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## THE CITY RECORD

**BILL DE BLASIO**

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## PUBLIC HEARINGS AND MEETINGS

### CITY PLANNING COMMISSION

#### ■ PUBLIC HEARINGS

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold a remote public hearing, via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, September 2, 2020, regarding the calendar items listed below.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage,



which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/286903/1>.

Members of the public should observe the meeting through DCP's website.

Testimony can be provided verbally by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free  
888 788 0099 US Toll-free

Meeting ID: **618 237 7396**  
[Press # to skip the Participation ID]  
Password: 1

To provide verbal testimony via Zoom please follow the instructions available through the above webpage.

Written comments will also be accepted until 11:59 P.M., one week before the date of vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [\[AccessibilityInfo@planning.nyc.gov\]](mailto:AccessibilityInfo@planning.nyc.gov) or made by calling [\[212-720-3508\]](tel:212-720-3508). Requests must be submitted at least five business days before the meeting.

### CITYWIDE

No. 1

**RIKERS ISLAND PUBLIC PLACE MAPPING**

**CITYWIDE C 200143 MMY**  
**IN THE MATTER OF** an application submitted by the New York City Department of Correction, The Mayor's Office of Criminal Justice and New York City Council Speaker Corey Johnson pursuant to Sections

197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the establishment of Public Place on Rikers Island within the area bounded by the U.S. Pierhead and Bulkhead line;

in accordance with Map No. C.P.C. 200143 MMY dated November 27, 2019 and signed by the Director of the Department of City Planning.

**BOROUGH OF BROOKLYN**  
**Nos. 2, 3 & 4**  
**312 CONEY ISLAND AVENUE REZONING**  
**No. 2**

**CD 7** **C 200092 ZMK**  
**IN THE MATTER OF** an application submitted by 312 Coney Island Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

- changing from a C8-2 District to an R8A District property bounded by Ocean Parkway, Park Circle-Machate Circle, Coney Island Avenue, Caton Place, and a line 150 feet easterly of East 8<sup>th</sup> Street; and
- establishing within the proposed R8A District a C2-4 District bounded by Ocean Parkway, Park Circle-Machate Circle, Coney Island Avenue, Caton Place, and a line 150 feet easterly of East 8<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated December 16, 2019, and subject to the conditions of CEQR Declaration E-555.

**No. 3**

**CD 7** **N 200093 ZRK**  
**IN THE MATTER OF** an application submitted by 312 Coney Island Avenue 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 bulk regulations for a portion of the Special Ocean Parkway District and 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.

\* \* \*

**ARTICLE XI**  
**Special Purpose Districts**  
**Chapter 3**  
**Special Ocean Parkway District**

\* \* \*

**113-12**  
**Special Front Yard Regulations**

For all #zoning lots# with frontage along Ocean Parkway, there shall be a 30 foot #front yard#. No obstructions including porches either open or enclosed, canopies or stairs are permitted within the #front yard#. Any driveway within such #front yard# shall be perpendicular to the #street line# or, in the case where the #street wall# is not parallel with the #street line#, the driveway shall be perpendicular to the #street wall#.

Balconies pursuant to Section 23-13 may, by a depth of not more than six feet, penetrate #front yards#, except along Ocean Parkway.

**113-13**  
**Special Bulk Regulations for Lots Adjacent to Park Circle-Machate Circle**  
 In R8A Districts, for #zoning lots# fronting on Park Circle-Machate Circle, the provisions of Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) may be modified to allow for #street walls# within 125 feet of a #wide street# to rise without setback to the maximum #building# height.

**113-20**  
**SPECIAL PARKING AND OFF-STREET LOADING REGULATIONS**

\* \* \*

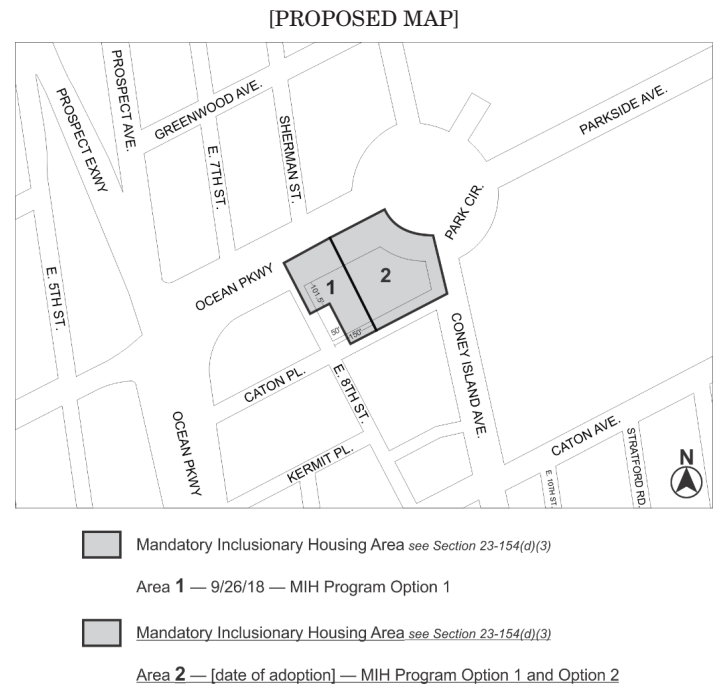
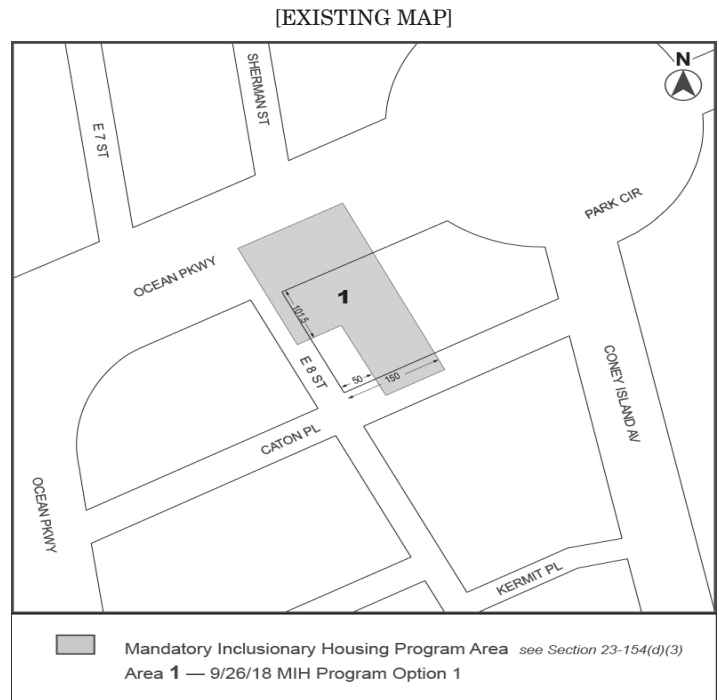
**APPENDIX F**  
**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**  
**Brooklyn Community District 7**

\* \* \*

Map 3- [date of adoption]



Portion of Community District 7, Brooklyn

\* \* \*

**No. 4**

**CD 7** **C 200094 ZSK**  
**IN THE MATTER OF** an application submitted by 312 Coney Island Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive the required number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 312 Coney Island Avenue (Block 5322, Lots 10 and 20), in an R8A/C2-4\* District, within the Special Ocean Parkway District.

\* Note: The site is proposed to be rezoned by changing an existing C8-2 District to an R8A District, and establishing within the proposed R8A District a C2-4 District, under a concurrent related application for a Zoning Map change (C 200092 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.

No. 5

DEKALB COMMONS CITY

CD 3 C 200155 HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a. the designation of property located at 633-639 DeKalb Avenue (Block 1774, Lots 74, 75, 76 and 77), 648-654 DeKalb Avenue (Block 1779, Lots 22, 24 and 26), 1187 Fulton Street (Block 2000, Lot 43) as an Urban Development Action Area; and
b. 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 development of three buildings containing an approximate total of 84 affordable residential units and commercial space.

No. 6

DCAS OFFICE SPACE

CD 16 N 210008 PXK

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 2440 Fulton Street (Block 1554, Lot 16) (Human Resources Administration offices).

BOROUGH OF QUEENS

Nos. 7 & 8

110-40 SAULTELL AVENUE REZONING

No. 7

CD 4 C 200103 ZMQ

IN THE MATTER OF an application submitted by Tuchman Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10b, by changing from an R6B District to an R6 District property bounded by the southwesterly and southerly boundary line of Flushing Meadow Park, a line 100 feet easterly of Saultell Avenue and its northerly prolongation, a line midway between Corona Avenue and Van Cleef Street, and Saultell Avenue and its northerly centerline prolongation, as shown on a diagram (for illustrative purposes only) dated December 16, 2019, and subject to the conditions of CEQR Declaration E-558.

No. 8

CD 4 N 200104 ZRQ

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

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

QUEENS

\* \* \*

Queens Community District 4

Map 1 - [date of adoption]



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 4, Queens

\* \* \*

No. 9

SANITATION GARAGE & SALT SHED FACILITY

CD 1 C 200238 PCQ

IN THE MATTER OF an application submitted by the Department of Sanitation (DSNY) and the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 31-11 20th Avenue (Block 850, p/o Lot 350) and 19th Avenue (Block 826, Lot 42) for a sanitation garage and salt shed facility.

BOROUGH OF THE BRONX

No. 10

MANIDA STREET HISTORIC DISTRICT

CD 2 N 210006 HKX

IN THE MATTER OF a communication dated July 2, 2020, from the Executive Director of the Landmarks Preservation Commission regarding the Manida Street Historic District, designated by the Landmarks Preservation Commission on June 23, 2020 (Designation List 517/LP-2644), which consists of the properties bounded by a line beginning on the eastern curblin of Manida Street at a point on a line extending westerly from the northern property line of 870 Manida Street, and extending easterly along said line and along the northern property line of 870 Manida Street, southerly along the eastern property lines of 870 to 814 Manida Street, westerly along the southern property line of 814 Manida Street to the eastern curblin of Manida Street, northerly along said curblin to a point on a line extending easterly from the southern property line of 819 Manida Street, westerly along said line across Manida Street and along the southern property line of 819 Manida Street, northerly along the western property lines of 819 to 861 Manida Street, easterly along the northern property line of 861 Manida Street and across Manida Street to its eastern curblin, and northerly along said curblin to the point of beginning.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3370

a19-s2

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold a remote public hearing, via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, September 16, 2020, regarding the calendar items listed below.

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888 788 0099 US Toll-free

Meeting ID: **618 237 7396**  
[Press # to skip the Participation ID]  
Password: 1

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**BOROUGH OF QUEENS**  
**Nos. 1 & 2**  
**SPECIAL FLUSHING WATERFRONT DISTRICT**  
**No. 1**

**CD 7** **C 200033 ZMQ**

**IN THE MATTER OF** an application submitted by FWRA LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 10a and 10b:

- changing from a C4-2 District to an M1-2/R7-1 District property bounded by a line 425 feet southerly of Northern Boulevard, College Point Boulevard, a line perpendicular to the westerly street line of College Point Boulevard distant 845 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of College Point Boulevard and the southerly street line of Northern Boulevard, a line passing through a point distant 200 feet westerly of College Point Boulevard on the last named course and proceeding northwesterly at an angle of 125 degrees to said named course, and the U.S. Pierhead and Bulkhead line;
- changing from an M3-1 District to an M1-2/R7-1 District property bounded by the westerly prolongation of the northerly street line of 36<sup>th</sup> Avenue, College Point Boulevard, a line 425 feet southerly of Northern Boulevard, and the U.S. Pierhead and Bulkhead line; and
- establishing a Special Flushing Waterfront District (FW) bounded by the westerly prolongation of the northerly street line of 36<sup>th</sup> Avenue, College Point Boulevard, 39<sup>th</sup> Avenue, Janet Place, Roosevelt Avenue, College Point Boulevard, the northerly street line of 40<sup>th</sup> Road and its northeasterly and south westerly prolongations, a line passing through a point distant 891.29 feet southwestly of College Point Boulevard on the last named course and proceeding northwesterly at an angle of 127 degrees 12 minutes and 20 seconds to said named course, the easterly boundary line of a park, and the U.S. Pierhead and Bulkhead line;

as shown on a diagram (for illustrative purposes only) dated December 16, 2019, and subject to the conditions of CEQR Declaration E-557.

**No. 2**

**CD 7** **N 200034 ZRQ**

**IN THE MATTER OF** an application submitted by FWRA LLC, 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 Flushing Waterfront District (creating Article XII, Chapter 7) and modifying related Sections, including APPENDIX F (Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas).

Matter underlined is new, to be added;  
Matter ~~struck out~~ is to be deleted;  
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\* \* \* 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 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.

Establishment of the Special Flushing Waterfront District

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

Establishment of the Special Forest Hills District

\* \* \*

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

\* \* \*

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

\* \* \*

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.

Special Flushing Waterfront District

The "Special Flushing Waterfront District" is a Special Purpose District designated by the letters "FW" in which special regulations set forth in Article XII, Chapter 7, apply.

