119 - Lot 21 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built c. 1853-1855. Application is to excavate an areaway, install rooftop HVAC equipment, and excavate and construct a rear yard addition.

116 Lafayette Avenue - Fort Greene Historic District

LPC-19-7155 - Block 2118 - Lot 23 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse designed by Robert White and built in 1860. Application is to demolish a dormer window, and install a mansard roof.

4 Verandah Place - Cobble Hill Historic District

LPC-19-2487 - Block 301 - Lot 7502 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A brick house built c. 1841-47. Application is to construct a rooftop addition.

235 Lincoln Place - Park Slope Historic District

LPC-19-7046 - Block 1059 - Lot 50 - Zoning: R7B

CERTIFICATE OF APPROPRIATENESS

A Neo-Federal style apartment building designed by Charles Kreymborg and built in 1937. Application is to replace windows.

55 7th Avenue - Park Slope Historic District

LPC-18-1560 - Block 1059 - Lot 2 - Zoning: R6A

CERTIFICATE OF APPROPRIATENESS

A Second Empire style rowhouse built in 1871-72. Application is to construct a rooftop addition.

92 Park Place - Park Slope Historic District

LPC-19-1484 - Block 942 - Lot 12 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse built in 1881. Application is to construct a rear yard addition.

119 Prospect Place - Prospect Heights Historic District
LPC-19-4580 - Block 1150 - Lot 61 - Zoning: R6B, R7A

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse designed by Thomas K. Schermerhorn and built c. 1884. Application is to construct a rooftop addition.

80 Maple Street - Prospect Lefferts Gardens Historic District
LPC-19-8602 - Block 5031 - Lot 40 - Zoning: R2

CERTIFICATE OF APPROPRIATENESS

A house with Georgian and Spanish Mission Revival style details, designed by Bly & Hamann built in 1924. Application is to install new windows, alter an entrance and step and install a through-the-wall louver.

248 West 71st Street - West End - Collegiate Historic District Extension

LPC-19-6039 - Block 1162 - Lot 54 - Zoning: - 8C

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse with alterations designed by Thom & Wilson and built in 1892. Application is to modify the front facade and areaway and construct rooftop and rear yard additions.

240 Division Avenue - Individual Landmark
LPC-19-10185 - Block 2189 - Lot 1 - Zoning: R6

BINDING REPORT

Beaux-Arts style library building designed by Richard A. Walker and built in 1903-05. Application is to install signage.

380 Washington Avenue - Clinton Hill Historic District
LPC-19-10188 - Block 1945 - Lot 36 - Zoning: R6B

BINDING REPORT

A library building designed by Bonsignore, Brignati, Goldstein & Mazzotta, and built in 1974. Application is to install signage.

361 Lewis Avenue - Bedford-Stuyvesant/Expanded Stuyvesant Heights Historic District

LPC-19-10186 - Block 1665 - Lot 1 - Zoning: R6B

BINDING REPORT

A Beaux Arts style library building designed by Richard A. Walker of Walker & Morris and built in 1907. Application is to install signage.

790 Bushwick Avenue - Individual Landmark
LPC-19-10183 - Block 3241 - Lot 18 - Zoning: R6

BINDING REPORT

A Classical Revival style library building designed by William B. Tubby, and built in 1904-05. Application is to install signage.

431 6th Avenue - Individual Landmark
LPC-19-10187 - Block 1006 - Lot 1 Zoning: R6B

BINDING REPORT

A Classical style library building designed by Raymond F. Almirall and built in 1906. Application is to install signage.

10 Grand Army Plaza - Individual Landmark
LPC-19-10189 - Block 1183 - Lot 2 - Zoning: R6

BINDING REPORT

A Modern Classical style library building with Art Deco detailing designed by Alfred Morton Githens and Francis Keally and built in 1935-41. Application is to install signage.

581 Mother Gaston Boulevard - Individual Landmark
LPC-19-10184 - Block 3794 - Lot 18 - Zoning: R6

BINDING REPORT

A Jacobean Revival style library building designed by William B. Tubby and built in 1913-14. Application is to install signage.

895 Madison Avenue - Upper East Side Historic District
LPC-19-8480 - Block 1387 - Lot 21 - Zoning: C5-1

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style apartment building designed by W.L. Rouseand L.A. Goldstone and built in 1916. Application is to legalize the installation of awnings and planters without Landmarks Preservation Commission permit(s).

10 East 63rd Street - Upper East Side Historic District
LPC-19-8625 - Block 1377 - Lot 64 Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A residence originally built by James E. Ware in 1878-79 and redesigned in the Neo-Classical style by A. Wallace McCrea in 1922. Application is to excavate the rear yard.

1 West 53rd Street - Individual Landmark
LPC-19-6869 - Block 1269 - Lot 30 - Zoning: C5-3

CERTIFICATE OF APPROPRIATENESS

A Neo-Gothic style church building designed by Cram, Goodhue & Ferguson and built between 1906-1913. Application is to install signage.

301 Park Avenue - Individual and Interior Landmark
LPC-19-09644 - Block 1304 - Lot 7501 - Zoning: C5-3

CERTIFICATE OF APPROPRIATENESS

An Art Deco style hotel skyscraper designed by Schultze & Weaver and built in 1931. Application is to alter portions of the designated interior spaces.

301 Park Avenue - Individual and Interior Landmark

LPC-19-09647 - Block 1304 - Lot 7501 - Zoning: C5-3

CERTIFICATE OF APPROPRIATENESS

An Art Deco style hotel skyscraper designed by Schultze & Weaver and built in 1931. Application is to alter the facades, create window and door openings, construct rooftop additions, and install marquees and storefronts.

a12-25

OFFICE OF MANAGEMENT AND BUDGET**■ PUBLIC HEARINGS**

TO RESIDENTS, BUSINESS OWNERS, GROUPS, COMMUNITY BOARDS AND AGENCIES:

New York City has completed a proposed amendment to its plan for the \$4.214 billion in Federal disaster aid from the Department of Housing and Urban Development (HUD) to help with recovery from Hurricane Sandy.

Overview

The City of New York ("City" or "NYC") is the recipient of \$4.214 billion of Community Development Block Grant - Disaster Recovery (CDBG-DR) funding from the U.S. Department of Housing and Urban Development (HUD) to assist in disaster recovery and rebuilding efforts resulting from Hurricane Sandy. The City's approved CDBG-DR Action Plan details how the City plans to spend the grant on eligible Hurricane Sandy disaster recovery and rebuilding activities.

Any change greater than \$1 million in funding committed to a certain program, the addition or deletion of any program, or change in eligibility criteria or designated beneficiaries of a program constitutes a substantial amendment and such amendment will be available for review by the public and approval by HUD.

The comment period on the proposed CDBG-DR Action Plan Amendment 14 is open. Comments must be received no later than May 14, 2017, at 11:59 P.M. (EST). The proposed CDBG-DR Action Amendment 14 and the public commenting forms are available at <http://www.nyc.gov/cdbg>. Individuals will be able to read the amendment and the currently approved Action Plan and comment on the amendment in English, Spanish, Russian and Chinese (simplified). The online materials will also be accessible for the visually impaired. Written comments may also be directed by mail to Calvin Johnson, Assistant Director, CDBG-DR, NYC Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007. Public comments may be given in person at the hearing listed below.

The schedule of upcoming public hearings for proposed Amendment 14 is listed below. Hearings are subject to change. Please call 311 or 212-NEW-YORK (212-639-9675) from outside New York City or check <http://www.nyc.gov/cdbg> for the most updated information.

Thursday, April 27, 2016, at 7:00 P.M. - 8:30 P.M.

Hunts Point Recreation Center

765 Manida Street, Bronx, NY 10474

Paper copies of the Action Plan Amendment 14, including in large print format (18pt. Font size), are available at the following address in both English and the languages listed above:

New York City Office of Management and Budget
255 Greenwich Street, 8th Floor Reception Area
New York, NY 10007

At the end of the comment period, all comments shall be reviewed and a City response will be incorporated into the City's Responses to Public Comments document. A summary of the comments and the City's responses will be submitted to HUD for approval in the final CDBG-DR Action Plan Amendment 14. The revised Action Plan Amendment 14 including the public comments and responses will be posted on the City's CDBG-DR website at <http://www.nyc.gov/cdbg>.

City of New York: Bill de Blasio, Mayor
Dean Fuleihan, Budget Director, NYC
Office of Management and Budget

Date: April 14, 2017

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

MAY 16, 2017, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, May 16, 2017, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

SPECIAL ORDER CALENDAR

183-85-BZ

APPLICANT - Eric Palatnik, P.C., for 206 20th Street LLC, owner. SUBJECT - Application September 27, 2016 - Extension of Term of a previously approved Variance (§72-21) for the operation of a (UG 16) open storage yard for building materials and accessory parking for four cars with an accessory office and showroom building, which expires on November 18, 2016. R6B zoning district. PREMISES AFFECTED - 206/8 20th Street, Block 640, Lot 21, Borough of Brooklyn.

COMMUNITY BOARD #7BK

1-95-BZ

APPLICANT - Law Office of Fredrick A. Becker, for 117 Seventh Avenue South Properties, LLP, owner TSI Sheridan, LLC dba New York Sports Club, lessee.

SUBJECT - Application February 25, 2016 - Extension of Term for a previously granted special permit (§73-36) for a physical culture establishment (*New York Sports Club*) which expired on June 13, 2015; Waiver of the Rules. C4-5 zoning district.

PREMISES AFFECTED - 117 Seventh Avenue South, Block 610, Lot 16, Borough of Manhattan.

COMMUNITY BOARD #2M

75-95-BZ

APPLICANT - Law Office of Fredrick A. Becker, for The Rupert Yorkville Towers Condominium, owner; TSI East 91st Street LLC dba New York Sports Club, lessee.

SUBJECT - Application August 18, 2016 - Extension of Term for a special permit (§73-36) permitting the operation of a Physical Culture Establishment (*New York Sports Club*) which expired on January 28, 2016; Waiver of the Rules. C2-8 zoning district.

PREMISES AFFECTED - 1635 Third Avenue, Block 1537, Lot 7501, Borough of Manhattan.

COMMUNITY BOARD #8M

MAY 16, 2017, 1:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, May 16, 2017, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

ZONING CALENDAR

2016-4131-BZ

APPLICANT - Rothkrug Rothkrug & Spector LLP, for Ateret Torah Center, owner.

SUBJECT - Application March 7, 2016 - Special Permit (§73-19) to permit the construction of a school (UG 3) (Yeshiva Ateret Torah) contrary to use regulation on a portion of the lot and a Variance (§72-21) to permit waivers for height and setback, front yard, street wall height, ridge line and absence of off-street loading facilities. C8-2 and R5 (OP) zoning district.

PREMISES AFFECTED - 901 Quentin Road, Block 6641, Block 38, Borough of Brooklyn.

COMMUNITY BOARD #15BK

2016-4184-BZ

APPLICANT - Rothkrug Rothkrug & Spector LLP, for MB-REEC Houston Property Owner LLC, owner; Equinox 196 Orchard Street, Inc., lessee.

SUBJECT - Application May 11, 2016 - Special Permit (§73-36) to permit a physical culture establishment (*Equinox*) within a new mixed-use building. C6-2A/C4-4A zoning district.

PREMISES AFFECTED - 194 Orchard Street, Block 412, Lot 12, Borough of Manhattan.

COMMUNITY BOARD #3M

2016-4185-BZ

APPLICANT - Rothkrug Rothkrug & Spector LLP, for 108-18 LLC, owner; Blink 108-14 Roosevelt, Inc., lessee.

SUBJECT - Application May 11, 2016 - Special Permit (§73-36) to permit a physical culture establishment (*Blink*) within a new commercial building. C2-4/R6B zoning district.

PREMISES AFFECTED - 108-18 Roosevelt Avenue, Block 1996, Lot 11, Borough of Queens.

COMMUNITY BOARD #4Q

2016-4231-BZ

APPLICANT - Jay Goldstein, Esq., for JSM Associates LLC, owner; Flywheel Sports Inc., lessee.

SUBJECT - Application August 3, 2016 - Special Permit (§73-36) to permit the legalization of the operation of a physical culture establishment (*Flywheel*) located within a portion of the cellar of an existing building. C6-3 zoning district.

PREMISES AFFECTED - 51 Astor Place, Block 554, Lot 35, Borough of Manhattan.

COMMUNITY BOARD #3M

2016-4250-BZ

APPLICANT - Transform Fitness Inc., for 133 East 58th Street, LLC, owner.

SUBJECT - Application September 9, 2016 - Special Permit (§73-36) to permit the operation of a physical culture establishment (*Transform Fitness*) an existing building. C5-2) zoning district.

PREMISES AFFECTED - 133 East 58th Street, Block 1313, Lot 14, Borough of Manhattan.

COMMUNITY BOARD #5M

2016-4254-BZ

APPLICANT - Mango & Lacoviello, LLP, for Central Harlem Plaza Commercial Unit, LLC, owner; Infitme LLC, lessee.

SUBJECT - Application September 15, 2016 - Special Permit (§73-36) to permit the legalization of a physical culture establishment (*I Love Kickboxing*) on a portion of the first floor of an existing building. C4-5X zoning district.

PREMISES AFFECTED - 120 Lenox Avenue a/k/a 47 West 116th Street, Block 1600, Lot 7501, Borough of Manhattan.

COMMUNITY BOARD #10M

Margery Perlmutter, Chair/Commissioner

Accessibility questions: Mireille Milfort, (212) 386-0078, mmilfort@bsa.nyc.gov, by: Friday, May 12, 2017, 4:00 P.M.



◀ a14-17

**ADDED CASE
MAY 2, 2017, 1:00 P.M.**

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, May 2, 2017, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

ZONING CALENDAR

2017-61-BZ

APPLICANT - Sheldon Lobel, P.C., for CA Plaza, LLC, owner. SUBJECT - Application March 10, 2017 - Special Permit (§73-66) to permit the construction of a new building in excess of the height limits established under ZR 61-20. C4-2 & C4-3 zoning district. Waiver of Section §1-05.3 of the Rules of Practice and Procedure to allow filing of a Department of Buildings Objection form more than 30 days after the final determination by the Commissioner of Buildings.

PREMISES AFFECTED - 36-18 Main Street, Block 4971, Lot 15, Borough of Queens.

COMMUNITY BOARD #7Q

Margery Perlmutter, Chair/Commissioner

Accessibility questions: Mireille Milfort, (212) 386-0078, mmilfort@bsa.nyc.gov, by: Monday, May 1, 2017, 4:00 P.M.



◀ a14-17

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held, at 55 Water Street, 9th Floor, Room 945, commencing at 2:00 P.M., on Wednesday, May 3, 2017. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice), at 55 Water Street, 9th Floor South West, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 7 Sutton Square LLC, to continue to maintain and use a fenced-in area on the north sidewalk of Sutton Square, west of Riverview Terrace, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1611**

For the period July 1, 2017 to June 30, 2027 - \$1,899/per annum the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 IN THE MATTER OF a proposed revocable consent authorizing Boro Land Surveying, PC, to continue to maintain and use a flagpole on the east sidewalk of Court Street, between Union and President Streets, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1614**

For the period July 1, 2017 to June 30, 2027 - \$0.00/per annum the maintenance of a security deposit in the sum of \$2,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#3 IN THE MATTER OF a proposed revocable consent authorizing Intellifiber Networks LLC, to continue to maintain and use telecommunications fiber optic cables in the existing conduits of Consolidated Edison company of New York, Inc., in the Boroughs of the Bronx and Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1870**

For the period July 1, 2016 to June 30, 2017 - \$354,730
 For the period July 1, 2017 to June 30, 2018 - \$362,676
 For the period July 1, 2018 to June 30, 2019 - \$370,622
 For the period July 1, 2019 to June 30, 2020 - \$378,568
 For the period July 1, 2020 to June 30, 2021 - \$386,514
 For the period July 1, 2021 to June 30, 2022 - \$394,460
 For the period July 1, 2022 to June 30, 2023 - \$402,406
 For the period July 1, 2023 to June 30, 2024 - \$410,352
 For the period July 1, 2024 to June 30, 2025 - \$418,298
 For the period July 1, 2025 to June 30, 2026 - \$426,244

the maintenance of a security deposit in the sum of \$50,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 IN THE MATTER OF a proposed revocable consent authorizing Sage 12 Holding Ltd., to construct, maintain and use a fenced-in areas and steps on the south sidewalk of East 68th Street, east of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2386**

From the Approval Date to the Expiration Date - \$25/per annum the maintenance of a security deposit in the sum of \$4,500 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 IN THE MATTER OF a proposed revocable consent authorizing Staten Island University Hospital, to continue to maintain and use a conduit under and across Seguin Avenue, north of Melville Street, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #531**

For the period July 1, 2016 to June 30, 2017 - \$2,450
 For the period July 1, 2017 to June 30, 2018 - \$2,505
 For the period July 1, 2018 to June 30, 2019 - \$2,560
 For the period July 1, 2019 to June 30, 2020 - \$2,615
 For the period July 1, 2020 to June 30, 2021 - \$2,670
 For the period July 1, 2021 to June 30, 2022 - \$2,725
 For the period July 1, 2022 to June 30, 2023 - \$2,780
 For the period July 1, 2023 to June 30, 2024 - \$2,835
 For the period July 1, 2024 to June 30, 2025 - \$2,890
 For the period July 1, 2025 to June 30, 2026 - \$2,945

