



# THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD U.S.P.S. 0114-660  
Printed on paper containing 30% post-consumer material

VOLUME CXLIV NUMBER 156

MONDAY, AUGUST 14, 2017

Price: \$4.00

## TABLE OF CONTENTS

### PUBLIC HEARINGS AND MEETINGS

Board Meetings	5031
Administrative Trials and Hearings	5032
Borough President - Manhattan	5032
City Planning Commission	5032
Equal Employment Practices Commission	5088
Landmarks Preservation Commission	5088
Mayor's Office of Environmental Coordination	5089
School Construction Authority	5090
Transportation	5091

### PROPERTY DISPOSITION

Citywide Administrative Services	5092
Office of Citywide Procurement	5092
Housing Preservation and Development	5092
Police	5093

### PROCUREMENT

Administration for Children's Services	5094
Health and Mental Hygiene	5094
Housing Authority	5094
Supply Management	5094
Office of Labor Relations	5094
Law Department	5095
Parks and Recreation	5095
Contracts	5095
Sanitation	5095
Transportation	5095
Transportation Planning and Management	5095

### CONTRACT AWARD HEARINGS

Health and Mental Hygiene	5096
---------------------------	------

### AGENCY RULES

Buildings	5096
Environmental Remediation	5097

### SPECIAL MATERIALS

Mayor's Office of Contract Services	5098
-------------------------------------	------

### LATE NOTICE

Office of the Mayor	5098
Housing Recovery Operations	5098

## THE CITY RECORD

**BILL DE BLASIO**

Mayor

**LISETTE CAMILO**

Commissioner, Department of Citywide Administrative Services

**ELI BLACHMAN**

Editor, The City Record

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

Subscription \$500 a year, \$4.00 daily (\$5.00 by mail). Periodicals Postage Paid at New York, N.Y. POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, 17th Floor, New York, N.Y. 10007-1602

Editorial Office/Subscription Changes: The City Record, 1 Centre Street, 17th Floor, New York, N.Y. 10007-1602 (212) 386-0055

Visit The New City Record Online (CROL) at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord) for a searchable database of all notices published in the City Record.

## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOARD MEETINGS

#### MEETING

#### City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, NY 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

#### City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall,

Manhattan, NY 10007, at 1:30 P.M.

#### Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

#### Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/ccrb/html/meeting.html> for additional information and scheduling changes.

#### Design Commission

Meets at City Hall, Third Floor, New York, NY 10007. For meeting schedule, please visit [nyc.gov/designcommission](http://nyc.gov/designcommission) or call (212) 788-3071.

#### Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

#### Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

#### Environmental Control Board

Meets at 100 Church Street, 12th Floor, Training Room #143, New York, NY 10007 at 9:15 A.M. once a month at the call of the Chairman.

#### Board of Health

Meets at Gotham Center, 42-09 28th Street, Long Island City, NY 11101, at 10:00 A.M., quarterly or at the call of the Chairman.

#### Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

#### Board of Higher Education

Meets at 535 East 80th Street, Manhattan, NY 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

#### Citywide Administrative Services

Division of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, NY 10004.

#### Commission on Human Rights

Meets on 10th Floor in the Commission's Central Office, 40 Rector Street, New York, NY 10006, on the fourth Wednesday of each month,

at 8:00 A.M.

**In Rem Foreclosure Release Board**

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

**Franchise and Concession Review Committee**

Meets in Spector Hall, 22 Reade Street, Main Floor, and other days, times and location as warranted.

**Real Property Acquisition and Disposition**

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

**Landmarks Preservation Commission**

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at [www.nyc.gov/landmarks](http://www.nyc.gov/landmarks).

**Employees' Retirement System**

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, NY 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

**Housing Authority**

Board Meetings of the New York City Housing Authority are scheduled for the last Wednesday of each month (except August) at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY 10007 (unless otherwise noted). Any changes to the schedule will be posted here and on NYCHA's website at [http://www.nyc.gov/html/nycha/html/about/boardmeeting\\_schedule.shtml](http://www.nyc.gov/html/nycha/html/about/boardmeeting_schedule.shtml) to the extent practicable at a reasonable time before the meeting. For additional information, please visit NYCHA's website or contact (212) 306-6088.

**Parole Commission**

Meets at its office, 100 Centre Street, Manhattan, NY 10013, on Thursday, at 10:30 A.M.

**Board of Revision of Awards**

Meets in Room 603, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

**Board of Standards and Appeals**

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

**Tax Commission**

Meets in Room 936, Municipal Building, Manhattan, NY 10007, each month at the call of the President. Manhattan, monthly on Wednesdays, commencing 2:30 P.M.

---

---

**ADMINISTRATIVE TRIALS AND HEARINGS**

---

■ MEETING

The next meeting of the Environmental Control Board will take place on Thursday, August 24, 2017, at **100 Church Street, 12th Floor, Training Room #143**, New York, NY 10007, at 9:15 A.M., at the call of the Chairman.

a10-14

---

---

**BOROUGH PRESIDENT - MANHATTAN**

---

■ MEETING

The August 2017 Manhattan Borough Board Meeting, will be held on Thursday, August 17th, 2017, at 8:30 A.M., at 1 Centre Street, 19th Floor South, New York, NY 10007.

Accessibility questions: Brian Lafferty, [blafferty@manhattanbp.nyc.gov](mailto:blafferty@manhattanbp.nyc.gov), (212) 669-4564, by: Tuesday, August 15, 2017, 6:00 P.M.



a10-17

---

---

**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 10007, on Wednesday, August 23, 2017 at 9:30 A.M.

**CITYWIDE  
Nos. 1 & 2  
SELF STORAGE TEXT AMENDMENT  
No. 1**

**CITYWIDE** **N 170425 ZRY**

**IN THE MATTER OF** an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to create a definition, a use and, in designated areas, a special permit for self-service storage facilities and to establish APPENDIX J (Designated Areas in Manufacturing Districts).

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 I  
GENERAL PROVISIONS**

**Chapter 2  
Construction of Language and Definitions**

\* \* \*

**12-10  
DEFINITIONS**

\* \* \*

**Self-service storage facility**

A "self-service storage facility" is a moving or storage office #use# or a warehouse #use# listed in Use Group 16D, for the purpose of storing personal property, and where such:

- (a) facility is partitioned into individual, securely subdivided space for lease; or
- (b) facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices; and
- (c) floor spaces or storage devices are less than 300 square feet in area and are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

\* \* \*

**ARTICLE III  
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2  
Use Regulations**

\* \* \*

**32-10  
USES PERMITTED AS-OF-RIGHT**

\* \* \*

**32-25  
Use Group 16**

C8

Use Group 16 consists of automotive and other necessary semi-industrial #uses# which:

- (1) are required widely throughout the City; and
- (2) involve offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable influences, making such #uses# incompatible with #residential uses# and other #commercial uses#.

\* \* \*

**D. Heavy Service, Wholesale, or Storage Establishments**

Carpet cleaning establishments [PRC-F]

Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment [PRC-F]

Laundries, with no limitation on type of operation [PRC-F]

Linen, towel or diaper supply establishments [PRC-F]

Moving or storage offices, with no limitation as to storage or #floor area# per establishment [PRC-G]<sup>2</sup>

Packing or crating establishments [PRC-G]

Photographic developing or printing with no limitation on #floor area# per establishment [PRC-C]

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment [PRC-G]

Warehouses [PRC-G]<sup>2</sup>

Wholesale establishments, with no limitation on #accessory# storage [PRC-C]

E. #Accessory Uses#

- In designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is permitted only by special permit of the City Planning Commission pursuant to Section 74-932.

\* \* \*

ARTICLE IV  
MANUFACTURING DISTRICT REGULATIONS

Chapter 2  
Use Regulations

\* \* \*

42-10  
USES PERMITTED AS-OF-RIGHT

42-11  
Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B

M1

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-13, 32-14, 32-15, 32-16, 32-18, 32-21.

Use Group 4A shall be limited to all health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), and houses of worship. Such #uses# are not subject to the special permit provisions of Sections 42-32 and 74-921.

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

M1 M2 M3

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

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

Use Group 10A shall be limited to depositories for storage of office records, microfilm or computer tapes, or for data processing; docks for ferries; office or business machine stores, sales or rental; photographic or motion picture production studios; and radio or television studios.

In the #Manhattan Core#, automobile rental establishments, #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 6.

In designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is permitted only by special permit of the City Planning Commission pursuant to Section 74-932.

\* \* \*

42-30  
USES PERMITTED BY SPECIAL PERMIT

42-31  
By the Board of Standards and Appeals

\* \* \*

42-32  
By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

\* \* \*

M1 M2 M3

Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

M1 M2 M3

#Self-service storage facilities# in designated areas within

#Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

M1

#Uses# listed in Use Group 4A Community Facilities, except ambulatory diagnostic or treatment health care facilities and houses of worship

M1

Variety stores, with no limitation on #floor area# per establishment [PRC-B]

\* \* \*

ARTICLE V  
NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

Chapter 2  
Non-Conforming Uses

\* \* \*

52-40  
ENLARGEMENTS OR EXTENSIONS

\* \* \*

52-46  
Conforming and Non-conforming Residential Uses in M1-1D Through M1-5D Districts

\* \* \*

52-47  
Non-conforming Self-Service Storage Facilities in Designated Areas Within Manufacturing Districts

In designated areas within #Manufacturing Districts, a #self-service storage facility# that existed on [date of adoption] may #enlarge# or #extend# on the same #zoning lot#, provided that:

- (a) such #self-service storage facility# has filed documentation that is satisfactory to the Department of Buildings of its existence prior to [date of adoption] as a Use Group 16D facility that meets the definition of a #self-service storage facility#; and

- (b) such #enlargement# or #extension# does not create a #non-compliance# or increase the degree of #non-compliance# of a #building or other structure#.

\* \* \*

52-50  
DAMAGE OR DESTRUCTION

\* \* \*

52-531  
Permitted reconstruction or continued use

\* \* \*

For the purposes of this Section, any #single-family# or #two family residence# located within an M1-1D, M1-2D, M1-3D, M1-4D, M1-5D or M1-6D District and existing on June 20, 1988; and any #self-service storage facility# existing on [date of adoption], shall be a conforming #uses#.

\* \* \*

ARTICLE VII  
ADMINISTRATION

Chapter 4  
Special Permits by the City Planning Commission

\* \* \*

74-90  
USE AND BULK MODIFICATIONS FOR CERTAIN COMMUNITY FACILITY USES

\* \* \*

74-93  
Special Commercial and Manufacturing Developments

\* \* \*

74-931  
Special commercial or mixed use developments in commercial districts

\* \* \*

74-932  
Self-service storage facility in designated areas within Manufacturing Districts

On #zoning lots# in designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the City Planning

Commission may permit the change of #use# of an existing #building# to, or the #development# of, a #self-service storage facility# provided that:

- (a) the #zoning lot# is appropriate for such #use# considering the economic development objectives of the City; and
- (b) it is impractical to establish another #use# listed in Use Groups 16D (other than a #self-service storage facility), 17 or 18 on such #zoning lot#.

In making this determination, the Commission may consider any of the following:

- (1) the size and configuration of the #zoning lot# and its suitability for a #use# listed in Use Groups 16D (other than a #self-service storage facility), 17 or 18;
- (2) the design and layout of loading docks, interior column spacing, floor-to-floor height and other relevant physical characteristics in an existing #building# and its suitability for a #use# listed in Use Groups 16D (other than a #self-service storage facility), 17 or 18;
- (3) the accessibility of the #zoning lot# to an arterial highway, or a designated truck route; the width of the existing #streets# providing access to the #zoning lot#, and the ability of such #streets# to handle the traffic generated for such a #use# ;
- (4) the proximity of the #zoning lot# to rail and bus transit to serve employees;
- (5) the need to undertake environmental remediation work on the #zoning lot#;
- (6) recent trends and levels of investment in the surrounding area for #uses# listed in Use Groups 16D (other than a #self-service storage facility), 17, or 18 within the last five calendar years; and
- (7) the potential for conflict between such #uses# and existing #uses# in the surrounding area.

The Commission may impose additional terms and conditions to ensure the compatibility of a #self- service storage facility# with the surrounding area.

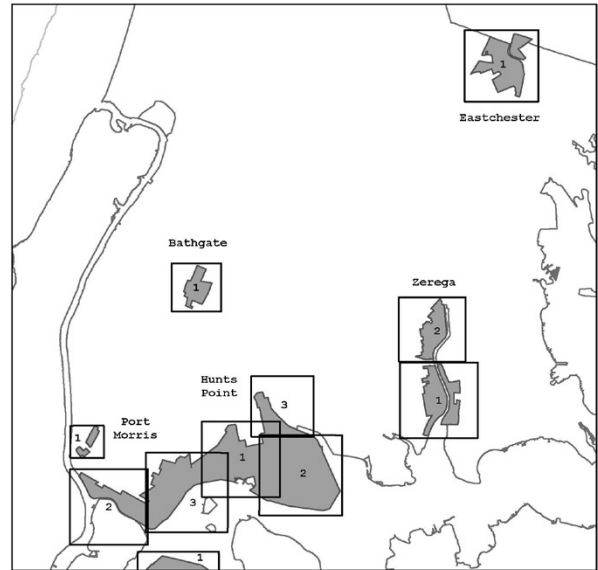
\* \* \*

**APPENDIX J - Designated Areas Within Manufacturing Districts**

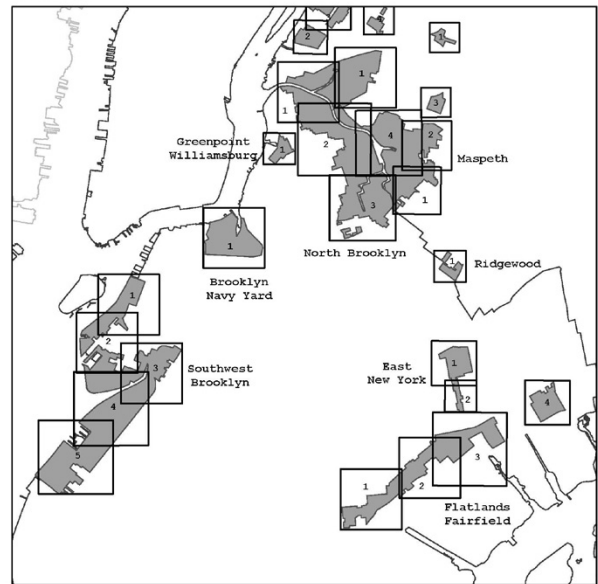
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

Borough	Community Districts	Name of Designated Area in M District	Map No
The Bronx	1, 2	Port Morris	Maps 1-3
The Bronx	2	Hunts Point	Maps 1-3
The Bronx	9, 10	Zerega	Maps 1, 2
The Bronx	3, 4, 6	Bathgate	Map 1
The Bronx	10, 12	Eastchester	Map 1
Brooklyn	2	Brooklyn Navy Yard	Map 1
Brooklyn	6, 7	Southwest Brooklyn	Maps 1-5
Brooklyn	5, 16, 17, 18	Flatlands/Fairfield	Maps 1-4
Brooklyn	5, 16	East New York	Maps 1, 2
Brooklyn/Queens	BK 4/QN 5	Ridgewood	Map 1
Brooklyn	1	Williamsburg/Greenpoint	Map 1
Brooklyn/Queens	BK 1, 4/QN 2	North Brooklyn/Long Island City/ Maspeth	Maps 1-3
Queens/ Brooklyn	QN 2, 5/BK 1	Maspeth/North Brooklyn	Maps 1-4
Queens	1, 2	Long Island City	Maps 1-4
Queens	2	Woodside	Map 1
Queens	1	Steinway	Maps 1, 2
Queens	9, 12	Jamaica	Maps 1-4
Queens	10, 12, 13	JFK	Maps 1-3
Staten Island	1	North Shore	Maps 1-5
Staten Island	1, 2	West Shore	Maps 1-3
Staten Island	3	Rossville	Map 1

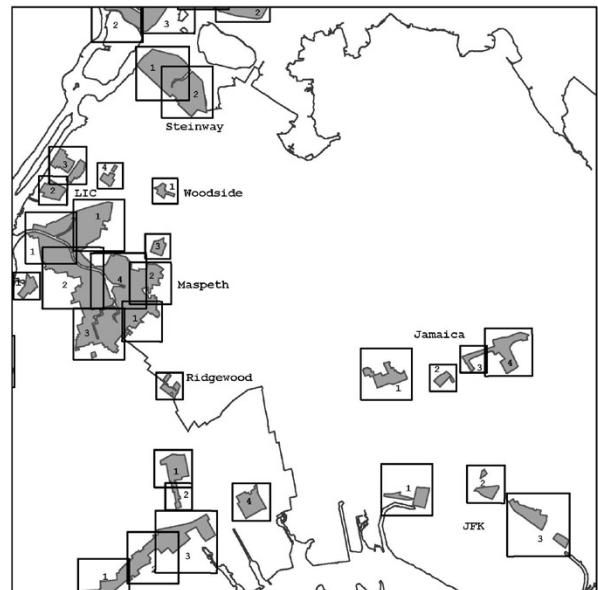
The Bronx



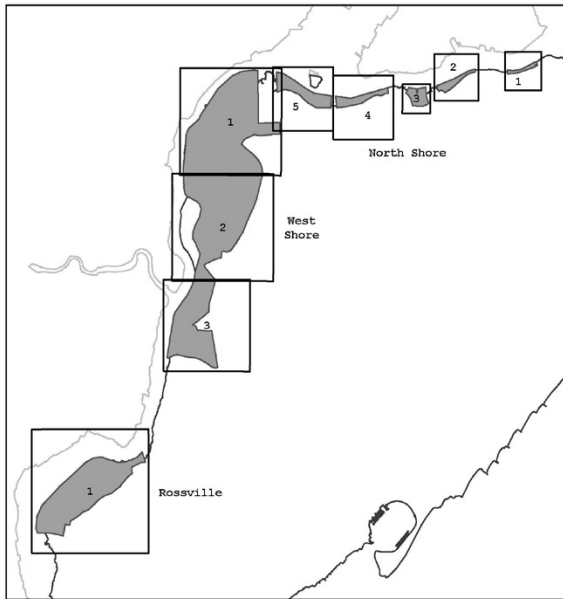
Brooklyn



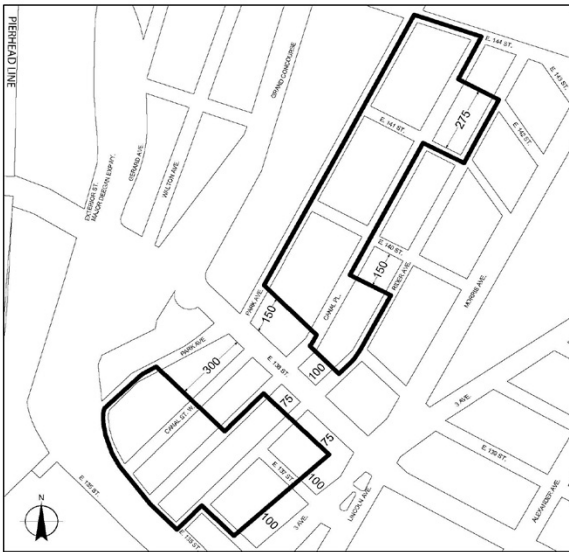
Queens



Staten Island

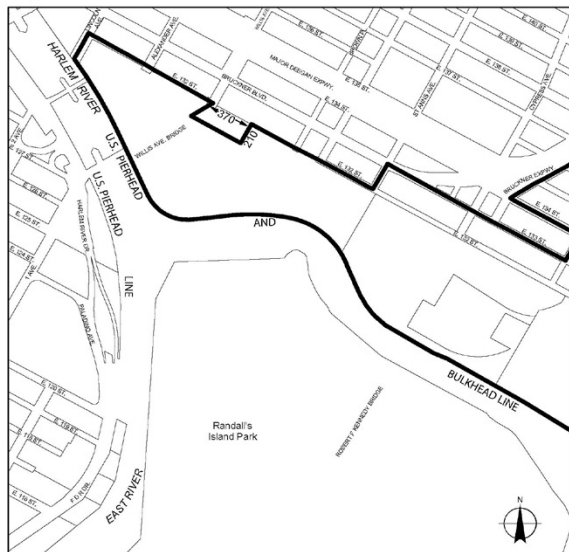


Port Morris  
Map 1



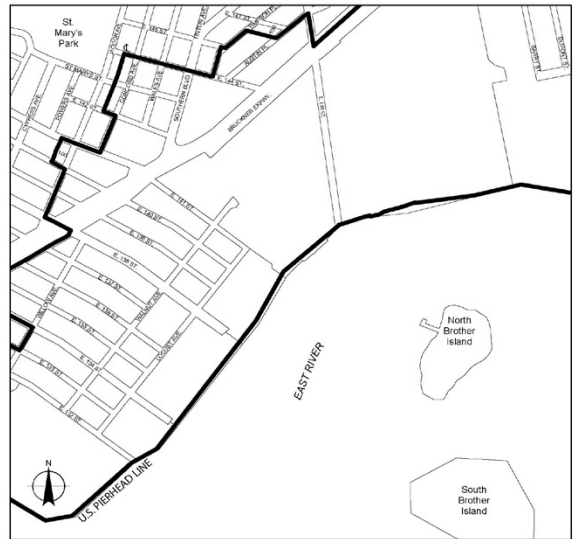
Portion of Community District 1, Bronx

Port Morris  
Map 2



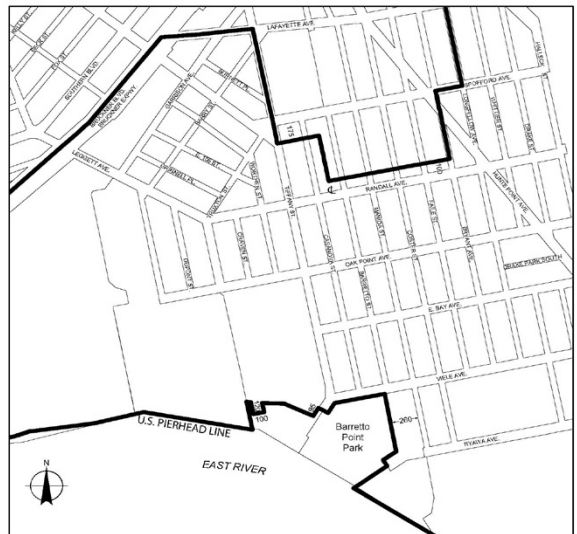
Portion of Community District 1, Bronx

Port Morris/Hunts Point  
Map 3



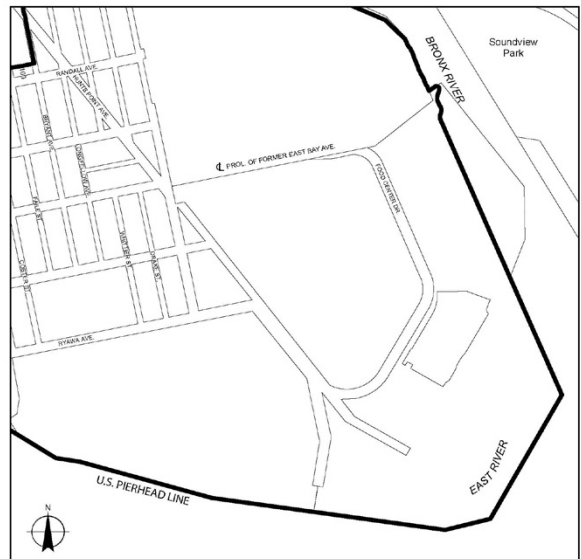
Portions of Community Districts 1 and 2, Bronx

Hunts Point  
Map 1



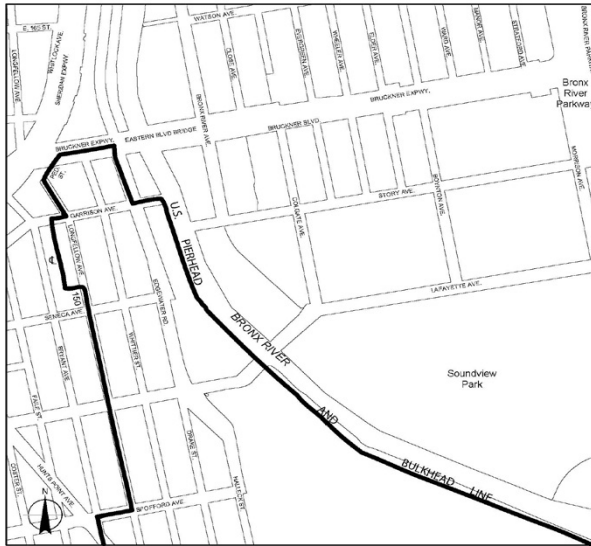
Portion of Community District 2, Bronx

Hunts Point  
Map 2



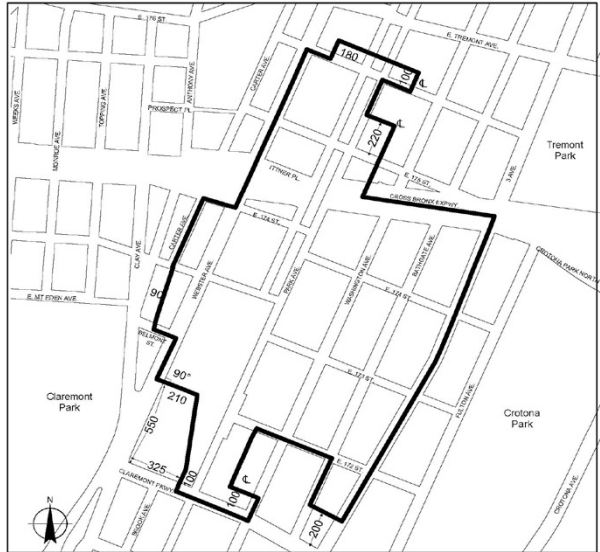
Portion of Community District 2, Bronx

Hunts Point  
Map 3



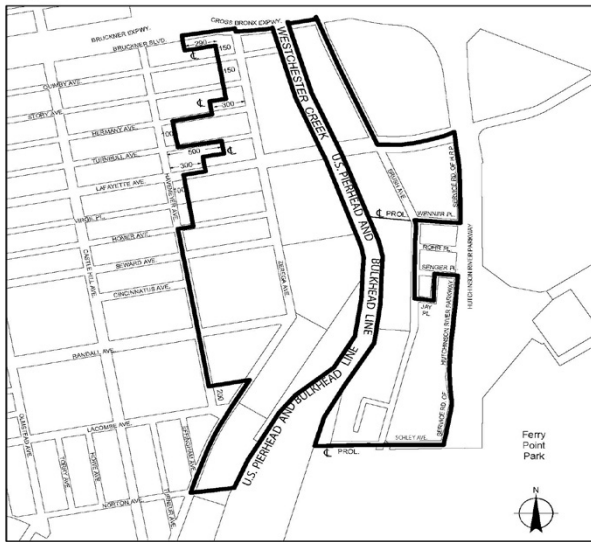
Portion of Community District 2, Bronx

Bathgate  
Map 1



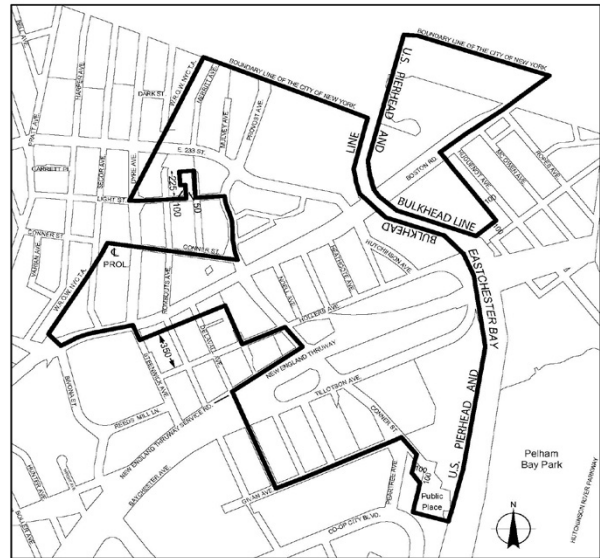
Portion of Community Districts 3, 4, and 6, Bronx

Zerega  
Map 1



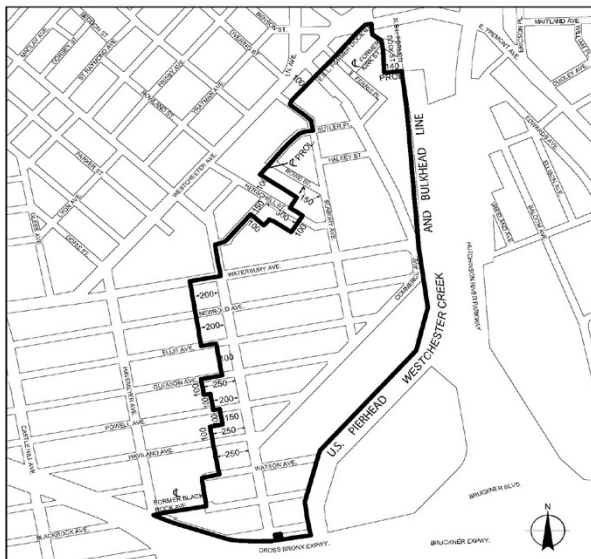
Portion of Community District 9, Bronx

Eastchester  
Map 1



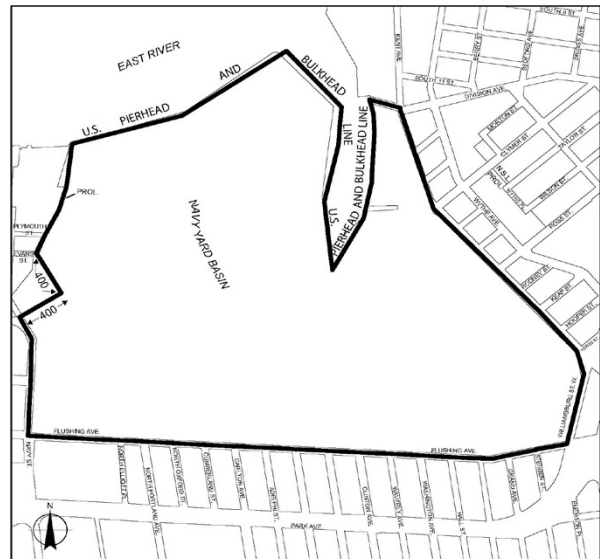
Portions of Community Districts 10 and 12, Bronx

Zerega  
Map 2



Portions of Community Districts 9 and 10, Bronx

Brooklyn Navy Yard  
Map 1



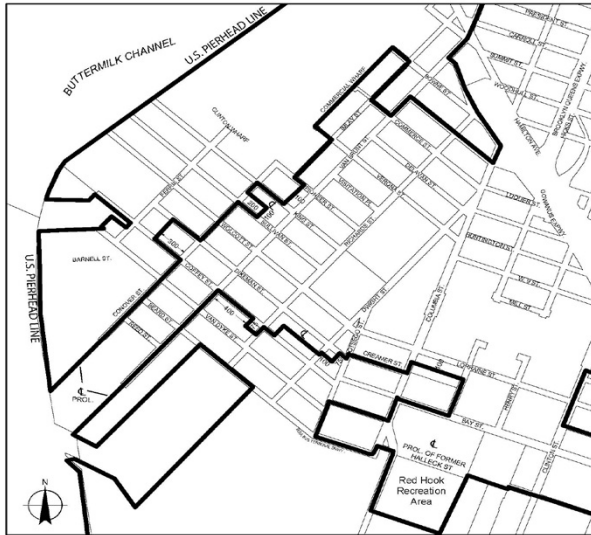
Portion of Community District 2, Brooklyn

Southwest Brooklyn  
Map 1



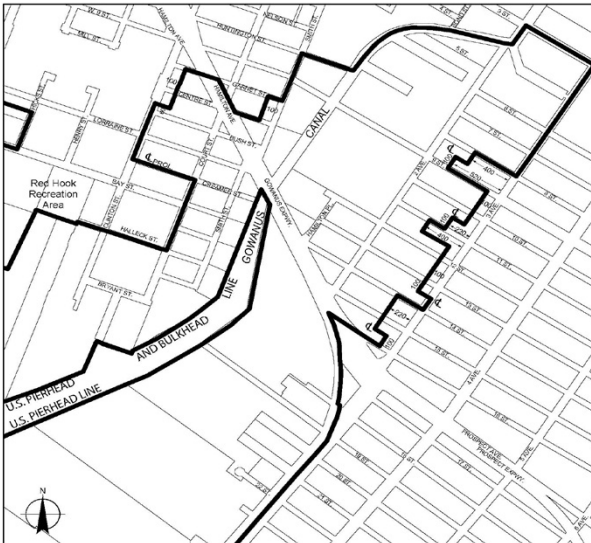
Portion of Community District 6, Brooklyn

Southwest Brooklyn  
Map 2



Portion of Community District 6, Brooklyn

Southwest Brooklyn  
Map 3



Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn  
Map 4



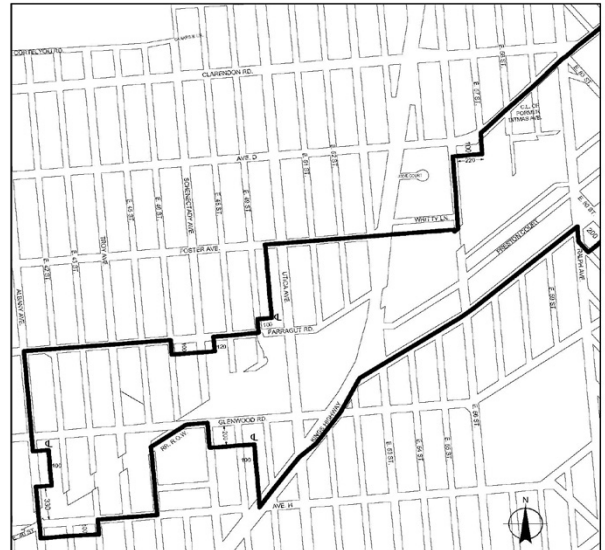
Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn  
Map 5



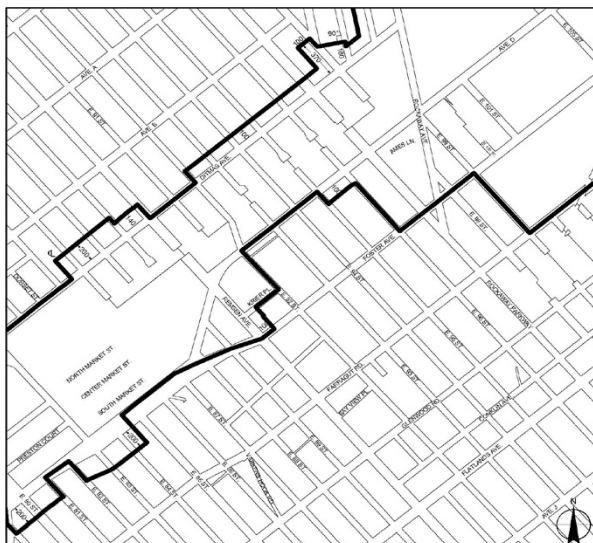
Portion of Community District 7, Brooklyn

Flatlands/Fairfield  
Map 1



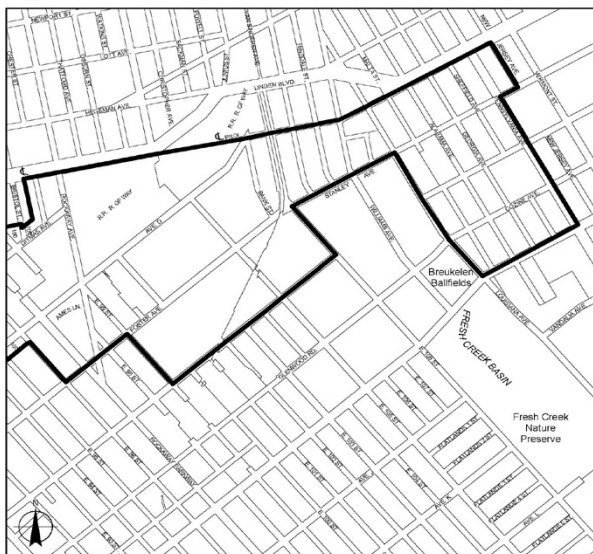
Portions of Community Districts 17 and 18, Brooklyn

Flatlands/Fairfield  
Map 2



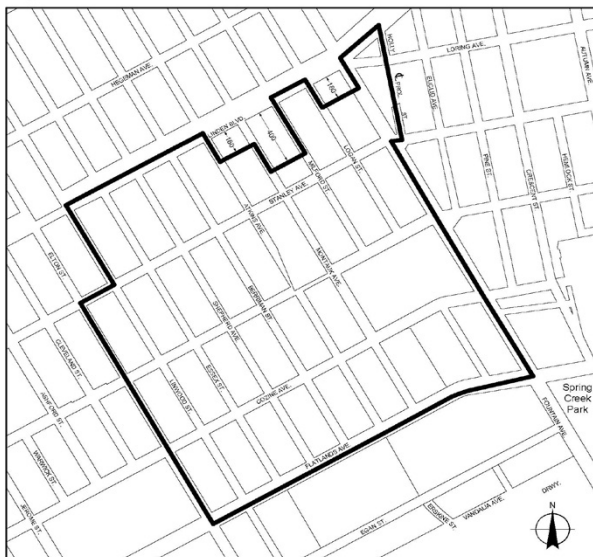
Portions of Community Districts 17 and 18, Brooklyn

Flatlands/Fairfield  
Map 3



Portions of Community Districts 5, 16, and 18, Brooklyn

Flatlands/Fairfield  
Map 4



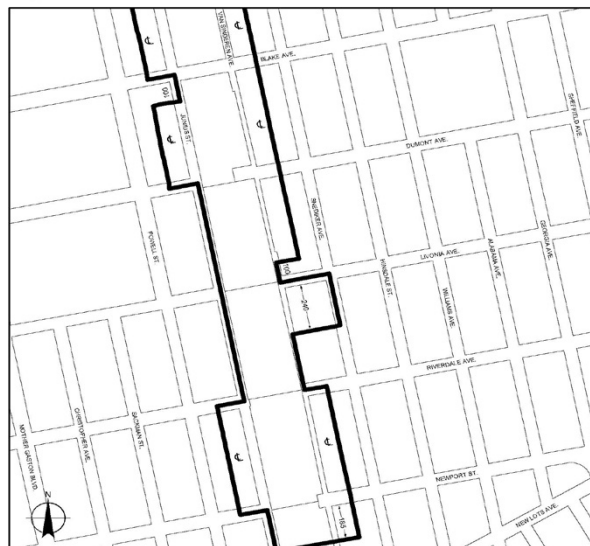
Portion of Community District 5, Brooklyn

East New York  
Map 1



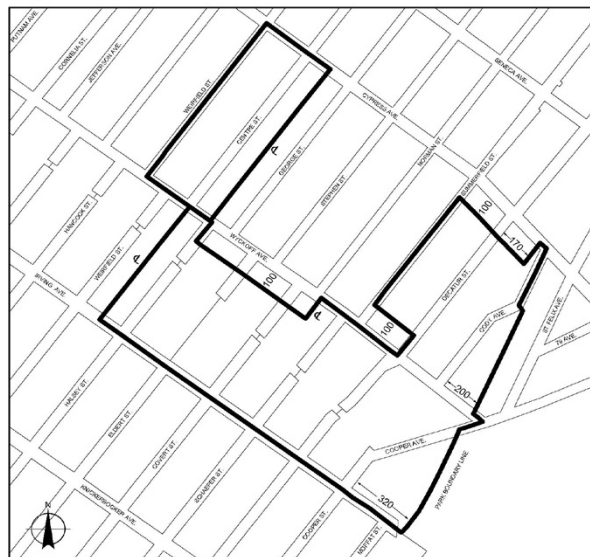
Portion of Community District 5, Brooklyn

East New York  
Map 2



Portions of Community Districts 5 and 16, Brooklyn

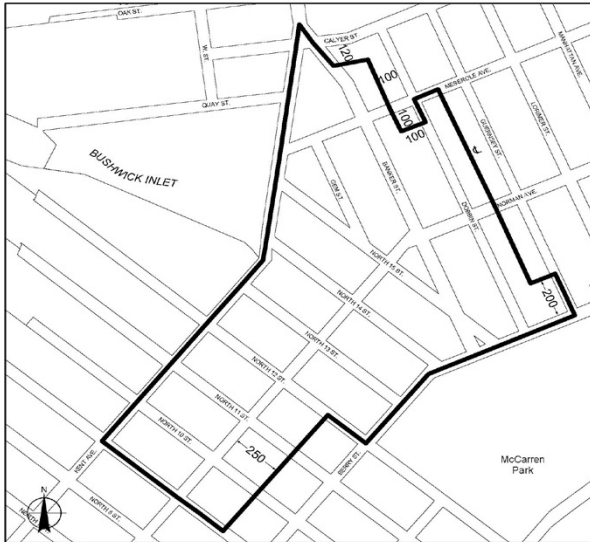
Ridgewood  
Map 1



Portions of Community District 4, Brooklyn and Community District 5, Queens

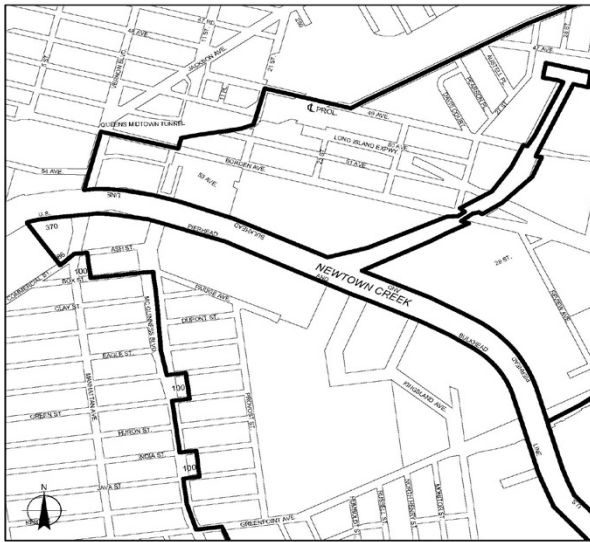


Williamsburg/Greenpoint  
Map 1



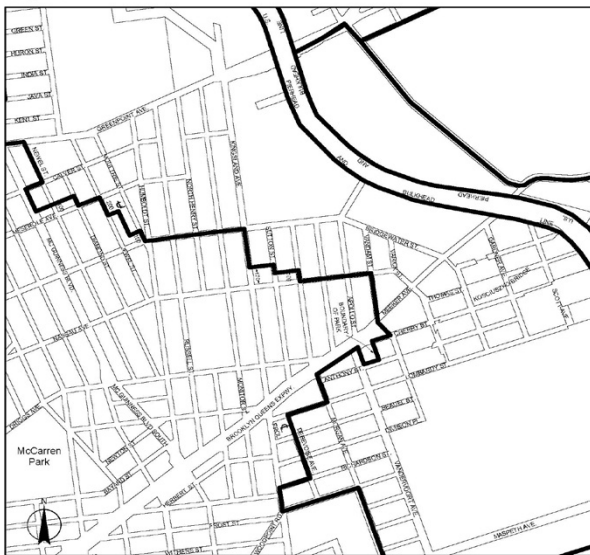
Portion of Community District 1, Brooklyn