Special Forest Hills District

The "Special Forest Hills District" is a Special Purpose District designated by the letters "FH" in which special regulations set forth in Article VIII, Chapter 6, apply.

\* \* \*

**Chapter 4**  
**Sidewalk Cafe Regulations**

\* \* \*

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

\* \* \*

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

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

\* \* \*

| Queens   | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|--|--------------------------|----------------------------|
| Downtown Far Rockaway District                   | No                       | Yes                        |
| Downtown Jamaica District                        | No                       | Yes                        |
| <u>Flushing Waterfront</u>                       | <u>No</u>                | <u>Yes</u>                 |
| Forest Hills District <sup>1</sup>               | No                       | Yes                        |
| Long Island City Mixed Use District <sup>2</sup> | No                       | Yes                        |
| Southern Hunters Point District                  | No                       | Yes                        |
| Willets Point District                           | No                       | Yes                        |

\* \* \*

**ARTICLE II**  
**RESIDENCE DISTRICT REGULATIONS**

\* \* \*

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

\* \* \*

23-011
Quality Housing

\* \* \*

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:

- (1) Article VII, Chapter 8 (Special Regulations Applying to Large Scale Residential Developments);
(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 East Harlem Corridors District#;
#Special Flushing Waterfront District#;
#Special Grand Concourse Preservation District#;

\* \* \*

ARTICLE VI
Special Regulations Applicable to Certain Areas

\* \* \*

Chapter 2
Special Regulations Applying in the Waterfront Area

\* \* \*

62-10
GENERAL PROVISIONS

\* \* \*

62-13
Applicability of District Regulations

\* \* \*

The regulations of this Chapter shall apply in the following Special Purpose Districts, except as specifically modified within the Special Purpose District provisions:

- #Special Flushing Waterfront District#
#Special Inwood District#
#Special St. George District#.

\* \* \*

62-90
WATERFRONT ACCESS PLANS

\* \* \*

62-95
Borough of Queens

The following Waterfront Access Plans are hereby established within the Borough of Queens. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

- Q-1: Northern Hunters Point, as set forth in Section 62-951
Q-2: Flushing Waterfront, in the #Special Flushing Waterfront District#, as set forth in Section 62-952 127-50 (Flushing Waterfront Access Plan)
Q-3: Newtown Creek, in the #Special Southern Hunters Point District#, as set forth in Section 125-46 (Newtown Creek Waterfront Access Plan).

\* \* \*

62-952
Waterfront Access Plan Q-2: Downtown Flushing

[NOTE: existing provisions moved to Section 127-50 and modified]

\* \* \*

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

\* \* \*

Chapter 7
Special Flushing Waterfront District

[All text in this Chapter is new text]

127-00
GENERAL PURPOSES

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

- (a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
(b) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
(c) to encourage well-designed development that complements the pedestrian experience and enhances the built character of the neighborhood;
(d) to establish and maintain physical and visual public access to and along Flushing Creek;
(f) to make use of the waterfront by providing public access via private street network, direct connections to the water and to promote coordinated redevelopment of the area in a manner consistent with waterfront access and internal circulation within the Special District; and
(g) to promote the most desirable use of land and building development in accordance with the District Plan for Downtown Flushing and thus conserve the value of land and buildings and thereby improve the City's tax revenues.

127-01
General Provisions

The provisions of this Chapter shall apply within the #Special Flushing Waterfront 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 unless expressly stated otherwise.

127-02
District Plan and Maps

In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

- Map 1: Special Flushing Waterfront District and Subdistricts
Map 2: Publicly Accessible Private Street Network
Map 3: Requirements Along Street Frontages
Map 4: Waterfront Access Plan: Parcel Designation
Map 5: Waterfront Access Plan: Visual Corridors
Map 6: Waterfront Access Plan: Public Access Areas
Map 7: Waterfront Access Plan: Phase I Waterfront Public Access Improvements
Map 8: Waterfront Access Plan: Phase II Waterfront Public Access Improvements

127-03
Subdistricts

In order to carry out the provisions of this Chapter, three subdistricts, Subdistrict A, Subdistrict B and Subdistrict C, are established.

The location and boundaries of these subdistricts are shown on Map 1 (Special Flushing Waterfront District and Subdistricts) in the Appendix to this Chapter.

127-04
Definitions

For purposes of this Chapter, matter in italics is defined in Section 12-10 and within this Section, except where explicitly stated otherwise in individual provisions in this Chapter.

Conceptual plan

A "conceptual plan" is a plan that sets forth the proposed final design, in compliance with the requirements of Section 127-421 (Requirements for publicly accessible private streets), for the remaining portions of the #publicly accessible private street# or #upland connection# certified pursuant to paragraph (b)(1) (i) of Section 127-422 (Certification for publicly accessible private streets), or paragraph (a)(1)(i) of Section 127-542 (Supplemental provisions), respectively. The plan shall include the proposed location, dimensions and grading for such remaining portions on adjoining #zoning lots# and shall be considered by the Chairperson of the City

Planning Commission in reviewing the proposed #final site plan# for such remaining portions, if and when they become the subject of a certification pursuant to paragraph (b)(2) of Section 127-422 or paragraph (a)(2) of Section 127-542.

#### Final site plan

A “final site plan” is a plan that specifies the final design for the location, dimensions, and grading of all or portions of the #publicly accessible private streets# or #upland connection# that are the subject of a certification pursuant to paragraphs (a) or (b) of Section 127-422 or paragraphs (a)(1) or (a)(2) of Section 127-542. Where applicable, the design of such plan shall be consistent with any #conceptual plan# for the same portion of the #publicly accessible private street# or #upland connection# and, once certified and implemented in accordance with paragraph (b) of Section 127-422 or paragraph (a) of Section 127-542, such plan shall supersede any #interim plan# for the same portion of a #publicly accessible private street# or #upland connection#.

#### Interim site plan

An “interim site plan” is a plan that specifies, for an interim period, the design for the location, dimensions, and grading of portions of the #publicly accessible private street# or #upland connection# that are the subject of a certification pursuant to paragraph (b)(1) of Section 127-422 or paragraph (a)(1) of Section 127-542 and located on the applicant’s #zoning lot#. A design for an interim period is necessary where it is not feasible to implement the final design for such portions until build-out of the remaining portions of the #publicly accessible private street# or #upland connection# occurs. Such #interim site plan#, once certified, shall remain in effect until implementation of the #final site plan# in accordance with paragraph (b) of Section 127-422 or paragraph (a) of Section 127-542, at which time the certified #final site plan# shall supersede the #interim site plan#.

#### Publicly accessible private street

A “publicly accessible private street” is a way specified on Map 2 in the Appendix to this Chapter that functions as a #street# for the purposes of general public use, including vehicular and pedestrian traffic, and is open and unobstructed from its ground level to the sky, except by streetscape elements required or permitted by the provisions of this Chapter.

#### **127-05**

#### **Applicability of District Regulations**

#### **127-051**

#### **Applicability of the Quality Housing Program**

Within Subdistrict A and Subdistrict B, any #building# containing #residences#, or any #building# containing #long-term care facilities# or #philanthropic or non-profit institutions with sleeping accommodations, shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 (Quality Housing) shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

#### **127-052**

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

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, #Mandatory Inclusionary Housing areas# within the #Special Flushing Waterfront District# are shown in APPENDIX F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) of this Resolution.

#### **127-053**

#### **Applicability of Article VI, Chapter 1**

The provisions of Article VI, Chapter 1 (Special Regulations Applying Around Major Airports) shall apply, except as modified in accordance with the provisions of this Chapter.

#### **127-054**

#### **Applicability of Article VI, Chapter 2**

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall apply in all #waterfront areas#, except as modified in accordance with the provisions of this Chapter.

#### **127-055**

#### **Applicability of Article VI, Chapter 4**

The provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas) shall apply. In the event of a conflict between the provisions of this Chapter and Article VI, Chapter 4, the provisions of Article VI, Chapter 4 shall control.

#### **127-056**

#### **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 District) shall apply, except as modified by the provisions of this Chapter, and shall supplement or supersede the provisions of the designated #Residence District# or M1 District, as applicable.

#### **127-10**

#### **SPECIAL USE REGULATIONS**

Within the #Special Flushing Waterfront District#, the #use# regulations of the underlying zoning districts and of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), and Article XII, Chapter 3 (Special Mixed Use District), shall apply, except as modified by the provisions of this Section, inclusive.

#### **127-11**

#### **Location of Residential Use Within Buildings**

The provisions of Section 32-422 (Location of floors occupied by commercial uses) shall be modified 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#.

#### **127-12**

#### **Physical Culture or Health Establishments**

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. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

#### **127-13**

#### **Sign Regulations**

For M1 Districts paired with a #Residence District#, the provisions regulating #signs# in C4 Districts, as set forth in Section 32-60 (SIGN REGULATIONS), inclusive, shall apply for any #signs#.

#### **127-20**

#### **SPECIAL BULK REGULATIONS**

For the purpose of applying the #bulk# regulations of this Section, inclusive, Subdistricts A, B and C, as shown on Map 1 in the Appendix to this Chapter, shall be considered #waterfront blocks#.

Within Subdistricts A and B, the applicable #bulk# regulations of the underlying districts and of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), and Article XII, Chapter 3 (Special Mixed Use District), shall apply, except as modified by the provisions of this Section, inclusive.

Within Subdistrict C, the applicable #bulk# regulations of the underlying districts and of Article VI, Chapter 2 shall apply.

All #upland connections#, #visual corridors#, #shore public walkways# and #publicly accessible private streets#, shall be considered #streets# and their boundaries shall be considered #street lines# for the purposes of applying all #bulk# regulations, except that such #streets# shall not subdivide a #zoning lot#. Furthermore, such #streets# shall be considered part of the #zoning lot# for the purpose of applying the #floor area# regulations of this Section, inclusive.

#### **127-21**

#### **Special Floor Area Regulations**

The #floor area# provisions of Section 62-32 (Maximum Floor Area Ratio and Lot Coverage on Waterfront Blocks) and applicable regulations shall apply except as modified in this Section, inclusive.

#### (a) Floor space for accessory off-street parking

The #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above the height of the #base plane#.

#### (b) Special floor area regulations for mixed use districts

For M1 Districts paired with a #Residence District#, located inside a #Mandatory Inclusionary Housing area#, the applicable maximum #floor area ratio# provisions of paragraph (d) of Section 23-154 (Inclusionary Housing) or Section 23-155 (Affordable independent residences for seniors) shall apply to all #residential uses#. In addition, the maximum #floor area ratio# shall be 4.8 for #community facility uses#, 3.0 for #commercial uses# and 3.0 for #manufacturing uses#.

#### **127-22**

#### **Special Yard Regulations**

On #waterfront zoning lots#, the #waterfront yard# provisions of Section 62-33 (Special Yard Regulations on Waterfront Blocks) and grading requirements of paragraph (a) of Section 64-82 (Modification of Waterfront Regulations Relating to Level of Yards, Visual Corridors and the Ground Floor) shall apply, except as modified as follows:

#### (a) for all #waterfront zoning lots#, as defined in Section 62-

11 (Definitions), whose #developments# are comprised #predominantly#, as defined in Section 62-11, of #uses# in Use Groups 16, 17 and 18, a #waterfront yard#, as also defined in Section 62-11, shall be provided in accordance with the provisions of Section 62-332 (Rear yards and waterfront yards); and

- (b) the grading requirements of paragraph (a) of Section 64-82 may be modified pursuant to a certification by the Chairperson of the City Planning Commission as set forth in Section 127-61 (Certification for Interim Grading Conditions).

On #zoning lots# that are not #waterfront zoning lots#, no #yard# regulations shall apply.

### **127-23 Special Height and Setback Regulations**

The height and setback provisions of paragraphs (a)(4) of Section 62-341 (Developments on land and platforms) shall apply except as modified in Section 127-231 (Permitted obstructions). The remaining provisions of Section 62-341 shall be superseded by the provisions of this Section, inclusive.

The height of all #buildings or other structures# shall be measured from the #base plane#, except where modified by specific provisions of this Section, inclusive, or by the provisions of Article VI, Chapter 4.

Sidewalk widenings shall be provided along specified #street# frontages and at specified depths as set forth on Map 3 (Requirements Along Street Frontages) in the Appendix to this Chapter. Such sidewalk widening shall be improved to Department of Transportation standards for sidewalks, and be at the same level as the adjoining sidewalk.

### **127-231 Permitted obstructions**

The permitted obstruction provisions of paragraph (a)(4) of Section 62-341 (Developments on land and platforms) shall be modified as follows:

- (a) the dormer provisions of paragraph (a)(4)(i) of Section 62-341 shall be modified pursuant to the provisions of paragraph (c)(1) of Section 127-233 (Base heights and setback regulations);
- (b) the penthouse regulations of paragraph (a)(4)(ii) of Section 62-341 shall not apply; and
- (c) the maximum height of any permitted obstructions shall be determined in accordance with the provisions of Article VI, Chapter 1 (Special Regulations Applying Around Major Airports), except where modified by certification of the Chairperson of the City Planning Commission pursuant to Section 127-236 (Certification to modify maximum height of building or other structure).

