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## THE CITY RECORD

**BILL DE BLASIO**

Mayor

**LISETTE CAMILO**

Commissioner, Department of Citywide  
Administrative Services

**ELI BLACHMAN**

Editor, The City Record

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## 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.

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**BOROUGH PRESIDENT - BRONX**

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■ PUBLIC HEARINGS

**A PUBLIC HEARING IS BEING CALLED** by the President of The Bronx, Honorable Ruben Diaz Jr. The hearing will take place on Thursday, August 24, 2017, commencing at 11:00 A.M., in the office of the Borough President, 851 Grand Concourse, Room 916, The Bronx, NY 10451. The following matters will be heard:

**CD #9-ULURP APPLICATION NO: C 170392 ZMX-1965 Lafayette Avenue Rezoning:**

**IN THE MATTER OF** an application submitted by the Park Lane Residence Co., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 7a:

1. Changing from an R6 District to an R8 District property, bounded by Turnbull Avenue, a line 250 feet westerly of Pugsley Avenue, Lafayette Avenue, and White Plains Road; and
2. Establishing within the proposed R8 District a C2-4 District, bounded by Turnbull Avenue, a line 200 feet easterly of White Plains Road, Lafayette Avenue and White Plains Road;

Borough of The Bronx, Community District 9, as shown on a diagram (for illustrative purposes only), dated June 5, 2017, and subject to conditions of CEQR Declaration E-434.

**CD #11-ULURP APPLICATION NO: 170445 ZMX-1776 Eastchester Road:**

**IN THE MATTER OF** an application submitted by 1776 Eastchester Road LLC. Hutch 34 Industrial Street, LLC and Hutch 35 LLC,

pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 4a and 4b:

1. Changing from an M1-1 District to an R5 District property, bounded by the centerline of the former Morris Park Avenue, the southerly prolongation of a Railroad Right-of-Way, Waters Place, and Marconi Street;
2. Changing from an M1-1 District to a C4-2 District property, bounded by the centerline of Morris Park Avenue and its westerly prolongation, and the northwesterly boundary, of the New York New Haven Railroad Right-of-Way; and
3. Changing from an M1-1 District to a C4-2A District property, bounded by a line 900 feet southerly of the former centerline of Morris Park Avenue and its westerly prolongation, Marconi Street, Waters Place, Eastchester Road, and the northwesterly boundary of the New York New Haven Railroad Right-of-Way;

Borough of The Bronx, Community District 11, as shown on a diagram (for illustrative purposes only), dated June 5, 2017, and subject to conditions of CEQR Declaration E-436.

Anyone wishing to speak may register at the hearing. Direct all questions to the Borough President's office (718) 590-6124.

Accessibility questions: Sam Goodman, (718) 590-6124, by: Thursday, August 24, 2017, 10:00 A.M.



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**CITY COUNCIL**

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■ PUBLIC HEARINGS

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

**The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York City, NY 10007, commencing at 9:30 A.M., on Monday, August 21, 2017:**

**HANDCRAFT KITCHEN & COCKTAILS  
MANHATTAN CB - 6 20175461 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of CRC Hospitality Group LLC, d/b/a Handcraft Kitchen & Cocktails, for a new revocable consent to maintain and operate an unenclosed sidewalk café, located at 367 3rd Avenue or 200 East 27th Street.

**MADE IN PUERTO RICO LATIN CUISINE AND SPORTS BAR  
BRONX CB - 10 20175396 TCX**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of MIPR Inc., d/b/a Made in Puerto Rico Latin Cuisine and Sports Bar, for a new revocable consent to maintain and operate an unenclosed sidewalk café, located at 3363 East Tremont Avenue.

**WHILE WE WERE YOUNG  
MANHATTAN CB - 2 20175465 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of While We Were Young, LLC, d/b/a While We Were Young, for a new revocable consent to maintain and operate an unenclosed sidewalk café, located at 183 West 10th Street.

**SPECIAL WEST CHELSEA DISTRICT TEXT  
MANHATTAN CB - 4 N 170389 ZRM**

Application submitted by Friends of the High Line and Department of Parks and Recreation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying special regulations for zoning lots adjacent to the High Line in Article IX, Chapter 8 (Special West Chelsea District), Borough of Manhattan, Community District 4.

Matter underlined is new, to be added;  
Matter ~~struck out~~ is to be deleted;  
Matter within # # is defined in Sections 12-10 or 98-01;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution

**Article IX - Special Purpose Districts**

**Chapter 8  
Special West Chelsea District**

**98-00  
GENERAL PURPOSES**

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

- (a) to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood;
- (b) to encourage the development of residential uses along appropriate avenues and streets;
- (c) to encourage and support the growth of arts-related uses in West Chelsea;
- (d) to facilitate the restoration and reuse of the High Line elevated rail line as an accessible, public open space through special height and setback regulations, High Line improvement bonuses and the transfer of development rights from the High Line Transfer Corridor;
- (e) to ensure that the form and use of new buildings relates to and enhances neighborhood character and the High Line open space;
- (f) to create and provide a transition to the lower-scale Chelsea Historic District to the east;
- (g) to create and provide a transition to the Hudson Yards area to the north; and
- (h) to promote the most desirable use of land in the area and thus to conserve the value of land and buildings, and thereby protect the City's tax revenues, consistent with the foregoing purposes.

**98-01  
Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are as set forth in Section 12-10 (DEFINITIONS).

**High Line**

The "High Line" shall, for the purposes of this Resolution, refer to the elevated rail line structure and associated elevated easement, located between Gansevoort Street and West 30th Street.

**High Line bed**

The "High Line bed" is the highest level of the horizontal surface (platform) of the #High Line# elevated rail line structure as of June 23, 2005, as shown in Diagram 7 in Appendix C of this Chapter. For the purposes of this Chapter, the level of the #High Line bed# is the average level of the #High Line bed# on a #zoning lot# over which the #High Line# passes.

**High Line frontage**

"High Line frontage" is that portion of a #building# that faces and is located within 15 feet of the west side and 25 feet of the east side of the #High Line#.

**High Line Transfer Corridor**

The "High Line Transfer Corridor" is an area within which the #High Line# is located, as specified in Appendix B of this Chapter, where development rights may be transferred to receiving sites in certain subareas in the #Special West Chelsea District#, pursuant to the provisions of Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive.

\* \* \*

**98-25  
High Line Improvement Bonus**

For #zoning lots# located between West 15th and West 19th Streets over which the #High Line# passes, the applicable basic maximum #floor area ratio# of the #zoning lot# may be increased up to the amount specified in Section 98-22 (Maximum Floor Area Ratio and Lot Coverage in Subareas), provided that:

- (a) Prior to issuing a building permit for any #development# or #enlargement# on such #zoning lot# that would increase the applicable basic maximum #floor area ratio# by up to an amount specified in Section 98-22, or within Subarea J would cause the #floor area ratio# of a #zoning lot# to exceed the #floor area ratio# of such #zoning lot# on November 13, 2012, the Department of Buildings shall be furnished with a certification by the Chairperson of the City Planning Commission that:
  - (1) a contribution has been deposited into an escrow account or similar fund established by the City (the #High Line# Improvement Fund), or such contribution is secured by a letter of credit or other cash equivalent instrument in a form acceptable to the City. For subareas other than Subarea J, such contribution shall be used at the direction of the Chairperson solely for improvements to the #High Line# within the #High Line# improvement area applicable to such #zoning lot#, with such contribution being first used for improvements within that portion of the #High Line# improvement area on such #zoning lot#. For #developments# or #enlargements# within Subarea J, such contribution

shall be used for any use with respect to the improvement, maintenance and operation of the #High Line# or the #High Line# Support Easement Volumes provided for under Appendix F of this Chapter, at the Chairperson's direction, provided that, in lieu of a deposit to the #High Line# Improvement Fund, the contribution for the first 80,000 square feet of #floor area# shall be deposited to the Affordable Housing Fund established under Section 98-262 (Floor area increase), paragraph (c), for use in accordance with the provisions of that Section. Such contribution shall be made in accordance with the provisions of Appendix D, E or F of this Chapter, as applicable;

- (2) a declaration of restrictions executed by all "parties in interest" to the #zoning lot#, as defined in paragraph (f) (4) of the definition of #zoning lot# in Section 12-10 (DEFINITIONS), including and incorporating such other instruments as are necessary to assure that the City's interest in the restoration and reuse of the #High Line# as an accessible public open space is protected, as determined by the Department of City Planning in consultation with the Office of the Corporation Counsel, is filed and recorded in the Office of the Register of the City of New York; and
- (3) all additional requirements of Appendix D, E or F, as applicable with respect to issuance of a building permit, have been met. For #zoning lots# located between West 18th and West 19th Streets over which the #High Line# passes, in the event that a certification is initially made by the Chairperson on the basis that the requirements of paragraph (a)(1) of Appendix E with respect to Stairway and Elevator Access Work have been met, and the Commissioner of Parks and Recreation later elects to require #High Line# Service Facility Work in accordance with the provisions of paragraph (b)(4) of Appendix E, such initial certification shall no longer be effective. In lieu thereof, a certification by the Chairperson that the requirements of paragraph (a)(1) of Appendix E with respect to #High Line# Service Facility Work have been met shall be required. Notwithstanding the foregoing, the Department of Buildings may continue to issue a building permit pursuant to the initial certification made for Stairway and Elevator Access Work, all building permits issued pursuant to the initial certification made for Stairway and Elevator Access Work shall remain in effect, and construction may continue pursuant to such permits, provided that the provisions of paragraph (c)(4)(ii) of this Section shall apply with respect to the issuance of any temporary or permanent certificates of occupancy for the #development# or #enlargement# authorized by such permits under the provisions of paragraph (c)(4).
- (b) Prior to issuing a certificate of occupancy for any portion of a #development# or #enlargement# on a #zoning lot# located between West 17th and West 18th Streets over which the #High Line# passes that would increase the applicable basic maximum #floor area ratio# by up to an amount specified in Section 98-22, the Department of Buildings shall be furnished a certification by the Chairperson of the City Planning Commission that:
  - (1) if required pursuant to agreement with the City under Appendix D, #High Line# improvements within the #High Line# improvement area, as shown in Appendix C of this Chapter, for such #zoning lot#, have been performed in accordance with such agreement;
  - (2) if elected by the owner, structural and remediation work has been performed on the #High Line# within the #High Line# improvement area for such #zoning lot#, in accordance with Appendix D;
  - (3) At-Grade Plaza Work has been performed on such #zoning lot# in the area shown in Diagram 3 of Appendix C of this Chapter, except as otherwise provided in agreements and other instruments that provide for City construction of some or all of the At-Grade Plaza Work, in accordance with Appendix D;
  - (4) Stairway and Elevator Access Work has been performed on such #zoning lot# in the At-Grade Plaza area shown in Diagram 3 of Appendix C, or that an additional contribution to the #High Line# Improvement Fund to fund performance of such work has been made, except as otherwise provided in agreements and other instruments that provide for City construction of some or all of the Stairway and Elevator Access Work in the At-Grade Plaza, in accordance with Appendix D; and
  - (5) all other applicable requirements of Appendix D have been met.

For temporary certificates of occupancy, certification with respect to performance of work required of owner shall be of substantial completion of the work as determined by the Chairperson. For

permanent certificates of occupancy, certification with respect to performance of work required of owner shall be of final completion of the work, as determined by the Chairperson. In the event of a failure to perform work timely or to otherwise satisfy the requirements of this paragraph, (b), no temporary or permanent certificate of occupancy shall be issued for #floor area# above the applicable basic maximum #floor area# for the #zoning lot# specified in Section 98-22, and the City may perform all such work in accordance with the provisions of Appendix D. In the event that the owner has executed agreements and other instruments that provide for City construction of some or all of the At-Grade Plaza Work and for some or all of the Stairway and Elevator Access Work, in accordance with Appendix D, certificates of occupancy shall be issued if owner has substantially or finally completed any aspects of the work required of owner pursuant to such agreements and other instruments, as the case may be, and is otherwise in full compliance with such agreements and instruments, including with respect to payment of all funds required pursuant to the terms thereof and Appendix D.

- (c) Prior to issuing a certificate of occupancy for any portion of a #development# or #enlargement# on a #zoning lot# located between West 16th and 17th Streets or between West 18th and 19th Streets over which the #High Line# passes that incorporates #floor area# that would increase the applicable basic maximum #floor area ratio# by up to an amount specified in Section 98-22, the Department of Buildings shall be furnished a certification by the Chairperson, that:
  - (1) if required pursuant to agreement with the City under Appendix E, #High Line# improvements within the #High Line# improvement area, as shown in Appendix C of this Chapter, for such #zoning lot#, have been performed in accordance with such agreement;
  - (2) if elected by the owner, structural and remediation work has been performed on the #High Line# within the #High Line# improvement area for such #zoning lot#, in accordance with Appendix E;
  - (3) for #zoning lots# located between West 16th and 17th Streets over which the #High Line# passes:
    - (i) Stairway and Elevator Access Work; and
    - (ii) #High Line# Service Facility Work applicable to such #zoning lot# has been performed on such #zoning lot#, in accordance with Appendix E;
  - (4) for #zoning lots# located between West 16th 18th and 17th 19th Streets over which the #High Line# passes, #High Line# Service Facility Work has been performed, in accordance with Appendix E; and either:
    - (i) Stairway and Elevator Access Work; or
    - (ii) if elected by the Commissioner of Parks and Recreation, #High Line# Service Facility Work applicable to such #zoning lot#, has been performed on such #zoning lot#, in accordance with Appendix E; and
  - (5) all other applicable requirements of Appendix E have been met.

For temporary certificates of occupancy, certification with respect to performance of work shall be of substantial completion of the work as determined by the Chairperson. For permanent certificates of occupancy, certification with respect to performance of work shall be of final completion of the work, as determined by the Chairperson. In the event of a failure to perform work timely or to otherwise satisfy the requirements of this paragraph, (c), no temporary or permanent certificate of occupancy shall be issued for #floor area# above the applicable basic maximum #floor area# for the #zoning lot# specified in Section 98-22, and the City may perform all such work in accordance with the provisions of Appendix E.

- (d) Prior to issuing a certificate of occupancy for any portion of a #development# or #enlargement# on a #zoning lot# located within Subarea J over which the #High Line# passes that incorporates #floor area# that would cause the #floor area ratio# of a #zoning lot# to exceed the #floor area ratio# of such #zoning lot# on November 13, 2012, the Department of Buildings shall be furnished a certification by the Chairperson, that:
  - (1) #High Line# Support Work has been performed on such #zoning lot#, in accordance with and to the extent required by Appendix F; and
  - (2) all other applicable requirements of Appendix F have been met.

For temporary certificates of occupancy, certification with respect to performance of work shall be of substantial completion of the work as determined by the Chairperson. For permanent certificates of occupancy, certification with respect to performance

of work shall be final completion of the work, as determined by the Chairperson.

\* \* \*

**98-50  
SPECIAL HEIGHT AND SETBACK, OPEN AREA AND TRANSPARENCY REGULATIONS FOR ZONING LOTS ADJACENT TO THE HIGH LINE**

**98-51  
Height and Setback Regulations on the East Side of the High Line**

- (a) Subarea A
 

At least 60 percent of the aggregate length of the eastern #High Line frontage# of a #building# shall set back at the level of the #High Line bed#. Not more than 40 percent of the aggregate length of such #High Line frontage# may rise above the level of the #High Line bed#. No portion of such #High Line frontage# shall exceed a maximum height of 20 feet above the level of the #High Line bed#, as illustrated in Diagram 2 (Street Wall and High Line Frontage Regulations in Subarea A) in Appendix C of this Chapter.

- (b) In C6-3A Districts and in Subareas C, F and G
 

For #zoning lots# extending less than 115 feet along the eastern side of the #High Line#, no portion of the eastern #High Line frontage# of a #building# shall exceed a height of 3 feet, 6 inches above the level of the #High Line bed#.

For #zoning lots# that extend for at least 115 feet along the eastern side of the #High Line#, no portion of the eastern #High Line frontage# of the #building# shall exceed a height of 3 feet, 6 inches above the level of the #High Line bed#, except that a maximum of 40 percent of such #High Line frontage# may rise without setback above a height of 3 feet, 6 inches above the level of the #High Line bed# provided such portion of the #building# is not located directly between the #High Line# and any #street wall# of a #building# that is subject to a maximum height of 45 feet in accordance with paragraph (c) (Subareas C, F and G) of Section 98-423 (Street wall location, minimum and maximum base heights and maximum building heights).

The portions of #buildings# in which #High Line# Service Facilities are provided in accordance with paragraph (b)(4) of Appendix E shall be considered permitted obstructions to the height and setback regulations of this paragraph (b).

However, the provisions of this paragraph, (b), shall not apply to any #zoning lot# existing on June 23, 2005 where the greatest distance between the eastern side of the #High Line# and a #lot line# east of the #High Line# is 35 feet when measured parallel to the nearest #narrow street line#.

\* \* \*

**98-53  
Required Open Areas on the East Side of the High Line**

For any #development# or #enlargement# on a #zoning lot#, or portion thereof, within C6-3A Districts or within Subareas A, C, F or G and over which the #High Line# passes or on a #zoning lot# adjacent to a #zoning lot# over which the #High Line# passes, a landscaped open area shall be provided in an amount equal to at least 20 percent of the #lot area# of the portion of the #zoning lot# that is within C6-3A Districts or within Subareas A, C, F or G, pursuant to the requirements of paragraphs (a) and (b) of this Section. Such open area shall be located directly adjacent to the #High Line# with its longest side adjacent to the #High Line# and shall be located at an elevation not to exceed a height of three feet, six inches above the level of the #High Line bed# adjacent to the #zoning lot#. At no point shall such open area be located within 50 feet of Tenth Avenue.

\* \* \*

- (b) Permitted obstructions
 

Only the following shall be permitted to obstruct a required open area:

  - (1) any #High Line# access structure providing pedestrian access to the #High Line# by stairway or elevator;
  - (2) the portions of #buildings# in which #High Line# Service Facilities are provided in accordance with paragraph (b)(4) of Appendix E;
  - (23) those items listed in paragraph (a) of Section 37-726 (Permitted obstructions); and
  - (34) open air cafes and kiosks, provided that open air cafes may occupy in the aggregate no more than 75 percent of such required open area.

\* \* \*

## Appendix E

**Special Regulations for Zoning Lots Utilizing the High Line Improvement Bonus and Located Partially Within Subareas D, E, G or I**

This Appendix sets forth additional requirements governing #zoning lots# located partially within Subareas D, E and G or within Subarea I between West 16th and 17th Streets over which the #High Line# passes, with respect to a #development# or #enlargement# which involves an increase in the applicable basic maximum #floor area ratio# of the #zoning lot# up to the amount specified in Section 98-22 (Maximum Floor Area Ratio and Lot Coverage in Subareas), with respect to: (1) the issuance of a building permit for such #development# or #enlargement# pursuant to paragraph (a) of Section 98-25 (High Line Improvement Bonus); and (2) the performance or funding of improvements as a condition of issuance of temporary or permanent certificates of occupancy, pursuant to paragraph (c) of Section 98-25, for #floor area# in such #development# or #enlargement# which exceeds the basic maximum #floor area ratio# of the #zoning lot#. The term "parties in interest" as used herein shall mean "parties-in-interest," as defined in paragraph (f)(4) of the definition of #zoning lot# in Section 12-10.

(a) Requirements for issuance of building permit pursuant to paragraph (a) of Section 98-25

(1) As a condition of certification:

- (i) Owner shall, subject to reduction pursuant to the other provisions of this Appendix, E, deposit into the #High Line# Improvement Fund, or secure by letter of credit or other cash equivalent instrument in a form acceptable to the City, a contribution of \$50.00 per square foot of #floor area# which exceeds the basic maximum #floor area ratio# of the #zoning lot#, up to the amount specified in Section 98-22 (Maximum Floor Area Ratio and Lot Coverage in Subareas); and
- (ii) all parties-in-interest shall execute a restrictive declaration including easements to the City providing for: the location of and public access to and from a stairway and elevator on the #zoning lot# that will provide access the #High Line# and for maintenance and repair by the City of such stairway and elevator; and the potential performance by the City of work under the provisions set forth below. In the case of #zoning lots# between West 16<sup>th</sup> and 17<sup>th</sup> Streets, Owner shall also provide the City with easements providing for City access to and from and for public use of the #High Line# Service Facilities on the #zoning lot# and for maintenance and repair by the City of such #High Line# Service Facilities. For #zoning lots# between West 18th and 19th Streets, in the event that the Commissioner of Parks and Recreation requires #High Line# Service Facility Work pursuant to paragraph (b)(4) of this Appendix, no easements shall be required relating to the location of and public access to a #zoning lot# nor from a stairway and elevator on the #zoning lot#. In such event, Owner shall instead provide the City with easements providing for City access to and from and for use of the #High Line# Service Facilities on the #zoning lot# and for maintenance and repair by the City of such #High Line# Service Facilities, as specified in paragraph (b)(4)(ii) of this Appendix, and any restrictive declaration previously executed under this paragraph (a)(1)(ii) in connection with an initial certification pursuant to paragraph (a) of Section 98-25 shall be amended to provide for such easements.
- (iii) submit plans for Stairway and Elevator Access Facilities and, where applicable, #High Line# Service Facilities that demonstrate compliance with the provisions of this Appendix, E, and are consistent with New York City Department of Parks and Recreation standards and best practices governing materials life cycle and maintenance for review and approval by the Chairperson of the City Planning Commission.

(2) Upon the request of Owner, the City in its sole discretion, may elect to have Owner perform all #High Line# improvements (i.e., non-structural and non-remediation work) at its own expense within the #High Line# improvement area, as shown in Appendix C of this Chapter, on such #zoning lot # and over #streets# contiguous to such #zoning lot#. In that event, certification under Section 98-25, paragraph (a), shall also be made upon execution of an agreement, approved by the Chairperson of the City Planning Commission, to perform such improvements, the cost of which shall be refunded or credited from the #High Line# Improvement Fund contribution to reflect the cost of such improvements. Such agreement may require Owner

to reimburse the City for the costs of a full-time resident engineer to supervise such work.

- (3) The location of #floor area# which would exceed the basic maximum #floor area ratio# and be subject to the provisions of Section 98-25 shall be considered to be the topmost portion of the #development# or #enlargement# unless, at the time of certification pursuant to Section 98-25, paragraph (a), Owner designates, subject to the concurrence of the Chairperson of the City Planning Commission, an alternate location.
- (b) Requirements for issuance of certificates of occupancy pursuant to paragraph (c) of Section 98-25:
  - (1) Structural Remediation Work pursuant to paragraph (c)(2) of Section 98-25
    - (i) Owner may, at its option, elect to perform Structural Remediation Work on the portion of the #High Line# within the #High Line# improvement area, as shown in Appendix C of this Chapter, on such #zoning lot# and over #streets# contiguous thereto in accordance with the provisions of this paragraph. Owner may exercise such option following receipt of the City's specifications for the Structural Remediation Work or upon the City's failure to provide such specifications, as set forth in paragraphs (b)(1)(iv) and (b)(1)(v), (unless such dates are extended by mutual agreement of the City and Owner), but in no event may exercise such option later than 90 days following receipt of a notice by the City of its intent to commence improvements to the #High Line# within the #High Line# improvement area applicable to the #zoning lot# within the next twenty-four months. In that event, the amount of contribution to the #High Line# Improvement Fund shall be reduced by \$21.00 for each square foot of #floor area# which exceeds the basic maximum #floor area ratio# of the #zoning lot# up to the amount specified in Section 98-22 and the City shall refund or credit the Owner, as applicable, for any excess from or against the #High Line# Improvement Fund. In the event of exercise of such option, certification pursuant to Section 98-25, paragraph (c)(2), with respect to the Structural Remediation Work shall be of substantial completion with respect to issuance of temporary certificates of occupancy, and of final completion with respect to issuance of final certificates of occupancy.
    - (ii) Such Structural Remediation Work shall include work on or under the #High Line# and above, at, and below grade, which shall be of the same quality and performance standards (i.e., with respect to use, useful life, and maintenance requirements) as required for the remainder of the #High Line# (recognizing that there may be different standards for portions of the #High Line# that will be exposed to the public versus those that will not be so exposed) and shall include, but not be limited to, the following:
      - (aa) Removal and disposal of all lead-based products in accordance with specifications provided by the City, and disposal of all waste, all in accordance with the rules and regulations of all appropriate regulatory agencies and disposal facilities;
      - (bb) Repair of all damaged portions of the entire steel structure, including but not limited to railings, columns and footings, in accordance with the specifications provided by the City and all applicable rules, including those pertaining to historic preservation;
      - (cc) Recoating of the entire steel structure with the types of products and numbers of coats specified by the City;
      - (dd) Repairs to damaged concrete; removal, disposal, and replacement of any concrete that is found to contain hazardous materials; and recoating of the entire concrete portion of the #High Line# as specified by the City, all in accordance with the rules and regulations of all appropriate regulatory agencies and disposal facilities;
      - (ee) Removal of any or all portions of the ballast material on the #High Line#, including but limited to gravel, railroad ties and steel rails, trash, plant material, and any other objectionable materials (including, but not limited to, asbestos and pigeon guano) that are found on or under the #High Line#, as specified by the City, and disposal of all such material in accordance with the rules and regulations of all appropriate regulatory agencies and disposal facilities. In the event that the City directs that

any or all ballast material is to remain on the #High Line#, it shall be capped, as necessary, in accordance with the specifications provided by the City and the rules and regulations of all appropriate agencies. Any ballast material that is to remain, but also remain uncapped, shall be cleared and grubbed in accordance with specifications of the City; and

- (ff) Any work required to be performed below-grade for the anticipated improvements of the #High Line# for reuse as open space.
- (iii) The City shall consult with Owner regarding the drafting of the specifications for the Structural Remediation Work, and then provide Owner with such specifications by January 31, 2006, subject to such delays as are outside the reasonable control of the City (including, without limitation, litigation, but such delays shall not extend more than 180 days), unless such date is extended by mutual agreement between the City and Owner.
- (iv) In the event Owner exercises the option to perform the Structural Remediation Work, Owner shall have 12 months to complete such work following June 23, 2005, or of the date of exercise of such option, whichever is later, unless such date is extended by mutual agreement between the City and Owner, and subject to reasonable extension for any delays beyond Owner's reasonable control.
- (v) In the event that the City does not provide the specifications for the Structural Remediation Work within the timeframe set forth in paragraph (b)(1)(iii) of this Appendix, Owner may exercise the option to perform such work and proceed with the Structural Remediation Work, and shall complete it within 12 months of the exercise of such option, unless such date is extended by mutual agreement between the City and Owner, and subject to reasonable extension for any delays beyond Owner's reasonable control, but may use its own specifications, consistent with the description of the Structural Remediation Work set forth above and sound, high quality engineering, construction and workmanship standards and practices.
- (vi) If Owner exercises the option to perform the Structural Remediation Work, Owner shall reimburse the City for the reasonable cost of hiring or procuring the services of a full-time resident engineer to supervise the Structural Remediation Work, with associated costs (e.g., trailer, computer, telephone), such reimbursement not to exceed \$115,000.
- (2) Stairway and Elevator Access Work pursuant to paragraph (c)(3) and, except where the provisions of paragraph (b)(4) of this Appendix E apply, paragraph (c)(4) of Section 98-25:
- (i) Owner shall perform Stairway and Elevator Access Work subject to the provisions of this paragraph, (b) (2). For temporary certificates of occupancy, certification pursuant to Section 98-25, paragraph (c)(3), shall be of substantial completion of the Stairway and Elevator Access Work (i.e., the stairway and elevator could be made open and accessible to the public). For permanent certificates of occupancy, certification shall be of final completion of the work.
- (ii) The Stairway and Elevator Access Work shall consist of one stairway and one elevator located directly adjacent to or below the #High Line#. Except as approved by the Chairperson of the City Planning Commission pursuant to paragraph (a)(1)(iii) of this Appendix, #curb level# entrances to such access facilities must be located at the #street line#. Such access facilities shall be harmonious with the design of the #High Line# on the #zoning lot# and shall be visible and identifiable as #High Line# access facilities when viewed from Tenth Avenue. Such access facilities may be unenclosed or enclosed. When such access facilities are enclosed and located at the #street line#, any wall or facade separating the access facility from the #street# shall be substantially glazed and fully transparent from ground level to the full height of the access facility. Any wall or facade separating the access facility from the #High Line# shall be substantially glazed and fully transparent from the level of the #High Line bed# to the full height of the access facility. Stairways shall have a clear path of not less than six feet in width. Such access facilities shall be identified with signage placed at the #High Line# level and at street level that is consistent with guidelines specified in the signage plan as authorized by the City

Planning Commission pursuant to the provisions of Section 98-15.