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#6 IN THE MATTER OF a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York, to install, maintain and use planters on the north sidewalk of West 167th Street, west of Audubon Avenue, on the west sidewalk of Audubon Avenue, between West 167th and 168th Streets, and on the south sidewalk of West 168th Street, west of Audubon Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2380**

From the Approval Date to the Expiration Date - \$324/per annum the maintenance of a security deposit in the sum of \$2,000 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#7 IN THE MATTER OF a proposed revocable consent authorizing Yong Im and Young Im, to maintain and use existing retaining wall, together with stair and fence on the top of wall, on the south sidewalk of 43rd Avenue, east of 222nd Street, in the Borough of Queens. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2381**

From the Approval Date by the Mayor to June 30, 2017 - \$10,473/annum

For the period July 1, 2017 to June 30, 2018 - \$10,708
 For the period July 1, 2018 to June 30, 2019 - \$10,943
 For the period July 1, 2019 to June 30, 2020 - \$11,178
 For the period July 1, 2020 to June 30, 2021 - \$11,413
 For the period July 1, 2021 to June 30, 2022 - \$11,648
 For the period July 1, 2022 to June 30, 2023 - \$11,883
 For the period July 1, 2023 to June 30, 2024 - \$12,118
 For the period July 1, 2024 to June 30, 2025 - \$12,353
 For the period July 1, 2025 to June 30, 2026 - \$12,588
 For the period July 1, 2026 to June 30, 2027 - \$12,823

the maintenance of a security deposit in the sum of \$12,900 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#8 IN THE MATTER OF a proposed revocable consent authorizing 50 HYMC Owner LLC, to construct, maintain and use a pedestrian tunnel under and across west 33rd Street, east of Hudson Boulevard, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2388**

From the Approval Date by the Mayor to June 30, 2017 - \$2,768/annum

For the period July 1, 2017 to June 30, 2018 - \$2,848
 For the period July 1, 2018 to June 30, 2019 - \$2,910
 For the period July 1, 2019 to June 30, 2020 - \$2,973
 For the period July 1, 2020 to June 30, 2021 - \$3,035
 For the period July 1, 2021 to June 30, 2022 - \$3,098
 For the period July 1, 2022 to June 30, 2023 - \$3,160
 For the period July 1, 2023 to June 30, 2024 - \$3,222
 For the period July 1, 2024 to June 30, 2025 - \$3,284
 For the period July 1, 2025 to June 30, 2026 - \$3,347
 For the period July 1, 2026 to June 30, 2027 - \$3,410

the maintenance of a security deposit in the sum of \$160,000 and the insurance shall be the amount of Five Million Dollars (\$5,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

a13-m3

COMMUTER VAN SERVICE AUTHORITY APPLICATION Queens Hearing - 6 year renewal

NOTICE IS HEREBY GIVEN that the Department of Transportation has received an application for a Six Year Renewal and expansion of vans in the Borough of Queens. The authorized service area is in Queens: To and from a residential area in Queen bounded on the north by Merrick Boulevard from Springfield Boulevard to Laurelton Parkway, on the east by Laurelton Parkway along Francis Lewis Boulevard from Merrick Boulevard to 147th Avenue, on the south by 147th Avenue from Francis Lewis Boulevard to Springfield Boulevard and on the west by Springfield Boulevard from 147th Avenue to Merrick Boulevard. From and to said territory to mass transit facilities and shopping center bounded on the north by Jamaica Avenue from South Road/Sutphin Boulevard to Guy R. Brewer Boulevard, on the east by Guy R. Brewer Boulevard from Jamaica Avenue to South Road, on the south by South Road from Guy R. Brewer Boulevard to Sutphin Boulevard and on the west by Sutphin Boulevard from South Road to Jamaica Avenue. The van company requesting this expansion is Flexible Van Line, Inc. They can be reached at 224-21 Merrick Boulevard, Laurelton, NY 11413. The applicant currently utilizes 3 vans daily to provide service 24 hours a day and is requesting an additional 5 vans.

There will be a public hearing held on Thursday, May 4, 2017, at the Queens Borough Hall, 120-55 Queens Boulevard, Room 213, Part 2, Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. so that you may have an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Transportation Planning & Management, 55 Water Street - 6th Floor, New York, NY 10041, no later than May 4, 2017. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed expansion of vans will not meet present and/or future public convenience and necessity.

a10-14

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person by appointment at: Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214. Phone: (718) 802-0022

o11-m29

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j3-d29

POLICE

■ NOTICE

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

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806

- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j3-d29

PROCUREMENT

"Compete To Win" More Contracts!

Thanks to a new City initiative - "Compete To Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- Win More Contracts at nyc.gov/competetowin

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic prequalification application using the City's Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children's Services (ACS)
 Department for the Aging (DFTA)
 Department of Consumer Affairs (DCA)
 Department of Corrections (DOC)
 Department of Health and Mental Hygiene (DOHMH)
 Department of Homeless Services (DHS)
 Department of Probation (DOP)
 Department of Small Business Services (SBS)
 Department of Youth and Community Development (DYCD)
 Housing and Preservation Department (HPD)
 Human Resources Administration (HRA)

Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

AGING

CONTRACT PROCUREMENT AND SUPPORT SERVICES

■ AWARD

Human Services/Client Services

NEIGHBORHOOD SENIOR CENTER - Renewal - PIN# 12511N0003215R001 - AMT: \$615,141.00 - TO: Sunset Park Health Council Inc. d/b/a NYU Lutheran Family Health Centers, 150 55th Street, Brooklyn, NY 11220.

The NYC Department for the Aging has renewed its contract with this vendor for the provision of senior services, e.g. lunch, physical health, etc. The contract term is July 1, 2016 to October 31, 2018.

◀ a14

■ INTENT TO AWARD

Human Services/Client Services

CITYWIDE HOME SHARING PROGRAM - Negotiated Acquisition - Judgment required in evaluating proposals - PIN#12517N0002 - Due 4-20-17 at 5:00 P.M.

The New York City Department for the Aging (DFTA) intends to contract with one vendor, the New York Foundation for Senior Citizens (NYF), to continue operation of the Home Sharing Program. The Home Sharing Program is a unique service that matches home providers (hosts) and one or more homeseekers (guests) who together will share the home of the provider. One or more of the individuals matched must be at least 60 years of age; the program also offers assistance to individuals aged 55 or older interested in hosting a developmentally disabled adult. The term of the contract will be three years, expected to commence on July 1, 2017, with the possibility of a three-year renewal. The amount of the contract is \$318,998 annually. This is a Citywide service offered free of charge to program participants.

The Home Sharing Program, a nationally recognized alternative housing model, includes two major benefits for participants: it provides financial relief to the homeowner and the guest through shared housing costs, and it facilitates companionship. Guests also find that the cost of rent (or an arrangement in which household chores are completed in lieu of rent), falls below market rate, making living in the City more affordable. Home sharing also reduces the possibility of social isolation and loneliness that seniors living alone tend to encounter. The arrangement often includes some type of agreement that calls for the guest to participate in household chores (e.g., cleaning, vacuuming, pet care), which allows the older adult to maintain his/her independence as these become more difficult to accomplish without assistance.

Matching home owners and home seekers is a complex, multi-faceted process that requires knowledge, expertise and attention to detail in order to minimize risk and maximize satisfaction. Over the past 20 years, NYF has developed a carefully structured process for screening the host, the guest, and the living environment. Program staff screen candidates for compatibility using some 30 lifestyle measures, and they conduct reference checks and in-person/in-home interviews. Once screened, the staff use the data garnered from the assessment to pair potential matches and conduct match meetings prior to moving forward. Once the match is deemed tenable for both, New York Foundation assists the pair in drafting and signing written agreements on the financial and living arrangements. As no two matches are alike, agreements are highly customized to meet the needs of all the parties involved. Staff are able to use knowledge gained from past agreements (e.g., considerations as to sleep/wake habits) to assist with the agreements of the newly matched pair. Agreements often cover such areas as house rules, payment arrangements, expectations, and maintenance of the living quarters.

The degree of expertise held by the New York Foundation for Senior Citizens is unprecedented in the City. While home sharing is nationally and internationally recognized as a viable affordable housing option that also has social benefits for its participants, NYF is the only organization offering this service Citywide and at no cost to the participants. Over the years, NYF has demonstrated the capability to find, screen, match and provide ongoing support to individuals interested in the Home Sharing Program; it has come to be a trusted source for this unique service.

New York Foundation's Home Sharing program, carried out by professional social workers, provides a high degree of confidence that the match will work out financially and socially over the long term. Because seniors can be vulnerable in various ways, the in-person

professional nature of the program is essential to the safety and security of the seniors and their homes. It also offers older adults who are not technologically savvy a way to find housemates in a world primarily driven by the internet.

DFTA does not have the in-house resources to implement the Home Sharing Program, which requires a highly specialized organization, one with professionals who understand both the complexity surrounding matching home providers with home seekers, and the nuances involved in such a pairing. Thus, DFTA is seeking to engage an experienced organization with expertise in this area to carry out the program. Given the experience and history of the New York Foundation for Senior Citizens in developing and operating the Citywide Home Sharing Program, DFTA's current plan is to contract with them to continue to operate this program. Before proceeding with this plan, DFTA is interested in learning whether any other organization with the necessary capacity, expertise and experience would like to be considered. Major elements that DFTA will take into account in making a final selection include the following:

- A minimum of five years of experience operating a Home Sharing Program that, as described in detail above, matches vulnerable populations with homeseekers;
- A track record in serving vulnerable populations in a social service capacity Citywide;
- A demonstrable method for minimizing risk and maximizing satisfaction throughout the matching and post-match process, for homeowners and homeseekers;
- A track record of successfully matching homeowners and seekers, as evidenced by data/statistics on the matched participants, satisfaction surveys, follow-up interviews, and/or anecdotal success stories from participants who have been living together for over a year;
- Established networks for outreach to inform the public about the program;
- Serve as a resource to program staff when they are helping program participants obtain any additional resources they may need; and
- Ability to tap into other resources within its own organization in order to enhance the program and provide quality driven service.

Any organization interested in this project that can demonstrate that it meets the criteria above may express their interest by emailing Erkan Solak, DFTA Agency Chief Contracting Officer, at ESolak@aging.nyc.gov by no later than 5:00 P.M., on April 20, 2017. All qualified organizations will be required to complete a written application that will be due no later than 5:00 P.M., on May 4, 2017. Expressions of interest will be evaluated, but please be aware that submission of an application does not guarantee consideration.

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.

Aging, 2 Lafayette Street, Room 400, New York, NY 10007. Erkan Solak (212) 602-4280; Fax: (212) 442-0994; esolak@aging.nyc.gov

a13-19

CITY UNIVERSITY

■ SOLICITATION

Services (other than human services)

SHARED SERVICES CENTER - Request for Proposals - PIN# UCO 654 - Due 5-8-17 at 2:00 P.M.

Qualified consultant firms ("Firms") to design, develop and implement a strategic enterprise shared services center for the finance, facilities, human resources, information technology, procurement and enrollment management areas.

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.

City University, 230 West 41st Street, 5th Floor, New York, NY 10036. Caron Christian (646) 664-3062; caron.christian@cuny.edu

◀ a14

CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ SOLICITATION

Goods

GAMETIME BRAND PLAYGROUND EQUIPMENT AND PARTS - Competitive Sealed Bids - PIN# 8571700261 - Due 5-17-17 at 10:30 A.M.

- **PLAYGROUND EQUIPMENT AND PARTS B** - Competitive Sealed Bids - PIN# 8571700264 - Due 5-17-17 at 10:30 A.M.
- **ABBOTT DIABETES TESTING SUPPLIES** - Competitive Sealed Bids - PIN# 8571700294 - Due 5-17-17 at 10:30 A.M.

A copy of these bids can be downloaded from the City Record Online at www.nyc.gov/cityrecord. Enrollment is free. Vendor may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 386-0044.

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.

Citywide Administrative Services, 1 Centre Street 18th Floor, New York, NY 10007. Nazmije Toci (212) 386-0442; ntoci@dcas.nyc.gov

☛ a14

GRP: OBERDORFER PUMPS RE-AD - Competitive Sealed Bids - PIN# 8571700291 - Due 5-2-17 at 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online site at www.nyc.gov/cityrecord. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 386-0044 or by fax at (212) 669-7603.

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Kirklyal Henry (212) 386-0438; Fax: (212) 313-3447; khenry@dcas.nyc.gov

☛ a14

OEM SERPENTIX CONVEYOR PARTS FOR DEWATERING SYSTEM (RE-AD) - Competitive Sealed Bids - PIN# 8571700260 - Due 5-22-17 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.

Citywide Administrative Services, 1 Centre Street, 18th Floor South, New York, NY 10007. Michael Ransom (212) 386-0466; Fax: (646) 500-7298; mransom@dcas.nyc.gov

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COMPTROLLER

ASSET MANAGEMENT

■ AWARD

Services (other than human services)

LEGAL SERVICES IN SUPPORT OF PRIVATE INVESTMENTS COUNSEL POOL - Request for Proposals - PIN# 01516818108ZL - AMT: \$1,000,000.00 - TO: Squire Patton Boggs (us) LLP, 2550 M Street, North West, Washington, DC 20037.

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CORRECTION

CENTRAL OFFICE OF PROCUREMENT

■ AWARD

Goods and Services

VICTIM INFORMATION NOTIFICATION EVERYDAY - Sole Source - Available only from a single source - PIN# 072201644MIS -

AMT: \$330,000.00 - TO: Appriss Inc., 10401 Linn Station Road, Louisville, KY 40223.

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DESIGN AND CONSTRUCTION

CONTRACTS

■ SOLICITATION

Construction Related Services

PWDFORT, RENOVATION OF FORT WASHINGTON ARMORY, BOROUGH OF MANHATTAN - Sole Source - Available only from a single source - PIN# 8502017PW0003P - Due 4-25-17 at 4:00 P.M.

The Department of Design and Construction intends to enter into a sole source contract with The Armory Foundation for the above project. The contractor must have unique knowledge of the site, and must guarantee the assumption of all costs above the estimated cost of design and construction. Any firm which believes that it is also qualified to provide these services, or would like to provide such services in the future is invited to indicate by letter/email, which must be received no later than April 25, 2017, at 4:00 P.M., to Steven Wong, Program Director, 5th Floor, 30-30 Thomson Avenue, Long Island City, NY 11101. Email: wongs@ddc.nyc.gov

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.

Design and Construction, 30-30 Thomson Avenue, Long Island City, NY 11101. Steven Wong (718) 391-2550; wongs@ddc.nyc.gov

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DISTRICT ATTORNEY - NEW YORK COUNTY

■ SOLICITATION

Services (other than human services)

CAR TRANSPORTATION SERVICES - Competitive Sealed Bids - PIN# 20170400011R - Due 5-1-17 at 3:00 P.M.

The District Attorney's Office of New York County ("DANY") is seeking an appropriately qualified Contractor to provide quality car transportation services to 100 Centre Street in Manhattan, for various divisions of DANY, including, but not limited to, the Witness Aid Services Unit, the Spanish Language Unit, and the Executive Management Unit.

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.

District Attorney - New York County, 1 Hogan Place, New York, NY 10013. Jose Rodriguez (212) 335-4173; Fax: (212) 335-3080; rodriguezjo@dany.nyc.gov

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HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

FY18 RENEWALS OF MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN# FY18-20 RENEWALS-CORRECTED NOTICE

FY18 CONTRACTS RENEWAL

In accordance with Section 4-04 of the Policy and Procurement Board Rules, the Department of Health and Mental Hygiene intends to renew the contracts with the not-for-profit organizations noted below for the provision of Mental Health Services, Developmental Disabilities Services, Alcohol and Drug Prevention and Treatment Services, Diseases Control Services during the term and in the Borough indicated. For information regarding the Renewal of these Contracts, please call Simone G. Smith, MPA at (347) 396-6614.