### **127-232 Street wall location regulations**

Along #street# frontages where a sidewalk widening is required pursuant to Map 3 in the Appendix to this Chapter, the #street wall# location requirements of this Section shall apply from the interior boundary of such sidewalk widening.

- (a) Along primary #street# frontages

Along primary #street# frontages, as shown on Map 3, at least 60 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and rise to at least the minimum base height as specified in Section 127-233 (Base heights and setback regulations), or the height of the building, whichever is lower. The remaining #aggregate width of street walls# may be located either within eight feet of the #street line# or beyond eight feet of the #street line#. The requirements of this paragraph shall not apply to the portion of a #building# adjacent to the major portion of a publicly accessible area, as specified in Section 127-43 (Publicly Accessible Area).

- (b) Along secondary #street# frontages

Along secondary #street# frontages, as shown on Map 3, #street walls# may be located at any distance from the #street line#.

- (c) Along all #street# frontages

Along both primary and secondary #street# frontages, recesses shall be permitted at the ground floor level as follows:

- (1) recesses up to three feet in depth from the #street wall# shall be permitted at any distance from the #street line# to provide access to the #building#; and
- (2) recesses that exceed a depth of three feet from the #street wall# shall be permitted, provided that such recesses are not deeper than 10 feet and have a height of at least 15 feet, as measured from the adjacent sidewalk level to the ceiling of such ground floor recess.

### **127-233 Base heights and setback regulations**

- (a) Along primary #street# frontages

Along primary #street# frontages, as shown on Map 3 (Requirements Along Street Frontages) in the Appendix to this Chapter, the following shall apply:

- (1) The minimum base height shall be 25 feet, or two #stories#, whichever is lower, and the maximum base height shall be 105 feet along College Point Boulevard and 75 feet along all other primary #street# frontages.

- (2) Along Type 1 primary #street# frontages, at a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet, as measured from the #street wall#, shall be provided, except that:

- (i) the depth of such required setback may be reduced in accordance with the provisions of paragraph (c) (2) of Section 23-662 (Maximum height of buildings and setback regulations). However, where a sidewalk widening is required pursuant to this Section, as indicated on Map 4 (Waterfront Access Plan: Parcel Designation), the minimum depth of the required setback above the maximum base height may be reduced to five feet, as measured from the #street wall#; and
- (ii) the depth of such setbacks may include the depth of recesses or #outer courts# in the #street wall# of the #building# base, provided that the aggregate width of any such recessed portion of a #street wall# with a setback of less than seven feet, as applicable, does not exceed 40 percent of the #aggregate width of street wall# at any level.

- (3) Along Type 2 primary #street# frontages, a #building# may rise without any setback above the maximum base height.

- (b) Along secondary #street# frontages

Along secondary #street# frontages, as shown on Map 3, the following shall apply:

- (1) Along the #shore public walkway#, the maximum base height shall be 75 feet, and any portion of a #building# that exceeds the maximum base height shall be set back at least 10 feet from the #street line#. Wherever a #supplemental public access area# is provided as a widened #shore public walkway#, such widened area shall be included in such setback distance.

- (2) Along other secondary #street# frontages, the minimum base height shall be 25 feet, or two #stories#, whichever is lower, and the maximum base height shall be 75 feet. However, along secondary #street# frontages facing an #upland connection# with a width of less than 30 feet pursuant to the applicable provisions of paragraph (a) of Section 127-532 (Upland connections), the minimum base height shall be 15 feet. At a height not lower than the minimum base height nor higher than the maximum base height, a setback with a minimum depth of 10 feet, as measured from the #street wall#, shall be provided, except that:

- (i) the depth of such required setback may be reduced in accordance with the provisions of paragraph (c)(2) of Section 23-662. However, where a sidewalk widening is required pursuant to this Section, as specified on Map 3, the portion of a #building# located above the maximum base height need not set back more than 10 feet from the #street line#, provided such #building# portion meets the requirements of paragraph (d) of Section 127-234 (Tower regulations), as applicable; and
- (ii) the depth of such required setback may include the depth of recesses or #outer courts# in the #street wall# of the #building# base, provided that the aggregate width of any such recessed portion of a #street wall# with a setback of less than 10 feet, or the reduced setback distance pursuant to the provisions of paragraph (b)(2)(i) of this Section, as applicable, does not exceed 40 percent of the #aggregate width of street wall# at any level; and

- (c) Additional allowances along all #street# frontages

- (1) Within a required setback area, dormers and projections shall be considered permitted obstructions, and shall be permitted as follows:

- (i) The aggregate #street wall# width of all dormers and projections combined shall not exceed 50 percent of the

#aggregate width of street wall# of the #story# below the required setback. Any projection deeper than five feet shall be considered a dormer.

- (ii) The aggregate #street wall# width of dormers shall not exceed 30 percent of the #aggregate width of street wall# of the #story# below the required setback. The height of such dormers shall not exceed 135 feet in Subdistrict A and 175 feet in Subdistrict B, as measured above the #base plane#. No dormers shall be permitted along #street walls# fronting on the #shore public walkway#.

(2) Notwithstanding the applicable setback regulations in paragraphs (a) and (b) of this Section, portions of #buildings or other structures# located:

- (i) within 150 feet of a publicly accessible area, and either
- (ii) adjacent to such publicly accessible area, or
- (iii) along a #street# across from such publicly accessible area located on the same #zoning lot#,

may rise without a setback, provided that such publicly accessible area is in compliance with the provisions of Section 127-43 (Publicly Accessible Area). In addition, all #street walls# facing such publicly accessible area shall be subject to the articulation requirements of Section 127-235 (Supplemental articulation regulations).

**127-234  
Tower regulations**

For the purposes of applying the provisions of this Section, a “tower” shall be any portion of a #building or other structure# that is located above the maximum base height. Such portion of a #building or other structure# shall be subject to the following requirements:

(a) Maximum tower widths

Along the #shore public walkway#, the maximum width of a tower, or portion thereof, that is located within 110 feet of the pierhead line and facing the #shore public walkway#, shall not exceed 100 feet. Such width shall be determined by drawing perpendicular lines in plan view from the pierhead line to the outermost extents of the #street wall# of such tower, or portion thereof, within 110 feet of the pierhead line, exclusive of any permitted projections and dormers. However, in Subdistrict A, where the depth of a #zoning lot#, or portion thereof, is less than 220 feet, the maximum width of a tower within such shallow lot portion, shall not exceed 130 feet, provided that such depth was in existence both on [date of adoption] and on the date of application for a building permit.

Along all other #streets#, the #aggregate width of street wall# in a tower shall not exceed 250 feet.

(b) Tower top regulations

For all #zoning lots# in Subdistrict A, and for each portion of a #zoning lot# in Subdistrict B, bounded entirely by #streets#, as such term is defined in Section 127-20, the following requirements shall apply:

(1) Where two or more towers are provided and any portion of such towers exceeds 175 feet, the following shall apply:

- (i) the gross area of the highest two #stories# of at least one tower shall not exceed 80 percent of the gross area of the #story# immediately below such #stories#; or
- (ii) a height difference of at least 20 feet, or two #stories#, whichever is less, shall be provided between such towers.

(2) Where only one tower is provided and the aggregate portions of such tower above 175 feet exceeds a gross area of 15,000 square feet, the gross area of the highest two #stories# shall not exceed 80 percent of the gross area of the #story# immediately below such #stories#.

(c) Maximum tower height

The maximum height of a #building or other structure# shall be determined in accordance with the provisions of Article VI, Chapter 1 (Special Regulations Applying Around Major Airports), except where modified by certification of the Chairperson of the City Planning Commission pursuant to Section 127-236 (Certification to modify maximum height of building or other structure).

(d) Additional requirements within Subdistrict B

Along Janet Place, where a sidewalk widening is required pursuant to Map 3, the width of each individual tower portion located within 50 feet of the #street line# of Janet Place shall not

exceed 70 feet, exclusive of any permitted projections and dormers. Such width shall be determined by drawing perpendicular lines in plan view from the #street line# to the outermost extents of the #street wall# of such tower, or portion thereof, within 50 feet of the #street line#, exclusive of any permitted projections and dormers. Such tower portion and any other such tower portion within the same or an #abutting building# shall be separated by at least 40 feet.

**127-235  
Supplemental articulation requirements**

In addition to all other provisions of Section 127-23 (Special Height and Setback Regulations), inclusive, for #street wall# widths exceeding 150 feet, as measured parallel to the #street line#, articulation shall be provided in accordance with the provisions of this Section.

The depth of required recesses or projections of a #building# shall be measured from the #street wall#. For the purpose of applying the provisions of this Section, the base height of such #building# shall be either the maximum base height or the height of such #building# where a required setback pursuant to the provisions of Section 127-233 (Base heights and setback regulations) is provided, whichever is lower. However, if such #building# provides multiple setbacks, the highest of such multiple setbacks shall be considered the base height of such #building#.

The portion of a tower #street wall# subject to the tower top regulations of paragraph (b) of Section 127-234 (Tower regulations) shall not be included for the purposes of determining or satisfying the articulation requirements of this Section. In addition, setbacks provided in accordance with the provisions of Section 127-233 shall not constitute recesses.

(a) Along all #streets# other than #shore public walkways#

For #street walls# fronting #streets# other than the #shore public walkway#, a minimum of 15 percent of the entire surface area of each #street wall# shall either recess or project a minimum of two feet from the #street wall# with no individual recess or projection exceeding 50 percent of such surface area of the #street wall#.

Along each #street wall# frontage, at least one-third of such overall 15 percent requirement shall be provided in the form of articulation below the base height of such #building#, and at least one-third shall be provided above the base height, respectively. The remaining one-third of such 15 percent requirement may be located anywhere on the #street wall#. Where a #street wall# frontage does not exceed the maximum base height, the overall 15 percent requirement shall be provided in the #building# base.

Within the articulation provided in the #building# base, the aggregate width of articulation at each level where provided shall achieve a #street wall# width that is equivalent to at least 10 percent of the #aggregate width of street wall# at that level, and no individual recess or projection shall have a #street wall# width of less than 10 feet.

In no event shall the total amount of projections above the base height exceed the thresholds permitted pursuant paragraph (c)(1) of Section 127-233.

(b) Along the #shore public walkway#

For #street walls# fronting the #shore public walkway#, at least five percent of the entire surface area of the #street wall# below the base height shall either recess or project a minimum of two feet from the #street wall# with no individual recess or projection exceeding 50 percent of such surface area of the #street wall#.

Within the articulation provided in the #building# base, the aggregate width of articulation at each level where provided shall achieve a #street wall# width that is equivalent to at least 10 percent of the #aggregate width of street wall# at that level, and no individual recess or projection shall have a #street wall# width of less than 10 feet.

**127-236  
Certification to modify maximum height of building or other structure**

The special permit provisions of Section 73-66 (Height Regulations Around Airports) shall not apply. In lieu thereof, the height restrictions of Sections 61-21 (Restriction on Highest Projection of Building or Structure) or 61-22 (Permitted Projection within any Flight Obstruction Area), may be modified where the Chairperson of the City Planning Commission has certified to the Department of Buildings that the provisions of this Section have been met. An application for such certification shall include:

- (a) a site plan and elevations, showing the proposed #building or other structure# in relation to the underlying maximum height limits;
- (b) separate verification letters from the Federal Aviation Administration and the Port Authority of New York and New



Jersey that such #building or other structure#, including the location of temporary structures such as construction cranes, will not constitute a danger to the safety of air passengers or disrupt established airways or runway operations, respectively; and

- (c) materials sufficient to demonstrate that the modified height of a #building or other structure# does not exceed 200 feet above mean sea level within Subdistrict A, and 245 feet above mean sea level within Subdistrict B.

### **127-30 SPECIAL ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS**

Within the #Special Flushing Waterfront District#, the applicable parking and loading regulations set forth in Article III, Chapter 6, Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations), Article VI, Chapter 4 (Special Regulations Applicable to Certain Areas), and Article XII, Chapter 3 (Special Mixed Use District) shall apply inclusive, except as modified in this Section. For the purpose of applying the provisions of this Section, all #upland connections#, #visual corridors#, #shore public walkways# and #publicly accessible private streets#, as specified in Section 127-42 (Publicly Accessible Private Streets), shall be considered #streets# and their boundaries shall be considered a #street line#.

### **127-31 Accessory Off-street Parking Regulations**

The underlying parking regulations shall be modified as follows:

- (a) In M1 Districts paired with a #Residence District# in Subdistrict A, the following shall apply:
- (1) #Commercial# and #manufacturing uses# shall provide either one parking space for every 1,000 square feet of #floor area#, or shall provide parking spaces at the rate required for M1-2 Districts pursuant to Section 44-21 (General Provisions), whichever requires a smaller number of spaces. In addition, the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) and paragraph (a) and (b) of Section 44-231 (Exceptions to application of waiver provisions) shall not apply to #manufacturing uses#. In lieu thereof, #accessory# off-street parking spaces may be waived for #manufacturing# and #commercial uses# if the number of spaces for all applicable uses is at or below 40 spaces.
  - (2) #Residential# and #community facility uses# shall be subject to the parking requirements of R7-1 Districts, as set forth in Article II, Chapter 5 (Accessory Off-Street Parking and Loading Regulations).
- (b) In C4-2 Districts within Subdistricts B and C, the parking requirements applicable to C4-4 Districts, as set forth in Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), shall apply.