- (iii) The Stairway and Elevator Access Work shall be completed within one year following the later of June 23, 2005, or the Chairperson's review and acceptance of the plans and specifications that demonstrate compliance with the provisions of paragraph (b)(2)(ii) of this Appendix, subject to reasonable extension for any delays beyond Owner's reasonable control, unless such date is extended by mutual agreement between the City and Owner.
- (iv) In no event however shall Owner be required to complete the Stairway and Elevator Access Work until the #High Line# improvements in the portion of the #High Line# improvement area, as shown in Appendix C of this Chapter, adjacent to the #zoning lot#, as shown on Diagram 4 or 5 of Appendix C, are substantially complete. Notwithstanding the foregoing, in no event shall Owner be entitled to certification, pursuant to Section 98-25, paragraph (c)(3), until the Chairperson determines that the Stairway and Elevator Access Work is substantially complete.
- (3) #High Line# Service Facility Work pursuant to paragraph (c)(4)(3) of Section 98-25:
- (i) For #zoning lots# located between West 16th and 17th Streets, Owner shall perform #High Line# Service Facility Work subject to the provisions of this Appendix. For temporary certificates of occupancy, certification pursuant to Section 98-25, paragraph (c)(4)(3), shall be of substantial completion of the work. For permanent certificates of occupancy, certification shall be of final completion of the work.
- (ii) #High Line# Service Facilities shall consist of satellite maintenance and operations space for the #High Line# open space as well as public restrooms, in accordance with the following standards:
- (aa) Location
- Such facilities shall have a component located at the level of the #High Line bed#, or within five feet of such level (hereinafter referred to as the "upper service facility"). Such facilities shall also have a component located no higher than #curb level# (hereinafter referred to as the "lower service facility"). The upper facility must be located directly above the lower facility to enable placement of a trash chute connecting the upper and lower facilities. Where the upper facility is not located exactly at the level of the #High Line bed#, a fully accessible ramp must connect such level with the level of the upper facility. Where the lower facility is not located exactly at #curb level#, a means acceptable to the City of connecting the lower service facility to a #street# frontage shall be provided.
- (bb) Program and dimensions
- (1) Lower service facilities
- Lower service facilities shall contain a room which is accessible from #street# level and is no less than 50 square feet in area. Such facility shall contain the outlet of a trash chute from the upper service facility and shall also have a minimum of one electrical outlet furnishing a wattage consistent with its intended use within a maintenance and operations facility.
- (2) Upper service facilities
- Upper service facilities shall be no less than 350 square feet in area and shall contain, at a minimum, one public restroom not less than 250 square feet in area with separate restroom spaces for each gender, one storage room not less than 70 square feet in area, and one waste disposal room not less than 30 square feet in area and containing a trash chute to the lower service facility.
- Each room within such upper service facilities shall have a minimum of one electrical outlet furnishing wattage consistent with its intended use within a maintenance and operations facility.
- (iii) The #High Line# Facility Work shall be completed

within one year following the later of June 23, 2005, or the Chairperson's review and acceptance of the plans and specifications that demonstrate compliance with the standards of paragraph (b)(3)(ii) of this Appendix, subject to reasonable extension for any delays beyond Owner's reasonable control, unless such date is extended by mutual agreement between the City and Owner.

(iv) In no event, however, shall Owner be required to complete the #High Line# Facility Work until the #High Line# improvements in the portion of the #High Line# improvement area, as shown in Appendix C of this Chapter, adjacent to the #zoning lot#, as shown on Diagram 5 of Appendix C, are substantially complete. Notwithstanding the foregoing, in no event shall Owner be entitled to certification pursuant to Section 98-25, paragraph (c)(4)(3), until the Chairperson determines that the Stairway and Elevator Access Work is substantially complete.

(v) The cost to Owner of the #High Line# Facilities Work shall not exceed \$1,150,000. The amount of contribution to the #High Line# Improvement Fund under paragraph (a)(1) of this Appendix, E, made for purposes of Section 98-25, paragraph (a), shall be reduced by such at the time it is made.

(4) #High Line# Service Facility Work pursuant to paragraph (c) (4) of Section 98-25:

(i) For #zoning lots# located between West 18th and 19th Streets, in the event the Commissioner of Parks and Recreation elects to require improvements under this paragraph by providing Owner written notice thereof no later than 30 days following [effective date], Owner shall perform #High Line# Service Facility Work subject to the provisions of this paragraph (b)(4). For temporary certificates of occupancy, certification pursuant to Section 98-25, paragraph (c)(4), shall be of substantial completion of the work. For permanent certificates of occupancy, certification shall be of final completion of the work.

(ii) #High Line# Service Facilities under this paragraph (b) (4) shall consist of facilities that the Commissioner of Parks and Recreation determines will provide significant support services to the #High Line# in accordance with the following minimum standards:

(aa) Components, Size and Location

The #High Line# Service Facilities shall consist of: a space on one or more levels, with no less than 1,900 square feet of such space at a floor level at, or within three vertical feet of, the level of the #High Line bed#; a walkway connecting such space to the #High Line# of sufficient width and with sufficient load bearing capacity to accommodate the movement of service equipment to and from the #High Line# and which satisfies the additional obligations of the Americans for Disabilities Act of 1990; and a stairway with a clear path of not less than 44 inches in width providing access from the #street# to the portion of the #High Line# Service Facilities located above.

(bb) Other Features

The #High Line# Service Facilities shall include plumbing, electrical and utility infrastructure, including HVAC, as reasonably necessary to perform the service functions identified by the Commissioner of Parks and Recreation. Portions of any wall separating the #High Line# Service Facilities from the #High Line# and extending from the level of the #High Line bed# to the full height of the #High Line# Service Facilities shall comply with the transparency requirements of Section 98-54.

(iii) The #High Line# Service Facility Work shall be completed within one year following the later of

[effective date], or the review and acceptance by the Chairperson of the City Planning Commission of the plans and specifications that demonstrate compliance with the standards of paragraph (b)(4)(ii) of this Appendix, subject to reasonable extensions for any delays beyond Owner's reasonable control, unless such date is extended by mutual agreement between the City and Owner. Notwithstanding the foregoing, in the event that, prior to an election by the Commissioner of Parks and Recreation under paragraph (b)(4)(i) of this Appendix, the City and Owner have agreed to an extension pursuant to paragraph (b)(2)(iii) of this Appendix, in connection with Stairway and Elevator Access Work, the #High Line# Facility Work shall be completed by such date, unless further extended by mutual agreement pursuant to this paragraph (b)(4)(iii).

(c) City performance in the event of failure to perform

\* \* \*

**50 NEVINS STREET REZONING  
BROOKLYN CB - 2 C 170029 ZMK**

Application submitted by Institute for Community Living pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from a C6-1 District to a C6-4 District property bounded by Schermerhorn Street, Nevins Street, a line midway between Schermerhorn Street and State Street, and a line 100 feet northwesterly of Nevins Street, Borough of Brooklyn, Community District 2, subject to the conditions of CEQR Declaration E-421.

**50 NEVINS STREET REZONING  
BROOKLYN CB - 2 N 170030 ZRK**

Application submitted by the Institute for Community Living (ICL) 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, Borough of Brooklyn, Community District 2.

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**

\* \* \*

**101-02  
General Provisions**

\* \* \*

**101-021  
Applicability of Inclusionary Housing program**

In #Mandatory Inclusionary Housing areas#, as specified in APPENDIX F of this Resolution, the provisions of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING), shall apply, except as superseded, supplemented or modified by the provisions of this Chapter.

\* \* \*

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

\* \* \*

**BROOKLYN**

\* \* \*

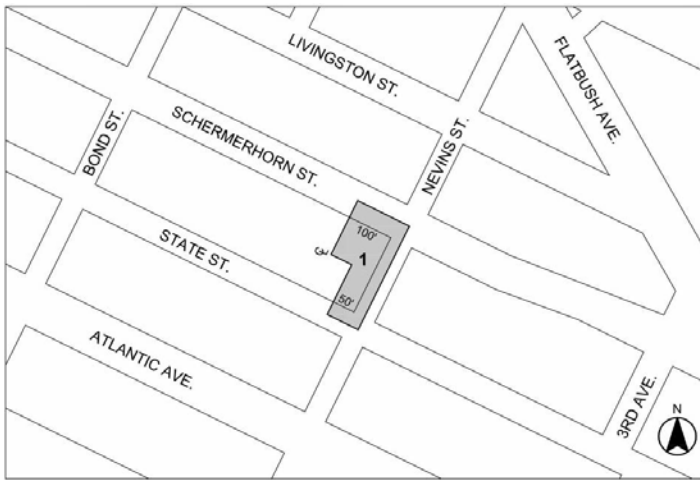
**Brooklyn Community District 2**

\* \* \*

In portions of the #Special Downtown Brooklyn District# in the R6B and C6-4 (R10 equivalent) Districts within the areas shown on the following Map 6:

Map 6 - [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 2, Brooklyn  
\* \* \*

**40 WOOSTER STREET**

**MANHATTAN CB - 2 C 160349 ZSM**

Application submitted by 40 Wooster Restoration, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution of the City of New York to modify the use regulations of Section 42-10 to allow residential uses (Use Group 2 uses) on portions of the cellar and ground floor, the 2<sup>nd</sup> - 6<sup>th</sup> floors and the proposed 1-story penthouse, and the use regulations of Section 42-14(D)(2)(b) to allow retail uses (Use Group 6 uses) on portions of the ground floor and cellar of an existing 6-story building, on property located at 40 Wooster Street (Block 475, Lot 34), in an M1-5B District.

**The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing in the Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway, New York City, NY 10007, commencing at 11:00 A.M., on Monday, August 21, 2017.**

**The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway, New York City, NY 10007, commencing at 1:00 P.M., on Monday, August 21, 2017:**

**POLYCLINIC APARTMENTS**

**MANHATTAN CB - 4 C 20185031 HAM**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property, located at Block 1041, Lots 6 and 11, Borough of Manhattan, Community District 4, Council District 3.

**126<sup>TH</sup> STREET BUS DEPOT**

**MANHATTAN CB - 11 C 170275 ZMM**

Application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an M1-2 District to an C6-3 District property, bounded by East 127<sup>th</sup> Street, First Avenue, East 126<sup>th</sup> Street, and Second Avenue.

**126<sup>TH</sup> STREET BUS DEPOT**

**MANHATTAN CB - 11 N 170276 ZRM**

Application submitted by the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, 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**

\* \* \*

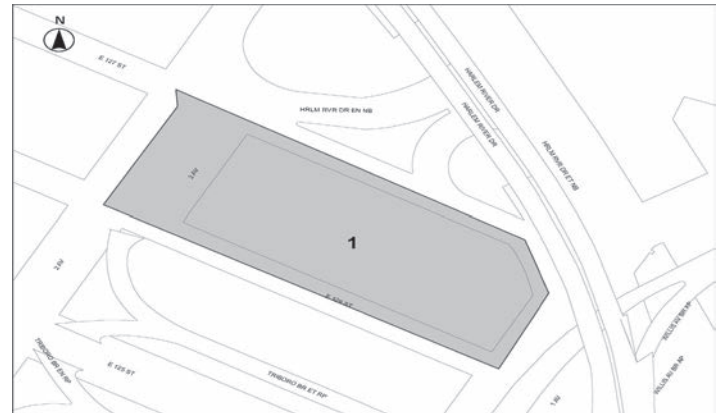
**Manhattan Community District 11**

\* \* \*

In the C6-3 District within the area shown on the following Map 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 11, Manhattan  
\* \* \*

**126<sup>TH</sup> STREET BUS DEPOT**

**MANHATTAN CB - 11 C 170093 MMM**

Application, submitted by The New York City Economic Development Corporation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street;
- the delineation of a sidewalk easement;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 11, Borough of Manhattan, in accordance with Map No. 30251 dated February 17, 2017 and signed by the Borough President.

**126<sup>TH</sup> STREET BUS DEPOT**

**MANHATTAN CB - 11 C 170278 PPM**

Application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 2460 Second Avenue (Block 1803, Lot 1), pursuant to zoning, Borough of Manhattan, Community District 11.

**1618 FULTON STREET**

**BROOKLYN CB - 3 C 170304 HAK**

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 properties located at 1616 Fulton Street (Block 1699, Lot 35), Site 17F, 1624 Fulton Street (Block 1699, Lot 39), Site 17G, and 20R Troy Avenue (Block 1699, Lot 43), Site 17G of the Fulton Park Urban Renewal Area, 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 1616 Fulton Street (Block 1699, Lot 35), Site 17F, 1624 Fulton Street (Block 1699, Lot 39), Site 17G, and 20R Troy Avenue (Block 1699, Lot 43), Site 17G of the Fulton Park Urban Renewal Area to a developer to be selected by HPD;



to facilitate the construction of an 11-story mixed use building with approximately 96 dwelling units and ground floor commercial space.

**CATON FLATS**

**BROOKLYN CB - 14 20185040 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at Block 5063, Lot 58, Borough of Brooklyn, Community District 14, Council District 40.

**SMALL HOMES REHAB-NYCHA**

**SOUTHEASTERN QUEENS VACANT HOMES – CLUSTER II QUEENS CBs - 12 and 13 20185042 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at Block 09801, Lot 2, Block 11131, Lot 6, Block 10366, Lot 143 and Block 10411, Lot 6, in Community Districts 12 and 13, Council District 27, Borough of Queens.

**SMALL HOMES REHAB-NYCHA**

**SOUTHEASTERN QUEENS VACANT HOMES – CLUSTER II QUEENS CBs - 10 and 12 20185043 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for properties located at Block 11996, Lot 131; Block 11699, Lot 51; Block 11775, Lot 206; Block 11774, Lot 550; Block 11774, Lot 559; Block 11781, Lot 267; Block 12111, Lot 49; Block 11755, Lot 5; Block 11796, Lot 7; Block 11793, Lot 74; Block 12106, Lot 24; Block 10081, Lot 19; Block 10206, Lot 37; Block 11992, Lot 97; Block 12205, Lot 12; Block 10195, Lot 4; Block 11976, Lot 45; and Block 11962, Lot 43; in Community Districts 10 and 12, Council District 28, Borough of Queens.

**SMALL HOMES REHAB-NYCHA**

**SOUTHEASTERN QUEENS VACANT HOMES – CLUSTER II QUEENS CB - 10 20185044 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at Block 11479, Lot 29, in Community District 10, Council District 32, Borough of Queens.

**SMALL HOMES REHAB-NYCHA**

**SOUTHEASTERN QUEENS VACANT HOMES – CLUSTER II, TPT BROOKLYN CB - 3 20185048 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of an amendment to a previously approved urban development action project and approval of a new real property tax exemption pursuant to Article 16 of the General Municipal Law for property, located at Block 1788, Lot 53, in Community District 3, Council District 36, Borough of Brooklyn.

Accessibility questions: Land Use Division - (212) 482-5154, by: Thursday, August 17, 2017, 3:00 P.M.



**CITY PLANNING**

**■ PUBLIC HEARINGS**

-- REVISED --

**NOTICE OF PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (CEQR No. 17DCP048M)**

**East Harlem Rezoning**

<b>Project Identification</b>	<b>Lead Agency</b>
CEQR No. 17DCP048M	City Planning Commission (CPC)
ULURP Nos. C170358 ZMM, N170359 ZRM,	120 Broadway, 31 <sup>st</sup> Floor
C170360 HUM & N170359(A) ZRM;	New York, NY 10271
C170361 ZMM, N170362 ZRM,	
C170363 HAM, C170364 PQM,	
C170365 ZSM, C170366 ZSM,	
C170367 ZSM, & N170368 ZCM	
SEQRA Classification: Type I	

**Contact Person**

Olga Abinader, Deputy Director (212) 720-3493  
Environmental Assessment and Review Division (EARD)  
New York City Department of City Planning (DCP)

The City Planning Commission (CPC), acting as lead agency, issued a Notice of Completion on April 21, 2017, for a Draft Environmental Impact Statement (DEIS) for the proposed East Harlem Rezoning in accordance with Article 8 of the Environmental Conservation Law. **A public hearing on the Draft Environmental Impact Statement (DEIS) will be held on Wednesday, August 23, 2017, starting no earlier than 2:00 P.M., in the Manhattan Municipal Building, Mezzanine Level, 1 Centre Street, New York, NY 10007 (access through the North Entrance), in conjunction with the CPC's Citywide public hearing, pursuant to ULURP. The public hearing will also consider a modification to the Proposed Action, (ULURP No. N170359(A)ZRM).** Comments are requested on the DEIS and will be accepted until Tuesday, September 5, 2017.

The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (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.

The DEIS identified significant adverse impacts related to shadows, historic and cultural resources, transportation (traffic, pedestrians, and transit), and construction (noise). The DEIS identified measures and/or potential measures that would fully or partially mitigate several of the significant adverse impacts; some impacts would remain unmitigated. Between DEIS and FEIS, potential mitigation measures will be studied further to determine whether they are feasible and whether any significant adverse impacts would remain unmitigated.

The DEIS considered four alternatives—a No Action Alternative, a No Unmitigated Significant Adverse Impact Alternative, a Lesser Density Alternative, and the Sendero Verde Development Alternative. Under the Sendero Verde Development Alternative, the DEIS considered a series of actions - subject to a concurrent, related land use application proposed by HPD - needed to facilitate an affordable housing development (the “Sendero Verde – East 111th Street” Proposal). The affected property is 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 include a zoning map amendment, zoning text amendment, UDAAAP 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 Sendero Verde Development Alternative would result in significant adverse impacts beyond those identified for the Proposed Actions. Unlike the Proposed Actions, the Sendero Verde Development Alternative is expected to result in significant adverse impacts related to indirect effects to open space. Mitigation measures could include the provision of new open space on the Sendero Verde site; this and other possible mitigation measures to address the significant adverse impacts related to open space will be explored between DEIS and FEIS. In addition to the impacts identified above, the Sendero Verde

Development Alternative would result in similar significant adverse impacts in the areas of transportation impacts (traffic, transit and pedestrians) and construction (noise) as the Proposed Actions. The extent and severity of the significant adverse impacts are expected to differ from those resulting from the Proposed Actions. Mitigation measures could be similar to the mitigation measures identified for the Proposed Actions for transportation and construction. The Sendero Verde Development Alternative would also result in the same significant adverse impacts related to shadows and historic and cultural resources that would occur in the Proposed Actions. Mitigation measures for shadows, historic and cultural resources for the Sendero Verde Development Alternative are expected to be the same mitigation measures as proposed for the Proposed Actions.

Since the issuance of the Notice of Completion for the DEIS, DCP has prepared and filed an amended zoning text application (ULURP No. N170359(A)ZRM) that addresses issues raised after issuance of the DEIS. A technical memorandum assessing whether this amended application would alter the conclusions presented in the DEIS is available on DCP's website (<http://www1.nyc.gov/site/planning/applicants/eis-documents.page>). The analyses presented in the technical memorandum will be incorporated into the Final Environmental Impact Statement (FEIS).

Copies of the DEIS may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271, Olga Abinader, Deputy Director (212) 720-3493; or from the Mayor's Office of Environmental Coordination, 253 Broadway, 14<sup>th</sup> Floor, New York, NY 10007, Hilary Semel, Director (212) 676-3290; and on DCP's website: <http://www1.nyc.gov/site/planning/applicants/eis-documents.page>.

Accessibility questions: Hannah Marcus, (212) 720-3372, [HMarcus@planning.nyc.gov](mailto:HMarcus@planning.nyc.gov), by: Monday, August 21, 2017, 10:00 A.M.



☛ a21-22

**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 1 Centre Street, North Mezzanine, 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.