Disability – Alcohol and Drug Use Prevention program

Provider Name: Upper Manhattan Mental Health Center, Inc. Contract PIN #12SA009401R2X00

Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 2009 Third Avenue, New York, NY 10029

Provider Name: Joan and Sanford I. Weill Medical College of Cornell
 Contract PIN #12SA032401R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 56 West 45th Street, 9th Floor, New York, NY 10036

Provider Name: Montefiore Medical Center
 Contract PIN #12SA036801R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 3550 Jerome Avenue, Bronx, NY 10467
 • 2058 Jerome Avenue, Bronx, NY 10453
 • 4401 Bronx Boulevard, Bronx, NY 10470
 • 1510 Waters Place, Bronx, NY 10461
 • 804 East 138th Street, Bronx, NY 10454
 • 260 East 161st Street, Bronx, NY 10451
 • 4401 Bronx Boulevard, Bronx, NY 10470

Provider Name: Richmond Medical Center, Richmond University
 Medical Center 3
 Contract PIN #12SA036901R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 427 Forest Avenue, Staten Island, NY 10301
 • 690 Castleton Avenue, 1st Floor, Staten Island, NY 10310

Provider Name: Beth Israel Medical Center
 Contract PIN #12SA037001R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 109-11 Delancey Street, New York, NY 10002
 • 26 Avenue A, New York, NY 10009
 • 98-100 Flatbush Avenue, Brooklyn, NY 11217
 • 1825 Park Avenue, 8th Floor, New York, NY 10035
 • 132 West 125th Street, 6th Floor, New York, NY 10027
 • 25 12th Street, Brooklyn, NY 11215
 • 429-35 Second Avenue (Ground Floor), New York, NY 10010
 • 160 Water Street, 24th Floor, New York, NY 10038
 • 1825 Park Avenue, 4th Floor, New York, NY 10035
 • 1825 Park Avenue, 2nd Floor, New York, NY 10035

Provider Name: Staten Island University Hospital
 Contract PIN #12SA037101R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 392 Seguin Avenue, 2nd Floor, Staten Island, NY 10309

Provider Name: New York Presbyterian Hospitals
 Contract PIN # 12SA037201R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 503 East 70th Street, HT-1, New York, NY 10065

Provider Name: Mental Health Providers of Western Queens
 Contract PIN #15SA004601R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 62-07 Woodside Avenue, 4th Floor, Woodside, NY 11377
 • 37-08 91st Street, Suite 2A, Jackson Heights, NY 11372

Provider Name: Catholic Charities Neighborhood Services Inc.
 Contract PIN #15SA005301R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 1463 Flatbush Avenue, Brooklyn, NY 11210

Provider Name: AHRC Health Care Inc.
 Contract PIN # 16SA007801R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 83 Maiden Lane, New York, NY 10038

Provider Name: Bronx-Lebanon Hospital
 Contract PIN #12SA009301R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Address/Administrative Address:
 • 321 East Tremont Avenue, Bronx, NY 10457
 • 1276 Fulton Avenue, Bronx, NY 10456
 • 1276 Fulton Avenue, Bronx, NY 10456

Disability – Developmental Disabilities Services

Provider Name: Association for Neurologically Impaired Brain Injured
 Contract PIN #12MR008601R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 61-35 220th Street, Bayside, NY 11364

Provider Name: NYSARC, Inc. - New York City Chapter (AHRC)
 Contract PIN #15MR003101R1X00
 Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:
 • 240 East 109th Street, New York, NY 10029
 • 510 Clermont Avenue, Brooklyn, NY 11217
 • 2280 Wallace Avenue, Bronx, NY 10467
 • 83 Maiden Lane, 6th Floor, New York, NY 10038
 • 200 Varick Street, 7th Floor, New York, NY 10014
 • 228 Four Corners Road, Anramdale, NY 12503
 • 71st and Continental Avenues, Forest Hills, NY 11375

Provider Name: The Center for Family Support
 Contract PIN #15MR003201R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 333 7th Avenue, 9th Floor, New York, NY 10001

Provider Name: Young Adult Institute, Inc.
 Contract PIN #15MR003301R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 460 West 34th Street, New York, NY 10001
 • 211-11 Northern Boulevard, Bayside, NY 11361
 • 1241 Zerega Avenue, Bronx, NY 10462
 • 460 West 34th Street, New York, NY 10001-2382

Provider Name: United Cerebral Palsy of New York City
 Contract PIN #15MR003401R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 110 Chester Street, PS 396, Brooklyn, NY 11212
 • 144 East 128th Street, PS 138, New York, NY 10035

Provider Name: Job Path, Inc.
 Contract PIN #15MR003501R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 256 West 38th Street, New York, NY 10018

Provider Name: Urban Resource Institute
 Contract PIN #15MR003601R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 50 Court Street, Suite 1012, Brooklyn, NY 11201

Provider Name: The Guild for Exceptional Children, Inc.
 Contract PIN #15MR005501R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 260 68th Street, Brooklyn, NY 11220
 • 3108 Quentin Road, Brooklyn, NY 11234

Provider Name: United Cerebral Palsy of New York City
 Contract PIN #15MR005601R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 175 Lawrence Avenue, Brooklyn, NY 11230
 • 251 West 154th Street, New York, NY 10039

Disability – Mental Health Services

Provider Name: Goodwill Industries of Greater NY and New Jersey Inc.
 Contract PIN #12AZ018801R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 33-24A Northern Boulevard, 3rd Floor, Long Island City, NY 11101
 • 33-24 Northern Boulevard, 2nd Floor, Long Island City, NY 11101

Provider Name: Samuel Field YM and YWHA, Inc.
 Contract PIN #12AZ020501R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 59-28 Little Neck Parkway, Ground Floor, Little Neck, NY 11362

Provider Name: Transitional Services for New York, Inc.
 Contract PIN #12AZ022501R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 90-27 Sutphin Boulevard, 5th Floor, Jamaica, NY 11435
 • 90-27 Sutphin Boulevard, Suite 401, Queens, NY 11435
 • 80-45 Winchester Boulevard, Building #20, Queens Village, NY 11427

Provider Name: Venture House, Inc.
 Contract PIN #13AZ002001R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 150-10 Hillside Avenue, Jamaica, NY 11432

Provider Name: The Samaritans of New York Inc.
 Contract PIN #15AZ001901R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 61 Gramercy Park North, New York, NY 10010

Provider Name: Services for the Underserved, Inc.
 Contract PIN #15AZ002601R1X00
 Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 1125 Fulton Street, 2nd Floor, Brooklyn, NY 11238

Provider Name: University Consultation and Treatment Center for Mental Hygiene, Inc
Contract PIN #15AZ002901R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 1020 Grand Concourse, Bronx, NY 10451

Provider Name: Goodwill Industries of Greater New York and New Jersey Inc.
Contract PIN #15AZ025001R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 512 Southern Boulevard, Bronx, NY 10455

Provider Name: Jewish Child Care Association of New York
Contract PIN #15AZ001801R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 858 East 29th Street, Brooklyn, NY 11210

Provider Name: Services for the Underserved, Inc.
Contract PIN # TBD

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 186 East 123rd Street, New York, NY 10035
- 2010 Atlantic Avenue, Brooklyn, NY 11233

Provider Name: St. Luke's-Roosevelt Hospital Center
Contract PIN # TBD

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 1090 Amsterdam Avenue, 15th Floor, New York, NY 10025

Disability – Mental Health Services, Adults

Provider Name: Comunilife Inc
Contract PIN #12AZ012401R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 4419 3rd Avenue, Bronx, NY 10457

Provider Name: Jewish Association for Services for the Aged, Inc.
Contract PIN #12AZ027301R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 1 Fordham Plaza, Suite 232, Bronx, NY 10458
- 2705 Schley Avenue, Bronx, NY 10465-2618
- 2388 Creston Avenue, Bronx, NY 10468
- 220 West 141st Street, New York, NY 10030

Provider Name: Bronx-Lebanon Hospital
Contract PIN #12AZ027501R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 401 East 167th Street, Bronx, NY 10456

Provider Name: Visiting Nurse Service on New York Homecare
Contract PIN #15AZ002201R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 489 East 153rd Street, 403, Bronx, NY 10455

Provider Name: Federation of Organizations for the New York State
Contract PIN #15AZ002801R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 80-45 Winchester Boulevard, Building 40, 2nd Floor, Queens Village, NY 11427-2199
- 105-01 101 Avenue, Ozone Park, NY 11416

Provider Name: Project Hospitality, Inc.
Contract PIN #15AZ004101R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 25 Central Avenue, Staten Island, NY 10301

Provider Name: The Child Center of NY
Contract PIN #15AZ003801R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 118-35 Queens Boulevard, 6th Floor, Forest Hills, NY 11375
- 163-18 Jamaica Avenue, 4th Floor, Jamaica, NY 11432
- 60-02 Queens Boulevard, Woodside, NY 11377

Provider Name: Puerto Rican Family Institute (PROMESA)
Contract PIN # TBD

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 28 Debevoise Street, 5th Floor, Brooklyn, NY 11206
- 4123 Third Avenue, Ground Level, Bronx, NY 10457
- 145 West 15th Street, 6th Floor, New York, NY 10011

Disability – Mental Health Services, Children

Provider Name: Astor Services for Children and Families
Contract PIN # TBD

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 750 Tilden Avenue, Bronx, NY 10467

Provider Name: Union Settlement Association
Contract PIN # TBD

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 2089 Third Avenue, New York, NY 10029

Disability – Mental Health Services, Supportive Housing

Provider Name: Postgraduate Center for Mental Health
Contract PIN #05MH007024R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 158 East 35th Street, New York, NY 10016

Provider Name: Camba, Inc.
Contract PIN #05MH007025R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 1720 Church Avenue, 2nd Floor, Brooklyn, NY 11226

Provider Name: West End Residences Housing Development Fund
Company, Inc.
Contract PIN #08PO076328R3X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 475 Riverside Drive, Suite 740, New York, NY 10115

Provider Name: Center for Urban Community Resources
Contract PIN #08PO076330R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 198 East 121st Street, 6th Floor, New York, NY 10035

Provider Name: Postgraduate Center for Mental Health
Contract PIN #08PO076332R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 158 East 35th Street, New York, NY 10016

Provider Name: Lantern Community Services Inc.
Contract PIN #08PO076333R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 494 8th Avenue, 20th Floor, New York, NY 10001

Provider Name: Housing Works, Inc.
Contract PIN #08PO076334R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 57 Willoughby Street, 2nd Floor, Brooklyn, NY 11201

Provider Name: Brooklyn Community Housing and Services, Inc.
Contract PIN #08PO076335R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 105 Carlton Avenue, Brooklyn, NY 11205

Provider Name: Services for the Underserved
Contract PIN #08PO076336R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 305 Seventh Avenue, 10th Floor, New York, NY 10001

Provider Name: Jericho Project
Contract PIN # 08PO076338R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 245 West 29th Street, 9th Floor, New York, NY 10001

Provider Name: Geel Community Services, Inc.
Contract PIN #08PO076340R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 2516 Grand Avenue, Bronx, NY 10468

Provider Name: Center for Urban Community Resources
Contract PIN #08PO076341R2X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 198 East 121st Street, 6th Floor, New York, NY 10035

Provider Name: Community Access, Inc.
Contract PIN #08PO076358R1X00

Contract Term: 7/1/2017 - 6/30/2020

Service Location(s)/Administrative Location:

- 2 Washington Street, 9th Floor, New York, NY 10004

Provider Name: Volunteers of America Greater New York Inc.
 Contract PIN #08PO076363R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 340 West 85th Street, New York, NY 10024-3800

Provider Name: Barrier Free Living
 Contract PIN #08PO076364R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 270 East 2nd Street, New York, NY 10009-7815

Provider Name: Community Counseling and Mediation
 Contract PIN #08PO076365R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • One Hoyt Street, 7th Floor, Brooklyn, NY 11201

Provider Name: Postgraduate Center for Mental Health
 Contract PIN #08PO076366R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 158 East 35th Street, New York, NY 10016

Provider Name: St. Vincent's Services
 Contract PIN #08PO082521R2Z01
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 66 Boerum Place, Brooklyn, NY 11201

Provider Name: West Harlem Group Assistance, Incorporated
 Contract PIN #11AZ021201R3X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 1652 Amsterdam Avenue, New York, NY 10031

Provider Name: Heritage Health and House
 Contract PIN #12AZ013201R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 416 West 127th Street, New York, NY 10027

Provider Name: PSCH, Inc.
 Contract PIN #12AZ013501R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 142-02 20th Avenue, 3rd Floor, Flushing, NY 11351

Provider Name: Services for the Underserved
 Contract PIN #12AZ014601R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 305 Seventh Avenue, 10th Floor, New York, NY 10001

Provider Name: Volunteers of America Greater New York Inc.
 Contract PIN #12AZ028301R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 340 West 85th Street, New York, NY 10024-3800

Provider Name: Clinton Housing Development Co Inc.
 Contract PIN #12AZ071201R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 403 West 40th Street, New York, NY 10018

Provider Name: Columba Services, Inc.
 Contract PIN #14AZ005601R2X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 209 East 118th Street, New York, NY 10035

Provider Name: Community Counseling and Mediation
 Contract PIN #15AZ002701R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • One Hoyt Street, 7th Floor, Brooklyn, NY 11201

Provider Name: West Side Federation for Senior and Supportive Housing
 Contract PIN #15AZ004001R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 2345 Broadway, 2nd Floor, New York, NY 10024

Provider Name: United Jewish Council of the East Side, Inc.
 Contract PIN #15AZ004301R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 235 East Broadway, New York, NY 10002

Provider Name: Weston United Community Renewal, Inc.
 Contract PIN #15AZ004401R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 290 Lenox Avenue, 3rd Floor, New York, NY 10027-4991

Provider Name: St. Joseph's Hospital
 Contract PIN # 15AZ006201R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 127 South Broadway, Yonkers, NY 10701

Provider Name: Puerto Rican Organization to Motivate, Enlighten and Serve (PROMESA)
 Contract PIN #15AZ011501R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 300 East 175th Street, Bronx, NY 10457

Provider Name: Lantern Community Services
 Contract PIN # TBD
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 494 8th Avenue, 20th Floor, New York, NY 10001

Disability – Mobile Response Teams

Provider Name: Astor Services for Children and Families
 Contract PIN #13AO001201R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 6339 Mill Street, PO Box 5005, Rhineback, NY 12572-5005

Provider Name: Interborough Developmental and Consultation Center, Inc.
 Contract PIN #13AO001203R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 1670-78 East 17th Street, Brooklyn, NY 11229

Provider Name: Association to Benefit Children
 Contract PIN #13AO001204R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 1841 Park Avenue, Echo Park, NY 10035

Provider Name: Child Center of NY, THE
 Contract PIN #13AO001202R1X00
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 60-02 Queens Boulevard, Woodside, NY 11377

Provider Name: Interborough Developmental and Consultation Center, Inc.
 Contract PIN # TBD
 Contract Term: 7/1/2017 - 6/30/2020
 Service Location(s)/Administrative Location:
 • 1670-78 East 17th Street, Brooklyn, NY 11229

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HOUSING PRESERVATION AND DEVELOPMENT

PROCUREMENT

■ INTENT TO AWARD

Services (other than human services)

ELITE APPLICATION SOFTWARE MAINTENANCE - Sole Source
 - Available only from a single source - PIN#80617S0005 - Due 4-28-17
 at 10:00 A.M.

The NYC Department of Housing Preservation and Development (HPD), intends to enter into sole source negotiations for HPD's existing Emphasys Elite Application (a proprietary software support system), currently provided by the Emphasys Computer Solutions, Inc. The software is utilized to manage and track HPD's administration of HUD Section 8 Housing Assistance Payments. Firm(s) who believe they can provide the required services, are to contact the Agency, in writing, no later than the date and time specified in this notice.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Preservation & Development, 100 Gold Street, Room 8B06, New York, NY 10038. Gaurav Channan (212) 863-6140; Fax: (212) 863-5455; channang@hpd.nyc.gov

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NYC HEALTH + HOSPITALS

CONTRACT SERVICES

■ SOLICITATION

Construction / Construction Services

ELMHURST HOSPITAL CENTER, CONVERSION OF EXISTING SPACE TO A HAZARDOUS MATERIAL STORAGE ROOM 230K-280K - Competitive Sealed Bids - PIN# ELMHURST - Due 5-19-17 at 1:30 P.M.

Elmhurst Hospital Center - Conversion of Existing Space to a Hazardous Material Storage Room, 79-01 Broadway, Elmhurst, NY 11373, Bid Documents Fee \$30.00 (Company Check or Money Order) Payable to NYCHHC non-refundable.

Note: This is a PLA (GC Work including PLMB/HVAC/ELEC)

Mandatory Pre-Bid Meetings and Site Tours are as follows: Wednesday, April 26, 2017, and Thursday, April 27, 2017 at 10:00 A.M., at Elmhurst Hospital Center, Facilities Management, Main Building, Basement Level RM BB-11.

All Bidders must attend at least one of these mandatory meetings. Technical Questions must be submitted in writing, email or fax, no later than five (5) calendar days before Bid Opening.

Requires Trade Licenses (Where Applicable). Under Article 15A of The State of New York, The following M/WBE Goals apply to this Contract, MBE 20 percent and WBE 10 percent. These Goals apply to any bid submitted of \$100,000 or more. Bidders not complying with these Terms will have their bids declared Non-Responsive.

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.

NYC Health + Hospitals, 55 Water Street, 25th Floor, New York, NY 10041. Janet Olivera (212) 442-3680; Fax: (212) 442-3741; janet.olivera@nychhc.org

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PARKS AND RECREATION

■ VENDOR LIST

Construction / Construction Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION - NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR") AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business Enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract

no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

*Firms that are in the process of becoming a New York City-certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained on-line at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap>; or <http://www.nycgovparks.org/opportunities/business>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center, Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

j3-d29

■ SOLICITATION

Goods and Services

PROVIDE CRANE SERVICES CITYWIDE - Competitive Sealed Bids - PIN# 84617B0066001R - Due 5-8-17 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.