### **127-32 Loading Regulations**

The provisions of the underlying loading regulations shall be modified as follows:

- (a) in C4-2 Districts, the loading requirements applicable to C4-4 Districts, as set forth in Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), shall apply.
- (b) the requirement of Sections 36-60 (OFF-STREET LOADING REGULATIONS), inclusive, and 44-50 (GENERAL PURPOSES), inclusive, shall not apply to changes of uses;
- (c) the provisions of Sections 36-63 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements), 36-64 (Wholesale, Manufacturing, or Storage Uses Combined With Other Uses), 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements) and 44-54 (Wholesale, Manufacturing or Storage Uses Combined With Other Uses) shall not apply; and
- (d) the minimum length requirements for loading berths #accessory# to #commercial uses#, other than funeral establishments, and wholesale, manufacturing or storage #uses#, as set forth in Sections 36-681 (Size of required berths), and 44-581 (Size of required loading berths), shall be 37 feet.

### **127-40 DISTRICT PLAN ELEMENTS**

Within Subdistrict A and Subdistrict B, the district plan element provisions of this Section shall apply. For the purpose of applying the provisions of this Section, inclusive, all #upland connections#, #visual corridors#, #shore public walkways# and #publicly accessible private streets# shall be considered #streets# and their boundaries shall be considered a #street line#.

### **127-41 Special Streetscape Regulations**

For the purposes of applying the special streetscape provisions of Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage along primary #street# frontages designated on Map 3 (Requirements Along Street Frontages) in the Appendix to this Chapter shall be considered #primary street frontages#, and a #ground floor level street# frontage along secondary #street# frontages on Map 3 shall be considered a #secondary street frontage#. In addition, defined terms shall include those in Sections 12-10 and 37-311.

### **127-411 Special provisions for frontages along streets and the shoreline**

The provisions of this Section shall apply to #developments# or #ground floor level enlargements#.

- (a) At the intersection of #primary street frontages#

For #ground floor level street walls# within 50 feet of the intersection of two #primary street frontages#, as shown on Map 3 in the Appendix to this Chapter:

- (1) #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 lobbies.
- (2) #Group parking facilities# located on the #ground floor level# of a #building# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements), and above the #ground floor level#, such parking facilities shall be wrapped by #floor area# or screened in accordance with the provisions of Section 37-35.
- (3) #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

- (b) Along other #street# frontages

For portions of #buildings# along the remainder of #primary street frontages#, and for #buildings# with #secondary street frontages#, as shown on Map 3, #group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# or screened in accordance with the provisions of Section 37-35. However, for portions of #buildings# facing the #shoreline#, #group parking facilities# at all levels shall be wrapped by #floor area# or screened in accordance with the provisions of Section 37-35.

### **127-412 Special provisions for blank walls**

The blank wall provisions of paragraph (a)(7)(ii) of Section 62-655 (Planting and trees) shall not apply. In lieu thereof, the provisions of this Section, inclusive, shall apply.

Along all frontages, where no transparent materials or #building# entrances or exits are provided on the #ground floor level street wall# lower than a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 25 feet, at least 75 percent of the linear footage of any such portions of a #ground floor level street 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.

- (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 requirements. Such planted area 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#.

**127-42****Publicly Accessible Private Streets**

The provisions of this Section, inclusive, shall apply to any #development#, as defined in Section 62-11 (Definitions), on a #zoning lot# that contains any portion of a required #publicly accessible private street#.

**127-421****Requirements for publicly accessible private streets**

#Publicly accessible private streets# shall be:

- (a) accessible to the public at all times, except when required to be closed for repairs, and for no more than one day each year in order to preserve the private ownership of such area. Where an #upland connection# is designated on a #publicly accessible private street# as specified on Map 6 (Waterfront Access Plan: Public Access Areas) in the Appendix to this Chapter, the provisions of this paragraph shall supersede the hours of access provisions applicable to an #upland connection#;
- (b) constructed to the dimensions specified on Map 2 (Publicly Accessible Private Street Network) in the Appendix to this Chapter and be constructed to Department of Transportation standards for public #streets# including, but not limited to, sidewalks, curb design, lighting, traffic signage, pavement materials, drainage and crosswalks. In addition, where an #upland connection# is designated on a #publicly accessible private street# as specified on Maps 7 and 8 (Phase I and Phase II Waterfront Public Access Improvements, respectively) in the Appendix to this Chapter, the #upland connection# design requirements of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, shall apply; and
- (c) constructed with sidewalks that have a minimum clear path of eight feet along their #street lines#, except where an #upland connection# is designated on a #publicly accessible private street#. Such sidewalks shall be provided with street trees in accordance with the provisions of Section 26-41 (Street Tree Planting), except that such street trees shall be planted within a street tree pit or a raised planting bed, with at least 180 cubic feet of soil for each tree, and with a minimum horizontal width of four feet and vertical depth of 3 feet 6 inches, and such planting pit or raised planting bed shall be located adjacent to, and extend along the curb.

**127-422****Certification for publicly accessible private streets**

Where a #publicly accessible private street# is designated entirely within a #zoning lot#, the provisions of paragraph (a) of this Section shall apply. Where a #publicly accessible private street# is designated on two or more #zoning lots# and the design and construction of adjoining portions of the #publicly accessible private street# may not be finalized, the provisions of paragraph (b) of this Section shall apply. The provisions of paragraph (b) provide for certification of such portions of a #publicly accessible private street# in accordance with an #interim site plan# that satisfies the requirements of the New York City Fire Code; a #conceptual plan# for portions of the #publicly accessible private street# on other #zoning lots# that will be certified and constructed at a later time; and a #final site plan#, which will either supersede an #interim site plan# or be guided by a #conceptual plan#. The provisions of paragraph (c) shall apply to #development# on a #zoning lot# that contains any portion of a required #publicly accessible private street#.

No building permit shall be issued for a #development# on a #zoning

lot#, containing any portion of a #publicly accessible private street#, until the Chairperson of the City Planning Commission certifies, in conjunction with a certification pursuant to Section 127-54 (Special Review Provisions) to the Department of Buildings that:

- (a) where the #publicly accessible private street# is designated on one #zoning lot#, or where the #publicly accessible private street# is designated on two or more #zoning lots# and such #publicly accessible private street# will be constructed in its entirety concurrently with the applicant's #development#, a #final site plan# has been submitted;
- (b) where the #publicly accessible private street# is designated on two or more #zoning lots# and the portion of such #publicly accessible private street# located outside of the applicant's property will not be or has not been constructed concurrently with the applicant's #development#:
  - (i) if no prior certification pursuant to this Section was issued for a portion of the #publicly accessible private street# on another #zoning lot#, the Chairperson shall certify that:
    - (i) a #conceptual plan# has been submitted for the #publicly accessible private street#. In addition, certified mailing of notification that the applicant is seeking to commence construction of such #publicly accessible private street# shall be given to all other owners whose property contains any remaining portion of such #publicly accessible private street#, along with a copy of such #conceptual plan#;
    - (ii) a #final site plan# for the applicant's #zoning lot# has been submitted showing compliance with the design standards of Section 127-421 (Requirements for publicly accessible private streets). In addition, where compliance with the fire apparatus access road requirements, set forth in the New York City Fire Code, require modifications to the design standards of Section 127-421, an #interim site plan# has been submitted that deviates from such design standards to the minimum extent necessary; and
    - (iii) the grading proposed in the #final site plan#, #conceptual plan# and #interim site plan# have been certified pursuant to Section 127-61.

Property owners of #zoning lots# containing any remaining portion of the #publicly accessible private street# shall have up to 30 days from the date of the applicant's certified mailing of the notification required in paragraph (b)(1)(i) of this Section to respond to the applicant and to confirm for the Chairperson that the construction of the entire #publicly accessible private street# is not feasible concurrently with the applicant's #development#. In the event that such notified property owners do not respond to the applicant and the Chairperson within the 30-day period, the applicant may proceed with completing this certification. Where a notified property owner responds that it is feasible to complete the portion of the #publicly accessible private street# on such owner's #zoning lot# concurrently with the applicant's portion, such property owner shall commence certification pursuant to the applicable provisions of this Section within 45 days from the date of submitting such response. In the event such notified property owners do not commence such certification within the 45-day period, the applicant may proceed with completing this certification.

In addition, where construction of #publicly accessible private streets# will not occur concurrently on the adjoining #zoning lot#, property owners of #zoning lots# containing any remaining portion of the #publicly accessible private street# shall have up to 45 days from the date of submitting their response to comment on any anticipated practical difficulties associated with the proposed location, dimensions and grading specified in the #conceptual plan# that would preclude the reasonable development of such owner's property. Any submission of comments to the applicant and Chairperson shall include documentation from a licensed architect, landscape architect, or engineer, as applicable, that demonstrates the reason for such anticipated practical difficulties.

Copies of the approved #conceptual plan#, as well as the certified #interim site plan# and #final site plan# shall be forwarded to all property owners of a #zoning lot# containing any remaining portion of the #publicly accessible private street#.

Any portion of the #publicly accessible private street# constructed in compliance with a certified #interim site plan# shall be converted to the final design in compliance with the certified #final site plan# for such portion upon receiving notice from an adjoining property owner as set forth in paragraph (b)(2) of this Section that the remaining portion of the #publicly accessible private street# has been substantially completed and opened to the public.

- (2) If a prior certification pursuant to paragraph (b)(1) of this Section was issued for a portion of a #publicly accessible private street# on another #zoning lot#, the Chairperson shall certify that:
- (i) a #final site plan# for the applicant's #zoning lot# has been submitted that is consistent with the #conceptual plan# from the prior certification; and
  - (ii) the proposed amenities and design elements within the #final site plan# in the applicant's portion of a #publicly accessible private street# shall match or complement those that were previously constructed.

Upon substantial completion by applicant of its portion of the #publicly accessible private street# that has been constructed pursuant to a certified #interim site plan# and the opening of such portion to the public, notice shall be provided to any property owner of a #zoning lot# containing a portion of such #publicly accessible private street#. Such notice shall be provided to enable such other owner sufficient time, as shall be specified in the restrictive declaration required pursuant to paragraph (c) of this Section, to convert any constructed interim condition and complete the #publicly accessible private street# in compliance with the previously approved #final site plan#; and

- (c) a restrictive declaration has been executed and recorded against the applicant's #zoning lot# in accordance with the provisions of Section 127-423 (Restrictive declaration). Required site plans, the #conceptual plan# and a maintenance and capital repair plan for the #publicly accessible private street# shall be included as exhibits to the restrictive declaration.

No temporary or final certificate of occupancy shall be issued until the Chairperson of the City Planning Commission notifies the Department of Buildings that the proposed #publicly accessible private street#, or portion thereof, has been substantially completed in compliance with the certified #interim site plan# or #final site plan#, and is open to the public. In addition, where a property owner seeks certification pursuant to paragraph (b)(2) of this Section, no temporary or final certificate of occupancy shall be issued until interim portions of the #publicly accessible private street# are completed in compliance with the previously approved #final site plan# for such portions.

#### **127-423**

##### **Restrictive declaration**

For any #publicly accessible private street# proposed for certification pursuant to Section 127-422 (Certification for a publicly accessible private street), a restrictive declaration shall be provided to ensure the proper construction, improvement, operation, maintenance and repair of the roadbed and any sidewalk adjacent to the roadbed. Adequate security shall be specified in such declaration to ensure that the #publicly accessible private street# is maintained in accordance with the declaration. The restrictive declaration shall further specify that the #publicly accessible private street# shall not be used for any other purposes than #street#-related purposes, including, but not limited to, pedestrian and vehicular circulation, and shall be publicly accessible at all times. To ensure proper #street# use and provide enforcement, in accordance with the parking provisions set forth in the restrictive declaration, executed contracts with a security monitoring and a towing company shall be required prior to the issuance of a temporary certificate of occupancy. In addition, a reserve account with sufficient funds for the maintenance and capital repair of the constructed #publicly accessible private street# shall be maintained at all times. Such reserves, contracts, and the required maintenance and repair shall be the responsibility of a Property Owner's Association that will oversee the management and maintenance of the #publicly accessible private streets#, upon the development on two or more #zoning lots#, and include as members all property owners of #zoning lots# bordering or containing the completed #publicly accessible private streets#. Filing and recording of the restrictive declaration shall be a precondition to the Chairperson's certification under Section 127-422.

Such restrictive declaration shall be prepared in a form acceptable to the Department of City Planning, filed and duly recorded in the Borough Office of the Register of the City of New York, and indexed against the property. The restrictive declaration and any maintenance and operation agreement shall run with the land and be binding on the owners, successors and assigns.