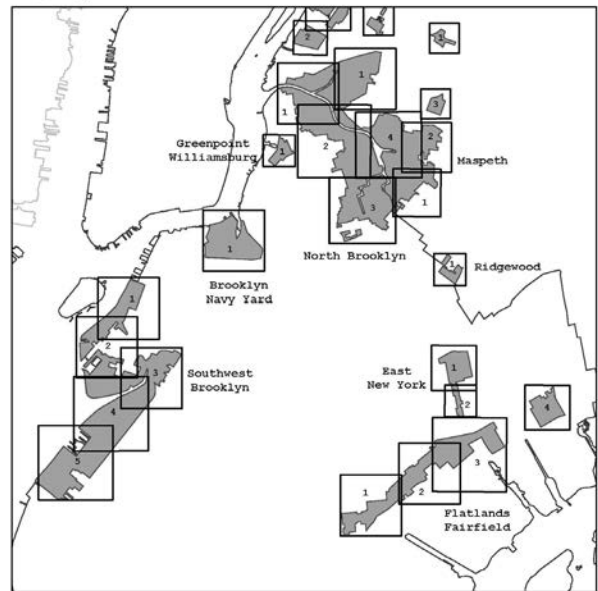
\* \* \*

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

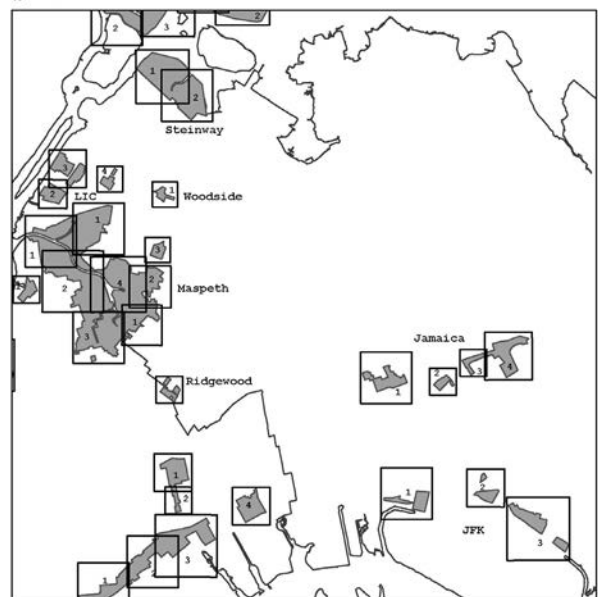
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

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

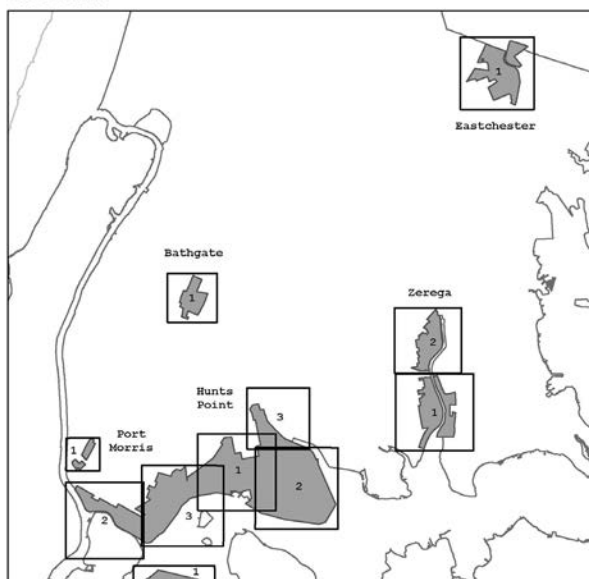
Brooklyn



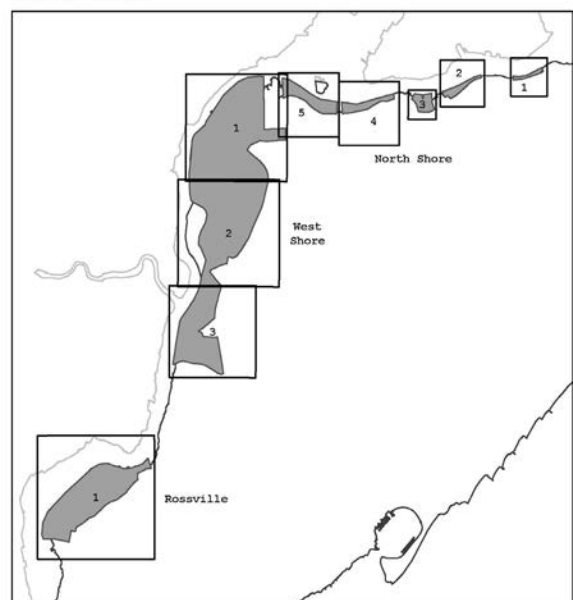
Queens



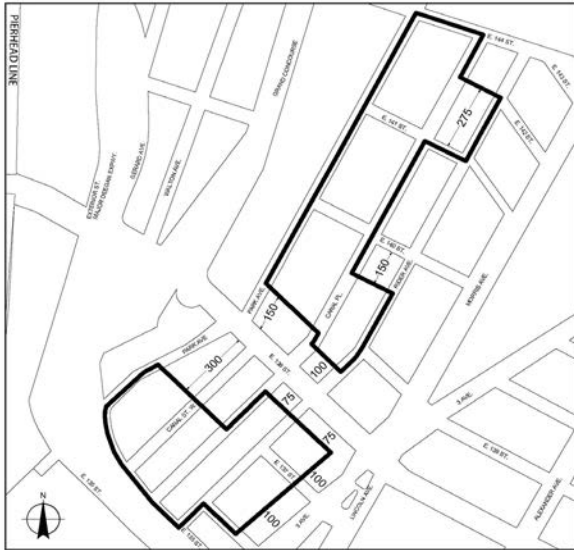
The Bronx



Staten Island

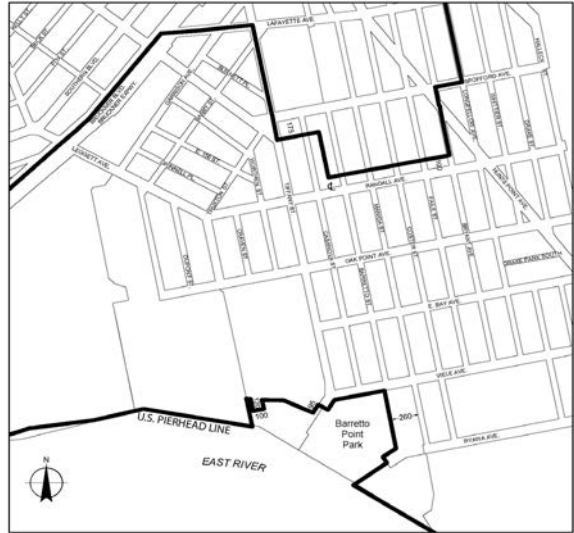


Port Morris  
Map 1



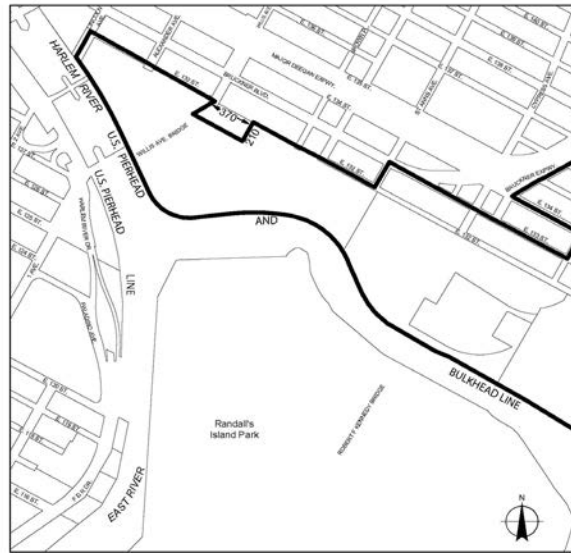
Portion of Community District 1, Bronx

Hunts Point  
Map 1



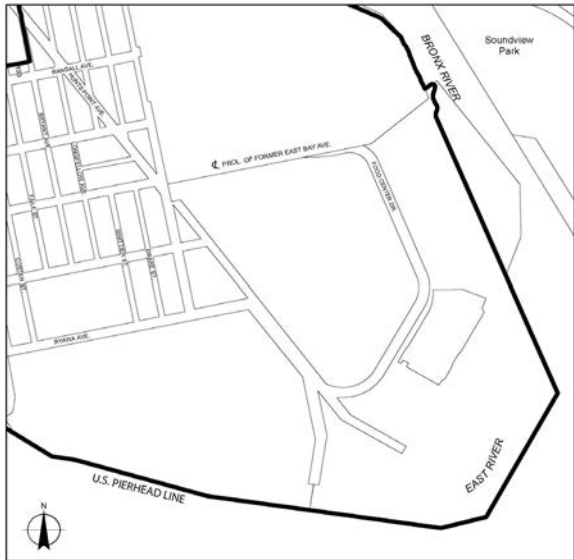
Portion of Community District 2, Bronx

Port Morris  
Map 2



Portion of Community District 1, Bronx

Hunts Point  
Map 2



Portion of Community District 2, Bronx

Port Morris/Hunts Point  
Map 3



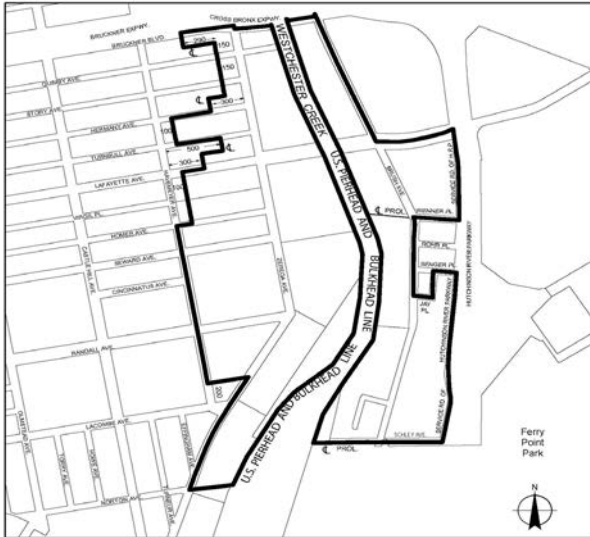
Portions of Community Districts 1 and 2, Bronx

Hunts Point  
Map 3



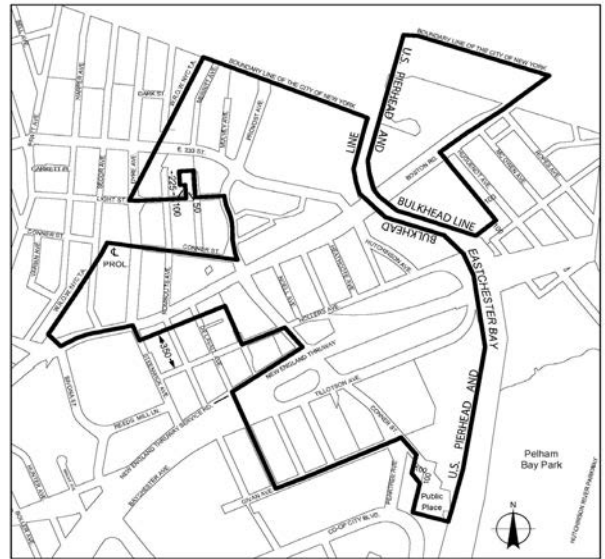
Portion of Community District 2, Bronx

Zerega  
Map 1



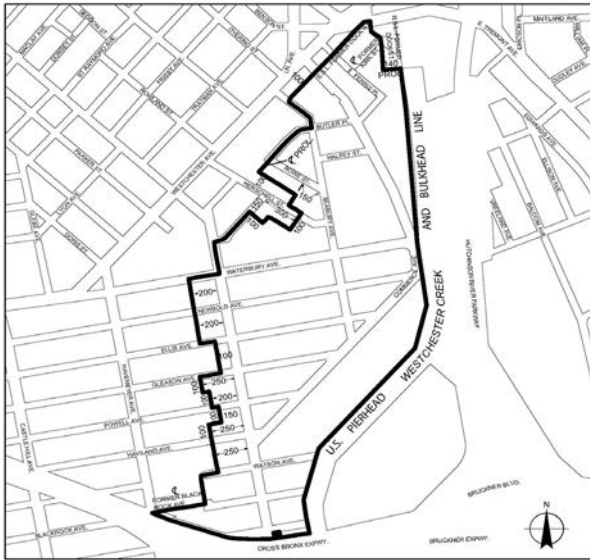
Portion of Community District 9, Bronx

Eastchester  
Map 1



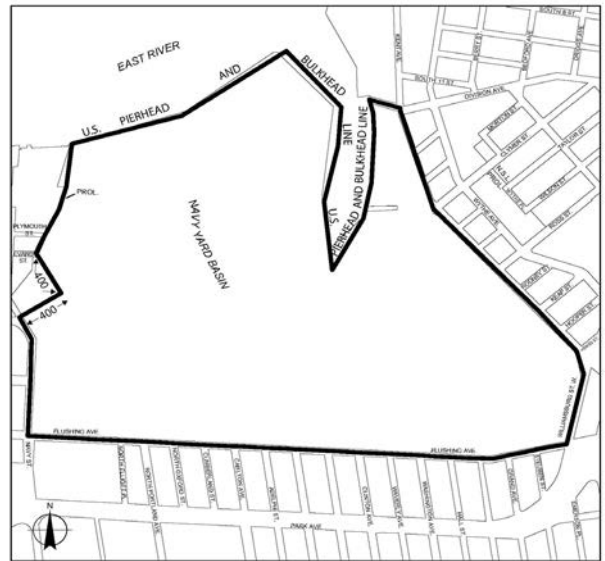
Portions of Community Districts 10 and 12, Bronx

Zerega  
Map 2



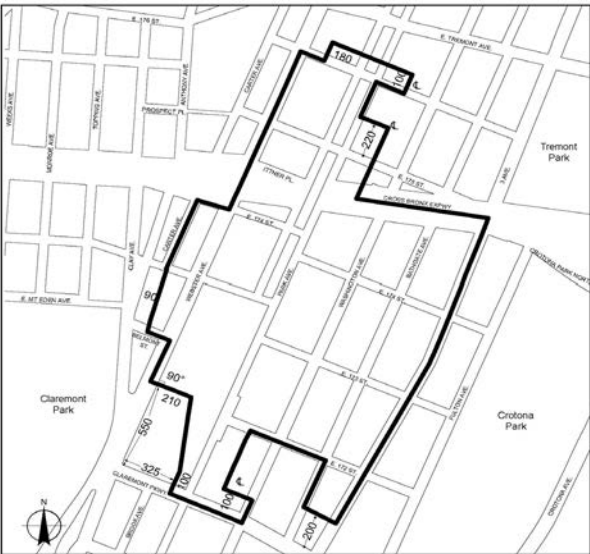
Portions of Community Districts 9 and 10, Bronx

Brooklyn Navy Yard  
Map 1



Portion of Community District 2, Brooklyn

Bathgate  
Map 1



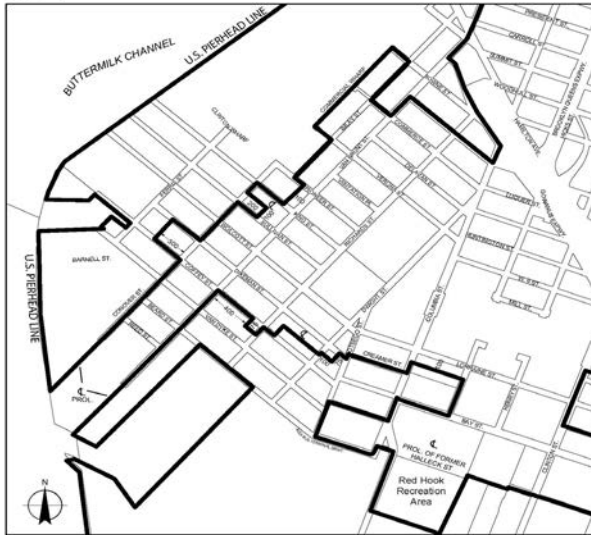
Portion of Community Districts 3, 4, and 6, Bronx

Southwest Brooklyn  
Map 1



Portion of Community District 6, Brooklyn

Southwest Brooklyn  
Map 2



Portion of Community District 6, Brooklyn

Southwest Brooklyn  
Map 5



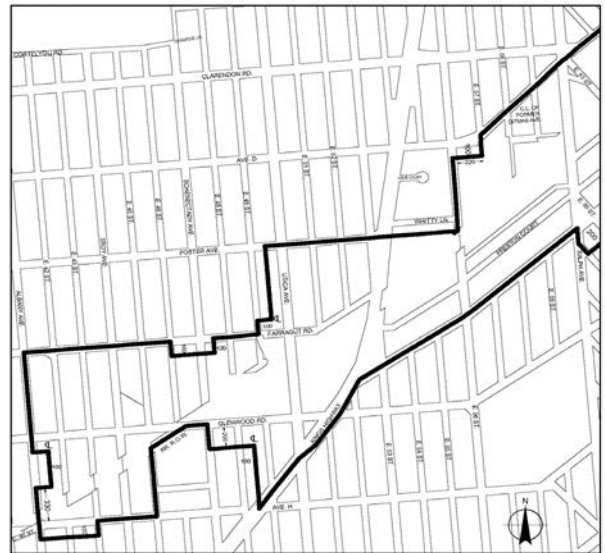
Portion of Community District 7, Brooklyn

Southwest Brooklyn  
Map 3



Portions of Community Districts 6 and 7, Brooklyn

Flatlands/Fairfield  
Map 1



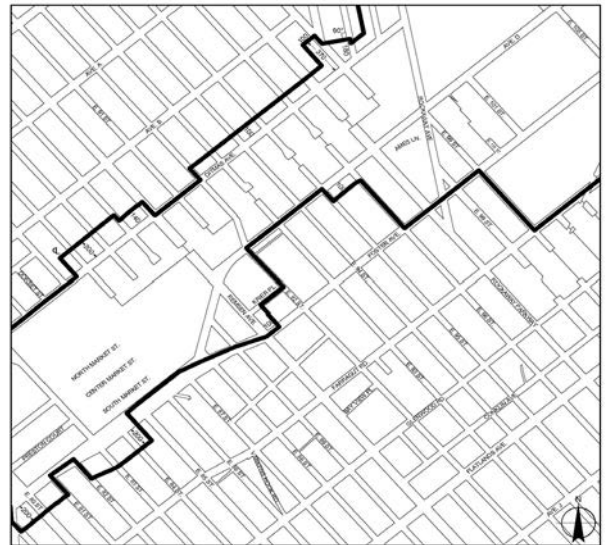
Portions of Community Districts 17 and 18, Brooklyn

Southwest Brooklyn  
Map 4



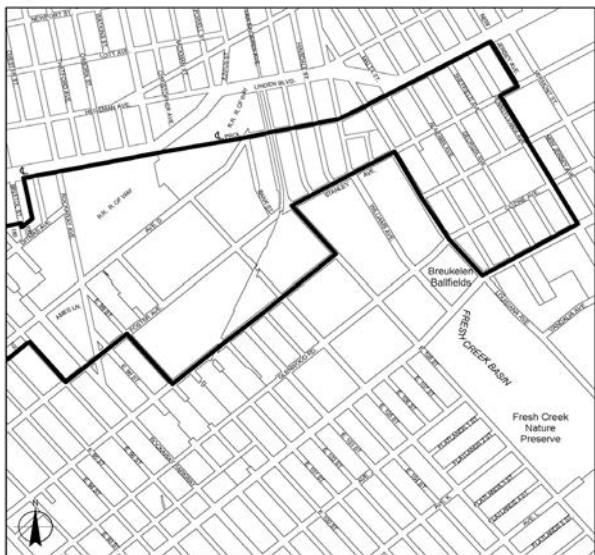
Portions of Community Districts 6 and 7, Brooklyn

Flatlands/Fairfield  
Map 2



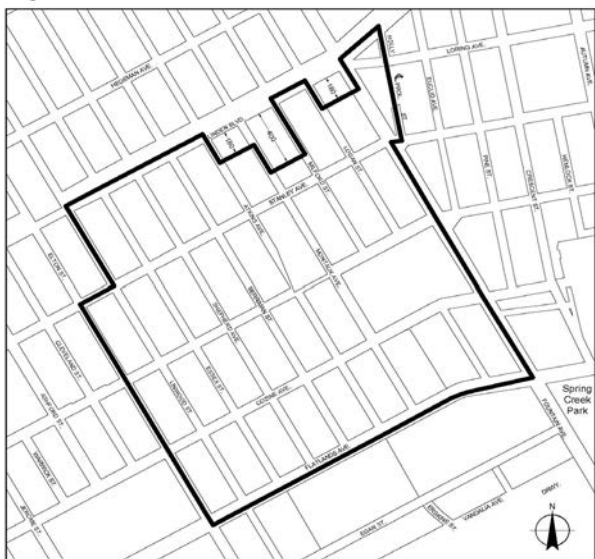
Portions of Community Districts 17 and 18, Brooklyn

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



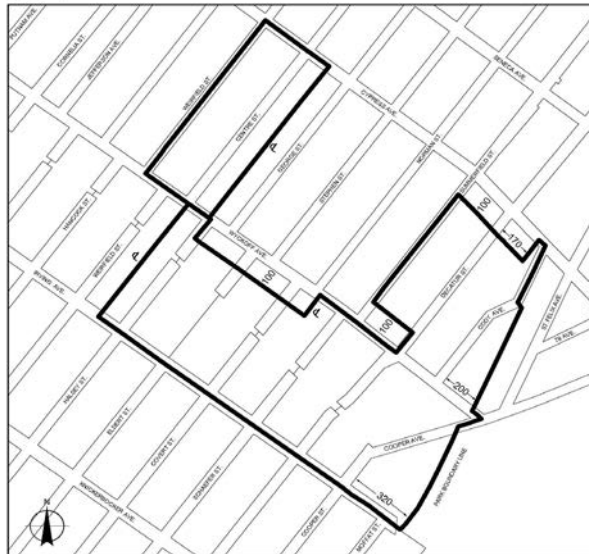
Portion of Community District 5, Brooklyn

East New York  
Map 2



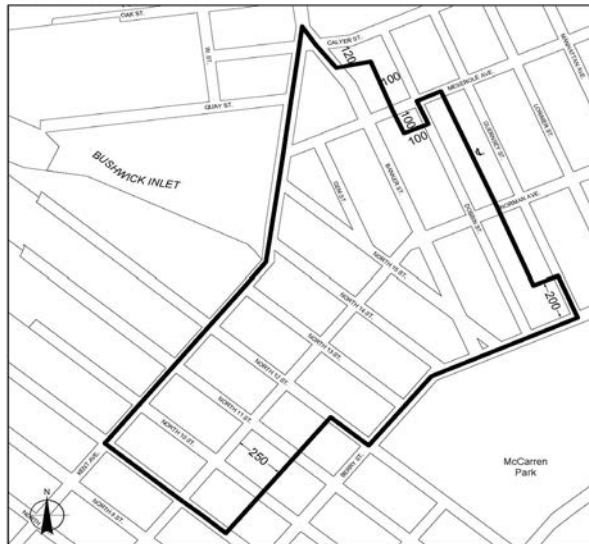
Portions of Community Districts 5 and 16, Brooklyn

Ridgewood  
Map 1



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

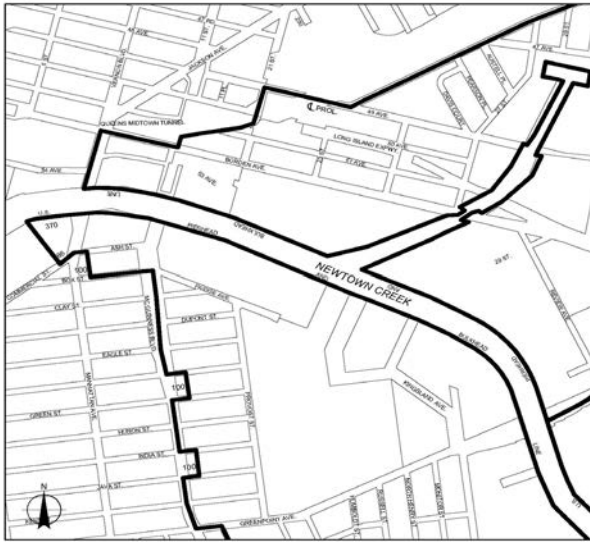
Williamsburg/Greenpoint  
Map 1



Portion of Community District 1, Brooklyn

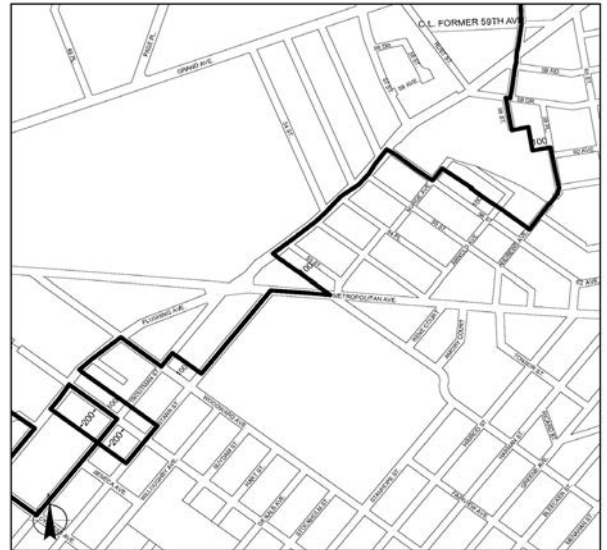


North Brooklyn/Long Island City  
Map 1



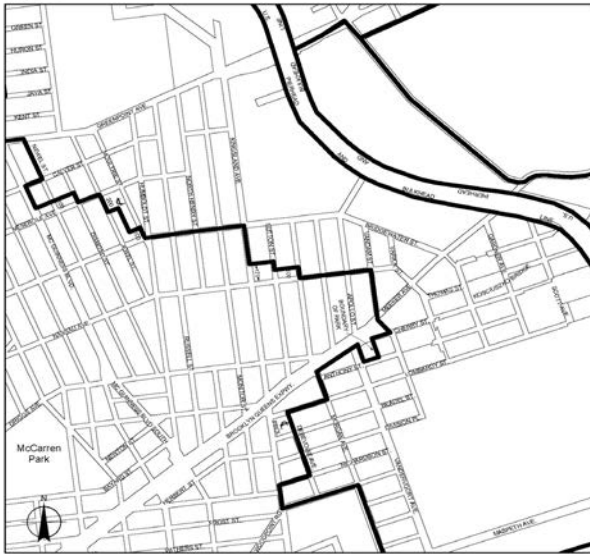
Portions of Community District 1, Brooklyn and Community District 2, Queens

Maspeth  
Map 1



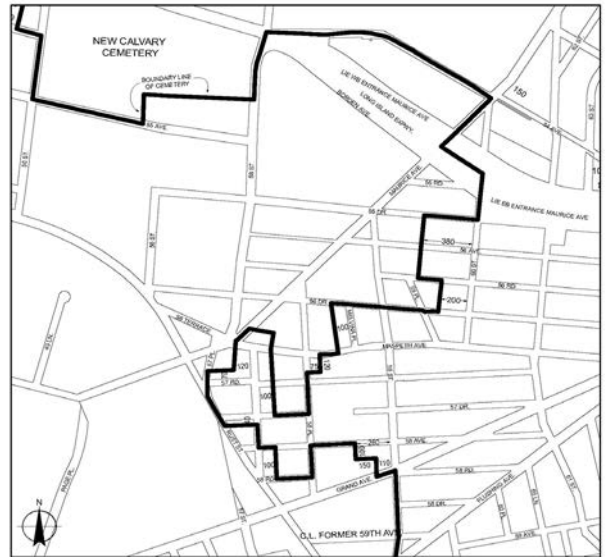
Portion of Community District 5, Queens

North Brooklyn/Maspeth  
Map 2



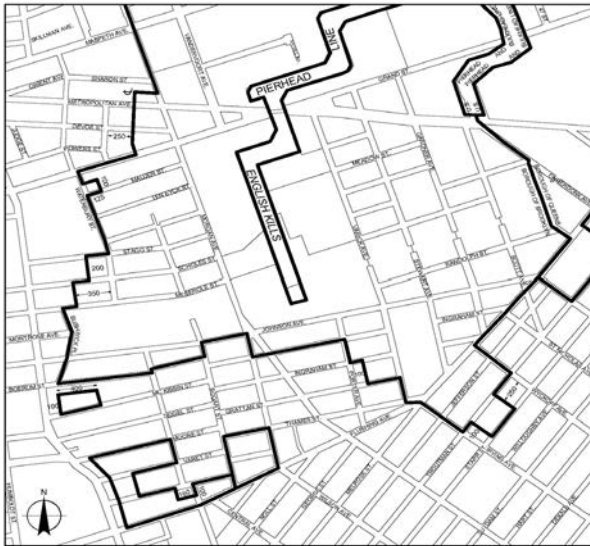
Portions of Community District 1, Brooklyn and Community District 2, Queens