North Brooklyn/Long Island City  
Map 1



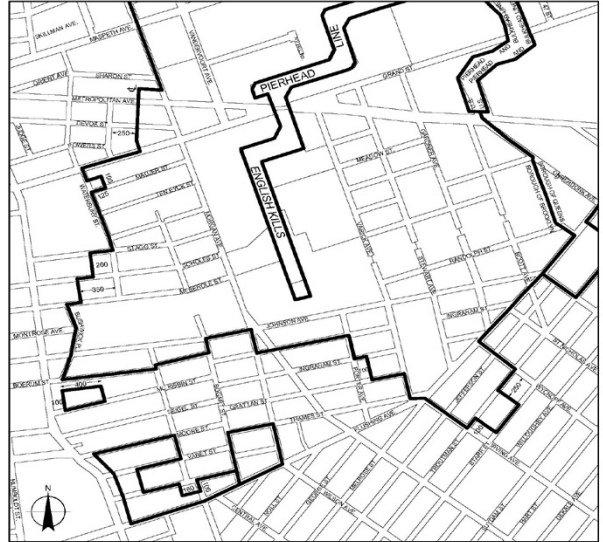
Portions of Community District 1, Brooklyn and Community District 2, Queens

North Brooklyn/Maspeth  
Map 2



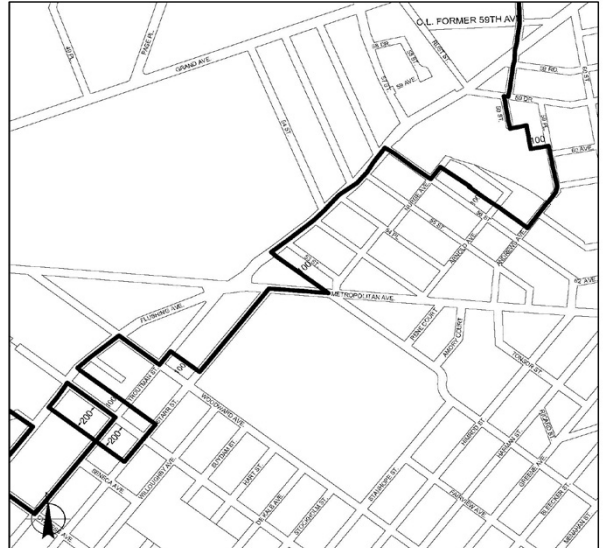
Portions of Community District 1, Brooklyn and Community District 2, Queens

North Brooklyn  
Map 3



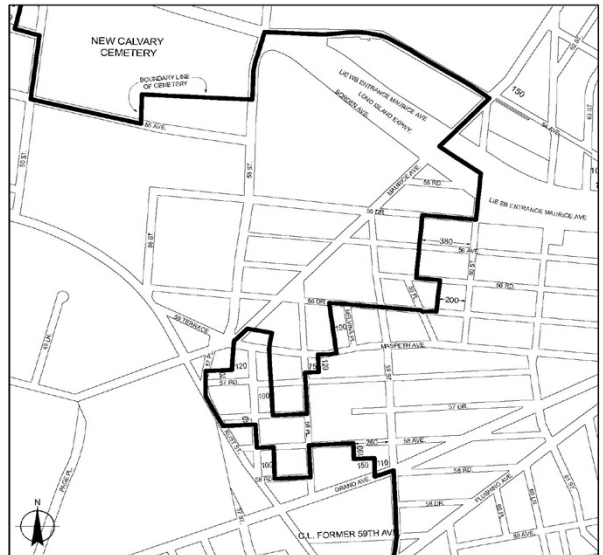
Portions of Community District 1, Brooklyn and Community District 4, Queens

Maspeth  
Map 1



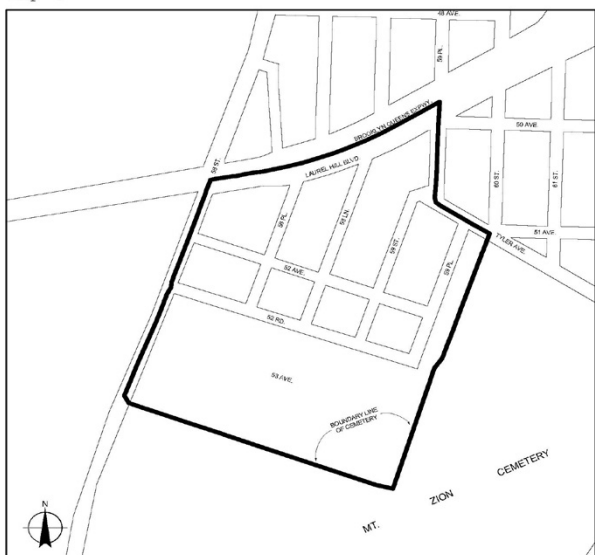
Portion of Community District 5, Queens

Maspeth  
Map 2



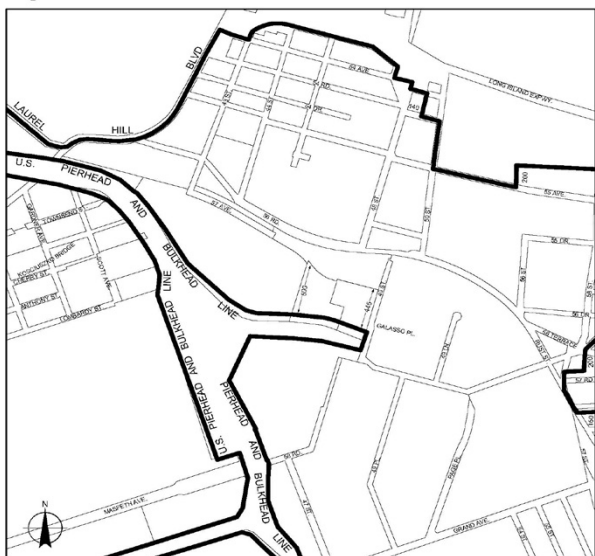
Portions of Community Districts 2 and 5, Queens

Maspeth  
Map 3



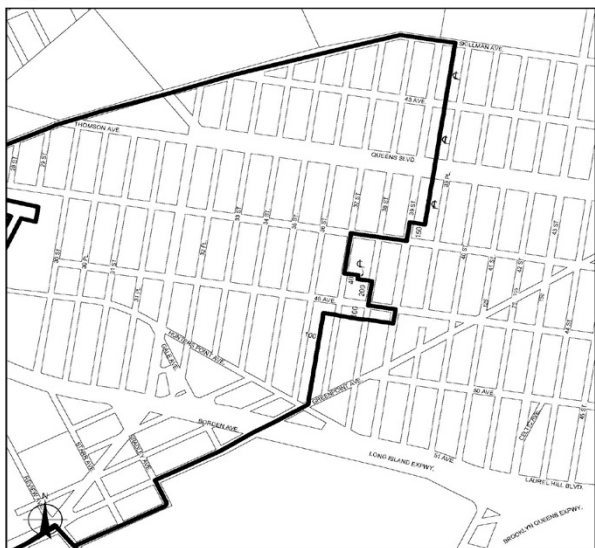
Portion of Community District 2, Queens

Maspeth/North Brooklyn  
Map 4



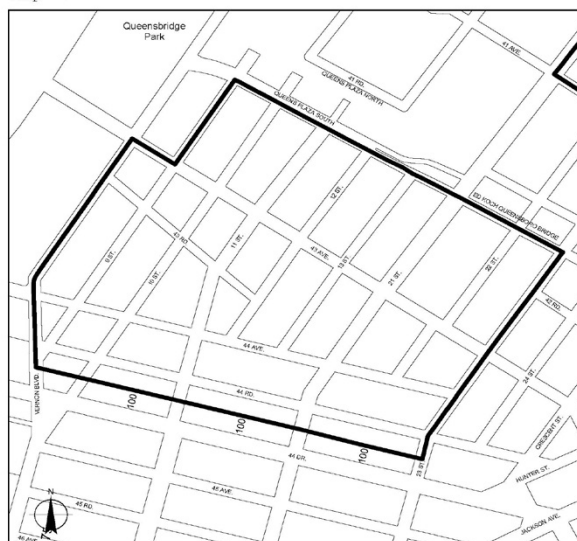
Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn

Long Island City  
Map 1



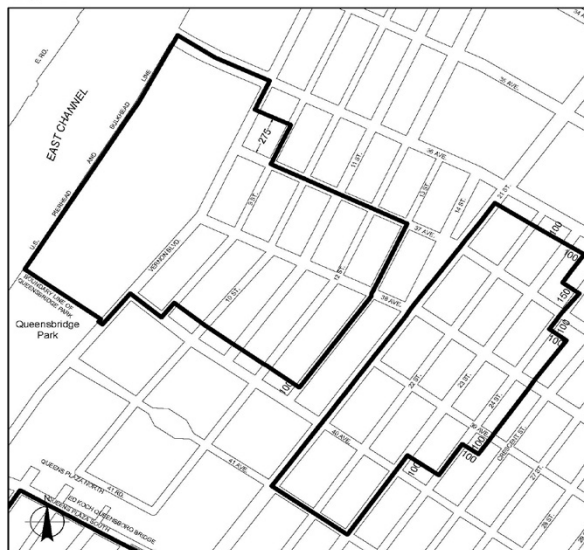
Portion of Community District 2, Queens

Long Island City  
Map 2



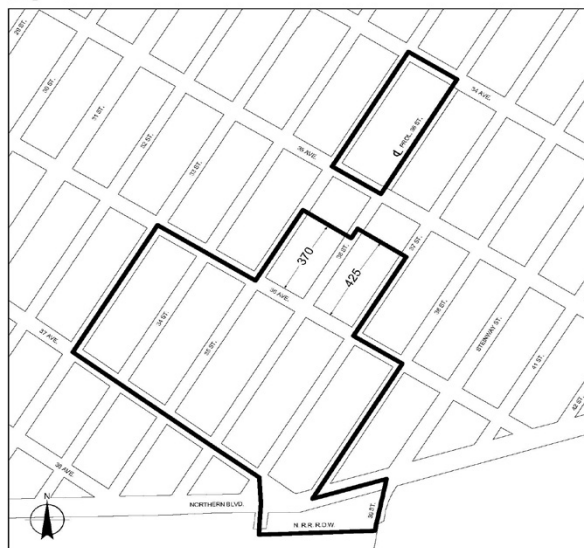
Portion of Community District 2, Queens

Long Island City  
Map 3



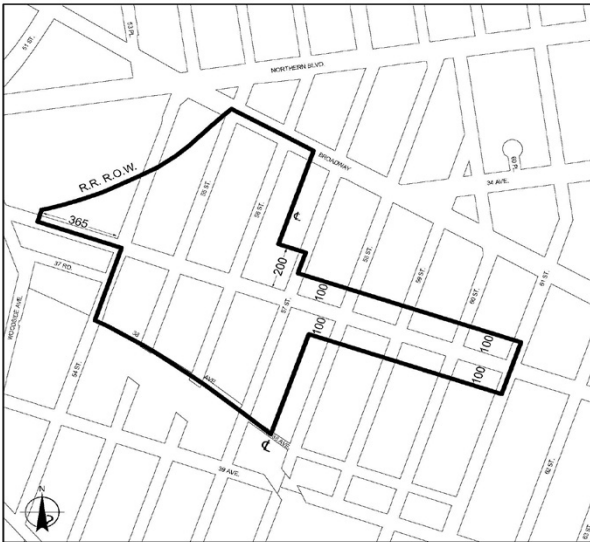
Portion of Community District 1, Queens

Long Island City  
Map 4



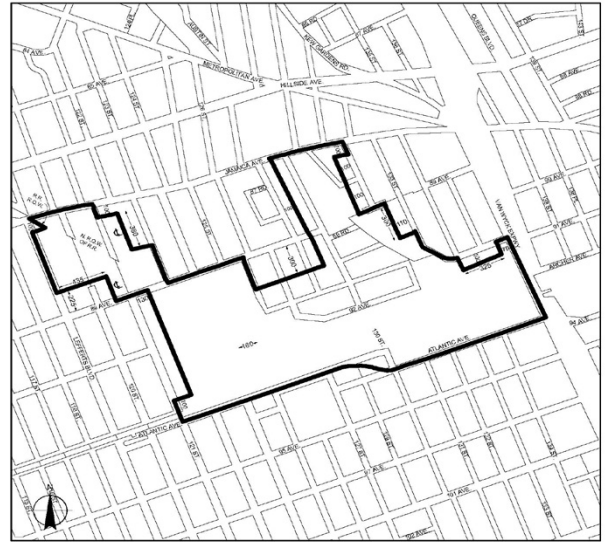
Portion of Community District 1, Queens

Woodside  
Map 1



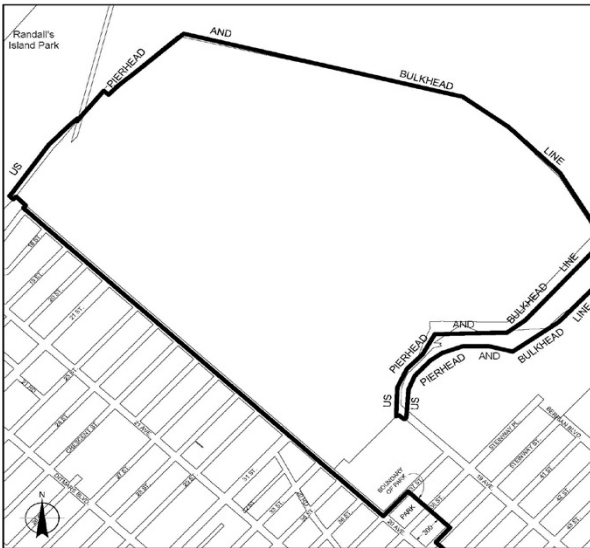
Portion of Community District 2, Queens

Jamaica  
Map 1



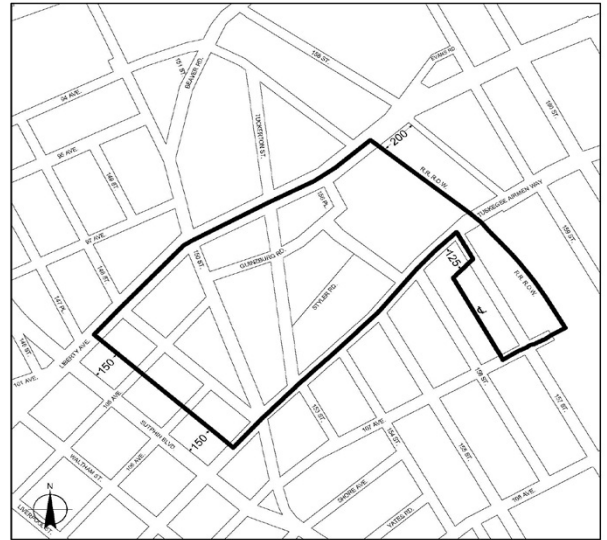
Portion of Community District 9, Queens

Steinway  
Map 1



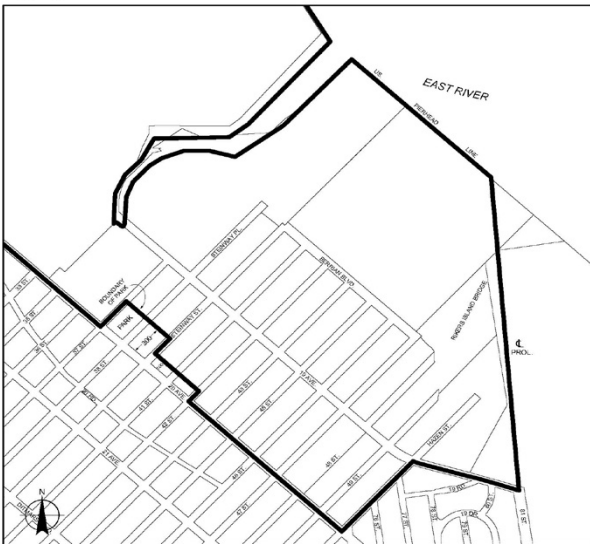
Portion of Community District 1, Queens

Jamaica  
Map 2



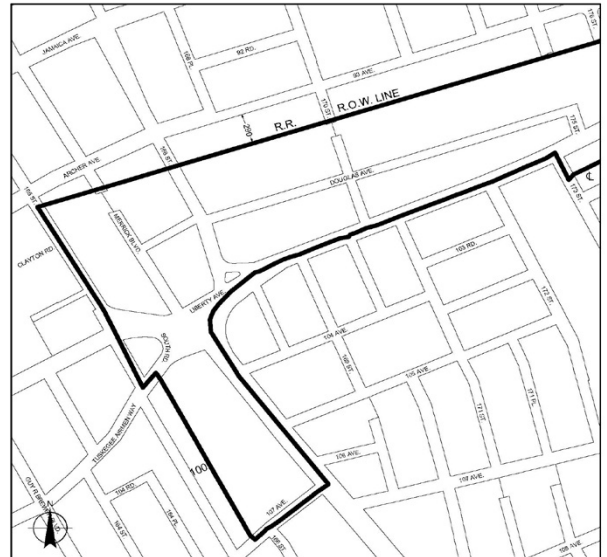
Portion of Community District 12, Queens

Steinway  
Map 2



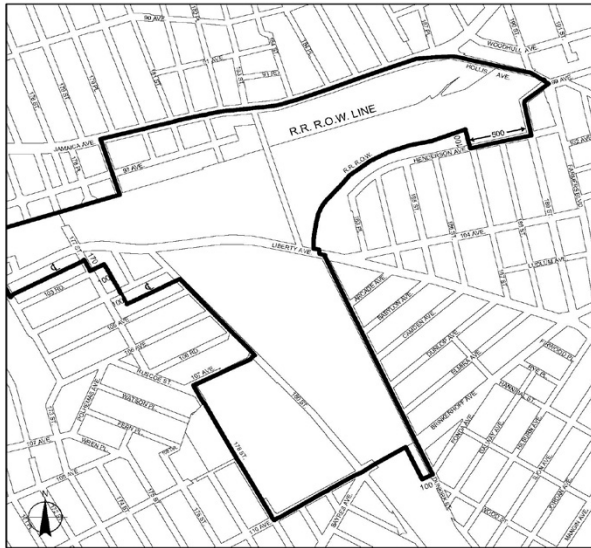
Portion of Community District 1, Queens

Jamaica  
Map 3



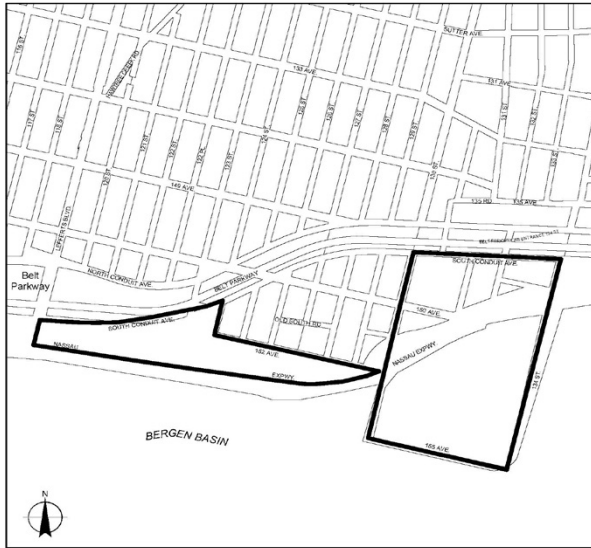
Portion of Community District 12, Queens

Jamaica  
Map 4



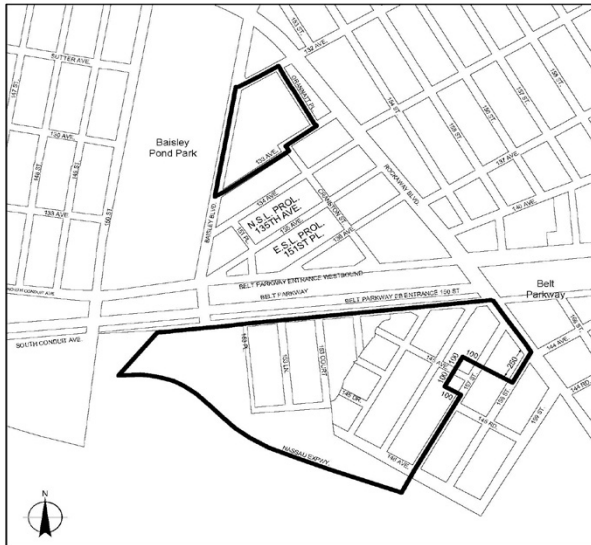
Portion of Community District 12, Queens

JFK  
Map 1



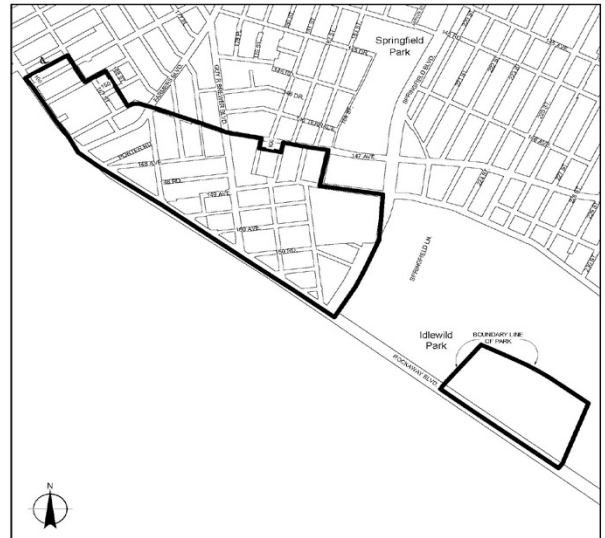
Portion of Community District 10, Queens

JFK  
Map 2



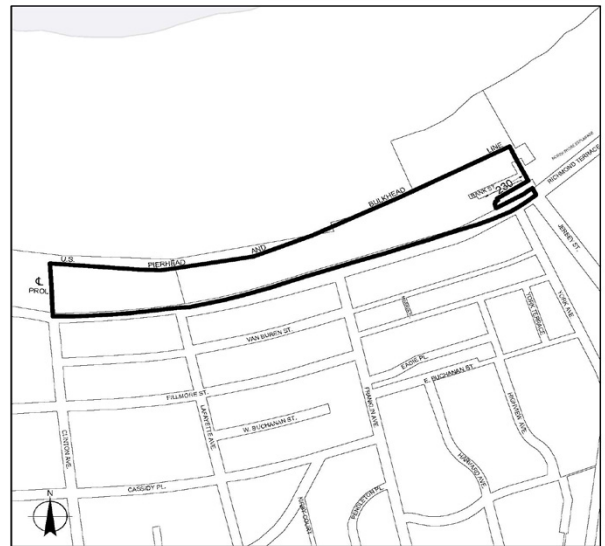
Portion of Community District 12, Queens

JFK  
Map 3



Portion of Community District 13, Queens

North Shore  
Map 1



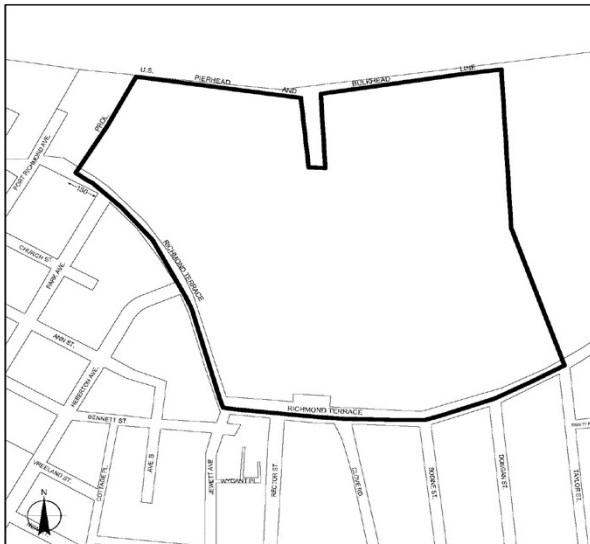
Portion of Community District 1, Staten Island

North Shore  
Map 2



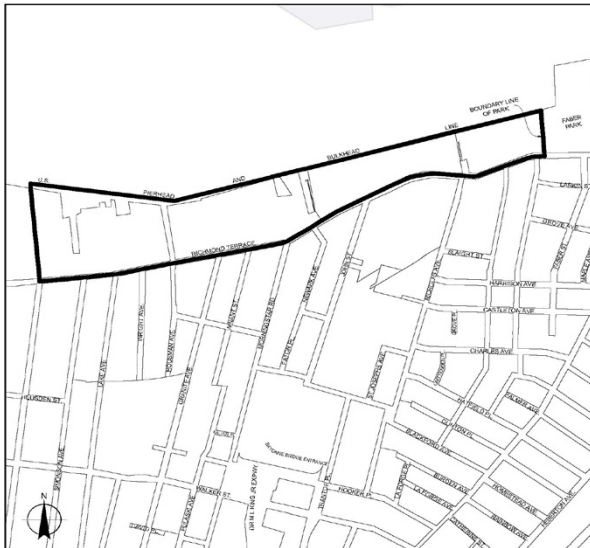
Portion of Community District 1, Staten Island

North Shore  
Map 3



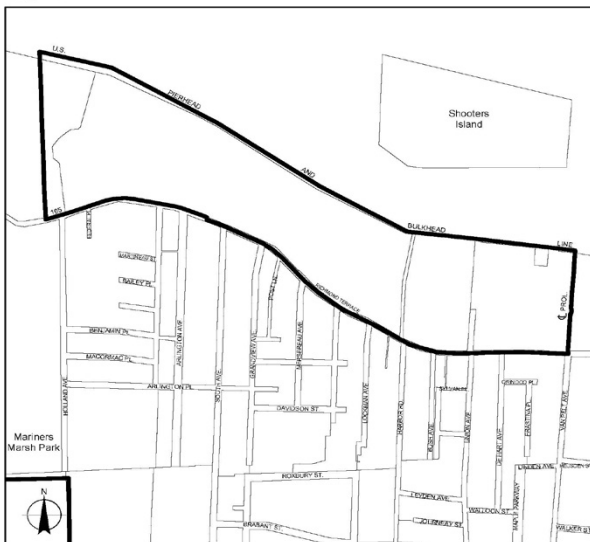
Portion of Community District 1, Staten Island

North Shore  
Map 4



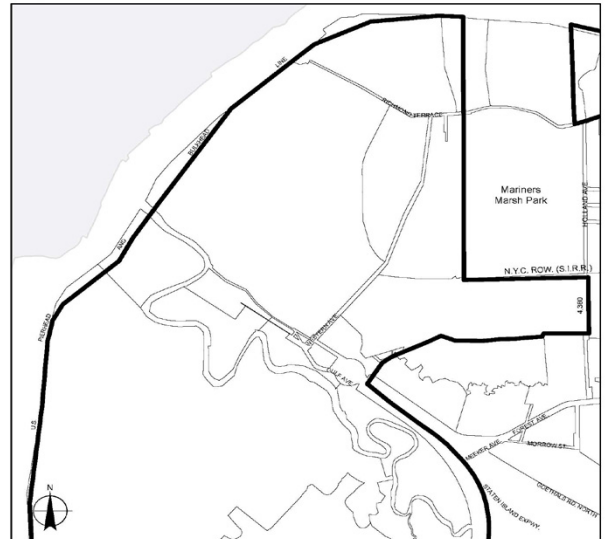
Portion of Community District 1, Staten Island

North Shore  
Map 5



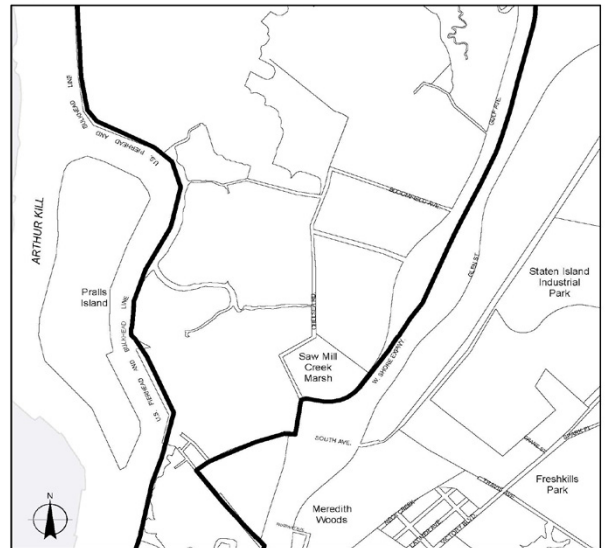
Portion of Community District 1, Staten Island

West Shore  
Map 1



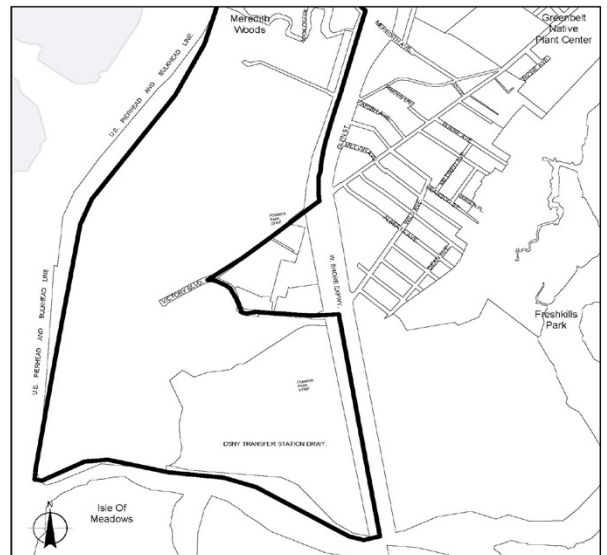
Portion of Community District 1, Staten Island

West Shore  
Map 2



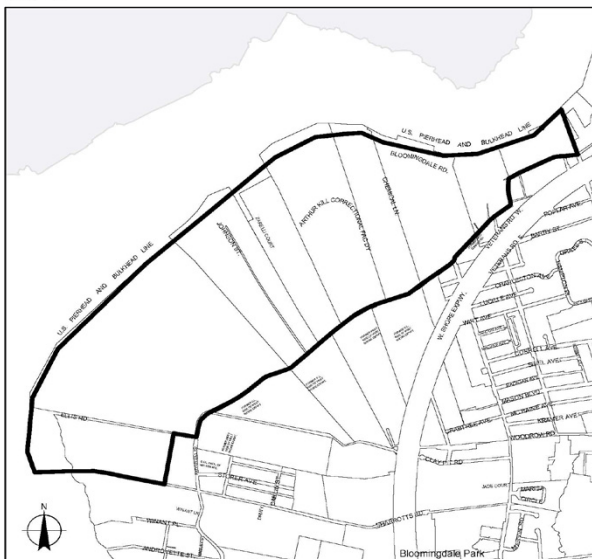
Portion of Community District 2, Staten Island

West Shore  
Map 3



Portion of Community District 2, Staten Island

Rossville  
Map 1



Portion of Community District 3, Staten Island

No. 2

N 170425(A) ZRY

**CITY WIDE**  
**IN THE MATTER OF** an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to create a definition, a use and, in designated areas, a special permit for self-service storage facilities and to establish APPENDIX J (Designated Areas in Manufacturing Districts).

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 I**  
**GENERAL PROVISIONS**

**Chapter 2**  
**Construction of Language and Definitions**

**12-10**  
**DEFINITIONS**

**Industrial ground floor**

An "industrial ground floor" is the ground floor of a #building# on a #zoning lot# containing a #self-service storage facility#, where at least 20,000 square feet of #floor area# on such ground floor is allocated to one or more of the manufacturing, semi-industrial or industrial #uses# listed in Use Groups 9A (limited to art studios), 10A (limited to photographic or motion picture production studios and radio or television studios), 11A, 16A, 16B, 16D (other than a #self-service storage facility#), 17 or 18. In addition, in a #development# or horizontal #enlargement#, an #industrial ground floor# shall have a minimum clear height from floor to floor of 15 feet, and at least one-third of such #industrial ground floor floor area# shall have a minimum clear height from floor to floor of 23 feet.

**Self-service storage facility**

A "self-service storage facility" is a moving or storage office, or a warehouse establishment, as listed in Use Group 16D, for the purpose of storing personal property, where:

- (a) such facility is partitioned into individual, securely subdivided space for lease; or
- (b) such facility consists of enclosed or unenclosed floor space which is subdivided by secured bins, boxes, containers, pods or other mobile or stationary storage devices; and
- (c) such floor space or storage devices less than 300 square feet in area are to be leased or rented to persons or businesses to access, store or remove property on a self-service basis.

**ARTICLE III**  
**COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2**  
**Use Regulations**

**32-10**  
**USES PERMITTED AS-OF-RIGHT**

\* \* \*

**32-25**  
**Use Group 16**

C8

Use Group 16 consists of automotive and other necessary semi-industrial #uses# which:

- (1) are required widely throughout the city; and
- (2) involve offensive noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable influences, making such #uses# incompatible with #residential uses# and other #commercial uses#.

\* \* \*

**D. Heavy Service, Wholesale, or Storage Establishments**

Carpet cleaning establishments [PRC-F]

Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment [PRC-F]

Laundries, with no limitation on type of operation [PRC-F]

Linen, towel or diaper supply establishments [PRC-F]

Moving or storage offices, with no limitation as to storage or #floor area# per establishment [PRC-G]<sup>2</sup>

Packing or crating establishments [PRC-G]

Photographic developing or printing with no limitation on #floor area# per establishment [PRC-C]

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment [PRC-G]

Warehouses [PRC-G]<sup>2</sup>

Wholesale establishments, with no limitation on #accessory# storage [PRC-C]

**E. #Accessory Uses#**

<sup>2</sup> In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, a #self-service storage facility# is subject to the provisions of Section 42-121 (Use Group 16D self-service storage facilities).

\* \* \*

**ARTICLE IV**  
**MANUFACTURING DISTRICT REGULATIONS**

**Chapter 2**  
**Use Regulations**

**42-10**  
**USES PERMITTED AS-OF-RIGHT**

\* \* \*

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

M1 M2 M3

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

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

Use Group 10A shall be limited to depositories for storage of office records, microfilm or computer tapes, or for data processing; docks for ferries; office or business machine stores, sales or rental; photographic or motion picture production studios; and radio or television studios.

In the #Manhattan Core#, automobile rental establishments, #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 3, and in the #Long Island City area#, as defined in Section 16-02 (Definitions), #public parking garages# and #public parking lots# in Use Groups 8C and 12D are subject to the provisions of Article I, Chapter 6.

In designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J additional regulations for #self-service storage

facilities# as listed in Use Group 16D, are set forth in Section 42-121 (Use Group 16D self-service storage facilities).

**42-121**  
**Use Group 16D self-service storage facilities**

In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, any #development# of a #building# containing a #self-service storage facility#, #enlargement# of a #building# to establish a #self-service storage facility#, or a change of #use# within an existing #building# to a #self-service storage facility#, shall be required to provide an #industrial ground floor# on the #zoning lot#, except where the City Planning Commission, by special permit, allows a modification or waiver of such #industrial ground floor# requirement pursuant to Section 74-932 (Self-service storage facilities in designated areas within Manufacturing Districts).

Any #self-service storage facility# existing on [date of adoption] on a #zoning lot# in a designated area within #Manufacturing Districts#, as shown on the maps in APPENDIX J, shall be considered a #conforming use#, provided that the owner of such #self-service storage facility# has filed documentation satisfactory to the Department of Buildings, that it existed and would have met the definition of #self-service storage facility# as set forth in Section 12-10 (DEFINITIONS). Any #enlargement# or #extension# to such existing #conforming# facility need not provide a #industrial ground floor#, provided there is no increase in #lot area#. In the event a casualty damages or destroys a #building# for which satisfactory documentation has been filed with the Department of Buildings, such #building# may be reconstructed and continue as a #self-service storage facility# without providing an #industrial ground floor#, provided that the #floor area# of such reconstructed #self-service storage facility# does not exceed the #floor area# permitted pursuant to the provisions of Section 43-10 (FLOOR AREA REGULATIONS), inclusive.

Any #self-service storage facility# existing on [date of adoption] that does not file such documentation satisfactory to the Department of Buildings pursuant to the provisions of this Section shall be considered #non-conforming# and subject to the provisions of Article V (Non-conforming uses and non-complying buildings).

\* \* \*

**42-30**  
**USES PERMITTED BY SPECIAL PERMIT**

\* \* \*

**42-32**  
**By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

\* \* \*

M1 M2 M3  
Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

**M1 M2 M3**  
#Self-service storage facilities# in designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, when located on #zoning lots# that do not contain a #building# that provides an #industrial ground floor#, as set forth in Section 42-121 (Use Group 16D self-service storage facilities)

M1 M2 M3  
#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

\* \* \*

**Chapter 3**  
**Bulk Regulations**

\* \* \*

**43-10**  
**FLOOR AREA REGULATIONS**

\* \* \*

**43-123**  
**Floor area increase for an industrial space within a self-service storage facility**

In M1-1 Districts in designated areas, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for a #zoning lot# containing a #self-service storage facility# and a #building# that provides an #industrial ground floor#, as set forth in Section 42-121 (Use Group 16D self-service storage facilities), the maximum permitted #floor area# for #commercial# or #manufacturing uses# on the #zoning lot#, resulting from the provisions of Section 43-12 (Maximum floor area ratio), inclusive, may be increased by 20,000 square feet.

\* \* \*

**Chapter 4**  
**Accessory Off-street Parking and Loading Regulations**

\* \* \*

**44-20**  
**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR**

**MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES**

\* \* \*

**44-28**  
**Parking Regulations for Residential Uses in M1-1D Through M1-5D Districts**

\* \* \*

**44-29**  
**Parking Regulations for Zoning Lots Containing Self-Service Storage Facilities in Designated Areas**

In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for a #zoning lot# containing a #self-service storage facility# and a #building# that provides an #industrial ground floor#, as set forth in Section 42-121 (Use Group 16D for self-service storage facilities), #accessory# off-street parking spaces, open or enclosed, shall be provided for all #uses# in Use Groups 9A (limited to art studios), 10A (limited to photographic or motion picture production studios and radio or television studios), 11A, 16A, 16B, 16D, 17 and 18 at the rate of one space per 2,000 square feet of #floor area#, or one space per three employees, whichever will require a lesser number of spaces.

\* \* \*

**44-50**  
**GENERAL PURPOSES**

\* \* \*

**44-58**  
**Additional Regulations for Permitted or Required Berths**

\* \* \*

**44-586**  
**Regulations for permitted or required berths for zoning lots containing self-service storage facilities in designated areas**

In designated areas within #Manufacturing Districts#, as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, for a #zoning lot# containing a #self-service storage facility# and a #building# that provides an #industrial ground floor#, as set forth in Section 42-121 (Use Group 16D self-service storage facilities), all required #accessory# off-street loading berths for a #self-service storage facility# shall have a minimum length of 37 feet. The dimensions of off-street berths shall not include driveways, or entrances to or exits from such off-street berths. In addition, the number of #accessory# off-street loading berths required for all #uses# in Use Groups 9A (limited to art studios), 10A (limited to photographic or motion picture production studios and radio or television studios), 11A, 16A, 16B, 16D, 17 and 18 shall be as set forth in the following table:

#Floor Area# (in square feet) Required Berths

First 15,000	None
Next 25,000	1
Next 40,000	1
Each additional 80,000 or fraction thereof	1

In addition, a change of #use# within an existing #building# from Use Group 16D to a #self-service storage facility# shall not necessitate additional loading berths.

\* \* \*

**ARTICLE VII**  
**ADMINISTRATION**

**Chapter 4**  
**Special Permits by the City Planning Commission**

\* \* \*

**74-90**  
**USE AND BULK MODIFICATIONS FOR CERTAIN COMMUNITY FACILITY USES**

\* \* \*

**74-93**  
**Special Commercial and Manufacturing Developments**

**74-931**  
**Special Commercial or Mixed Use Developments in Commercial Districts**

\* \* \*

**74-932**  
**Self-service storage facilities in designated areas within Manufacturing Districts**

On #zoning lots# in designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the City Planning Commission may permit, for a #self-service storage facility#, a modification, or waiver

of the #industrial ground floor#, as required in Section 42-121 (Use Group 16D self-service storage facilities), provided the Commission finds that:

- (a) the #zoning lot# is appropriate for such #self-service storage facility use#, considering the economic development objectives of the City; and
- (b) it is impractical to provide an #industrial ground floor# as defined in Section 42-121 (Use Group 16D self-service storage facilities) on such #zoning lot#.

In making this determination, the Commission may consider the following:

- (1) the size and configuration of the #zoning lot# and its suitability to establish an #industrial ground floor# as defined in Section 42-121;
- (2) the design and layout of loading berths, interior column spacing, floor to floor height and other relevant physical characteristics in an existing #building# and its suitability for #industrial ground floor uses#;
- (3) the accessibility of the #zoning lot# to an arterial highway or a designated truck route; the width of the existing #streets# providing access to the #zoning lot# and the ability of such #streets# to handle the traffic generated for such #industrial ground floor uses#;
- (4) recent trends and levels of investment in the surrounding area for such #industrial ground floor uses# within the last five calendar years;
- (5) the potential for conflict between such #industrial ground floor uses# and existing #uses# in the surrounding area;
- (6) the proximity of the #zoning lot# to rail and bus transit to serve employees; and
- (7) the need to undertake environmental remediation work on the #zoning lot#.

The Commission may impose additional terms and conditions to ensure the compatibility of a #self-service storage facility# with the surrounding area.