In addition, the portions of the #publicly accessible private streets# on a #developed zoning lot# shall be recorded on the certificate of occupancy for such #building# by the Department of Buildings. The recording information of the restrictive declaration shall be included on the certificate of occupancy for any #building#, or portion thereof, issued after the recording date.

#### **127-424**

##### **Certification for zoning lot subdivision**

In conjunction with a certification pursuant to Section 62-812 (Zoning lot subdivision), a #zoning lot# that existed before [date of adoption] containing any portion of #publicly accessible private street# may be subdivided into two or more #zoning lots# or reconfigured in a manner that would reduce its area or dimension, provided that the Chairperson of the City Planning Commission certifies that the provisions of paragraph (a), (b) or (c) of such Section are satisfied as to #waterfront public access area#, #visual corridors# and #publicly accessible private streets#, respectively. For the purposes of applying such provisions, the regulations pertaining to #waterfront public access areas# and #visual corridors# shall also be applied to #publicly accessible private streets#.

#### **127-43**

##### **Publicly Accessible Area**

Where a tower rises sheer in accordance with the provisions of paragraph (c)(2) of Section 127-233 (Base heights and setback regulations), no #building# permit shall be issued by the Department of Buildings until the Chairperson of the City Planning Commission certifies a site plan demonstrating that a publicly accessible area, in compliance with the following requirements, will be provided.

- (a) Minimum size and location

A publicly accessible area shall contain a minimum area of at least 2,000 square feet. Such publicly accessible area shall be located at the intersection of two #streets#, and shall have a minimum width of 20 feet along each #street line#. A publicly accessible area shall in no event include area within a #publicly accessible private street#.

In addition, the major portion of a publicly accessible area shall occupy no less than 75 percent of the total publicly accessible area. The major portion is the largest area of the publicly accessible area and is the area of primary use. Major portions shall be generally regular in shape, easily and directly accessible from adjoining #buildings# and public spaces, and continuously visible from all portions of the publicly accessible area and from adjoining public spaces.

- (b) Design requirements

All publicly accessible areas shall comply with the following provisions:

- (1) a minimum of 20 percent of the open area shall be planted with any combination of perennials, annuals, decorative grasses, shrubs or trees in planting beds, raised planting beds or planter boxes. Such planting bed shall extend to a depth of at least two feet, inclusive of any structure containing the planted material, and any individual planted area shall have a width of at least five feet;
- (2) one linear foot of seating shall be provided for each 60 square feet of publicly accessible area. For the purposes of such calculation, moveable seating or chairs may be credited as 24 inches of linear seating per chair;
- (3) permitted obstructions within such area shall be subject to the provisions of Section 37-726 (Permitted obstructions), and any kiosk or open air cafe provided shall meet the operational and service requirements listed in paragraphs (a) and (b) of Section 37-73 (Kiosks and Open Air Cafes);
- (4) the provisions of Section 37-722 (Level of plaza) and 37-728 (Standards of accessibility for persons with disabilities) shall apply to such area, and any steps provided shall be subject to the provisions of Section 37-725 (Steps);
- (5) entry plaques and information plaques shall be provided in accordance with the provisions of paragraphs (a) and (b) of Section 37-751 (Public space signage systems); and

(6) all ground floor level #building# walls located within a distance of 150 feet from and facing a publicly accessible area provided on the same #zoning lot# shall either comply with the provisions of paragraph (a) of Section 127-411 (Special provisions for frontages along streets and the shoreline), or the provisions of paragraph (e) of Section 127-412 (Special provisions for blank walls).

(c) Design changes

Any modification to a publicly accessible area certified pursuant to the provisions that, in the aggregate, results in design changes impacting more than 20 percent of the area of such publicly accessible area as compared to the certified plans, shall require a new certification pursuant to the provisions of this Section. Where a design change does not exceed 20 percent, the modifications made to the publicly accessible area shall not reduce the amount of amenities provided or otherwise creates a non-compliance with the provisions of this Section.

(d) Hours of public access

Such publicly accessible area shall be accessible to the public between the hours of 6:00 A.M. and 10:00 P.M. seven days of the week.

No certificate of occupancy shall be issued until the Chairperson of the City Planning Commission determines that the publicly accessible area is substantially completed in compliance with the certified plan and that such space has been made available for use by the public in compliance with the requirements of this Section.

**127-50  
FLUSHING WATERFRONT ACCESS PLAN**

[NOTE: existing provisions moved from Section 62-952 and modified]

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive, Map 4 (Waterfront Access Plan: Parcel Designation), Map 5 (Waterfront Access Plan: Visual Corridors), and Map 6 (Waterfront Access Plan: Public Access Areas) in the Appendix to this Chapter show the boundaries of the area comprising the Flushing Waterfront Access Plan, boundaries of parcels within the Plan and the location of certain features mandated or permitted by the Plan.

The Plan has been divided into parcels consisting of tax blocks and lots and other lands as established on [date of adoption], as follows:

Subdistrict A

- Parcel 1: Block 4963, Lots 212 and 249
- Parcel 2: Block 4963, Lot 210
- Parcel 3: Block 4963, Lot 200

Subdistrict B

- Parcel 4: Block 4963, Lot 85
- Parcel 5: Block 4963, Lot 65
- Parcel 6: Block 4963, Lot 75
- Parcel 7: Block 4963, Lots 7, 8 and 9
- Parcel 8: Block 4963, Lot 1

Subdistrict C

- Parcel 9: Block 5066, Lots 7503 and 7507

Any #development# on a #zoning lot# within the parcels listed above shall be subject to the requirements of Section 127-51 (Modified Applicability for Visual Corridors and Waterfront Public Access Areas), Section 127-52 (Special Requirements for Visual Corridors), Section 127-53 (Special Requirements for Waterfront Public Access Areas) and Section 127-54 (Special Review Provisions).

For the purposes of this Section, inclusive, defined terms shall include those listed in Sections 12-10 and 62-11, but #development# shall be as defined in Section 62-11.

**127-51  
Modified Applicability for Visual Corridors and Waterfront Public Access Areas**

The applicability provisions for #visual corridors# pursuant to Section 62-51 (Applicability of Visual Corridor Requirements) and #waterfront public access areas# pursuant to Section 62-52 (Applicability of Waterfront Public Access Area Requirements) shall apply, except as modified as follows:

(a) #developments# comprised predominantly of #uses# in Use Groups 16, 17 or 18, except for docking facilities serving passenger vessels or sightseeing, excursion or sport fishing vessels, are subject to the special requirements for #visual corridors# set forth in Section 127-52; and

(b) #developments# comprised predominantly of #uses# in Use Groups 16, 17 or 18 shall provide a minimum amount of #waterfront public access area# in accordance with the provisions of Section 62-58 (Requirements for Water-Dependent Uses and Other Developments). Within such #waterfront public access area#, a circulation path shall be provided with a minimum clear width of at least 10 feet and shall connect with either an adjoining #shore public walkway# or additional circulation paths on adjoining #zoning lots#.

**127-52  
Special Requirements for Visual Corridors**

For #developments# within Parcels 3, 5 and 7, #visual corridors# shall be provided in the locations designated on Map 5 in the Appendix to this Chapter and pursuant to the requirements of Sections 62-51 (Applicability of Visual Corridor Requirements) and 62-65 (Public Access Design Reference Standards).

**127-53  
Special Requirements for Waterfront Public Access Areas**

#Waterfront public access areas# shall be provided pursuant to Sections 62-52 (Applicability of Waterfront Public Access Area Requirements), 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), and 62-70 (MAINTENANCE AND OPERATION REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, except as modified in this Section, inclusive.

For all such #waterfront public access areas#, as designated on Map 6 (Waterfront Access Plan: Public Access Areas) in the Appendix to this Chapter, the minimum seat depth requirement of paragraph (b) of Section 62-652 (Seating) shall be modified to 16 inches.

**127-531  
Shore public walkways**

For #zoning lots developed# within Parcels 1, 3, 4, 5, 7 and 8, a #shore public walkway# shall be provided in the location designated on Map 6 in the Appendix to this Chapter. The applicable provisions of Section 62-53 (Requirements for Shore Public Walkways) and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, shall apply except as modified in this Section:

- (a) the circulation and access provisions of paragraph (a) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be modified as follows:
  - (i) the required circulation path within a #shore public walkway# shall be provided at a minimum elevation of 5 feet, 6 inches above the #shoreline#, except that such requirement need not include portions of a circulation path that slope downward to meet the elevation of an existing publicly accessible sidewalk;
  - (ii) where secondary circulation paths are provided, such paths may count as a part of the required circulation path for satisfying the locational requirement of being within 10 feet of the #shoreline# for at least 20 percent of the length of such #shoreline#. However, such secondary circulation paths may comply with the paving requirements of paragraph (a)(2) of Section 62-656; and
  - (iii) where a #shore public walkway# is on a #zoning lot# that is adjacent to a #waterfront zoning lot# without a #shore public walkway#, the portion of the circulation path that terminates at the common #zoning lot line# shall be located within 40 feet of the shoreline;

(b) the minimum width of the screening buffer pursuant to paragraph (c)(2)(ii) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall be four feet. No screening buffer shall be required where there is a pathway connecting a required circulation path towards a publicly accessible sidewalk or entry to a commercial or community facility use; and

(c) the grade level of required planting areas pursuant to paragraph (d)(2) of Section 62-61 (General Provisions Applying to Waterfront Public Access Areas) shall be increased to no more than three feet higher or lower than the adjoining level of the pedestrian circulation path.

**127-532  
Upland connections**

For #developments# within Parcels 1, 2, 3, 4, 5 and 7, #upland connections# shall be provided as specified on Map 6 (Waterfront Access Plan: Public Access Areas) in the Appendix to this Chapter. The applicable provisions of Section 62-56 (Requirements for Upland Connections) and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, shall apply except as modified in this Section.

(a) **Flexible location zone**

For # developments# on Parcels 1, 2 and 3, a single #upland connection# shall be provided pursuant to the following provisions:

- (1) If Parcel 1 #develops# before Parcels 2 or 3, a Type 1 #upland connection# shall be provided with a minimum width of 20 feet. The requirements of paragraph (a)(2) of Section 62-561 (Types of upland connections) shall not apply and the minimum planting area requirements shall be reduced to 25 percent. Where such #upland connection# is provided without a 20-foot-wide open area, an average maintained level of illumination of not less than one and a half horizontal foot candles (lumens per foot) shall be provided throughout all walkable areas;
- (2) If Parcels 1 and 2 are #developed# jointly before Parcel 3, an #upland connection# shall be provided on Parcels 1 and 2, along their southerly boundary, pursuant to the requirements of Sections 62-561 and 62-64 (Design Requirements for Upland Connections). The 20-foot-wide open area required pursuant to paragraph (a)(2) of Section 62-561 shall be provided on Parcel 3, along its northerly boundary, at the time Parcel 3 #develops#. In any event, the required open area shall abut such required upland connection;
- (3) If Parcel 3 #develops# before Parcels 1 or 2:
  - (i) where a #development# is comprised predominantly of Use Groups 1 through 15 inclusive, an #upland connection# shall be provided on Parcel 3 pursuant to the requirements of Section 62-561 and Section 62-64. If such #upland connection# is provided along the northerly boundary of such Parcel, the required 20-foot-wide open area pursuant to paragraph (a)(2) of Section 62-561 shall be satisfied on Parcels 1 and 2, along the southerly boundary, at the time these parcels #develop#. However, in any event, the required open area shall abut such required upland connection;
  - (ii) where a #development# is comprised predominantly of #uses# in either Use Groups 16, 17 or 18, a Type 1 #upland connection# shall be provided with a minimum width of 20 feet. The requirements of paragraph (a)(2) of Section 62-561 shall not apply and the minimum planting area requirements shall be reduced to 25 percent; or
- (4) If Parcels 2 and 3 are #developed# jointly before Parcel 1, an #upland connection# shall be provided pursuant to the requirements of Sections 62-561 and 62-64.

For any other sequencing or combination of #developments#, a single #upland connection# shall be provided pursuant to the provisions of Sections 62-561 and 62-64 within the flexible location zone on Map 6.

(b) **Minimum standards for interim condition**

Where an #upland connection# is designated on two or more parcels and only a portion of such #upland connection# can be constructed pursuant to a specific certification, such portion of the #upland connection# may be provided independently to satisfy the requirements of Section 62-56. Where the New York City Fire Department determines that such requirements conflict with the provision of unobstructed width for fire apparatus access roads pursuant to the New York City Fire Code, the design requirements of Section 62-60 shall be modified to the minimum extent necessary to accommodate such fire apparatus access roads requirements. However, all interim conditions shall meet the following requirements:

- (1) provide public access from the first upland #street# to the #shore public walkway#; and
- (2) for every tree pit required pursuant to the provisions of paragraph (c)(1) of Section 62-64 (Planting) that is not provided, a moveable planter shall be provided,

Such interim condition shall be certified pursuant to paragraph (a)(1) of Section 127-542 (Supplemental provisions) and Section 127-61 (Certification for Interim Grading Conditions).