Parks and Recreation, 24 West 61 Street, New York, NY 10023. Sandra Williams (212) 830-7974; Fax: (917) 849-6791; sandra.williams@parks.nyc.gov

◀ a14

SCHOOL CONSTRUCTION AUTHORITY

■ SOLICITATION

Construction / Construction Services

STRUCTURAL REPAIRS/EXTERIOR MASONRY - Competitive Sealed Bids - PIN# SCA17-16416D-2 - Due 5-5-17 at 10:00 A.M.

Young Scholar's Academy (Brooklyn) SCA system-generated Category: \$1,000,001 to \$4,000,000 Pre-Bid Meeting Date: April 24, 2017, at 10:00 A.M., at 280 Hart Street, Brooklyn, NY 11206.

Meet at the Custodian's Office. Potential Bidders are encouraged to attend but this walkthrough is not mandatory. Bidders must be Pre-Qualified by the SCA at the time of Bid opening.

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.

School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Edison Aguilar (718) 472-8641; Fax: (718) 472-8290; eaguilar@nycsca.org

◀ a14

AGENCY RULES

HEALTH AND MENTAL HYGIENE

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Health and Mental Hygiene (the Department) is proposing the repeal of Section 10-15 of Chapter 10 to Title 24 of the Rules of the City of New York (Smoking and the Use of Electronic Cigarettes Under the New York City Smoke-

Free Air Act). This rule describes how to apply for a waiver of certain State anti-smoking laws enforced by the Department. Because the Department will no longer be considering such waivers, the rule is no longer needed. This rule was identified as one that should be repealed as part of a comprehensive rules review initiative undertaken by the NYC Mayor's Office of Operations.

When and where is the hearing? The Department has determined that there is no public purpose to holding a hearing.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to resolutioncomments@health.nyc.gov.
- **Mail.** You can mail comments to:
New York City Department of Health and Mental Hygiene
Gotham Center
42-09 28th Street, CN 31
Long Island City, NY 11101-4132
- **Fax.** You can fax comments to the Department at (347) 396-6087.

Is there a deadline to submit comments? Written comments must be received on or before 5:00 P.M. on May 15, 2017.

Can I review the comments made on the proposed rules? You may review the comments made online at <http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department's Office of the General Counsel.

What authorizes the Department to make this rule? Sections 556 and 1043 of the City Charter authorize the Department to make this proposed rule. This proposed rule was not included in the Department's regulatory agenda for this Fiscal Year because it was not contemplated when it published the agenda.

Where can I find the Department's rules? The Department's rules are in Title 24 of the Rules of the City of New York.

What rules govern the rulemaking process? The Department must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Smoking is banned in certain indoor and outdoor locations both by the City's Smoke-Free Air Act (SFAA) and by New York State's Clean Indoor Air Act (CIAA). These laws are enforced in New York City by the Department. Pursuant to New York State Public Health Law §1399-u, the Department has the discretion to waive in a specific instance any provision of the CIAA if satisfied that its application will cause undue hardship or that there are other factors that make compliance with the provision unreasonable.

The Department enacted Section 24 RCNY §10-15 in 2004 setting forth how the Department would consider requests for such waivers. The rule allows any entity where smoking is permitted by the CIAA, but allowed by the SFAA, to request a waiver. Requests based on financial hardship must include financial records and demonstrate financial losses attributable to the State restriction. If claiming that compliance with the State provision is otherwise unreasonable, an applicant must clearly demonstrate the existence of factors that make this so. The rule also imposes a fee for an application and limits the term of a waiver to two years.

The stated basis and purpose of § 10-15 was to provide a mechanism for harmonizing enforcement of the CIAA, which had just taken effect, with the restrictions on smoking that were already in place in New York City under the SFAA.¹ In fact, the CIAA and SFAA are largely harmonious and there are no waivers currently in place. While one was granted to a tobacco company operating a product testing room in 2005, and renewed thereafter until 2012, no other entity has even requested a waiver. The Department does not foresee any situation in the future where it would waive a provision of the CIAA and thus is proposing to repeal § 10-15 as unnecessary.

Working with the City's rulemaking agencies, the Law Department, and OMB, the Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. This proposed rule repeal was identified as one that should be repealed through this initiative.

1 *City Record*, March 24, 2004. RCNY Volume 8, Statements of Basis and Purpose at page 492.

The Department's authority for this repeal is found in Section 1043 of the New York City Charter. Because the Department is not required to provide waivers under the CIAA, there is no reason to have public testimony on whether this rule should be repealed.

New material is underlined.
[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 10-15 of Chapter 10 in Title 24 of the Rules of the City of New York, relating to requests to waive provisions of the New York State Clean Indoor Air Act, is hereby repealed.

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
(212) 788-1400

CERTIFICATION/ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Repeal of Anti-Smoking Law Waiver Provisions

REFERENCE NUMBER: DOHMH-77

RULEMAKING AGENCY: Department of Health and Mental Hygiene

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- Is understandable and written in plain language for the discrete regulated community or communities;
- Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

April 6, 2017
Date

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
(212) 356-4028

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Repeal of Anti-Smoking Law Waiver Provisions

REFERENCE NUMBER: 2017 RG 032

RULEMAKING AGENCY: Department of Health and Mental Hygiene

I certify that this office has reviewed the above-referenced proposed rule as required by Section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- is drafted so as to accomplish the purpose of the authorizing provisions of law;
- is not in conflict with other applicable rules;
- to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: April 6, 2017

◀ a14

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Adoption of Amendments to 421-a Rules

NOTICE IS HEREBY GIVEN, that pursuant to the authority vested in the Commissioner of the Department of Housing Preservation and

Development by Section 1802 of the City Charter and Section 421-a of the New York State Real Property Tax Law, and in accordance with the requirements of Section 1043 of the New York City Charter, the Department of Housing Preservation and Development is amending chapter 6 to Title 28 of the Rules of the City of New York regarding rents for 421-a affordable units in multiple dwellings that are subject to Housing Assistance Payments Contracts.

A notice of proposed rulemaking was published in the City Record on March 2, 2017. A public hearing was held on April 3, 2017.

Statement of Basis and Purpose of Adopted Rule

New York State Real Property Tax Law §421-a provides real property tax exemptions for eligible, new multiple dwellings ("421-a Benefits"). HPD determines eligibility for §421-a real property tax exemptions.

Income Limits

New multiple dwellings that commenced construction on or after July 1, 2008 in areas of New York City designated as the Geographic Exclusion Area ("GEA") are eligible for 421-a benefits if at least 20% of the onsite units are affordable to and occupied by either:

- (a) persons or families with incomes at or below 60% of Area Median Income (AMI) ("GEA 60% AMI units"), or
- (b) for multiple dwellings that receive substantial governmental assistance other than 421-a benefits, persons or families with incomes at or below 120% of AMI or, if such multiple dwellings contain more than 25 units, incomes that do not exceed an average of 90% of AMI ("GEA SGA units").

Rent Caps

Furthermore, HPD's 421-a rules cap rents for such units in new rental multiple dwellings at 30% of the applicable AMI, minus the amount of any applicable utility allowance. Since 421-a units must be registered as rent stabilized with the State Division of Housing and Community Renewal (SDHCR), the legal regulated rents also cannot exceed 30% of the applicable AMI.

Amendments

Currently, new multiple dwellings that have a project-based Section 8 contract are eligible for subsidies from the United States Department of Housing and Urban Development ("HUD") that would cover the difference between the tenant's payment (30% of such tenant's income) and HUD Contract Rents. However, because the current 421-a rules require owners of such multiple dwellings to register rents at no higher than 30% of the applicable AMI they cannot take full advantage of this subsidy.

The rule amendments would, under very limited circumstances, allow such projects to register **120% of HUD Contract Rents** as the SDHCR legal regulated rent, which would be above the current cap of 30% of the applicable AMI. This would allow owners to collect the full subsidy available from HUD through the Housing Assistance Payments Contract (HAP Contract).

Specifically, the rule amendments:

- Authorize rents for 421-a affordable units in a multiple dwelling that is subject to a HAP Contract during the term of such contract to exceed 30% of the applicable AMI at initial occupancy and upon lease renewals if:
 - (a) such rents do not exceed 120% of Contract Rents established by HUD,
 - (b) the tenant portion of rent does not exceed the lesser of:
 - (1) 30% of the applicable AMI limit, OR
 - (2) the tenant's maximum payment under the HAP Contract, and
 - (c) at least 20% of affordable units that are first rented after the effective date of this rule amendment for either initial leasing or at re-rental, are rented to eligible homeless households referred by the City.
- Requires owners in such multiple dwellings to file annual affidavits reflecting compliance with the requirements for rents for such affordable units.
- Requires the restrictive declaration filed by such owners to provide for compliance with the rent provisions for the affordable units in such multiple dwellings.

HPD's authority for these rules is found in Section 1802 of the New York City Charter and Section 421-a of the Real Property Tax Law.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (a) of Section 6-09 of Chapter 6 of Title 28 of the Rules of the City of New York is amended by adding the following three new definitions in alphabetical order:

Contract Rents. "Contract Rents" shall mean the rent approved by the United States Department of Housing and Urban Development for dwelling units in a project with a HAP Contract.

HAP Contract. "HAP Contract" shall mean any project-based Section 8 housing assistance payments contract, governed by Subpart E of part 983 of Chapter IX of Subtitle B of Title 24 of the Code of Federal Regulations, covering units in the multiple dwelling, as may be amended or renewed.

Section 8. "Section 8" shall mean a federal rental subsidy pursuant to the Section 8 project-based rental assistance program, or any successor programs under the United States Housing Act of 1937, as amended.

§ 2. Subdivision (b) of Section 6-09 of Chapter 6 of Title 28 of the Rules of the City of New York is amended by adding a new paragraph (2-a) to read as follows:

(2-a) (i) Notwithstanding anything to the contrary contained in this section, rents for GEA 60% AMI units or GEA SGA units in multiple dwellings that are subject to a HAP Contract may exceed 30% of the applicable income limit for such GEA 60% AMI units or GEA SGA units, at initial occupancy and upon renewal of leases, if

(A) such rents do not exceed one hundred twenty percent of the Contract Rents for such units,

(B) such rents, less any rent subsidies pursuant to Section 8 of the United States Housing Act of 1937, do not exceed the lesser of (1) the GEA 60% limit or the GEA SGA limit, as applicable, or (2) the tenant's maximum payment allowed under the HAP Contract, and

(C) at least twenty percent (20%) of the GEA 60% AMI units or GEA SGA units, as applicable, in such multiple dwellings that are first rented to tenants on or after the effective date of this rule amendment either for initial occupancy or for re-rental upon a vacancy, are rented through referrals from the City of homeless households who meet the applicable income requirements and other eligibility criteria permitted by the marketing guidelines of the Department.

(ii) Each year, upon annual registration of its rental dwelling units with the New York State Department of Housing and Community Renewal, the owner of a multiple dwelling subject to subparagraph (i) of this paragraph must file with the Department an affidavit in a form approved by the Department attesting that each lease of a GEA 60% AMI unit or GEA SGA unit, or renewal thereof, during the preceding year complied with the applicable rent requirements under subparagraph (i) of this paragraph at the time of execution of the lease, or renewal thereof, and providing other information regarding the leases for such units as the Department shall require in such affidavit.

(iii) Subparagraph (i) of this paragraph shall only apply during the term of such multiple dwelling's HAP Contract.

§ 3. Subparagraph (ii) of paragraph (3) of subdivision (b) of Section 6-09 of Chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

(ii) when filing an application for a Preliminary Certificate of Eligibility pursuant to §6-05(b) of this chapter for a multiple dwelling that contains GEA 60% AMI units or GEA SGA units, submit evidence satisfactory to the Office that a restrictive declaration in a form satisfactory to the Office (A) has been executed by all parties in interest, (B) has been recorded against the real property containing the multiple dwelling receiving benefits pursuant to the Act, and (C) provides that the GEA 60% AMI units or the GEA SGA units in such building must for thirty-five years from the completion of construction (1) comply with the affordability requirement, [and] (2) if such multiple dwelling is owned and operated as a rental, remain rent stabilized and allow tenants holding a lease and in occupancy at the expiration of such thirty-five year period to remain as rent stabilized tenants for the duration of their occupancy, and (3) if applicable, comply with the provisions of paragraph 2-a of this subdivision.

SPECIAL MATERIALS

CITY PLANNING

■ NOTICE

POSITIVE DECLARATION

Project Identification

Block 675 East
CEQR No. 17DCP159M
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency

City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Olga Abinader
(212) 720-3423

Name, Description and Location of Proposal:

Block 675 East

The Applicants, DD West 29th Street LLC and West 30th Street LLC, respectively seek separate discretionary actions ("the Proposed Actions") to facilitate the redevelopment of properties at 601 West 29th Street (Block 675, Lots 12, 29 and 36) ("Project Site A") and 606 West 30th Street (Block 675, Lot 39) ("Project Site B"). Project Site A, Project Site B and the neighboring Lot 38 constitute the Project Area, which is located in an M2-3 zoning district in the Chelsea neighborhood of Manhattan Community District 4 on the block bounded by West 30th Street to the north, Eleventh Avenue to the east, West 29th Street to the south, and Twelfth Avenue to the west. The Proposed Actions include zoning map amendments to rezone the Project Area from a M2-3 to C6-4X district, zoning text amendments to Appendix F to establish Mandatory Inclusionary Housing ("MIH") areas, and zoning text amendments to the Special Hudson River Park District ("SHRPD") regulations. The text amendments to SHRPD would define a portion of Hudson River Park as the "Granting Site" (Block 662, Lots 11, 16, 19 and a portion of Lot 62) and Project Sites A and B and Lot 38 as the "Receiving Sites" for the transfer of unused development rights. In addition, a Chairperson's certification pursuant to ZR Section 89-21 of the SHRPD would be required.

Currently, Project Site A is developed with commercial and institutional uses, including a gas station and convenience store on Lot 36; an operations center for the artist Jeff Koons on portions of Lots 12 and 29; a New York City Department of Sanitation office facility on a portion of Lot 12; and a Port Authority of New York and New Jersey ("PANYNJ") operations and parking facility on a portion of Lot 12. Project Site B is developed with a one-story building used for vehicle storage and maintenance, and Lot 38 is developed with an auto repair shop.

As part of the Access to the Region's Core ("ARC") project, PANYNJ holds a temporary surface easement for the western 210 feet of Lot 12. While the ARC project has been cancelled, PANYNJ, NJ TRANSIT and Amtrak have recently announced plans for the Hudson Tunnel Project ("the Tunnel"), which would construct a new tunnel under the Hudson River connecting to Pennsylvania Station. The agencies, with the Federal Railroad Administration, are coordinating their environmental review pursuant to the National Environmental Policy Act ("NEPA"). As part of this tunnel project, the new tunnel would cross under Block 675, Lot 1 and include a ventilation structure on the west end of Block 675 (not within the Project Area). The schedule for this project calls for issuance of a Draft Environmental Impact Statement in 2017, start of construction in 2019, and completion of the project in 2026. A portion of Project Site A may be used for temporary construction staging pending further discussions between the Applicants and the rail agencies.

The Proposed Actions would facilitate, on Project Site A, a proposal by the Applicant to construct an approximately 960,000 gsf, 62-story (approximately 702 feet tall including the mechanical bulkheads) mixed-use building containing up to 905,000 gsf of residential floor area (990 dwelling units), 15,000 gsf of commercial floor area, 21,000 gsf of accessory parking (up to 198 accessory parking spaces), and 6,500 gsf of bicycle parking. The building on Project Site A may also include an approximately 12,500 gsf FDNY EMS facility, dependent on subsequent actions taken by FDNY and DCAS and the construction staging requirements of the Hudson River Tunnel project. Pursuant to MIH, between 25 and 30 percent of the residential floor area would be affordable (representing 248 to 297 of the 990 proposed dwelling units).

On Project Site B, the Proposed Actions would facilitate a proposal by the Applicant to construct an approximately 229,157 gsf, 32-story (approximately 507 feet tall) mixed-use building containing up to

175,393 gsf of residential floor area (206 dwelling units), 20,732 gsf of commercial floor area and 33,032 gsf of accessory uses (including up to 42 accessory parking spaces). Pursuant to MIH, between 25 and 30 percent of the residential floor area would be affordable (representing 52 to 62 of the 206 proposed dwelling units).

The Proposed Actions do not include any action to transfer floor area from Hudson River Park to Lot 38. However, since this site would be rezoned and included in the special district, potential development on this site is conservatively assumed for purposes of environmental review. It is assumed that this lot may be developed with up to 29,224 gsf of residential floor area (34 dwelling units, of which 9 or 10 would be affordable), 3,454 gsf of commercial floor area, and 5,504 gsf of accessory uses (including up to 6 accessory parking spaces).