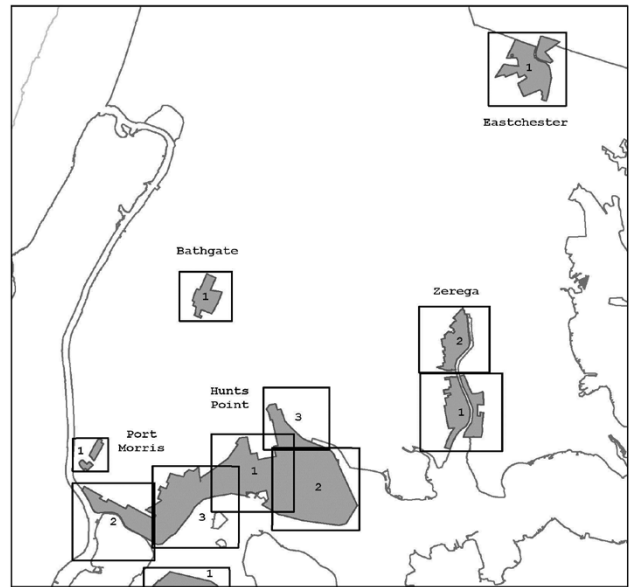
\* \* \*

**APPENDIX J - Designated Areas Within Manufacturing Districts**

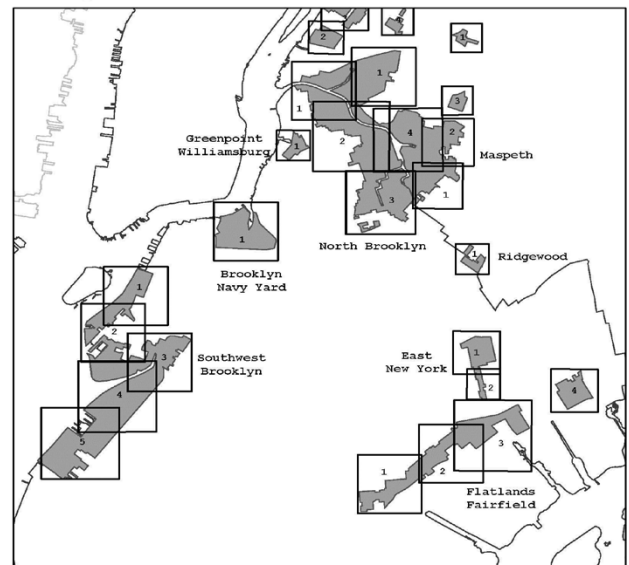
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

Borough	Community Districts	Name of Designated Area in M District	Map No
The Bronx	1, 2	Port Morris	Maps 1-3
The Bronx	2	Hunts Point	Maps 1-3
The Bronx	9, 10	Zerega	Maps 1, 2
The Bronx	3, 4, 6	Bathgate	Map 1
The Bronx	10, 12	Eastchester	Map 1
Brooklyn	2	Brooklyn Navy Yard	Map 1
Brooklyn	6, 7	Southwest Brooklyn	Maps 1-5
Brooklyn	5, 16, 17, 18	Flatlands/Fairfield	Maps 1-4
Brooklyn	5, 16	East New York	Maps 1, 2
Brooklyn/Queens	BK 4/QN 5	Ridgewood	Map 1
Brooklyn	1	Williamsburg/Greenpoint	Map 1
Brooklyn/Queens	BK 1, 4/QN 2	North Brooklyn/Long Island City/ Maspeth	Maps 1-3
Queens/Brooklyn	QN 2, 5/BK 1	Maspeth/North Brooklyn	Maps 1-4
Queens	1, 2	Long Island City	Maps 1-4
Queens	2	Woodside	Map 1
Queens	1	Steinway	Maps 1, 2
Queens	9, 12	Jamaica	Maps 1-4
Queens	10, 12, 13	JFK	Maps 1-3
Staten Island	1	North Shore	Maps 1-5
Staten Island	1, 2	West Shore	Maps 1-3
Staten Island	3	Rossville	Map 1

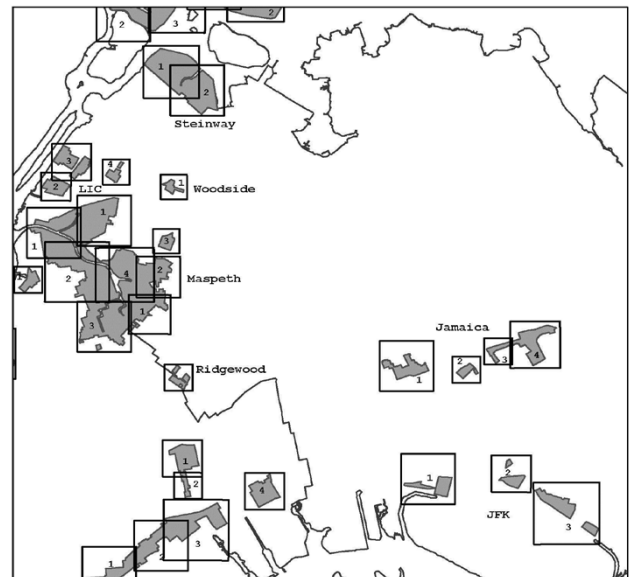
The Bronx



Brooklyn



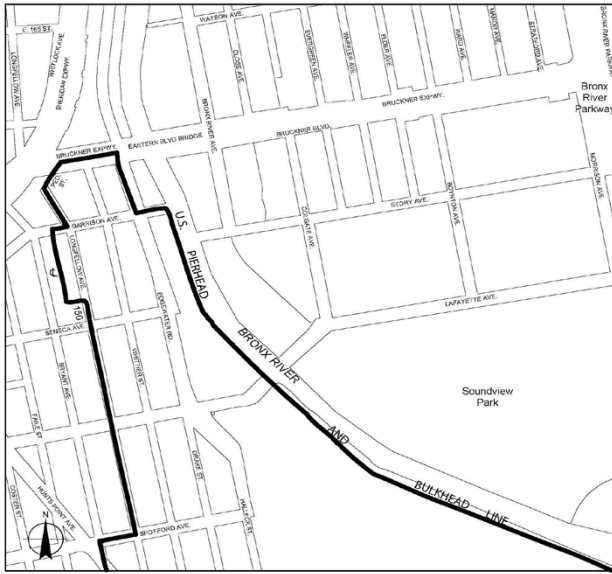
Queens





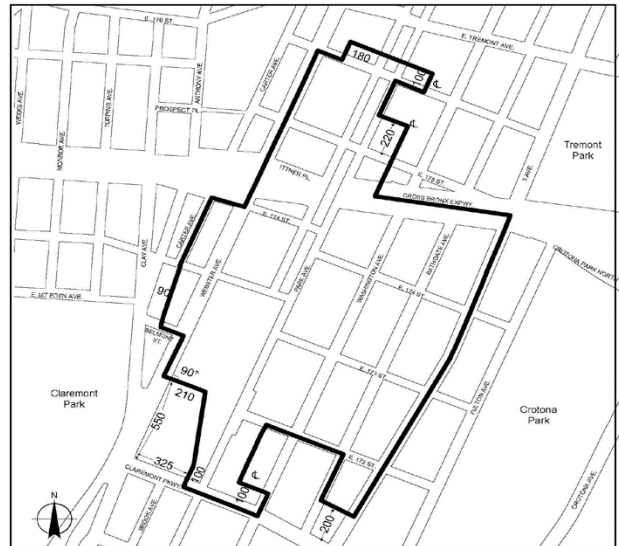


Hunts Point  
Map 3



Portion of Community District 2, Bronx

Bathgate  
Map 1



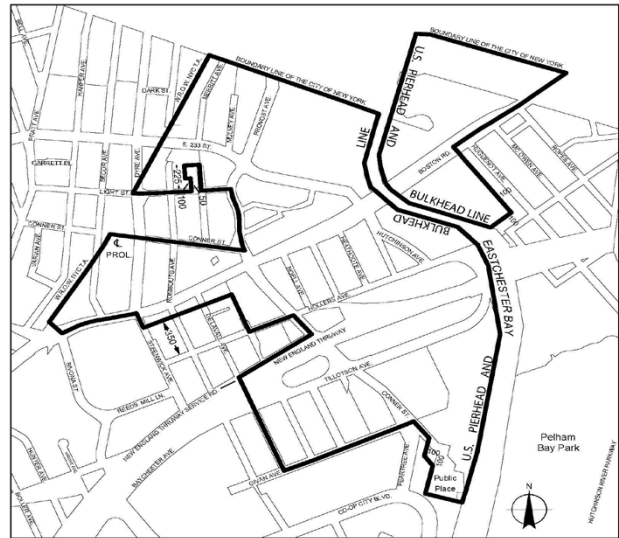
Portion of Community Districts 3, 4, and 6, Bronx

Zerega  
Map 1



Portion of Community District 9, Bronx

Eastchester  
Map 1



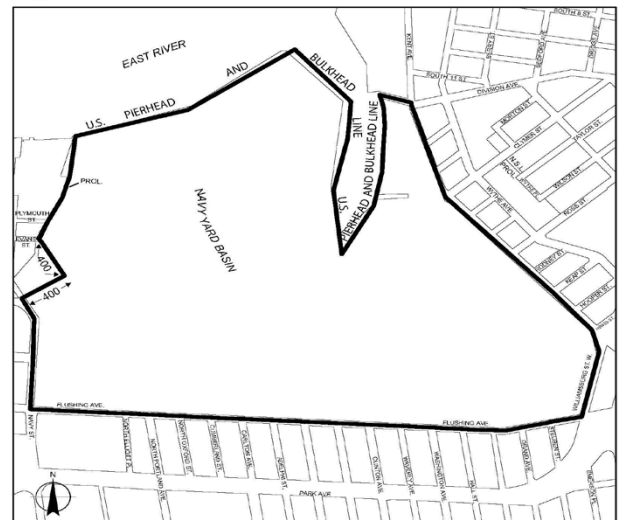
Portions of Community Districts 10 and 12, Bronx

Zerega  
Map 2



Portions of Community Districts 9 and 10, Bronx

Brooklyn Navy Yard  
Map 1



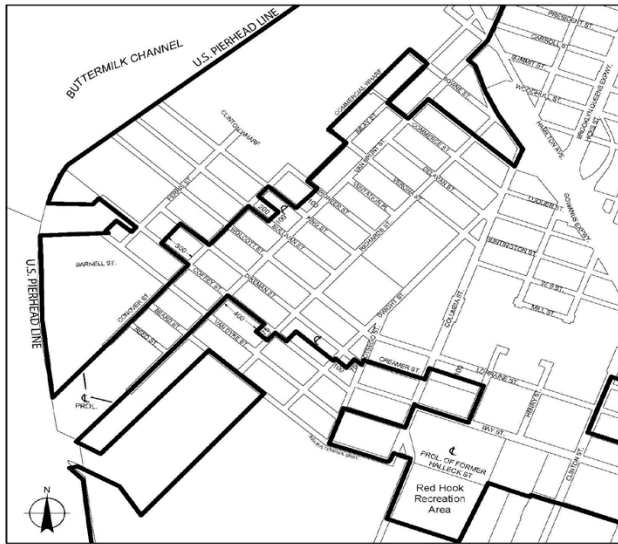
Portion of Community District 2, Brooklyn

Southwest Brooklyn  
Map 1



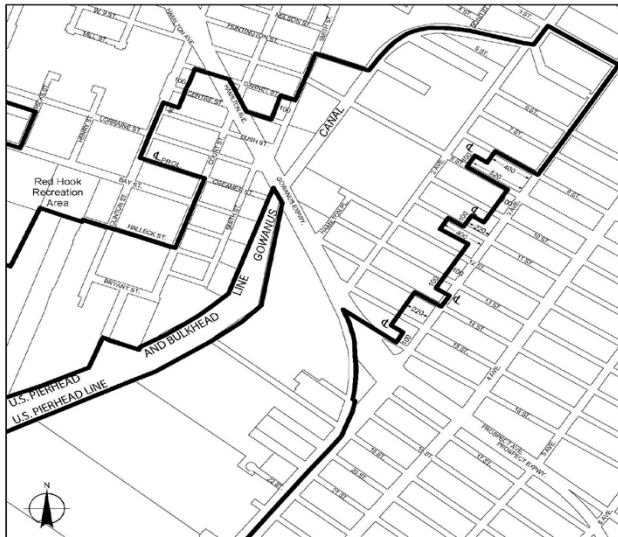
Portion of Community District 6, Brooklyn

Southwest Brooklyn  
Map 2



Portion of Community District 6, Brooklyn

Southwest Brooklyn  
Map 3



Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn  
Map 4



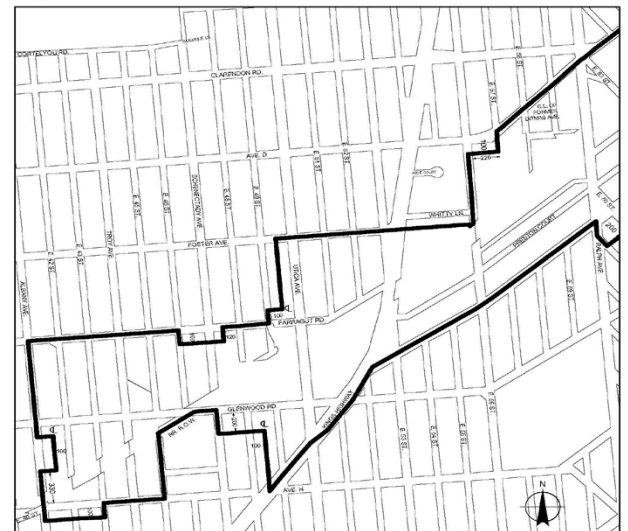
Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn  
Map 5



Portion of Community District 7, Brooklyn

Flatlands/Fairfield  
Map 1



Portions of Community Districts 17 and 18, Brooklyn

Flatlands/Fairfield

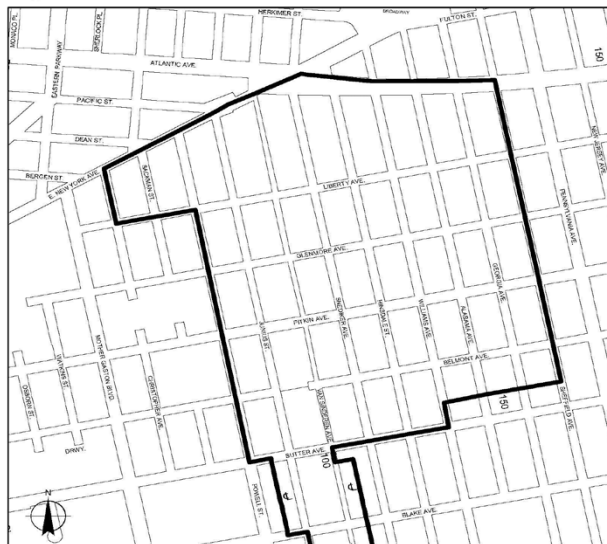
Map 2



Portions of Community Districts 17 and 18, Brooklyn

East New York

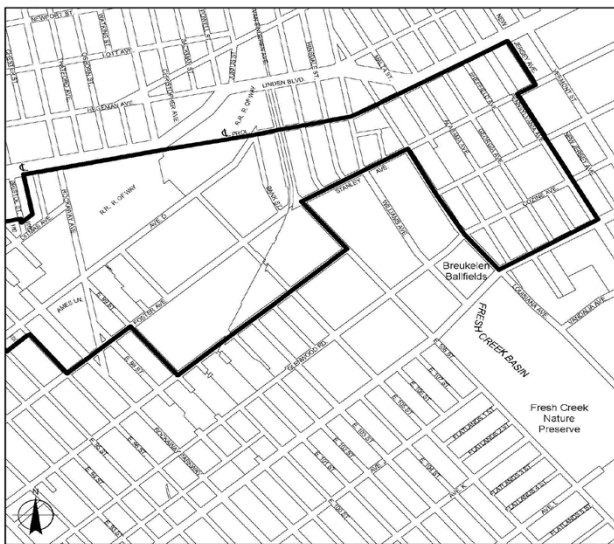
Map 1



Portion of Community District 5, Brooklyn

Flatlands/Fairfield

Map 3



Portions of Community Districts 5, 16, and 18, Brooklyn

East New York

Map 2



Portions of Community Districts 5 and 16, Brooklyn

Flatlands/Fairfield

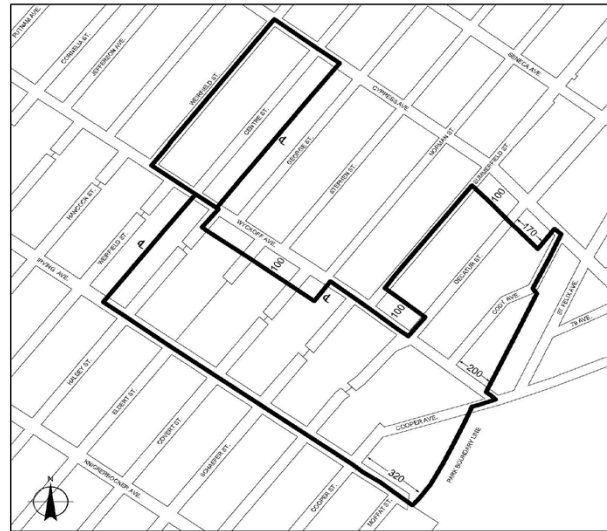
Map 4



Portion of Community District 5, Brooklyn

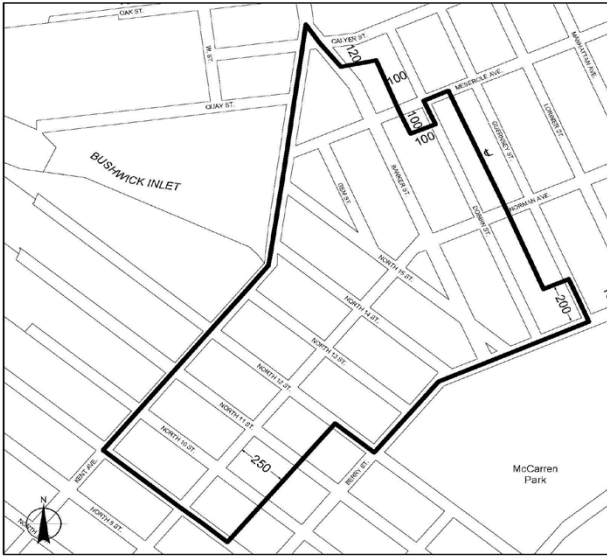
Ridgewood

Map 1



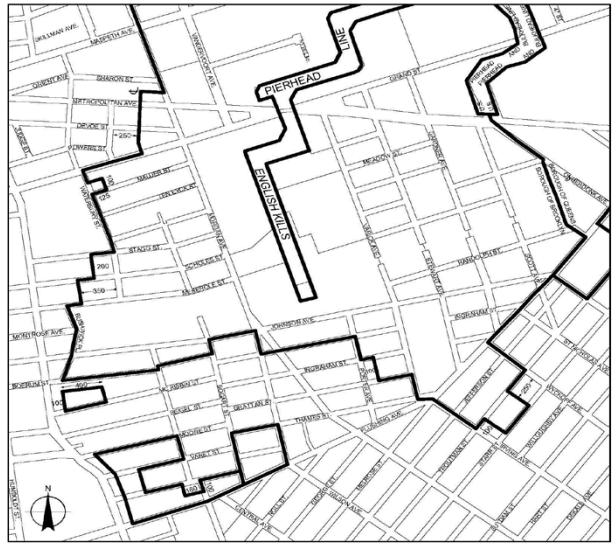
Portions of Community District 4, Brooklyn and Community District 5, Queens

Williamsburg/Greenpoint  
Map 1



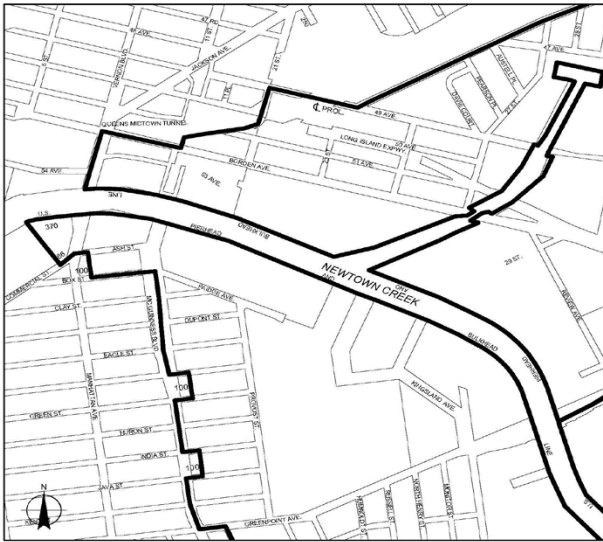
Portion of Community District 1, Brooklyn

North Brooklyn  
Map 3



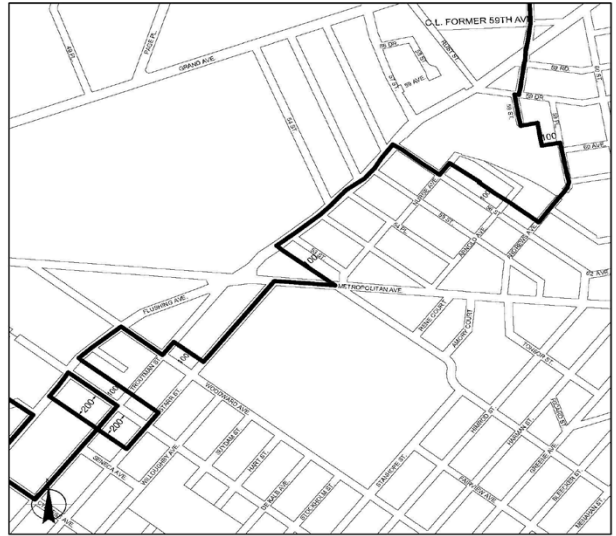
Portions of Community District 1, Brooklyn and Community District 4, Queens

North Brooklyn/Long Island City  
Map 1



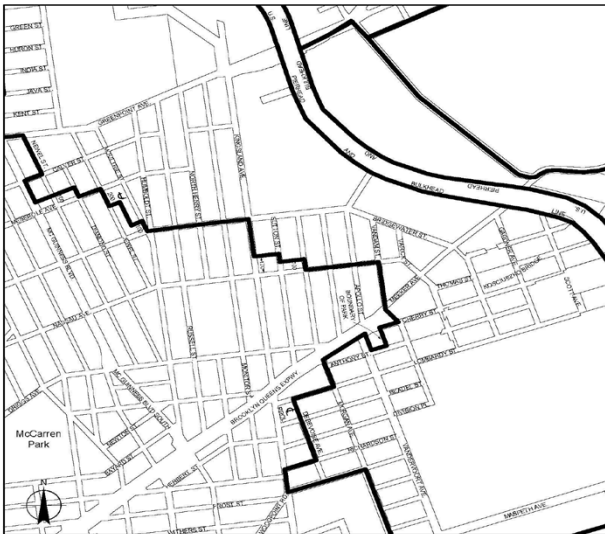
Portions of Community District 1, Brooklyn and Community District 2, Queens

Maspeth  
Map 1



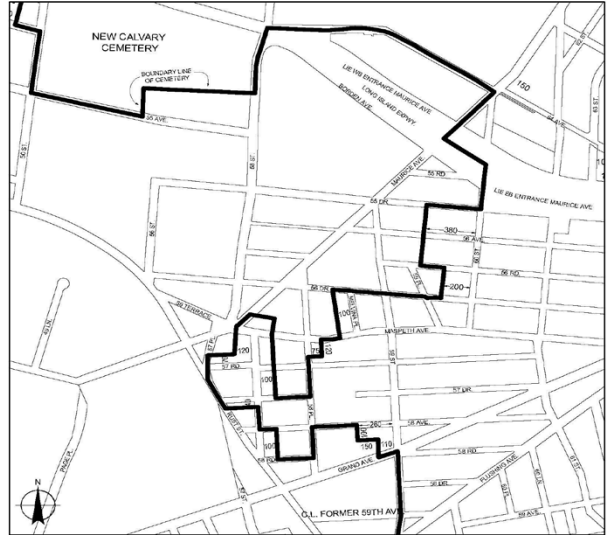
Portion of Community District 5, Queens

North Brooklyn/Maspeth  
Map 2



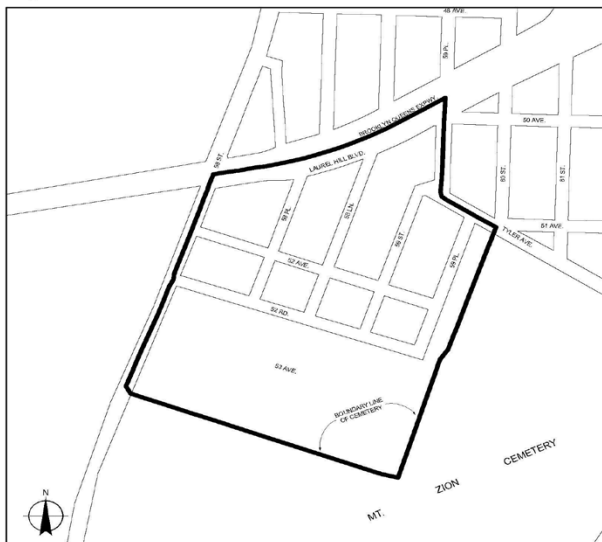
Portions of Community District 1, Brooklyn and Community District 2, Queens

Maspeth  
Map 2



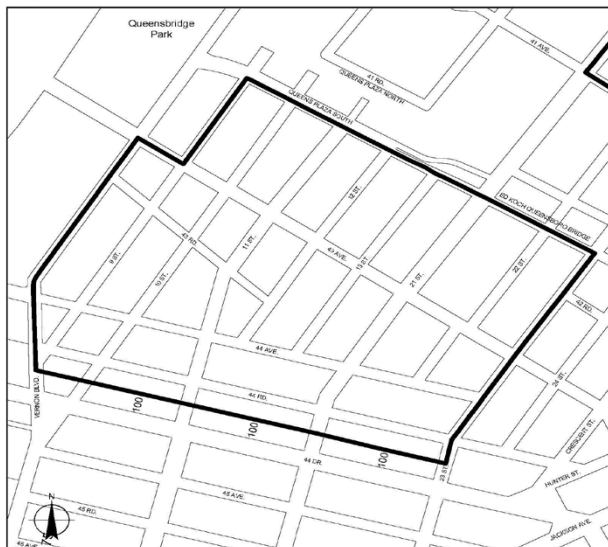
Portions of Community Districts 2 and 5, Queens

Maspeth  
Map 3



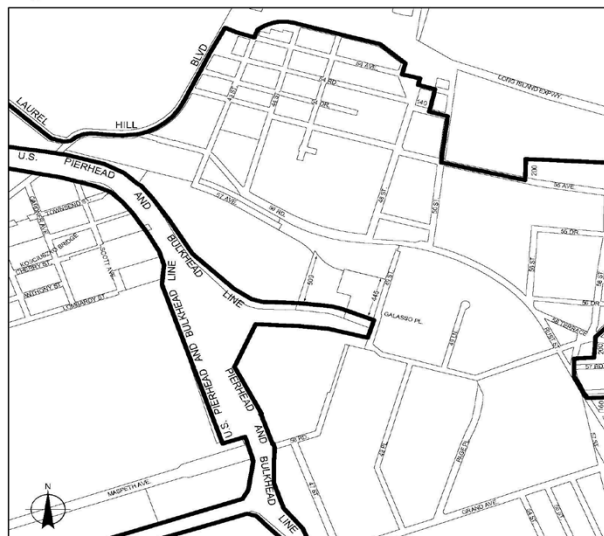
Portion of Community District 2, Queens

Long Island City  
Map 2



Portion of Community District 2, Queens

Maspeth/North Brooklyn  
Map 4



Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn

Long Island City  
Map 3



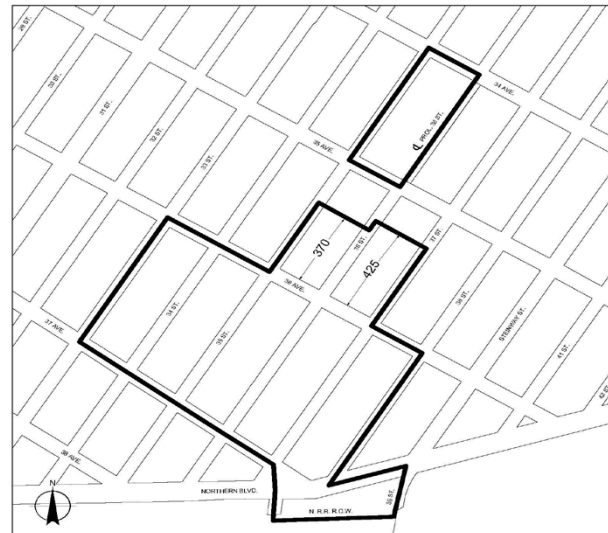
Portion of Community District 1, Queens

Long Island City  
Map 1



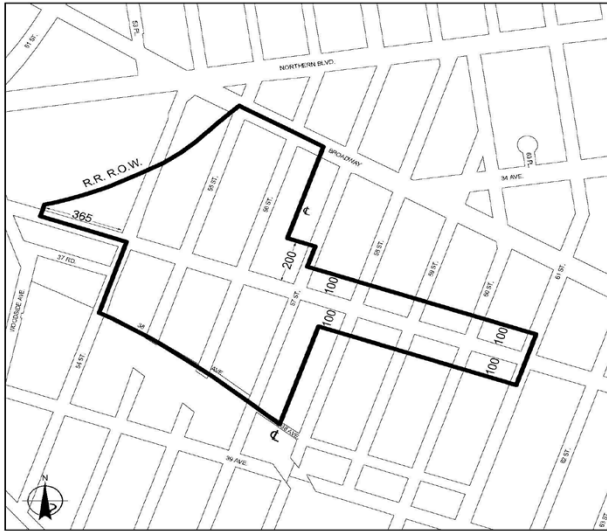
Portion of Community District 2, Queens

Long Island City  
Map 4



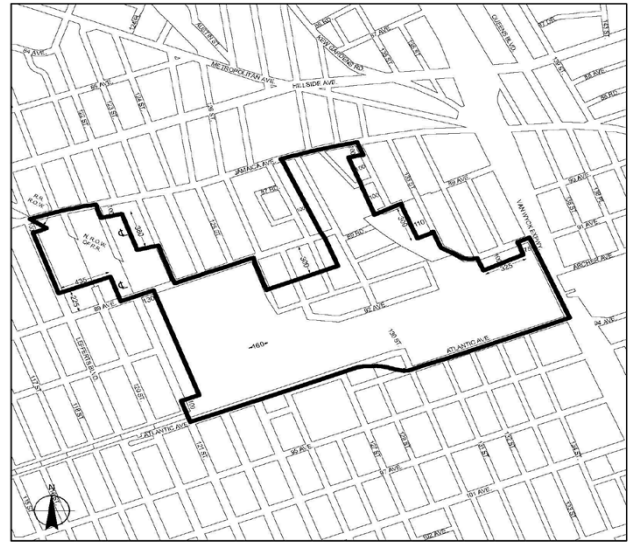
Portion of Community District 1, Queens

Woodside  
Map 1



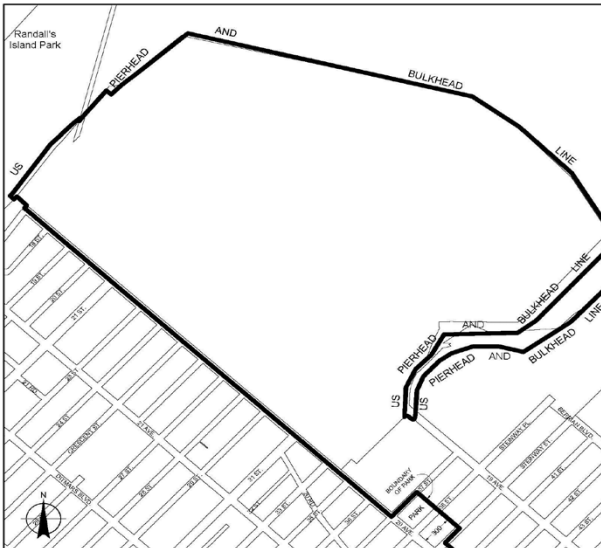
Portion of Community District 2, Queens

Jamaica  
Map 1



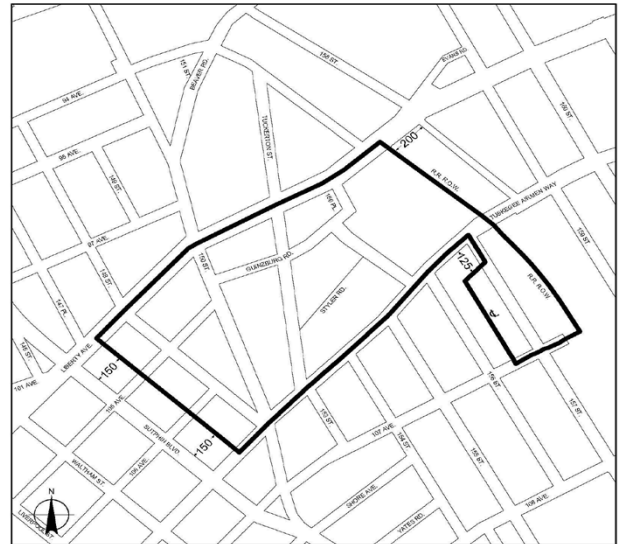
Portion of Community District 9, Queens

Steinway  
Map 1



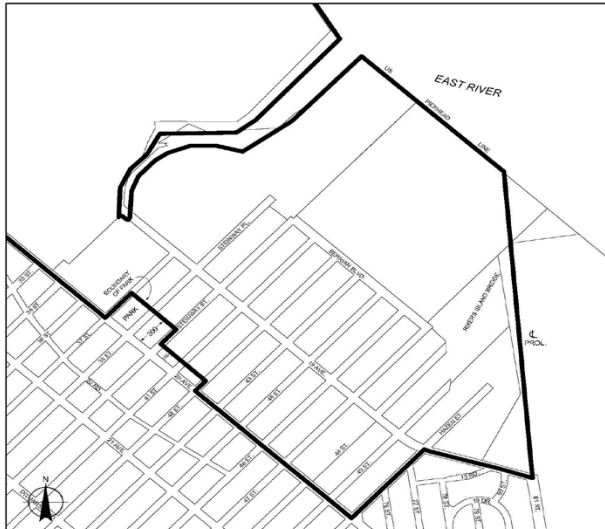
Portion of Community District 1, Queens

Jamaica  
Map 2



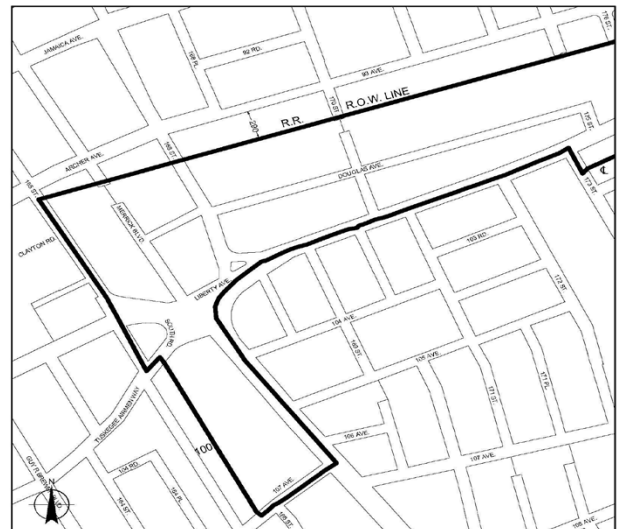
Portion of Community District 12, Queens

Steinway  
Map 2



Portion of Community District 1, Queens

Jamaica  
Map 3



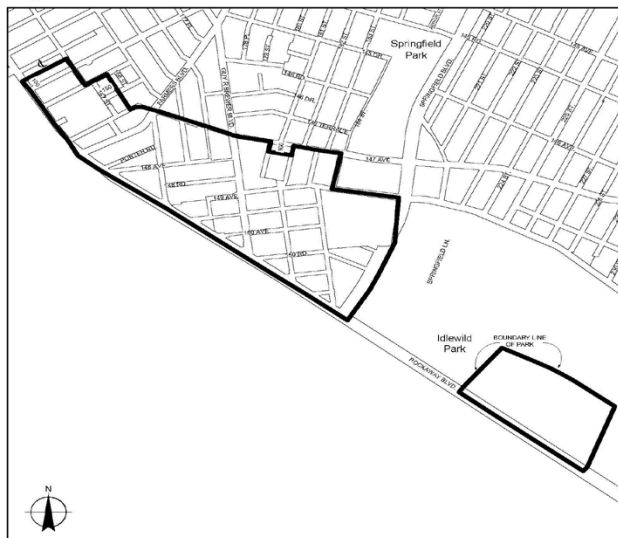
Portion of Community District 12, Queens

Jamaica  
Map 4



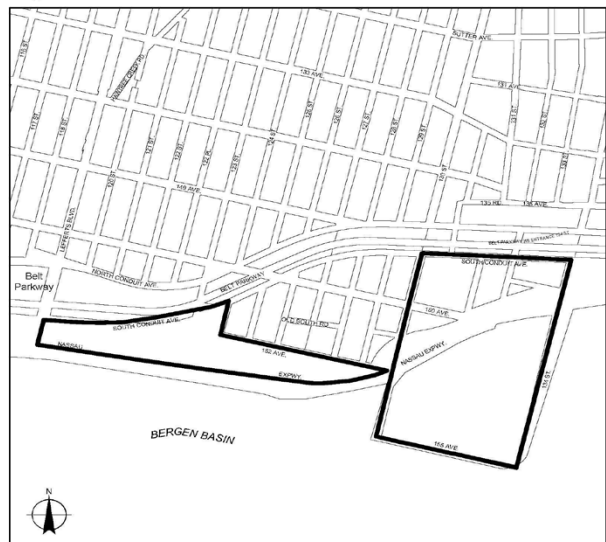
Portion of Community District 12, Queens

JFK  
Map 3



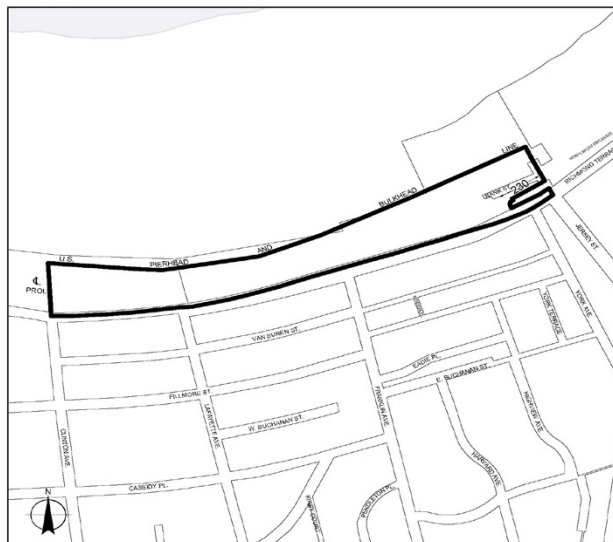
Portion of Community District 13, Queens

JFK  
Map 1



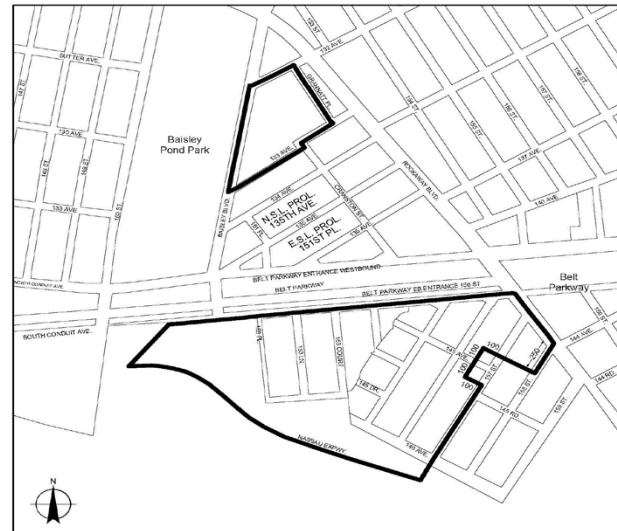
Portion of Community District 10, Queens

North Shore  
Map 1



Portion of Community District 1, Staten Island

JFK  
Map 2



Portion of Community District 12, Queens

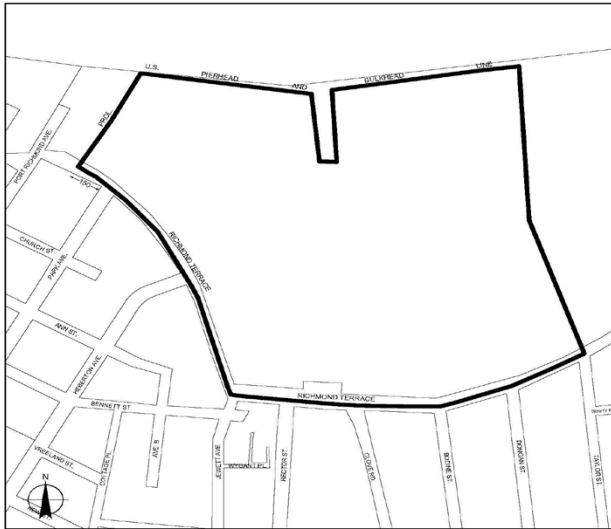
North Shore  
Map 2



Portion of Community District 1, Staten Island

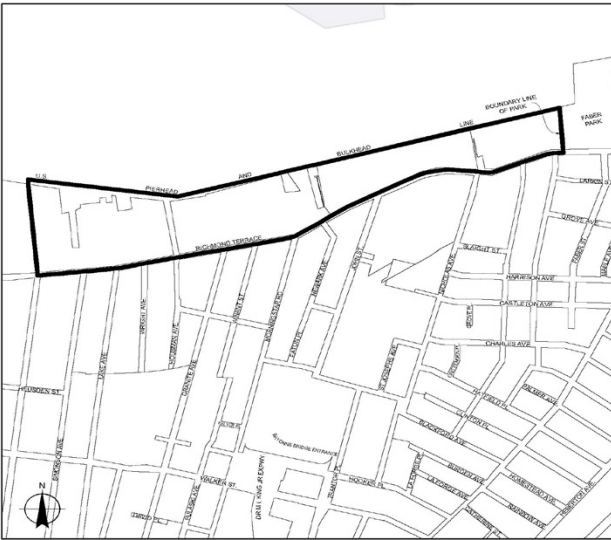


North Shore  
Map 3



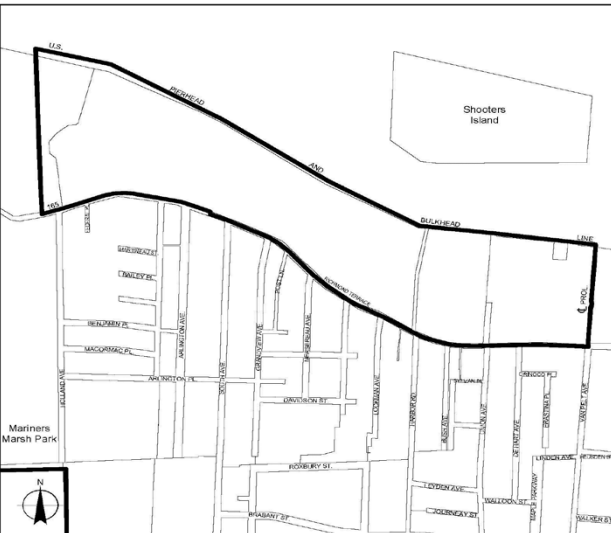
Portion of Community District 1, Staten Island

North Shore  
Map 4



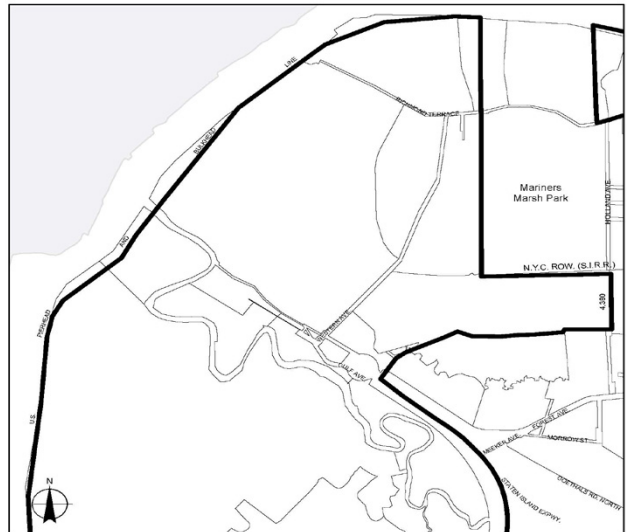
Portion of Community District 1, Staten Island

North Shore  
Map 5



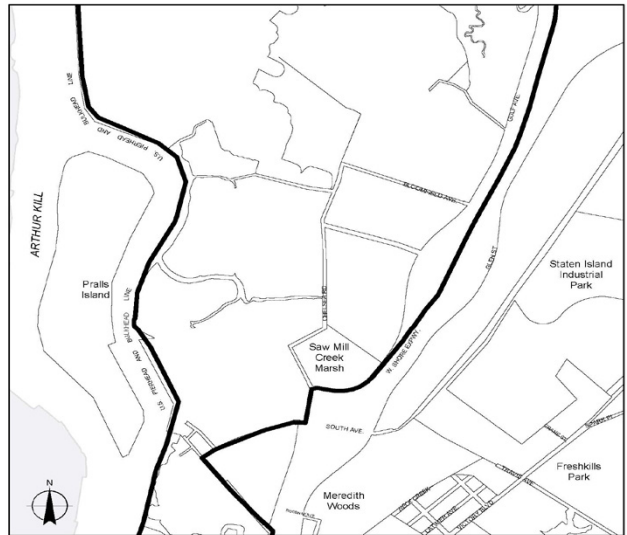
Portion of Community District 1, Staten Island

West Shore  
Map 1



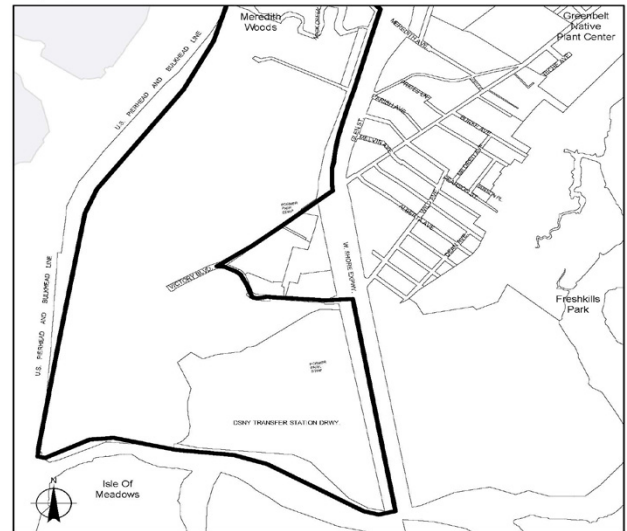
Portion of Community District 1, Staten Island

West Shore  
Map 2



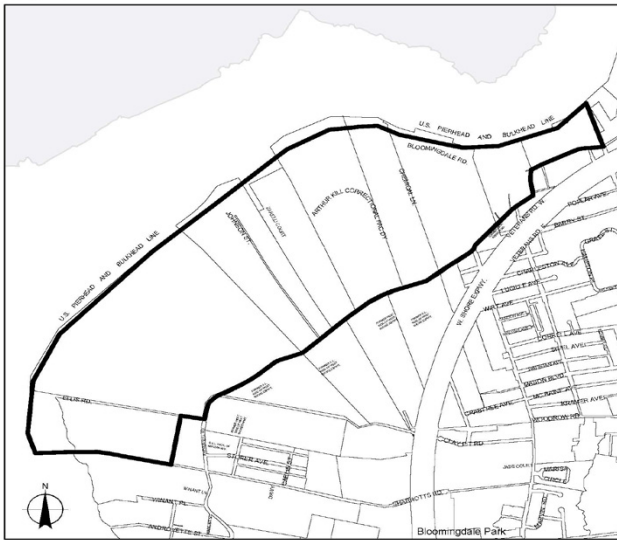
Portion of Community District 2, Staten Island

West Shore  
Map 3



Portion of Community District 2, Staten Island

Rossville  
Map 1



Portion of Community District 3, Staten Island

\*\*\*  
**NOTICE**

On Wednesday, August 23, 2017, at 9:30 A.M., in Spector Hall, 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 a zoning text amendment to establish restrictions on new self-storage facilities within Industrial Business Zones to ensure that their development does not unduly limit future siting opportunities for industrial uses. The proposed restrictions would apply within newly established "Designated Areas" in Manufacturing districts, which largely coincide with Industrial Business Zones (IBZs).