Maspeth  
Map 2



Portions of Community Districts 2 and 5, Queens

North Brooklyn  
Map 3



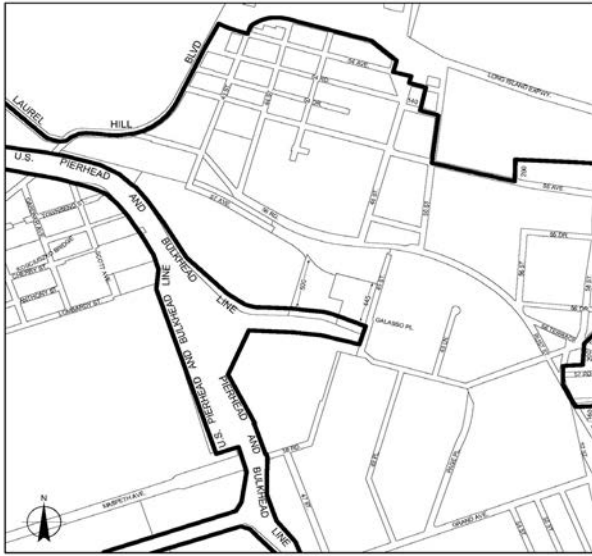
Portions of Community District 1, Brooklyn and Community District 4, Queens

Maspeth  
Map 3



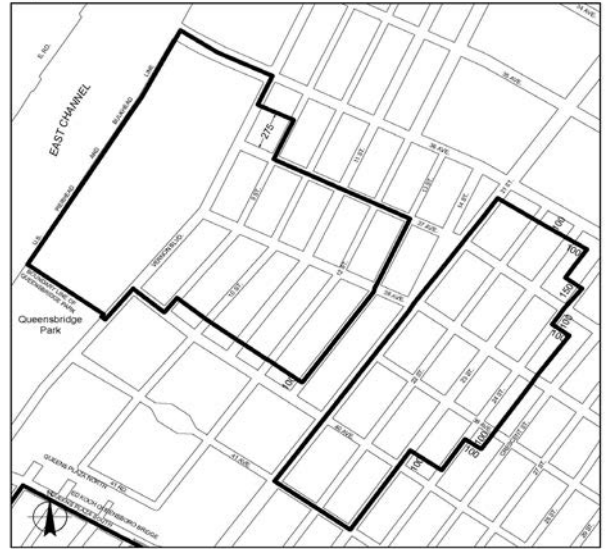
Portion of Community District 2, Queens

Maspeth/North Brooklyn  
Map 4



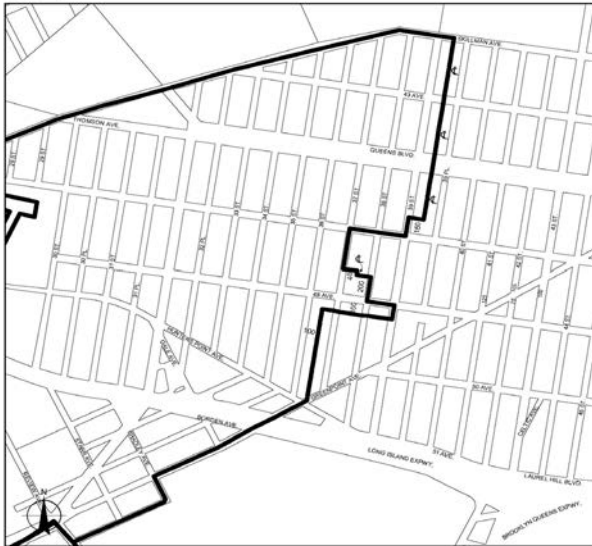
Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn

Long Island City  
Map 3



Portion of Community District 1, Queens

Long Island City  
Map 1



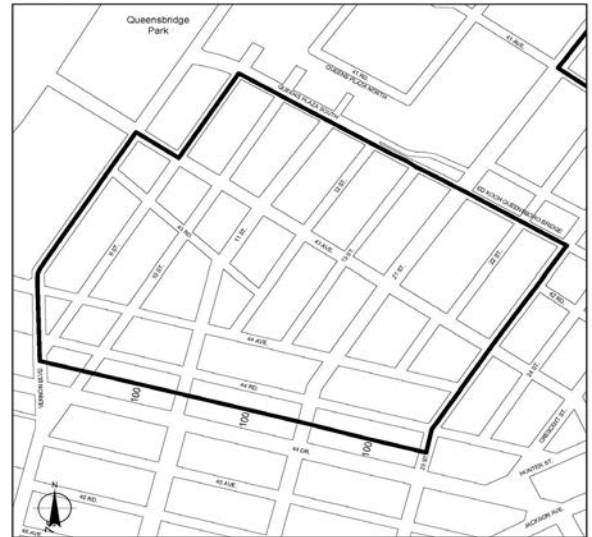
Portion of Community District 2, Queens

Long Island City  
Map 4



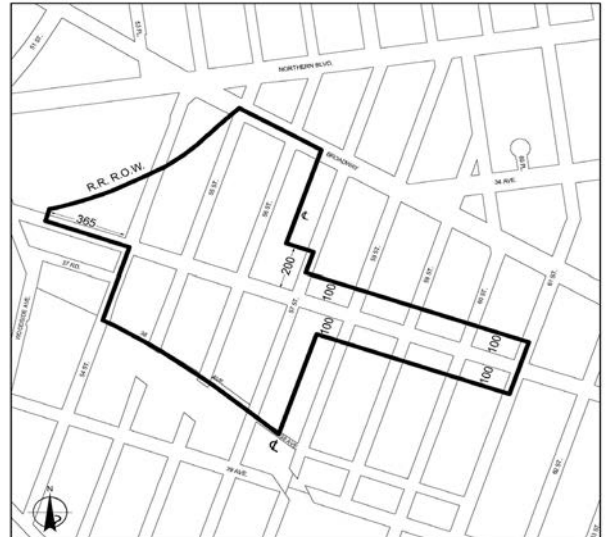
Portion of Community District 1, Queens

Long Island City  
Map 2



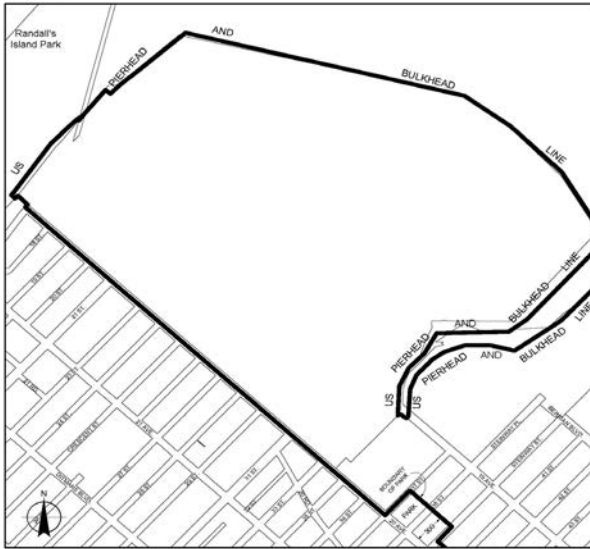
Portion of Community District 2, Queens

Woodside  
Map 1



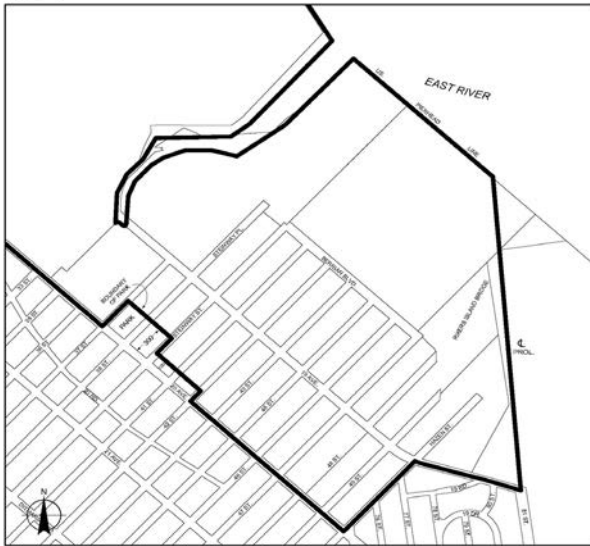
Portion of Community District 2, Queens

Steinway  
Map 1



Portion of Community District 1, Queens

Steinway  
Map 2



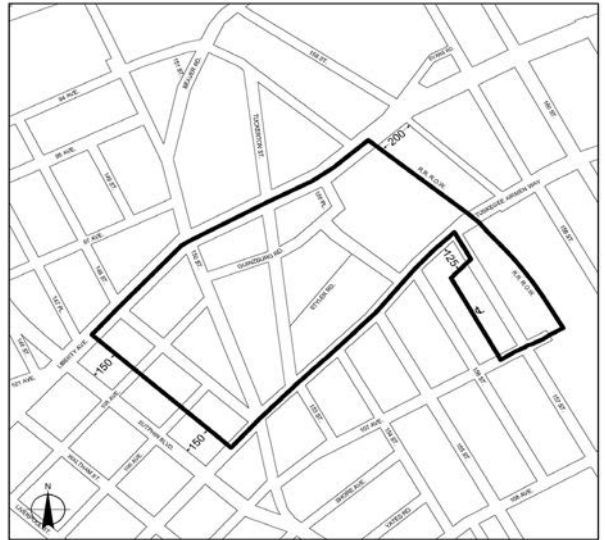
Portion of Community District 1, Queens

Jamaica  
Map 1



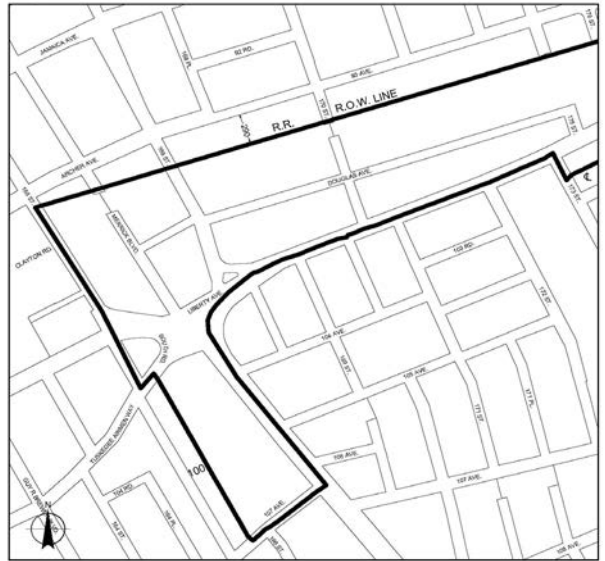
Portion of Community District 9, Queens

Jamaica  
Map 2



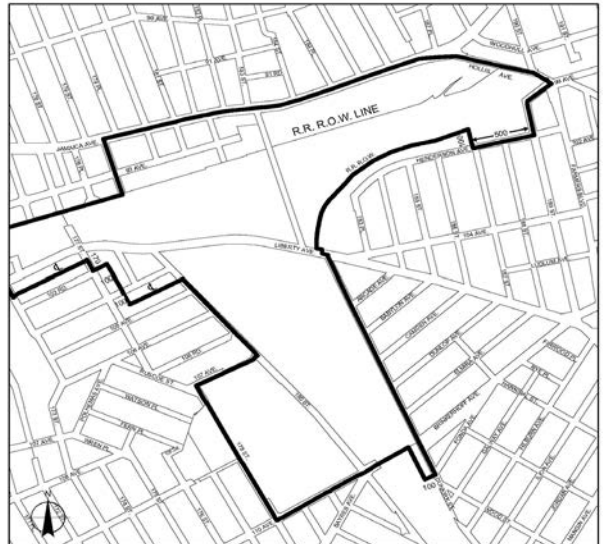
Portion of Community District 12, Queens

Jamaica  
Map 3



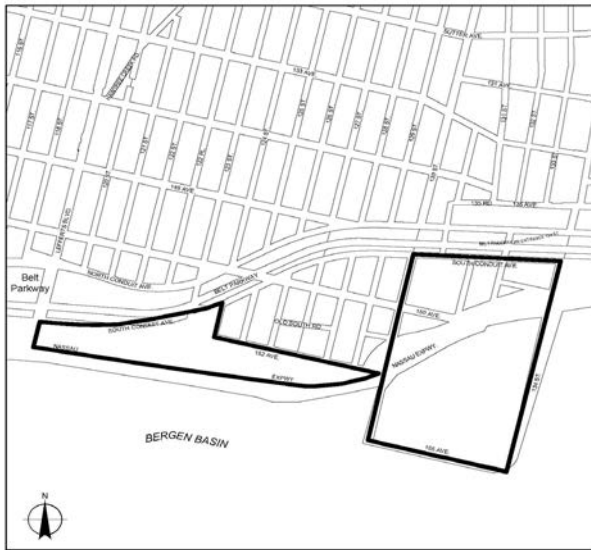
Portion of Community District 12, Queens

Jamaica  
Map 4



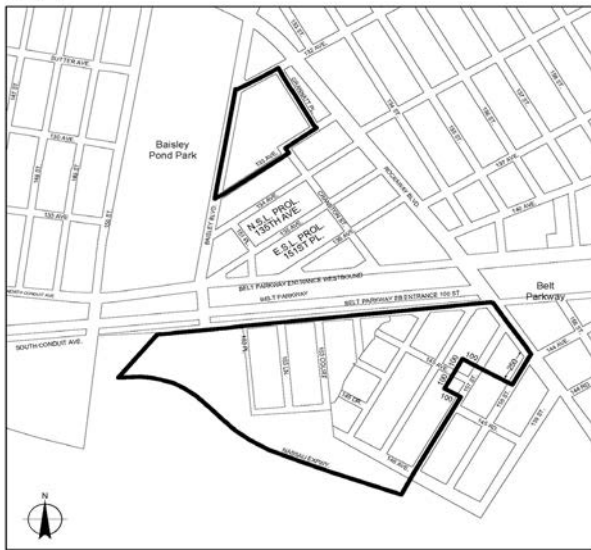
Portion of Community District 12, Queens

JFK  
Map 1



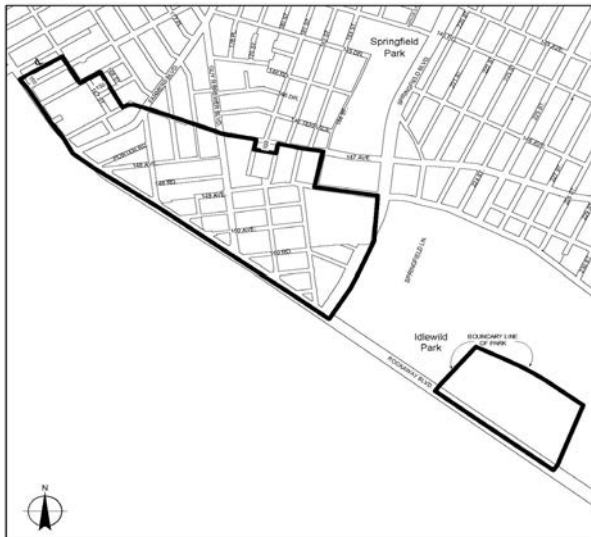
Portion of Community District 10, Queens

JFK  
Map 2



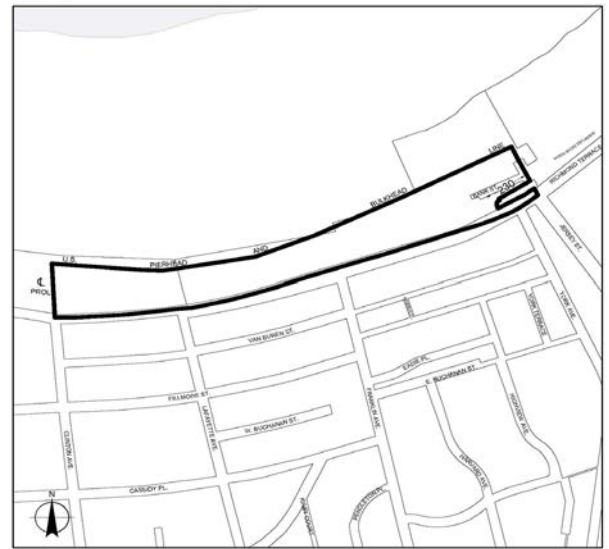
Portion of Community District 12, Queens

JFK  
Map 3



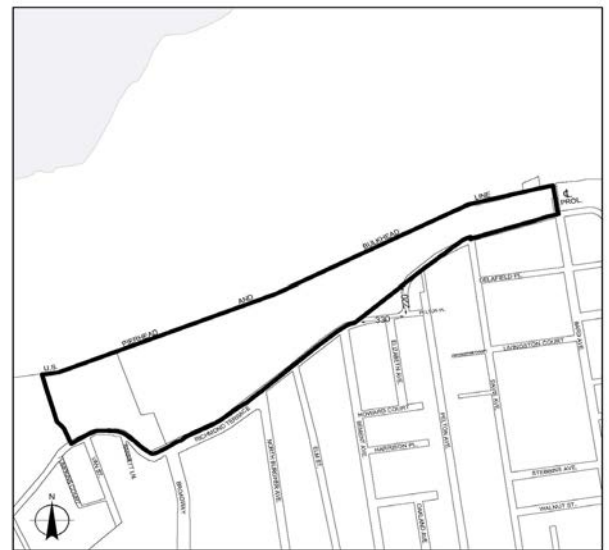
Portion of Community District 13, Queens

North Shore  
Map 1



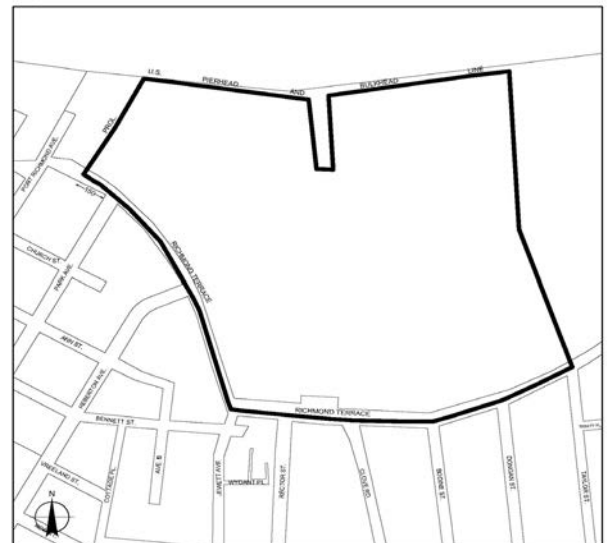
Portion of Community District 1, Staten Island

North Shore  
Map 2



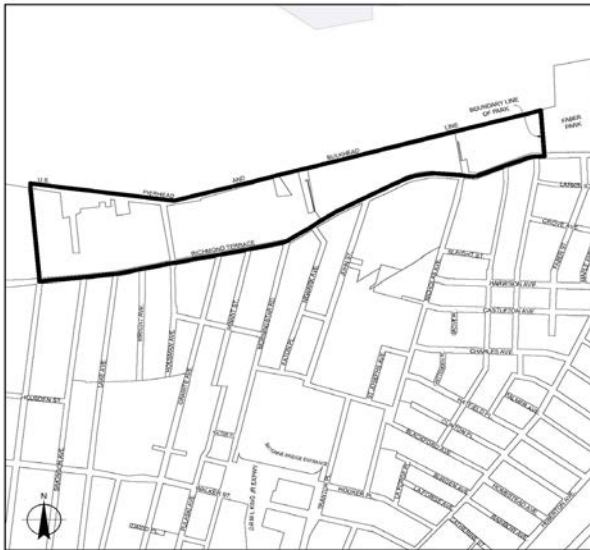
Portion of Community District 1, Staten Island

North Shore  
Map 3



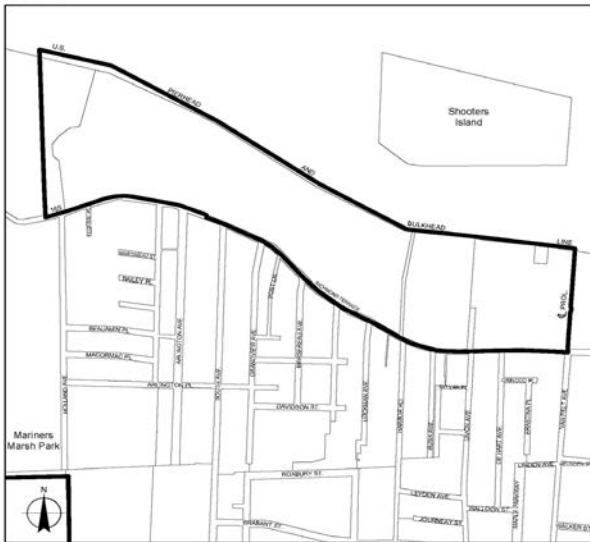
Portion of Community District 1, Staten Island

North Shore  
Map 4



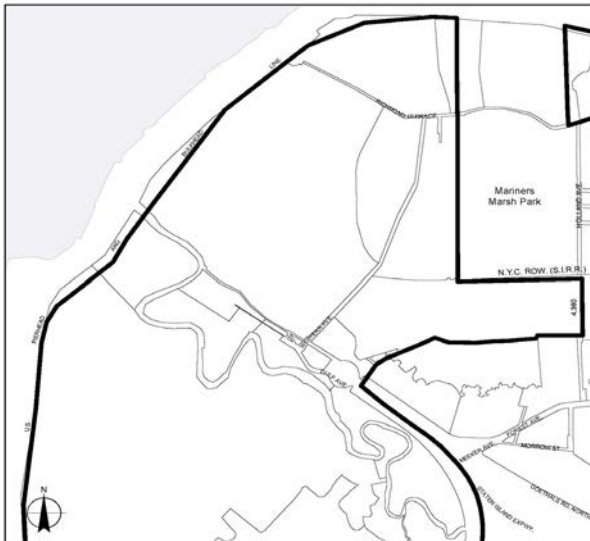
Portion of Community District 1, Staten Island

North Shore  
Map 5



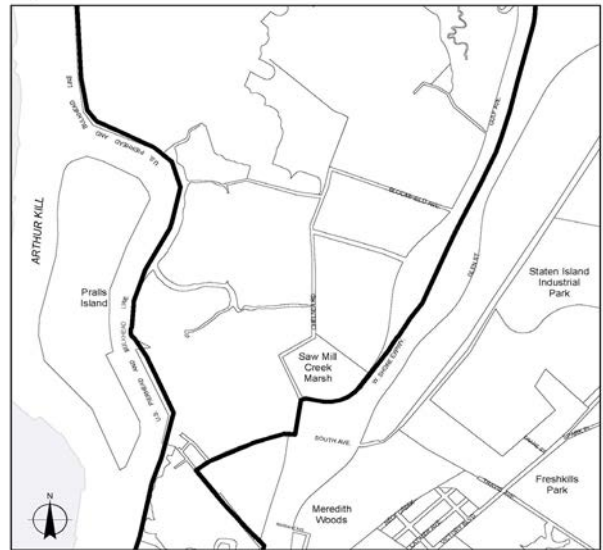
Portion of Community District 1, Staten Island

West Shore  
Map 1



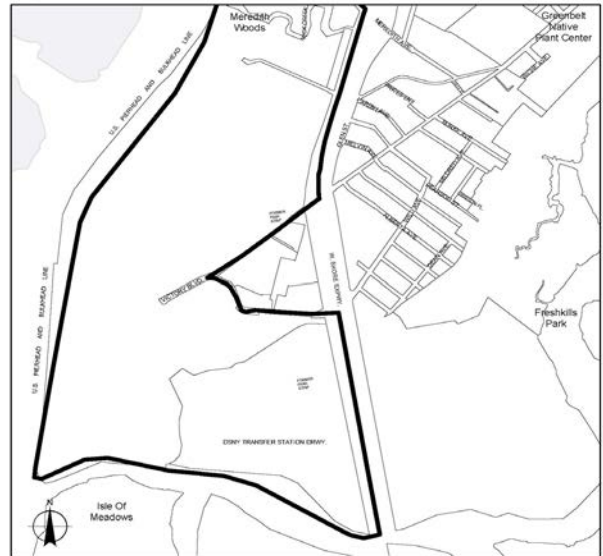
Portion of Community District 1, Staten Island

West Shore  
Map 2



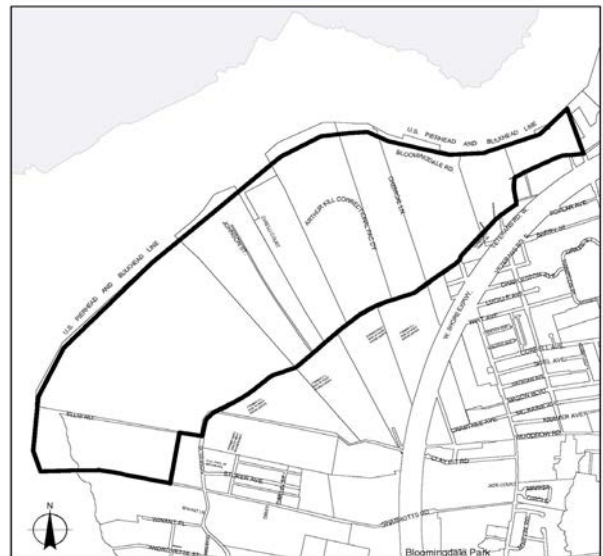
Portion of Community District 2, Staten Island

West Shore  
Map 3



Portion of Community District 2, Staten Island

Rossville  
Map 1



Portion of Community District 3, Staten Island

No. 2

CITY WIDE N 170425(A) 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

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 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]
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]
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 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.