The Proposed Actions requested to facilitate the Applicant's proposal for Project Site A are as follows:

- Zoning text amendment to modify the Appendix to the Special Hudson River Park District regulations (Zoning Resolution Section 89-00 et seq.) to define a portion of Piers 59, 60 and 61 and the headhouse in Hudson River Park as the "granting site" and project site A as the "receiving site" in the special district.
- Zoning text amendment to Appendix F of the Zoning Resolution to map a Mandatory Inclusionary Housing (MIH) designated area on project site A.
- Zoning text amendment to Zoning Resolution Section 89-10 of the Special Hudson River Park District to modify the bulk regulations of the underlying C6-4X District.
- Zoning map amendment to rezone project site A from an M2-3 manufacturing zoning district to a C6-4X commercial zoning district, which would permit residential, community facility, and local retail and service uses and increased density. Under the special district regulations, the uses and increased density permitted by the proposed C6-4X zoning district would not be applicable to the project site absent the grant of the special permit.
- Special permit pursuant to Zoning Resolution Section 89-21 of the Special Hudson River Park District to permit the transfer of 123,437.5 square feet of unused development rights from the granting site to project site A, and to permit certain bulk waivers on project site A, which are being developed.
- Chairperson's certification pursuant to Zoning Resolution Section 89-21 of the Special Hudson River Park District to allow a building permit for project site A to be issued.

The Proposed Actions requested to facilitate the Applicant's proposals for Project Site B are as follows:

- Zoning text amendment to create a Map in the Appendix to the Special Hudson River Park District regulations (ZR Section 89-00 et seq.) to define a portion of Piers 59, 60 and 61 and the headhouse in Hudson River Park as the "granting site," and project site B and Lot 38 as the "receiving site" in the special district.
- Zoning text amendment to Appendix F of the Zoning Resolution to map an MIH designated area on project site B.
- Zoning text amendment to Zoning Resolution Section 89-10 of the Special Hudson River Park District to modify the bulk regulations of the underlying C6-4X District.
- Zoning map amendment to rezone project site B from an M3-2 manufacturing zoning district to a C6-4X commercial zoning district, which would permit residential, community facility, and local retail and service uses and increased density. Under the special district regulations, the uses and increased density permitted by the proposed C6-4X zoning district would not be applicable to the project site absent the grant of the special permit.
- Special permit pursuant to ZR Section 89-21 of the Special Hudson River Park District to permit the transfer of 29,625 square feet of unused development rights from the granting site to project site B and to permit certain bulk and use waivers on project site B, which are being developed.
- Chairperson's certification pursuant to ZR Section 89-21 of the Special Hudson River Park District to confirm that building permits for project site B may be issued.

It is expected that the Applicants will each enter into a Restrictive Declaration in connection with the Proposed Actions.

In addition, HRPT must conduct a Significant Action process as required by the Hudson River Park Act, Chapter 592 of the Laws of New York, 1998, and as amended by Chapter 517 of the Laws of New York, 2013, before its Board of Directors can approve the sale of the defined amount of floor area. Further, before the Board can approve the sale, it must also comply with SEQRA and adopt SEQRA Findings.

Independent of the Proposed Actions described above, the New York City Fire Department ("FDNY") and the Department of Citywide Administrative Services ("DCAS") may seek a site selection to include

an approximately 12,500 gsf Emergency Medical Services ("EMS") facility within the proposed building on Project Site A.

Absent the Proposed Actions, it is assumed that the Project Area would remain in its existing condition.

The analysis year for the Proposed Actions is 2021.

Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts related to land use, zoning and public policy.
2. The actions, as proposed, may result in significant adverse impacts related to socioeconomic conditions.
3. The actions, as proposed, may result in significant adverse impacts related to community facilities.
4. The actions, as proposed, may result in significant adverse impacts on open space resources.
5. The actions, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
6. The actions, as proposed, may result in significant adverse impacts related to historic and cultural resources.
7. The actions, as proposed, may result in significant adverse impacts related to urban design and visual resources.
8. The actions, as proposed, would not result in significant adverse impacts related to natural resources.
9. The actions, as proposed, may result in significant adverse impacts related to hazardous materials.
10. The actions, as proposed, may result in significant adverse impacts related to water and sewer infrastructure.
11. The actions, as proposed, may result in significant adverse impacts related to solid waste and sanitation services.
12. The actions, as proposed, may result in significant adverse impacts on energy.
13. The actions, as proposed, may result in significant adverse impacts related to transportation.
14. The actions, as proposed, may result in significant adverse impacts to air quality.
15. The actions, as proposed, may result in significant adverse impacts to greenhouse gas emissions.
16. The actions, as proposed, may result in significant adverse noise impacts.
17. The actions, as proposed, may result in significant adverse public health impacts.
18. The actions, as proposed, may result in significant adverse impacts related to neighborhood character.
19. The actions, as proposed, may result in significant adverse construction-related impacts.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the actions which finds that:

1. Land Use, Zoning and Public Policy - Development facilitated by the Proposed Actions could affect land use, zoning, and public policy.
2. Socioeconomic Conditions - The Proposed Actions could result in direct and indirect displacement of commercial uses, and indirect displacement of residential uses. There may also be adverse effects on specific industries.
3. Community Facilities - Development facilitated by the Proposed Actions would increase the number of residents, visitors, and workers using area community facilities and services. Public elementary and intermediate schools, publicly-funded day care, and libraries could be affected.
4. Open Space - The Proposed Actions would not directly affect existing open space resources. However, the Proposed Actions may have an indirect effect due to increased demand for publicly accessible spaces by the sizable new residential, worker and visitor population that would be introduced to the area.
5. Shadows - The Proposed Actions would result in new buildings that may cast shadows on accessible open spaces and sunlight-sensitive architectural and/or natural resources in the area.
6. Historic and Cultural Resources - The Proposed Actions would

result in additional in-ground disturbance, and therefore have the potential to affect archaeological resources that may be present. There are also architectural resources in the surrounding area.

7. Urban Design and Visual Resources - The Proposed Actions and subsequent projected development would result in physical changes in the affected area beyond the bulk and form currently permitted as-of-right; therefore, these changes could affect a pedestrian's experience of public space and may alter the urban design character and visual resources of the surrounding area.
8. Natural Resources - The Project Sites are located in a fully developed area of Manhattan and contain limited natural resources. Therefore, an assessment of natural resources is not warranted.
9. Hazardous Materials - The Proposed Actions would result in additional in-ground disturbance due to demolition of an existing building and construction of new buildings, which may have hazardous materials conditions.
10. Water and Sewer Infrastructure - The Proposed Actions would result in an incremental increase of more than 1,000 residential units in a combined sewer area in Manhattan, which could place additional demands on infrastructure, including water and sewer.
11. Solid Waste and Sanitation Service - The Proposed Project would not generate more than 50 tons/week solid waste and therefore, is not expected to result in significant adverse impacts to solid waste and sanitation services. However, an assessment of solid waste generation will be provided.
12. Energy - The Proposed Actions would not affect the transmission or generation of energy. However the projected amount of energy consumption during long-term operation resulting from the Proposed Actions will be assessed.
13. Transportation - The Proposed Actions would result in an increase in the number of vehicular trips and increase ridership on mass transit facilities. It also would affect pedestrian movements in the area due to the increased number of residents, workers and visitors to the area.
14. Air Quality - The Proposed Actions may increase demand for heating, ventilation and air conditioning (HVAC) within the projected developments, increase vehicular traffic, and lead to the construction of new parking facilities, potentially affecting air quality.
15. Greenhouse Gas Emissions - The Proposed Actions would increase greenhouse gas emissions associated with the projected developments' construction and operational activities.
16. Noise - The Proposed Actions would increase the volume of traffic in the area, which could result in additional traffic noise and may have the potential to result in mobile source noise impacts.
17. Public Health - A public health assessment may be warranted at the discretion of the lead agency if an unmitigated significant adverse impact is identified in CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise.
18. Neighborhood Character - The Proposed Actions have the potential to alter certain constituent elements of the surrounding area's established character, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation and noise.
19. Construction - Construction of the projected developments may result in construction related impacts.
20. The Draft Environmental Impact Statement (DEIS) to be prepared for the Proposed Actions will identify and describe any other potential effects on the environment.

Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on May 17, 2017, at 10:00 A.M., at Spector Hall, 22 Reade Street, New York, NY, 10007. Written comments will be accepted by the lead agency until the close of business on Tuesday, May 30, 2017.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Evren Ulker-Kacar, AICP, at (212) 720-3419.

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7905
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 04/10/2017
3687331	1.0	#2DULS	CITYWIDE BY TW	SPRAGUE	.0591 GAL.	1.8049 GAL.
3687331	2.0	#2DULS	PICK-UP	SPRAGUE	.0591 GAL.	1.7002 GAL.
3687331	3.0	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	.0591 GAL.	2.0032 GAL.
3687331	4.0	#2DULS	WINTERIZED PICK-UP	SPRAGUE	.0591 GAL.	1.8984 GAL.
3687331	5.0	#1DULS	CITYWIDE BY TW	SPRAGUE	.0614 GAL.	2.1529 GAL.
3687331	6.0	#1DULS	PICK-UP	SPRAGUE	.0614 GAL.	2.0481 GAL.
3687331	7.0	#2DULS	>=80% CITYWIDE BY TW	SPRAGUE	.0591 GAL.	1.8327 GAL.
3687331	8.0	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	.0591 GAL.	2.1237 GAL.
3687331	9.0	B100	B100 <=20% CITYWIDE BY TW	SPRAGUE	.1851 GAL.	2.3570 GAL.
3687331	10.0	#2DULS	>=80% PICK-UP	SPRAGUE	.0591 GAL.	1.7279 GAL.
3687331	11.0	#2DULS	WINTERIZED PICK-UP	SPRAGUE	.0591 GAL.	2.0189 GAL.
3687331	12.0	B100	B100 <=20% PICK-UP	SPRAGUE	.1851 GAL.	2.2522 GAL.
3687331	13.0	#1DULS	>=80% CITYWIDE BY TW	SPRAGUE	.0614 GAL.	2.1625 GAL.
3687331	14.0	B100	B100 <=20% CITYWIDE BY TW	SPRAGUE	.1851 GAL.	2.3659 GAL.
3687331	15.0	#1DULS	>=80% PICK-UP	SPRAGUE	.0614 GAL.	2.0577 GAL.
3687331	16.0	B100	B100 <=20% PICK-UP	SPRAGUE	.1851 GAL.	2.2611 GAL.
3687331	17.0	#2DULS	BARGE MTF III & ST. WI SPRAGUE	SPRAGUE	.0591 GAL.	1.7655 GAL.
3687192	1.0	JET	FLOYD BENNETT	SPRAGUE	.0666 GAL.	2.4039 GAL.
3587289	2.0	#4B5	MANHATTAN	UNITED METRO	.0671 GAL.	1.7698 GAL.
3587289	5.0	#4B5	BRONX	UNITED METRO	.0671 GAL.	1.7686 GAL.
3587289	8.0	#4B5	BROOKLYN	UNITED METRO	.0671 GAL.	1.7628 GAL.
3587289	11.0	#4B5	QUEENS	UNITED METRO	.0671 GAL.	1.7681 GAL.
3587289	14.0	#4B5	RICHMOND	UNITED METRO	.0671 GAL.	1.8535 GAL.
3687007	1.0	#2B5	MANHATTAN	SPRAGUE	.0654 GAL.	1.7482 GAL.
3687007	4.0	#2B5	BRONX	SPRAGUE	.0654 GAL.	1.7372 GAL.
3687007	7.0	#2B5	BROOKLYN	SPRAGUE	.0654 GAL.	1.7539 GAL.
3687007	10.0	#2B5	QUEENS	SPRAGUE	.0654 GAL.	1.7501 GAL.
3687007	13.0	#2B5	RICHMOND	SPRAGUE	.0654 GAL.	1.9145 GAL.
3687007	16.0	#2B10	CITY WIDE BY TW	SPRAGUE	.0717 GAL.	1.9186 GAL.
3687007	17.0	#2B20	CITY WIDE BY TW	SPRAGUE	.0843 GAL.	1.9638 GAL.
3787198	18.0	#2DULS	CITYWIDE BY TW	SPRAGUE	.0591 GAL.	2.0151 GAL.
3787198	19.0	B100	CITYWIDE BY TW	SPRAGUE	.1851 GAL.	2.7615 GAL.
3787198	20.0	#2DULS	PICK-UP	SPRAGUE	.0591 GAL.	1.8604 GAL.
3787198	21.0	B100	PICK-UP	SPRAGUE	.1851 GAL.	2.6068 GAL.
3787250	1.0	#2B5	CITYWIDE BY TW	PACIFIC ENERGY	.0822 GAL.	1.8061 GAL.
3787250	2.0	#4B5	CITYWIDE BY TW	PACIFIC ENERGY	.0884 GAL.	1.6865 GAL.

NOTE:

3687331	#2DULSB5	95% ITEM 7.0 & 5% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	.0654 .0463	1.8589 GAL.
3687331	#2DULSB10	90% ITEM 7.0 & 10% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	.0717 GAL.	1.8851 GAL.
3687331	#2DULSB20	80% ITEM 7.0 & 20% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	.0843 GAL.	1.9375 GAL.
3687331	#2DULSB5	95% ITEM 10.0 & 5% ITEM 12.0	PICK-UP	SPRAGUE	.0654 GAL.	1.7541 GAL.
3687331	#2DULSB10	90% ITEM 10.0 & 10% ITEM 12.0	PICK-UP	SPRAGUE	.0717 GAL.	1.7803 GAL.
3687331	#2DULSB20	80% ITEM 10.0 & 20% ITEM 12.0	PICK-UP	SPRAGUE	.0843 GAL.	1.8327 GAL.
3687331	#1DULSB20	80% ITEM 13.0 & 20% ITEM 14.0	CITYWIDE BY TW	SPRAGUE	.0861 GAL.	2.2032 GAL.
3687331	#1DULSB20	80% ITEM 15.0 & 20% ITEM 16.0	PICK-UP	SPRAGUE	.0861 GAL.	2.0984 GAL.
3787198	#2DULSB50	50% ITEM 18.0 & 50% ITEM 19.0	CITYWIDE BY TW	SPRAGUE	.1221 GAL.	2.3883 GAL.
3787198	#2DULSB50	50% ITEM 20.0 & 50% ITEM 21.0	PICK-UP	SPRAGUE	.1221 GAL.	2.2336 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7906
FUEL OIL, PRIME AND START

Table with 6 columns: CONTR. NO., ITEM NO., FUEL/OIL TYPE, DELIVERY, VENDOR, CHANGE (\$), PRICE (\$) EFF. 04/10/2017. Rows include items 1.0 #2B5, 79.0 #2B5, and 157.0 #2B5.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7907
FUEL OIL AND REPAIRS

Table with 6 columns: P.O. NO., ITEM NO., FUEL/OIL TYPE, DELIVERY, VENDOR, CHANGE (\$), PRICE (\$) EFF. 04/10/2017. Rows include items 1.0 #2B5 and 2.0 #4B5.

NOTE: CT1 857 20165461786, PO # 1600060

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7908
GASOLINE

Table with 6 columns: CONTR. NO., ITEM NO., FUEL/OIL TYPE, DELIVERY, VENDOR, CHANGE (\$), PRICE (\$) EFF. 04/10/2017. Rows include items 1.0 REG UL, 2.0 PREM UL, 3.0 REG UL, 4.0 PREM UL, and 5.0 E85 (SUMMER).

NOTE:

The National Oilheat Research Alliance (NORA) will resume full operations in 2015 with the fee expanding to #4 heating oil. This fee will apply to heating oil invoices only.

The Bio-Diesel Blender Tax Credit was reinstated for 2014. As of January 1, 2015, the Bio-Diesel Blender Tax Credit has been rescinded for \$1.00 per gallon on B100.

Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax.

REMINDER FOR ALL AGENCIES:

Please send inspection copy of receiving report for all gasoline (E85, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

a14

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/8/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists various parcel numbers and their corresponding block and lot information.

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY

BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a11-24

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/7/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists various parcel numbers and their corresponding block and lot information.