The public hearing will also consider a modification to the zoning text amendment (ULURP No. 170425 (A) ZRY). Written comments on the DEIS are requested and will be received and considered by the Lead Agency until Tuesday, September 5, 2017.

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 17DCP119Y.

**BOROUGH OF BROOKLYN**  
**No. 3**

**WARREN STREET CENTER FOR CHILDREN**

**CD 2** **C160006 POK**  
**IN THE MATTER OF** an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 343 Warren Street (Block 391, Lot 56) for continued use as a child care center.

**Nos. 4-7**  
**EDWIN'S PLACE**  
**No. 4**

**CD 16** **C 170454 ZMK**  
**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17b:

1. changing from an R6 District to an R7-2 District property bounded by a line 100 feet northerly of Livonia Avenue, Grafton Street, Livonia Avenue, and Howard Avenue; and
2. establishing within the proposed R7-2 District a C2-3 District bounded by a line 100 feet northerly of Livonia Avenue, Grafton Street, Livonia Avenue, and Howard Avenue;

as shown on the diagram (for illustrative purposes only) dated June 19, 2017.

**No. 5**

**CD 16** **N 170455 ZRK**  
**IN THE MATTER OF** an application submitted by the New York City

Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, 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**

\* \* \*

**BROOKLYN**

\* \* \*

**Brooklyn Community District 16**

\* \* \*

In the R7-2 District within the area shown on the following Map 3:

Map 3 – (date of adoption)

**[PROPOSED MAP]**



Mandatory Inclusionary Housing Program area see Section 23-154(d)(3)

Area 1 (date of adoption) - MIH Program Option 1 and Option 2

Portion of Community District 16, Brooklyn

\* \* \*

**No. 6**

**CD 16** **C 170456 HAK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD)

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 3 Livonia Avenue (Block 3566, Lot 6) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate an affordable housing development containing approximately 125 affordable units and approximately 3,079 square feet of community facility or retail space.

**No. 7**

**CD 16** **C 170457 ZSK**  
**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum floor area ratio for

certain community facility uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations in connect with a proposed eight-story building on property located at 3 Livonia Avenue (Block 3566, Lot 6), in an R7-2/C2-3\* District.

\*Note: The site is proposed to be rezoned from an existing R6 District to an R7-2/C2-3 District under a concurrent related application (C 170454 ZMK).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271-0001.

**Nos. 8 & 9  
TILLARY AND PRINCE STREET REZONING  
No. 8**

**CD 2 C 170400 ZMK**  
**IN THE MATTER OF** an application submitted by YYY Brooklyn NY LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12d:

1. changing from an R6 District to a C6-4 District property bounded by the easterly centerline prolongation of Tillary Street, a line 210 feet easterly of Prince Street, the easterly prolongation of a line 200 feet southerly of Tillary Street, and Prince Street; and
2. establishing a Special Downtown Brooklyn District bounded by the easterly centerline prolongation of Tillary Street, a line 210 feet easterly of Prince Street, the easterly prolongation of a line 200 feet southerly of Tillary Street, and Prince Street;

as shown on a diagram (for illustrative purposes only) dated June 19, 2017, and subject to the conditions of CEQR Declaration E-437.

**No. 9 N 170401 ZRK**

**CD 2**  
**IN THE MATTER OF** an application submitted by YYY Brooklyn NY, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections.

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 X**

**SPECIAL PURPOSE DISTRICTS**

**Chapter 1  
Special Downtown Brooklyn District**

\* \* \*

**101-20**

**SPECIAL BULK REGULATIONS**

The bulk regulations of the underlying districts shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

Within #Mandatory Inclusionary Housing areas#, as shown on the map in APPENDIX F of this Resolution, the provisions of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING) shall apply.

\* \* \*

**APPENDIX E**

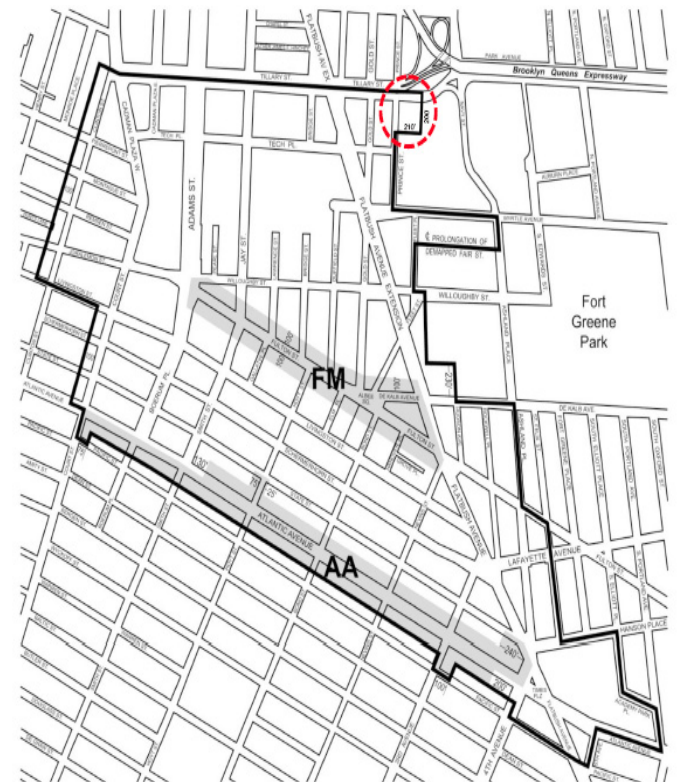
**Special Downtown Brooklyn District Maps  
Map 1. Special Downtown Brooklyn District and Subdistricts**

[EXISTING MAP]



— Special Downtown Brooklyn District  
**AA** Atlantic Avenue Subdistrict  
**FM** Fulton Mall Subdistrict

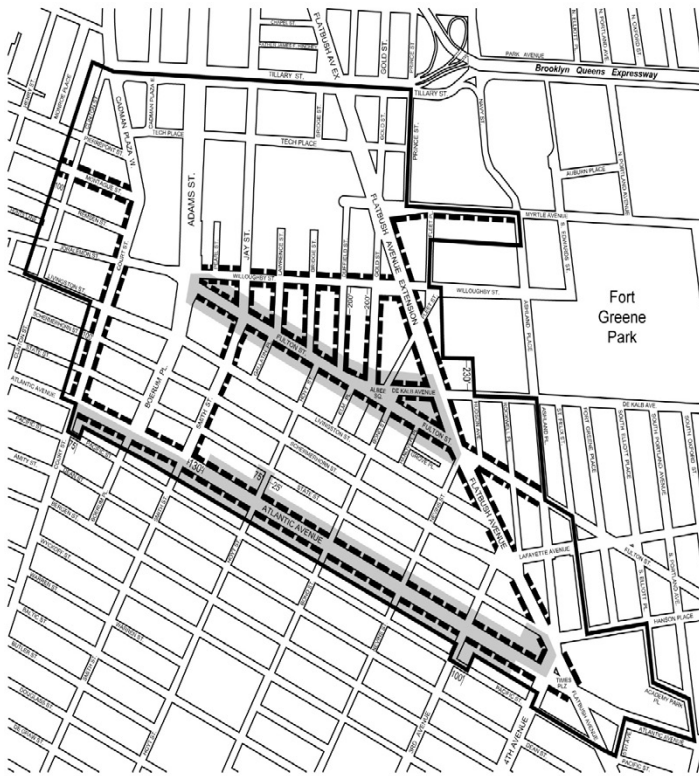
[PROPOSED MAP]



— Special Downtown Brooklyn District  
**AA** Atlantic Avenue Subdistrict  
**FM** Fulton Mall Subdistrict

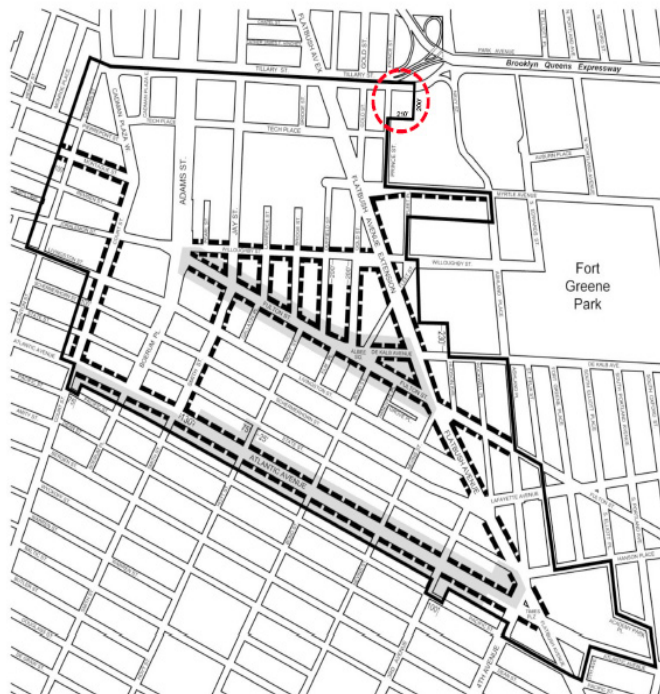
**Map 2. Ground Floor Retail Frontage**

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - Retail Continuity Required
- Subdistricts

[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - Retail Continuity Required
- Subdistricts

Map 3. Ground Floor Transparency Requirements

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - 50% of the Area of the Ground Floor Street Wall to be Glazed
- ▨ 70% of the Area of the Ground Floor Street Wall to be Glazed
- Subdistricts

[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - 50% of the Area of the Ground Floor Street Wall to be Glazed
- ▨ 70% of the Area of the Ground Floor Street Wall to be Glazed
- Subdistricts

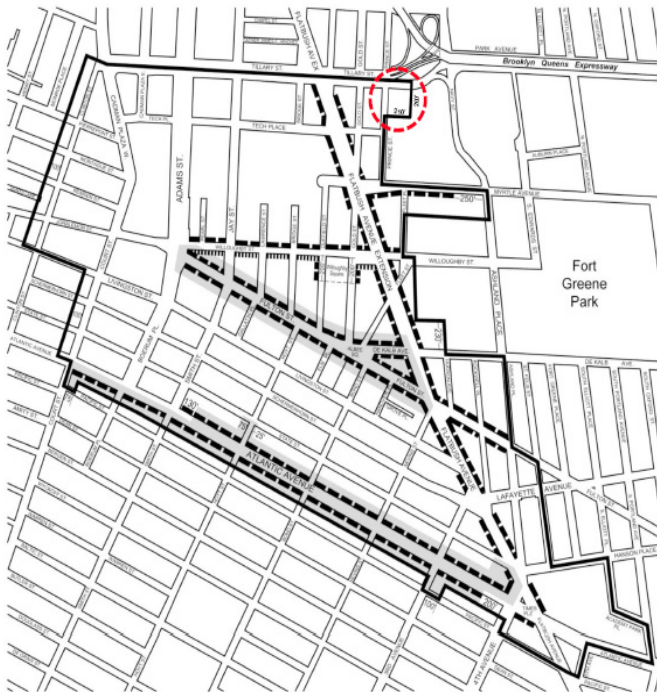
Map 4. Street Wall Continuity and Mandatory Sidewalk Widenings

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - Street Wall Continuity Required
- Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- ..... Street Wall Continuity and Sidewalk Widening Required

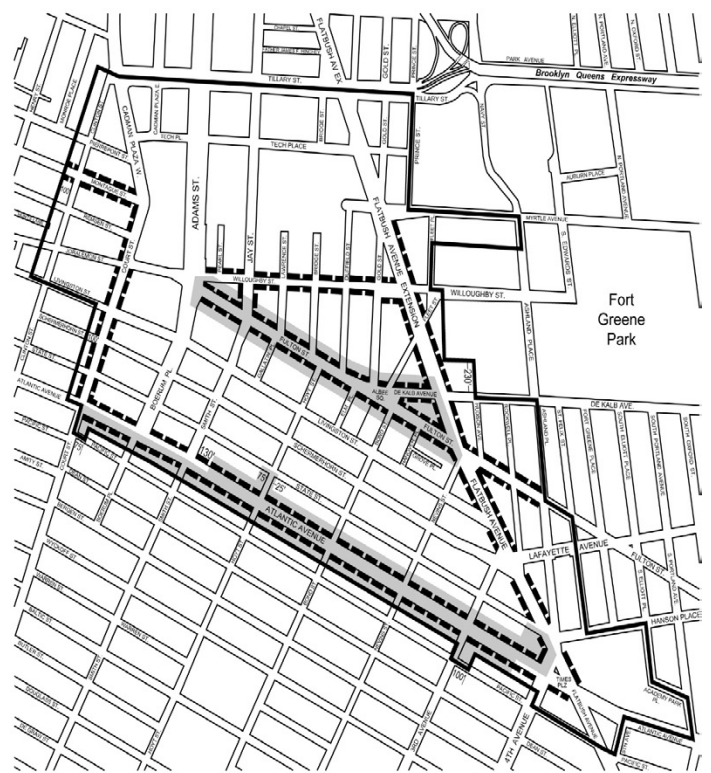
[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - Street Wall Continuity Required
- Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- ..... Street Wall Continuity and Sidewalk Widening Required

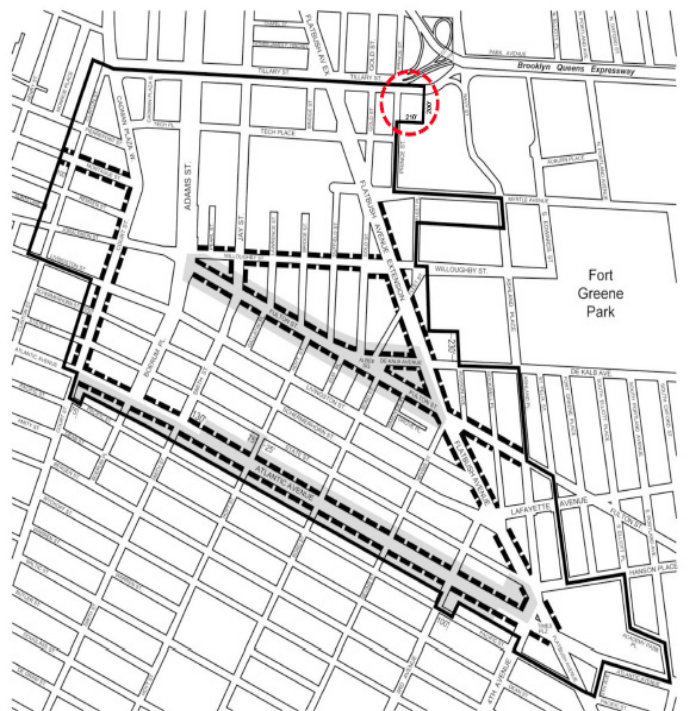
Map 5. Curb Cut Restrictions

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - Curb Cut Prohibition
- Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - Curb Cut Prohibition
- Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

Map 6. Height Limitation Area

[EXISTING MAP]



- Special Downtown Brooklyn District
- (A) Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- (B) Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- (C) Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
- Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet

[EXISTING MAP]



- Special Downtown Brooklyn District
- Subway Station
- ① Court St.-Borough Hall Station
- ② DeKalb Ave. Station
- ③ Hoyt St. Station
- ④ Hoyt-Schermerhorn Streets Station
- ⑤ Jay St.-Borough Hall-Lawrence St. Station
- ⑥ Nevins St. Station
- ⑦ Atlantic Ave.-Pacific St. Station
- 6th Ave. Line
- Broadway-60th St. Line
- 4th Ave. Line
- Brighton Line
- Crosstown Line
- Culver Line
- Fulton St. Line
- Montague St. Tunnel Line
- Eastern Parkway Line

[PROPOSED MAP]



- Special Downtown Brooklyn District
- (A) Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- (B) Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- (C) Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
- Flatbush Avenue Extension Height Restriction of 400 Feet

[PROPOSED MAP]



- Special Downtown Brooklyn District
- Subway Station
- ① Court St.-Borough Hall Station
- ② DeKalb Ave. Station
- ③ Hoyt St. Station
- ④ Hoyt-Schermerhorn Streets Station
- ⑤ Jay St.-Borough Hall-Lawrence St. Station
- ⑥ Nevins St. Station
- ⑦ Atlantic Ave.-Pacific St. Station
- 6th Ave. Line
- Broadway-60th St. Line
- 4th Ave. Line
- Brighton Line
- Crosstown Line
- Culver Line
- Fulton St. Line
- Montague St. Tunnel Line
- Eastern Parkway Line

Map 7. Subway Station Improvement Areas

[THE FOLLOWING APPENDIX F IS THE STAND-ALONE IHda/MIH ONE, NOT AN ADDITIONAL APPENDIX IN ARTICLE X, CHAPTER 1]

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

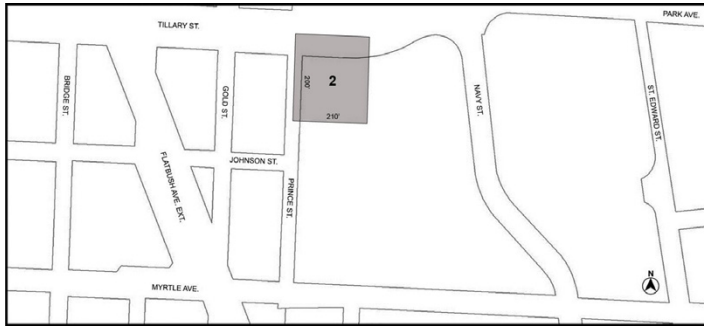
BROOKLYN

Brooklyn Community District 2

In portions of the #Special Downtown Brooklyn District# and in the C6-4 and C6-6 (R10 equivalent) Districts within the areas shown on the following Map 5:

Map 5 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing area see Section 23-154(d)(3) Area 2 [date of adoption] - MIH Program Option 1 Portion of Community District 2, Brooklyn

Nos. 10 & 11 LINDEN BOULEVARD REZONING No. 10

CD 5 C 170430 ZMK IN THE MATTER OF an application submitted by Canyon Sterling Emerald LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18b:

- 1. eliminating from an existing R4 District a C1-2 District bounded by Linden Boulevard, Amber Street, a line 100 feet southerly of Linden Boulevard, and Emerald Street;
2. changing from an existing R4 District to an R6A District property bounded by a line 100 feet southerly of Linden Boulevard, Amber Street, a line 100 feet northerly of Loring Avenue, and Emerald Street;
3. changing from an existing R4 District to an R7A District property bounded by a line 100 feet northerly of Loring Avenue, Amber Street, Loring Avenue, and Emerald Street;
4. changing from an existing R4 District to an R8A District property bounded by Linden Boulevard, Amber Street, a line 100 feet southerly of Linden Boulevard, and Emerald Street; and
5. establishing within a proposed R8A District a C2-4 District bounded by Linden Boulevard, Amber Street, a line 100 feet southerly of Linden Boulevard, and Emerald Street;

as shown on a diagram (for illustrative purposes only) dated June 19, 2017, and subject to the conditions of CEQR Declaration E-432.

No. 11

CD 5 N 170431 ZRK IN THE MATTER OF an application submitted by Canyon Sterling Emerald 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

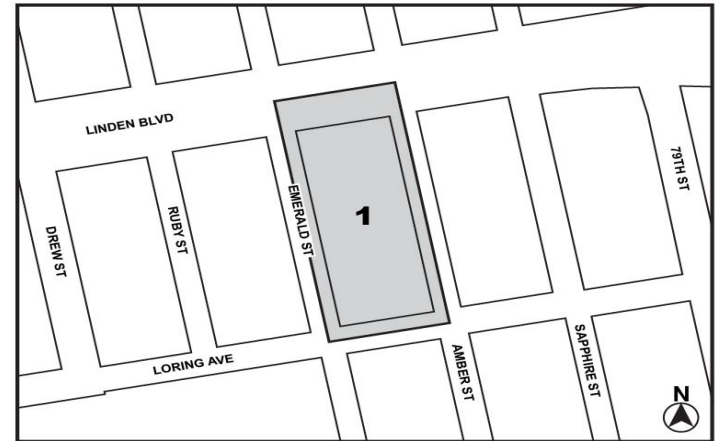
BROOKLYN

Brooklyn Community District 5

In the R6A, R6B, R7, R7A and R8A Districts within the areas shown on the following Maps 1 and 2:

Map 2 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3) Area 1 - [date of adoption] MIH Program Option 1 and Option 2 Portion of Community District 5, Brooklyn

BOROUGH OF QUEENS

NYPD PROPERTY CLERK WAREHOUSE CONSOLIDATION CD. 5 C 170394 PCQ

IN THE MATTER OF an application submitted by the New York Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for a site selection and acquisition of property located at 55-15 Grand Avenue (Block 2610, Lots 305, 336, 357) for use as a warehouse facility.

BOROUGH OF MANHATTAN

661 8TH AVENUE SIGNAGE TEXT AMENDMENT CD 4 N 170433 ZRM

IN THE MATTER OF an application submitted by 42nd and 8th Owner 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 signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown 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 VIII: SPECIAL PURPOSE DISTRICTS

Chapter 1: Special Midtown District

81-70 SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

81-73 Special Sign and Frontage Regulations

81-733 Special provisions for central refuse storage area

\* \* \*

**81-734****Special signage regulations for portions of the west side of Eighth Avenue**

For a #corner lot#, or portions thereof, bounded by two #wide streets# on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, the #sign# provisions for C6-7 Districts pursuant to Section 32-60 (SIGN REGULATIONS) shall apply, with the following modifications:

- (a) no #sign# shall function with sound; and
- (b) #illuminated signs# may face both #wide streets#, or be parallel to the #street line# of one #wide street#.

**81-74****Special Incentives and Controls in the Theater Subdistrict**

\* \* \*

**No. 14  
449 BROADWAY**

**CD 2 C 170464 ZSM**

**IN THE MATTER OF** an application submitted by 449 Broadway, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the requirements of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail uses) on portions of the ground floor and cellar of an existing 5-story building on property located at 449 Broadway (Block 231, Lot 36), in an M1-5B District.

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. 15  
220 CENTRAL PARK SOUTH PARKING**

**CD 5 C 170249 ZSM**

**IN THE MATTER OF** an application submitted by VNO 225 West 58th Street 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 accessory off-street parking facility with a maximum capacity of 64 spaces on portions of the ground floor and subcellar level 2 of a proposed mixed use building on property located at 220 Central Park South (Block 1030, Lots 15, 16, 17, 19, 24, 25, 39, 46, 48 and 58), in R10H and C5-1 Districts.

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.

**Nos. 16, 17, 18, & 19  
EAST HARLEM NEIGHBORHOOD REZONING  
No. 16**

**CD 11 C 170358 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 Nos. 6a and 6b:

1. eliminating from within an existing R7-2 District a C1-4 District bounded by:
  - a. East 124<sup>th</sup> Street, Park Avenue, East 123<sup>rd</sup> Street, and a line 100 feet westerly of Park Avenue;
  - b. East 124<sup>th</sup> Street, Second Avenue, East 123<sup>rd</sup> Street, and a line 100 feet westerly of Second Avenue;
  - c. East 122<sup>nd</sup> Street, Park Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 117<sup>th</sup> Street, Lexington Avenue, East 120<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, East 115<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Park Avenue, East 115<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue; and
  - d. East 112<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 110<sup>th</sup> Street and East 111<sup>th</sup> Street, and a line 100 feet westerly of Lexington Avenue;
2. eliminating from within an existing R8A District a C1-5 District bounded by:
  - a. East 122<sup>nd</sup> Street, Second Avenue, East 120<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 115<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
  - b. East 112<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 109<sup>th</sup> Street, Third Avenue, East 106<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 104<sup>th</sup> Street, and a line

- 100 feet westerly of Third Avenue;
- c. East 112<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 108<sup>th</sup> Street, Second Avenue, East 109<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue; and
- d. East 106<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 104<sup>th</sup> Street, a line 100 feet westerly of Second Avenue;
3. eliminating from within an existing R7-2 District a C2-4 District bounded by:
  - a. East 132<sup>nd</sup> Street, Park Avenue, East 131<sup>st</sup> Street, and a line 100 feet westerly of Park Avenue;
  - b. East 124<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line midway between East 123<sup>rd</sup> Street and East 124<sup>th</sup> Street, and Park Avenue;
  - c. East 123<sup>rd</sup> Street, Park Avenue, East 122<sup>nd</sup> Street, and a line 100 feet westerly of Park Avenue;
  - d. East 124<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, East 120<sup>th</sup> Street, Lexington Avenue, East 122<sup>nd</sup> Street, and a line 100 feet westerly of Lexington Avenue; and
  - e. a line 125 feet northerly of East 119<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and 117<sup>th</sup> Street, and Park Avenue;
4. eliminating a Special Transit Land Use District bounded by the southerly street line of East 126<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, the northerly street line of East 120<sup>th</sup> Street and its easterly prolongation, a line 100 feet westerly of Second Avenue, a line midway between East 124<sup>th</sup> Street and East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard, a line 150 feet westerly of Second Avenue, a line midway between East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard and East 126<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
5. changing from an R7-2 District to an R7A District property bounded by East 132<sup>nd</sup> Street, a line 100 feet easterly of Madison Avenue, East 128<sup>th</sup> Street, Madison Avenue, East 127<sup>th</sup> Street, a line 100 feet easterly of Madison Avenue, East 126<sup>th</sup> Street, a line 100 feet westerly of Madison Avenue, 130<sup>th</sup> Street, Madison Avenue, East 131<sup>st</sup> Street, and a line 100 feet westerly of Madison Avenue;
6. changing from an R7-2 District to an R7B District property bounded by:
  - a. East 132<sup>nd</sup> Street, a line 100 feet westerly of Madison Avenue, East 131<sup>st</sup> Street, and a line 100 feet easterly of Fifth Avenue;
  - b. East 132<sup>nd</sup> Street, a line 100 feet westerly of Park Avenue, a line midway between East 129<sup>th</sup> Street and East 130<sup>th</sup> Street, a line 90 feet westerly of Park Avenue, East 129<sup>th</sup> Street, a line 70 feet westerly of Park Avenue, East 128<sup>th</sup> Street, and a line 100 feet easterly of Madison Avenue;
  - c. East 130<sup>th</sup> Street, a line 100 feet westerly of Madison Avenue, East 126<sup>th</sup> Street, and a line 100 feet easterly of Fifth Avenue;
  - d. East 127<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 126<sup>th</sup> Street, and a line 100 feet easterly of Madison Avenue;
  - e. East 124<sup>th</sup> Street, a line 100 feet westerly of Second Avenue, East 123<sup>rd</sup> Street, a line 100 feet easterly of Third Avenue;
  - f. East 123<sup>rd</sup> Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 121<sup>st</sup> Street and East 122<sup>nd</sup> Street, and a line 100 feet easterly of Park Avenue;
  - g. a line midway between East 119<sup>th</sup> Street and East 120<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, and a line 100 feet easterly of Park Avenue;
  - h. a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, a line 100 feet westerly of Lexington Avenue, East 115<sup>th</sup> Street, and a line 100 feet easterly of Park Avenue;
  - i. East 111<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 110<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line midway between East 110<sup>th</sup> Street and East 111<sup>th</sup> Street, and a line 155 feet easterly of Park Avenue; and
  - j. East 107<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 106<sup>th</sup> Street, a line 180 feet easterly of Park Avenue, a line midway between East 106<sup>th</sup> Street and East



- 107<sup>th</sup> Street, and a line 230 feet easterly of Park Avenue;
7. changing from an C8-3 District to an R7B District property bounded by a line midway between East 129<sup>th</sup> Street and 130<sup>th</sup> Street, a line 90 feet westerly of Park Avenue, East 129<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue;
  8. changing from an R7-2 District to an R7D District property bounded by:
    - a. East 124<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 117<sup>th</sup> Street, Lexington Avenue, East 122<sup>nd</sup> Street, and a line 100 feet westerly of Lexington Avenue;
    - b. a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Park Avenue;
    - c. a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Lexington Avenue, East 115<sup>th</sup> Street, and a line 100 feet westerly of Lexington Avenue; and
    - d. East 112<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, East 104<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 107<sup>th</sup> Street, Lexington Avenue, East 110<sup>th</sup> Street, and a line 100 feet westerly of Lexington Avenue;
  9. changing from an R7A District to an R7D District property bounded by:
    - a. a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Third Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Lexington Avenue; and
    - b. a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Second Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Third Avenue;
  10. changing from an R7-2 District to an R9 District property bounded by:
    - a. East 132<sup>nd</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 131<sup>st</sup> Street, and a line 100 feet westerly of Park Avenue;
    - b. East 124<sup>th</sup> Street, Second Avenue, East 123<sup>rd</sup> Street, and a line 100 feet westerly of Second Avenue;
    - c. East 118<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 115<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue; and
    - d. a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, and a line 100 feet westerly of Lexington Avenue;
  11. changing from an R7A District to an R9 District property bounded by East 120<sup>th</sup> Street, a line 100 feet westerly of Second Avenue, East 119<sup>th</sup> Street, and a line 110 feet westerly of second Avenue;
  12. changing from an R8A District to an R9 District property bounded by:
    - a. East 122<sup>nd</sup> Street, Second Avenue, East 120<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 115<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
    - b. East 112<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 108<sup>th</sup> Street, Second Avenue, East 109<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue; and
    - c. East 106<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 104<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
  13. changing from an R7-2 District to an R10 District property bounded by East 122<sup>nd</sup> Street, Park Avenue, a line midway between East 119<sup>th</sup> Street and East 120<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 118<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 120<sup>th</sup> Street and a line 100 feet westerly of Park Avenue;
  14. changing from an R8A District to an R10 District property bounded by East 112<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 109<sup>th</sup> Street, Third Avenue, East 106<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 104<sup>th</sup> Street, and a line 100 feet westerly of Third Avenue;
  15. changing from a C4-4 District to a C4-6 District property bounded by East 124<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 123<sup>rd</sup> Street, Third Avenue, East 122<sup>nd</sup> Street, and a line 100 feet westerly of Third Avenue;
  16. changing from a C4-4D District to a C4-6 District property bounded by East 122<sup>nd</sup> Street, a line 100 feet easterly of Third Avenue, East 115<sup>th</sup> Street and a line 100 feet westerly of Third Avenue;
  17. changing from an R7-2 District to an C6-4 District property bounded by East 124<sup>th</sup> Street, Park Avenue, East 122<sup>nd</sup> Street, and a line 100 feet easterly of Park Avenue;
  18. changing from a C4-4D District to a C6-4 District property bounded by East 126<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard, a line 140 easterly of Park Avenue, East 124<sup>th</sup> Street, and a line 90 feet easterly of Park Avenue;
  19. changing from a C6-3 District to a C6-4 District property bounded by East 126<sup>th</sup> Street, a line 90 feet easterly of Park Avenue, East 124<sup>th</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard, and a line 90 feet westerly of Park Avenue;
  20. changing from a C8-3 District to a M1-6/R9 District property bounded by:
    - a. East 131<sup>st</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 128<sup>th</sup> Street, a line 70 feet westerly of Park Avenue, East 129<sup>th</sup> Street, a line 90 feet westerly of Park Avenue, a line midway between East 129<sup>th</sup> Street and East 130<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue; and
    - b. East 127<sup>th</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 126<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue;
  21. changing from an R7-2 District to an M1-6/R10 District property bounded by:
    - a. East 124<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line midway between East 123<sup>rd</sup> Street and East 124<sup>th</sup> Street, and Park Avenue; and
    - b. a line 125 feet northerly of East 119<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line midway between East 119<sup>th</sup> Street and East 120<sup>th</sup> Street, and Park Avenue;
  22. changing from an M1-2 District to an M1-6/R10 District property bounded by East 128<sup>th</sup> Street, a line 160 feet easterly of Park Avenue, a 100 feet southerly of East 128<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 126<sup>th</sup> Street, and the westerly boundary line of the New York Central Railroad right-of-way;
  23. changing from an M1-4 District to an M1-6/R10 District property bounded by a line midway between East 123<sup>rd</sup> Street and East 124<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line 125 feet northerly of East 119<sup>th</sup> Street, and Park Avenue;
  24. establishing within an existing R7-2 District a C1-5 District bounded by:
    - a. East 115<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 112<sup>th</sup> Street, and a line 70 feet westerly of Park Avenue;
    - b. East 115<sup>th</sup> Street, Lexington Avenue, a line 240 feet southerly of East 115<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, East 112<sup>th</sup> Street, and a line 100 feet westerly of Lexington Avenue;
    - c. East 115<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 112<sup>th</sup> Street, a line 100 feet westerly of Third Avenue, a line 252 feet southerly of East 115<sup>th</sup> Street, and Third Avenue; and
    - d. East 115<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, a line 100 feet northerly of East 113<sup>th</sup> Street, Second Avenue, East 113<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 112<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
  25. establishing within a proposed R7D District a C1-5 District bounded by:
    - a. East 120<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 117<sup>th</sup> Street, and Lexington Avenue;

- b. a line midway between East 117<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, a line 100 feet westerly of Lexington Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Park Avenue; and
  - c. East 112<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 110<sup>th</sup> Street and East 111<sup>th</sup> Street, and a line 100 feet westerly of Lexington Avenue;
26. establishing within a proposed R7D District a C2-5 District bounded by East 124<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, East 120<sup>th</sup> Street, Lexington Avenue, East 122<sup>nd</sup> Street, and a line 100 feet westerly of Lexington Avenue;
27. establishing within a proposed R9 District a C2-5 District bounded by:
- a. East 132<sup>nd</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 131<sup>st</sup> Street, and a line 100 feet westerly of Park Avenue;
  - b. East 118<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 115<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue;
  - c. a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, and a line 100 feet westerly of Lexington Avenue;
  - d. East 124<sup>th</sup> Street, Second Avenue, East 123<sup>rd</sup> Street, and a line 100 feet westerly of Second Avenue;
  - e. East 122<sup>nd</sup> Street, Second Avenue, East 120<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 115<sup>th</sup> Street, a line 100 feet westerly of Second Avenue, East 119<sup>th</sup> Street, a line 110 feet westerly of Second Avenue, East 120<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
  - f. East 112<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 108<sup>th</sup> Street, Second Avenue, East 109<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue; and
  - g. East 106<sup>th</sup> Avenue, a line 100 feet easterly of Second Avenue, East 104<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
28. establishing within a proposed R10 District a proposed C2-5 District property by:
- a. East 122<sup>nd</sup> Street, Park Avenue, a line midway between East 119<sup>th</sup> Street and East 120<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 118<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 120<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue; and
  - b. East 112<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 109<sup>th</sup> Street, Third Avenue, East 106<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 104<sup>th</sup> Street, and a line 100 feet westerly of Third Avenue;
29. establishing a Special East Harlem Corridors District bounded by:
- a. East 132<sup>nd</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 128<sup>th</sup> Street, a line 70 feet westerly of Park Avenue, East 129<sup>th</sup> Street, a line 90 feet westerly of Park Avenue, a line midway between East 129<sup>th</sup> Street and East 130<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue;
  - b. East 128<sup>th</sup> Street, a line 160 feet easterly of Park Avenue, a line 100 feet southerly of East 128<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, East 126<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 127<sup>th</sup> Street, and the westerly boundary line of the New York Central Railroad right-of-way;
  - c. East 124<sup>th</sup> Street, a line 100 feet easterly of Park Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 117<sup>th</sup> Street, Lexington Avenue, East 122<sup>nd</sup> Street, a line 100 feet westerly of Lexington Avenue, East 124<sup>th</sup> street, a line 100 feet easterly of Lexington Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Third Avenue, East 124<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 123<sup>rd</sup> Street, Third Avenue, East 122<sup>nd</sup> Street, a line 100 feet easterly of Third Avenue, a line midway between East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard and East 117<sup>th</sup> Street, a line 100 feet westerly of Second Avenue, East 122<sup>nd</sup> Street, Second Avenue, East 120<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 115<sup>th</sup> Street, a line 100 feet westerly of Second

- Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Third Avenue, East 115<sup>th</sup> Street, a line 100 feet westerly of Third Avenue, a line midway between East 115<sup>th</sup> Street and East 116<sup>th</sup> Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Lexington Avenue, East 115<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 120<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue;
  - d. East 124<sup>th</sup> Street, Second Avenue, East 123<sup>rd</sup> Street, and a line 100 feet westerly of Second Avenue;
  - e. East 112<sup>th</sup> Street, a line 100 feet easterly of Lexington Avenue, East 104<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue, East 107<sup>th</sup> Street, Lexington Avenue, East 110<sup>th</sup> Street, a line 100 feet westerly of Lexington Avenue;
  - f. East 112<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 109<sup>th</sup> Street, Third Avenue, East 106<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 104<sup>th</sup> Street, and a line 100 feet westerly of Third Avenue;
  - g. East 112<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 108<sup>th</sup> Street, Second Avenue, East 109<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue; and
  - h. East 106<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 104<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue; and
30. establishing a Special Transit Land Use District bounded by:
- a. East 126<sup>th</sup> Street, a line 85 feet easterly of Fifth Avenue, a line midway between East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard and East 126<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 126<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 124<sup>th</sup> Street, a line 200 feet westerly of Madison Avenue, a line midway between East 124<sup>th</sup> Street and East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard, and Fifth Avenue;
  - b. East 120<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, a line 100 feet southerly of East 115<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
  - c. a line midway between East 110<sup>th</sup> Street and East 111<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, the southerly street line of East 110<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue; and
  - d. the northerly street line of East 105<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, a line midway between East 104<sup>th</sup> Street and East 105<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated April 24, 2017, and subject to the conditions of CEQR Declaration E-422.

**No. 17**

**CD 11** **N 170359 ZRM**  
**IN THE MATTER OF** an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special East Harlem Corridors District (Article XIII, Chapter 8) and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections.

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 I**  
**GENERAL PROVISIONS**

**Chapter 1**  
**Title, Establishment of Controls and Interpretation of Regulations**

\* \* \*

**11-122**  
**Districts established**

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

- Special Purpose Districts \* \* \*
- \* \* \*

Establishment of the Special Downtown Jamaica District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 5, the #Special Downtown Jamaica District# is

hereby established.

Establishment of the Special East Harlem Corridors District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 8, the #Special East Harlem Corridors District# is hereby established.

Establishment of the Special Enhanced Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 2, the #Special Enhanced Commercial District# is hereby established.

\* \* \*

**Chapter 2  
Construction of Language and Definitions**

\* \* \*

**12-10  
DEFINITIONS**

\* \* \*

Special Downtown Jamaica District

The "Special Downtown Jamaica District" is a Special Purpose District designated by the letters "DJ" in which special regulations set forth in Article XI, Chapter 5, apply.

Special East Harlem Corridors District

The "Special East Harlem Corridors District" is a Special Purpose District designated by the letters "EHC" in which special regulations set forth in Article XIII, Chapter 8, apply.

Special Enhanced Commercial District

The "Special Enhanced Commercial District" is a Special Purpose District designated by the letters "EC" in which special regulations set forth in Article XIII, Chapter 2, apply.

\* \* \*

**Chapter 4  
Sidewalk Cafe Regulations**

\* \* \*

**14-40  
AREA ELIGIBILITY FOR SIDEWALK CAFES**

\* \* \*

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

\* \* \*

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Clinton District	No	Yes
<u>East Harlem Corridors District</u>	<u>No</u>	<u>Yes</u>
Enhanced Commercial District 2 (Columbus and Amsterdam Avenues)	Yes	Yes

\* \* \*

**ARTICLE II  
RESIDENCE BULK REGULATIONS**

**Chapter 3  
Residential Bulk Regulations in Residence Districts**

\* \* \*

**23-011  
Quality Housing Program**

\* \* \*

R6 R7 R8 R9 R10

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

\* \* \*

- (2) Special Purpose Districts  
However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

- #Special 125th Street District#;
- #Special Downtown Brooklyn District#;
- #Special Downtown Jamaica District#;
- #Special East Harlem Corridors District#;
- #Special Grand Concourse Preservation District#;

\* \* \*

**23-03  
Street Tree Planting in Residence Districts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

\* \* \*

- (b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:
  - #Special Bay Ridge District#;
  - #Special Clinton District#;
  - #Special Downtown Brooklyn District#
  - #Special Downtown Jamaica District#
  - #Special East Harlem Corridors District#;
  - #Special Grand Concourse Preservation District#;

\* \* \*

**ARTICLE III  
COMMERCIAL DISTRICT REGULATIONS**

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

\* \* \*

**33-03  
Street Tree Planting in Commercial Districts**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

\* \* \*

- (b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:
  - #Special Bay Ridge District#;
  - #Special Clinton District#;
  - #Special Downtown Brooklyn District#
  - #Special Downtown Jamaica District#
  - #Special East Harlem Corridors District#;
  - #Special Grand Concourse Preservation District#;

\* \* \*

**ARTICLE IX  
SPECIAL PURPOSE DISTRICTS**

**Chapter 5  
Special Transit Land Use District**

**95-00  
GENERAL PURPOSES**

\* \* \*

**95-03  
Transit Easement**

Any #development# or #enlargement# involving ground level construction within the #Special Transit Land Use District# shall provide an easement on the #zoning lot# for subway-related use and public access to the subway mezzanine or station when required pursuant to the provisions of Section 95-04.

The issuance by the Department of Buildings of an excavation permit for any #zoning lot# located within the Special District shall be dependent upon prior compliance with the provisions of this Chapter.

The transit easement required on a #zoning lot# shall permit the realization of one or more of the following planning objectives:

- (a) the integration and relating of subway station design to surrounding development;
- (b) the introduction of light and air to; stations; ~~and~~ mezzanines; ~~and~~ other related facilities constructed pursuant to the provisions

of Section 95-032 (Determination of transit easements at other stations);

\* \* \*

### 95-031

#### Selection of transit easement at certain stations

At the stations specified below, the transit easement required on a #zoning lot# shall constitute a volume whose dimensions above and below #curb level# shall comply with the requirements as set forth in Table A or Table B of this Section, depending on the depth of the proposed subway mezzanine below #curb level#, as established by the Metropolitan Transportation Authority.