**127-533**

**Phased development of waterfront public access areas**

When a parcel is undergoing partial #development# or the #zoning lot# corresponding to a parcel is subdivided or reconfigured pursuant to Section 62-812 (Zoning lot subdivision), the City Planning Commission may authorize a phasing plan to implement #waterfront public access area# improvements pursuant to paragraph (c) of Section 62-822 (Modification of waterfront public access area and visual corridor requirements).

However, in Subdistrict B, when partial #development# occurs on the upland portion of Parcels 4, 5 and 7 that is bounded by #publicly accessible private streets# or #streets#, a phasing plan to implement an interim and final design of the #waterfront public access areas# may be certified by the Chairperson of the City Planning Commission pursuant to Section 127-54 (Special Review Provisions), provided that the following requirements are met:

- (a) the #waterfront public access area# shall be provided according to the phasing specified in Map 7 (Waterfront Access Plan: Phase I Waterfront Public Access Area Improvements) and Map 8 (Waterfront Access Plan: Phase II Waterfront Public Access Area Improvements). The requirements of Phase I shall apply when #development# occurs on the upland portion of the parcel bounded by #publicly accessible private streets# and other #streets# as shown on Map 6 (Waterfront Access Plan: Public Access Areas). The requirements of Phase II shall apply when #development# occurs on the seaward portion of the parcel bounded by both the #shoreline# and #publicly accessible private streets#; and
- (b) any #upland connection# provided pursuant to Phase I shall meet the design requirements of paragraph (b) of Section 127-532 (Upland connections). For portions of the #shore public walkway# that are provided in Phase I, the requirements of Sections 62-53 (Requirements for Shore Public Walkways) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) may be modified to the minimum extent necessary to accommodate a temporary waterfront viewing area.

Such phasing plan shall also be certified pursuant to Section 127-61 (Certification for Interim Grading Conditions).

**127-54**

**Special Review Provisions**

The applicable provisions of Section 62-80 (SPECIAL REVIEW PROVISIONS), inclusive, shall apply, except as specifically modified or supplemented by the provisions of this Section, inclusive.

**127-541**

**Applicability**

The provisions of Section 62-81, inclusive, shall apply to #zoning lots# containing predominantly #uses# in Use Groups 16, 17, or 18, subject to the modified #waterfront public access area# provisions of Section 127-50 (FLUSHING WATERFRONT ACCESS PLAN), inclusive.

**127-542**

**Supplemental provisions**

In conjunction with a certification pursuant to Section 62-811 (Waterfront public access and visual corridors), the Chairperson of the City Planning Commission shall further certify that:

- (a) where an #upland connection# is designated on two or more parcels and the portion of such #upland connection# located outside of the applicant's parcel will not be constructed concurrently with the applicant's #development#:
  - (1) if no prior certification pursuant to this Section was issued for a portion of an #upland connection# on another parcel, the Chairperson shall certify that:
    - (i) a #conceptual plan# has been submitted for the #publicly accessible private street#. In addition, notification that the applicant is seeking to commence construction of such #publicly accessible private street# shall be given to any other owner whose property contains any remaining portion of the #publicly accessible private street#, along with a copy of such #conceptual plan#;

- (ii) a site plan has been submitted, specifying the location, dimensions and grading of the portion of the #upland connection# to be constructed on the applicant's #zoning lot#. Such site plan shall demonstrate compliance with the requirements of paragraph (b) of Section 127-532 (Upland connections); and
- (iii) the grading proposed in the #conceptual plan# has been certified pursuant to Section 127-61.

Property owners of the parcel containing a remaining portion of the #upland connection# shall have up to 30 days from the applicant's certified mailing of the notification required in paragraph (a)(1)(i) of this Section to respond to the applicant and to confirm for the Chairperson that the construction of the entire #upland connection# is not feasible concurrently with the applicant's #development#. In the event such notified property owners do not respond to the applicant and the Chairperson within the 30-day period, the applicant may proceed with completing this certification. Where a notified property owner responds that it is feasible to complete the portion of the #upland connection# on their parcels concurrently with the applicant's #development#, such property owner shall commence certification pursuant to the applicable provisions of this Section within 45 days from the date of submitting such response. In the event such notified property owners do not commence such certification within the 45-day period, the applicant may proceed with completing this certification.

In addition, where construction of the #upland connection# will not occur concurrently, property owners of parcels containing a remaining portion of the #upland connection# shall have up to 45 days from the date of submitting their response to comment on any anticipated practical difficulties associated with the proposed location, dimensions and grading specified in the #conceptual plan# that would preclude the reasonable #development# of such owner's parcel. Any submission of comments to the applicant and Chairperson shall include documentation from a licensed architect, landscape architect, or engineer, as applicable, that demonstrates the reason for such anticipated practical difficulties.

Copies of the approved #conceptual plan#, as well as the certified #interim site plan# and #final site plan# shall be forwarded to any property owner of a parcel containing the remaining portion of the #upland connection#.

Any portion of the #upland connection# constructed in compliance with a certified #interim site plan# shall be converted to the final design in compliance with the certified #final site plan# for such portion upon receiving notice from an adjoining property owner as set forth in paragraph (a) (2) of this Section that the remaining portion of the #upland connection# has been substantially completed and is accessible to the public.

- (2) If a prior certification pursuant to paragraph (a)(1) of this Section was issued for a portion of the #upland connection# on another parcel, the Chairperson shall certify that:
  - (i) a #final site plan# for the applicant's parcel has been submitted that is consistent with the #conceptual plan# from the prior certification; and
  - (ii) the proposed amenities and design elements within the #final site plan# for the applicant's portion of the #upland connection# shall match or complement those that were previously constructed.

Notice shall be provided to any property owner of a parcel containing a portion of the #upland connection# that has been constructed pursuant to a certified #interim site plan# upon the applicant substantially completing its portion of the #upland connection# and making such portion accessible to the public. Such notice shall be provided to enable such other owner sufficient time, as shall be specified in the restrictive declaration required pursuant to this paragraph (a), to convert any constructed interim condition and complete the #upland connection# in compliance with the previously approved #final site plan#.

A restrictive declaration shall be executed and recorded against the corresponding #zoning lot# of the applicant's parcel, in accordance with the provisions of Section 62-74 (Requirements for Recordation). Required site plans, the #conceptual plan# and a maintenance and capital repair plan for the #upland connection# shall be included as exhibits to the restrictive declaration.

No temporary or final certificate of occupancy shall be issued until the Chairperson of the City Planning Commission notifies the Department of Buildings that the proposed #upland

connection#, or portion thereof, has been substantially completed in compliance with the certified #interim site plan# or #final site plan#, and is open to the public. In addition, where a property owner sought certification pursuant to paragraph (a)(2) of this Section, no temporary or final certificate of occupancy shall be issued until interim portions of the #upland connection# are completed in compliance with the previously approved the #final site plan# for such portions.

- (b) For phased implementation of #waterfront public access areas# pursuant to Section 127-533 (Phased development of waterfront public access areas), a plan has been submitted that complies with the required amount of #waterfront public access area# at each development phase pursuant to Section 127-533.

To ensure the provision of #waterfront public access areas# for phased #developments# occurring in Phase I, as specified on Map 7 (Waterfront Access Plan: Phase I Waterfront Public Access Improvements) in the Appendix to this Chapter, no temporary certificate of occupancy shall be issued for any #development# on the upland portion of each parcel that is bounded by #publicly accessible private streets# or #streets# until all required sections of #waterfront public access areas# designated on Map 7 have been substantially completed pursuant to the design requirements of Section 127-533.

For Phase II subsequent #development# occurring on the seaward portion of Parcels 4, 5 or 7, bounded by both the #shoreline# and #publicly accessible private streets#, all #waterfront public access areas#, as specified on Map 8 (Waterfront Access Plan: Phase II Waterfront Public Access Improvements), shall be substantially completed pursuant to the final design requirements of Section 127-533, prior to the issuance of a temporary or final certificate of occupancy. However, 50 percent of the #floor area# of any subsequent #development# on Parcels 4 and 5 may receive a temporary certificate of occupancy upon the completion of the required #shore public walkway# as designated on such parcel. A temporary or final certificate of occupancy for the remaining 50 percent of the #floor area# on Parcels 4 and 5 shall not be issued until all required #waterfront public access areas# pursuant to Map 8 are substantially complete.

An alternate location for the required section of an #upland connection# on Parcel 4 may be provided in Phase I, as specified in Map 7, in the event that Parcel 5 has substantially completed all of the required #waterfront public access areas# prior to partial #development# on the upland portion of Parcel 4. Where such alternate location is provided in Phase I, any subsequent #development# on Parcel 4 may only receive a temporary or final certificate of occupancy upon substantial completion of all required #waterfront public access areas# designated on Map 8.

A certification will be granted on condition that an acceptable restrictive declaration is executed and filed pursuant to Section 62-74 (Requirements for Recordation).

**127-60  
ADDITIONAL REVIEW REQUIREMENTS**

**127-61  
Certification for Interim Grading Conditions**

For any #development# or #enlargement# seeking:

- (a) modification to the level of #waterfront yard# provisions of Section 127-22 (Special Yard Regulations);
- (b) a certification pursuant to paragraph (b)(1) of Section 127-422 (Certification for a publicly accessible private street); or
- (c) a certification pursuant to Section 127-542 (Supplemental provisions),

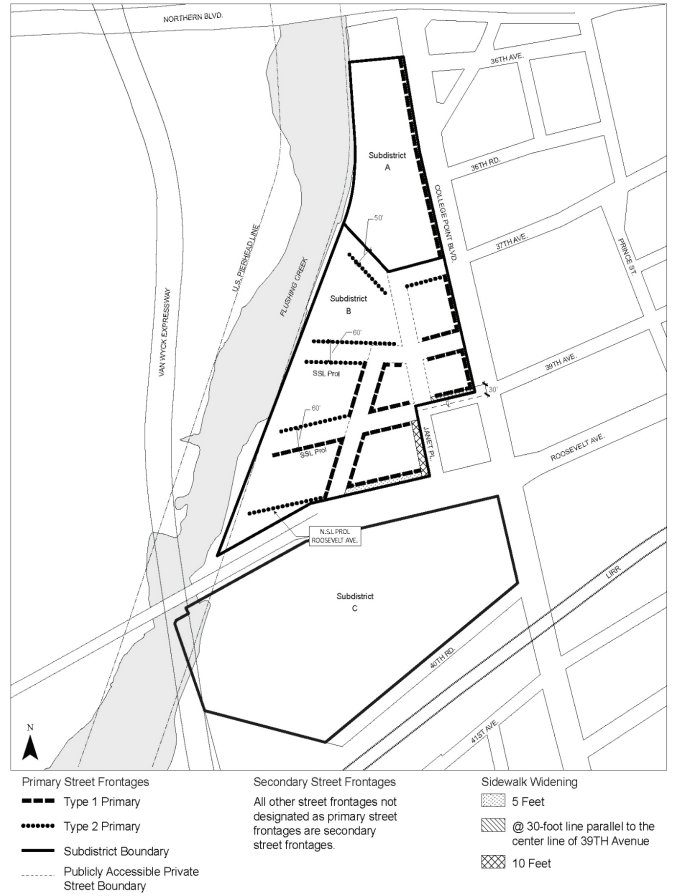
the Chairperson of the City Planning Commission shall certify that a site survey has been conducted and sufficient documentation has been submitted, demonstrating that the proposed grades of a #waterfront yard#, interim plan for a #publicly accessible private street# or #upland connection# would not preclude #developments# or #enlargements# on adjacent parcels from complying with the provisions of this Chapter as part of an integrated public realm.