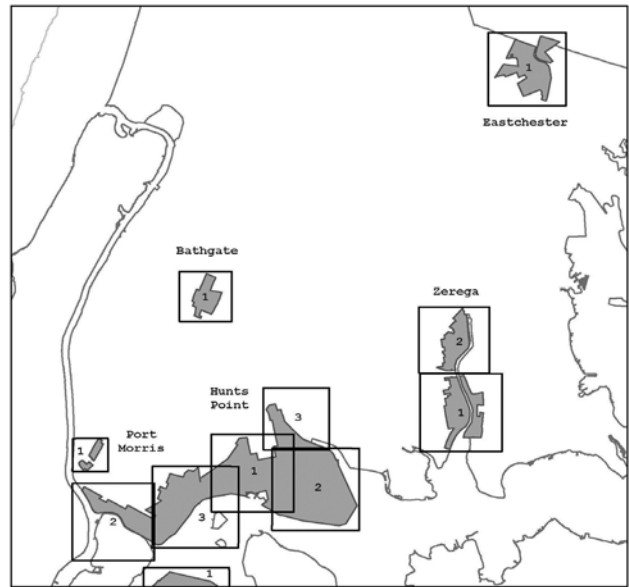
\* \* \*

APPENDIX J - Designated Areas Within Manufacturing Districts

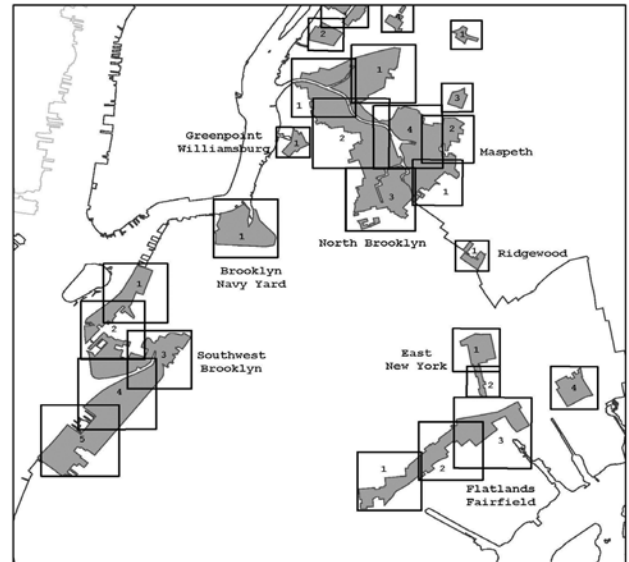
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

<b>Borough</b>	<b>Community Districts</b>	<b>Name of Designated Area in M District</b>	<b>Map No</b>
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

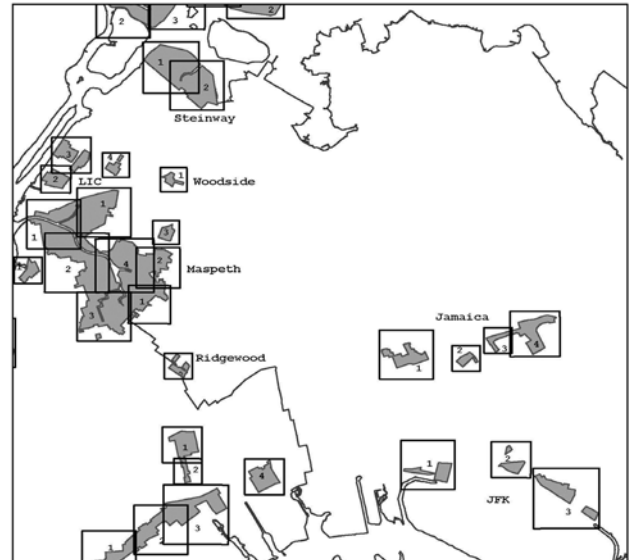
The Bronx



Brooklyn

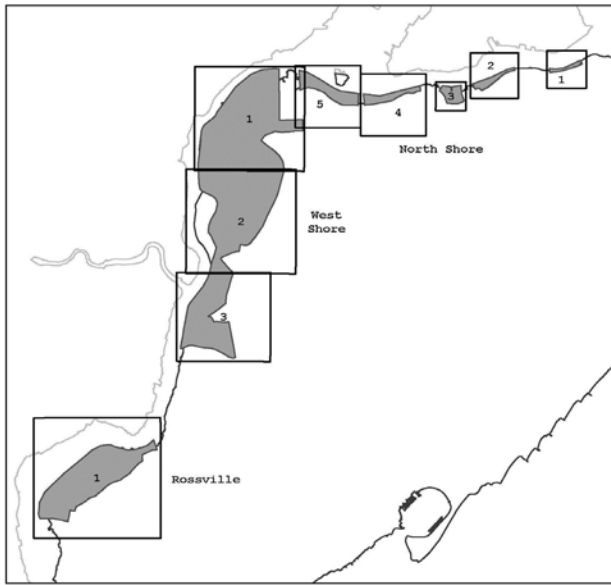


Queens





Staten Island

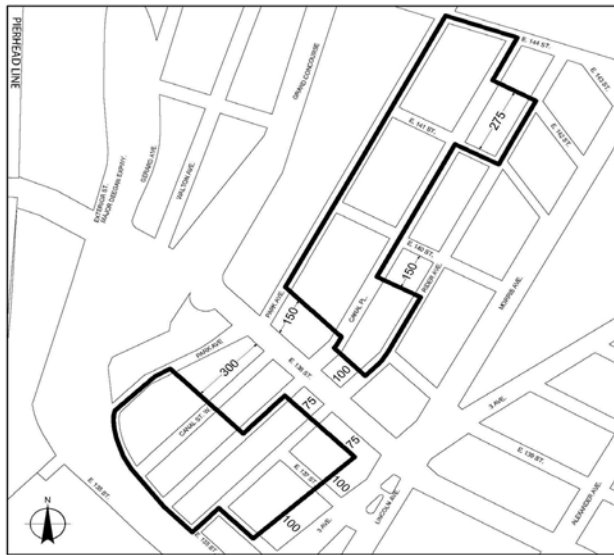


Port Morris/Hunts Point  
Map 3



Portions of Community Districts 1 and 2, Bronx

Port Morris  
Map 1



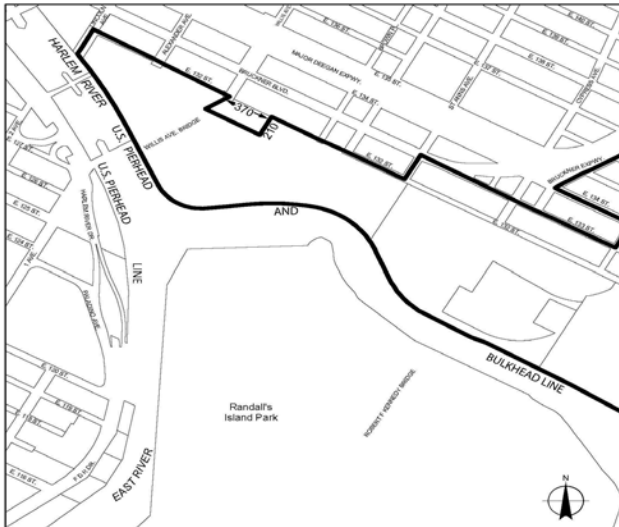
Portion of Community District 1, Bronx

Hunts Point  
Map 1



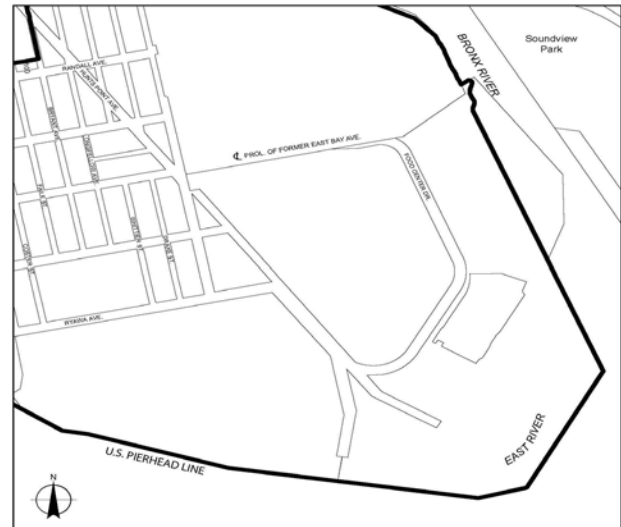
Portion of Community District 2, Bronx

Port Morris  
Map 2



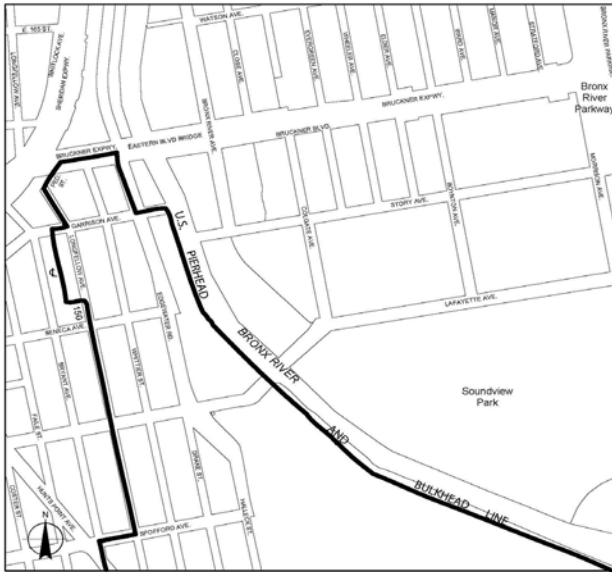
Portion of Community District 1, Bronx

Hunts Point  
Map 2

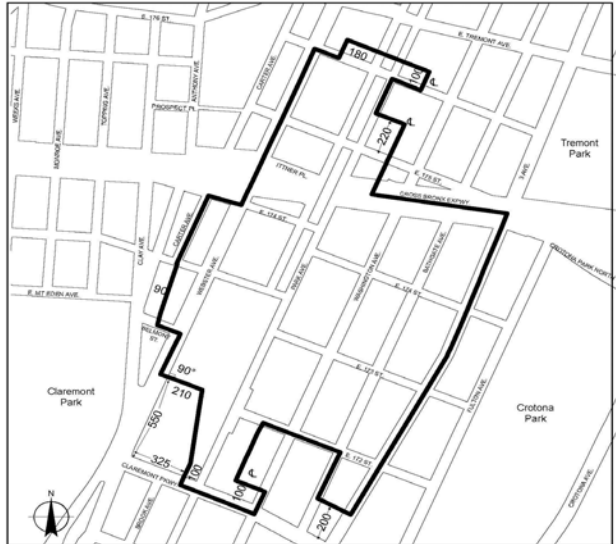


Portion of Community District 2, Bronx

Hunts Point  
Map 3



Bathgate  
Map 1



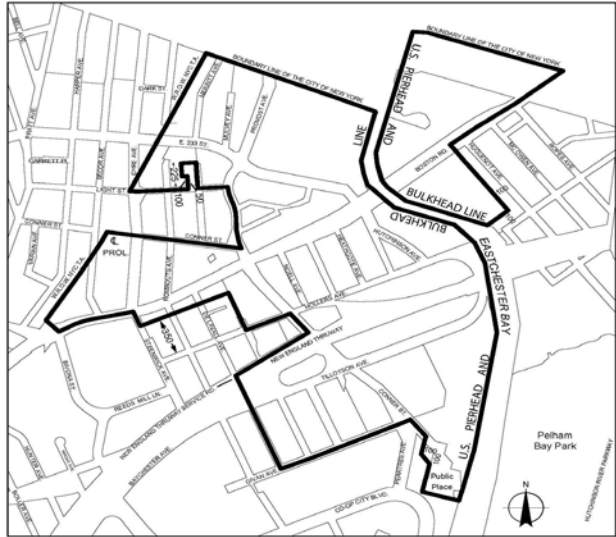
Portion of Community Districts 3, 4, and 6, Bronx

Zerega  
Map 1



Portion of Community District 9, Bronx

Eastchester  
Map 1



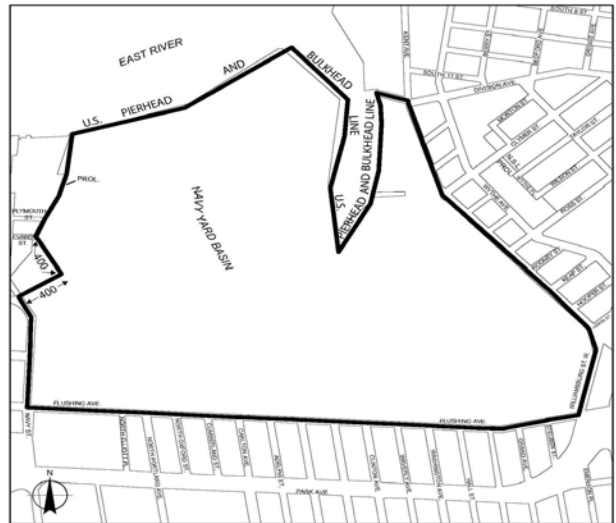
Portions of Community Districts 10 and 12, Bronx

Zerega  
Map 2



Portions of Community Districts 9 and 10, Bronx

Brooklyn Navy Yard  
Map 1



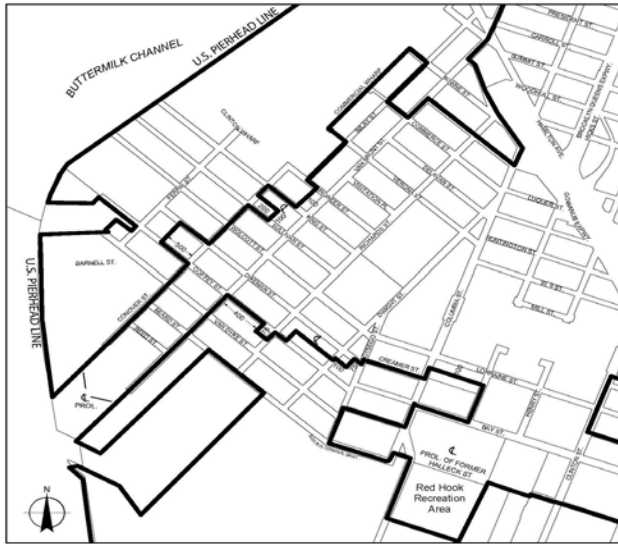
Portion of Community District 2, Brooklyn

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



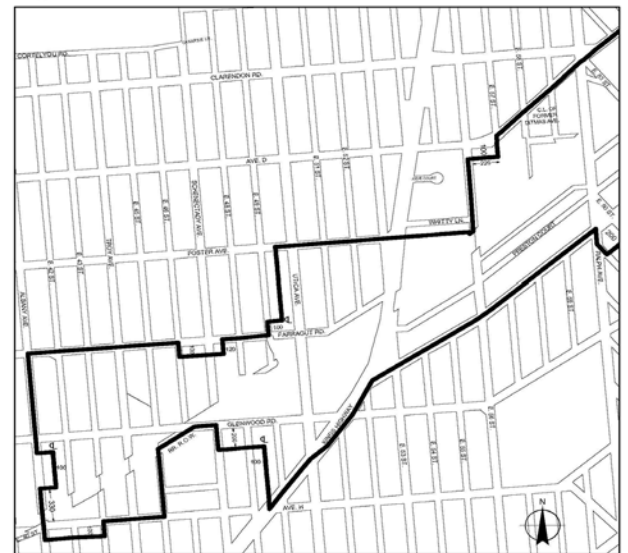
Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn  
Map 5



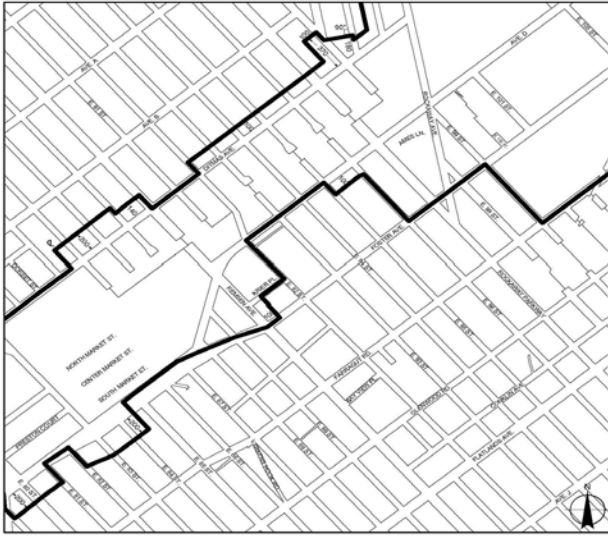
Portion of Community District 7, Brooklyn

Flatlands/Fairfield  
Map 1



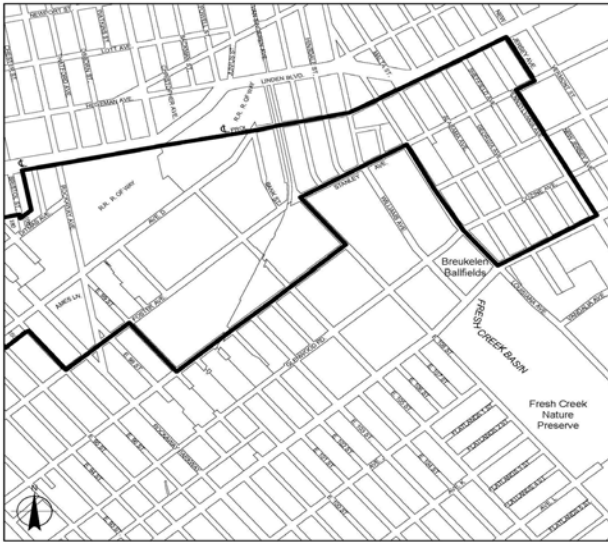
Portions of Community Districts 17 and 18, Brooklyn

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



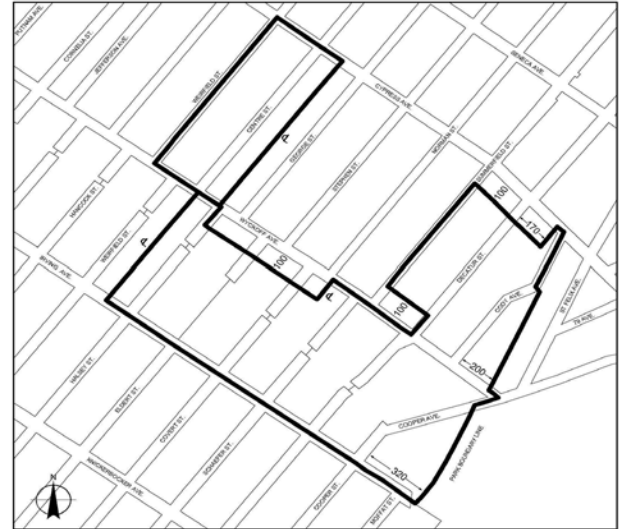
Portion of Community District 5, Brooklyn

East New York  
Map 2



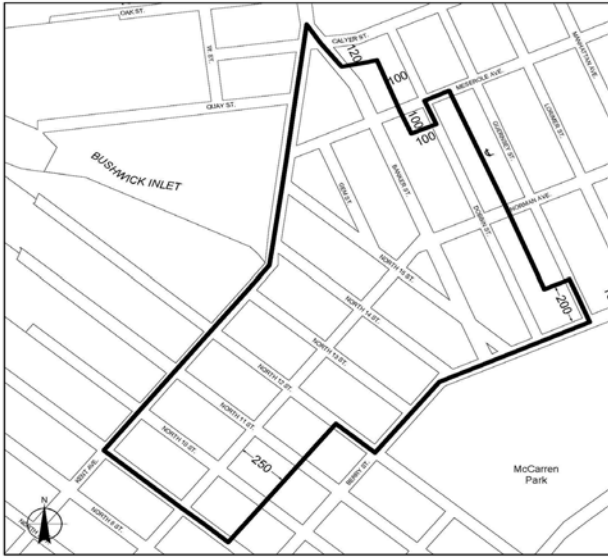
Portions of Community Districts 5 and 16, Brooklyn

Ridgewood  
Map 1



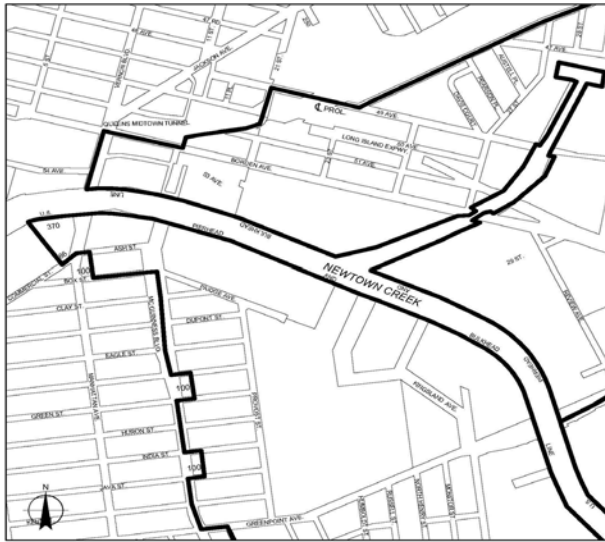
Portions of Community District 4, Brooklyn and Community District 5, Queens

Williamsburg/Greenpoint  
Map 1



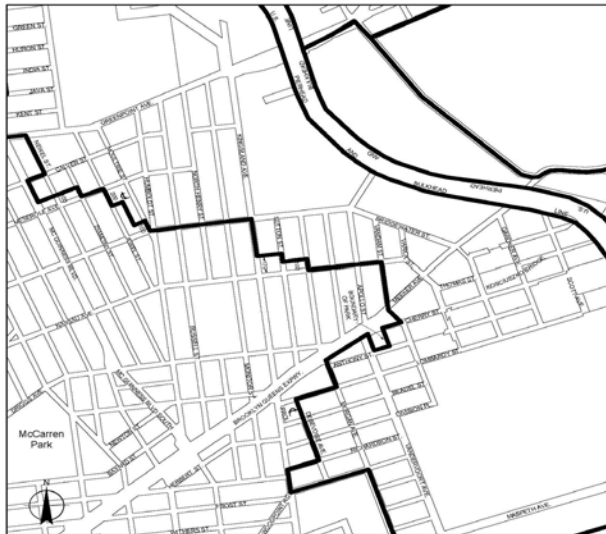
Portion of Community District 1, Brooklyn

North Brooklyn/Long Island City  
Map 1



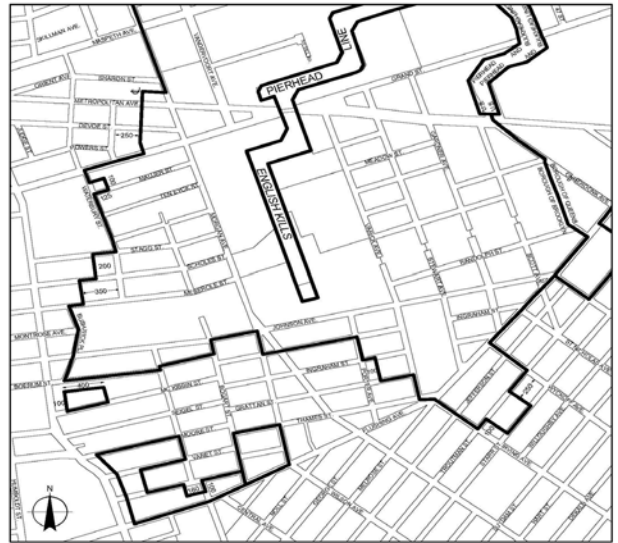
Portions of Community District 1, Brooklyn and Community District 2, Queens

North Brooklyn/Maspeth  
Map 2



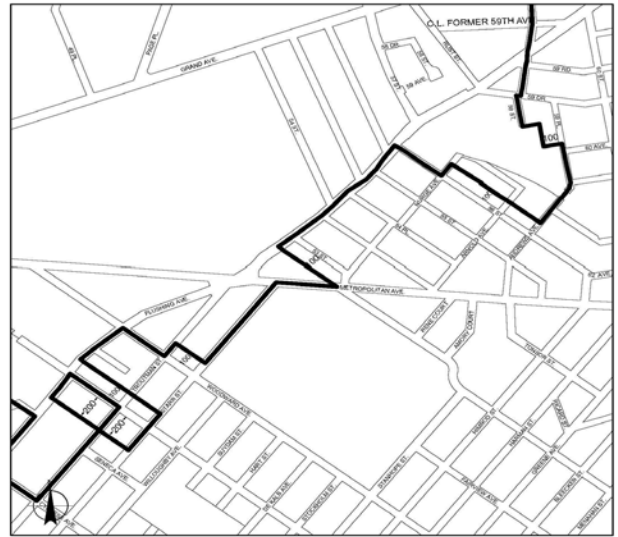
Portions of Community District 1, Brooklyn and Community District 2, Queens

North Brooklyn  
Map 3



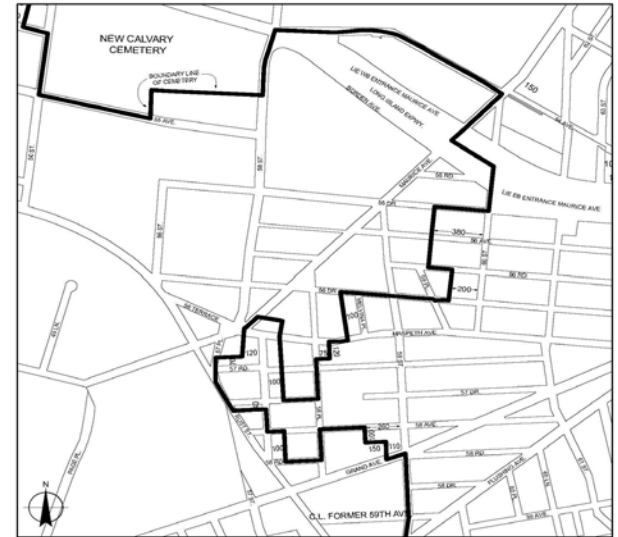
Portions of Community District 1, Brooklyn and Community District 4, Queens