\* \* \*

### 95-032

#### Determination of transit easements at other stations

At the 106th Street, 116th Street and 125th Street stations, a transit easement shall be provided 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 Metropolitan Transportation Authority 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.

### 95-0323

#### Location of transit easements

\* \* \*

### 95-05

#### Terms and Conditions for Permitted Uses and Construction within Transit Easement Volume

The transit easement volume shall be used as an entrance/exit for public access to the subway and/or to provide better access of light and air to the subway station mezzanine, and for related uses. Illustrative of such purposes are light wells, stairs, ramps, escalators, or elevators; or for #zoning lots# subject to the provisions of Section 95-032 (Determination of transit easements at other stations), ancillary facilities required to support the functioning of subways, including, but not limited to, emergency egress or ventilation structures.

No #floor area# bonus shall be allowed for any transit easement provided on a #zoning lot#. When a transit easement volume required on a #zoning lot# is located within a #building#, any floor spaces occupied by such transit easement volume shall not count as #floor area#. Any portion of the #lot area# of a #zoning lot# occupied by a transit easement and weather protected by an overhang or roofed area, shall be considered as a #public plaza# in the districts that allow such #public plaza# bonuses.

\* \* \*

### 95-051

#### Development of transit access facilities

All access facilities, including any light wells or sky lights required within a transit easement volume established pursuant to the provisions of Section 95-031 (Selection of transit easement at certain stations), or access and ancillary facilities required pursuant to the provisions of Section 95-032 (Determination of transit easement at other stations), shall be constructed and maintained by the Metropolitan Transportation Authority except for any #building# columns, footings or any other permitted obstructions allowed therein.

\* \* \*

### 95-052

#### Special access facilities for persons with disabilities at certain stations

For #zoning lots# subject to the provisions of Section 95-031 (Selection of transit easement at certain stations), Special elevators for persons with disabilities may locate within a transit easement volume, provided stair and/or escalator access to the subway mezzanine are located within the same easement and in no event located within the public sidewalk adjacent to the #zoning lot#.

\* \* \*

## Article IX

### Special Purpose Districts

#### Chapter 7

#### Special 125th Street District

### 97-00

#### GENERAL PURPOSES

The "Special 125th Street District" established in this Resolution is designed to promote and protect the public health, safety, general welfare and amenity. The general goals include, among others, the

following specific purposes:

- (a) to preserve, protect and promote the special character of 125th Street as Harlem's "Main Street" and the role of 125th Street as Upper Manhattan's premier mixed use corridor;
- (b) to guide development on the 125th Street corridor;
- (c) to expand the retail and commercial character of 125th Street;
- (d) to provide incentives for the creation of visual and performing arts space and enhance the area's role as a major arts, entertainment and cultural destination in the City;
- (e) to support mixed use development throughout the 125th Street corridor, including residential uses, and to provide incentives for the production of affordable housing;
- (f) to ensure that the form of new buildings is compatible and relates to the built character of the 125th Street corridor;
- (g) to enhance the pedestrian environment through appropriate ground floor uses and regulations;
- (h) to ensure, in the Park Avenue Hub Subdistrict, compatibility with the purposes of the #Special East Harlem Corridors District#; and
- (h)(i) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's revenue.

\* \* \*

### 97-03

#### District Plan and Maps

The regulations of this Chapter are designed to implement the #Special 125th Street District# Plan. The District Plan, including Map 1 (Special 125th Street District and Core Subdistricts) and Map 2 (Permitted Small Sidewalk Cafe Locations), is set forth in Appendix A of this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

### 97-04

#### Establishment of Core Subdistricts

In order to carry out the purposes and provisions of this Chapter, the Core two subdistricts is are established within the #Special 125th Street District# and; the Core Subdistrict and the Park Avenue Hub Subdistrict. Each subdistrict includes specific regulations designed to support an arts and entertainment environment and other relevant planning objectives along 125th Street. The boundaries of the Core Subdistricts are shown on Map 1 in Appendix A of this Chapter.

\* \* \*

### 97-06

#### Applicability of Special Transit Land Use District Regulations

#### Applicability of District Regulations

[Note: existing provisions moved to Section 97-061]

### 97-061

#### Applicability of Special Transit Land Use District Regulations

[Note: existing provisions moved from Section 97-06 and updated a cross reference. The specification of the #Special Transit Land Use District# was eliminated since they are specified in Zoning Maps.]

Wherever the #Special 125th Street District# includes an area which also lies within the #Special Transit Land Use District#, the requirements of the #Special Transit Land Use District#, as set forth in Article IX, Chapter 5, shall apply, subject to the modifications described in paragraphs (e) (a)(4) and (f) (a)(5) of Section 97-433 (Street wall location) 442 (Height and setback regulations within the Core Subdistrict and areas outside of a subdistrict).

The #Special Transit Land Use District# includes the area within the #Special 125th Street District# bounded by a line 50 feet west of Second Avenue from 124th Street midway to 125th Street where such area widens to a line 100 feet west of Second Avenue.

### 97-062

#### Applicability of the Quality Housing Program

[Note: existing provisions moved from 97-40 (SPECIAL BULK REGULATIONS)]

In the #Special 125th Street District#, #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program, and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

### 97-063

#### Applicability of Inclusionary Housing Program

[Note: existing provision moved from Section 97-421 (Inclusionary

Housing) and changed to include Mandatory Inclusionary Housing applicability]

For the purposes of applying the Inclusionary Housing Program provisions set forth in Section 23-154 (Inclusionary Housing) and in Section 23-90 (INCLUSIONARY HOUSING), #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas# within the #Special 125th Street Districts# are shown on the maps in APPENDIX F of this Resolution.

**97-10  
SPECIAL USE AND LOCATION REGULATIONS**

\* \* \*

**97-14  
Transient Hotels Within the Park Avenue Hub Subdistrict**

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:
  - (1) sufficient sites are available in the area to meet the #residential development# goal; or
  - (2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 4,470 #dwelling units# within the combined areas of the #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, have received temporary or final certificates of occupancy subsequent to [date of adoption].

**97-20  
LOCATION AND ACCESS REGULATIONS**

[Note: applicability of Article II, Chapter 8 has been moved to Section 97-062]

Within the Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter, and areas outside of a subdistrict, the provisions of Section 97-21 (Location and Access Requirements in Certain Areas), inclusive, shall apply.

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the provisions of Section 97-21, inclusive, shall apply to any #zoning lot#, or portion thereof, specified in Section 97-21, and the provisions of Section 97-22 (Use Location Regulations in the Park Avenue Hub Subdistrict), inclusive, shall apply to all other #zoning lots#, or portion thereof.

For the purposes of applying the provisions of this Section, defined terms shall include those set forth in Sections 12-10 (DEFINITIONS) and 37-311 (Definitions).

**97-21  
Location of and Access to Arts and Entertainment Uses Supplemental Use and Streetscape Regulations along 125th Street**

[Note: existing 97-21 provisions moved to Section 97-211]

[Note: existing provisions, moved from Section 97-20]

Within the #Special 125th Street District#, Ffor any #zoning lot# that fronts upon 125th Street, the #use# regulations of the underlying districts shall be modified by the locational and access requirements of this Section, inclusive. However, On #through lots# or #corner lots# with frontage along 125th Street, such requirements shall apply within the first 100 feet of the 125th Street #street line#.

**97-211  
Location and Access to Art and Entertainment Uses**

[Note: existing provisions, moved from Section 97-21]

Any arts and entertainment #uses# listed in Section 97-11 that are provided in order to comply with the requirements of Section 97-12 (Arts and Entertainment Use Requirement) or Section 97-422 (Floor area bonus for visual or performing arts uses) shall be subject to the

following location and access requirements:

\* \* \*

**97-212  
Uses not permitted on the ground floor of buildings**

[Note: existing provisions moved from Section 97-22 and modified]

The following #uses# are not permitted within #stories# that have a floor level within five feet of #curb level# in #buildings developed# after April 30, 2008, or within #stories# that have a floor level within five feet of #curb level# within portions of #buildings enlarged# after April 30, 2008, where such #building# or portion of a #building# fronts upon 125th Street, or is within 100 feet from 125th Street. Entranceways and lobby space for access to such #uses# shall be permitted at the ground floor level, pursuant to the provisions of Section 97-221.213 (Access to non-ground floor uses).

\* \* \*

**97-213  
Access to non-ground floor uses**

[Note: existing provisions, moved from Section 97-221]

The maximum ground floor #street# frontage on 125th Street allocated to entranceways or lobby space for non-ground floor #uses# listed in Section 97-22 shall be as set forth for Type 1 lobbies in Section 37-33 (Maximum Width of Certain Uses), except that for #developments# or #enlargements# with at least 200 linear feet fronting on 125th Street, the Type 2 lobby regulations shall apply.

Additionally, within the Core Subdistrict the #residential# portion of a #development# or #enlargement# may be accessed from an entrance on 125th Street only if such #development# or #enlargement# does not front upon a #street# other than 125th Street.

**97-214  
Transparency requirements along 125th Street**

[Note: existing provisions, moved from 97-23]

For all #uses#, other than houses of worship, libraries and primary rehearsal spaces, located on the ground floor of #developments# and #enlargements# that front upon that portion of 125th Street located within the #Special 125th Street District#, the ground floor #street wall# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

**97-22  
Uses Not Permitted on the Ground Floor of Buildings Supplemental Use and Streetscape Regulations within the Park Avenue Hub Subdistrict**

[Note: existing 97-22 provisions moved to Section 97-212]

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, for #zoning lots#, or portion thereof, that are not subject to the provisions of Section 97-21 (Location and Access Regulations along 125th Street), inclusive, the provisions of this Section, inclusive, shall apply.

**97-221  
Access to non-ground floor uses Modification of supplemental use location regulations**

[Note: existing 97-221 provisions moved to Section 97-213]

The supplementary #commercial use# regulations of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified to permit #commercial uses# on any #story#, provided that at any level containing #residences#, no access exists between such #commercial# and #residential uses# and provided that such #commercial uses# are not located directly over any #residential use#.

**97-222  
Ground floor use and streetscape regulations**

The provisions of this Section, inclusive, shall apply to #developments# or #ground floor level enlargements#. Any portion of a #ground floor level# allocated to a transit easement required by the MTA pursuant to the provisions of Article IX, Chapter 5 need not comply with the streetscape requirements of this Section.

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage along Park Avenue that is not subject to the provisions of Section 97-21 (Location and Access Regulations along 125th Street), inclusive, as well as any #narrow street# frontage within 50 feet of Park Avenue, shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#.

- (a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-

#residential uses#, except for Type 2 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #group parking facilities# on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

97-23 Transparency Requirements

[Note: existing 97-23 provisions moved to Section 97-214]

\* \* \*

97-40 SPECIAL BULK REGULATIONS

[Note: the applicability of Article II, Chapter 8 moved to Section 97-062]

Within the #Special 125th Street District#, all #developments# or #enlargements# containing #residences# shall comply with the requirements of Article II, Chapter 8 (Quality Housing), and the applicable #bulk# regulations of the underlying districts shall apply, except as modified in by the provisions of this Section, inclusive.

97-41 Special Floor Area Regulations

The maximum #floor area ratio#, #open space ratio# and #lot coverage# requirements of the applicable underlying district shall apply within the #Special 125th Street District#, unless modified by the following regulations.

97-411 Maximum floor area ratio in C4-4D, C4-7 and C6-3 Districts within the Core Subdistrict and areas outside of a subdistrict

In C4-4D, C4-7 or C6-3 Districts in the Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter and areas outside of a subdistrict, the maximum permitted #floor area ratios# shall be as listed in the following table for #residential#, #commercial# and #community facility uses#, and may only be increased pursuant to Section 97-42 (Additional Floor Area Bonuses Regulations), inclusive.

\* \* \*

97-412 Maximum floor area ratio in the Park Avenue Hub Subdistrict

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum #floor area ratio# for #zoning lots# is set forth in paragraph (a) of this Section, and is modified for certain #zoning lots# in accordance with paragraph (b) of this Section.

(a) Maximum #floor area ratio#

The maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# contains #residential floor area#, such #zoning lot# shall satisfy the provisions of either:

- (1) a minimum non-residential floor area ratio# of 2.0 shall be provided on such #zoning lot#. Such #floor area# shall not include any #floor area# containing a #transient hotel# pursuant to the provisions of Section 97-14 (Transient Hotels Within the Park Avenue Hub Subdistrict); or
(2) a minimum #floor area ratio# of 0.5, or a minimum amount of floor space equivalent to such 0.5 #floor area ratio#, shall be provided on such #zoning lot#. Such #floor area# or equivalent floor space shall be exclusively used for those visual or performing arts #uses#, designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses), and shall be certified by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 (Certification for floor area bonus for visual or performing arts uses) have been met.

(b) Modified maximum #floor area ratio# for certain #zoning lots#

For #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet, or for #zoning lots# subject to the provisions of paragraph (d)(4) of Section 23-154

(Inclusionary Housing), the maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:

- (1) the minimum non-residential floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet. For #zoning lots# utilizing the provisions of this paragraph, the minimum non-residential floor area# or visual or performing arts space requirements set forth in paragraph (a) of this Section shall not apply;
(2) for #zoning lots#, subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154, the maximum #residential floor area# provision of the underlying district as specified in Section 23-153 (For Quality Housing buildings) shall apply; and
(3) for #zoning lots# utilizing the provisions of paragraph (b) (1) or (b)(2) of this Section, the maximum overall #floor area ratio# shall be 10.0, except that such maximum #floor area ratio# may be increased pursuant to the provisions of paragraph (b) of Section 97-422 (Floor area bonus for visual or performing arts uses).

97-42 Additional Floor Area Bonuses Regulations

Within #Inclusionary Housing designated areas#, as specified in APPENDIX F of this Resolution, the maximum #floor area ratio# may be increased by a pursuant to the #floor area# bonus, pursuant to provisions of Sections 23-154 (Inclusionary Housing) 97-421 (Inclusionary Housing) or 97-422 (Floor area bonus for visual or performing arts uses), which may be used concurrently.

Within #Mandatory Inclusionary Housing areas#, as specified in APPENDIX F of this Resolution, the maximum #floor area ratio# may be increased for certain #zoning lots# specified in paragraph (b) of Section 97-412 (Maximum floor area ratio in the Park Avenue Hub Subdistrict) by the provisions of Section 97-422.

97-421 Inclusionary Housing

[Note: the Inclusionary Housing Program applicability provision moved to 97-063 (Applicability of Inclusionary Housing Program)]

Within the #Special 125th Street District#, In #Inclusionary Housing designated areas# within C4-4D, C4-7 and C6-3 Districts in the Core Subdistrict or areas outside of a subdistrict, shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, and this Section, applicable within the Special District. Within such #Inclusionary Housing designated areas#, the #residential floor area ratio# may be increased by an Inclusionary Housing bonus, pursuant to the provisions of Section 23-154 (Inclusionary Housing).

97-422 Floor area bonus for visual or performing arts uses

- (a) In C4-4D, C4-7 or C6-3 Districts within the #Special 125th Street District# Core Subdistrict or areas outside of a subdistrict, for a #development# or #enlargement# with frontage on 125th Street, the maximum #floor area ratio# otherwise permitted for #residential# or #commercial uses# listed in Section 97-411 may be increased up to the maximum #floor area ratio# specified in the table in this Section, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of such bonused #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 have been met.

MAXIMUM PERMITTED FLOOR AREA RATIO (FAR) FOR RESIDENTIAL AND COMMERCIAL USES WITH FLOOR AREA BONUS FOR VISUAL OR PERFORMING ARTS USES

Table with 4 columns: Outside the Core District Within areas outside of a subdistrict, Within the Core Subdistrict, #Residential Floor Area Ratio#, #Commercial Floor Area Ratio#, #Residential Floor Area Ratio#, #Commercial Floor Area Ratio#

\* \* \*

- (b) In C6-4 Districts within the Park Avenue Hub Subdistrict, for a #development# or #enlargement#, the maximum #floor area ratio# permitted in paragraph (b) of Section 97-412 (Maximum

floor area ratio in the Park Avenue Hub Subdistrict) may be increased up to a maximum #floor area ratio# of 12.0, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 have been met.

97-423

Certification for floor area bonus for visual or performing arts uses

The minimum non-residential floor area# or equivalent floor space provisions of paragraph (a)(2) of Section 97-412 (Maximum floor area ratio in the Park Avenue Hub Subdistrict) or the #floor area# bonus provisions of Section 97-422 shall apply only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the following conditions have been met:

- (a) Drawings have been provided that clearly designate all #floor area# permitted pursuant to the provisions of paragraph (a)(2) of Section 97-412, or all #floor area# that will result from the permitted increase in #floor area ratio# pursuant to Section 97-422, including the location of such #floor area#.
(b) Drawings also have been provided that clearly designate all #floor area# and/or below grade floor space for any new visual or performing arts #uses# provided for the purposes of satisfying the provisions of paragraph (a)(2) of Section 97-412, or for which a bonus is to be received pursuant to Section 97-422.

Such drawings shall be of sufficient detail to show that such designated space shall be designed, arranged and used for the new visual arts or performing arts #uses#, and shall also show that:

- (1) all such visual or performing arts #uses# are located at or above the ground floor level of the #building#, except that performance space meeting the requirements of paragraph (b)(4) of this Section may be located below grade, and #accessory uses# may be located below grade, subject to the requirements of paragraph (b)(5) of this Section;
(2) all bonused #floor area# or below grade space occupied by visual or performing arts #uses# is primarily accessed from 125th Street, except where such visual or performing arts #floor area# or floor space is provided pursuant to paragraphs (a)(2) of Section 97-412 or (b)(2) of Section 97-422;
(3) in the case of primary rehearsal space, where such space does not consist of #accessory uses# subject to the requirements of paragraph (b)(4), such space:
(iii) has a #street wall# with at least 50 feet of frontage along 125th Street, except that where such primary rehearsal space is provided pursuant to paragraphs (a)(2) of Section 97-412 or (b)(2) of Section 97-422, such #street wall# with 50 feet of frontage need not be along 125th Street, and has a minimum area of 2,000 square feet, with a floor-to-ceiling height of not less than nine feet six inches; and

\* \* \*
\* \* \*

- (5) #Accessory# space
(i) For primary rehearsal spaces, no more than 25 percent of such minimum required #floor area# or equivalent below grade floor space, or such the bonused #floor area# or below grade floor space, shall be occupied by #uses accessory# to such primary rehearsal spaces. #Accessory uses# shall include but are not limited to educational and classroom space, administrative offices, circulation space, restrooms and equipment space;
(ii) For visual or performing arts #uses# other than a primary rehearsal space, no more than 40 percent of such minimum required #floor area# or equivalent below grade floor space, or such bonused #floor area# or below grade floor space, shall be occupied by #uses accessory# to such visual or performing arts #uses#, provided no single #accessory use# occupies more than 25 percent of the such total minimum required #floor area# or equivalent below grade floor space, or bonused #floor area# or below grade floor space. #Accessory uses# shall include but are not limited to educational and classroom space, non-primary rehearsal space, administrative offices, lobbies,

circulation space, ticket offices, restrooms, dressing rooms, other backstage areas and equipment space; and

- (6) Signage
(i) Signage that identifies the visual or performing arts facility shall be provided at the 125th Street entrance of the visual or performing arts facility, subject to the requirements of Section 97-30, inclusive, except where such visual or performing arts facility is provided pursuant to paragraphs (a)(2) of Section 97-412 or (b)(2) of Section 97-422; and

\* \* \*

- (e) A legal commitment by the owner has been provided for continued occupancy of all #floor area# or equivalent floor space provided for the purposes of satisfying minimum equivalent non-residential# floor space provisions of paragraph (a)(2) of Section 97-412, or for which a bonus has been received; pursuant to this Section 97-422, as a visual or performing arts space only in accordance with the drawings and design plans provided pursuant to paragraphs (b) and (c)(5) of this Section, and providing further that in the event of a change of operator, the owner or operator shall obtain a new certification pursuant to this Section. An #adult establishment use# shall be prohibited for the life of the #development# or #enlargement#.

\* \* \*

- (g) A legal commitment by the owner has been provided that, in the event of an adjudicated violation of the provisions of paragraph (e) of this Section, requiring the continued occupancy of all #floor area# or equivalent floor space provided for the purposes of satisfying minimum equivalent non-residential# floor space provisions of paragraph (a)(2) of Section 97-412, or for which a bonus has been received, pursuant to Section 97-422, as a visual and performing arts space only, the owner shall not permit the occupancy of any #floor area# in the #development# or #enlargement# which is vacant as of the date of such adjudication or thereafter, or up to the amount of the increased #floor area# permitted under Section 97-422, as applicable, until such time as the Chairperson of the City Planning Commission has determined that the visual or performing arts space is occupied in accordance with the provisions of this Section.

\* \* \*

The owner shall not apply for or accept a temporary certificate of occupancy for such portion of the #development# or #enlargement# identified under the terms of the declaration of restrictions as utilizing the #floor area# permitted pursuant to the provisions of paragraph (a)(2) of Section 97-412 or the increased #floor area# permitted pursuant to Section 97-422, and the Department of Buildings shall not issue a temporary certificate of occupancy for such portion of the #development# or #enlargement#, until the Commissioner of the Department of Cultural Affairs has certified that the visual or performing arts space is substantially complete. The owner shall not apply for or accept a permanent certificate of occupancy for such portion of the #development# or #enlargement#, nor shall the Department of Buildings issue a permanent certificate of occupancy for such portion of the #development# or #enlargement#, until the visual or performing arts space has been finally completed in accordance with the approved plans and such final completion has been certified by the Commissioner of the Department of Cultural Affairs. The declaration of restrictions shall be noted on any temporary or final certificate of occupancy for the #building#. The temporary or final certificate of occupancy for any portion of the #development# or #enlargement# identified under the terms of the declaration of restrictions as utilizing the #floor area# permitted pursuant to the provisions of paragraph (a)(2) of Section 97-412 or the increased #floor area# permitted pursuant to Section 97-422 shall include the provisions of paragraph (e) of this Section, requiring the continued occupancy of all #floor area# for which a bonus has been received as a visual or performing arts space only, as a condition of occupancy of such portion of the #development# or #enlargement#.

\* \* \*

97-44 43 Special Height and Setback Regulations

Within the #Special 125th Street District#, the underlying height and setback regulations shall be modified in accordance with the provisions of this Section, inclusive.

97-441 431 Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621

(Permitted obstructions in certain districts).

**97-442 432**  
**Height and setback regulations for C4-7 and C6-3 Districts in the Core Subdistrict and areas outside of a subdistrict**

[Note: provisions of paragraph (a) moved from Section 97-443 and modified]

**(a) Street wall location**

In all #Commercial Districts# within the Core Subdistrict and areas outside of a subdistrict, the #street wall# shall be located on the #street line# of 125th Street and extend along the entire #street# frontage of the #zoning lot# up to at least the applicable minimum base height of the underlying district, or the height of the #building#, whichever is less.

The #street wall# location provisions of such #Commercial Districts# shall be modified, as follows:

- (a)(1) On Park Avenue, within 10 feet of its intersection with any #street#, the #street wall# may be located anywhere within 10 feet of the Park Avenue #street line#. However, to allow articulation of the #street walls# pursuant to the provisions of paragraph (b) of this Section, the #street walls# may be located anywhere within an area bounded by a #street line#, the #street wall# on Park Avenue and a line connecting these two lines 15 feet from their intersection.
- (b)(2) To allow articulation of #street walls# at the intersection of any two #streets# within the Special District, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.
- (c)(3) Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of the second #story# and up to the applicable maximum base height, recesses are permitted for #outer courts# or balconies, provided that the aggregate width of such recesses does not exceed 30 percent of the width of the #street wall# at any level, and the depth of such recesses does not exceed five feet. No recesses shall be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except in compliance with corner articulation rules.
- (d)(4) The #street wall# location and minimum #street wall# height provisions of this Section shall not apply to any existing #buildings# that are to remain on the #zoning lot#.
- (e)(5) For any #development# or #enlargement# within the #Special 125th Street District# that is partially within the #Special Transit Land Use District# and located directly over the planned Second Avenue subway line tunnel, the #residential# portion of such #development# or #enlargement# may be constructed pursuant to the R8A #street wall# requirements and the #commercial# portion of such #development# or #enlargement# may be constructed pursuant to the C4-4D #street wall# requirements in lieu of the requirements of this Section.
- (f)(6) The requirements of this Section shall apply within the #Special Transit Land Use District# except that, for the area of the #Special Transit Land Use District# that is also within the #Special 125th Street District#, a #street wall# of a #development# or #enlargement# located on the #street line# of a #zoning lot# need not exceed 15 feet if that portion of the #development# or #enlargement# is located directly over the planned Second Avenue subway line tunnel.

**(b) Maximum height of building and setback**

The following modifications of the underlying district regulations shall apply for C4-7 and C6-3 Districts within the Special-District the Core Subdistrict and areas outside of a subdistrict:

- (a)(1) The minimum and maximum base height of the #street wall# and the maximum height of a #building or other structure# shall be as set forth in the following table:  
\* \* \*
- (b)(2) Special regulations for certain C4-7 Districts
- (c)(1) For the area located within 50 feet of the 126th Street frontage and between 200 feet east of Adam Clayton Powell Boulevard and 150 feet west of Lenox Avenue/ Malcolm X Boulevard, the height of any portion of a #building or other structure# shall be limited to 80 feet.

- (2)(ii) For #zoning lots# bounded by 125th Street, Park Avenue and 124th Street, the maximum height of a #building or other structure# shall be 330 feet.
- (3)(iii) For Lots 1 and 7501 on Block 1910, the requirements of City Environmental Quality Review (CEQR) Environmental Designation Number (E-102) have been modified, as set forth in the Technical Memorandum to the Final Environmental Impact Statement for CEQR Number 07DCP030M, dated July 18, 2008.
- (c)(3) In C6-3 Districts, the maximum length of any #story# located above a height of 85 feet shall not exceed 150 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 85 feet. No side of such rectangle shall exceed a width of 150 feet.

**97-44 43**  
**Special Height and Setback Regulations**

Within the #Special 125th Street District#, the underlying height and setback regulations shall be modified in accordance with the provisions of this Section, inclusive.

**97-441 431**  
**Permitted obstructions**

The provisions of Section 33-42 (Permitted Obstructions) shall apply, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

**97-442 432**  
**Height and setback regulations for C4-7 and C6-3 Districts in the Core Subdistrict and areas outside of a subdistrict**

\* \* \*

**97-443 433**  
**Street wall location**  
**Height and setback regulations in the Park Avenue Hub Subdistrict**

[Note: existing provisions of Section 97-443 moved to paragraph (a) of Section 97-432]

In C6-4 Districts within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the following provisions shall apply.

**(a) #Street wall# location**

The applicable provisions of Section 35-651 shall be modified as follows:

**(1) Along 125th Street**

Along 125th Street, the minimum base height shall be 60 feet, or the height of the #building#, whichever is less, except that for #buildings# or portions thereof within 50 feet of Park Avenue, the minimum base height shall be 40 feet, or the height of the #building#, whichever is less. The street wall location provisions of this paragraph shall be modified to allow a sidewalk widening pursuant to the provisions of paragraph (a)(2) of this Section; and

**(2) Along Park Avenue and #narrow streets#**

Along Park Avenue and any #narrow streets#, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.

In addition, for #zoning lots# with frontage along Park Avenue between 124th Street and 125th Street, any #development# or horizontal #enlargement# shall provide a sidewalk widening along the #street line# of Park Avenue. Such sidewalk widening shall have a depth of 10 feet, be improved to Department of Transportation standards for sidewalks, and be at the same level as the adjoining public sidewalk.

**(b) Basic maximum #building# height and setback regulations**

The maximum height of #buildings or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, except that the minimum base height shall be as set forth in paragraph (a) of this Section, and the maximum base height for #buildings or other structures# along the #street line# of 125th Street and within 50 feet of such #street line# shall be 85 feet.

For the purposes of applying the provisions for #qualifying ground floors#, the provisions of Section 97-20 (LOCATION AND ACCESS REGULATIONS), inclusive, shall apply in lieu of the



applicable provisions of paragraph (b)(2) of Section 35-652.

(c) Optional height and setback regulations

As an alternative to the provisions of paragraph (b) of this Section, the provisions of this paragraph (c) may be applied to #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), or #zoning lots# where 50 percent or more of the #floor area# is allocated to non-#residential uses#.

(1) Setbacks

At a height not lower than the minimum base height specified in paragraph (a) of this Section, nor higher than a maximum base height of 85 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). Above such required setback, any portion of a #building# or #buildings# on the #zoning lot# shall be considered a "tower."

(2) #Lot coverage# requirements for towers

Each #story# of a tower containing #residential floor area# shall not exceed a maximum #lot coverage# of 40 percent, except that, for #zoning lots# less than 20,000 square feet, such #lot coverage# may be increased in accordance with the table in Section 23-65 (Tower Regulations). Each #story# of a tower allocated exclusively to non-#residential floor area# shall not exceed a maximum #lot coverage# of 50 percent. However, where dormers are provided within the required setback, such portions of #buildings# shall not count toward the maximum allowable #lot coverage# set forth in this paragraph.

(3) Maximum #building# height

No height limit shall apply to towers.

**97-45 44**  
**Special Provisions for Zoning Lots Divided by District Boundaries**

\* \* \*

**97-50**  
**SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS**

\* \* \*

**97-51**  
**Required Accessory Off-Street Residential Parking Within the Core Subdistrict and areas outside of a subdistrict**

[Note: existing provisions moved to Section 97-511]

**97-511**  
**Required Accessory Off-Street Residential Parking**

[Note: existing provisions moved from Section 97-51]

#Accessory# off-street parking spaces, open or enclosed, shall be provided for all #developments# or #enlargements# within the #Special 125th Street District# that contain #residences#, according to the provisions of the underlying district, as modified by the provisions of Section 97-50 (SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive.

**97-512**  
**Required Accessory Off-Street Commercial Parking**

[Note: existing provisions moved from Section 97-52]

In #Commercial Districts# within the #Special 125th Street District# Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter, and areas outside of a subdistrict, #accessory# off-street parking spaces shall be provided if required by Section 36-21, as modified by the provisions of Section 97-50 (SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive, except that no #accessory# parking spaces shall be required for #commercial uses# in C4-4D Districts.

**97-52-**  
**Required Accessory Off-Street Commercial Parking Within the Park Avenue Hub Subdistrict**

[Note: existing provisions moved to Section 97-512]

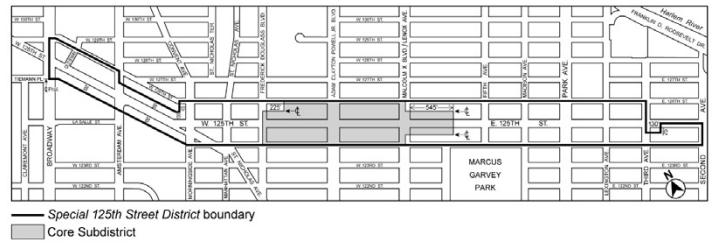
In the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the regulations of the underlying district.

\* \* \*

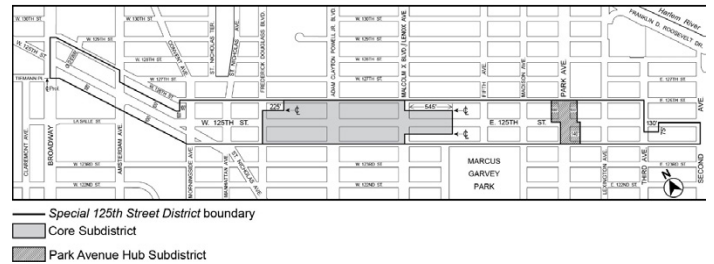
**Appendix A**  
**Special 125th Street District Plan**

Map 1: Special 125th Street District and Core Subdistricts

[EXISTING MAP]



[PROPOSED MAP]



\* \* \*  
**Article XIII**  
**SPECIAL PURPOSE DISTRICTS**  
\* \* \*

**Chapter 8**  
**Special East Harlem Corridors District**

**138-00**  
**GENERAL PURPOSES**

The "Special East Harlem Corridors 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) encourage and guide the development of East Harlem as a dynamic mixed-use neighborhood by permitting the expansion and development of residential, commercial, community facility and light manufacturing uses in appropriate areas;
- (b) encourage the development of residential uses along appropriate corridors;
- (c) encourage the development of permanently-affordable housing;
- (d) facilitate the development of high-density commercial and manufacturing uses in order to locate jobs near transit connections in;
- (e) enhance the vitality of both existing and emerging commercial corridors by ensuring that ground floor frontages are occupied by active uses that enliven the pedestrian experience along the street;
- (f) ensure that the form and use of new buildings relates to and enhances neighborhood character and responds to unique neighborhood conditions such as the Park Avenue viaduct; and
- (g) promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

**138-01**  
**General Provisions**

The provisions of this Chapter shall apply within the #Special East Harlem Corridors District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

**138-02**  
**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special East Harlem Corridors District# Plan. The District Plan includes the map, "Special East Harlem Corridors District and Subdistrict," in the Appendix to this Chapter which is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

**138-03  
Subdistrict**

In order to carry out the provisions of this Chapter, the Park Avenue Subdistrict is established within the #Special East Harlem Corridors District#. The location of the Subdistrict is shown in the Appendix to this Chapter.

**138-04  
Applicability**

**138-041  
Applicability of Article IX, Chapter 5**

In the event of a conflict between the provisions of this Chapter and Article IX, Chapter 5 (Special Transit Land Use District), the provisions of Article IX, Chapter 5 shall control.

**138-042  
Applicability of Article XII, Chapter 3**

In M1 Districts paired with a Residence District, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use Districts) shall apply, except where modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

**138-043  
Applicability of the Quality Housing Program**

In the #Special East Harlem Corridors District#, #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

**138-044  
Applicability of the Inclusionary Housing Program**

For the purposes of applying the Inclusionary Housing Program set forth in Section 23-90 (INCLUSIONARY HOUSING), the #Special East Harlem Corridors District# shall be a #Mandatory Inclusionary Housing area#.

**138-10  
SPECIAL USE REGULATIONS**

The #use# regulations of the underlying districts, or Article XII, Chapter 3 (Special Mixed Use Districts), as applicable, are modified by the provisions of this Section, inclusive.

**138-11  
Location of Residential Use Within Buildings**

In C4 or C6 Districts, the underlying provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified, for #mixed buildings# that are #developed# or #enlarged#, to permit #dwelling units# on the same #story# as a #commercial use# provided no access exists between such #uses# at any level containing #dwelling units# and provided no #commercial uses# are located directly over any #dwelling units#. However, such #commercial uses# may be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial uses# exists within the #building#.

**138-12  
Transient Hotels**

C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10

In the districts indicated, the #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:
  - (1) sufficient sites are available in the area to meet the #residential development# goal; or
  - (2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 4,470 #dwelling units# within the combined areas of #Special East Harlem

Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special 125th Street District), have received temporary or final certificates of occupancy subsequent to [date of adoption].

**138-13  
Physical Culture or Health Establishments**

Within the #Special East Harlem Corridors District#, the provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply. In lieu thereof, #physical culture or health establishments# shall be permitted as-of-right in C2-5, C4-6, and C6-4 Districts, and in M1 Districts paired with an R9 or R10 District.

**138-14  
Public Parking Garages**

C1-5 C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10

In the districts indicated, for the purpose of applying regulations applicable to #public parking garages# set forth in Article III, Chapter 2 (Use Regulations) and Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), the regulations set forth for C1-4 Districts shall apply to C1-5 Districts, and the regulations set forth for C2-4 Districts shall apply to all other districts. In an M1 District paired with an R9 or R10 District, the regulations of #public parking garages# in Article XII, Chapter 3 (Special Mixed Use Districts) shall not apply. In lieu thereof, the provisions of this Section shall apply.

**138-20  
SPECIAL BULK REGULATIONS**

In the #Special East Harlem Corridors District#, all #developments# and #enlargements# shall comply with the #bulk# regulations for #Quality Housing buildings#, as modified by the provisions of this Section, inclusive.

In all districts, the #floor area# provisions of Section 138-21 (Floor Area Regulations), inclusive, and the #street wall# location provisions of Section 138-22 (Street Wall Regulations), shall apply. In #Commercial Districts#, the height and setback provisions of Section 138-23 (Basic Height and Setback) shall apply. In #Commercial Districts# mapped within an R9 or R10 District, or #Commercial Districts# with a #residential equivalent# of an R9 or R10 District, the provisions of Section 138-24 (Alternate Height and Setback Regulations) may apply as an alternative to the provisions set forth in Section 138-23. In M1 Districts paired with R9 or R10 Districts, the height and setback provisions set forth in Section 138-25 (Height and Setback Regulations in M1 Districts Paired With an R9 or R10 District) shall apply.

**138-21  
Floor Area Regulations**

**138-211  
Floor area regulations in the Park Avenue Subdistrict**

The maximum #floor area ratio# for #zoning lots# within the Park Avenue Subdistrict, as shown in the Appendix to this Chapter, is set forth in paragraph (a) of this Section. Such provisions are modified for certain #zoning lots# in accordance with paragraph (b).

- (a) Maximum #floor area ratio#

In M1-6 Districts paired with an R9 District, the maximum #floor area ratio# shall be 8.5. Where a #development# or #enlargement# of a #building# on a #zoning lot# contains #residential floor area#, such #zoning lot# shall provide a minimum non-#residential floor area ratio# of 1.5.

In C6-4 Districts and M1-6 Districts paired with an R10 District, the maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# of a #building# on a #zoning lot# contains #residential floor area#, such #zoning lot# shall provide a minimum non-#residential floor area ratio# of 2.0.

Where a #development# or #enlargement# of a #building# on a #zoning lot# contains #residential floor area#, such #zoning lot# shall provide a minimum non-#residential floor area ratio# of 1.5 in M1-6 Districts paired with an R9 District, and 2.0 in C6-4 Districts and M1-6 Districts paired with an R10 District.

- (b) Modified maximum #floor area ratio# for certain #zoning lots#

The maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:

- (1) the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet. For #zoning lots# utilizing the provisions of this paragraph (b)(1), the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall not apply;
- (2) for #zoning lots# subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154 (Inclusionary Housing), the maximum #residential floor area ratio# of the underlying district as specified in Section 23-153 (For

Quality Housing buildings) shall apply; and

- (3) for #zoning lots# subject to paragraphs (b)(1) or (b)(2) of this Section, the maximum #floor area ratio# for all #uses# shall be 7.52 in M1-6 Districts paired with an R9 District, and 10.0 in C6-4 Districts and M1-6 Districts paired with an R10 District.

### 138-212

#### Floor area regulations outside of the Park Avenue Subdistrict

For #zoning lots#, or portions thereof, outside of the Park Avenue Subdistrict, as shown in the Appendix to this Chapter, the underlying #floor area# regulations shall apply, except that:

- (a) in C2 Districts mapped within an R9 District, for any #zoning lot# containing #residential floor area#, the maximum #residential floor area ratio# for #zoning lots# complying with the applicable provisions of paragraph (d)(3) of Section 23-154 (Inclusionary housing), or for #affordable independent residences for seniors#, shall be 8.5, the maximum #residential floor area ratio# for #zoning lots# utilizing the provisions of paragraphs (d)(4)(i) or (d)(4)(iii) of Section 23-154 shall be 7.52, and the maximum #floor area ratio# for any combination of #uses# shall be 8.5; and
- (b) in C4-6 Districts and in C2 Districts mapped within an R9 or R10 District, the #floor area# provisions of Sections 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades) shall not apply.

### 138-22

#### Street Wall Regulations

All #developments# and #enlargements# within the #Special East Harlem Corridors District# shall comply with the #street wall# regulations of Section 35-651 (Street wall location), as specified and modified in this Section. Where M1 Districts are paired with R9 or R10 Districts, #developments# and #enlargements# within such districts shall comply with the provisions of paragraph (b) of this Section. The applicable provisions of Section 35-651 are specified and modified as follows:

- (a) Along #wide streets# other than Park Avenue
- Along all #wide streets# other than Park Avenue, and along #narrow streets# within 50 feet of an intersection with such #wide street#, the provisions of paragraph (b) of Section 35-651 shall apply, except that the minimum base height shall be 60 feet, or the height of the #building#, whichever is less.
- (b) Along Park Avenue
- Along Park Avenue and along #narrow streets# located within 100 feet of Park Avenue, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.
- (c) Along all other #streets#
- Along all #streets# not subject to the provisions of paragraph (a) or (b) of this Section, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 60 feet, or the height of the #building#, whichever is less.
- (d) Within #flood zones#
- For #buildings# within the #flood zone#, the provisions of paragraphs (a), (b) and (c) of this Section, as applicable, shall be modified as follows:
- (1) for #developments# or horizontal #enlargements#, or portions thereof, where no transparent materials are provided on the #ground floor level street wall# below a height of four feet above the level of the adjoining sidewalk pursuant to the provisions of Section 37-34 (Minimum Transparency Requirements), for a continuous distance of more than 25 feet, such #street wall# shall be located at least three feet beyond the #street line#;
- (2) for portions of #developments# and #enlargements# where the provisions of paragraph (a) of this Section apply, such #street wall# shall not be located beyond five feet of the #street line#, except that such #street wall# may be located beyond such distance pursuant to the applicable provisions of paragraph (b) of Section 35-651 or of Section 64-333 (Street wall location in certain districts); and
- (3) the area between such #street wall# and the sidewalk, or portions thereof, that do not contain any planting pursuant to the provisions of paragraph (a) of Section 138-32 (Special Streetscape Provisions for Blank Walls), shall be improved to Department of Transportation standards for sidewalks, be at the same level as the adjoining public sidewalk and be accessible to the public at all times. In addition, such area shall provide visual mitigation elements in accordance with the provisions of Section 138-32.

### 138-23

#### Basic Height and Setback Regulations

In #Commercial Districts#, the maximum height of #buildings or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, except that the minimum base heights shall be modified by the provisions of Section 138-22 (Street Wall Regulations).

The regulations of paragraph (b)(2) of Section 36-652 relating to requirements for #qualifying ground floors#, where otherwise applicable, shall not apply. In lieu thereof, the provisions of Section 138-30 (STREETSCAPE REQUIREMENTS), inclusive, shall apply.

### 138-24

#### Optional Height and Setback Regulations in Certain Districts

In C2 Districts mapped within an R9 or R10 District, or in C6-4 or C4-6 Districts, as an alternative to the provisions of Section 138-23 (Basic Height and Setback Regulations), the provisions of this Section may be applied to #zoning lots# meeting the applicable criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), or to #zoning lots# where 50 percent or more of the #floor area# is occupied by non-#residential uses#.

- (a) Setbacks

At a height not lower than the minimum base height specified in Section 138-22 (Street Wall Regulations), nor higher than a maximum base height of 85 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). Above such required setback, any portion of such #building# shall be considered a "tower."

- (b) #Lot coverage# requirements for towers

Each #story# of a tower containing #residential floor area# shall not exceed a maximum #lot coverage# of 40 percent, except that, for #zoning lots# of less than 20,000 square feet, such #lot coverage# may be increased in accordance with the table in Section 23-65 (Tower Regulations). Each #story# of a tower containing exclusively non-#residential floor area# shall not exceed a maximum #lot coverage# of 50 percent. However, where dormers are provided within the required setback, such portions of #buildings# shall not count toward the maximum allowable tower #lot coverage# set forth in this paragraph.

- (c) Maximum #building# height

No height limit shall apply to towers.

### 138-25

#### Height and Setback Regulations in M1 Districts Paired With an R9 or R10 District

In M1 Districts paired with an R9 or R10 District, the applicable #street wall# location and minimum base height provisions of paragraph (c) of Section 138-22 (Street Wall Regulations) shall apply. The maximum height of #buildings or other structures# and setback provisions set forth in Section 123-66 (Height and Setback Regulations) shall apply as modified in this Section.