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a11-24

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 6/30/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
308	11546	29
388	11555	38
389	11555	40
421	11561	22
211	11530	28
379, 379A & 379B	11555	5
365	11555	55
229	11531	6
62	11514	1
175	11530	36
393	11559	44

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a3-14

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/1/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
332, 332A & 332B	11553	20
156	11529	3
399	11559	100
119	11515	23
411	11559	30
110, 110A & 110B	11515	36
219	11531	44
95	11514	10
403	11559	13
96	11515	1

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a5-18

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/2/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
293, 293A & 293B	11533	1
394	11559	45
13	11512	14
341	11553	34
133, 133A & 133B	11516	231
132	11516	233
304	11545	10
387	11555	36
6	11512	7
370	11555	62

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a5-18

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/11/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
150	11519	125
125	11516	240
163	11529	14
166	11529	17
100	11515	49
80	11514	28
88	11514	20
238	11531	16
27	11513	49
7	11512	8

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a14-27

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/9/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
84	11514	25
44	11513	29
233	11531	11
145	11519	130
395	11559	48
162	11529	13
145	11519	130
183	11530	46
87	11514	22
10	11512	11

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

a12-25

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/4/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
18	11512	20
36	11513	39
182	11530	45
239	11531	17
302	11544	6
173	11529	25
236	11531	14
352, 352A & 352B	11554	24

177 11530 39
16 11512 17

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller
a7-20

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/3/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
225, 225A	11531, 11531	50, 51
408	11559	19
383	11555	31
86	11514	23
401, 402	11559, 11559	9, 12
120	11515	22
306	11546	25
367	11555	58
131	11516	234

Acquired in the proceeding entitled: PITKIN AVENUE CROSS BAY BOULEVARD TO 97TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller
a6-19

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: April 10, 2017

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
37 Broome Street, Brooklyn		27/17	October 4, 2004 to Present

Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

a10-18

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: April 10, 2017

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
237 Madison Avenue, Manhattan		13/17	March 24, 2014 to Present
533 West 162 nd Street, Manhattan		25/17	March 1, 2014 to Present
28 East 130 th Street, Manhattan		28/17	March 16, 2014 to Present
220 West 137 th Street, Manhattan		29/17	March 16, 2014 to Present
255 West 123 rd Street, Manhattan		30/17	March 16, 2014 to Present
6 Convent Avenue, Manhattan		31/17	March 16, 2014 to Present
767 St. Nicholas Avenue, Manhattan		34/14	March 23, 2014 to Present
121 Lewis Avenue, Brooklyn		26/17	March 6, 2014 to Present
255 South 3 rd Street, Brooklyn		35/17	March 24, 2014 to Present
466 Classon Avenue, Brooklyn		37/17	March 31, 2014 to Present

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

a10-18

MAYOR'S OFFICE OF CONTRACT SERVICES

■ NOTICE

Notice of Intent to Issue New Solicitation(s) Not Included in FY 2017 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2017 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: HRA
Description of Services Sought: Maintenance & Support of Juniper Equipment
Start Date of proposed contract: July 1, 2017
End date of proposed contract: June 30, 2018
Method of solicitation agency intends to utilize: Intergovernmental Personnel in substantially similar titles within the agency: None
Headcount of personnel in substantially similar titles within the agency: 0

Agency: HRA
Description of Services Sought: Puppet Professional Services-- automate, monitor, and regulate server configuration process, restore damaged Reengineering servers
Start Date of proposed contract: July 1, 2017
End date of proposed contract: June 30, 2018
Method of solicitation agency intends to utilize: Intergovernmental Personnel in substantially similar titles within the agency: None
Headcount of personnel in substantially similar titles within the agency: 0

◀ a14

Notice of Intent to Extend Contract(s) Not Included in FY 2017 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2017 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Administration for Children's Services
FMS Contract #: 20151424934-00001
Vendor: Chapin Hall Center for Children
Description of services: Analytical Information Systems and Research Consultation Services
Award method of original contract: Request For Proposal
FMS Contract type: 10
End date of original contract: 8/15/2017
Method of renewal/extension the agency intends to utilize: Discretionary Extension
New start date of the proposed renewed/extended contract: 8/16/2017
New end date of the proposed renewed/extended contract: 12/31/2017
Modifications sought to the nature of services performed under the contract: None
Reason(s) the agency intends to renew/extend the contract: This time and money contract amendment is necessary for the completion of a 4E Waiver -related project.
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a14

CHANGES IN PERSONNEL

Table with 8 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Contains personnel changes for DEPT OF PARKS & RECREATION FOR PERIOD ENDING 03/10/17.

Table with 8 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Continuation of personnel changes for DEPT OF PARKS & RECREATION FOR PERIOD ENDING 03/10/17.

Table with 8 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for various agencies including NIEVES-AGOSTO, NUNEZ, ORDONEZ, OWUSU-ASIAMAH, PAPA, PARKER, PASKOVA, PATEL, MANOJKUM, PATHEL, PEREIRA, EMILY, A, PEREZ, NATALIA, PIOWARSKI JR, JOSEPH, C, POHLA, CHRISTIN, L, REAVES, ADAM, W, RIVERA, CASSANDR, 56057, RUZEK, ANNE, M, 22427, SANFILIPPO, GIUSEPPE, N, 22427, SEAQUIST, AMANDA, J, 60421, SEGARRA, CRISTINA, M, 80633, SINGLETON, SHAWNELL, L, 80633, SOMANATHAN, SANJITH, 22427, SOUZA, MARVIN, L, 22427, STEIN, ALEXANDE, R, 10071, TAVAREZ, JAVIER, 81310, TAZIVA, INNOCENT, 22427, TORRES TOBAR, HENRY, 20210, TSE, DAVID, K, 22427, TYLER, RONALD, 22427, URISAKA, MIKI, F, 22427, VAN HORN, KENDRA, L, 1002F, VEGA, CRYSTAL, A, 21310, VIEITEZ, CONSTANT, 22427, WANG, JOY, C, 1002A, WARD, JUNELL, J, 80633, WARREN, CHAVARR, 06070, WEBSTER, DEOSHORE, 90641, WONG, KING, Y, 22427, YANDOLI, CHRISTOP, L, 81310, YOUNG, MODESTY, S, 80633, ZHANG, CRYSTAL, 22427, ZHELEZNYAK, VLADISLA, 22427, ZIGRINO, FRANK, 56058, ZIGRINO, FRANK, 12626.

Table with 8 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for DEPT. OF DESIGN & CONSTRUCTION FOR PERIOD ENDING 03/10/17.

Table with 8 columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for DEPT OF INFO TECH & TELECOMM FOR PERIOD ENDING 03/10/17.

SARMA	LALITHA	A	1002A	\$73000.0000	APPOINTED	NO	02/26/17	858
STRAUSS	JULIETTA	D	12749	\$41139.0000	APPOINTED	NO	02/26/17	858
THOMAS	PHILIP		13632	\$120000.0000	RESIGNED	YES	12/29/16	858
TURNER	BILLY		56056	\$39261.0000	RESIGNED	YES	02/26/17	858

DEPT OF RECORDS & INFO SERVICE
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
DELOATCH	MICHAEL	90644	\$35000.0000	APPOINTED	YES	02/26/17	860	
DIXON	CAROLYN	60910	\$49394.0000	RETIRED	NO	03/02/17	860	

CONSUMER AFFAIRS
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BODAWALA	MADHAVI	I	10050	\$102000.0000	APPOINTED	YES	02/21/17	866
BONNY	JOHANA	C	60910	\$50000.0000	APPOINTED	NO	02/26/17	866
HUNTER	CHEVON	P	56057	\$45000.0000	RESIGNED	YES	03/01/17	866
KEPPLER	KRISTEN	M	30087	\$76275.0000	APPOINTED	YES	02/19/17	866
MORALES	LUIS	A	33995	\$40000.0000	APPOINTED	YES	02/21/17	866
TSE	ANTHONY	T	56057	\$48945.0000	RESIGNED	YES	02/19/17	866
VAZIRANI	PUSHPA		60910	\$48631.0000	APPOINTED	NO	11/29/16	866

DEPT OF CITYWIDE ADMIN SVCS
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BRASSE	SHIREEN	J	10026	\$91217.0000	DECREASE	NO	02/27/17	868
CHEN	DAVID		20410	\$72000.0000	APPOINTED	YES	02/26/17	868
CHEUNG	JACK	M	12749	\$38095.0000	APPOINTED	NO	02/21/17	868
COBLE	JERMAINE	S	10209	\$12.5500	APPOINTED	YES	02/28/17	868
CORD	DYRON		80633	\$12.1400	APPOINTED	YES	02/21/17	868
DAVIS	STACEY	S	1002A	\$76875.0000	INCREASE	NO	12/18/16	868
ESTEVEZ	BRANDON	A	90644	\$29881.0000	TERMINATED	YES	02/16/17	868
FRANCIS-MOORER	KAREN	M	54739	\$71250.0000	APPOINTED	YES	02/21/17	868
HERBERT	JACQUELI	H	10124	\$49284.0000	APPOINTED	NO	01/22/17	868
HOLDER	ROY		10026	\$129268.0000	APPOINTED	NO	12/18/16	868
JACOBS	JACLYN		10026	\$89175.0000	APPOINTED	NO	11/13/16	868
KWONG	DAVID	J	10026	\$144200.0000	INCREASE	NO	12/20/16	868
LUKE	CAROLYN	M	8297A	\$58955.0000	INCREASE	YES	02/12/17	868
LUKE	CAROLYN	M	10124	\$53000.0000	APPOINTED	NO	02/12/17	868
MALAVE JR	ISMABEL		10026	\$85136.0000	DECREASE	YES	02/26/17	868
MORENO	JULIO	C	1002A	\$78944.0000	RESIGNED	YES	02/26/17	868
OLAVARRIA	MARCUS		10026	\$9053.0000	APPOINTED	NO	12/20/16	868
PARISH	DAVID	J	10026	\$117000.0000	APPOINTED	NO	11/13/16	868
PAUL	RYAN	Q	13632	\$105000.0000	APPOINTED	YES	02/21/17	868
PAULSON	NENMELI	V	34171	\$51964.0000	RETIRED	NO	03/01/17	868
PERVAIZ	NAEEM	U	1002D	\$68400.0000	APPOINTED	NO	11/13/16	868
PORTO	FRANK	A	12627	\$82346.0000	RETIRED	NO	03/01/17	868
ROBINSON JAMES	LBLEAH	L	1002A	\$73597.0000	APPOINTED	NO	12/20/16	868
ROSA	SOL		80609	\$35020.0000	RETIRED	NO	03/02/17	868
TOCI	NAZMIJE		8297A	\$60000.0000	APPOINTED	YES	02/21/17	868
WHITHAM	SARAH	A	10026	\$107093.0000	APPOINTED	NO	11/15/16	868
WOODS	DANAE	E	80633	\$12.1400	RESIGNED	YES	01/28/17	868

DISTRICT ATTORNEY-MANHATTAN
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BREEN	JEREMIAH	P	30831	\$66750.0000	APPOINTED	YES	02/26/17	901
BROWN	BARRY		70817	\$49248.0000	INCREASE	NO	01/08/17	901
DAMERON	HANNA	R	30114	\$71500.0000	RESIGNED	YES	02/23/17	901
GUNZBURG	ALYSSA	C	56058	\$80855.0000	RESIGNED	YES	02/24/17	901
JANIS	JEFFREY	W	56058	\$64967.0000	RESIGNED	YES	02/24/17	901
KORNEL	EUGENE	A	30114	\$78000.0000	RESIGNED	YES	02/26/17	901
MOYANO	GISELE	M	30831	\$66750.0000	APPOINTED	YES	02/26/17	901
OLIVA	CHARLES	F	90622	\$41000.0000	APPOINTED	YES	02/05/17	901
RACCIOPI	MICHAEL		56057	\$51972.0000	RESIGNED	YES	02/19/17	901
WELLS	KENYA	L	30114	\$78000.0000	RESIGNED	YES	02/17/17	901
WHITSETT-HERNAN	VALLINE	M	56057	\$38667.0000	APPOINTED	YES	02/26/17	901
YOUNG	AARON	T	56057	\$32543.0000	APPOINTED	YES	02/26/17	901

BRONX DISTRICT ATTORNEY
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BUIE	LARRON	W	52406	\$27331.0000	APPOINTED	YES	02/21/17	902
CAIOLA	THERESA	M	56056	\$34814.0000	INCREASE	YES	02/28/17	902
CLUNIS	CORBIN		52406	\$27331.0000	APPOINTED	YES	02/26/17	902
DONATO	ELSIE	I	1002C	\$69188.0000	RETIRED	NO	03/01/17	902
DUNNE	AMANDA	J	56057	\$41036.0000	APPOINTED	YES	02/21/17	902
GUTIERREZ	SHAMAIINE	Y	05322	\$71450.0000	RETIRED	YES	03/02/17	902
HIRA	SONIA	S	56056	\$34814.0000	RESIGNED	YES	02/26/17	902
HOPSON	MELISSA		56057	\$38183.0000	APPOINTED	YES	02/21/17	902
KEPPLER	KRISTEN	M	30114	\$66900.0000	RESIGNED	YES	02/19/17	902
LARA	MANUEL	E	05322	\$67288.0000	RETIRED	YES	03/02/17	902
LEBRON	ANTHONY		52406	\$27331.0000	APPOINTED	YES	02/21/17	902
MALAVE	MICHAEL	A	52406	\$27331.0000	APPOINTED	YES	02/21/17	902
MURRAY	ROBERT	M	56057	\$41036.0000	APPOINTED	YES	02/26/17	902
SCHREIBER	DAVID	N	30114	\$66900.0000	RESIGNED	YES	02/19/17	902
STRACQUADANIO	MARIANNE		30114	\$66900.0000	APPOINTED	YES	02/14/17	902
TERRELL III	WILLIAM	S	30114	\$66900.0000	RESIGNED	YES	03/02/17	902
THORP	FRANK	J	30832	\$89549.0000	RETIRED	YES	03/01/17	902

DISTRICT ATTORNEY KINGS COUNTY
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BROOMFIELD	ANNE	M	30114	\$89284.0000	RESIGNED	YES	02/26/17	903
PUGLIESE	CAROLYN	M	56057	\$53088.0000	APPOINTED	YES	02/26/17	903

DISTRICT ATTORNEY QNS COUNTY
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
CHAVEZ	LEONOR	G	56056	\$34814.0000	APPOINTED	YES	02/26/17	904
IGLESIAS	EDWIN		30831	\$55933.0000	APPOINTED	YES	02/21/17	904
KANE	SUSAN	M	30114	\$157821.0000	RETIRED	YES	03/04/17	904
PERLONGO	ELENA	M	56057	\$35683.0000	APPOINTED	YES	02/26/17	904
PROBHERBS	HASSAN	A	56057	\$42750.0000	RESIGNED	YES	02/26/17	904
SANCHEZ	MILAGROS		10252	\$42690.0000	RETIRED	NO	03/01/17	904
SHERRICK	MEGAN	A	56057	\$35683.0000	APPOINTED	YES	02/26/17	904
SUAREZ	LUCINDA	C	30114	\$154136.0000	RETIRED	YES	03/02/17	904
WELLS	JACOB	S	56057	\$35683.0000	RESIGNED	YES	02/17/17	904

DISTRICT ATTORNEY RICHMOND COU
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
ISDITH	ROBERT	T	30114	\$130000.0000	APPOINTED	YES	02/26/17	905
MURPHY	RYAN	J	30114	\$68101.0000	APPOINTED	YES	02/26/17	905

DISTRICT ATTORNEY-SPECIAL NARC
FOR PERIOD ENDING 03/10/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
HIRA	SONIA	S	56057	\$38869.0000	APPOINTED	YES	02/26/17	906

OFFICE OF THE MAYOR
FOR PERIOD ENDING 03/24/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
ANDERSON	DAWN	A	06405	\$47380.0000	RESIGNED	YES	03/12/17	002
BARNES	AMOY	K	0668A	\$65000.0000	INCREASE	YES	01/26/17	002
BLITZER	HANNAH	R	05278	\$146837.0000	INCREASE	YES	03/12/17	002
BOEGLIN	ROSEMARY	G	6087A	\$75000.0000	RESIGNED	YES	03/05/17	002
BRAITHWAITE	ELAINE		0668A	\$138432.0000	INCREASE	YES	03/12/17	002
COHEN	MOLLY	S	0668A	\$82100.0000	INCREASE	YES	02/17/17	002
CONTRERAS BENAV	RAUL	A	6087A	\$65000.0000	INCREASE	YES	01/01/17	002
CORTES-VAZQUEZ	LORRAINE	A	0668A	\$190000.0000	APPOINTED	YES	03/12/17	002
JEFFERIES	ROGER	W	0527A	\$156000.0000	APPOINTED	YES	03/12/17	002
KERSON	JULIA	G	0527A	\$116514.0000	INCREASE	YES	03/12/17	002
KRAUS	JOSHUA	I	0527A	\$154561.0000	INCREASE	YES	03/12/17	002
MCKEIVER	TYRIK	B	0668A	\$120000.0000	APPOINTED	YES	03/12/17	002
SCHNAKE-MAHL	GABRIEL	J	0668A	\$85000.0000	INCREASE	YES	02/12/17	002
VERAS	MARIANA	B	0527A	\$79000.0000	INCREASE	YES	02/17/17	002

BOARD OF ELECTION
FOR PERIOD ENDING 03/24/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
GIUFFRE	ROBERT	A	94210	\$30716.0000	APPOINTED	YES	03/05/17	003
PAGANO	ERMELIND	J	94232	\$18.3000	INCREASE	YES	03/05/17	003
PEDOTA	ELIZABET		94232	\$35094.0000	RESIGNED	YES	02/19/17	003
SCALICE	SHANE		94210	\$30716.0000	INCREASE	YES	03/05/17	003

CAMPAIGN FINANCE BOARD
FOR PERIOD ENDING 03/24/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BATISTA	RICHARD	A	06602	\$52.0000	APPOINTED	YES	03/06/17	004