Maspeth  
Map 1



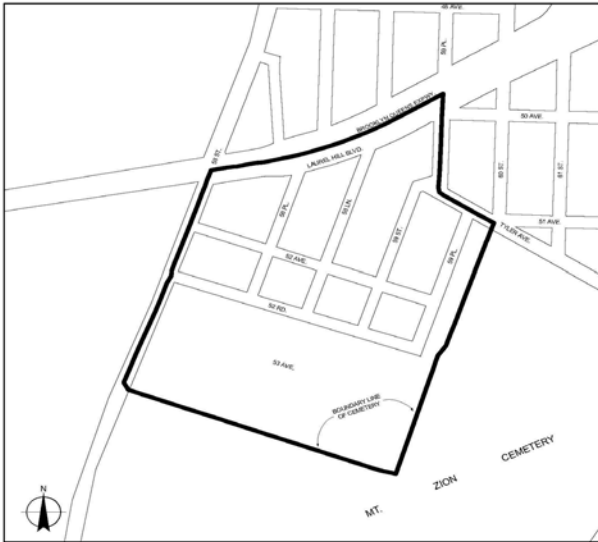
Portion of Community District 5, Queens

Maspeth  
Map 2



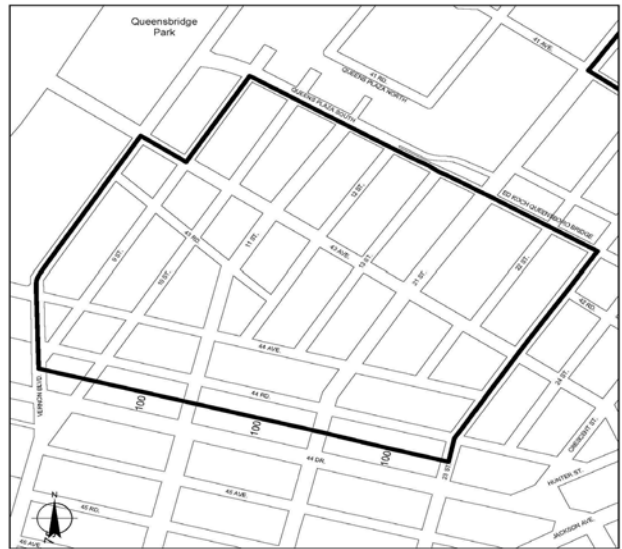
Portions of Community Districts 2 and 5, Queens

Maspeth  
Map 3



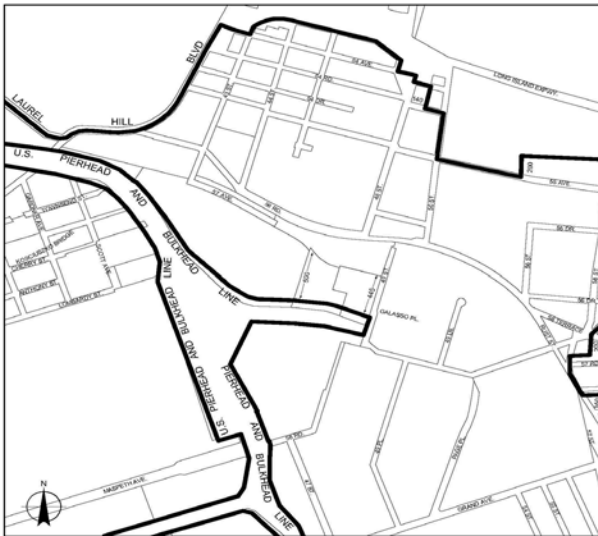
Portion of Community District 2, Queens

Long Island City  
Map 2



Portion of Community District 2, Queens

Maspeth/North Brooklyn  
Map 4



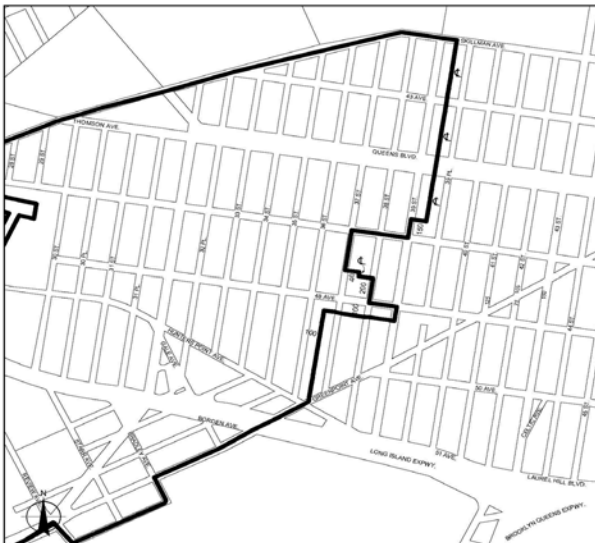
Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn

Long Island City  
Map 3



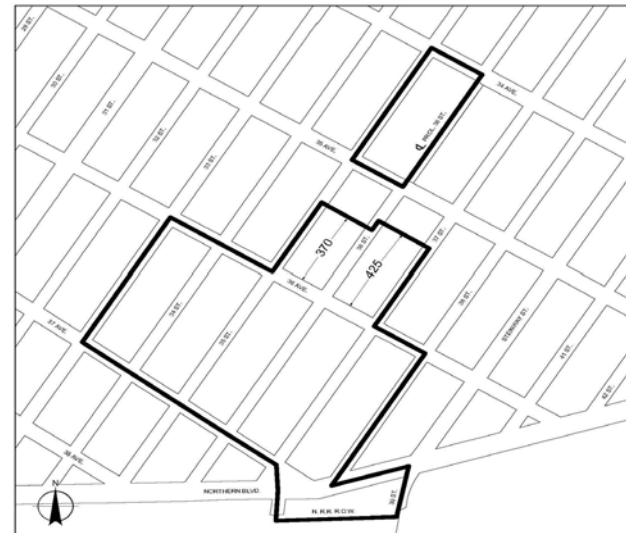
Portion of Community District 1, Queens

Long Island City  
Map 1



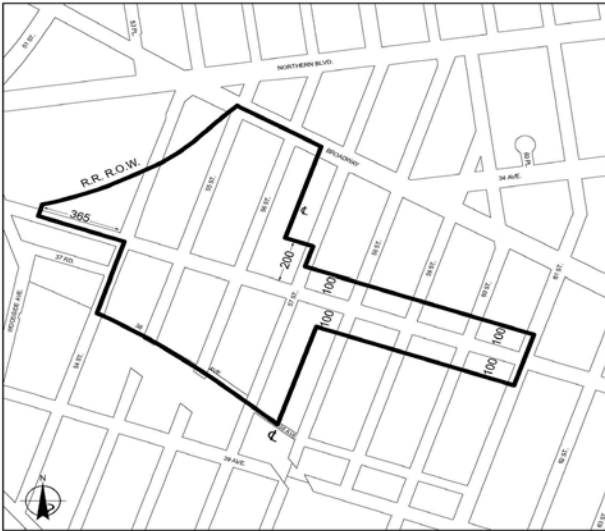
Portion of Community District 2, Queens

Long Island City  
Map 4



Portion of Community District 1, Queens

Woodside  
Map 1



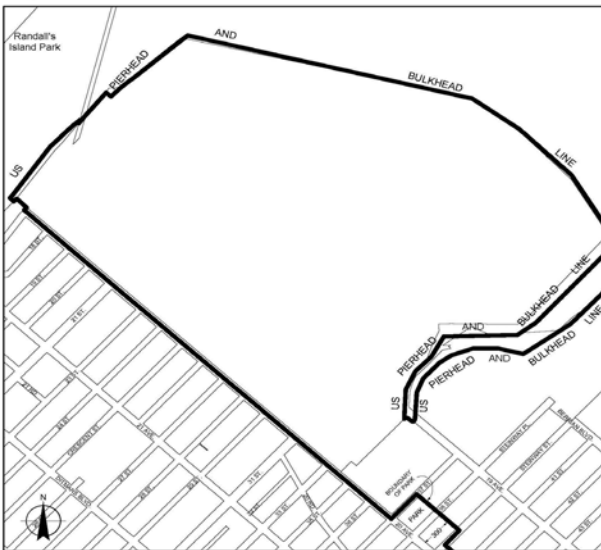
Portion of Community District 2, Queens

Jamaica  
Map 1



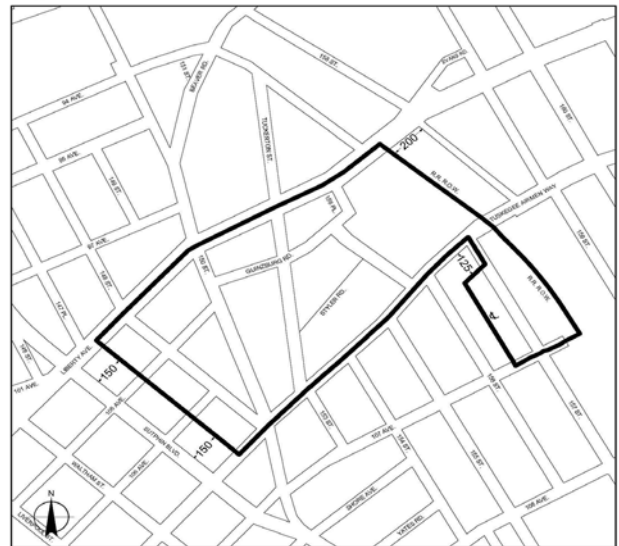
Portion of Community District 9, Queens

Steinway  
Map 1



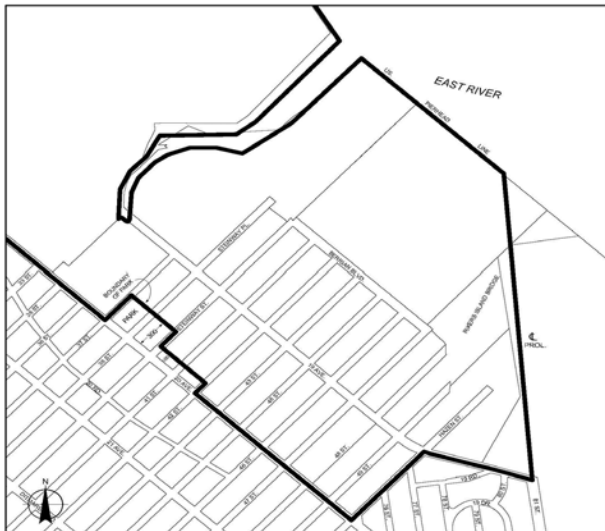
Portion of Community District 1, Queens

Jamaica  
Map 2



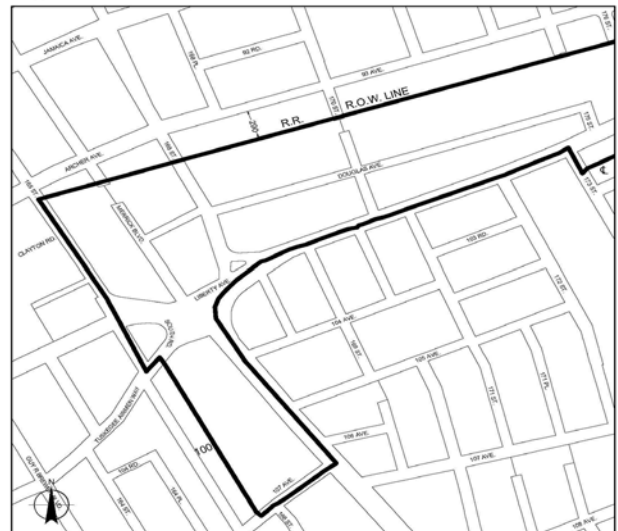
Portion of Community District 12, Queens

Steinway  
Map 2



Portion of Community District 1, Queens

Jamaica  
Map 3



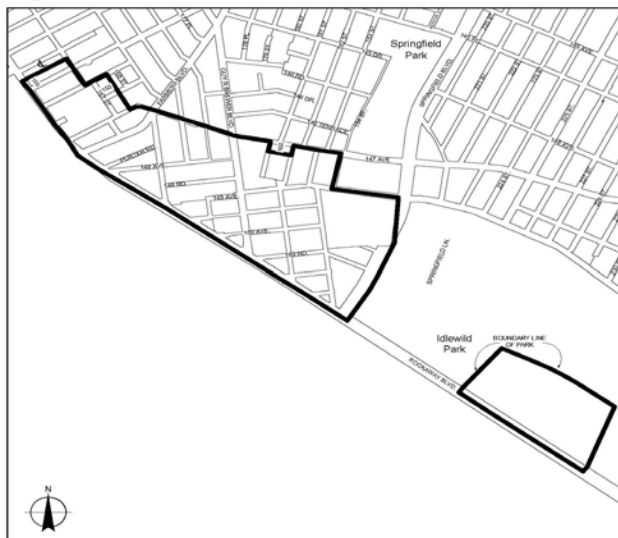
Portion of Community District 12, Queens

Jamaica  
Map 4



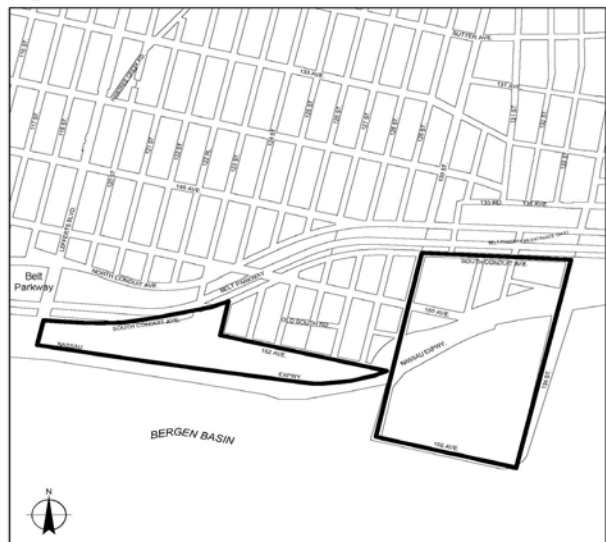
Portion of Community District 12, Queens

JFK  
Map 3



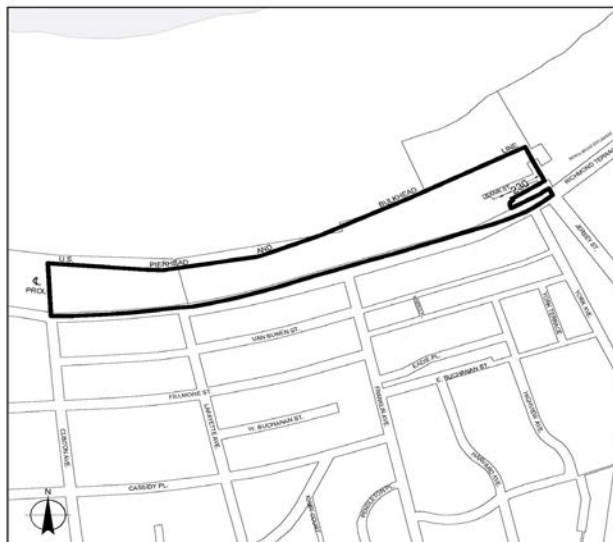
Portion of Community District 13, Queens

JFK  
Map 1



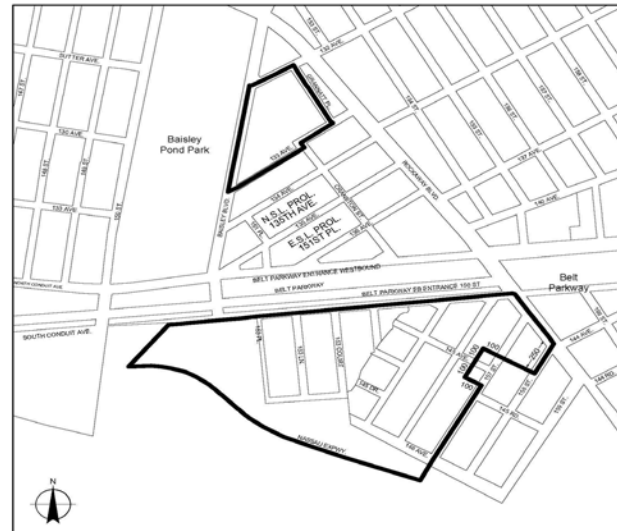
Portion of Community District 10, Queens

North Shore  
Map 1



Portion of Community District 1, Staten Island

JFK  
Map 2



Portion of Community District 12, Queens

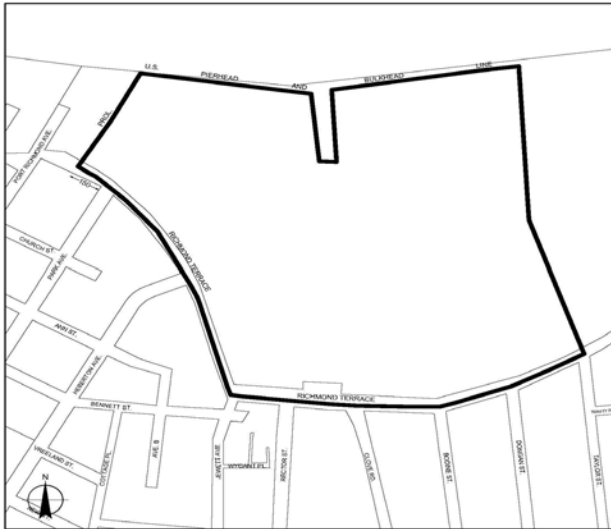
North Shore  
Map 2



Portion of Community District 1, Staten Island

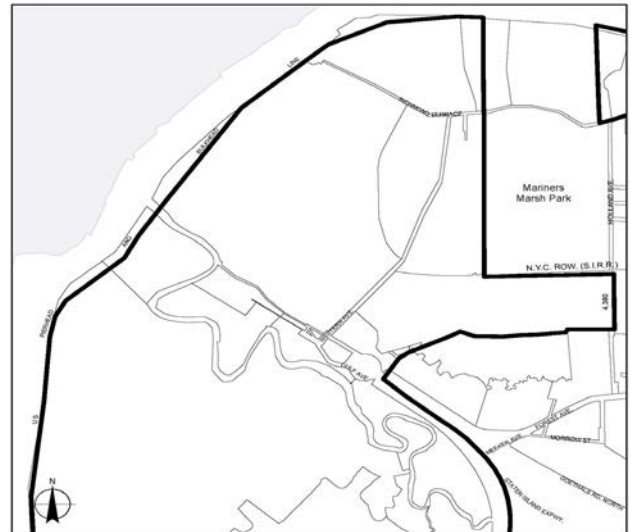


North Shore  
Map 3



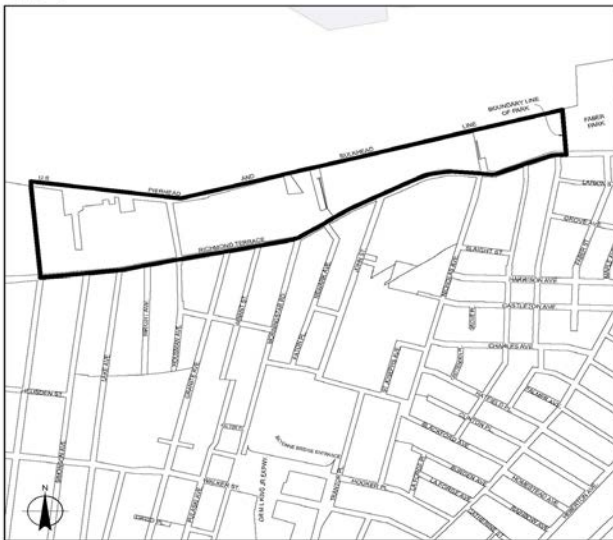
Portion of Community District 1, Staten Island

West Shore  
Map 1



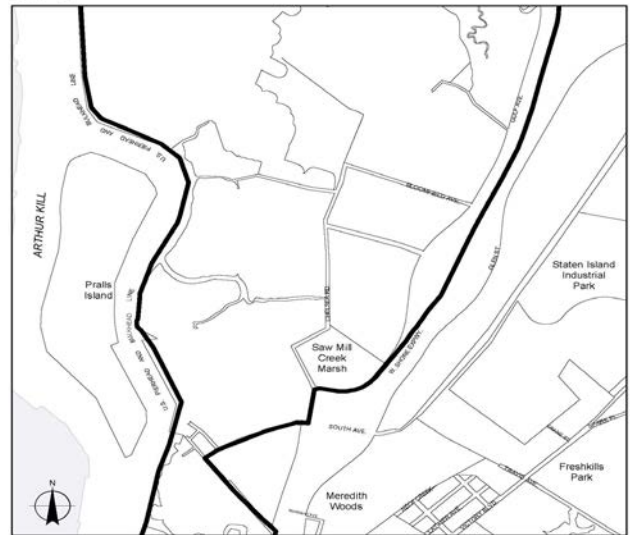
Portion of Community District 1, Staten Island

North Shore  
Map 4



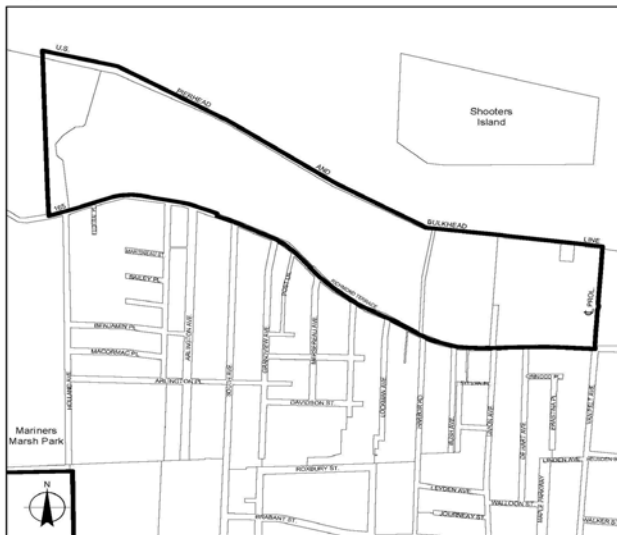
Portion of Community District 1, Staten Island

West Shore  
Map 2



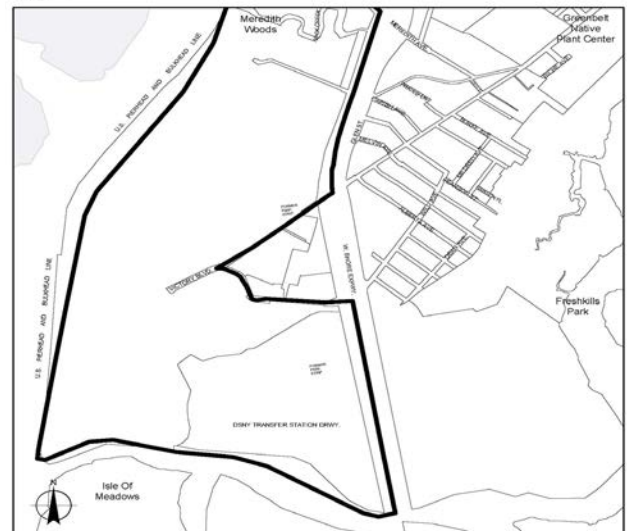
Portion of Community District 2, Staten Island

North Shore  
Map 5



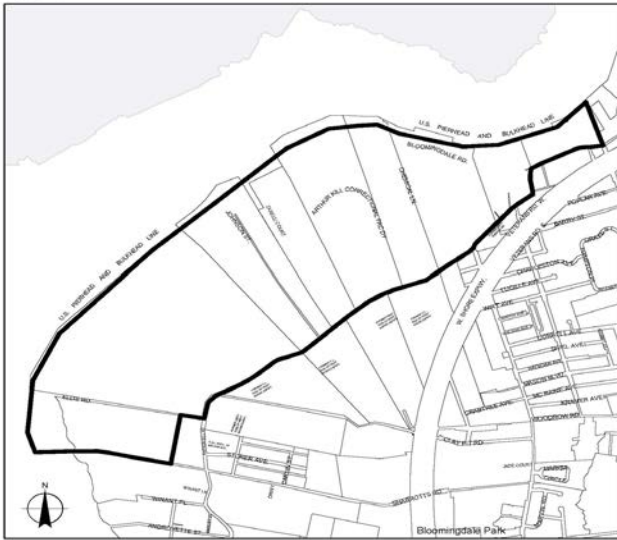
Portion of Community District 1, Staten Island

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, in the Manhattan Municipal Building, Mezzanine level, 1 Centre Street, New York, NY 10007 (access through the North Entrance), 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 PQK**  
**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

N 170455 ZRK

**CD 16**  
**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

C 170456 HAK

**CD 16**  
**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

CD 2 N 170401 ZRK

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.