- (a) In M1 Districts paired with an R9 District, at a height not lower than the minimum base height set forth in Section 138-22, nor higher than a maximum base height of 105 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). The maximum #building# height shall be 285 feet; and
- (b) in M1 Districts paired with an R10 District, at a height not lower than the minimum base height set forth in Section 138-22, nor higher than a maximum base height of 155 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662. The maximum #building# height shall be 350 feet.

### 138-30

#### STREETSCAPE REQUIREMENTS

The provisions of this Section, inclusive, shall apply to #developments# or #ground floor level enlargements# in all districts. In #Commercial Districts# mapped within R7D Districts, the underlying provisions of Section 32-434 (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. Any portion of a ground floor level that is within a transit easement required pursuant to the provisions of Article IX, Chapter 5 need not comply with the streetscape requirements of this Section, inclusive.

### 138-31

#### Ground Floor Use Regulations

The special #ground floor level# streetscape provisions set forth in Section 37-30, shall apply to Second Avenue, Third Avenue, Lexington

Avenue, Park Avenue and East 116th Street, within the #Special East Harlem Corridors District# which, for the purposes of applying such provisions, shall be considered designated retail streets, and any portion of a #ground floor level street# frontage along the designated retail streets, as well as any #narrow street# frontage within 50 feet of such #streets#, shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall also include those defined in Section 37-311 (Definitions).

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 2 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements), except that:

- (1) in M1-6 Districts paired with an R9 or R10 District, where the #ground floor level# is occupied by #uses# in Use Groups 16, 17 and 18, up to 50 percent of the #ground floor level street wall# width may be exempt from such regulations, provided that any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide planting or screening in accordance with the provisions of paragraphs (a) or (f) of Section 138-32 (Special Streetscape Provisions for Blank Walls) for at least 75 percent of such blank wall; and
- (2) in #flood zones#, where no transparent materials or #building# entrances or exits are provided on the #ground floor level street wall# below a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 15 feet, visual mitigation elements shall be provided in accordance with Section 138-32 for such blank wall.

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #group parking facilities# on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

**138-32**

**Special Streetscape Provisions for Blank Walls**

Where visual mitigation elements are required on a blank wall along the #ground floor level street wall# pursuant to the provisions of Section 138-31 (Ground Floor Use Regulations), at least 75 percent of the linear footage of any such blank wall shall be treated by one or more of the following visual mitigation elements which shall be provided on the #zoning lot#, except where such elements are permitted within the #street# under other applicable laws or regulations. Such features when utilized as visual mitigation elements shall include:

(a) Planting

Any combination of perennials, annuals, decorative grasses or shrubs shall be provided in planting beds, raised planting beds or planter boxes in front of the #street wall#. Each foot in width of a planting bed, raised planting bed or planter box, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material. Any individual planted area shall have a width of at least five feet, and the height of such planting, inclusive of any structure containing the planted materials, shall be at least three feet.

Where a blank wall exceeds a #street wall# width of 50 feet, at least 25 percent of such #street wall# width shall be planted in accordance with the provisions of this paragraph.

(b) Benches

Fixed benches with or without backs shall be provided in front of the #street wall#. Unobstructed access shall be provided between such benches and an adjoining sidewalk or required circulation paths. Each linear foot of bench, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Any individual bench shall have a width of at least five feet, and no more than 20 feet of benches may be used to fulfill such requirement per 50 feet of frontage.

(c) Bicycle racks

Bicycle racks, sufficient to accommodate at least two bicycles, shall be provided in front of the #street wall#, and oriented so that the bicycles are placed parallel to the #street wall#. Each bicycle rack so provided shall satisfy five linear feet of frontage mitigation requirement. No more than three bicycle racks may be used to fulfill such requirement per 50 feet of frontage.

(d) Tables and chairs

Fixed tables and chairs shall be provided in front of the #street wall#. Each table shall have a minimum diameter of two feet, and have a minimum of two chairs associated with it. Each table and chair set so provided shall satisfy five linear feet of frontage mitigation requirement.

(e) Wall treatment

Wall treatment, in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material, shall be provided along the #street wall#. Each linear foot of wall treatment shall constitute one linear foot of frontage mitigation requirement. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and have a minimum width of 10 feet, as measured parallel to the #street wall#.

138-40

**OFF-STREET PARKING AND LOADING REGULATIONS**

The applicable parking and loading regulations of Article II, Chapter 5, Article III, Chapter 6, Article IV, Chapter 4 (ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS) or Section 123-70 (PARKING AND LOADING), inclusive, shall be modified in this Section, inclusive.

138-41

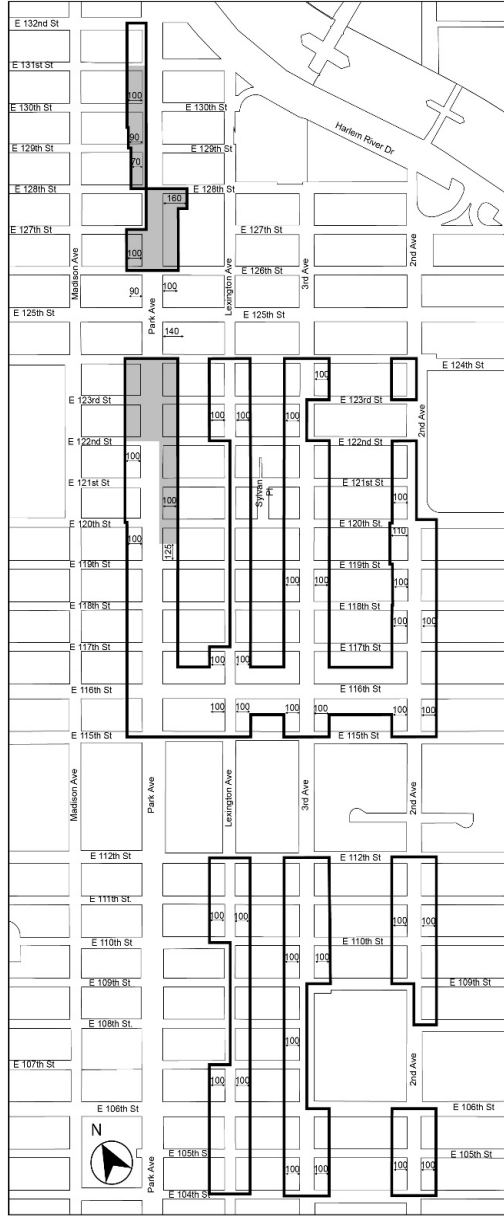
**Required Accessory Off-street Parking Spaces for Residences**

In the #Special East Harlem Corridors District#, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the underlying district regulations.

**APPENDIX: SPECIAL EAST HARLEM CORRIDORS DISTRICT PLAN**

**Special East Harlem Corridors District and Subdistrict**

[PROPOSED MAP]



EAST HARLEM DISTRICT PLAN  
 SPECIAL EAST HARLEM CORRIDOR DISTRICT AND SUBDISTRICT

Special East Harlem Corridors District

Park Avenue Subdistrict

\* \* \*

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

\* \* \*

**MANHATTAN**

\* \* \*

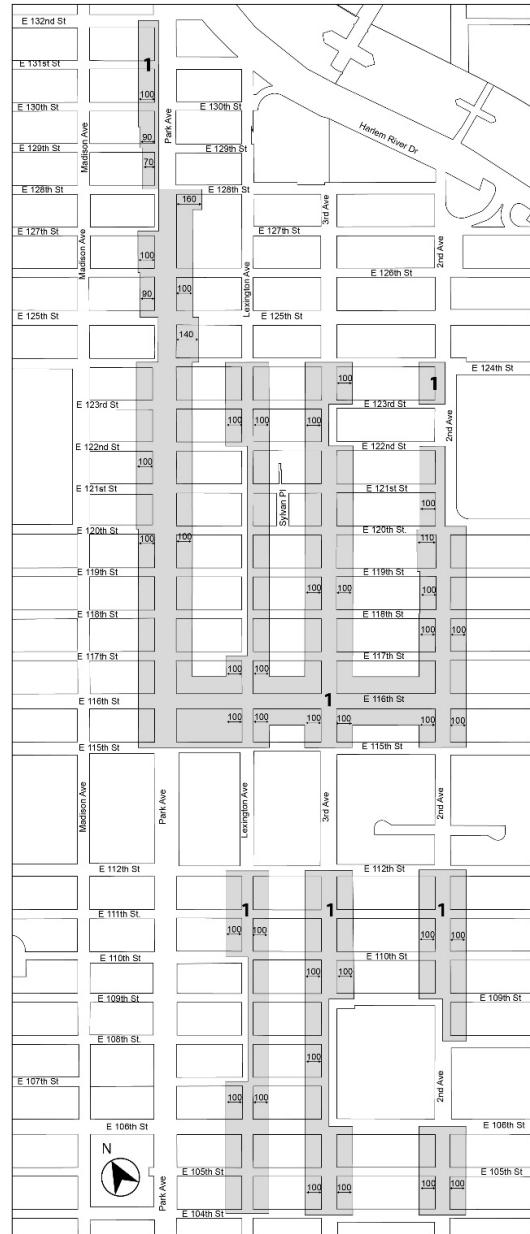
**Manhattan Community District 11**

In the R7D, R9 and R10 Districts within the areas shown on the following Map 1 and Map 2:

\* \* \*

Map 2 – [date of adoption]

[PROPOSED MAP]



**Mandatory Inclusionary Housing Program area see Section 23-154(d)(3)**

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

Portion of Community District 11, Manhattan

\* \* \*

**Resolution for adoption scheduling August 23, 2017 for a public hearing.**

**No. 18**

**CD 11** **N 170359(A) ZRM**  
**IN THE MATTER OF** an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special East Harlem Corridors District (Article XIII, Chapter 8) and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections.

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 I  
GENERAL PROVISIONS

Chapter 1  
Title, Establishment of Controls and Interpretation of  
Regulations

\* \* \*

11-122  
Districts established

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

\* \* \*

Special Purpose Districts

\* \* \*

Establishment of the Special Downtown Jamaica District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 5, the #Special Downtown Jamaica District# is hereby established.

Establishment of the Special East Harlem Corridors District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 8, the #Special East Harlem Corridors District# is hereby established.

Establishment of the Special Enhanced Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 2, the #Special Enhanced Commercial District# is hereby established.

\* \* \*

Chapter 2  
Construction of Language and Definitions

\* \* \*

12-10  
DEFINITIONS

\* \* \*

Special Downtown Jamaica District

The "Special Downtown Jamaica District" is a Special Purpose District designated by the letters "DJ" in which special regulations set forth in Article XI, Chapter 5, apply.

Special East Harlem Corridors District

The "Special East Harlem Corridors District" is a Special Purpose District designated by the letters "EHC" in which special regulations set forth in Article XIII, Chapter 8, apply.

Special Enhanced Commercial District

The "Special Enhanced Commercial District" is a Special Purpose District designated by the letters "EC" in which special regulations set forth in Article XIII, Chapter 2, apply.

\* \* \*

Chapter 4  
Sidewalk Cafe Regulations

\* \* \*

14-40  
AREA ELIGIBILITY FOR SIDEWALK CAFES

\* \* \*

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

\* \* \*

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Clinton District	No	Yes
<u>East Harlem Corridors District</u>	<u>No</u>	<u>Yes</u>
Enhanced Commercial District 2 (Columbus and Amsterdam Avenues)	Yes	Yes

\* \* \*

ARTICLE II  
RESIDENCE BULK REGULATIONS

Chapter 3  
Residential Bulk Regulations in Residence Districts

\* \* \*

23-011  
Quality Housing Program

\* \* \*

R6 R7 R8 R9 R10

(d) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

\* \* \*

(3) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

- #Special 125th Street District#;
- #Special Downtown Brooklyn District#;
- #Special Downtown Jamaica District#;
- #Special East Harlem Corridors District#;
- #Special Grand Concourse Preservation District#;

\* \* \*

23-03  
Street Tree Planting in Residence Districts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

\* \* \*

(b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

- #Special Bay Ridge District#;
- #Special Clinton District#;
- #Special Downtown Brooklyn District#
- #Special Downtown Jamaica District#
- #Special East Harlem Corridors District#;
- #Special Grand Concourse Preservation District#;

\* \* \*

ARTICLE III  
COMMERCIAL DISTRICT REGULATIONS

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

\* \* \*

33-03  
Street Tree Planting in Commercial Districts

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

\* \* \*

(b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

- #Special Bay Ridge District#;
- #Special Clinton District#;
- #Special Downtown Brooklyn District#
- #Special Downtown Jamaica District#
- #Special East Harlem Corridors District#;
- #Special Grand Concourse Preservation District#;

\* \* \*

ARTICLE IX  
SPECIAL PURPOSE DISTRICTS

Chapter 5  
Special Transit Land Use District

95-00  
GENERAL PURPOSES

\* \* \*

95-03  
Transit Easement

Any #development# or #enlargement# involving ground level construction within the #Special Transit Land Use District# shall provide an easement on the #zoning lot# for subway-related use and public access to the subway mezzanine or station when required

pursuant to the provisions of Section 95-04.

The issuance by the Department of Buildings of an excavation permit for any #zoning lot# located within the Special District shall be dependent upon prior compliance with the provisions of this Chapter.

The transit easement required on a #zoning lot# shall permit the realization of one or more of the following planning objectives:

- (a) the integration and relating of subway station design to surrounding development;
- (b) the introduction of light and air to: stations; and mezzanines; and other related facilities constructed pursuant to the provisions of Section 95-032 (Determination of transit easements at other stations);

\* \* \*

**95-031**  
**Selection of transit easement at certain stations**

At the stations specified below, The transit easement required on a #zoning lot# shall constitute a volume whose dimensions above and below #curb level# shall comply with the requirements as set forth in Table A or Table B of this Section, depending on the depth of the proposed subway mezzanine below #curb level#, as established by the Metropolitan Transportation Authority.

\* \* \*

**95-032**  
**Determination of transit easements at other stations**

At the 106th Street, 116th Street and 125th Street stations, a transit easement shall be provided 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 Metropolitan Transportation Authority 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.

**95-0323**  
**Location of transit easements**

\* \* \*

**95-05**  
**Terms and Conditions for Permitted Uses and Construction within Transit Easement Volume**

The transit easement volume shall be used as an entrance/exit for public access to the subway and/or to provide better access of light and air to the subway station mezzanine, and for related uses. Illustrative of such purposes are light wells, stairs, ramps, escalators, or elevators; or for #zoning lots# subject to the provisions of Section 95-032 (Determination of transit easements at other stations), ancillary facilities required to support the functioning of subways, including, but not limited to, emergency egress or ventilation structures.

No #floor area# bonus shall be allowed for any transit easement provided on a #zoning lot#. When a transit easement volume required on a #zoning lot# is located within a #building#, any floor spaces occupied by such transit easement volume shall not count as #floor area#. Any portion of the #lot area# of a #zoning lot# occupied by a transit easement and weather protected by an overhang or roofed area, shall be considered as a #public plaza# in the districts that allow such #public plaza# bonuses.

\* \* \*

**95-051**  
**Development of transit access facilities**

All access facilities, including any light wells or sky lights required within a transit easement volume established pursuant to the provisions of Section 95-031 (Selection of transit easement at certain stations), or access and ancillary facilities required pursuant to the provisions of Section 95-032 (Determination of transit easement at other stations), shall be constructed and maintained by the Metropolitan Transportation Authority except for any #building# columns, footings or any other permitted obstructions allowed therein.

\* \* \*

**95-052**  
**Special access facilities for persons with disabilities at certain stations**

For #zoning lots# subject to the provisions of Section 95-031 (Selection of transit easement at certain stations), Special elevators for persons with disabilities may locate within a transit easement volume, provided stair and/or escalator access to the subway mezzanine are located within the same easement and in no event located within the public sidewalk adjacent to the #zoning lot#.

\* \* \*

**Article IX**  
**Special Purpose Districts**

**Chapter 7**  
**Special 125th Street District**

**97-00**  
**GENERAL PURPOSES**

The "Special 125th Street District" established in this Resolution is designed to promote and protect the public health, safety, general welfare and amenity. The general goals include, among others, the following specific purposes:

- (a) to preserve, protect and promote the special character of 125th Street as Harlem's "Main Street" and the role of 125th Street as Upper Manhattan's premier mixed use corridor;
- (b) to guide development on the 125th Street corridor;
- (c) to expand the retail and commercial character of 125th Street;
- (d) to provide incentives for the creation of visual and performing arts space and enhance the area's role as a major arts, entertainment and cultural destination in the City;
- (e) to support mixed use development throughout the 125th Street corridor, including residential uses, and to provide incentives for the production of affordable housing;
- (f) to ensure that the form of new buildings is compatible and relates to the built character of the 125th Street corridor;
- (g) to enhance the pedestrian environment through appropriate ground floor uses and regulations;
- (h) to ensure, in the Park Avenue Hub Subdistrict, compatibility with the purposes of the #Special East Harlem Corridors District#; and
- (h)(i) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's revenue.

\* \* \*

**97-03**  
**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special 125th Street District# Plan. The District Plan, including Map 1 (Special 125th Street District and Core Subdistricts) and Map 2 (Permitted Small Sidewalk Cafe Locations), is set forth in Appendix A of this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

**97-04**  
**Establishment of Core Subdistricts**

In order to carry out the purposes and provisions of this Chapter, the Core two subdistricts is are established within the #Special 125th Street District# and; the Core Subdistrict and the Park Avenue Hub Subdistrict. Each subdistrict includes specific regulations designed to support an arts and entertainment environment and other relevant planning objectives along 125th Street. The boundaries of the Core Ssubdistricts are shown on Map 1 in Appendix A of this Chapter.

\* \* \*

**97-06**  
**Applicability of Special Transit Land Use District Regulations**  
**Applicability of District Regulations**

[Note: existing provisions moved to Section 97-061]

**97-061**  
**Applicability of Special Transit Land Use District Regulations**

[Note: existing provisions moved from Section 97-06 and updated a cross reference. The specification of the #Special Transit Land Use District# was eliminated since they are specified in Zoning Maps.]

Wherever the #Special 125th Street District# includes an area which also lies within the #Special Transit Land Use District#, the requirements of the #Special Transit Land Use District#, as set forth in Article IX, Chapter 5, shall apply, subject to the modifications described in paragraphs (e) (a)(4) and (f) (a)(5) of Section 97-433 (Street wall location) 442 (Height and setback regulations within the Core Subdistrict and areas outside of a subdistrict).

The #Special Transit Land Use District# includes the area within the #Special 125th Street District# bounded by a line 50 feet west of Second Avenue from 124th Street midway to 125th Street where such area widens to a line 100 feet west of Second Avenue.

**97-062**  
**Applicability of the Quality Housing Program**

[Note: existing provisions moved from 97-40 (SPECIAL BULK REGULATIONS)]

In the #Special 125th Street District#, #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program, and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

#### 97-063

##### **Applicability of Inclusionary Housing Program**

[Note: existing provision moved from Section 97-421 (Inclusionary Housing) and changed to include Mandatory Inclusionary Housing applicability]

For the purposes of applying the Inclusionary Housing Program provisions set forth in Section 23-154 (Inclusionary Housing) and in Section 23-90 (INCLUSIONARY HOUSING), #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas# within the #Special 125th Street Districts# are shown on the maps in APPENDIX F of this Resolution.

#### 97-10

##### **SPECIAL USE AND LOCATION REGULATIONS**

\* \* \*

#### 97-14

##### **Transient Hotels Within the Park Avenue Hub Subdistrict**

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:
  - (1) sufficient sites are available in the area to meet the #residential development# goal; or
  - (2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 4,470 #dwelling units# within the combined areas of the #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, have received temporary or final certificates of occupancy subsequent to [date of adoption].

#### 97-20

##### **LOCATION AND ACCESS REGULATIONS**

[Note: applicability of Article II, Chapter 8 has been moved to Section 97-062]

Within the Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter, and areas outside of a subdistrict, the provisions of Section 97-21 (Location and Access Requirements in Certain Areas), inclusive, shall apply.

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the provisions of Section 97-21, inclusive, shall apply to any #zoning lot#, or portion thereof, specified in Section 97-21, and the provisions of Section 97-22 (Use Location Regulations in the Park Avenue Hub Subdistrict), inclusive, shall apply to all other #zoning lots#, or portion thereof.

For the purposes of applying the provisions of this Section, defined terms shall include those set forth in Sections 12-10 (DEFINITIONS) and 37-311 (Definitions).

#### 97-21

##### **Location of and Access to Arts and Entertainment Uses Supplemental Use and Streetscape Regulations along 125th Street**

[Note: existing 97-21 provisions moved to Section 97-211]

[Note: existing provisions, moved from Section 97-20]

Within the #Special 125th Street District#, Ffor any #zoning lot# that fronts upon 125th Street, the #use# regulations of the underlying districts shall be modified by the locational and access requirements of this Section, inclusive. However, On #through lots# or #corner lots#

with frontage along 125th Street, such requirements shall apply within the first 100 feet of the 125th Street #street line#.

#### 97-211

##### **Location and Access to Art and Entertainment Uses**

[Note: existing provisions, moved from Section 97-21]

Any arts and entertainment #uses# listed in Section 97-11 that are provided in order to comply with the requirements of Section 97-12 (Arts and Entertainment Use Requirement) or Section 97-422 (Floor area bonus for visual or performing arts uses) shall be subject to the following location and access requirements:

\* \* \*

#### 97-212

##### **Uses not permitted on the ground floor of buildings**

[Note: existing provisions moved from Section 97-22 and modified]

The following #uses# are not permitted within #stories# that have a floor level within five feet of #curb level# in #buildings developed# after April 30, 2008, or within #stories# that have a floor level within five feet of #curb level# within portions of #buildings enlarged# after April 30, 2008, where such #building# or portion of a #building# fronts upon 125th Street, or is within 100 feet from 125th Street. Entranceways and lobby space for access to such #uses# shall be permitted at the ground floor level, pursuant to the provisions of Section 97-221 213 (Access to non-ground floor uses).

\* \* \*

#### 97-213

##### **Access to non-ground floor uses**

[Note: existing provisions, moved from Section 97-221]

The maximum ground floor #street# frontage on 125th Street allocated to entranceways or lobby space for non-ground floor #uses# listed in Section 97-22 shall be as set forth for Type 1 lobbies in Section 37-33 (Maximum Width of Certain Uses), except that for #developments# or #enlargements# with at least 200 linear feet fronting on 125th Street, the Type 2 lobby regulations shall apply.

Additionally, within the Core Subdistrict the #residential# portion of a #development# or #enlargement# may be accessed from an entrance on 125th Street only if such #development# or #enlargement# does not front upon a #street# other than 125th Street.

#### 97-214

##### **Transparency requirements along 125th Street**

[Note: existing provisions, moved from 97-23]

For all #uses#, other than houses of worship, libraries and primary rehearsal spaces, located on the ground floor of #developments# and #enlargements# that front upon that portion of 125th Street located within the #Special 125th Street District#, the ground floor #street wall# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

#### 97-22

##### **Uses Not Permitted on the Ground Floor of Buildings Supplemental Use and Streetscape Regulations within the Park Avenue Hub Subdistrict**

[Note: existing 97-22 provisions moved to Section 97-212]

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, for #zoning lots#, or portion thereof, that are not subject to the provisions of Section 97-21 (Location and Access Regulations along 125th Street), inclusive, the provisions of this Section, inclusive, shall apply.

#### 97-221

##### **Access to non-ground floor uses Modification of supplemental use location regulations**

[Note: existing 97-221 provisions moved to Section 97-213]

The supplementary #commercial use# regulations of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified to permit #commercial uses# on any #story#, provided that at any level containing #residences#, no access exists between such #commercial# and #residential uses# and provided that such #commercial uses# are not located directly over any #residential use#.

#### 97-222

##### **Ground floor use and streetscape regulations**

The provisions of this Section, inclusive, shall apply to #developments# or #ground floor level enlargements#. Any portion of a #ground floor level# allocated to a transit easement required by the MTA pursuant to the provisions of Article IX, Chapter 5 need not comply with the streetscape requirements of this Section.

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any



portion of a #ground floor level street# frontage along Park Avenue that is not subject to the provisions of Section 97-21 (Location and Access Regulations along 125th Street), inclusive, as well as any #narrow street# frontage within 50 feet of Park Avenue, shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#.

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 2 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #group parking facilities# on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

**97-23  
Transparency Requirements**

[Note: existing 97-23 provisions moved to Section 97-214]

\* \* \*

**97-40  
SPECIAL BULK REGULATIONS**

[Note: the applicability of Article II, Chapter 8 moved to Section 97-062]

Within the #Special 125th Street District#, all #developments# or #enlargements# containing #residences# shall comply with the requirements of Article II, Chapter 8 (Quality Housing), and the applicable #bulk# regulations of the underlying districts shall apply, except as modified in by the provisions of this Section, inclusive.

**97-41  
Special Floor Area Regulations**

The maximum #floor area ratio#, #open space ratio# and #lot coverage# requirements of the applicable underlying district shall apply within the #Special 125th Street District#, unless modified by the following regulations.

**97-411  
Maximum floor area ratio in C4-4D, C4-7 and C6-3 Districts within the Core Subdistrict and areas outside of a subdistrict**

In C4-4D, C4-7 or C6-3 Districts in the Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter and areas outside of a subdistrict, the maximum permitted #floor area ratios# shall be as listed in the following table for #residential#, #commercial# and #community facility uses#, and may only be increased pursuant to Section 97-42 (Additional Floor Area Bonuses Regulations), inclusive.

\* \* \*

**97-412  
Maximum floor area ratio in the Park Avenue Hub Subdistrict**

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum #floor area ratio# for #zoning lots# is set forth in paragraph (a) of this Section, and is modified for certain #zoning lots# in accordance with paragraph (b) of this Section.

(a) Maximum #floor area ratio#

The maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# contains #residential floor area#, such #zoning lot# shall satisfy the provisions of either:

- (1) a minimum non-#residential floor area ratio# of 2.0 shall be provided on such #zoning lot#. Such #floor area# shall not include any #floor area# containing a #transient hotel# pursuant to the provisions of Section 97-14 (Transient Hotels Within the Park Avenue Hub Subdistrict); or
- (2) a minimum #floor area ratio# of 0.5, or a minimum amount of floor space equivalent to such 0.5 #floor area ratio#, shall be provided on such #zoning lot#. Such #floor area# or equivalent floor space shall be exclusively used for those

visual or performing arts #uses#, designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses), and shall be certified by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 (Certification for floor area bonus for visual or performing arts uses) have been met.

(b) Modified maximum #floor area ratio# for certain #zoning lots#

For #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet, or for #zoning lots# subject to the provisions of paragraph (d)(4) of Section 23-154 (Inclusionary Housing), the maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:

- (1) the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet. For #zoning lots# utilizing the provisions of this paragraph, the minimum non-#residential floor area# or visual or performing arts space requirements set forth in paragraph (a) of this Section shall not apply;
- (2) for #zoning lots#, subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154, the maximum #residential floor area# provision of the underlying district as specified in Section 23-153 (For Quality Housing buildings) shall apply; and
- (3) for #zoning lots# utilizing the provisions of paragraph (b)(1) or (b)(2) of this Section, the maximum overall #floor area ratio# shall be 10.0, except that such maximum #floor area ratio# may be increased pursuant to the provisions of paragraph (b) of Section 97-422 (Floor area bonus for visual or performing arts uses).

**97-42  
Additional Floor Area Bonuses Regulations**

Within #Inclusionary Housing designated areas#, as specified in APPENDIX F of this Resolution, the maximum #floor area ratio# may be increased by a pursuant to the #floor area# bonus, pursuant to provisions of Sections 23-154 (Inclusionary Housing) 97-421 (Inclusionary Housing) or 97-422 (Floor area bonus for visual or performing arts uses), which may be used concurrently.

Within #Mandatory Inclusionary Housing areas#, as specified in APPENDIX F of this Resolution, the maximum #floor area ratio# may be increased for certain #zoning lots# specified in paragraph (b) of Section 97-412 (Maximum floor area ratio in the Park Avenue Hub Subdistrict) by the provisions of Section 97-422.

**97-421  
Inclusionary Housing**

[Note: the Inclusionary Housing Program applicability provision moved to 97-063 (Applicability of Inclusionary Housing Program)]

Within the #Special 125th Street District#, In #Inclusionary Housing designated areas# within C4-4D, C4-7 and C6-3 Districts in the Core Subdistrict or areas outside of a subdistrict, shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, and this Section, applicable within the Special District. Within such #Inclusionary Housing designated areas#, the #residential floor area ratio# may be increased by an Inclusionary Housing bonus, pursuant to the provisions of Section 23-154 (Inclusionary Housing).

**97-422  
Floor area bonus for visual or performing arts uses**

- (a) In C4-4D, C4-7 or C6-3 Districts within the #Special 125th Street District# Core Subdistrict or areas outside of a subdistrict, for a #development# or #enlargement# with frontage on 125th Street, the maximum #floor area ratio# otherwise permitted for #residential# or #commercial uses# listed in Section 97-411 may be increased up to the maximum #floor area ratio# specified in the table in this Section, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of such bonused #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 have been met.

MAXIMUM PERMITTED FLOOR AREA RATIO (FAR) FOR RESIDENTIAL AND COMMERCIAL USES WITH FLOOR AREA BONUS FOR VISUAL OR PERFORMING ARTS USES

Outside the Core District Within areas outside of a subdistrict		Within the Core Subdistrict	
#Residential Floor Area Ratio#	#Commercial Floor Area Ratio#	#Residential Floor Area Ratio#	#Commercial Floor Area Ratio#

\* \* \*

(b) In C6-4 Districts within the Park Avenue Hub Subdistrict, for a #development# or #enlargement#, the maximum #floor area ratio# permitted in paragraph (b) of Section 97-412 (Maximum floor area ratio in the Park Avenue Hub Subdistrict) may be increased up to a maximum #floor area ratio# of 12.0, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 have been met.

97-423 Certification for floor area bonus for visual or performing arts uses

The minimum non-#residential floor area# or equivalent floor space provisions of paragraph (a)(2) of Section 97-412 (Maximum floor area ratio in the Park Avenue Hub Subdistrict) or the #floor area# bonus provisions of Section 97-422 shall apply only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the following conditions have been met:

- (a) Drawings have been provided that clearly designate all #floor area# permitted pursuant to the provisions of paragraph (a)(2) of Section 97-412, or all #floor area# that will result from the permitted increase in #floor area ratio# pursuant to Section 97-422, including the location of such #floor area#.
- (b) Drawings also have been provided that clearly designate all #floor area# and/or below grade floor space for any new visual or performing arts #uses# provided for the purposes of satisfying the provisions of paragraph (a)(2) of Section 97-412, or for which a bonus is to be received pursuant to Section 97-422.

Such drawings shall be of sufficient detail to show that such designated space shall be designed, arranged and used for the new visual arts or performing arts #uses#, and shall also show that:

- (1) all such visual or performing arts #uses# are located at or above the ground floor level of the #building#, except that performance space meeting the requirements of paragraph (b)(4) of this Section may be located below grade, and #accessory uses# may be located below grade, subject to the requirements of paragraph (b)(5) of this Section;
- (2) all bonused #floor area# or below grade space occupied by visual or performing arts #uses# is primarily accessed from 125th Street, except where such visual or performing arts #floor area# or floor space is provided pursuant to paragraphs (a)(2) of Section 97-412 or (b)(2) of Section 97-422;
- (3) in the case of primary rehearsal space, where such space does not consist of #accessory uses# subject to the requirements of paragraph (b)(4), such space:

\* \* \*

(iii) has a #street wall# with at least 50 feet of frontage along 125th Street, except that where such primary rehearsal space is provided pursuant to paragraphs (a)(2) of Section 97-412 or (b)(2) of Section 97-422 such #street wall# with 50 feet of frontage need not be along 125th Street, and has a minimum area of 2,000 square feet, with a floor-to-ceiling height of not less than nine feet six inches; and

\* \* \*

- (5) #Accessory# space
  - (i) For primary rehearsal spaces, no more than 25 percent of such minimum required #floor area# or equivalent below grade floor space, or such the bonused #floor area# or below grade floor space, shall be occupied by #uses accessory# to such primary rehearsal spaces. #Accessory uses# shall include but are not limited to educational and classroom space, administrative offices, circulation space, restrooms and equipment space;

(ii) For visual or performing arts #uses# other than a primary rehearsal space, no more than 40 percent of such minimum required #floor area# or equivalent below grade floor space, or such bonused #floor area# or below grade floor space, shall be occupied by #uses accessory# to such visual or performing arts #uses#, provided no single #accessory use# occupies more than 25 percent of the such total minimum required #floor area# or equivalent below grade floor space, or bonused #floor area# or below grade floor space. #Accessory uses# shall include but are not limited to educational and classroom space, non-primary rehearsal space, administrative offices, lobbies, circulation space, ticket offices, restrooms, dressing rooms, other backstage areas and equipment space; and

\* \* \*

- (6) Signage
  - (i) Signage that identifies the visual or performing arts facility shall be provided at the 125th Street entrance of the visual or performing arts facility, subject to the requirements of Section 97-30, inclusive, except where such visual or performing arts facility is provided pursuant to paragraphs (a)(2) of Section 97-412 or (b)(2) of Section 97-422; and

\* \* \*

(e) A legal commitment by the owner has been provided for continued occupancy of all #floor area# or equivalent floor space provided for the purposes of satisfying minimum equivalent non-#residential# floor space provisions of paragraph (a)(2) of Section 97-412, or for which a bonus has been received; pursuant to this Section 97-422, as a visual or performing arts space only in accordance with the drawings and design plans provided pursuant to paragraphs (b) and (c)(5) of this Section, and providing further that in the event of a change of operator, the owner or operator shall obtain a new certification pursuant to this Section. An #adult establishment use# shall be prohibited for the life of the #development# or #enlargement#.

\* \* \*

(g) A legal commitment by the owner has been provided that, in the event of an adjudicated violation of the provisions of paragraph (e) of this Section, requiring the continued occupancy of all #floor area# or equivalent floor space provided for the purposes of satisfying minimum equivalent non-#residential# floor space provisions of paragraph (a)(2) of Section 97-412, or for which a bonus has been received, pursuant to Section 97-422, as a visual and performing arts space only, the owner shall not permit the occupancy of any #floor area# in the #development# or #enlargement# which is vacant as of the date of such adjudication or thereafter, or up to the amount of the increased #floor area# permitted under Section 97-422, as applicable, until such time as the Chairperson of the City Planning Commission has determined that the visual or performing arts space is occupied in accordance with the provisions of this Section.

\* \* \*

The owner shall not apply for or accept a temporary certificate of occupancy for such portion of the #development# or #enlargement# identified under the terms of the declaration of restrictions as utilizing the #floor area# permitted pursuant to the provisions of paragraph (a)(2) of Section 97-412 or the increased #floor area# permitted pursuant to Section 97-422, and the Department of Buildings shall not issue a temporary certificate of occupancy for such portion of the #development# or #enlargement#, until the Commissioner of the Department of Cultural Affairs has certified that the visual or performing arts space is substantially complete. The owner shall not apply for or accept a permanent certificate of occupancy for such portion of the #development# or #enlargement#, nor shall the Department of Buildings issue a permanent certificate of occupancy for such portion of the #development# or #enlargement#, until the visual or performing arts space has been finally completed in accordance with the approved plans and such final completion has been certified by the Commissioner of the Department of Cultural Affairs. The declaration of restrictions shall be noted on any temporary or final certificate of occupancy for the #building#. The temporary or final certificate of occupancy for any portion of the #development# or #enlargement# identified under the terms of the declaration of restrictions as utilizing the #floor area# permitted pursuant to the provisions of paragraph (a)(2) of Section 97-412 or the increased #floor area# permitted pursuant to Section 97-422 shall include the provisions of paragraph (e) of this Section, requiring the continued occupancy of all #floor area# for which a bonus has been received as a visual or performing arts space only, as a condition of occupancy of such portion of the #development# or #enlargement#.

\* \* \*

**97-44 43  
Special Height and Setback Regulations**

Within the #Special 125th Street District#, the underlying height and setback regulations shall be modified in accordance with the provisions of this Section, inclusive.

**97-441 431  
Permitted obstructions**

The provisions of Section 33-42 (Permitted Obstructions) shall apply, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

**97-442 432  
Height and setback regulations for C4-7 and C6-3 Districts in the Core Subdistrict and areas outside of a subdistrict**

[Note: provisions of paragraph (a) moved from Section 97-443 and modified]

**(a) Street wall location**

In all #Commercial Districts# within the Core Subdistrict and areas outside of a subdistrict, the #street wall# shall be located on the #street line# of 125th Street and extend along the entire #street# frontage of the #zoning lot# up to at least the applicable minimum base height of the underlying district, or the height of the #building#, whichever is less.

The #street wall# location provisions of such #Commercial Districts# shall be modified, as follows:

(a)(1) On Park Avenue, within 10 feet of its intersection with any #street#, the #street wall# may be located anywhere within 10 feet of the Park Avenue #street line#. However, to allow articulation of the #street walls# pursuant to the provisions of paragraph (b) of this Section, the #street walls# may be located anywhere within an area bounded by a #street line#, the #street wall# on Park Avenue and a line connecting these two lines 15 feet from their intersection.

(b)(2) To allow articulation of #street walls# at the intersection of any two #streets# within the Special District, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

(c)(3) Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of the second #story# and up to the applicable maximum base height, recesses are permitted for #outer courts# or balconies, provided that the aggregate width of such recesses does not exceed 30 percent of the width of the #street wall# at any level, and the depth of such recesses does not exceed five feet. No recesses shall be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except in compliance with corner articulation rules.

(d)(4) The #street wall# location and minimum #street wall# height provisions of this Section shall not apply to any existing #buildings# that are to remain on the #zoning lot#.

(e)(5) For any #development# or #enlargement# within the #Special 125th Street District# that is partially within the #Special Transit Land Use District# and located directly over the planned Second Avenue subway line tunnel, the #residential# portion of such #development# or #enlargement# may be constructed pursuant to the R8A #street wall# requirements and the #commercial# portion of such #development# or #enlargement# may be constructed pursuant to the C4-4D #street wall# requirements in lieu of the requirements of this Section.

(f)(6) The requirements of this Section shall apply within the #Special Transit Land Use District# except that, for the area of the #Special Transit Land Use District# that is also within the #Special 125th Street District#, a #street wall# of a #development# or #enlargement# located on the #street line# of a #zoning lot# need not exceed 15 feet if that portion of the #development# or #enlargement# is located directly over the planned Second Avenue subway line tunnel.

**(b) Maximum height of building and setback**

The following modifications of the underlying district regulations shall apply for C4-7 and C6-3 Districts within the Special District the Core Subdistrict and areas outside of a subdistrict:

(a)(1) The minimum and maximum base height of the #street wall# and the maximum height of a #building# or other structure# shall be as set forth in the following table:

\* \* \*

(b)(2) Special regulations for certain C4-7 Districts

(1)(i) For the area located within 50 feet of the 126th Street frontage and between 200 feet east of Adam Clayton Powell Boulevard and 150 feet west of Lenox Avenue/Malcolm X Boulevard, the height of any portion of a #building# or other structure# shall be limited to 80 feet.

(2)(ii) For #zoning lots# bounded by 125th Street, Park Avenue and 124th Street, the maximum height of a #building# or other structure# shall be 330 feet.

(3)(iii) For Lots 1 and 7501 on Block 1910, the requirements of City Environmental Quality Review (CEQR) Environmental Designation Number (E-102) have been modified, as set forth in the Technical Memorandum to the Final Environmental Impact Statement for CEQR Number 07DCP030M, dated July 18, 2008.

(e)(3) In C6-3 Districts, the maximum length of any #story# located above a height of 85 feet shall not exceed 150 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 85 feet. No side of such rectangle shall exceed a width of 150 feet.

**97-44 43  
Special Height and Setback Regulations**

Within the #Special 125th Street District#, the underlying height and setback regulations shall be modified in accordance with the provisions of this Section, inclusive.

**97-441 431  
Permitted obstructions**

The provisions of Section 33-42 (Permitted Obstructions) shall apply, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

**97-442 432  
Height and setback regulations for C4-7 and C6-3 Districts in the Core Subdistrict and areas outside of a subdistrict**

\* \* \*

**97-443 433  
Street wall location  
Height and setback regulations in the Park Avenue Hub Subdistrict**

[Note: existing provisions of Section 97-443 moved to paragraph (a) of Section 97-432]

In C6-4 Districts within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the following provisions shall apply.

**(a) #Street wall# location**

The applicable provisions of Section 35-651 shall be modified as follows:

**(1) Along 125th Street**

Along 125th Street, the minimum base height shall be 60 feet, or the height of the #building#, whichever is less, except that for #buildings# or portions thereof within 50 feet of Park Avenue, the minimum base height shall be 40 feet, or the height of the #building#, whichever is less. The street wall location provisions of this paragraph shall be modified to allow a sidewalk widening pursuant to the provisions of paragraph (a)(2) of this Section; and

**(2) Along Park Avenue and #narrow streets#**

Along Park Avenue and any #narrow streets#, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.

In addition, for #zoning lots# with frontage along Park Avenue between 124th Street and 125th Street, any #development# or horizontal #enlargement# shall provide a sidewalk widening along the #street line# of Park Avenue. Such sidewalk widening shall have a depth of 10 feet, be improved to Department of Transportation standards for sidewalks, and be at the same level as the adjoining public sidewalk.

**(b) Basic maximum #building# height and setback regulations**

The maximum height of #buildings# or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, except that the minimum base height shall be as set forth in paragraph (a) of this Section, and the maximum base height for #buildings# or other structures# along the #street line# of 125th Street and within 50 feet of such #street line# shall be 85 feet.

For the purposes of applying the provisions for #qualifying ground floors#, the provisions of Section 97-20 (LOCATION AND ACCESS REGULATIONS), inclusive, shall apply in lieu of the applicable provisions of paragraph (b)(2) of Section 35-652.

(c) Optional height and setback regulations

As an alternative to the provisions of paragraph (b) of this Section, the provisions of this paragraph (c) may be applied to #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), or #zoning lots# where 50 percent or more of the #floor area# is allocated to non-#residential uses#.

(1) Setbacks

At a height not lower than the minimum base height specified in paragraph (a) of this Section, nor higher than a maximum base height of 85 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). Above such required setback, any portion of a #building# or #buildings# on the #zoning lot# shall be considered a "tower."

(2) #Lot coverage# requirements for towers

Each #story# of a tower containing #residential floor area# shall not exceed a maximum #lot coverage# of 40 percent, except that, for #zoning lots# less than 20,000 square feet, such #lot coverage# may be increased in accordance with the table in Section 23-65 (Tower Regulations). Each #story# of a tower allocated exclusively to non-#residential floor area# shall not exceed a maximum #lot coverage# of 50 percent. However, where dormers are provided within the required setback, such portions of #buildings# shall not count toward the maximum allowable #lot coverage# set forth in this paragraph.

(3) Maximum #building# height

No height limit shall apply to towers.

97-45 44 Special Provisions for Zoning Lots Divided by District Boundaries

\* \* \*

97-50 SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

\* \* \*

97-51 Required Accessory Off-Street Residential Parking Within the Core Subdistrict and areas outside of a subdistrict

[Note: existing provisions moved to Section 97-511]

97-511 Required Accessory Off-Street Residential Parking

[Note: existing provisions moved from Section 97-51]

#Accessory# off-street parking spaces, open or enclosed, shall be provided for all #developments# or #enlargements# within the #Special 125th Street District# that contain #residences#, according to the provisions of the underlying district, as modified by the provisions of Section 97-50 (SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive.