**Appendix  
SPECIAL FLUSHING WATERFRONT DISTRICT PLAN**

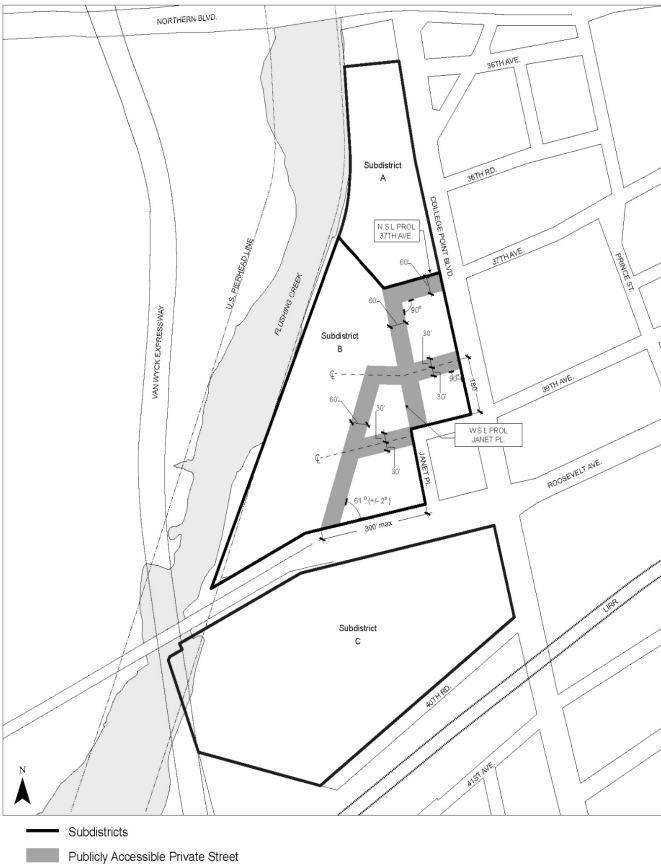
Map 1. Special Flushing Waterfront District and Subdistricts



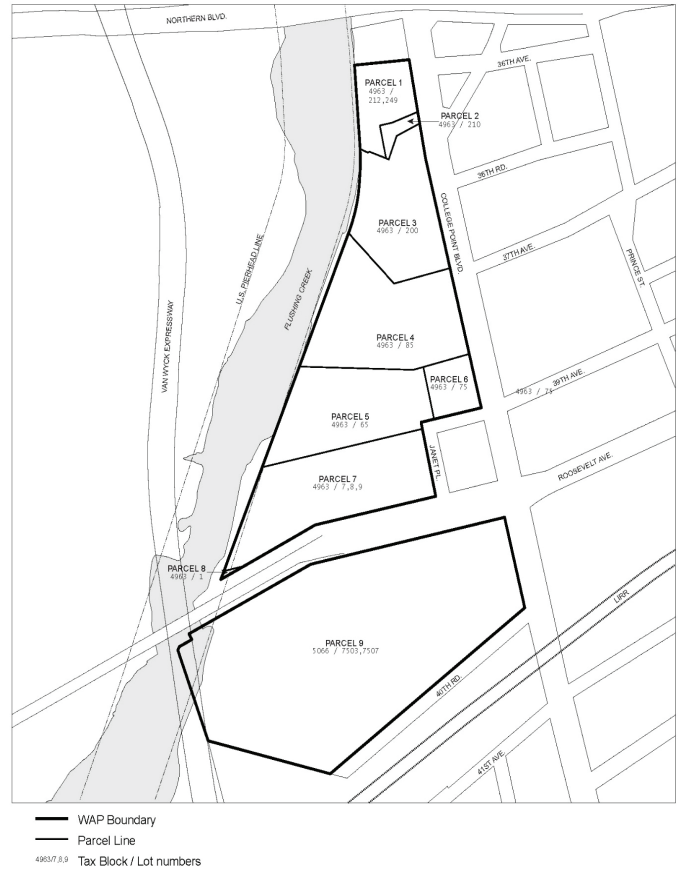
Map 3. Requirements Along Street Frontages



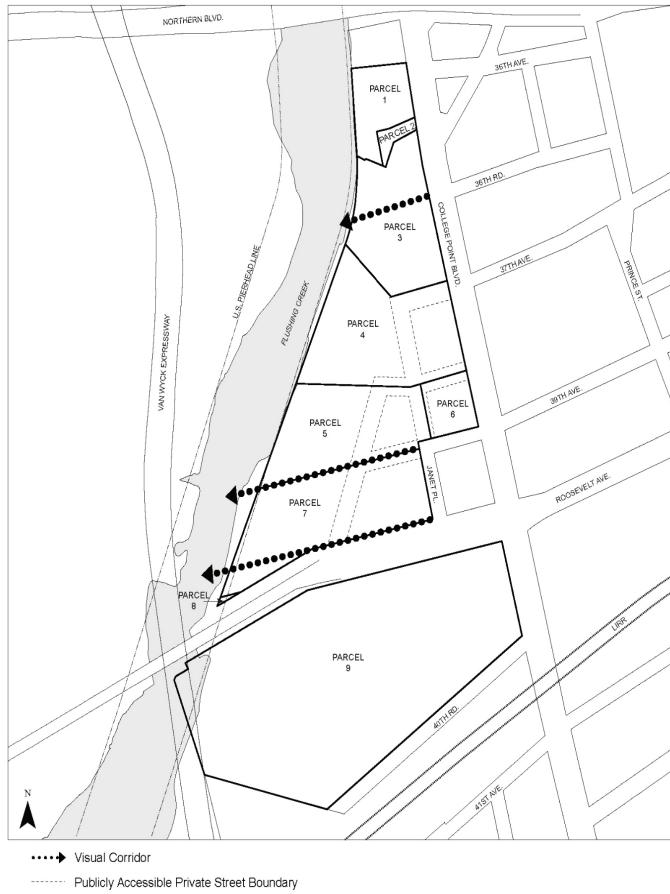
Map 2. Publicly Accessible Private Street Network



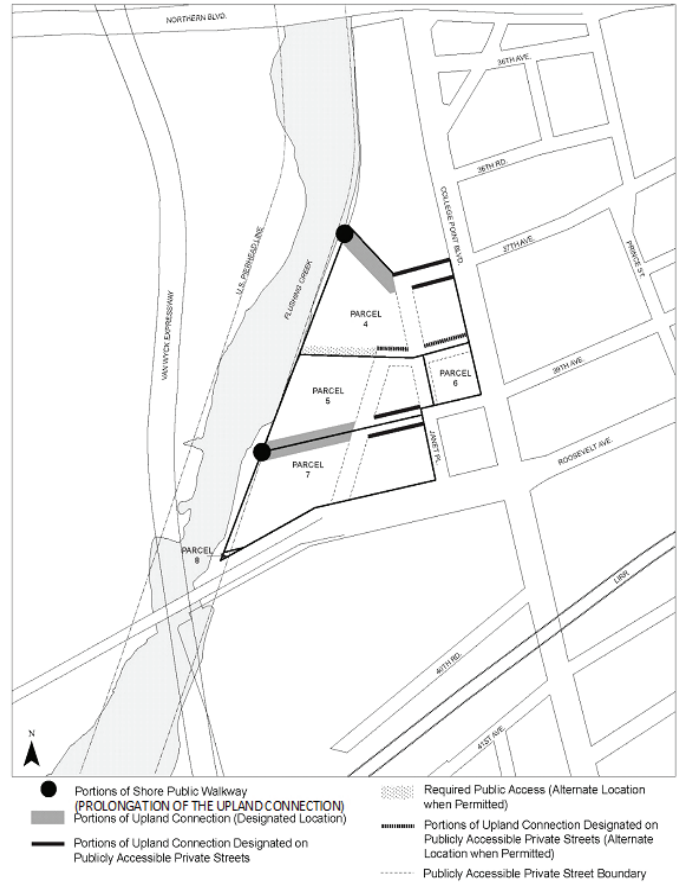
Map 4. Waterfront Access Plan: Parcel Designation



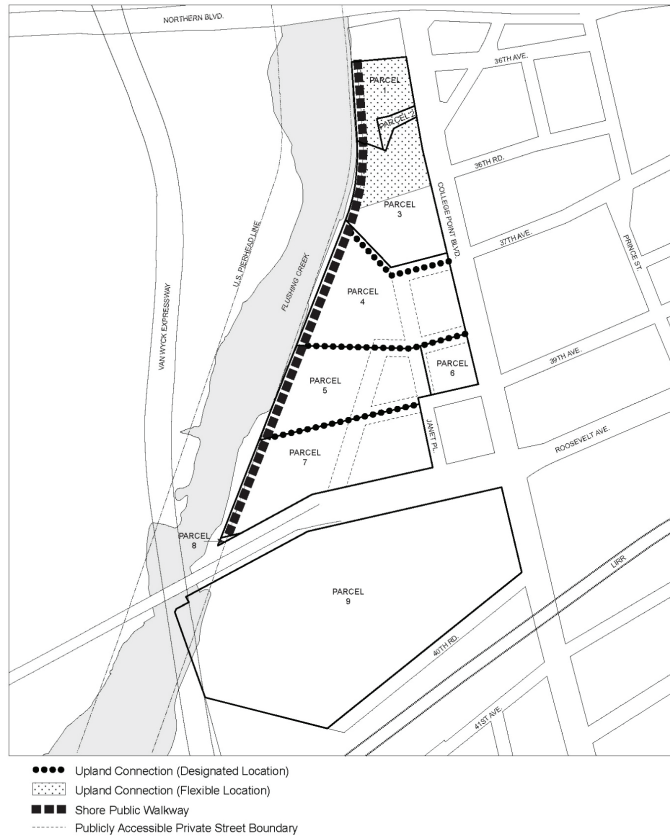
Map 5. Waterfront Access Plan: Visual Corridors



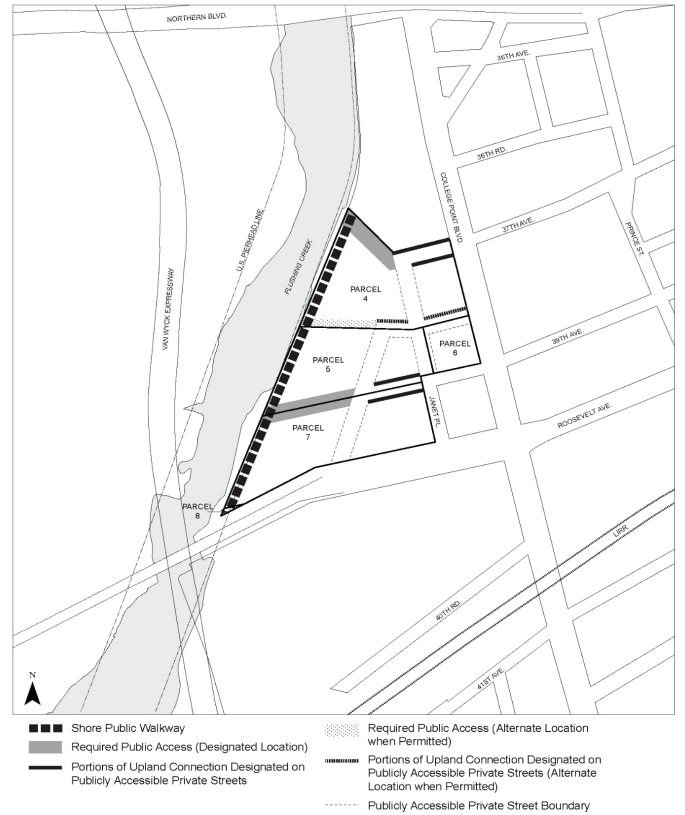
Map 7. Waterfront Access Plan: Phase I Waterfront Public Access Improvements



Map 6. Waterfront Access Plan: Public Access Areas



Map 8. Waterfront Access Plan: Phase II Waterfront Public Access Improvements





APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

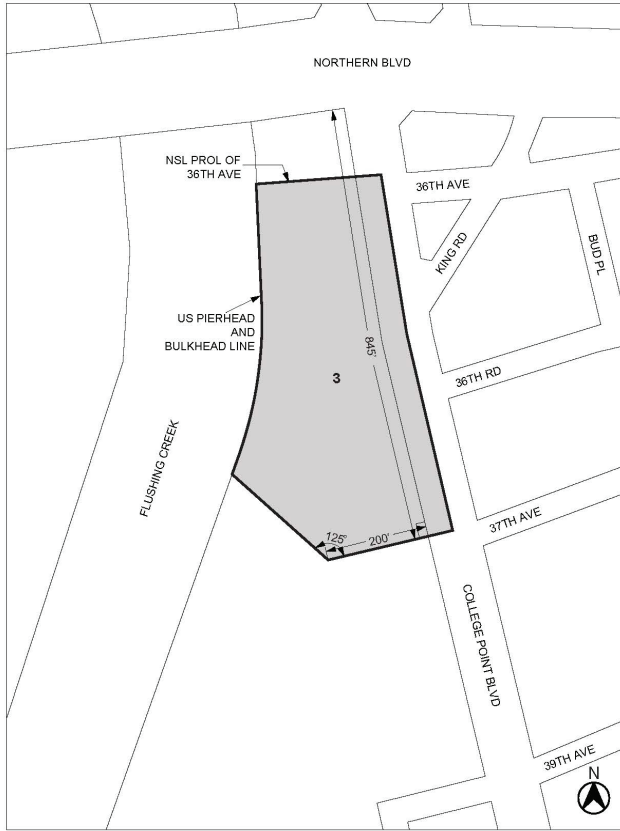
QUEENS

\* \* \*

Queens Community District 7

Map 3 [date of adoption]

[PROPOSED MAP]



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

Area 3 — mm/dd/yy, MIH Program Option 1 and Option 2

Portion of Community District 7, Borough of Queens

\* \* \*

BOROUGH OF BROOKLYN

No. 3

DEKALB COMMONS

CD 3 C 200155 HAK IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a. the designation of property located at 633-639 DeKalb Avenue (Block 1774, Lots 74, 75, 76 and 77), 648-654 DeKalb Avenue (Block 1779, Lots 22, 24 and 26), 1187 Fulton Street (Block 2000, Lot 43) as an Urban Development Action Area; and
b. 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 development of three buildings containing an approximate total of 84 affordable residential units and commercial space.

NOTICE

On Wednesday, September 16, 2020, at 10:00 A.M., via the NYC Engage Portal, 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 City of New York – Department of Housing Preservation and Development on behalf of Dekalb Commons NY Housing Development Fund Corporation (HDFC)(the “Project Sponsor”).