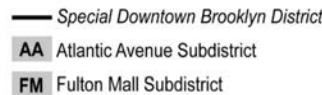
\* \* \*

APPENDIX E

Special Downtown Brooklyn District Maps

Map 1. Special Downtown Brooklyn District and Subdistricts

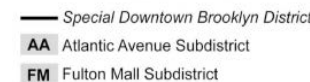
[EXISTING MAP]



[PROPOSED MAP]

Appendix E
Special Downtown Brooklyn District Maps

Map 1 Special Downtown Brooklyn District and Subdistricts

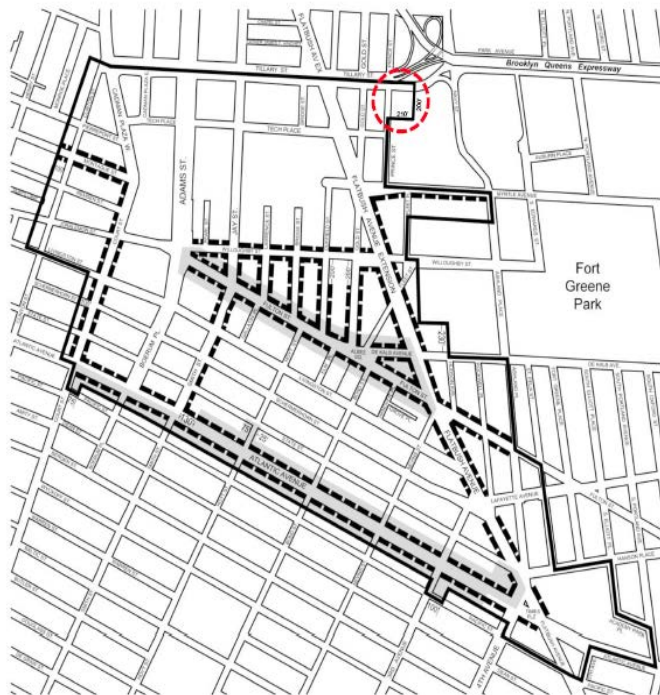


Map 2. Ground Floor Retail Frontage

[EXISTING MAP]

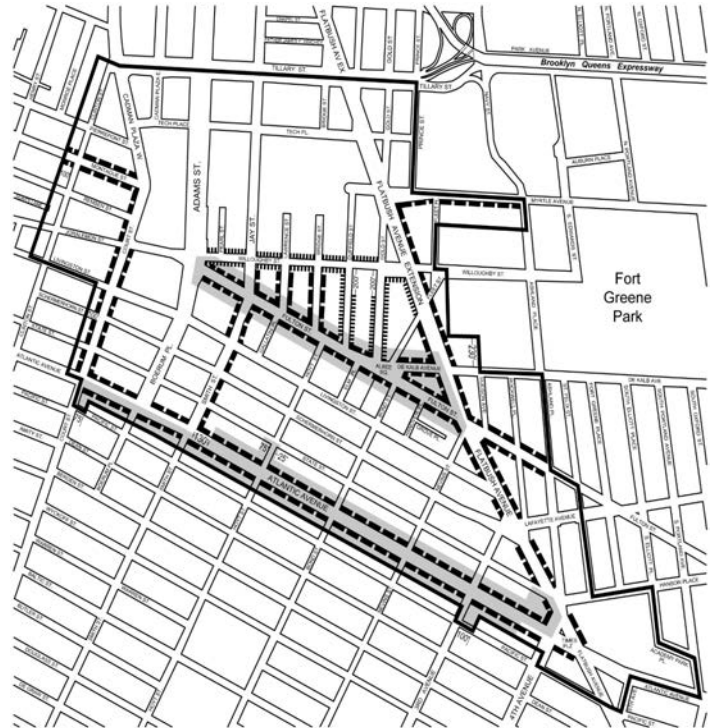


[PROPOSED MAP]

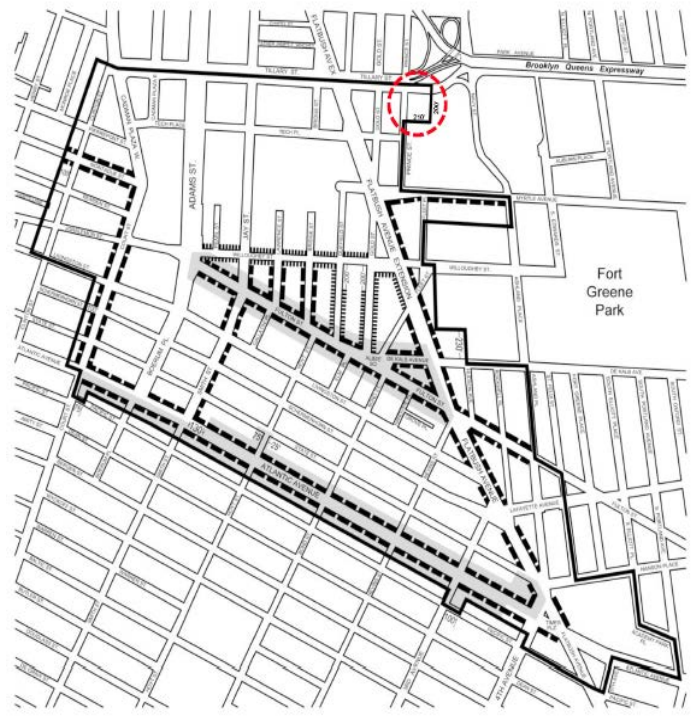


Map 3. Ground Floor Transparency Requirements

[EXISTING MAP]



[PROPOSED MAP]



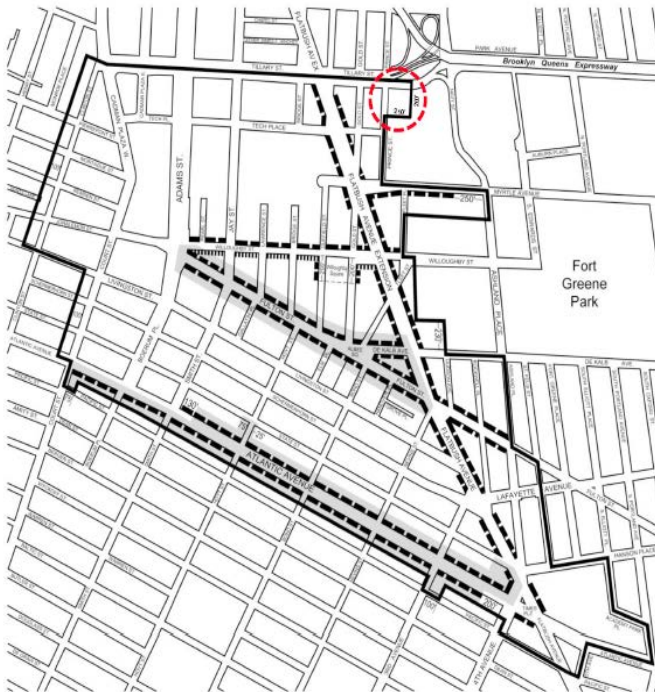
Map 4. Street Wall Continuity and Mandatory Sidewalk Widening

[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

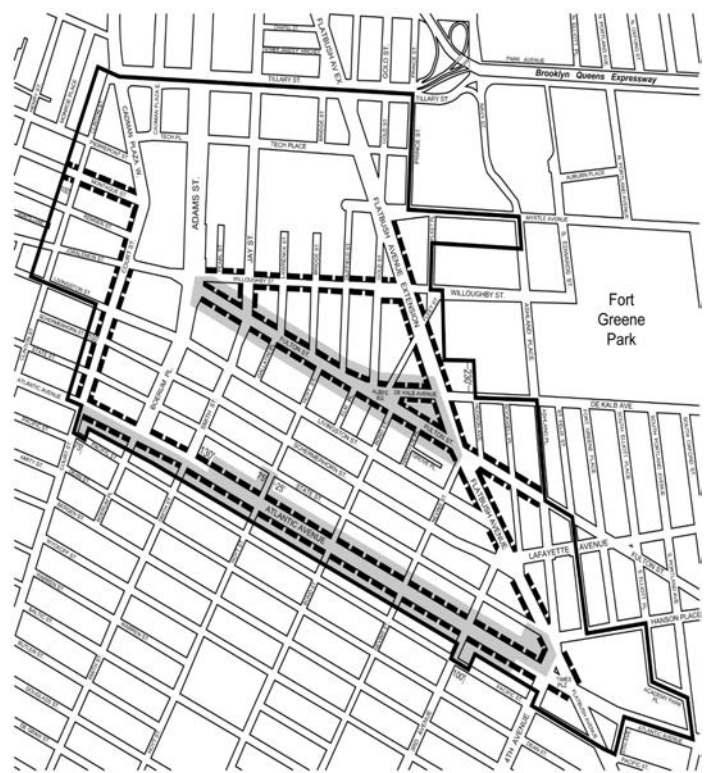
[PROPOSED MAP]



- 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

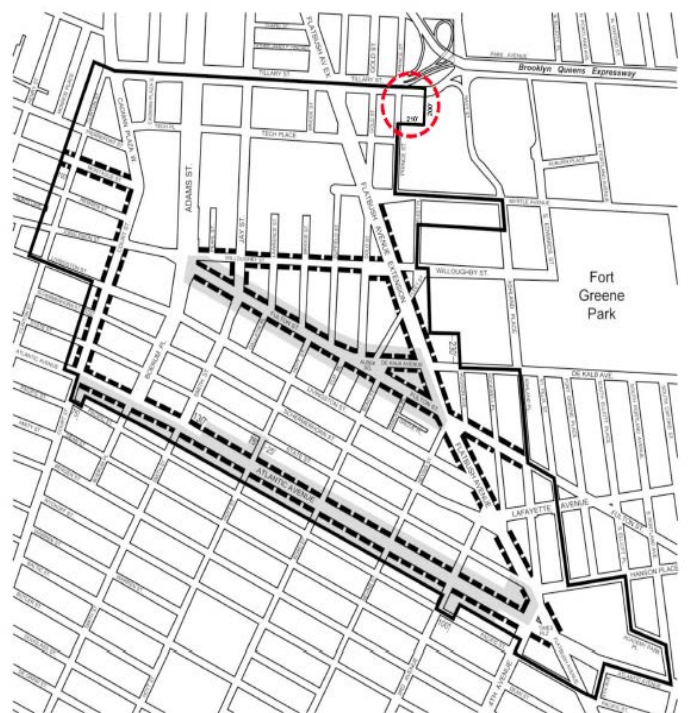
Map 5. Curb Cut Restrictions

[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
- Subway Station
- Subway Entrance
- ① Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- ② Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- ③ 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
- Subway Entrance
- 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
- Subway Station
- Subway Entrance
- ① Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- ② Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- ③ Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
- Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet

[PROPOSED MAP]



- Special Downtown Brooklyn District
- Subway Station
- Subway Entrance
- 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

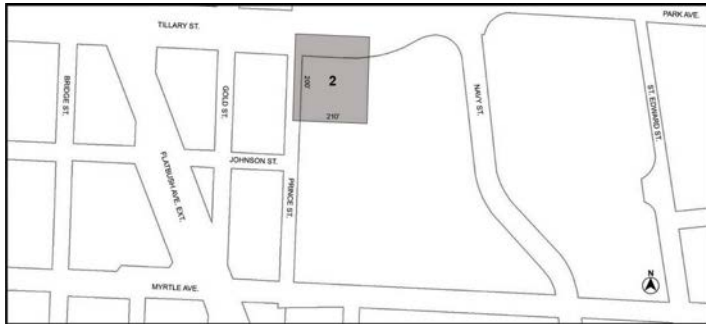
BROOKLYN

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

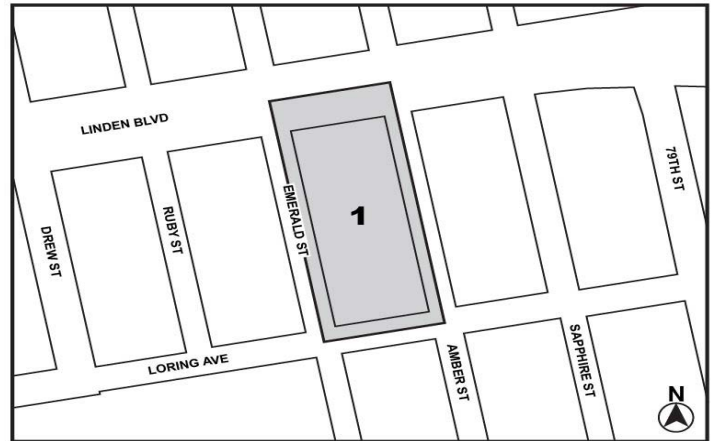
BROOKLYN

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**

**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

- 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 C4-4 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

N 170359 ZRM

CD 11 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

\* \* \*

Table with 4 columns: Location, #Enclosed Sidewalk Cafe#, #Unenclosed Sidewalk Cafe#, and Yes/No status. Rows include Manhattan, Clinton District, East Harlem Corridors District, and Enhanced Commercial District 2.

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, Oon #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
- (c)(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 07DPCP030M, 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]

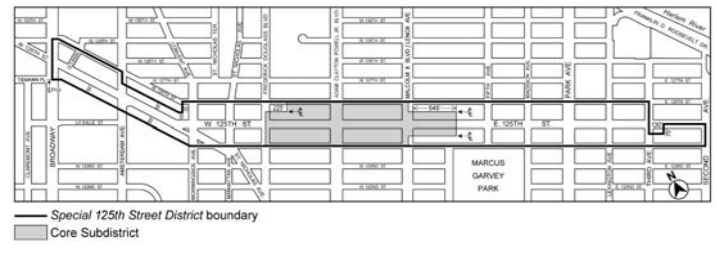
In the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the regulations of the underlying district.

\* \* \*

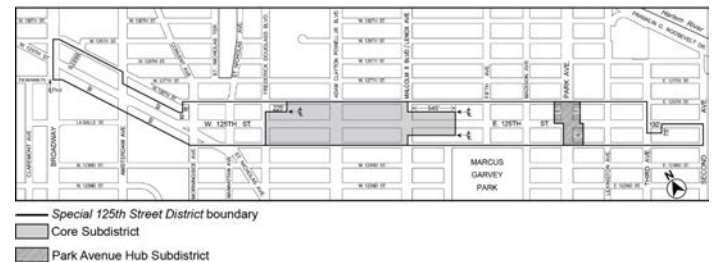
**Appendix A**  
**Special 125th Street District Plan**

Map 1: Special 125th Street District and Core Subdistricts

[EXISTING MAP]



[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.

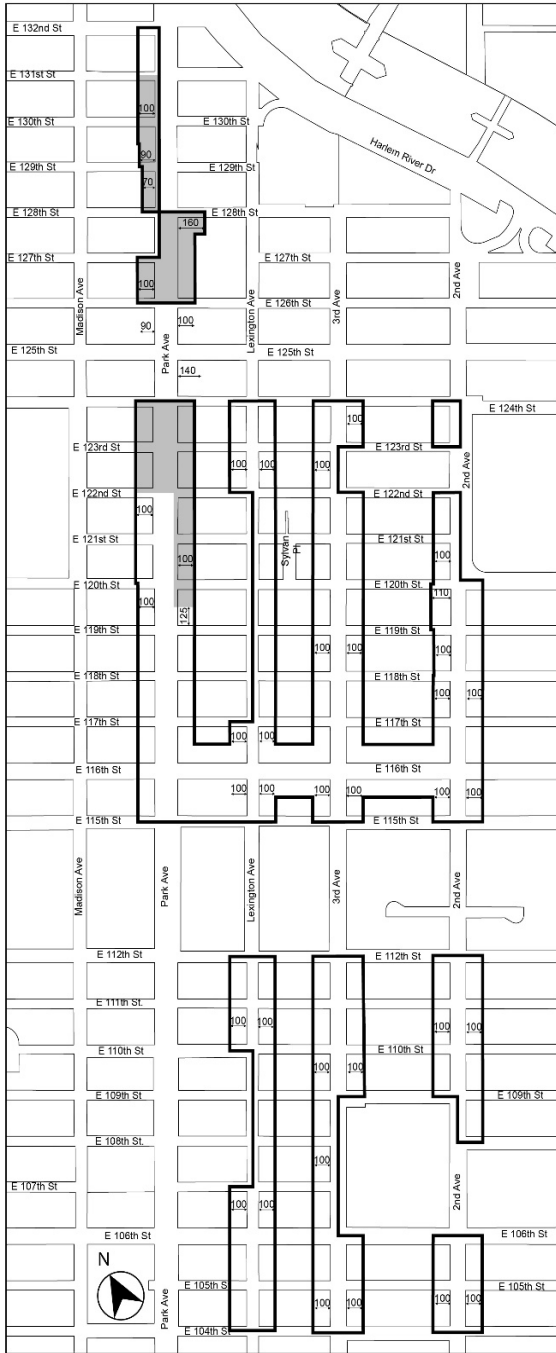
### 138-41 Required Accessory Off-street Parking Spaces for Residences

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**

\* \* \*

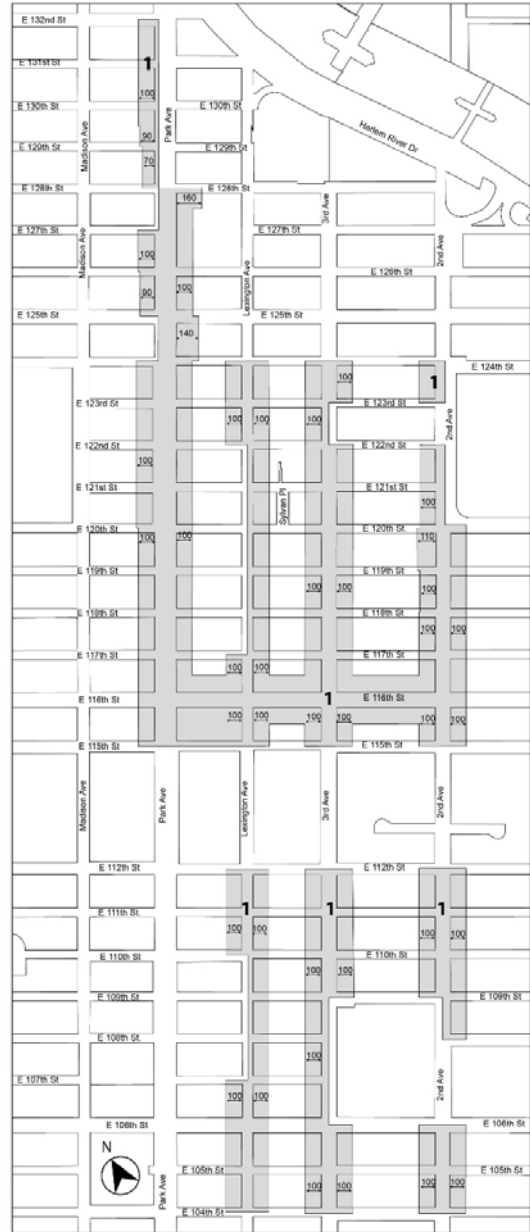
**Manhattan Community District 11**

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 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#, For 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]

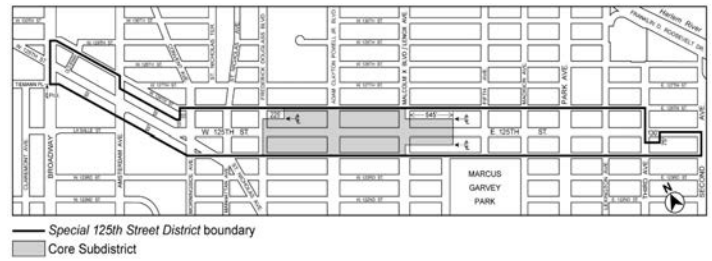
In the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the regulations of the underlying district.

\* \* \*

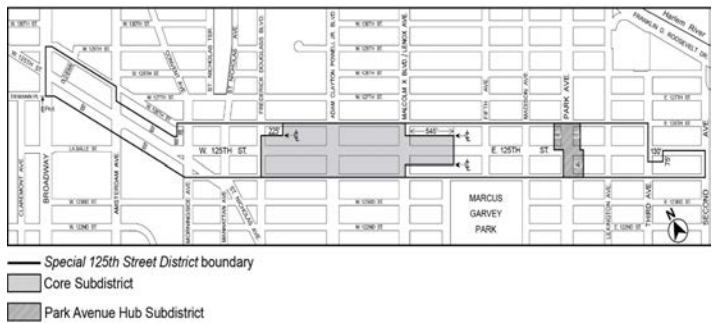
**Appendix A**  
**Special 125th Street District Plan**

Map 1: Special 125th Street District and Core Subdistricts

[EXISTING MAP]



[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 (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.

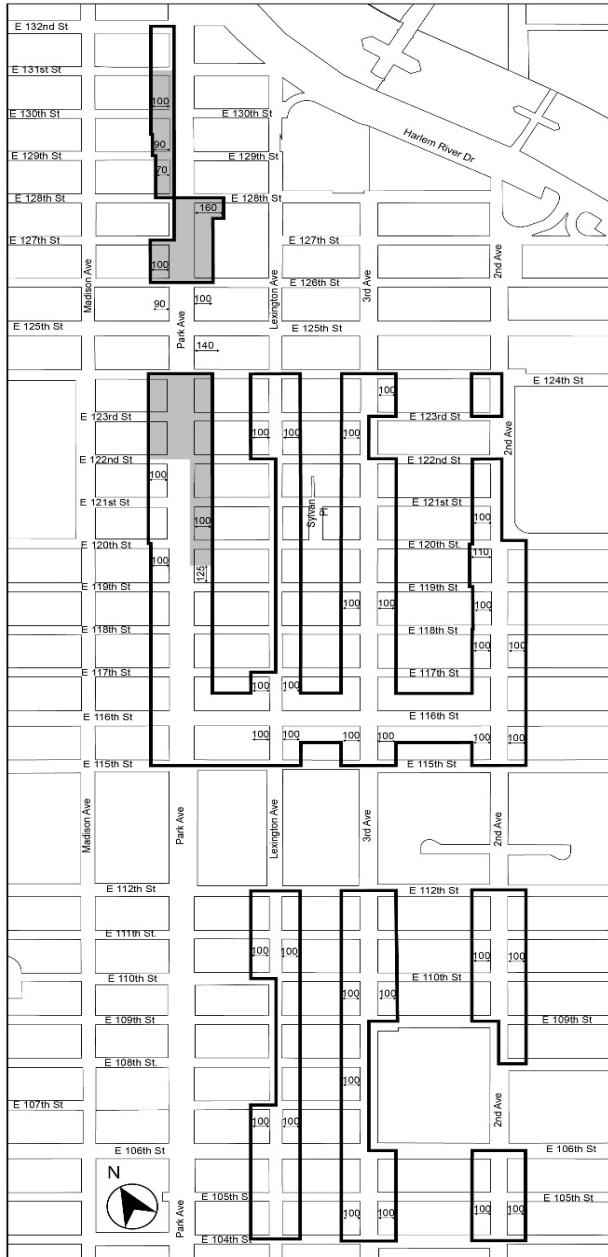
**138-41  
Required Accessory Off-street Parking Spaces for Residences**

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

\* \* \*

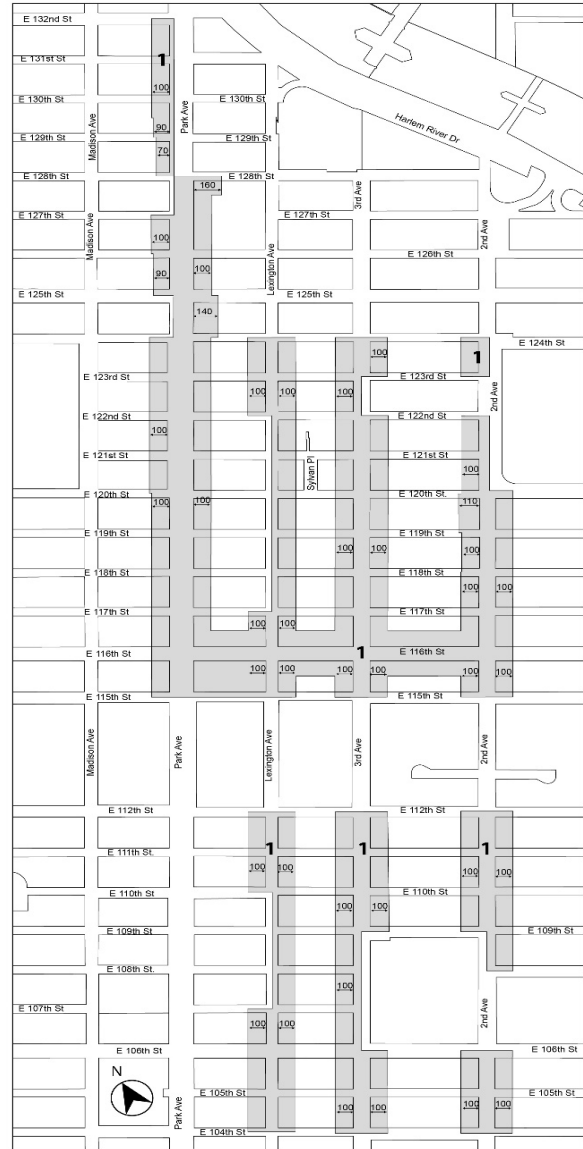
**Manhattan Community District 11**

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, starting no earlier than 2:00 P.M., in the Manhattan Municipal Building, Mezzanine level, 1 Centre Street, New York, NY 10007 (access through the North Entrance), 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 111<sup>TH</sup> 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 112<sup>th</sup> Street, a line 100 feet easterly of Madison Avenue, East 111<sup>th</sup> Street, and Madison Avenue; and
  - b. East 112<sup>th</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111<sup>th</sup> 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 112<sup>th</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111<sup>th</sup> Street, and Madison Avenue; and
3. establishing within the proposed R9 District a C2-5 District bounded by:
  - a. East 112<sup>th</sup> Street, a line 100 feet easterly of Madison Avenue, East 111<sup>th</sup> Street, and Madison Avenue; and
  - b. East 112<sup>th</sup> Street, the westerly boundary line of the New York Central Railroad right-of-way, East 111<sup>th</sup> Street, and a line 100 feet westerly of Park Avenue;

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

**No. 21**

**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

\* \* \*

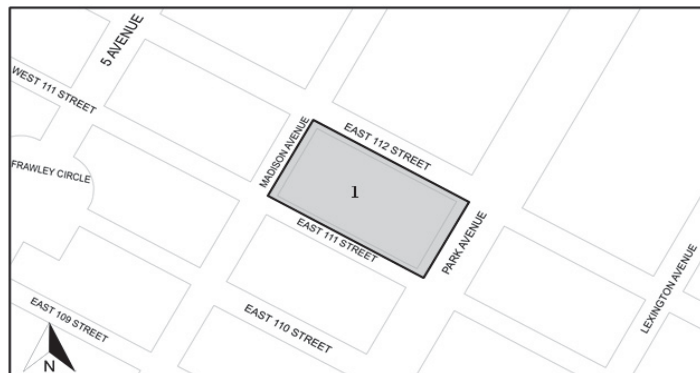
**APPENDIX F**


**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**

**CD 11** **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**

**CD 11** **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 111<sup>th</sup> Street, Park Avenue, East 112<sup>th</sup> 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**

**CD 11** **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 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.

#### No. 25

#### CD 11 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, starting no earlier than 2:00 P.M., in the Manhattan Municipal Building, Mezzanine level, 1 Centre Street, New York, NY 10007 (access through the North Entrance), 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 111th Street Property (the "Sendero Verde Site") bounded by East 111th Street, Madison Avenue, East 112th Street, 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 111th 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

## DESIGN AND CONSTRUCTION

### ■ NOTICE

#### DETERMINATION AND FINDINGS BY THE CITY OF NEW YORK PURSUANT TO SECTION 204 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW

Whereas, the New York City Department of Design and Construction ("DDC"), on behalf of the New York City Department of Environmental Protection") and the City of New York ("City"), has proposed the acquisition of certain portions of 151<sup>st</sup> Place between 135<sup>th</sup> Avenue and North Conduit Avenue, as shown on Damage and Acquisition Map No. 5873 (Capital Project: SE848), in the borough of Queens; and

Whereas, the New York State Eminent Domain Procedure Law ("EDPL") sets forth uniform procedures for condemnations by municipalities throughout the State of New York, which also governs over this acquisition; and

Whereas, pursuant to the EDPL, the City is required to hold a public hearing to determine whether the public would be better served by the proposed acquisition of the above-mentioned properties and the impact of such an acquisition on the neighborhood where the project is to be constructed; and

Whereas, the City held a public hearing, pursuant to EDPL Section 204, in relation to this acquisition on July 11, 2017 in the borough of Queens. Having given due consideration to the complete hearing record, which includes, among other things, all documents submitted and all public comments, the City makes the following determination and findings concerning the above and below described acquisitions and project:

1. The public use and benefit of this project is for the Construction of Storm and Sanitary Sewers, for the Replacement of Water Main and Appurtenances in the borough of Queens (the "Project").
2. The properties to be acquired are shown on the City's Tax Map for the borough of Queens and include the following properties:
  - Block 12132, part of Lot 25;
  - Block 12133, part of Lot 1;
  - Bed of 151<sup>st</sup> Place from 135<sup>th</sup> Avenue to North Conduit Avenue.