97-512 Required Accessory Off-Street Commercial Parking

[Note: existing provisions moved from Section 97-52]

In #Commercial Districts# within the #Special 125th Street District# Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter, and areas outside of a subdistrict, #accessory# off-street parking spaces shall be provided if required by Section 36-21, as modified by the provisions of Section 97-50 (SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive, except that no #accessory# parking spaces shall be required for #commercial uses# in C4-4D Districts.

97-52- Required Accessory Off-Street Commercial Parking Within the Park Avenue Hub Subdistrict

[Note: existing provisions moved to Section 97-512]

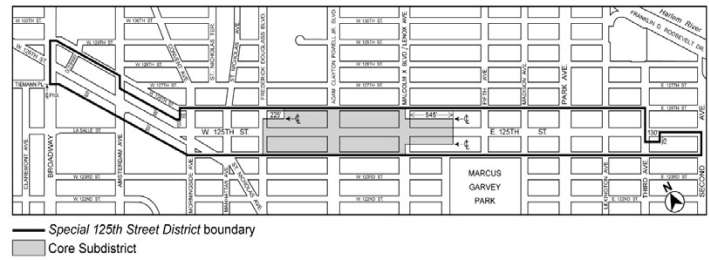
In the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the regulations of the underlying district.

\* \* \*

Appendix A Special 125th Street District Plan

Map 1: Special 125th Street District and Core Subdistricts

[EXISTING MAP]



### **138-03 Subdistrict**

In order to carry out the provisions of this Chapter, the Park Avenue Subdistrict is established within the #Special East Harlem Corridors District#. The location of the Subdistrict is shown in the Appendix to this Chapter.

### **138-04 Applicability**

#### **138-041 Applicability of Article IX, Chapter 5**

In the event of a conflict between the provisions of this Chapter and Article IX, Chapter 5 (Special Transit Land Use District), the provisions of Article IX, Chapter 5 shall control.

#### **138-042 Applicability of Article XII, Chapter 3**

In M1 Districts paired with a Residence District, the special #use#, #bulk# and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use Districts) shall apply, except where modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

#### **138-043 Applicability of the Quality Housing Program**

In the #Special East Harlem Corridors District#, #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

#### **138-044 Applicability of the Inclusionary Housing Program**

For the purposes of applying the Inclusionary Housing Program set forth in Section 23-90 (INCLUSIONARY HOUSING), the #Special East Harlem Corridors District# shall be a #Mandatory Inclusionary Housing area#.

### **138-10 SPECIAL USE REGULATIONS**

The #use# regulations of the underlying districts, or Article XII, Chapter 3 (Special Mixed Use Districts), as applicable, are modified by the provisions of this Section, inclusive.

#### **138-11 Location of Residential Use Within Buildings**

In C4 or C6 Districts, the underlying provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified, for #mixed buildings# that are #developed# or #enlarged#, to permit #dwelling units# on the same #story# as a #commercial use# provided no access exists between such #uses# at any level containing #dwelling units# and provided no #commercial uses# are located directly over any #dwelling units#. However, such #commercial uses# may be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial uses# exists within the #building#.

#### **138-12 Transient Hotels**

C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10

In the districts indicated, the #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed:

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:
  - (1) sufficient sites are available in the area to meet the #residential development# goal; or
  - (2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 4,470 #dwelling units# within the combined areas of #Special East Harlem

Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special 125th Street District), have received temporary or final certificates of occupancy subsequent to [date of adoption].

### **138-13 Physical Culture or Health Establishments**

Within the #Special East Harlem Corridors District#, the provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply. In lieu thereof, #physical culture or health establishments# shall be permitted as-of-right in C2-5, C4-6, and C6-4 Districts, and in M1 Districts paired with an R9 or R10 District.

### **138-14 Public Parking Garages**

C1-5 C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10

In the districts indicated, for the purpose of applying regulations applicable to #public parking garages# set forth in Article III, Chapter 2 (Use Regulations) and Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), the regulations set forth for C1-4 Districts shall apply to C1-5 Districts, and the regulations set forth for C2-4 Districts shall apply to all other districts. In an M1 District paired with an R9 or R10 District, the regulations of #public parking garages# in Article XII, Chapter 3 (Special Mixed Use Districts) shall not apply. In lieu thereof, the provisions of this Section shall apply.

### **138-20 SPECIAL BULK REGULATIONS**

In the #Special East Harlem Corridors District#, all #developments# and #enlargements# shall comply with the #bulk# regulations for #Quality Housing buildings#, as modified by the provisions of this Section, inclusive.

In all districts, the #floor area# provisions of Section 138-21 (Floor Area Regulations), inclusive, and the #street wall# location provisions of Section 138-22 (Street Wall Regulations), shall apply. In #Commercial Districts#, the height and setback provisions of Section 138-23 (Height and Setback Regulations in Commercial Districts) shall apply. In M1 Districts paired with an R9 or R10 Districts, the height and setback provisions set forth in Section 138-24 (Height and Setback Regulations in M1 Districts Paired With an R9 or R10 District) shall apply.

### **138-21 Floor Area Regulations**

#### **138-211 Floor area regulations in the Park Avenue Subdistrict**

The maximum #floor area ratio# for #zoning lots# within the Park Avenue Subdistrict, as shown in the Appendix to this Chapter, is set forth in paragraph (a) of this Section. Such provisions are modified for certain #zoning lots# in accordance with paragraph (b).

##### (a) Maximum #floor area ratio#

In M1-6 Districts paired with an R9 District, the maximum #floor area ratio# shall be 8.5. Where a #development# or #enlargement# of a #building# on a #zoning lot# contains #residential floor area#, such #zoning lot# shall provide a minimum non-#residential floor area ratio# of 1.5.

In C6-4 Districts and M1-6 Districts paired with an R10 District, the maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# of a #building# on a #zoning lot# contains #residential floor area#, such #zoning lot# shall provide a minimum non-#residential floor area ratio# of 2.0.

Where a #development# or #enlargement# of a #building# on a #zoning lot# contains #residential floor area#, such #zoning lot# shall provide a minimum non-#residential floor area ratio# of 1.5 in M1-6 Districts paired with an R9 District, and 2.0 in C6-4 Districts and M1-6 Districts paired with an R10 District.

##### (b) Modified maximum #floor area ratio# for certain #zoning lots#

The maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:

- (1) the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet. For #zoning lots# utilizing the provisions of this paragraph (b)(1), the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall not apply;
- (2) for #zoning lots# subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154 (Inclusionary Housing), the maximum #residential floor area ratio# of the underlying district as specified in Section 23-153 (For Quality Housing buildings) shall apply; and
- (3) for #zoning lots# subject to paragraphs (b)(1) or (b)(2) of this Section, the maximum #floor area ratio# for all #uses# shall

be 7.52 in M1-6 Districts paired with an R9 District, and 10.0 in C6-4 Districts and M1-6 Districts paired with an R10 District.

### 138-212

#### Floor area regulations outside of the Park Avenue Subdistrict

For #zoning lots#, or portions thereof, outside of the Park Avenue Subdistrict, as shown in the Appendix to this Chapter, the underlying #floor area# regulations shall apply, except that:

- (a) in C2 Districts mapped within an R9 District, for any #zoning lot# containing #residential floor area#, the maximum #residential floor area ratio# for #zoning lots# complying with the applicable provisions of paragraph (d)(3) of Section 23-154 (Inclusionary housing), or, for #affordable independent residences for seniors#, shall be 8.5, the maximum #residential floor area ratio# for #zoning lots# utilizing the provisions of paragraphs (d)(4)(i) or (d)(4)(iii) of Section 23-154 shall be 7.52, and the maximum #floor area ratio# for any combination of #uses# shall be 8.5; and
- (b) in C4-6 Districts and in C2 Districts mapped within an R9 or R10 District, the #floor area# provisions of Sections 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades) shall not apply.

### 138-22

#### Street Wall Regulations

All #developments# and #enlargements# within the #Special East Harlem Corridors District# shall comply with the #street wall# regulations of Section 35-651 (Street wall location), as specified and modified in this Section. Where M1 Districts are paired with R9 or R10 Districts, #developments# and #enlargements# within such districts shall comply with the provisions of paragraph (b) of this Section. The applicable provisions of Section 35-651 are specified and modified as follows:

- (a) Along #wide streets# other than Park Avenue
 

Along all #wide streets# other than Park Avenue, and along #narrow streets# within 50 feet of an intersection with such #wide street#, the provisions of paragraph (b) of Section 35-651 shall apply, except that the minimum base height shall be 60 feet, or the height of the #building#, whichever is less.
- (b) Along Park Avenue
 

Along Park Avenue and along #narrow streets# located within 100 feet of Park Avenue, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.
- (c) Along all other #streets#
 

Along all #streets# not subject to the provisions of paragraph (a) or (b) of this Section, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 60 feet, or the height of the #building#, whichever is less.
- (d) Within #flood zones#
 

For #buildings# within the #flood zone#, the provisions of paragraphs (a), (b) and (c) of this Section, as applicable, shall be modified as follows:

  - (1) for #developments# or horizontal #enlargements#, or portions thereof, where no transparent materials are provided on the #ground floor level street wall# below a height of four feet above the level of the adjoining sidewalk pursuant to the provisions of Section 37-34 (Minimum Transparency Requirements), for a continuous distance of more than 25 feet, such #street wall# shall be located at least three feet beyond the #street line#;
  - (2) for portions of #developments# and #enlargements# where the provisions of paragraph (a) of this Section apply, such #street wall# shall not be located beyond five feet of the #street line#, except that such #street wall# may be located beyond such distance pursuant to the applicable provisions of paragraph (b) of Section 35-651 or of Section 64-333 (Street wall location in certain districts); and
  - (3) the area between such #street wall# and the sidewalk, or portions thereof, that do not contain any planting pursuant to the provisions of paragraph (a) of Section 138-32 (Special Streetscape Provisions for Blank Walls), shall be improved to Department of Transportation standards for sidewalks, be at the same level as the adjoining public sidewalk and be accessible to the public at all times. In addition, such area shall provide visual mitigation elements in accordance with the provisions of Section 138-32.

### 138-23

#### Height and Setback Regulations in Commercial Districts

In #Commercial Districts#, the underlying height and setback provisions are modified as follows:

#### (a) Basic Height and Setback Regulations

Except as provided in paragraph (b) and (c) below, in #Commercial Districts#, the maximum height of #buildings or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, except that the minimum base heights shall be modified by the provisions of Section 138-22 (Street Wall Regulations).

The regulations of paragraph (b)(2) of Section 36-652 relating to requirements for #qualifying ground floors#, where otherwise applicable, shall not apply. In lieu thereof, the provisions of Section 138-30 (STREETSCAPE REQUIREMENTS), inclusive, shall apply.

#### (b) Alternate Height and Setback Regulations in Certain Districts

Except as provided in paragraph (c) below, in C2 Districts mapped within an R9 or R10 District, or in C4-6 or C6-4 Districts, as an alternative to the provisions of paragraph (a) of this Section, the provisions of this paragraph may be applied to #zoning lots# meeting the applicable criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), or to #zoning lots# where 50 percent or more of the #floor area# is occupied by non-#residential uses#.

#### (1) Setbacks

At a height not lower than the minimum base height specified in Section 138-22 (Street Wall Regulations), nor higher than a maximum base height of 85 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). Above such required setback, any portion of such #building# shall be considered a "tower."

#### (2) #Lot coverage# requirements for towers

Each #story# of a tower containing #residential floor area# shall not exceed a maximum #lot coverage# of 40 percent, except that, for #zoning lots# of less than 20,000 square feet, such #lot coverage# may be increased in accordance with the table in Section 23-65 (Tower Regulations). Each #story# of a tower containing exclusively non-#residential floor area# shall not exceed a maximum #lot coverage# of 50 percent. However, where dormers are provided within the required setback, such portions of #buildings# shall not count toward the maximum allowable tower #lot coverage# set forth in this paragraph.

#### (3) Maximum #building# height

No height limit shall apply to towers.

#### (c) Special Height and Setback Regulations in Certain Areas

In #Commercial Districts# in certain areas, the following maximum height and setback modifications shall apply.

#### (1) In C2-5 Districts mapped over R9 Districts and in C4-6 Districts in the following locations, the provisions of paragraph (a) of this Section shall apply, except that the maximum #building# height shall be 175 feet:

- (i) The area bounded by the centerline of East 124th Street, the centerline of Second Avenue, the centerline of East 123rd Street, and a line 100 feet west of the westerly #street line# of Second Avenue;
- (ii) The area bounded by a line 100 feet north of the northerly #street line# of East 116th Street, a line 100 feet east of the easterly #street line# of Lexington Avenue, a line 100 feet south of the southerly #street line# of East 116th Street, and a line 100 feet west of the westerly #street line# of Lexington Avenue;
- (iii) The area bounded by the centerline of East 124th Street, a line 100 feet east of the easterly #street line# of Third Avenue, the centerline of East 123rd Street, the centerline of Third Avenue, the centerline of East 122nd Street, and a line 100 feet west of the westerly #street line# of Third Avenue.

#### (2) In C2-5 Districts mapped over R9 Districts and C2-5 Districts mapped over R10 Districts in the following locations, the provisions of paragraph (a) of this Section shall apply, except that the maximum #building# height shall be 215 feet:

- (i) The area bounded by a line 100 feet east of the easterly #street line# of Park Avenue, the centerline of East 115th Street, a line 100 feet west of the westerly #street line# of Park Avenue, the centerline of East 122nd Street, the centerline of Park Avenue, and the centerline of the #block# located between East 120th Street and East 119th Street;

- (ii) The area bounded by the centerline of East 132nd Street, the centerline of Park Avenue, the centerline of East 131st Street, and a line 100 feet west of the westerly #street line# of Park Avenue.

### 138-24

#### Height and Setback Regulations in M1 Districts Paired With an R9 or R10 District

In M1 Districts paired with an R9 or R10 District, the applicable #street wall# location and minimum base height provisions of paragraph (c) of Section 138-22 (Street Wall Regulations) shall apply. The maximum height of #buildings or other structures# and setback provisions set forth in Section 123-66 (Height and Setback Regulations) shall apply as modified in this Section.

- (a) In M1 Districts paired with an R9 District, at a height not lower than the minimum base height set forth in Section 138-22, nor higher than a maximum base height of 105 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). The maximum #building# height shall be 215 feet; and
- (b) in M1 Districts paired with an R10 District, at a height not lower than the minimum base height set forth in Section 138-22, nor higher than a maximum base height of 155 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662. The maximum #building# height shall be 215 feet.

### 138-30

#### STREETSCAPE REQUIREMENTS

The provisions of this Section, inclusive, shall apply to #developments# or #ground floor level enlargements# in all districts. In #Commercial Districts# mapped within R7D Districts, the underlying provisions of Section 32-434 (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. Any portion of a ground floor level that is within a transit easement required pursuant to the provisions of Article IX, Chapter 5 need not comply with the streetscape requirements of this Section, inclusive.

### 138-31

#### Ground Floor Use Regulations

The special #ground floor level# streetscape provisions set forth in Section 37-30, shall apply to Second Avenue, Third Avenue, Lexington Avenue, Park Avenue and East 116th Street, within the #Special East Harlem Corridors District# which, for the purposes of applying such provisions, shall be considered designated retail streets, and any portion of a #ground floor level street# frontage along the designated retail streets, as well as any #narrow street# frontage within 50 feet of such #streets#, shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall also include those defined in Section 37-311 (Definitions).

- (a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 2 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements), except that:

- (1) in M1-6 Districts paired with an R9 or R10 District, where the #ground floor level# is occupied by #uses# in Use Groups 16, 17 and 18, up to 50 percent of the #ground floor level street wall# width may be exempt from such regulations, provided that any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide planting or screening in accordance with the provisions of paragraphs (a) or (f) of Section 138-32 (Special Streetscape Provisions for Blank Walls) for at least 75 percent of such blank wall; and
- (2) in #flood zones#, where no transparent materials or #building# entrances or exits are provided on the #ground floor level street wall# below a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 15 feet, visual mitigation elements shall be provided in accordance with Section 138-32 for such blank wall.

- (b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #group parking facilities# on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

### 138-32

#### Special Streetscape Provisions for Blank Walls

Where visual mitigation elements are required on a blank wall along the #ground floor level street wall# pursuant to the provisions of Section 138-31 (Ground Floor Use Regulations), at least 75 percent of the linear footage of any such blank wall shall be treated by one or more of the following visual mitigation elements which shall be provided on the #zoning lot#, except where such elements are permitted within the #street# under other applicable laws or regulations. Such features when utilized as visual mitigation elements shall include:

- (a) Planting

Any combination of perennials, annuals, decorative grasses or shrubs shall be provided in planting beds, raised planting beds or planter boxes in front of the #street wall#. Each foot in width of a planting bed, raised planting bed or planter box, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material. Any individual planted area shall have a width of at least five feet, and the height of such planting, inclusive of any structure containing the planted materials, shall be at least three feet.

Where a blank wall exceeds a #street wall# width of 50 feet, at least 25 percent of such #street wall# width shall be planted in accordance with the provisions of this paragraph.

- (b) Benches

Fixed benches with or without backs shall be provided in front of the #street wall#. Unobstructed access shall be provided between such benches and an adjoining sidewalk or required circulation paths. Each linear foot of bench, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Any individual bench shall have a width of at least five feet, and no more than 20 feet of benches may be used to fulfill such requirement per 50 feet of frontage.

- (c) Bicycle racks

Bicycle racks, sufficient to accommodate at least two bicycles, shall be provided in front of the #street wall#, and oriented so that the bicycles are placed parallel to the #street wall#. Each bicycle rack so provided shall satisfy five linear feet of frontage mitigation requirement. No more than three bicycle racks may be used to fulfill such requirement per 50 feet of frontage.

- (d) Tables and chairs

Fixed tables and chairs shall be provided in front of the #street wall#. Each table shall have a minimum diameter of two feet, and have a minimum of two chairs associated with it. Each table and chair set so provided shall satisfy five linear feet of frontage mitigation requirement.

- (e) Wall treatment

Wall treatment, in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material, shall be provided along the #street wall#. Each linear foot of wall treatment shall constitute one linear foot of frontage mitigation requirement. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and have a minimum width of 10 feet, as measured parallel to the #street wall#.

### 138-40

#### OFF-STREET PARKING AND LOADING REGULATIONS

The applicable parking and loading regulations of Article II, Chapter 5, Article III, Chapter 6, Article IV, Chapter 4 (ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS) or Section 123-70 (PARKING AND LOADING), inclusive, shall be modified in this Section, inclusive.

### 138-41

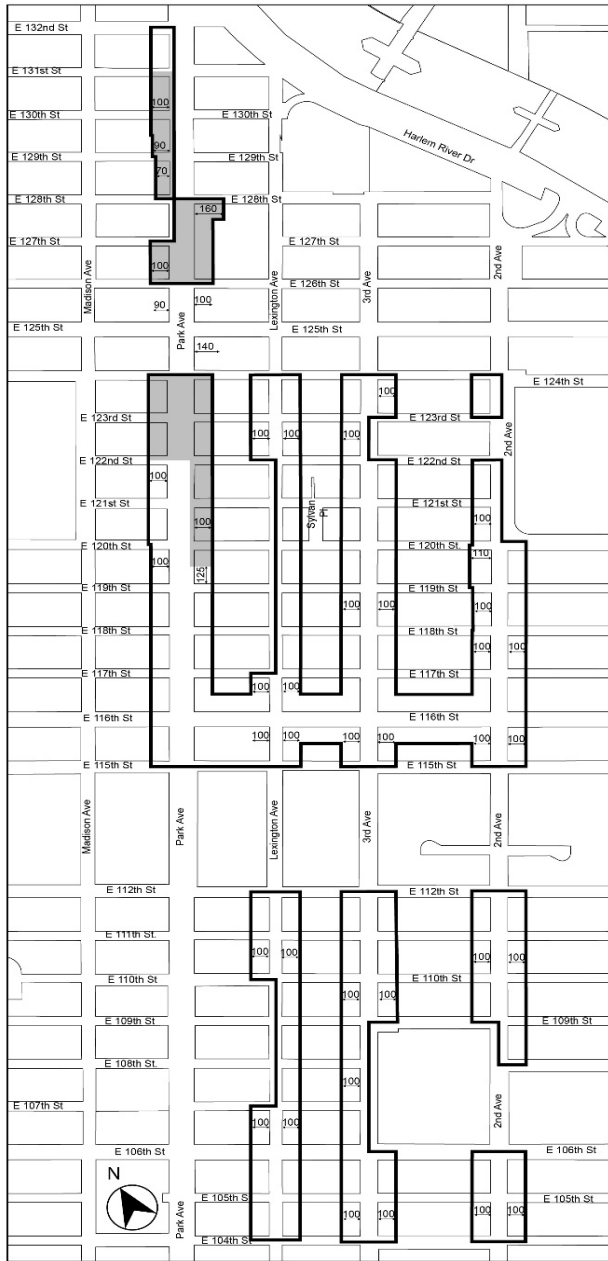
#### Required Accessory Off-street Parking Spaces for Residences

In the #Special East Harlem Corridors District#, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the underlying district regulations.

APPENDIX: SPECIAL EAST HARLEM CORRIDORS DISTRICT PLAN

Special East Harlem Corridors District and Subdistrict

[PROPOSED MAP]



EAST HARLEM DISTRICT PLAN  
SPECIAL EAST HARLEM CORRIDOR DISTRICT AND SUBDISTRICT

Special East Harlem Corridors District  
 Park Avenue Subdistrict

\* \* \*

APPENDIX F  
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

MANHATTAN

\* \* \*

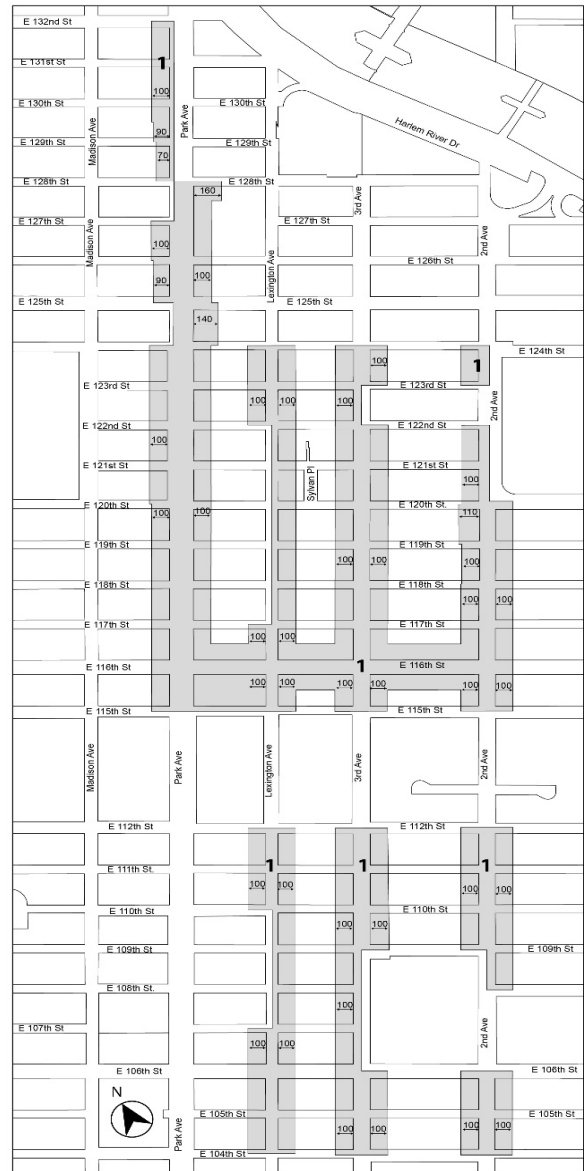
Manhattan Community District 11

In the R7D, R9 and R10 Districts within the areas shown on the following Map 1 and Map 2:

\* \* \*

Map 2 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program area see Section 23-154(d)(3)  
 Area 1 [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 11, Manhattan

\* \* \*  
No. 19

**CD 11** **C 170360 HUM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the Second Amended Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area.

NOTICE

On Wednesday, August 23, 2017, at 9:30 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) and the Department of Housing Preservation and Development (HPD). DCP, together with HPD, is proposing a series of land use actions—including zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan (collectively, the “Proposed Actions”). The Proposed Actions are intended to facilitate the development of affordable housing, preserve existing



neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes. The Proposed Actions would affect an approximately 96-block area of the East Harlem neighborhood of Manhattan.

In addition to the above-referenced Proposed Actions, the DEIS considers a series of actions needed to facilitate an HPD-sponsored affordable housing development located on a property bounded by East 111th Street, Madison Avenue, East 112th Street, and Park Avenue (the "Sendero Verde Site"). The land use actions necessary to facilitate the development of the Sendero Verde Site, subject to a concurrent related application proposed by HPD (the "Sendero Verde - East 111th Street" Proposal), include: a zoning map amendment, zoning text amendment, UDAAP designation, disposition of City-Owned property, acquisition of a portion of the disposition area by the City, a large-scale general development (LSGD) special permit, and a City Planning Commission certification to waive retail continuity requirements.

The public hearing will also consider a modification to the zoning text amendment (ULURP No. N 170359 (A) ZRM).

Written comments on the DEIS are requested and would be received and considered by the Lead Agency until Tuesday, September 5, 2017.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 17DCP048M.

Nos. 20-26
SENDERO VERDE - EAST 111TH STREET
No. 20

CD 11 C 170361 ZMM
IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b:

- 1. eliminating from within an existing R7-2 District a C1-4 District bounded by:
a. East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
b. East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;
2. changing from an R7-2 District to an R9 District property bounded by East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and Madison Avenue; and
3. establishing within the proposed R9 District a C2-5 District bounded by:
a. East 112th Street, a line 100 feet easterly of Madison Avenue, East 111th Street, and Madison Avenue; and
b. East 112th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111th Street, and a line 100 feet westerly of Park Avenue;

as shown on a diagram (for illustrative purposes only) dated April 24, 2017.

CD 11 N 170362 ZRM
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, 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

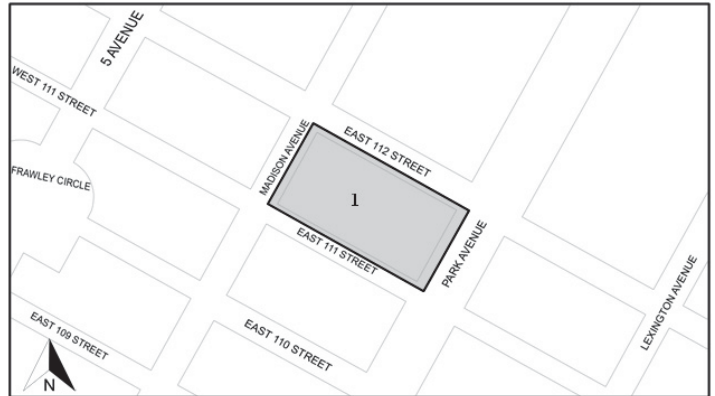
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

MANHATTAN

Manhattan Community District 11

In the R9 District within the areas shown on the following Map 2:

Map 2 - (date of adoption)
[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 1 (date of adoption) - MIH Program Option 1 and Option 2
Portion of Community District 11, Manhattan

No. 22 C 170363 HAM
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a) the designation of property, located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 and 122), as an Urban Development Action Area; and
b) an Urban Development Action Area Project for such area; and
2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of large scale general development consisting of three mixed-use buildings with commercial and community facility uses on the lower levels, a total of approximately 655 affordable dwelling units on the upper levels and community gardens.

No. 23 C 170364 PQM
IN THE MATTER OF an application submitted by the Department of Housing Preservation, pursuant to Section 197-c of the New York City Charter, for acquisition of property generally located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens.

No. 24 C 170365 ZSM
IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and the rear yard requirements of Sections 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 24-382 (Require Rear Yard Equivalents), in connection with a proposed mixed used development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5\* Districts.

\* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

No. 25 C 170366 ZSM
IN THE MATTER OF an application submitted by the NYC

Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-421 (Location of commercial uses) to allow Use Group 6 uses on portions of the third floor of a proposed building (Building A), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112<sup>th</sup> Street, Park Avenue, East 111<sup>th</sup> Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9/C2-5\* Districts.

\* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271-0001.

### No. 26

#### CD 11 C 170367 ZSM

**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-532 of the Zoning Resolution to waive all required accessory residential off-street parking spaces, in connection with a proposed mixed use development, within a large scale general development, in the Transit Zone, on property generally bounded by East 112<sup>th</sup> Street, Park Avenue, East 111<sup>th</sup> Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5\* Districts.

\* Note: The site is proposed to be rezoned by changing R7-2 and R7-2/C1-4 Districts to R9 and R9/C2-5 Districts under a concurrent related application for a Zoning Map change (C 170361 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271-0001.

### NOTICE

#### CPC Calendar docket for the East Harlem Rezoning DEIS\* (CEQR No.17DCP048M)

On Wednesday, August 23, 2017, at 9:30 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 Housing Preservation and Development (HPD). HPD proposes a series of land use actions necessary to facilitate the development of an affordable housing development at the Sendero Verde – East 111<sup>th</sup> Street Property (the “Sendero Verde Site”) bounded by E. 111th St, Madison Ave, E.112th St, and Park Avenue. The proposed actions include a zoning map amendment, zoning text amendment, UDAAP designation, disposition of City-owned property, acquisition of a portion of the disposition area by the City, a large-scale general development (LSGD) special permit, and a City Planning Commission certification to waive retail continuity requirements. The East Harlem Rezoning DEIS (CEQR No.17DCP048M) considers these actions and their environmental effects.

The public hearing will also consider a modification to the zoning text amendment (ULURP No. N 170359 (A) ZRM).

Written comments on the DEIS are requested and would be received and considered by the Lead Agency until Tuesday, September 5, 2017.

This public hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 17DCP048M.

\*Note: The Sendero Verde – East 111<sup>th</sup> Street Proposal is considered and analyzed in the East Harlem Rezoning DEIS, prepared in connection with a concurrent related application (East Harlem Neighborhood Rezoning, ULURP Nos. 170358 ZMM, N170359 ZRM, 170360 HUM).

YVETTE V. GRUEL, Calendar Officer  
City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271

Telephone (212) 720-3370



a9-23

## EQUAL EMPLOYMENT PRACTICES COMMISSION

### MEETING

The next meeting of the Equal Employment Practices Commission, will be held in the Commission's Conference Room/Library, at 253 Broadway, Suite 602 on Thursday, August 17, 2017, at 9:00 A.M.

Accessibility questions: Mohini Ramsukh, (212) 615-8938, Mramsukh@eepc.ny.gov, by: Tuesday, August 15, 2017, 5:00 P.M.



a9-17

## 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, August 15, 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.

#### 34-15 83rd Street - Jackson Heights Historic District

LPC-19-10107 - Block 1444 - Lot 61 - Zoning: R5

#### CERTIFICATE OF APPROPRIATENESS

An Anglo-American Garden Home style house designed by Pierce L. Kiesewetter and built in 1928-29. Application is to legalize alterations to an areaway and entrance stair, construction of walls and posts, and installation of a fence and security gate without Landmarks Preservation Commission permits.

#### 161-02 Jamaica Avenue - Individual Landmark

LPC-19-09600 - Block - Lot 9 - Zoning: C6-3

#### CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style bank building designed by Hough & Duell, and built in 1897-98. Application is to modify masonry openings, and install storefront infill and signage.

#### 288 Hicks Street - Brooklyn Heights Historic District

LPC-19-7306 - Block 260 - Lot 43 - Zoning: R6

#### CERTIFICATE OF APPROPRIATENESS

An eclectic rowhouse built in 1856. Application is to construct a rooftop addition.

#### 54 South Portland Avenue - Fort Greene Historic District

LPC-19-14142 - Block 2099 - Lot 69 - Zoning: R6B

#### CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built c. 1864. Application is to replace an oriel window.

#### 107 Columbia Heights - Brooklyn Heights Historic District

LPC-19-13474 - Block 224 - Lot 5 - Zoning: R6

#### CERTIFICATE OF APPROPRIATENESS

An apartment house built in 1959. Application is to construct bulkheads, install rooftop mechanical equipment, screens, railings and trellises; modify and create masonry openings; replace windows, entrance infill, and a canopy; alter the courtyard, and relocate a curb cut.

#### 208-212 Decatur Street - Bedford-Stuyvesant/Expanded

Stuyvesant Heights Historic District

LPC-19-1191 - Block 1679 - Lot 35/135 - Zoning: R6B

#### CERTIFICATE OF APPROPRIATENESS

A flats building with store designed by Alfred S. Beasley and built c. 1897. Application is to construct a garage and create a curb cut.

#### 38 Decatur Street - Bedford-Stuyvesant/Expanded

Stuyvesant Heights Historic District

LPC-19-11860 - Block 1857 - Lot 49 - Zoning: R6A

#### CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival/Romanesque Revival style rowhouse designed by Louis Berger & Co. Architects and built in 1907. Application is to construct a rooftop addition.

#### 207 MacDonough Street - Stuyvesant Heights Historic District

LPC-16-8705 - Block 1853 - Lot 46 - Zoning: R6B

#### CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1872- 1873. Application is to legalize the installation of windows without Landmarks Preservation Commission permit(s).

#### 299 Park Place - Prospect Heights Historic District

LPC-19-09296 - Block 1159 - Lot 76 - Zoning: R6B

**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse with Romanesque Revival style elements, designed by William H. Reynolds and built c. 1894. Application is to enlarge the existing rooftop addition.

**63-63A Reade Street, aka 79-81 Chambers Street - Tribeca South Historic District**

**LPC-19-6977** - Block 149 - Lot 3 - **Zoning:** C6-4A/C6-3A

**CERTIFICATE OF APPROPRIATENESS**

A Moderne style commercial building designed by Frederick J. Harwig and built in 1935-36. Application is to legalize alterations to a storefront without Landmarks Preservation Commission permits and to install new storefront infill.

**293 Church Street - Tribeca East Historic District**

**LPC-19-09439** - Block 193 - Lot 20 - **Zoning:** C6-2A

**CERTIFICATE OF APPROPRIATENESS**

A Second Empire style store and loft building built in 1867-68. Application is to install rooftop bulkheads and to modify the entrance to provide barrier-free access.

**400 West Broadway - SoHo-Cast Iron Historic District Extension**

**LPC-19-12883** - Block 488 - Lot 22 - **Zoning:** M1-5A

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store building designed by William Jose and built in 1870-71, and altered in the late 20th century. Application is to legalize the installation of storefront infill in non-compliance with Certificate of Appropriateness 17-2488.

**83 Wooster Street - SoHo-Cast Iron Historic District**

**LPC-19-14041** - Block 487 - Lot 30 - **Zoning:** M1-5A

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Grec style store and loft building designed by J.B. Snook and built in 1876. Application is to install a painted wall sign.

**74 East 4th Street - East Village/Lower East Side Historic District**

**LPC-19-8690** - Block 459 - Lot 23 - **Zoning:** R8B

**CERTIFICATE OF APPROPRIATENESS**

A professional association hall designed by August H. Blankenstein and built in 1873, altered in the German Renaissance Revival and Neo-Grec styles by Frederick William Kurtzer & Richard O.L. Rohl in 1892. Application is to construct rooftop additions and install storefront infill.

**601 West 26th Street - West Chelsea Historic District**

**LPC-19-14085** - Block 672 - Lot 1 - **Zoning:** M2-3

**CERTIFICATE OF APPROPRIATENESS**

An International style warehouse building with Art Deco style details, designed by Russell G. and Walter M. Cory with Yasuo Matsui and Purdy & Henderson and built in 1930-1931. Application is to install ground floor infill, marquees, signage, decorative louver panels, and flood barriers; and to establish a master plan governing the future installation of storefront infill.

**413 West 14th Street - Gansevoort Market Historic District**

**LPC-19-14271** - Block 712 - Lot 1 - **Zoning:** M1-5

**CERTIFICATE OF APPROPRIATENESS**

An Arts and Crafts style market building designed by James S. Maher and built in 1914, and altered by William P. Seaver in 1922. Application is to install signage.

**23 West 69th Street - Upper West Side/Central Park West Historic District**

**LPC-19-09902** - Block 1122 - Lot 21 - **Zoning:** R8B

**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1892. Application is to replace windows, construct rooftop and rear yard additions, and alter the rear façade.

**103 East 91st Street - Carnegie Hill Historic District**

**LPC-19-10205** - Block 1520 - Lot 104 - **Zoning:** R10

**CERTIFICATE OF APPROPRIATENESS**

A rowhouse originally built in 1884-84 and altered in the Neo-Georgian style by C. Dale Bradgeley in 1950-51. Application is to construct a rooftop addition.

**55 East 92nd Street - Carnegie Hill Historic District**

**LPC-19-7466** - Block 1504 - Lot 26 **Zoning:** R8B

**CERTIFICATE OF APPROPRIATENESS**

Two Romanesque Revival style rowhouses designed by Louis Entzer, Jr. and built in 1893-94 and altered in 1946-47 by James E. Casale. Application is to construct rooftop and rear yard additions, excavate the cellar and rear yard, and alter the front façade.

**272 West 139th Street - St. Nicholas Historic District**

**LPC-19-14679** - Block 2024 - Lot 64 - **Zoning:** R7-2

**CERTIFICATE OF APPROPRIATENESS**

An apartment house designed by Bruce Price and Clarence S. Luce and built in 1891-1892. Application is to install storefront infill.

**273 West 138th Street - St. Nicholas Historic District**

**LPC-19-14680** - Block 2024 - Lot 1 - **Zoning:** R7-2

**CERTIFICATE OF APPROPRIATENESS**

An apartment house designed by Bruce Price and Clarence S. Luce and built in 1891-1892. Application is to install storefront infill.

a2-15

**MAYOR'S OFFICE OF ENVIRONMENTAL COORDINATION****■ PUBLIC HEARINGS****NOTICE OF PUBLIC SCOPING**

**The Office of the Deputy Mayor for Housing and Economic Development**

**Draft Scope of Work for an Environmental Impact Statement Inwood Rezoning Proposal**

**NOTICE IS HEREBY GIVEN** that a public scoping meeting will be held as detailed below for the Inwood Rezoning Proposal. The purpose of the scoping meeting is to provide the public with the opportunity to comment on the Draft Scope of Work to develop an Environmental Impact Statement (EIS) for the proposed Inwood Rezoning Proposal.

A public scoping meeting has been scheduled at the following date/location to provide a forum for public comments on the Draft Scope of Work. English-Spanish interpretation will be provided at the scoping hearing.

Thursday, September 14, 2017, at 6:00 P.M.  
JHS 52, Inwood Junior High School  
650 Academy Street  
New York, NY 10034

Written comments will be accepted until Monday, September 25, 2017, at 5:00 P.M. and may be submitted at the public scoping meeting, or to the addresses below.

Directing that an Environmental Impact Statement be prepared, the Environmental Assessment Statement, Positive Declaration, and Draft Scope of Work were issued by the Office of the Deputy Mayor for Housing and Economic Development on Friday, August 11, 2017, and are available for review from the contact person listed below and on the websites of the Mayor's Office of Environmental Coordination and the New York City Economic Development Corporation: [www.nyc.gov/oc](http://www.nyc.gov/oc) and <https://www.nycedc.com/project/inwood-nyc-neighborhood-study>, respectively.

The New York City Economic Development Corporation (NYCEDC)—together with the Department of Housing Preservation and Development (HPD) and the Department of Citywide Administrative Services (DCAS)—is proposing a series of discretionary actions (collectively “the Proposed Actions”). The Proposed Actions are intended to facilitate a development pattern in the Inwood neighborhood in northern Manhattan (Community District 12) that meets the long-term community vision for the neighborhood by extending the mixed-use character of Inwood east of 10th Avenue to the Harlem River and preserving the strong existing fabric in areas west of 10th Avenue. The proposed discretionary actions are intended to implement certain strategies identified in the Inwood NYC Action Plan, a comprehensive plan to preserve and create new affordable housing, create a comprehensive zoning framework, expand economic opportunities, and improve neighborhood livability.

The area affected by this proposal is generally bounded by the Harlem River to the east, the Sherman Creek Inlet and Dyckman Street to the south, the Hudson River to the West, and Broadway Bridge and West 218th Street to the north. Within this area, over a 15-year period, the Proposed Actions are expected to result in a net increase of approximately 4,533 dwelling units (DUs), including either 1,372 or 1,618 affordable units (depending on which Mandatory Inclusionary Housing (MIH) option is selected), 489,905 square feet (sf) of community facility space, and 1,326,215 sf of commercial/retail space, as well as a net decrease of 50,614 sf of light industrial space, and a net decrease of 216 accessory parking spaces (depending on which MIH option is selected), and the creation of new waterfront open space along the Harlem River.

The proposed project would require multiple City approvals. Some of these approvals are discretionary actions requiring review under the New York State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR). The Office of the Deputy Mayor for Housing and Economic Development will be the lead agency for CEQR. It is currently anticipated that the Inwood Rezoning Proposal would require the following discretionary approvals:

- **Zoning map amendment to:**

- o Change all or portions of existing M1-1, M2-1, M3-1, C8-3, C8-4, and R7-2 districts within the proposed rezoning area to M1-4, M1-5, M2-4, C4-4D, C4-5D, C6-2, R7A, R7D, R8A, R8, and R9A districts; and to
- o Change portions of existing C1-3 and C1-4 overlays to C2-4 overlays and establish new C2-4 overlays.

- **Zoning text amendment to:**

- o Establish the Special Inwood District (SID), which would modify the underlying zoning regulations, establish additional requirements, and allow for greater flexibility in the type and shape of development.
- o Establish the proposed C4-4D, C4-5D, C6-2, R7D, R8A, R8, and R9A districts, as well as a portion of the proposed

R7A district, as MIH areas, which would require a share of new housing to be permanently affordable where significant new housing capacity would be created.

- o Establish a Waterfront Access Plan (WAP) to create a framework for the creation of public waterfront open space along the Harlem River.
- **City Map changes to facilitate the creation of open space and consolidation of utility operations:**
  - o Demap a portion of Academy Street east of Tenth Avenue,
  - o Demap West 208<sup>th</sup> Street at the North Cove,
  - o Demap (and dispose of) un-built and non-essential marginal or exterior streets mapped along and in the Harlem River,
  - o Demap (and provide an easement for) a volume of the street above West 203<sup>rd</sup> Street east of Ninth Avenue, and
  - o Demap a portion of West 201<sup>st</sup> Street east of Ninth Avenue.
- **Urban Development Action Area (UDAA) Designation/ Urban Development Action Area Plan (UDAAP):**
  - o Authority to designate the City-Owned Block, Block 2233, Lot 13, and a portion of Lot 20 as a UDAA and UDAAP approval to facilitate the development of affordable housing, a new library, and Universal Pre-K classrooms.
- **Disposition Authority for:**
  - o City-Owned Block 2187, Lot 20, and Block 2185, Lot 36, to facilitate the creation of future public open space along the Harlem River waterfront;
  - o City-Owned Block 2197, Lot 75, along the Harlem River to facilitate the creation of property with both street and waterfront frontage;
  - o Block 2197, Lot 47 (following its acquisition by the City), along the Harlem River to facilitate the creation of property with both street and waterfront frontage;
  - o City-Owned Block 2233, Lot 13 (Inwood branch of the New York Public Library at 4780 Broadway), and part of Lot 20 (a portion of the adjacent J.H.S. 52 parking lot), for the development of affordable housing, a new library, and Universal Pre-K classrooms; and
  - o An easement over a demapped volume of the street above West 203<sup>rd</sup> Street east of Ninth Avenue to facilitate the consolidation of Con Edison operations.
- **Authority for the City to acquire the following properties:**
  - o Block 2197, Lot 47, to facilitate the creation of property with both street and waterfront frontage;
  - o A condominium unit within a future development on Block 2233, Lot 13 (Inwood branch of the New York Public Library at 4780 Broadway), and part of Lot 20 (a portion of the adjacent J.H.S. 52 parking lot), for use as a library; and
  - o Public access easements across Block 2183, Lot 1, and Block 2184, Lot 1, and the demapped portion of West 201<sup>st</sup> Street east of Ninth Avenue to facilitate the creation of future public open space and to maintain utility access.