NYC EMPLOYEES RETIREMENT SYS
FOR PERIOD ENDING 03/24/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
GUTKIN	YELENA		40493	\$45780.0000	INCREASE	YES	03/12/17	009
GUTKIN	YELENA		40491	\$44140.0000	APPOINTED	NO	03/12/17	009
JONES	SHIRLEY	A	10251	\$30580.0000	RESIGNED	NO	03/12/17	009
LORD	TARVES		40493	\$69762.0000	APPOINTED	NO	12/20/16	009
OSTROVSKIY	ANATOLY		40493	\$50760.0000	APPOINTED	NO	02/05/17	009
THOMAS	LASHAWN		60888	\$19.0700	APPOINTED	YES	03/05/17	009

PRESIDENT BOROUGH OF MANHATTAN
FOR PERIOD ENDING 03/24/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
RODRIGUEZ	ORLANDO	A	10053	\$60000.0000	APPOINTED	YES	03/12/17	010

BOROUGH PRESIDENT-BROOKLYN
FOR PERIOD ENDING 03/24/17

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
RESNICK	EUGENE		09959	\$55000.0000	APPOINTED	YES	02/26/17	012

OFFICE OF THE COMPTROLLER
FOR PERIOD ENDING 03/24/

Table with columns: NAME, SALARY, ACTION, YES, DATE, AGENCY. Rows: PENA JOEL A 10209 \$11.5500 APPOINTED YES 03/07/17 015; SANCHEZ RAUL D 13198 \$62000.0000 RESIGNED YES 03/02/17 015

OFFICE OF THE COMPTROLLER FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: SCULLY BARBARA M 40510 \$48631.0000 APPOINTED YES 03/05/17 015; SHABNAM FARHANA 10209 \$11.5500 APPOINTED YES 03/12/17 015; SILVER JESSICA R 13198 \$135000.0000 INCREASE YES 02/28/17 015; SOTELO INGRID D 10022 \$97714.0000 DECREASE YES 03/12/17 015; SZOSTAK PAWEL 10015 \$104000.0000 INCREASE YES 03/12/17 015; WU CHRIS 10209 \$11.5500 APPOINTED YES 03/05/17 015; YIN HUI SHAN 10209 \$11.5500 APPOINTED YES 03/07/17 015; YNDIGOYEN ROSE E 12626 \$55913.0000 APPOINTED YES 12/11/16 015

OFFICE OF EMERGENCY MANAGEMENT FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: DUARTE YOKARINA 06765 \$80000.0000 INCREASE YES 02/26/17 017; JACKSON JENNIFER A 06765 \$82349.0000 RESIGNED YES 10/27/16 017; PEARSALL JENNIFER A 06766 \$60000.0000 APPOINTED YES 03/05/17 017

OFFICE OF MANAGEMENT & BUDGET FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: DANG BARRON 06088 \$73939.0000 APPOINTED YES 03/05/17 019; FARRELL MAUREEN E 06088 \$65433.0000 RESIGNED YES 03/12/17 019; LI GIN KING 06088 \$69358.0000 APPOINTED YES 03/05/17 019; MCCOY MALIKA L 06088 \$69358.0000 RESIGNED YES 03/12/17 019; MLADENOVIC NEMANJA 1002A \$61031.0000 APPOINTED YES 12/18/16 019; OSBORNE ERIK B 1002A \$61031.0000 APPOINTED YES 12/20/16 019; SUN CHRISTOP Y 06088 \$69358.0000 APPOINTED YES 03/05/17 019; TAUB MEGAN A 06088 \$65433.0000 RESIGNED YES 03/05/17 019

LAW DEPARTMENT FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: BARNES CHRISTOP A 10251 \$38956.0000 RESIGNED NO 03/10/17 025; BATTERMAN NANCY 30112 \$81000.0000 RESIGNED YES 05/21/00 025; BYRON TANISHA J 30112 \$114437.0000 RESIGNED YES 03/05/17 025; CELLANTE CHRISTOP R 30112 \$69929.0000 RESIGNED YES 03/07/17 025; CHUEN ANNA 30080 \$22.0100 INCREASE YES 03/12/17 025; DESANGES SAMORAH V 10251 \$33875.0000 TRANSFER NO 01/22/17 025; DOH HYEN JI 30080 \$22.0100 INCREASE YES 03/12/17 025; DRUKER ELINA 30112 \$94092.0000 APPOINTED YES 03/05/17 025; GLICK LEVI Y 30112 \$70959.0000 APPOINTED YES 03/05/17 025; GUADELouPE ANTHONY 10251 \$15.0224 APPOINTED YES 03/12/17 025; RAMSAMMY MARIAT C 1022A \$51273.0000 RESIGNED NO 03/10/17 025; RICKERSHAUSER STEPHEN G 30112 \$68494.0000 APPOINTED YES 03/05/17 025; SHERMAN CARA B 30112 \$74796.0000 APPOINTED YES 03/12/17 025; SWARTZ RHIANA L 30112 \$88325.0000 RESIGNED YES 03/10/17 025; VILLARREAL CLARA M 30112 \$132239.0000 RESIGNED YES 03/04/17 025; WEINER JOSHUA A 30112 \$94092.0000 APPOINTED YES 03/12/17 025; WIDMAYER JEFFREY S 30112 \$83242.0000 APPOINTED YES 03/12/17 025

DEPARTMENT OF CITY PLANNING FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: BALDOCK CHRISTOP A 56058 \$35.5800 APPOINTED YES 03/12/17 030; DOWNING MATTHEW D 13631 \$72744.0000 RESIGNED YES 03/03/17 030; GREENIDGE ASHA 56058 \$60000.0000 APPOINTED YES 03/12/17 030; LAGO MARIA 12992 \$226366.0000 APPOINTED YES 03/05/17 030; PROT ELISE R 22121 \$22.0000 APPOINTED YES 03/12/17 030

DEPARTMENT OF INVESTIGATION FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: BOBBIO CINDY 56057 \$40000.0000 APPOINTED YES 03/05/17 032; CHUNG APRIL 56057 \$40000.0000 APPOINTED YES 03/05/17 032; D'ANGELIS MICHAEL J 31143 \$60000.0000 APPOINTED YES 03/06/17 032; FURIGY REX T 31143 \$56650.0000 RESIGNED YES 03/12/17 032; KIAMZON ELOISA G 56057 \$41200.0000 RETIRED YES 03/15/17 032; OSMAN SAWSAN 31143 \$50000.0000 APPOINTED YES 03/05/17 032

TEACHERS RETIREMENT SYSTEM FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: FELDMAN DANIEL 13631 \$76773.0000 INCREASE NO 01/01/17 041; GABER ALLA 13632 \$127486.0000 APPOINTED NO 09/22/13 041; GILBERT PAUL A 13632 \$93020.0000 INCREASE YES 01/01/17 041; GROYZBURG MIRON 13632 \$93764.0000 INCREASE NO 01/01/17 041; MARTINEZ ANTHONY P 10209 \$15.0000 APPOINTED YES 03/06/17 041; MERKINA ALLA 13632 \$94437.0000 INCREASE NO 01/01/17 041; MYRICK MALIK D 10209 \$11.5000 APPOINTED YES 03/05/17 041

CIVILIAN COMPLAINT REVIEW BD FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: CHANKO NORA M 31165 \$54147.0000 INCREASE YES 03/07/17 054; ELLMAN RACHEL T 31165 \$54147.0000 INCREASE YES 02/22/17 054; MILLIGAN AIYANNA A 31165 \$54147.0000 INCREASE YES 02/22/17 054; MUIR MACDONAL A 31165 \$54147.0000 INCREASE YES 03/14/17 054

POLICE DEPARTMENT FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: ABBAS KHONDOKA A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ABRAHAM MARK A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ADAMS II VICTOR O 92508 \$32885.0000 APPOINTED YES 03/05/17 056; AFSAR NURUL 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AGUAYO KASSANDR 21849 \$61377.0000 INCREASE YES 02/24/17 056; AHAD MD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AHMED MD T 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AHMED SYED A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AITOOMGHAR RACHID 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AKTER DALY 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ALAM DIDARUL 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ALAMUN MD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ALI SAIF 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ALLEN ALEXIS G 71105 \$28355.0000 RESIGNED YES 02/24/17 056; ALLEYNE CHARMAIN S 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ALMAMUN MOHAMMAD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; ANASTASIO GIUSEPPE V 71651 \$30706.0000 APPOINTED NO 02/21/17 056; APOLLON MELISSA 71012 \$36611.0000 APPOINTED NO 02/24/17 056; ATKINSON CASSANDR L 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AVILES TANIA 71651 \$30706.0000 APPOINTED NO 02/21/17 056

POLICE DEPARTMENT FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: AYAD DAVID W 71651 \$30706.0000 APPOINTED NO 02/21/17 056; AYUB AHAMED 71652 \$47053.0000 PROMOTED NO 11/22/16 056; BACCHUS MICHAEL E 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BADHON WALID H 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BALA SUPPIAH S 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BALDEO DAYANAND 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BARBER OCTAVIA N 71012 \$36611.0000 RESIGNED NO 03/03/17 056; BASSETTA MATTHEW T 70210 \$42819.0000 RESIGNED NO 03/15/17 056; BEN LEVI MITUNA E 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BERMEO JUSTIN F 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BHOWMICK SUBRATA 71651 \$30706.0000 RESIGNED NO 03/11/17 056; BHUYIAN MD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BHUYIAN MOHAMMAD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BIRCH MICHAEL A 70210 \$78026.0000 RETIRED NO 03/14/17 056; BOCCIO YASMIN 70205 \$14.0400 RESIGNED YES 02/16/17 056; BOLAN PATRICK E 70210 \$57747.0000 RESIGNED NO 02/02/17 056; BOSO JESSICA A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BRAMWELL ROGER M 71651 \$30706.0000 APPOINTED NO 02/21/17 056; BRANDOFF DANTELLE 21849 \$61377.0000 INCREASE YES 02/24/17 056; BRIDGES LAMONT 91212 \$37200.0000 APPOINTED NO 03/05/17 056; BROWN ISAAC E 60817 \$40909.0000 APPOINTED NO 12/18/16 056; BULLIARD-GIBBS KIM 12627 \$81707.0000 PROMOTED NO 02/25/17 056; BURROWS-KINSEY LINDA 10124 \$49865.0000 RETIRED NO 03/14/17 056; CABRERA MARIA E 70204 \$11.5200 RESIGNED YES 07/22/05 056; CAIATA VIOLA P 60817 \$40909.0000 DISMISSED NO 02/15/17 056; CALLISTRO LETRON E 71022 \$46404.0000 APPOINTED YES 02/26/17 056; CAMA JENNIFER M 12627 \$92801.0000 PROMOTED NO 02/25/17 056; CAMANO ANGELICA M 71651 \$30706.0000 INCREASE NO 02/21/17 056; CAMERON DEBORAH 71012 \$36611.0000 RESIGNED NO 03/03/17 056; CARUSO CHRISTOP J 7021B \$102054.0000 RETIRED NO 01/01/17 056; CELIARE BIANCA A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CHAKRAVARTY SHANKAR P 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CHAPOTEAU DIEUNAME M 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CHASE KENEISHA N 60817 \$31482.0000 DECREASE NO 06/30/16 056; CHATMAN SANDRA C 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CHOUDHURY AL A 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CHOWDHURY AZIZUR R 71651 \$38625.0000 INCREASE NO 02/22/17 056; CHOWHAN SHANCHIT R 71651 \$30706.0000 APPOINTED NO 02/21/17 056; COLLYMORE ROUSHELL V 71651 \$38625.0000 INCREASE NO 02/22/17 056; COMPOSTO STEVEN P 21849 \$61377.0000 INCREASE YES 02/24/17 056; CRAIGBROWN KAREN E 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CRICHLLOW GAYNELL T 71651 \$30706.0000 APPOINTED NO 02/21/17 056; CROOM ELISA M 71651 \$30706.0000 INCREASE NO 02/21/17 056; DAS ARUP K 71651 \$30706.0000 APPOINTED NO 02/21/17 056; DAS ARUP K 71651 \$30706.0000 APPOINTED NO 02/21/17 056; DAS PRANJIT C 71651 \$38625.0000 INCREASE NO 02/22/17 056; DATTA MITA R 71651 \$30706.0000 APPOINTED NO 02/21/17 056; DAVIS DONNA E 10147 \$47084.0000 RETIRED NO 03/01/17 056; DE LEO KESSIA D 12627 \$73389.0000 APPOINTED NO 01/10/17 056; DEARDEN EMILY K 52110 \$78496.0000 RESIGNED NO 02/18/17 056; DEB NANTU L 71651 \$30706.0000 APPOINTED NO 02/21/17 056

POLICE DEPARTMENT FOR PERIOD ENDING 03/24/17

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows: DEB PROBUDH C 71652 \$47053.0000 PROMOTED NO 11/22/16 056; DELISO FRANK N 71012 \$36611.0000 APPOINTED NO 02/24/17 056; DELRIO VIKTOR 70210 \$78026.0000 RETIRED NO 03/07/17 056; DEMENAGAS JOHN E 20410 \$66301.0000 APPOINTED NO 12/12/16 056; DENNIS EVIN B 60817 \$31482.0000 DECREASE NO 06/30/16 056; DERGACHEVA TATYANA 71012 \$49571.0000 RETIRED NO 02/11/17 056; DESMARET SHERLEY G 71012 \$36611.0000 APPOINTED NO 02/24/17 056; DEVIVO ROSEANN 60817 \$40909.0000 DISMISSED NO 03/04/17 056; DEY BITHI 71651 \$30706.0000 APPOINTED NO 02/21/17 056; DIAZ FRANCES 60817 \$40909.0000 DISMISSED NO 02/16/17 056; DIXON MARY D 71651 \$37198.0000 DISMISSED NO 02/14/17 056; DROUVALAKIS ANGELA 71012 \$36611.0000 APPOINTED NO 02/24/17 056; DUBERRY KERVON S 92508 \$32885.0000 APPOINTED YES 03/12/17 056; DURRANT AMPANDA M 71651 \$30706.0000 APPOINTED NO 02/21/17 056; DUTTA SUPRIYA 71651 \$30706.0000 APPOINTED NO 02/21/17 056; EDNESS LOIS E 60817 \$40909.0000 RETIRED NO 02/28/17 056; ESPINAL YINET A 60817 \$31482.0000 APPOINTED NO 03/05/17 056

EVANS SANDRA M 71012 \$36611.0000 APPOINTED NO 02/24/17 056
EZZELL CLAYTON A 71012 \$36611.0000 RESIGNED NO 03/03/17 056
FARNHAM JORDAN A 3008A \$84995.0000 INCREASE YES 01/27/17 056
FARUKI MD B 71651 \$30706.0000 APPOINTED NO 02/21/17 056
FARUQUE AKM O 71651 \$30706.0000 APPOINTED NO 02/21/17 056
FATEMA KANIZ 71651 \$38625.0000 INCREASE NO 02/22/17 056
FELIX SASHA C 71012 \$36611.0000 APPOINTED NO 02/24/17 056
FENG FRANKIE 92508 \$32885.0000 APPOINTED YES 03/17/17 056
FIGUEROA JOSEPH 92508 \$32885.0000 APPOINTED YES 03/12/17 056
FLORSHEIM JOSHUA R 10095 \$139995.0000 APPOINTED YES 02/27/17 056
FORSTER GALVIN JONI 30087 \$85029.0000 APPOINTED YES 03/01/17 056
FOSTER LENNIS G 71651 \$30706.0000 APPOINTED NO 02/21/17 056
FRANCOIS AMANDA 71012 \$36611.0000 APPOINTED NO 02/24/17 056
FUENTES RUTH J 71651 \$30706.0000 APPOINTED NO 02/21/17 056
GADSON CHRISTIN D 71012 \$36611.0000 APPOINTED NO 02/24/17 056
GALLINSKY KARA 21849 \$61377.0000 INCREASE YES 02/24/17 056
GAMMELL LAWRENC SHERNETT A 71651 \$30706.0000 APPOINTED NO 02/21/17 056
GARCIA ANDERSON 71651 \$38625.0000 INCREASE NO 02/22/17 056
GETTER RUBY 60817 \$40909.0000 RETIRED NO 03/16/17 056
GIBBS-DAVIS SHARON R 10144 \$41178.0000 RETIRED NO 03/17/17 056
GOMEZCOELLO MARCO V 71651 \$30706.0000 APPOINTED NO 02/21/17 056
GONZALEZ PABLO A 71651 \$40339.0000 RETIRED NO 03/17/17 056
GRANDPIERRE VIERGELI 71012 \$36611.0000 RESIGNED NO 03/03/17 056
GREEN MICHELLE A 71651 \$40339.0000 RESIGNED NO 03/11/17 056
GREEN III JC 60817 \$31482.0000 RESIGNED NO 03/14/17 056
GRIFFITH CHIELA Z 71651 \$30706.0000 APPOINTED NO 03/21/17 056
GRIFFITH EUNICE J 60817 \$31482.0000 APPOINTED NO 02/05/17 056
GRIFFITHS KEVAN J 92510 \$277.0400 DECREASE YES 01/27/17 056
GRIFFITHS KEVAN J 92508 \$33782.0000 APPOINTED NO 01/27/17 056
GREENEVELDT CELIA C 71012 \$36611.0000 APPOINTED NO 02/24/17 056
GUADELOUPE SHADEE R 71012 \$36611.0000 RESIGNED NO 03/03/17 056
GUILMAY ASHLEY 60817 \$30714.0000 RESIGNED NO 11/03/15 056
GUILLEBEAUX TANASIA T 71651 \$30706.0000 APPOINTED NO 02/21/17 056
GUNKEL JAMES N 10234 \$10.7100 RESIGNED YES 08/13/16 056