The proposed acquisition shall consist of the following locations:

- 151<sup>st</sup> Place from 135<sup>th</sup> Avenue to North Conduit Avenue as shown on Damage and Acquisition Maps No. 5873 in the borough of Queens.

The City selected these locations based on a need for the Construction Storm Box sewer:

(1) The general effect on the neighborhood will be to improve current living conditions. The proposed Project involves the construction of storm sewers, sidewalks, curbs, and appurtenances. The New York City Department of Design and Construction conducted an environmental review of the proposed acquisitions associated with the proposed improvements and concluded that the Project has no significant environmental impact and therefore falls within the scope of a Type II Action as per NYCRR Part 617.5.

(2) There were no comments or concerns raised at the public hearing. The City will work with all public and private parties involved in the project to minimize the impact of construction activities on the street, residents and environment. The City has also reviewed all potential alternate locations and has determined that no other sites are feasible for the Project. The City continues to review its plans and will make modifications addressing any issues whenever possible. DDC will also work with DEP, other agencies and the community in order to review and address Project-related concerns.

The City has also reviewed all potential alternate locations and has determined that no other sites are feasible for the Project.

#### DETERMINATION:

Based upon due consideration of the record and the foregoing findings, it is determined that the City of New York should exercise its power of eminent domain to acquire the above-described properties in order to promote and permit the purposes of the Project to be achieved.

**NOTICE:**

Pursuant to EDPL Section 207, property owners have thirty (30) days from completion of the publication of this "Determination and Findings" to seek judicial review of this determination. Expected dates of publication are August 21 through 23, 2017 in the City Record and the New York Post.

**The exclusive venue for the judicial review of this determination, pursuant to EDPL Sections 207 and 208, is the Appellate Division of the Supreme Court in the Judicial Department where any part of the property to be acquired is located.**

A copy of this Determination and Findings by the City is available without cost, upon written request to:

New York City Department of Design and Construction  
Office of General Counsel – 4<sup>th</sup> Floor  
30-30 Thomson Avenue  
Long Island City, NY 11101  
Attn.: 151<sup>st</sup> Place from 135<sup>th</sup> Avenue to North Conduit Avenue:  
Condemnation Proceeding.

← a21-23

**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.

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# PROPERTY DISPOSITION

## CITYWIDE ADMINISTRATIVE SERVICES

### ■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person by appointment at: Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214. Phone: (718) 802-0022

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## OFFICE OF CITYWIDE PROCUREMENT

### ■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>.

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j3-d29

## POLICE

### ■ NOTICE

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

The following listed property is in the custody of the Property Clerk Division without claimants: Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

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

### INQUIRIES

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

### FOR MOTOR VEHICLES (All Boroughs):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

### FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675

- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j3-d29

## PROCUREMENT

### “Compete To Win” More Contracts!

Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- Win More Contracts at [nyc.gov/competetowin](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

### AWARD

Goods and Services

**SAFETY APP** - Sole Source - Available only from a single source - PIN#06817S0002001 - AMT: \$157,864.00 - TO: Alert Media, Inc., 3101 Bee Caves Road, Austin, TX 78746.

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### INTENT TO AWARD

Human Services/Client Services

**FAMILY FOSTER CARE SERVICES** - Negotiated Acquisition - Available only from a single source - PIN#06818N0002 - Due 9-5-17 at 4:00 P.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 Cayuga Home for Children Inc. for the provision of family foster care services. The term of the contract is projected to be from September 1, 2017 to June 30, 2020. 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, New York, NY 10038. Rafael Asusta (212) 341-3511; Fax: (212) 551-7113; [rafael.asusta@cs.nyc.gov](mailto:rafael.asusta@cs.nyc.gov)

a16-22

### SOLICITATION

Services (other than human services)

**MOBILE SOLUTION APPLICATION-EARLYLEARN SERVICES FAMILY ENGAGEMENT** - Negotiated Acquisition - Other - PIN#06817N0005 - Due 9-1-17 at 2:00 P.M.

Family Engagement is a core component of the EarlyLearn NYC model. Through this Negotiated Acquisition (NA) Solicitation, ACS is seeking a qualified vendor to implement a mobile solution application that would allow EarlyLearn contracted providers and families to communicate with teachers and other approved staff in real time using their mobile phones.

The Negotiated Acquisition Solicitation Document seeking Expressions of Interest can be downloaded from the ACS website: <http://www1.nyc.gov/site/acs/about/doing-business-acs.page>, and clicking on “Go to RFP Online”.

If you obtain a copy of this document from any other source, you will not be registered as a potential proposer and will not receive any addenda. ACS may issue following release of this solicitation, which may affect the requirements and/or terms.

Vendors interested in responding to this Negotiated Acquisition Solicitation shall be asked to complete the Expression of Interest Form (Attachment A) and the additional attachments specified in the document.

Completed Expression of Interest forms (including all relevant attachments) shall be submitted by email.

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, New York, NY 10038. Jean Sheil (212) 341-3518; Fax: (212) 341-3520; jean.sheil@acs.nyc.gov

a17-23

## AGING

### AGENCY CHIEF CONTRACTING OFFICER

#### ■ INTENT TO AWARD

*Human Services/Client Services*

**ORTHODOX HOME DELIVERED MEALS** - Sole Source - Available only from a single source - PIN# 12517S0004 - Due 8-22-17 at 10:00 A.M.

The NYC Department for the Aging intends to enter into a sole source contract with the Jewish Community Council of Greater Coney Island Inc., (JCCGCI) to provide home-delivered meals to the Sephardic and ultra orthodox clients in Brooklyn Community District 15. JCCGCI will prepare meals according to the strictest Jewish Orthodox Sephardic and Chassidic kashruti standards, and will secure kashrut certification from recognized Jewish Orthodox Sephardic and Chassidic Kashrut supervision authorities accepted throughout the Jewish Orthodox Sephardic and Chassidic communities. Menus will be designed to be responsive to the culinary preferences of both the Sephardic community and those of European origin. A Jewish Orthodox Sephardic Rabbi will be maintained on-staff to assure adherence to kashrut standards. Any vendor who believes that they are qualified to provide the services described above may express their interest.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Aging, 2 Lafayette Street, 4th Floor, New York, NY 10007. Margaret McSheffrey (212) 602-4282; Fax: (212) 442-0994; mmcsheffrey@aging.nyc.gov

a15-21

## BROOKLYN BRIDGE PARK

#### ■ SOLICITATION

*Construction Related Services*

**EMPIRE FULTON FERRY MARINE RAIL REPLACEMENT** - Request for Proposals - PIN# BBP 107 - Due 9-13-17 at 4:00 P.M.

Brooklyn Bridge Park (BBP), through its Owner's Representative, Gardiner and Theobald (G and T), is seeking proposals for the provision of marine rail fencing along the Empire Fulton Ferry Boardwalk. Fencing includes a galvanized rail and a marine grade mesh. A portion of fencing will include a light in the top rail.

There will be an optional contractor walk through on Monday, August 28, 2017.

Respondents may submit questions and/or request clarification from G and T no later than 3:00 P.M., on Wednesday, August 30, 2017. Questions regarding the subject matter of this RFP should be sent to j.mitchell@gardinerusa.com.

Please submit three (3) physical copies of your proposal to Patricia Kirshner, Brooklyn Bridge Park Corporation, 334 Furman Street, Brooklyn, NY 11201, and one (1) electronic copy sent to pkirshner@bbpnyc.org by 4:00 P.M., on Wednesday, September 13, 2017.

Minority and Women Owned Business Enterprises (M/WBE) are strongly encouraged to apply.

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.

Brooklyn Bridge Park, Gardiner and Theobald, 535 5th Avenue, New York, NY 10017. Jonathan Mitchell (212) 661-6624; j.mitchell@gardinerusa.com



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## CITYWIDE ADMINISTRATIVE SERVICES

### OFFICE OF CITYWIDE PROCUREMENT

#### ■ AWARD

*Goods*

**REMOTE CONCERT RECORDING EQUIPMENT SYSTEM** - Competitive Sealed Bids - PIN# 8571700253 - AMT: \$121,483.00 - TO: Dale Electronics Corp, 148-04 95th Avenue, Jamaica, NY 11435.

a21

## DISTRICT ATTORNEY - NEW YORK COUNTY

### IT PROCUREMENT

#### ■ INTENT TO AWARD

*Goods and Services*

**HR EVALUATION SOFTWARE** - Sole Source - Available only from a single source - PIN# 2018901HREVAL - Due 9-5-17 at 9:00 A.M.

The New York County District Attorney's Office intends to award a contract to Corporate Renaissance Group, to renew maintenance and support of an existing installed instance of emPerform, an employee performance and talent management software product.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

District Attorney - New York County, One Hogan Place, New York, NY 10013. Sezema Douglas (212) 335-4050; douglass@dany.nyc.gov

a18-24

## EDUCATION

### CONTRACTS AND PURCHASING

#### ■ SOLICITATION

*Goods and Services*

**REQUIREMENTS CONTRACT FOR CLEANING GREASE INTERCEPTORS/TRAPS** - Competitive Sealed Bids - PIN# B3150040 - Due 10-23-17 at 4:00 P.M.

The Contractor shall provide all labor, material and supervision required and necessary to maintain, clean, remove visible dirt and debris and other contaminants, and remove from the interior of the interceptor/trap accumulated grease and oil, dispose of grease, oil and other matter from grease interceptors/traps, and perform related work as per provisions of this specification.

To download, please go to <http://schools.nyc.gov/Offices/DCP/Vendor/RequestsforBids/Default.htm>. If you cannot download, send an email to vendorhotline@schools.nyc.gov with the RFB number and title in the subject line.

For all questions related to this RFB, please email krodri7@schools.nyc.gov with the RFB number and title in the subject line of your email.

There will be a Pre-Bid Conference on Monday, September 11, 2017, at 3:00 P.M., at 65 Court Street, 12th Floor, Conference Room 1201, Brooklyn, NY 11201.

The New York City Department of Education (DOE) strives to give all businesses, including Minority and Women-Owned Business Enterprises (MWBES), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including MWBES, from all segments of the community. The DOE works to enhance the ability of MWBES to compete for contracts. DOE is committed to ensuring that MWBES fully participate in the procurement process.

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.

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



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**ENVIRONMENTAL PROTECTION****WATER AND SEWER OPERATIONS**

## ■ AWARD

*Services (other than human services)*

**CONTAINER SERVICE AND DEBRIS REMOVAL CONTRACT, CITYWIDE** - Competitive Sealed Bids - PIN# 82617B0028001 - AMT: \$1,350,045.00 - TO: Faztec Industries, Inc, 200-220 Bloomfield Avenue, Staten Island, NY 10314. CSDR-17.

◀ a21

**FIRE DEPARTMENT****FISCAL/CONTRACTS**

## ■ SOLICITATION

*Services (other than human services)*

**CLEANING, INSPECTION, AND REPAIR SERVICES FOR FIREFIGHTING AND EMS PERSONAL PROTECTIVE GARMENTS** - Competitive Sealed Bids - PIN# 057180000053 - Due 9-26-17 at 4:00 P.M.

ePin No. 05717B0014  
Vendor Source ID # 92233

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.

Fire Department, 9 MetroTech, 5th Floor, Location - 5S-09K, Brooklyn, NY 11201. David Holmes (718) 999-1327; Fax: (718) 999-0104; david.holmes@fdny.nyc.gov

Accessibility questions: contracts@fdny.nyc.gov, by: Tuesday, September 26, 2017, 4:00 P.M.



◀ a21

**INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**

## ■ INTENT TO AWARD

*Services (other than human services)*

**UNIVERSAL PUBLIC SAFETY ETL MAINTENANCE** - Negotiated Acquisition - Other - PIN#85817N0004 - Due 8-24-17 at 2:00 P.M.

In accordance with Section 3-04(b)(2)(i)(D) and Section 3-04(b)(2)(ii) of the Procurement Policy Board rules, DoITT intends to use the Negotiated Acquisition method to award a contract to Bowne Management Systems, Inc., for Universal Public Safety ETL Maintenance. Bowne Management Systems, Inc., is the only vendor available and able to perform the maintenance services required within the desired timeframe. The anticipated start date of the contract is November 26th, 2017, with an estimated contract term of three (3) years. Vendors interested in participating in similar procurements in the future may contact Latanya Ferguson; Lferguson@doitt.nyc.gov.

DoITT will proceed with a Negotiated Acquisition procurement in accordance with Section 3-04(b)(2)(i)(D) and Section 3-04(b)(2)(ii) of the Procurement Policy Board Rules.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 255 Greenwich Street, 9th Floor, New York, NY 10007. Latanya Ferguson (212) 788-6691; Fax: (646) 500-5086; lferguson@doitt.nyc.gov

a17-23

**NYC HEALTH + HOSPITALS****SUPPLY CHAIN SERVICES**

## ■ SOLICITATION

*Goods*

**NYC HEALTH PLUS HOSPITALS BEHAVIORAL HEALTH WINDOWS** - Small Purchase - PIN#038-0002 - Due 8-23-17 at 5:00 P.M.

To address Joint Commission concerns, NYC Health and Hospitals would like to purchase 483 units of LEXAN brand, polycarbonate resin sheets to be fitted on windows at Bellevue Hospital psychiatric ward. H and H will do the install and only requires a quote for materials and shipping charges. Dimensions are noted in the attached PDF file. Please also advise lead time to receive all product and any other additional items.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Health + Hospitals, 160 Water Street, 13th Floor, New York, NY 10038. Joseph Varghese (646) 458-6576; varghesj5@nychhc.org

a16-22

**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 online at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap.>; or <http://www.nycgovparks.org/opportunities/business>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center, Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

j3-d29

CAPITAL PROJECTS

INTENT TO AWARD

Construction Related Services

DESIGN, CONSTRUCTION AND CONSTRUCTION SUPERVISION SERVICES FOR WILDLIFE CONSERVATION CENTERS - Sole Source - Available only from a single source - PIN# 8462012R000DC1 - Due 9-1-17 at 4:30 P.M.

Department of Parks and Recreation, Capital Projects Division, intends to renew the Sole Source contract with the Wildlife Conservation Society, a not-for-profit organization, to provide design, construction and construction Supervision Services for the construction or reconstruction of exhibits at the Wildlife Conservation Centers in the Boroughs of the Bronx, Queens, Manhattan and Brooklyn.

Any firm that would like to express their interest in providing services for similar projects in the future may do so. All expressions of interest must be in writing, to the address listed here and received by September 1st, 2017. You may join the City Bidders list by filling out the "NYC-FMS Vendor Enrollment Application" available online at "NYC.gov/selltonyc" and in hard copy, by calling the Vendor Enrollment Center at (212) 857-1680.

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. Grace Fields-Mitchell (718) 760-6687; Fax: (718) 760-6885; grace.fields-mitchell@parks.nyc.gov

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DESIGN AND CONSTRUCTION - Government to Government - PIN# 84618T0001 - Due 9-1-17 at 4:30 P.M.

Department of Parks and Recreation ("DPR"), Capital Projects Division, intends to enter into a Funding Agreement with Hudson River Park Trust, located at Pier 40, Second Floor, 353 West Street, New York, NY 10014, for the purpose of transferring Funds for the Projects during the Term of the Agreement.

Any firms that would like to express their interest in providing services for similar projects in the future may do so. All expressions of interest must be in writing to the address listed here and received by September 1st, 2017. You may join the City Bidders list by filling out the "NYC-FMS Vendor Enrollment Application" available online at "NYC.gov/selltonyc" and in hard copy by calling the Vendor Enrollment Center (212) 857-1580.

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. Grace Fields-Mitchell (718) 760-6687; Fax: (718) 760-6885; grace.fields-mitchell@parks.nyc.gov

a18-24

CONTRACTS

AWARD

Construction/Construction Services

RECONSTRUCTION OF THE MULTIPURPOSE ROOM IN VON KING CULTURAL ARTS CENTER - Competitive Sealed Bids - PIN# 84617B0051001 - AMT: \$3,547,258.00 - TO: D and S Restoration Inc., 20 California Avenue, Patterson, NJ 07503. Contract B088-111MA.

RECONSTRUCTION OF COMFORT STATIONS - Competitive Sealed Bids - PIN# 84617B0090001 - AMT: \$3,770,450.00 - TO: UTB-United Technology, Inc., 146 East 2nd Street, Mineola, NY 11501. Contract BG-815MA.

a21

AGENCY RULES

COMMISSION ON HUMAN RIGHTS

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The New York City Commission on Human Rights ("the Commission") is proposing to amend its rules implementing the Fair Chance Act to fix a clerical error.

When and where is the hearing? No public hearing will be held on the ground that the Commission has determined, pursuant to Charter Section 1043(e), that a hearing would serve no public purpose.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- Website. You can submit comments to the Commission through the NYC Rules website at http://rules.cityofnewyork.us.
Email. You can email comments to policy@cchr.nyc.gov.
Mail. You can mail comments to: Dana Sussman, Deputy Commissioner for Policy and Intergovernmental Affairs, New York City Commission on Human Rights, PO Box 2023, New York, NY 10272.
Fax. You can fax comments to Dana Sussman, Deputy Commissioner for Policy and Intergovernmental Affairs, at (646) 500-6734.

Is there a deadline to submit written comments? You must submit written comments by October 2, 2017.

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, http://rules.cityofnewyork.us/. Copies of the written comments will be made available to the public on the Commission's website.

What authorizes the Commission to adopt these rules? Sections 905 and 1043 of the New York City Charter authorize the Commission to adopt these proposed rules. These proposed rules were not included in the Commission's regulatory agenda for this Fiscal Year because they were not contemplated at the time agencies needed to submit the agenda.

Where can I find the Commission's rules? The Commission's rules are found in Title 47 of the Rules of the City of New York.

What laws govern the rulemaking process? The Commission must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the Charter.

Statement of Basis and Purpose of Proposed Rule

The New York City Commission on Human Rights ("the Commission") is proposing to amend its rules implementing the Fair Chance Act to fix a clerical error.

The proposed rule will:

- Fix a clerical error in the recently finalized rules implementing the Fair Chance Act. The text that is deleted here is text that should have been deleted in the earlier version.

The Commission's authority for these rules is found in §§ 905 and 1043 of the New York City Charter.

New material is underlined. [Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.



Section 1. Subparagraph i of paragraph 1 of subdivision g of Section 2-04 of Title 47 of the rules of the City of New York is amended to read as follows:

- i) In a position where Federal, State, or Local law requires criminal background checks. [or bars employment based on criminal history.]
  - A. This exemption does not apply to an employer authorized, but not required, to check for criminal backgrounds.
  - B. This exemption does not exempt an employer from the requirements of § 8107(10) of the Human Rights Law.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS**  
**253 BROADWAY, 10th FLOOR**  
**NEW YORK, NY 10007**  
**(212) 788-1400**

**CERTIFICATION/ANALYSIS**  
**PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE:** Amendment of Rules Implementing Fair Chance Act

**REFERENCE NUMBER:** CCHR-4

**RULEMAKING AGENCY:** City Commission on Human Rights

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro  
 Mayor's Office of Operations

August 14, 2017  
 Date

**NEW YORK CITY LAW DEPARTMENT**  
**DIVISION OF LEGAL COUNSEL**  
**100 CHURCH STREET**  
**NEW YORK, NY 10007**  
**(212) 356-4028**

**CERTIFICATION PURSUANT TO**  
**CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Implementing Fair Chance Act

**REFERENCE NUMBER:** 2017 RG 067

**RULEMAKING AGENCY:** New York City Commission on Human Rights

I certify that this office has reviewed the above-referenced proposed rule as required by Section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
 Acting Corporation Counsel

Date: August 10, 2017

**SPECIAL MATERIALS**

**HOUSING PRESERVATION AND DEVELOPMENT**

■ NOTICE

**REQUEST FOR COMMENT**  
**REGARDING AN APPLICATION FOR A**  
**CERTIFICATION OF NO HARASSMENT**

**Notice Date:** August 11, 2017

**To:** Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
636 West 158 <sup>th</sup> Street, Manhattan	76/17	June 3, 2014 to Present
315 West 77 <sup>th</sup> Street, Manhattan	77/17	June 3, 2014 to Present
501 3 <sup>rd</sup> Avenue, Manhattan a/k/a 200 East 34 <sup>th</sup> Street	78/17	June 3, 2014 to Present
80 West 119 <sup>th</sup> Street, Manhattan	79/17	July 12, 2014 to Present
538 West 142 <sup>nd</sup> Street, Manhattan	80/17	July 13, 2014 to Present
26 West 127 <sup>th</sup> Street, Manhattan	82/17	July 21, 2014 to Present
1420 Pacific Street, Brooklyn	81/17	July 19, 2014 to Present

**Authority:** SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277** or **(212) 863-8211**.

a15-23

**REQUEST FOR COMMENT**  
**REGARDING AN APPLICATION FOR A**  
**CERTIFICATION OF NO HARASSMENT**

**Notice Date:** August 11, 2017

**To:** Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
350 West 52 <sup>nd</sup> Street, Manhattan	83/17	July 26, 2002 to Present

**Authority:** Special Clinton District, Zoning Resolution §96-110

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity),

illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

a15-23

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 Correction
Description of services sought: Standard Services for Copper, Silver and Legionella Bacterial Testing at all DOC Facilities
Start date of the proposed contract: 3/1/2018
End date of the proposed contract: 2/28/2021
Method of solicitation the agency intends to utilize: Competitive Sealed Bid
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Correction
Description of services sought: Transform the ETL (Extract, Transform, Load) Code for Data Extraction for Reporting from Unsupported Freeware (Kettle) to Agency-Owned IBM ETL (Extract, Transform, Load), DataStage, as well as design new reports
Start date of the proposed contract: 12/1/2017
End date of the proposed contract: 11/30/2020
Method of solicitation the agency intends to utilize: ITCS (Information Technology Consulting Services)
Personnel in substantially similar titles within agency: N1 one
Headcount of personnel in substantially similar titles within agency: 0

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NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension(s) of (a) contract(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 Information Technology & Telecommunications
FMS Contract #: 2015720512
Vendor: Comsys
Description of services: Microsoft Dynamics Services
Award method of original contract: Task Order
FMS Contract type: CTA1
End date of original contract: 5/6/2015
Method of renewal/extension the agency intends to utilize: Extension
New start date of the proposed renewed/extended contract: 5/8/2016
New end date of the proposed renewed/extended contract: 6/30/2016
Modifications sought to the nature of services performed under the contract: None
Reason(s) the agency intends to renew/extend the contract: Overtime to finish project per: Anna Poiman
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a21

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 Citywide Administrative Services
Description of services sought: Purchase and Installation/Furnishing of Broadloom Carpet and Carpet Tiles
State date of the proposed contract: 2/1/2018
End date of the proposed contract: 1/31/2023
Method of Solicitation the agency intends to utilize: Competitive Sealed Bid
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Citywide Administrative Services
Description of services sought: Purchase and Installation/Furnishing of Broadloom Carpet and Carpet Tiles

State date of the proposed contract: 2/1/2018
End date of the proposed contract: 1/31/2018
Method of Solicitation the agency intends to utilize: Request for Proposals
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

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NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension(s) of (a) contract(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 Citywide Administrative Services
FMS Contract No.: MA1 857 20151201261
Vendor: Custom Marine Inc
Description of Services: Waterway Debris, Removal, Storage & Disposal
Award Method of original contract: CSB
FMS Contract Type: Requirements-Services
End Date of original contract: 11/30/2017
Method of renewal/extension the Agency intends to utilize: Amendment Extension
New Start Date of the proposed renewed/extended contract: 12/1/2017
New End Date of the proposed renewed/extended contract: 11/30/2018
Modifications sought to the nature of services performed under the contract: None
Reason(s) the agency intends to renew/extend the contract: Need for continuation of services for agencies
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

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CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/14/17

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

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