The Inwood Rezoning Proposal would also include a zoning mechanism that would incentivize the creation of waterfront open space by allowing private property owners along the waterfront to merge with small City-Owned waterfront lots. This mechanism may require the subdivision of City-Owned waterfront lots, where tidal wetlands regulated by the New York State Department of Environmental Conservation (NYSDEC) are mapped. Therefore, the proposed project may require a permit from NYSDEC under the Tidal Wetlands Act (Article 25 of the New York Environmental Conservation Law) to subdivide City-Owned property.

Finally, in addition to financing by HPD, a future developer of the library site may seek funding from the New York City Housing Development Corporation (HDC) to facilitate that potential development.

Written comments on the Draft Scope of Work will be accepted at the addresses below until Monday, September 25, 2017, at 5:00 P.M.

Copies of the Environmental Assessment Statement, Positive Declaration, and Draft Scope of Work may be obtained by any member of the public from:

Mayor's Office of Environmental Coordination  
Attn: Esther Brunner, Deputy Director  
253 Broadway, 14th Floor  
New York, NY 10007  
Phone: (212) 676-3293  
Email: ebrunner@cityhall.nyc.gov

These documents are also available on the websites of the Mayor's Office of Environmental Coordination and the New York City Economic Development Corporation: [www.nyc.gov/oec](http://www.nyc.gov/oec) and <https://www.nycdec.com/project/inwood-nyc-neighborhood-study>, respectively.

CEQR Number: 17DME007M

Lead Agency: Office of the Deputy Mayor for Housing and Economic Development  
Hilary Semel, Assistant to the Mayor  
253 Broadway, 14<sup>th</sup> Floor,  
New York, NY 10007  
Phone: (212) 676-3273  
Email: hsemel@cityhall.nyc.gov

Sponsoring Agency: New York City Economic Development Corporation  
Attn: Dina Rybak, Vice President  
110 William Street, 6<sup>th</sup> Floor,  
New York, NY 10038  
Phone: (212) 618-5763  
Email: drybak@edc.nyc

SEQRA Classification: Type I

Location of Actions: Manhattan Community Board 12

This Notice of Public Meeting has been prepared, pursuant to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act (SEQRA)), its implementing regulations, found at 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review, found at 62 RCNY Chapter 5, and Mayoral Executive Order 91 of 1977, as amended (CEQR).

a11-15

## SCHOOL CONSTRUCTION AUTHORITY

### ■ PUBLIC HEARINGS

#### NOTICE OF PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW

Pursuant to Article 2 of the New York State Eminent Domain Procedure Law, the New York City School Construction Authority ("SCA") will hold a public hearing on Wednesday, August 30, 2017, at 2:30 P.M., with respect to the SCA's proposed acquisition, by condemnation, of Tax Block 751, Lot 1, located in the borough of Brooklyn, City and State of New York, for the purpose of constructing an approximately 332-seat primary school facility at the site, to accommodate students in pre-kindergarten through fifth grade, pursuant to the New York City Department of Education's Five Year Capital Facilities Plan. **The public hearing will be held at Public School 169, located at 4305 7th Avenue, Brooklyn, NY 11232, on August 30, 2017, at 2:30 P.M.**

The subject property (a vacant, 2 story commercial building), is located at 4525 8<sup>th</sup> Avenue, Brooklyn, NY 11220.

The purposes of the hearing are to inform the public of the proposed project; to review the public use to be served by the proposed project; and to give all interested persons an opportunity to be heard concerning the proposed public project. Property owners who may subsequently wish to challenge condemnation of their property via judicial review, may do so only on the basis of the issues, facts and objections raised at the hearing. All persons are invited to attend the hearing, and to present oral and/or written statements concerning the proposed acquisition. The SCA will accept written comments on the proposed project at the address listed below until Monday, September 11, 2017. Materials relating to the project are available for examination during normal business hours, at the Legal Department of the SCA at 30-30 Thomson Avenue, Long Island City, NY 11101. For further information, contact Gayle Mandaro, Senior Attorney and Senior Director of the SCA at (718) 472-8308.

◀ a14-18

#### NOTICE OF PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW

Pursuant to Article 2 of the New York State Eminent Domain Procedure Law, the New York City School Construction Authority ("SCA"), will hold a public hearing on Wednesday, August 30, 2017, at 3:30 P.M., with respect to the SCA's proposed acquisition, by condemnation, of Tax Block 728, Lot 34, located in the borough of Brooklyn, City and State of New York, for the purpose of constructing an approximately 332-seat primary school facility, at the site, to accommodate students in pre-kindergarten through fifth grade, pursuant to the New York City Department of Education's Five Year Capital Facilities Plan. **The public hearing will be held, at Public School 169, located at 4305 7th Avenue, Brooklyn, NY 11232, on August 30, 2017, at 3:30 P.M.**

The subject property (an unimproved lot), is located at 364 43<sup>rd</sup> Street, Brooklyn, NY 11220.

The purposes of the hearing are to inform the public of the proposed project; to review the public use to be served by the proposed project; and to give all interested persons an opportunity to be heard concerning the proposed public project. Property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of the issues, facts and objections raised at the hearing. All persons are invited to attend the hearing, and to present oral and/or written statements concerning the proposed acquisition. The SCA will accept written comments on the proposed project, at the address listed below until Monday, September 11, 2017. Materials relating to the project are available for examination during normal business hours, at the Legal Department of the SCA, at 30-30 Thomson Avenue, Long Island City, NY 11101. For further information, contact Gayle Mandaro, Senior Attorney and Senior Director of the SCA, at (718) 472-8308.

← a14-18

**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, 9<sup>th</sup> Floor, Room 945 commencing at 2:00 P.M., on Wednesday, August 30, 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, 9<sup>th</sup> Floor South West, New York, NY 10041, or by calling (212) 839-6550.

**#1 IN THE MATTER OF** a proposed revocable consent authorizing 67 Wall Street Owner LLC, to continue to maintain, and use bollards along the south sidewalk of Wall Street, west of Pearl Street, 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. #1569**

For the period July 1, 2017 to June 30, 2027 - \$1,750/per annum

the maintenance of a security deposit in the sum of \$2,800 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 81 Charles Street Owner LLC and Flagstaff LLC, to construct, maintain and use a stoop and a fenced-in area, together with stairs on the north sidewalk of Charles Street, between Bleecker and West 4<sup>th</sup> Streets, 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. #2402**

From the Approval Date to the Expiration Date - \$25/per annum

the maintenance of a security deposit in the sum of \$7,500 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 1282 Street LLC to construct, maintain and use snowmelt system south sidewalk of East 82<sup>nd</sup> Street, between Fifth and Madison Avenues, 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. # 2401**

From the Approval Date by the Mayor to June 30, 2027 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000 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.

**#4 IN THE MATTER OF** a proposed revocable consent authorizing Anthony Blumka, to continue to maintain, and use a fenced-in area on the north sidewalk of East 72<sup>nd</sup> Street, east of Third Avenue, 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. #1618**

From July 1, 2017 to June 30, 2027 - \$280/per annum

the maintenance of a security deposit in the sum of \$6,000 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.

**#5 IN THE MATTER OF** a proposed revocable consent authorizing East 72<sup>nd</sup> Realty LLC and River York Stratford LLC, to continue to

maintain, and use a conduit under and across East 73<sup>rd</sup> Street, West of York Avenue, 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. #1125**

- For the period July 1, 2017 to June 30, 2018 - \$ 5,015
- For the period July 1, 2018 to June 30, 2019 - \$ 5,127
- For the period July 1, 2019 to June 30, 2020 - \$ 5,239
- For the period July 1, 2020 to June 30, 2021 - \$ 5,351
- For the period July 1, 2021 to June 30, 2022 - \$ 5,463
- For the period July 1, 2022 to June 30, 2023 - \$ 5,575
- For the period July 1, 2023 to June 30, 2024 - \$ 5,687
- For the period July 1, 2024 to June 30, 2025 - \$ 5,799
- For the period July 1, 2025 to June 30, 2026 - \$ 5,911
- For the period July 1, 2026 to June 30, 2027 - \$ 6,023

the maintenance of a security deposit in the sum of \$6,100 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.

**#6 IN THE MATTER OF** a proposed revocable consent authorizing Gouverneur Gardens Housing Corporation, to continue to maintain, and use pipes and conduits at two locations under and across Water Street, between Montgomery Street and Gouverneur slip East, 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. #748**

- For the period July 1, 2017 to June 30, 2018 - \$ 19,715
- For the period July 1, 2018 to June 30, 2019 - \$ 20,157
- For the period July 1, 2019 to June 30, 2020 - \$ 20,599
- For the period July 1, 2020 to June 30, 2021 - \$ 21,041
- For the period July 1, 2021 to June 30, 2022 - \$ 21,483
- For the period July 1, 2022 to June 30, 2023 - \$ 21,925
- For the period July 1, 2023 to June 30, 2024 - \$ 22,367
- For the period July 1, 2024 to June 30, 2025 - \$ 22,809
- For the period July 1, 2025 to June 30, 2026 - \$ 23,251
- For the period July 1, 2026 to June 30, 2027 - \$ 23,693

the maintenance of a security deposit in the sum of \$23,700 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.

**#7 IN THE MATTER OF** a proposed revocable consent authorizing Gouverneur Gardens Housing Corporation, to continue to maintain, and use pipes and conduits at two locations under and across Madison Street, east of Montgomery Street, 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. # 749**

- For the period July 1, 2017 to June 30, 2018 - \$ 10,342
- For the period July 1, 2018 to June 30, 2019 - \$ 10,574
- For the period July 1, 2019 to June 30, 2020 - \$ 10,806
- For the period July 1, 2020 to June 30, 2021 - \$ 11,038
- For the period July 1, 2021 to June 30, 2022 - \$ 11,270
- For the period July 1, 2022 to June 30, 2023 - \$ 11,502
- For the period July 1, 2023 to June 30, 2024 - \$ 11,734
- For the period July 1, 2024 to June 30, 2025 - \$ 11,966
- For the period July 1, 2025 to June 30, 2026 - \$ 12,198
- For the period July 1, 2026 to June 30, 2027 - \$ 12,430

the maintenance of a security deposit in the sum of \$12,500 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.

**#8 IN THE MATTER OF** a proposed revocable consent authorizing The New York Presbyterian Hospital, to construct, maintain and use a conduit duct for telecommunications under, and across East 69<sup>th</sup> Street, West of York Avenue, in the Borough of Manhattan. 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. #2335**

For the period July 1, 2017 to June 30, 2018 - \$566/annum + \$4,348/per annum (prorated from the date of Approval by the Mayor)

- For the period July 1, 2018 to June 30, 2019 - \$4,914
- For the period July 1, 2019 to June 30, 2020 - \$5,026
- For the period July 1, 2020 to June 30, 2021 - \$5,137
- For the period July 1, 2021 to June 30, 2022 - \$5,248
- For the period July 1, 2022 to June 30, 2023 - \$5,360
- For the period July 1, 2023 to June 30, 2024 - \$5,471
- For the period July 1, 2024 to June 30, 2025 - \$5,583
- For the period July 1, 2025 to June 30, 2026 - \$5,694

the maintenance of a security deposit in the sum of \$3,000 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.

**#9 IN THE MATTER OF** a proposed revocable consent authorizing One NY Plaza Co. LLC, to continue to maintain, and use two pipelines, together with an associated valve chamber under and across South Street

near Broad Street, under and across Marginal Street and extending out shore thereof, all 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. #945**

- For the period July 1, 2017 to June 30, 2018 - \$ 118,936
- For the period July 1, 2018 to June 30, 2019 - \$ 121,600
- For the period July 1, 2019 to June 30, 2020 - \$ 124,264
- For the period July 1, 2020 to June 30, 2021 - \$ 126,928
- For the period July 1, 2021 to June 30, 2022 - \$ 129,592
- For the period July 1, 2022 to June 30, 2023 - \$ 132,256
- For the period July 1, 2023 to June 30, 2024 - \$ 134,920
- For the period July 1, 2024 to June 30, 2025 - \$ 137,584
- For the period July 1, 2025 to June 30, 2026 - \$ 140,248
- For the period July 1, 2026 to June 30, 2027 - \$ 142,912

the maintenance of a security deposit in the sum of \$143,000 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.

**#10 IN THE MATTER OF** a proposed revocable consent authorizing Riverbend Housing Company Inc., to continue to maintain, and use a conduit under and across East 139<sup>th</sup> Street, East of Fifth Avenue, 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. #918**

- For the period July 1, 2017 to June 30, 2018 - \$5,089
- For the period July 1, 2018 to June 30, 2019 - \$5,203
- For the period July 1, 2019 to June 30, 2020 - \$5,317
- For the period July 1, 2020 to June 30, 2021 - \$5,431
- For the period July 1, 2021 to June 30, 2022 - \$5,545
- For the period July 1, 2022 to June 30, 2023 - \$5,659
- For the period July 1, 2023 to June 30, 2024 - \$5,773
- For the period July 1, 2024 to June 30, 2025 - \$5,887
- For the period July 1, 2025 to June 30, 2026 - \$6,001
- For the period July 1, 2026 to June 30, 2027 - \$6,115

the maintenance of a security deposit in the sum of \$6,200 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.

**#11 IN THE MATTER OF** a proposed revocable consent authorizing Shun Hua Zhuo and Miao Qu Bao, to continue to maintain, and use a fenced-in area on the west sidewalk of 203<sup>rd</sup> Street, North of 42<sup>nd</sup> Avenue, in the Borough of Queens. 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. #2005**

From July 1, 2017 to June 30, 2027 - \$101/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.

**#12 IN THE MATTER OF** a proposed revocable consent authorizing The Merchants House, to continue to maintain and use an accessibility ramp and stairs on the north sidewalk of North Moore Street, east of Hudson Street, 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. #1583**

From July 1, 2017 to June 30, 2027 - \$25/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.

**a10-30**



**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**

**HOUSING PRESERVATION AND DEVELOPMENT**

**MEETING**

Pursuant to Section 695(2)(b) of the General Municipal Law and Section 1802(6)(j) of the Charter, notice is hereby given that the Department of Housing Preservation and Development ("HPD") of the City of New York ("City") has proposed the sale of the following City-Owned property (collectively, "Disposition Area") in the Borough of Queens:

Address	Block/Lot(s)
114-47 Inwood Street	11976/45
145-36 111 <sup>th</sup> Avenue	11962/43

HPD has undertaken the Small Homes Rehab-NYCHA Program ("Program"), under which certain one- to four-family vacant homes ("Homes") currently owned by the New York City Housing Authority ("NYCHA") or the City will be conveyed to a not-for-profit entity to be rehabilitated and sold to low-income purchasers. The Homes owned by NYCHA were originally acquired by the Federal government as a result of mortgage foreclosures. NYCHA acquired the Homes from the Federal government for the purpose of providing affordable housing opportunities.

HPD has designated Restoring Urban Neighborhoods, LLC ("Sponsor") as qualified and eligible to purchase and redevelop the Disposition Area under the Small Homes Rehab-NYCHA Program. HPD proposes to sell the Disposition Area to the Sponsor at the nominal price of one dollar per tax lot. The Sponsor will then rehabilitate two Homes in the Disposition Area. Construction will be financed by a combination of private loans, developer equity and government funding. The City will provide a tax exemption for the Homes under Section 696 of the General Municipal Law. Upon completion, the Sponsor will sell the Homes to qualified purchasers earning no more than 120% of the area median income. Purchasers will sign an enforcement note and mortgage to HPD in the amount of HPD financing attributable to their Home and will be required to occupy the Home as their primary residence for at least twenty (20) years.

The appraisal and the proposed Land Disposition Agreement and Project Summary are available for public examination at the office of HPD, 100 Gold Street, Room 5-I, New York, NY on business days during business hours.

**PLEASE TAKE NOTICE** that a public hearing will be held on September 13, 2017, at 1 Centre Street, Manhattan, Mezzanine at 10:00 A.M., 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 sale of the Disposition Area, 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, 253 Broadway, Room 915, 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.

**a14**

Pursuant to Section 695(2)(b) of the General Municipal Law and Section 1802(6)(j) of the Charter, notice is hereby given that the Department of Housing Preservation and Development ("HPD") of the City of New York ("City") has proposed the sale of the following City-Owned property (collectively, "Disposition Area"), in the Borough of Queens:

Address	Block/Lot(s)
110-60 Wood Street	10411/6

HPD has undertaken the Small Homes Rehab-NYCHA Program ("Program"), under which certain one- to four-family vacant homes ("Homes") currently owned by the New York City Housing Authority ("NYCHA") or the City will be conveyed to a not-for-profit entity to be rehabilitated and sold to low-income purchasers. The Homes owned by NYCHA were originally acquired by the Federal government as a result of mortgage foreclosures. NYCHA acquired the Homes from the Federal government for the purpose of providing affordable housing opportunities.

HPD has designated Restoring Urban Neighborhoods, LLC ("Sponsor") as qualified and eligible to purchase and redevelop the Disposition Area under the Small Homes Rehab-NYCHA Program. HPD proposes to sell the Disposition Area to the Sponsor at the nominal price of one dollar per tax lot. The Sponsor will then rehabilitate one Home in the Disposition Area. Construction will be financed by a combination of private loans, developer equity and government funding. The City will provide a tax exemption for the Home under Section 696 of the General Municipal Law. Upon completion, the Sponsor will sell the Home to a qualified purchaser earning no more than 120% of the area median income. The purchaser will sign an enforcement note and mortgage to HPD in the amount of HPD financing attributable to their Home and will be required to occupy the Home as their primary residence for at least twenty (20) years.

The appraisal and the proposed Land Disposition Agreement and Project Summary are available for public examination at the office of HPD, 100 Gold Street, Room 5-I, New York, NY on business days during business hours.

**PLEASE TAKE NOTICE** that a public hearing will be held on September 13, 2018, at 1 Centre Street, Manhattan, Mezzanine at 10:00 A.M., 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 sale of the Disposition Area, 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, 253 Broadway, Room 915, 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.

• a14

**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



*"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](http://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](http://www.nyc.gov/hhsaccelerator)

**ADMINISTRATION FOR CHILDREN'S SERVICES**

■ INTENT TO AWARD

*Human Services/Client Services*

**EXTRAORDINARY NEEDS FOSTER CARE SERVICES** - Negotiated Acquisition - Available only from a single source - PIN#06818N0001 - Due 8-28-17 at 4:00 A.M.

The New York City Administration for Children's Services Office of Procurement, in accordance with Section 3-04(b)(2)(i)(D) of the Procurement Policy Board Rules, intends to enter into a negotiated acquisition with Adelphoi Village for the provision of extraordinary needs foster care services. The term of the contract is projected to be from November 1, 2017 to September 15, 2019. This notice is for information purposes only. Organizations interested in future solicitation for these services are invited to do so by submitting a simple, electronic prequalification application using the City's new Health and Human Services (HHS) Accelerator System. To prequalify or for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator).

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.

Administration for Children's Services, 150 William Street, 9th Floor, NY, NY 10038. Rafael Asusta (212) 341-3511; Fax: (212) 551-7113; [rafael.asusta@acs.nyc.gov](mailto:rafael.asusta@acs.nyc.gov)

a8-14

**HEALTH AND MENTAL HYGIENE**

■ AWARD

*Human Services/Client Services*

**EARLY INTERVENTION CITYWIDE HOME RESPITE SERVICES** - Request for Proposals - PIN#11EI023101R1X00 - AMT: \$890,737.57 - TO: Gotham Per Diem, Inc., 75 Maiden Lane, New York, NY 10038.

● **EARLY INTERVENTION CITYWIDE RESPITE CARE FOR SPECIALIZED SERVICES** - Request for Proposals - PIN#11EI023102R1X00 - AMT: \$1,141,240.85 - TO: Gotham Per Diem Inc., 75 Maiden Lane, New York, NY 10038.

● **MENTAL HYGIENE SERVICES** - BP/City Council Discretionary - PIN#16AO026401R0X00 - AMT: \$150,000.00 - TO: Jewish Child Care Association of New York, 858 East 29th Street, Brooklyn, NY 11210.

← a14

**HOUSING AUTHORITY**

■ SOLICITATION

*Construction/Construction Services*

**GROUND IMPROVEMENTS AT QUEENSBRIDGE NORTH AND SOUTH HOUSES** - Competitive Sealed Bids - PIN#GD1714844 - Due 9-6-17 at 11:00 A.M.

Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA. Documents can also be obtained by registering with I-supplier and downloading documents. Please note that original bid bonds are due at the time of bid opening.

Please note that in the event only one bidder has submitted a bid in connection with the contract on, or before the original bid submission deadline, the bid submission deadline shall automatically be extended for fourteen (14) calendar days. The foregoing extension does not in any way limit NYCHA's right to extend the bid submission deadline for any other reason.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other

information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, New York, NY 10007. Latrena Johnson (212) 306-3223; [latrena.johnson@nycha.nyc.gov](mailto:latrena.johnson@nycha.nyc.gov)



← a14

**SUPPLY MANAGEMENT**

■ SOLICITATION

*Goods and Services*

**SMD DIESEL ENGINES AND GENERATORS MAINTENANCE FOR THE FIVE BOROUGH** - Competitive Sealed Bids - PIN#65765 - Due 8-29-17 at 10:00 A.M.

Maintenance and Service contract for thirteen 60K Generators (JOHN DEERE/4045TF150 Diesel).

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Mimose Julien (212) 306-8141; Fax: (212) 306-5109; [mimose.julien@nycha.nyc.gov](mailto:mimose.julien@nycha.nyc.gov)

← a14

**OFFICE OF LABOR RELATIONS**

■ SOLICITATION

*Services (other than human services)*

**SECOND OPINION SERVICES FOR ONCOLOGY** - Demonstration Project - Testing or experimentation is required - PIN#00217D0004 - Due 9-7-17 at 10:00 A.M.

The Mayor's Office of Labor Relations ("OLR") on behalf of the Labor Management Health Insurance Policy Committee for the City of New York's Health Benefits Program (HBP) intends to enter into negotiations with one or more vendors to provide a Second Opinion Program for Oncology, which reviews patients' records to determine the appropriateness of the diagnosis and treatment plans and help guide patients to the best options for their care. The Second Opinion Program for Oncology will be made available to approximately 750,000 active employees and under 65 retirees and their dependents that participate in the New York City GHI-CBP/Empire Blue Cross Blue Shield Plan.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Office of Labor Relations, 40 Rector Street, 3rd Floor, New York, NY 10006. Anita Douglas (212) 306-7796; Fax: (212) 306-7373; [adouglas@olr.nyc.gov](mailto:adouglas@olr.nyc.gov)

a8-14



**LAW DEPARTMENT**

■ INTENT TO AWARD

*Goods*

**CORRECTION: NOTICE OF INTENT TO AWARD CONTRACT TO CONDUENT STATE AND LOCAL SOLUTIONS, INC** - Sole Source - Available only from a single source - PIN#02517X1882 - Due 8-28-17 at 5:00 P.M.

CORRECTION: It is the intent of the New York City Law Department ("Department") to enter into sole source negotiations pursuant to PPB Rules Section 3-05 for a five-year contract with Conduent State and Local Solutions, Inc. ("Conduent SLSI"), for a license to use bill review software proprietary to Conduent SLSI. Conduent SLSI's StrataWare bill review software reviews and re-prices claims of medical service providers in accordance with the New York State Workers' Compensation Fee Schedule. The bill review software will interface with the workers compensation claims management system software used by the Department; the latter software is proprietary to P and C Insurance Systems, Inc.

Any firm that believes it can provide and license similar software that can be integrated with the Department's workers compensation claims management system is invited to send an expression of interest in the form of a letter with details to the Department, at the address stated in this notice, which must be received no later than the vendor response date indicated 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.*

*Law Department, 100 Church Street, Room 5-207, New York, NY 10007. Anita Fajans (212) 788-0970; Fax: (212) 788-0367; afajans@law.nyc.gov; etak@law.nyc.gov*

☛ a14-18

**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/nycvendononline/home.asap.>; <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

**CONTRACTS**

■ AWARD

*Construction/Construction Services*

**CONSTRUCTION OF A COMFORT STATION, PATHWAY AND OVERLOOK** - Competitive Sealed Bids - PIN#84616B0153001 - AMT: \$22,970,059.00 - TO: Lomma Construction Corp., 80 Wakefield Road, Staten Island, NY 10312. Contract R017-115M.

● **RECONSTRUCTION OF THREE COMFORT STATIONS** - Competitive Sealed Bids - PIN#84617B0033001 - AMT: \$6,929,561.32 - TO: Mongiove Associates Ltd., 1489 Morris Avenue, Union, NJ 07083. Contract RG-216MA.

☛ a14

**SANITATION**

■ AWARD

*Construction Related Services*

**EMERGENCY ROOF REPLACEMENT AT QUEENS 8/10/12 GARAGE** - Emergency Purchase - Judgment required in evaluating proposals - PIN#82717E0016001 - AMT: \$11,362,000.00 - TO: Sea Breeze General Construction, Inc., 24-30 47th Street, Astoria, NY 11103.

☛ a14

**TRANSPORTATION**

**TRANSPORTATION PLANNING AND MANAGEMENT**

■ SOLICITATION

*Services (other than human services)*

**NYC DOT RAPID RECTANGULAR FLASHING BEACON "RRFB" RFEI: CROSSWALK SAFETY IMPROVEMENT** - Request for Information - PIN#84118RFEI172 - Due 10-5-17 at 4:00 P.M.

This Request for Expressions of Interest (RFEI) is released to invite interested vendors to help the Agency conduct an evaluation of Rapid Rectangular Flashing Beacons ("RRFBs"). Selected Respondents will be invited to install RRFBs at City crosswalks designated by the Agency. The RFEI is available for download at the following webpage: <http://www.nyc.gov/html/dot/html/about/doing-business.shtml>

Any inquiries concerning this RFEI should be directed by email, under the subject line "RRFB's at School Crosswalks RFEI Q and A" to [dmaco@dot.nyc.gov](mailto:dmaco@dot.nyc.gov). The deadline for submission of written requests for clarification is September 13, 2017, at 4:00 P.M., EST. NYC DOT will post answers to all submitted questions received by the September 13, 2017 deadline, no later than September 23, 2017, on the NYCDOT webpage at the link indicated above.

*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.*

*Transportation, Office of the Chief Contracting Officer, 55 Water Street, 8th Floor, Room 826, New York, NY 10041. David Maco (212) 839-9400; Fax: (212) 839-4241; dmaco@dot.nyc.gov*

☛ 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.**

**HEALTH AND MENTAL HYGIENE**

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on August 25, 2017, at 42-09 28<sup>th</sup> Street, Room 16-50, Long Island City, NY 11101, Borough of Queens, commencing at 10:00 A.M. on the following:

IN THE MATTER OF the proposed contracts between the Department of Health and Mental Hygiene and the 11 contractors listed below, for the Reproductive Health Project at School-Based Health Centers in New York City high schools.

The contract term shall be from September 1, 2017 to August 31, 2023.

Contractor/Address	EPIN	Not to Exceed Amount
<b>The Childrens Aid Society</b> 711 3rd Avenue, Suite 700, New York, NY 10017	81617N0002002	\$180,000.00
<b>Community Healthcare Network, Inc.</b> 60 Madison Avenue, 5th Floor, New York, NY 10010	81617N0002001	\$120,000.00
<b>The Institute for Family Health Inc.</b> 2006 Madison Avenue, New York, NY 10035	81617N0002006	\$360,000.00
<b>Long Island Jewish Medical Center</b> 350 Community Drive, Manhasset, NY 11040	81617N0002007	\$180,000.00
<b>Montefiore Medical Center</b> 111 East 210th Street, Bronx, NY 10467	81617N0002008	\$720,000.00
<b>Morris Heights Health Center</b> 85 West Burnside Avenue, Bronx, NY 10453	81617N0002009	\$600,000.00
<b>The Mount Sinai Hospital</b> One Gustave L. Levy Place, New York, NY 10029	81617N0002010	\$300,000.00
<b>New York and Presbyterian Hospital</b> 177 Fort Washington Avenue, 9th Floor, New York, NY 10032	81617N0002011	\$360,000.00
<b>New York City Health &amp; Hospitals Corporation</b> 125 Worth Street, Room 512, New York, NY 10013	81617N0002003	\$360,000.00
<b>Staten Island University Hospital</b> 475 Seaview Avenue, Staten Island, NY 10305	81617N0002015	\$138,000.00
<b>Sunset Park Health Council Inc.</b> <b>NYU Lutheran Family Health Centers</b> 150 55th Street, Brooklyn, NY 11220	81617N0002012	\$390,000.00

The proposed contractors have been selected by the Negotiated Acquisition method, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contracts is available for public inspection, at the New York City Department of Health and Mental Hygiene, Office of Contracts, 42-09 28<sup>th</sup> Street, 17<sup>th</sup> Floor, Long Island City, NY 11101, from August 14, 2017 to August 25, 2017, excluding weekends and holidays, between the hours of 10:00 A.M. and 4:00 P.M. (EST).



◀ a14

**AGENCY RULES**

**BUILDINGS**

■ NOTICE

**Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Buildings (DOB) is proposing to add fees for variation of the Construction Codes, the 1968 or prior Building Code, or Section 277.16 of the New York State Multiple Dwelling Law (MDL) for Article 7B buildings; pre-determination requests with respect to the Zoning Resolution, Construction Codes or 1968 or prior Building Code; and appeals of objections that were affirmed.

**When and where is the hearing?** DOB will hold a public hearing on the proposed rule. The public hearing will take place at 2:00 P.M., on 9/14/2017. The hearing will be in the 3<sup>rd</sup> Floor Conference Room, at 280 Broadway.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov).
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7<sup>th</sup> Floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at (212) 566-3843.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 393-2085. You can also sign up in the hearing room before the hearing begins on 9/14/2017. You can speak for up to three minutes.

**Is there a deadline to submit comments?** Yes, you must submit comments by 9/14/2017.

**What if I need assistance to participate in the hearing?** You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail or email at the addresses given above. You may also tell us by telephone at (212) 393-2085. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by 8/31/2017.

**This location has the following accessibility option(s) available:** Wheelchair accessibility.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel.

**What authorizes DOB to make this rule?** Sections 643 and 1043(a) of the City Charter and Section 28-112.1 of the City Administrative Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

**Where can I find DOB's rules?** DOB's rules are in Title 1 of the Rules of the City of New York.

**What laws govern the rulemaking process?** DOB 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(b) of the City Charter.

**Statement of Basis and Purpose of Proposed Rule**

This proposed rule amends Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York, relating to fees payable to the Department, to include fees for responding to requests submitted to the Department for

- o variation of the Construction Codes
- o variation of the 1968 or prior Building Code
- o variation of Section 277.16 of the New York State Multiple Dwelling Law (MDL) for Article 7B buildings
- o pre-determination request with respect to the Zoning Resolution, Construction Codes or 1968 or prior Building Code before application for construction document approval is submitted
- o appeal after two reviews that consist of (1) a plan examination objection and (2) an affirmation of that objection ("Appeal Determination")
- o appeal of an Appeal Determination.

The authority of the Department of Buildings for this rule is found in Sections 643 and 1043 of the New York City Charter and Section 28-112.1 of the New York City Administrative Code.

The Department provides a service when current or prospective applicants request a variation of the Codes, or a pre-determination or determination interpreting certain provisions of the Zoning Resolution or the Codes, Appeal Determinations and appeals from such determinations. These requests may be made using either a Zoning Resolution Determination Form (ZRD1) or a Construction Code Determination Form (CCD1) or any subsequently created determination forms.

The proposed rule adds fees for processing variations, pre-determinations, Appeal Determinations and appeals from such determinations using either a ZRD1 or CCD1 Form or any subsequently created determination form. These fees will cover the administrative costs incurred by the Department in reviewing these requests and appeals.

Pursuant to Section 1043(d)(4)(iii) of the New York City Charter, certification of this proposed rule pursuant to Local Law 46 of 2010 is not required.

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 101-03 of Title 1 of the Rules of the City of New York is amended by adding the following entries at the end of the table set forth in that section:

• <u>Request for a variation of the Construction Codes</u>	<u>\$1,000</u>
• <u>Request for a variation of the 1968 or prior Building Code</u>	<u>\$1,000</u>
• <u>Request for a variation of Section 277.16 of the New York State Multiple Dwelling Law (MDL) for Article 7B buildings</u>	<u>\$1,000</u>
• <u>Pre-determination request with respect to the Zoning Resolution, Construction Codes or 1968 or prior Building Code</u>	<u>\$1,000</u>
• <u>Appeal after two reviews that consist of (1) a plan examination objection and (2) an affirmation of that objection ("Appeal Determination")</u>	<u>\$1,000</u>
<u>Appeal from:</u>	
• <u>Denial of a request for a variation of the Construction Codes</u>	<u>\$2,500</u>
• <u>Denial of a request for a variation of the 1968 or prior Building Code</u>	<u>\$2,500</u>
• <u>Denial of a request for a variation of Section 277.16 of the New York State Multiple Dwelling Law (MDL) for Article 7B buildings</u>	<u>\$2,500</u>
• <u>Pre-determination with respect to the Zoning Resolution, Construction Codes or 1968 or prior Building Code</u>	<u>\$2,500</u>
• <u>Appeal Determination</u>	<u>\$2,500</u>

Accessibility questions: Andrea Maggio, (212) 393-2085, amaggio@buildings.nyc.gov, by: Thursday, August 31, 2017, 5:00 P.M.



← a14

**ENVIRONMENTAL REMEDIATION**

■ NOTICE

NOTICE OF ADOPTION OF AMENDMENTS TO THE CITY'S ENVIRONMENTAL REMEDIATION RULES

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED** in the Department of Environmental Protection ("DEP") by Section 1403(e) of the City Charter and by authority vested in the Office of Environmental Remediation ("OER") by Sections 15(e)(5) and (8) and Section 1043 of the City Charter, that DEP and OER have jointly promulgated and adopted amendments to rules relating to (E) Designations.

The rules were proposed and published in the City Record on June 14, 2017. A public hearing was held on July 17, 2017. No comments on the proposed rule amendments were received from the public prior to, during or after the hearing. Following the public hearing and upon further internal review by City agencies, a limited portion of the text of the rule was re-drafted to more accurately describe the requirements for removing (E) Designations from tax lots. This revision is reflected in lines 5-7 of § 24-08(a), set forth below.

**STATEMENT OF BASIS AND PURPOSE**

DEP has revised the rule governing (E) Designations, which are placed on a tax lot or lots, pursuant to Section 11-15 of the New York City Zoning Resolution ("ZR"), to provide notice that environmental requirements must be met before the property can be redeveloped. The amended rule accomplishes the following:

1) It authorizes OER to approve final cleanups without site management at properties that achieve a level of remediation that does not rely on institutional or engineering controls. Site management is not required in these instances because the activities that a site owner would otherwise monitor under a site management plan are already prohibited by the City. ZR Section 11-15 allows hazardous materials (E) Designations to be removed by the Department of City Planning upon receipt of a duly issued Notice from OER stating that no further testing, remediation or ongoing site management is required for hazardous materials contamination. OER has been issuing said Notices once a site achieves a complete site cleanup, also known as a Track 1 cleanup. For consistency of implementation, DEP has amended the (E) Designation rule to also allow for the removal of hazardous materials (E) Designations from properties that achieve a cleanup without reliance on engineering or institutional controls.

2) It allows for the removal of an (E) Designation for noise and/or air quality under specified circumstances. The amended rule allows for (E) Designations related to air quality and noise to be removed from a tax lot upon notice from OER that the environmental requirements for noise or air quality have been completed. The rule clarifies that where a development project with an (E) Designation for noise and/or air quality has been built out to its full development potential according to zoning, and installation reports demonstrate that the noise or air quality requirements have been fully completed, the (E) Designations for air quality and noise can be removed from a tax lot consistent with Section 11-15 (d)(1) of the Zoning Resolution of the City of New York.

New text is underlined; deleted material is in [brackets].

Section 1. Subdivision a of Section 24-08 of Chapter 24 of Title 15 of the Rules of the City of New York is amended to read as follows:

§24-08 **Removal of (E) Designation Requirements.**

\* \* \*

a. OER will issue a final notice of satisfaction when OER determines that the environmental requirements relating to the (E) Designation or the Environmental Restrictive Declaration have been completely satisfied for a specific block and lot(s). A tax lot with an (E) Designation for hazardous materials or an Environmental Restrictive Declaration [that achieves a DEC Track 1 cleanup qualifies] will qualify for a final notice of satisfaction if the remediation is completed, does not require engineering or institutional controls and is protective of public health and the environment for any allowable use, as determined by OER. A tax lot with an (E) Designation for air quality or noise may also qualify for a final notice of satisfaction if OER determines that the source of air emissions or noise which resulted in the (E) Designation has been permanently eliminated or that the environmental requirements related to an (E) designation for air quality or noise have been completed. Completion of air and noise requirements occur when a development project has been built out to its full development potential according to zoning, and installation reports demonstrate that air and noise requirements have been satisfied. OER will send the final notice of satisfaction to [both] DEP, DOB and DCP within ten (10) days.

← a14

## SPECIAL MATERIALS

### MAYOR'S OFFICE OF CONTRACT SERVICES

#### ■ NOTICE

#### Notice of Intent to Issue New Solicitation(s) Not Included in FY 2018 Annual Contracting Plan and Schedule

**NOTICE IS HEREBY GIVEN** that the Mayor will be issuing the following solicitation(s) not included in the FY 2018 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: Department of Design and Construction  
Description of services sought: Design Services Southeast Queens Francis Lewis Boulevard and 93rd Avenue - Borough of Queens  
Start date of the proposed contract: 7/1/2017  
End date of the proposed contract: 6/30/2018  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: Administrative Construction Project Manager, Assistant Architect, Administrative Architect, Administrative Architect NM, Administrative Engineer NM, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager NM, Architect, Administrative Landmarks Preservationist, Administrative Construction Project Manager NM, Assistant Civil Engineer, Associate Urban Designer, City Planner, Project Manager, Administrative Engineer, Civil Engineer, Civil Engineer Intern, Electrical Engineer, Assistant Electrical Engineer, Landscape Architect, Assistant Landscape Architect, Mechanical Engineer, Assistant Mechanical Engineer, Highways and Sewers Inspector  
Headcount of personnel in substantially similar titles within agency: 535

Agency: Department of Design and Construction  
Description of services sought: Construction Management Southeast Queens Francis Lewis Boulevard and 93rd Avenue - Borough of Queens  
Start date of the proposed contract: 7/1/2017  
End date of the proposed contract: 6/30/2018  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: Resident Engineer, Office Engineer, Highways and Sewers Inspector, Surveyor, Assistant Civil Engineer, Administrative Architect, Administrative Architect NM, Administrative Construction Project Manager, Administrative Engineer, Administrative Engineer NM, Administrative Landmarks Preservationist, Administrative Landscape Architect, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager NM, Architect, Administrative Construction Project Manager NM, Assistant Mechanical Engineer, Assistant Landscape Architect, Mechanical Engineer, Civil Engineer, Project Manager  
Headcount of personnel in substantially similar titles within agency: 506

Agency: Department of Design and Construction  
Description of services sought: Resident Engineering Inspection Services Southeast Queens Francis Lewis Boulevard and 93rd Avenue - Borough of Queens  
Start date of the proposed contract: 7/1/2017  
End date of the proposed contract: 6/30/2018  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: Resident Engineer, Office Engineer, Highways and Sewers Inspector, Surveyor, Assistant Civil Engineer, Administrative Architect, Administrative Architect NM, Administrative Construction Project Manager, Administrative Engineer, Administrative Engineer NM, Administrative Landmarks Preservationist, Administrative Landscape Architect, Administrative Landscape Architect NM, Administrative Project Manager, Administrative Project Manager NM, Architect, Administrative Construction Project Manager NM, Project Manager, Civil Engineer, Mechanical Engineer, Electrical Engineer, Assistant Mechanical Engineer, Assistant Electrical Engineer  
Headcount of personnel in substantially similar titles within agency: 506

Agency: Department of Design and Construction  
Description of services sought: Consultant Contract Administration: research, training, data analysis, and expert testimony, including services related to damages for delay claims, Southeast Queens Francis Lewis Boulevard and 93rd Avenue - Borough of Queens  
Start date of the proposed contract: 7/1/2017  
End date of the proposed contract: 6/30/2018  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: Administrative Accountant, Management Auditor, Associate Investigator, Investigator, Accountant, Administrative Construction Program Manager,

Administrative Project Manager, Administrative Engineer, Associate Project Manager, Assistant Civil Engineer, Construction Project Manager, Mechanical Engineer, Supervisor Mechanics & Maintenance, Senior Estimating Mechanic, Senior Estimator-General Construction  
Headcount of personnel in substantially similar titles within agency: 372

Agency: Department of Design and Construction  
Description of services sought: Construction Support Services: asbestos, boring, testing, monitoring, sampling, site safety, inspections and environmental, Southeast Queens Francis Lewis Boulevard and 93rd Avenue - Borough of Queens  
Start date of the proposed contract: 7/1/2017  
End date of the proposed contract: 6/30/2018  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: Safety Auditor, Safety Compliance Specialist, Safety Accident Investigator, Safety Investigator  
Headcount of personnel in substantially similar titles within agency: 8

Agency: Department of Design and Construction  
Description of services sought: Contract Administration: fiscal audit, reconciliation of accounts, preparation of change orders, analyzing and finalizing financial transactions and contract close out, Southeast Queens Francis Lewis Boulevard and 93rd Avenue - Borough of Queens  
Start date of the proposed contract: 7/1/2017  
End date of the proposed contract: 6/30/2018  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: Administrative Accountant, Management Auditor, Associate Investigator, Investigator, Accountant, Administrative Construction Program Manager, Administrative Project Manager, Administrative Engineer, Associate Project Manager, Assistant Civil Engineer, Construction Project Manager, Mechanical Engineer, Supervisor Mechanics & Maintenance, Senior Estimating Mechanic, Senior Estimator-General Construction  
Headcount of personnel in substantially similar titles within agency: 404

◀ a14

## LATE NOTICE

### OFFICE OF THE MAYOR

#### HOUSING RECOVERY OPERATIONS

##### ■ SOLICITATION

*Services (other than human services)*

**CDBG-DR SUBJECT MATTER EXPERT SUPPORT FOR BUILD IT BACK** - Negotiated Acquisition - Other - PIN# 82617N0009 - Due 9-18-17 at 5:00 P.M.

The Mayor's Office of Housing Recovery Operations ("HRO") through the New York City ("City") Department of Environmental Protection (the "Department" or "DEP"), requires the services of one or more Subject Matter Experts ("SME") to provide specialized program management services to support the City's Build It Back Program (the "Program"). The contractor will help HRO comply with the CDBG-DR grant requirements; develop and revise Program policies, procedures and controls; provide project management expertise and support; ensure compliance with environmental health and safety program; provide risk management services; financial reporting support; and provide related technical services, deliver data analyses and training support, including e-learning services.

HRO is justified in using the Negotiated Acquisition Method of Procurement, pursuant to PPB Rule 3-04(b)(2), because it is not practicable or advantageous to award the contract by competitive sealed bidding because (i) there is a time-sensitive situation, because there is (D) a compelling need for services that cannot be timely met through competitive sealed bidding and (ii) there is a limited number of vendors available and able to perform the work.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Office of the Mayor, 250 Broadway, 24th Floor, New York, NY 10007.  
Deborah Bander (212) 615-8098; Fax: (212) 312-0857;  
dbander@recovery.nyc.gov; egarcia@recovery.nyc.gov

◀ a14-18