POLICE DEPARTMENT
FOR PERIOD ENDING 03/24/17

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
GUPTA RAJESH K 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HAFEEZ ASIF 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HAIN MARIE C 60817 \$40909.0000 RETIRED NO 01/27/17 056							
HANCE MICHAEL J 70210 \$78026.0000 DECREASE NO 03/13/17 056							
HANSON ANDREA D 10144 \$38956.0000 RETIRED NO 03/02/17 056							
HARQUE ANTERAMU 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HARRISON SONIA D 71651 \$37198.0000 DISMISSED NO 03/02/17 056							
HENDERSON TISSHAWN S 70235 \$103585.0000 RETIRED NO 01/01/17 056							
HERNANDEZ LEISHA 71651 \$30706.0000 RESIGNED NO 11/26/16 056							
HERNANDO ERNESTO H 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HERRERA VAZQUEZ ARCELIA 71012 \$36611.0000 APPOINTED NO 02/24/17 056							
HOFFNER MARTIN 13652 \$98696.0000 RESIGNED YES 02/27/17 056							
HOSSAIN MD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HOSSAIN MD M 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HOSSAIN MD S 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HOSSAIN MOHAMMAD A 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
HOSSAIN MOHAMMAD B 71652 \$47053.0000 PROMOTED NO 11/22/16 056							
HUSSAIN A T M M 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
IKEGUNE JOHN A 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
IPPOLITO MICHAEL V 91628 \$457.3600 APPOINTED NO 03/05/17 056							
IRIZARRY KEVIN 90644 \$34968.0000 RETIRED YES 03/08/17 056							
ISLAM MD R 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
ISLAM MD S 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
ISLAM SHAHIDUL 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
JAHAN ISRAH 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
JAKOBSON NICHOLAS 31170 \$94890.0000 INCREASE YES 01/27/17 056							
JAMES SUZETTE S 60817 \$31482.0000 DECREASE NO 06/30/16 056							
JANKOWSKI RICHARD R 90756 \$349.1600 APPOINTED NO 01/03/17 056							
JEAN-FRANCOIS THONY 71022 \$46404.0000 APPOINTED YES 02/26/17 056							
JOHNSON ONDRE 7021D \$90822.0000 RETIRED NO 01/01/17 056							
JONES AMBER J 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
JONES ROCHELLE M 71022 \$46404.0000 APPOINTED YES 02/26/17 056							
JORDAN LINDA G 10144 \$38956.0000 RETIRED NO 03/03/17 056							
JOSEPH GLORIA V 70205 \$14.7600 RETIRED YES 03/01/17 056							
JOSEPH JOHN 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
KABIR MUHAMMED A 71652 \$47053.0000 PROMOTED NO 11/22/16 056							
KABIR SAYED M 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
KALSI CHARAN S 90733 \$391.6000 RETIRED NO 03/17/17 056							
KARIM MOHAMMAD R 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
KAUR SUKHWIND 71651 \$30706.0000 INCREASE NO 02/21/17 056							
KELLY JR TRAVIS 70210 \$42819.0000 RESIGNED NO 03/09/17 056							
KENNEDY ANTOINET N 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
KHAN ABDUR 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
KHAN NADIA 70210 \$42819.0000 RESIGNED NO 03/09/17 056							
KHAN SHAMEER 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
LAROSE JOHN T 70265 \$152534.0000 RETIRED NO 08/25/16 056							
LEATH CAROLYN J 12627 \$77439.0000 RETIRED NO 03/01/17 056							
LEE JIMMY 12627 \$75103.0000 APPOINTED NO 11/20/16 056							
LENNOX CASBY 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
LIN FENG GUA 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
LINO PETER E 71013 \$55992.0000 PROMOTED NO 02/24/17 056							

POLICE DEPARTMENT
FOR PERIOD ENDING 03/24/17

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
LOPEZ PINEDA LUIS A 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
LORENZO EILEEN P 70205 \$14.0700 RETIRED YES 03/01/17 056							
LUCAS THOMAS 71012 \$36611.0000 RESIGNED NO 03/03/17 056							
MACK MONIQUE E 60817 \$31482.0000 APPOINTED NO 03/05/17 056							
MAGAR KHADGA B 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
MAHAMUD IMRAN 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
MAHAMUD MUHAMMAD F 71651 \$30706.0000 APPOINTED NO 02/21/17 056							

MAHONCHAK LOIS 12626 \$55913.0000 APPOINTED NO 01/03/17 056
MALIK SYEDA S 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MALJEVIC DANIEL 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MAMUNUJJAMAN MD 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MANDAL PALTU C 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MANDIATA ADAMS S 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MANSON KIMBERLY D 12627 \$86257.0000 PROMOTED NO 02/25/17 056
MARBURY SHANTA M 71012 \$36611.0000 APPOINTED NO 02/24/17 056
MARQUEZ PHILLIP A 70210 \$42819.0000 RESIGNED NO 03/24/17 056
MARTIN ISHEMA L 71013 \$55992.0000 PROMOTED NO 02/14/17 056
MARTINEZ NADIA 60817 \$38828.0000 DISMISSED NO 02/14/17 056
MARTINO JOSEPH 70210 \$49760.0000 RESIGNED NO 03/15/17 056
MAURIELLO CARLO A 70210 \$42819.0000 RESIGNED NO 03/09/17 056
MCDONALD DERRICK L 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MCGETTIGAN AMANDA 21849 \$61377.0000 INCREASE YES 02/24/17 056
MCKENZIE LATOYA M 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MCLEOD PRESTINA M 71012 \$36611.0000 APPOINTED NO 02/24/17 056
MCNAIR ALYSSA 71651 \$30706.0000 APPOINTED NO 03/13/17 056
MEADOWS IRENE M 71651 \$34917.0000 RESIGNED NO 03/14/17 056
MERCURY ISIAH A 71651 \$30706.0000 INCREASE NO 02/21/17 056
MERISIER OBERNE 71022 \$46404.0000 APPOINTED YES 02/27/17 056
MIAH ABUL KHA M 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MIAH MOHAMMAD S 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MIAO JENNY 12627 \$79260.0000 PROMOTED NO 02/25/17 056
MICOZZI JAMES A 70260 \$118902.0000 RETIRED NO 11/10/16 056
MILLER ERIC D 70210 \$42819.0000 RESIGNED NO 03/09/17 056
MILLS YOLANDA Y 60817 \$40909.0000 DISMISSED NO 02/15/17 056
MINETTE TAWN N 71012 \$49571.0000 DISMISSED NO 03/01/17 056
MIRANDA ANALY 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MOHES POORAN 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MONDOL MD RAIS U 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MUHAMMAD ABDULLAH K 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MUI KIN H 60817 \$40909.0000 RETIRED NO 03/01/17 056
MUNOZ JONATHAN M 70210 \$78026.0000 DISMISSED NO 03/09/17 056
MUNROE SHANAI A Z 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MURRAY SHERRELL 60817 \$40909.0000 DISMISSED NO 02/14/17 056
MUSHTAQ UMAR 71651 \$30706.0000 APPOINTED NO 02/21/17 056
MUYENUDDIN KHAWAJA 71651 \$30706.0000 APPOINTED NO 02/21/17 056
NAGORA-PLAZA PATRICIA A 70205 \$14.0700 RETIRED YES 02/22/17 056
NAZARIO ANGEL L 60817 \$39868.0000 RESIGNED NO 03/04/17 056
NELSON ANDY L 60817 \$40909.0000 RETIRED NO 03/09/17 056
NELSON-GRANT MAKEDA 60817 \$34666.0000 DISMISSED NO 02/14/17 056
NETROSIO MICHAEL J 10096 \$136217.0000 RETIRED YES 06/28/16 056
NG AMY 10144 \$33875.0000 APPOINTED NO 01/29/17 056

POLICE DEPARTMENT
FOR PERIOD ENDING 03/24/17

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
NGUYEN JONATHAN 12626 \$55913.0000 APPOINTED NO 01/03/17 056							
NICHOLS LINDA A 10144 \$39000.0000 RETIRED NO 03/10/17 056							
NICHOLSON MAUREEN B 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
NOBI MIRZA N 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
NOTO THOMAS R 91717 \$343.0000 APPOINTED YES 02/26/17 056							
NOWLIN MICHELLE L 60817 \$40909.0000 RESIGNED NO 03/04/17 056							
OBRIEN RANDOLPH C 71012 \$46304.0000 RESIGNED NO 03/07/17 056							
OJHA GANESH P 71651 \$30706.0000 APPOINTED NO 02/21/17 056							
OLIVEIRA GABRIEL P 91717 \$343.0000 APPOINTED YES 01/29/17 056							
OLLIVIERRE-HECT CHERRYAN N 71651 \$37198.0000 RESIGNED NO 03/11/17 056							
OMALLEY KATHRYN A 90644 \$29882.0000 APPOINTED YES 03/05/17 056							
OONNOONNY THOMAS 91212 \$46558.0000 RETIRED NO 02/24/17 056							
OROZCO STEFANIA 71012 \$36611.0000 APPOINTED NO 02/24/17 056							
ORTEGA JOSHUA 10144 \$33875.0000 RESIGNED NO 03/01/17 056							
OSBORNE SHANIQUA D 7021D \$89108.0000 DECREASE NO 03/17/17 056							
PACE NAJMA A 71022 \$52437.0000 INCREASE YES 01/30/17 056							
PACE NAJMA A 60817 \$40909.0000 APPOINTED NO 01/30/17 056							
PALLOTTA FRANK D 92508 \$32885.0000 APPOINTED YES 03/12/17 056							

LATE NOTICE

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

CORRECTED PUBLIC NOTICE

PUBLIC HEARING IN THE MATTER OF the amendment to the terms and conditions of certain real property previously conveyed by the City of New York ("City"), as submitted by the Department of Housing Preservation and Development ("HPD"), pursuant to Section 695(2)(b) of the General Municipal Law and Section 1802(6)(j) of the Charter, located in the Borough of the Bronx and known as:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>
2426	62	382 East 168 th Street

2371	27	490 East 167 th Street
2371	29	494 East 167 th Street
2371	1	1088 Washington Avenue
2371	6	1102 Washington Avenue

on the Tax Map of the City ("Premises") and also now known as the 163rd Street, Bronx Housing Development Fund Company Inc., project in the Participation Loan Program.

The City conveyed the referenced Premises to 167th Street Housing Development Fund Corporation ("Current Owner") under HPD's Special Initiatives Program on June 25, 1999, pursuant to Mayoral Approval Document dated March 19, 1999 (Cal. No. 8). The Premises consists of (A) four (4) multiple dwellings containing an aggregate of seventy-three (73) dwelling units for low income families and approximately 3,225 square feet of commercial space located on Block 2426, Lot 62 and Block 2371, Lots 29, 1 and 6 (collectively, the "Project Premises") and (B) one (1) community facility space and one (1) vacant residential unit, located on Block 2371, Lot 27 (the "Community Facility Premises") all located in the Bronx. The City deed contains a restriction which prohibits the Current Owner from conveying the Premises to any entity other than a governmental entity or a not-for-profit corporation which qualifies under Section 501(c)(3) of the Internal Revenue Code. This submission is to request approval to modify the Deed to remove the requirement that the Premises be conveyed to an entity which qualifies under Section 501(c)(3) and instead allow Current Owner to convey (A) the Project Premises to any housing development fund company organized pursuant to the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law (the "Qualified HDFC"), and to allow such Qualified HDFC (i) to convey the Project Premises to another Qualified HDFC or (ii) to retain legal title to the Project Premises and convey its beneficial interest in the Project Premises and (B) the Community Facility Premises to an affiliate of Current Owner or another entity approved by HPD (the "New Community Facility Owner").

The Premises is now part of a proposed preservation transaction. Under the proposed transaction, Current Owner will convey (A) the Project Premises to 163rd Street Bronx Housing Development Fund Company, Inc. ("Legal Project Owner") and the Legal Project Owner will transfer the beneficial interest in the Project Premises to 163rd Street Equities LLC ("Beneficial Project Owner," and together with Legal Project Owner, collectively, "New Project Owner"), and (B) the Community Facility Premises to New Community Facility Owner. New Project Owner will rehabilitate the Project Premises and extend the affordability of the Project Premises for forty (40) years from the date of its acquisition and New Community Facility Owner will continue to use the Community Facility Premises in conformity with its current certificate of occupancy.

PLEASE TAKE NOTICE that public hearings will be held at (i) 10:00 A.M. on Monday, May 8, 2017, at the New York Public Library, 910 Morris Avenue, Bronx, NY 10456, and (ii) 10:00 A.M. on Monday, May 22, 2017, at the offices of Bronx Community Board 3, 1426 Boston Road, Bronx, NY 10456, or as soon thereafter as the matter may be reached on the calendar, at which time and place those wishing to be heard will be given an opportunity to be heard concerning the proposed modification of deed restriction pursuant to Section 695(2)(b) of the General Municipal Law and Section 1802(6)(j) of the Charter.

Individuals requesting sign language interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, Room 905, 253 Broadway, New York, NY 10007, (212) 788-7490, no later than seven (7) business days prior to the public hearing. TDD users should call Verizon relay services.

Accessibility questions: Kimberly Jefferson Stratton, (718) 588-0110, by: Friday, April 28, 2017, 10:00 A.M.



← a14

CONTRACT AWARD HEARINGS

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, 9TH FLOOR, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICES.

COMPTROLLER

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Municipal Building, 1 Centre Street, Room 800, on Monday, April 24, 2017, at 10:30 A.M., on the following items:

- (1) **IN THE MATTER OF** a proposed contract between the Office of the Comptroller and Abel Noser Corporation, Inc., One Battery Park Plaza, 6th Floor, New York, NY 10004, for the provision of transition management independent evaluation services agreement for the NYC Retirement Systems, and related funds (the "Systems").

The term of the contract will commence January 1, 2017, and remain in effect through December 31, 2017. The estimated contract amount is \$150,000. The cost of services will be paid from the corpus of the City pension funds.

PIN: 015-07812501QS

- (2) **IN THE MATTER OF** a proposed contract between the Office of the Comptroller and Zeno Consulting Group, LLC, 7910 Woodmont Avenue, Bethesda, MD 20814 for the provision of transition management independent evaluation services agreement for the NYC Retirement Systems, and related funds (the "Systems").

The term of the contract will commence January 1, 2017, and remain in effect through December 31, 2017. The estimated contract amount is \$150,000. The cost of services will be paid from the corpus of the City pension funds.

PIN: 015-07812503QS

The proposed contractors were selected pursuant to a negotiated acquisition in accordance with Section 3-04 of the PPB Rules.

A copy of the contracts, or excerpts thereof, can be seen at the Office of the Comptroller, 1 Centre Street, Room 800, New York, NY 10007, Monday through Friday excluding holidays, commencing April 14, 2017, through April 23, 2017, between 10:00 A.M. and 5:00 P.M.

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HOMELESS SERVICES

■ PUBLIC HEARINGS

CORRECTED NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing, will be held on Thursday, April 20, 2017, 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 of the City of New York and the contractor listed below, to operate a New Stand-Alone Transitional Residence for Homeless Single Adults. The term of this contract will be from January 23, 2017 to June 30, 2021 with an option to renew from July 1, 2021 to June 30, 2025.

<u>Vendor/Address</u>	<u>Site Address</u>	<u>E-PIN</u>	<u>Amount</u>
Core Services Group, Inc.	Bergen House Shelter	07110P0002153	\$32,000,000.00
45 Main Street, Suite 711	1173 Bergen Street		
Brooklyn, NY 11201	Brooklyn, NY 11213		

The proposed contractor has been selected through the Competitive Sealed Proposal method, pursuant to Section 3-03 (b) (2) of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, Office of Contracts, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from April 14, 2017 to April 20, 2017, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and holidays. If you need to schedule an inspection appointment and/or need additional information, please contact Paul Romain at (929) 221-5555.



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READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on 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 Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

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 \$17 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. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center 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 at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides 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 lists 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 an Agency 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 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

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, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these

entities directly at the addresses given in the Vendor Information Manual.

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 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

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 this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

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 pays interest on all late invoices. 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's website at www.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:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/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:
CSP	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	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	Sole Source Procurement/only one source
SS	Procurement from a Required Source/ST/FED
RS	Negotiated Acquisition
NA	For ongoing construction project only: Compelling programmatic needs
NA/8	New contractor needed for changed/additional work
NA/9	Change in scope, essential to solicit one or limited number of contractors
NA/10	Immediate successor contractor required due to termination/default
NA/11	For Legal services only:

NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP only)
WA1	Preventing 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) anti-apartheid preference
OLB/a	local vendor preference
OLB/b	recycled preference
OLB/c	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 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
Use the following address unless otherwise specified or submit bid/proposal documents; etc.	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record