The Proposed Actions consist of a series of land use actions including three discretionary actions affecting Block 1774, Lots 74, 75, 76 and 77; Block 1779, Lots 22, 24, and 26; Block 2000, Lot 43; all in the Borough of Brooklyn, Community District 3. The Proposed Actions consist of (i) the designation of an Urban Development Action Area (“UDAA”), (ii) the approval of an Urban Development Action Area Project (“UDAAP”), and (iii) the disposition of City-Owned property. The Proposed Actions would facilitate the construction of one four-story (45’) building and two seven-story (69’6”) buildings, containing approximately 84 dwelling units, plus one unit for the residential superintendent (for a total of approximately 85 dwelling units) and approximately 2,512 gsf of commercial space.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 28, 2020.

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 18HPD078K.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3370



s1-16

BOARD OF EDUCATION RETIREMENT SYSTEM

MEETING

The Board of Education Retirement System Board of Trustees Meeting, will be held, at 4:00 P.M., on Tuesday, September 22, 2020, via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

a31-s22

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee, will hold a remote public meeting on Wednesday, September 9, 2020, at 2:30 P.M., via WebEx dial-in. The dial-in information is below:

Dial-in #: +1-408-418-9388
Access Code: 129 100 5151
Press # on further prompts

For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor’s Office of Contract Services (MOCS) via email at DisabilityAffairs@mocs.nyc.gov, or via phone at (646) 872-0231. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least five (5) business days in advance of the meeting to ensure availability.

a19-s9

OFFICE OF LABOR RELATIONS

MEETING

The New York City Deferred Compensation Board, will hold its next meeting, on Wednesday, September 2, 2020, from 10:00 A.M. to 12:00 P.M. The meeting will be held remotely, via conference call. Please visit the below link, to access the audio recording of the Board meeting, or to access archived Board meeting audio/videos: https://www1.nyc.gov/site/olr/deferred/dcp-board-webcasts.page.

a26-s2

## LANDMARKS PRESERVATION COMMISSION

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 15, 2020, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency) will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, [www.youtube.com/nyclpc](http://www.youtube.com/nyclpc). Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at [richstein@lpc.nyc.gov](mailto:richstein@lpc.nyc.gov), or (646) 248-0220, at least five (5) business days before the hearing or meeting. **Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

#### **295 Cumberland Street - Fort Greene Historic District**

**LPC-20-10188** - Block 2119 - Lot 14 - **Zoning:** R6B

#### **CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse, built c. 1853. Application is to construct a rear yard addition.

#### **631 Vanderbilt Avenue - Prospect Heights Historic District**

**LPC-20-03284** - Block 1152 - Lot 9 - **Zoning:** R7A, C1-4

#### **CERTIFICATE OF APPROPRIATENESS**

A commercial building, built c. 1870, and later altered with the removal of the upper floors and a new façade c. 1963. Application is to enlarge the building and construct a new façade.

#### **5 Hampton Place - Crown Heights North III Historic District**

**LPC-20-04101** - Block 1244 - Lot 40 - **Zoning:** 17A

#### **CERTIFICATE OF APPROPRIATENESS**

A Colonial Revival style rowhouse, designed by Irving B. Ells and built in 1899-1902. Application is to combine and enlarge masonry openings and install a deck at the rear facade.

#### **35-57 77th Street - Jackson Heights Historic District**

**LPC-21-00982** - Block 1277 - Lot 36 - **Zoning:** R7-1

#### **CERTIFICATE OF APPROPRIATENESS**

A Neo-Georgian style commercial building, designed by Lenz & Berger and built in 1937. Application is to replace storefront infill.

#### **100 Prospect Avenue - Douglaston Hill Historic District**

**LPC-20-10492** - Block 8095 - Lot 42 - **Zoning:** R1-2

#### **CERTIFICATE OF APPROPRIATENESS**

An Arts and Craft/Shingle style house, built in 1910. Application is to replace windows and construct a rear yard addition.

#### **55 Laight Street, (aka 157 Hudson Street, 4-8 Hubert Street and 60 Collister Street) - Tribeca North Historic District**

**LPC-20-09201** - Block 215 - Lot 7505 - **Zoning:** C6-2A

#### **CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style stable building, designed by Ritch & Griffiths, and built in 1866-67; altered and enlarged in 1898-99 by Edward Hale Kendall and in 1902 by Charles W. Romeyn. Application is to replace entrance infill.

#### **60 Collister Street (aka 157 Hudson Street, 4-8 Hubert Street and 49-55 Laight Street) - Tribeca North Historic District**

**LPC-20-09206** - Block 215 - Lot 7505 - **Zoning:** C6-2A

#### **CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style stable building, designed by Ritch & Griffiths, and built in 1866-67; altered and enlarged in 1898-99 by Edward Hale Kendall and in 1902 by Charles W. Romeyn. Application is to replace entrance infill and install a canopy.

#### **315 Broadway - Broadway Building - Individual Landmark**

**LPC-20-11316** - Block 151 - Lot 29 - **Zoning:** C6-4A

#### **CERTIFICATE OF APPROPRIATENESS**

An Italian Renaissance style store and loft building, built in 1861. Application is to demolish a portion of the building and construct a new building on a portion of the site.

#### **65 Horatio Street - Greenwich Village Historic District**

**LPC-20-09763** - Block 643 - Lot 62 - **Zoning:** R6

#### **CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse, built in 1845. Application is to construct rooftop and side yard additions.

#### **462 Broadway - SoHo-Cast Iron Historic District**

**LPC-20-08756** - Block 473 - Lot 1 - **Zoning:** M1-5B

#### **CERTIFICATE OF APPROPRIATENESS**

A French Renaissance Revival style store and loft building, designed by John Correja and built in 1879-80. Application is to install canopies, lighting, and signage.

#### **121 West 11th Street - Greenwich Village Historic District**

**LPC-20-07755** - Block 607 - Lot 56 - **Zoning:** R6

#### **CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse, with later alterations, designed by William Hurry and built in 1841-42. Application is to construct rooftop and rear yard additions and replace windows.

#### **247 West 10th Street - Greenwich Village Historic District**

**LPC-20-06474** - Block 620 - Lot 1 - **Zoning:** C1-6

#### **CERTIFICATE OF APPROPRIATENESS**

An apartment building, designed by Samuel Roth and built in 1947.

Application is to establish a master plan governing the future installation of windows.

#### **257 West 4th Street - Greenwich Village Historic District**

**LPC-21-00233** - Block 612 - Lot 2 - **Zoning:** R6

#### **CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse, designed by Robert Mook and built in 1870-71. Application is to construct a rear yard addition and extend chimney flues.

#### **201 Park Avenue South - Germania Life Insurance Building - Individual Landmark**

**LPC-21-01179** - Block 873 - Lot 1 - **Zoning:** C6-4AR8B

#### **CERTIFICATE OF APPROPRIATENESS**

A Second Empire style commercial building, designed by D'Oench & Yost and built 1910-11. Application is to install a rooftop addition, bulkheads and mechanical equipment.

#### **130 West 42nd Street - Individual Landmark**

**LPC-21-00050** - Block 994 - Lot 45 - **Zoning:** C6-7, C5-2.5

#### **CERTIFICATE OF APPROPRIATENESS**

A Neo-Gothic style commercial building, designed by Helmle and Corbett and built in 1916-18. Application is to replace roofing.

#### **320 Riverside Drive - Riverside - West End Historic District Extension II**

**LPC-20-10930** - Block 1891 - Lot 1 - **Zoning:** R8 R8B

#### **CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style apartment building, designed by Leo F. Knust and built in 1928. Application is to install a bay window at the penthouse.

# 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 at:  
Insurance Auto Auctions, North Yard  
156 Peconic Avenue, Medford, NY 11763  
Phone: (631) 294-2797

No previous arrangements or phone calls are needed to preview.  
Hours are Monday and Tuesday from 10:00 A.M. – 2:00 P.M.

s4-f22

## OFFICE OF CITYWIDE PROCUREMENT

### ■ SALE

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

j2-d31

## HOUSING PRESERVATION AND DEVELOPMENT

### ■ NOTICE

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property appear in the Public Hearing Section.

j2-d31

## POLICE

### ■ NOTICE

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

The following list of properties 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

j2-d31

# 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

*Human Services/Client Services*

**FOSTERING COLLEGE SUCCESS - Renewal -**  
PIN# 06817I0002001R001 - AMT: \$1,845,334.72 - TO: The New York Foundling Hospital, 590 Avenue of The Americas, New York, NY 10011.

← s1

**COMPTRROLLER**

■ AWARD

*Services (other than human services)*

**MORTGAGES FIXED INCOME INVESTMENT MANAGEMENT AGREEMENT - Request for Proposals -** PIN# 015-188-208-08 FM - AMT: \$5,418,000.00 - TO: Pacific Investment Management Company, LLC, 650 Newport Center Drive, Newport Beach, CA 92660.

← s1

**HOMELESS SERVICES**

■ AWARD

*Human Services/Client Services*

**EMERGENCY SOLICITATION FOR STABILIZATION BEDS -** Emergency Purchase - PIN# 07121E0005001 - AMT: \$1,666,682.00 - TO: Center for Urban Community Services Inc., 198 East 121st Street, 6th Floor, New York, NY 10035. Contract Term from 7/1/2020 to 12/31/2020.

← s1

**TO DEV. & OP. STAND-ALONE SAFE HAVEN FOR CHRONIC ST. HOMELESS SA @ WESTCHESTER AVE. SAFE HAVEN-BRONXWORKS INC -** Innovative Procurement - Judgment required in evaluating proposals - PIN# 07116I0014018 - AMT: \$24,415,560.00 - TO: BronxWorks Inc., 60 East Tremont Avenue, Bronx, NY 10453. Contract Term from 5/15/2020 to 6/30/2025.

← s1

**PARKS AND RECREATION**

■ VENDOR LIST

*Construction Related 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.**

NYC 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 NYC DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, NYC DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. NYC 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.

NYC 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/nycvendononline/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](mailto:dmwbe.capital@parks.nyc.gov)*

j2-d31

**YOUTH AND COMMUNITY DEVELOPMENT**

**PROCUREMENT**

■ INTENT TO AWARD

*Services (other than human services)*

**FY21 DYCD ONLINE NEGOTIATED ACQUISITION EXTENSION -** Negotiated Acquisition - Specifications cannot be made sufficiently definite - PIN# 26021088478C - Due: 9-9-20 at: 9:00 A.M.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD), wishes to extend the following Capacity Building Contract, through a Negotiated Acquisition Extension. The contractor listed below, will provide DYCD Online Technical Assistance, which is an essential service to our CBO communities, to help them acquire the necessary proficiency to utilize DYCD online, so they are able to accurately report data on their programs to DYCD. This contractor will train CBOs on the effectiveness of DYCD Online as a management tool and help them comply with diverse data reporting requirements. The term of this contract extension shall be for a one -year period from 7/1/2020 to 6/30/2021, with no option to renew. Below are the pin numbers, contract amounts, contractor names and addresses  
Contractor PIN: 26021088478C Contract Amount: \$200,000.00  
Contractor: ExpandEd Schools Inc. Contractor Address: 11 West 42nd Street, 3rd Floor, New York, NY 10036.

Please be advised that this is for information purposes only. If you wish to contact DYCD for further information, please send an email to [ACCO@dycd.nyc.gov](mailto:ACCO@dycd.nyc.gov).

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

*Youth and Community Development, 2 Lafayette Street, 14th Floor, New York, NY 10007. Renise Ferguson (646) 343-6320; [referguson@dycd.nyc.gov](mailto:referguson@dycd.nyc.gov)*

← s1-8



**EMPIRE STATE DEVELOPMENT CORPORATION**

■ NOTICE

**NOTICE OF APPLICATION TO CONDEMN  
PURSUANT TO SECTION 402(B)(2)  
OF THE EMINENT DOMAIN PROCEDURE LAW**

PLEASE TAKE NOTICE that an application will be made by the NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT (“ESD”), to the Supreme Court of the State of New York, County of New York, Room 130, 60 Centre Street, New York, New York, on September 29, 2020, at 9:30 A.M., for an order pursuant to Section 402(B)(2) of the Eminent Domain Procedure Law: (a) authorizing ESD to file an acquisition map in the Office of the Clerk of the County of New York or the Office of the City Register, Borough of Manhattan, in connection with Phase 1, Stage 2 of the Columbia University Educational Mixed-Use Development Land Use Improvement and Civic Project; (b) directing that, upon the filing of the order and of such map, the acquisition of the properties, property interests and subsurface easements sought to be acquired shall be complete and shall vest in ESD; (c) providing that the compensation which should justly be made be ascertained and determined by the aforesaid Supreme Court, without a jury and without referral to a referee or commissioner; and (d) granting ESD such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that the real property interests sought to be acquired by ESD are: (a) fee on condition interest, subject to a right of reacquisition by the City of New York, in volumes of space beneath the surface of the western portion of 131<sup>st</sup> Street, between Broadway and Twelfth Avenue (“Damage Parcel 14”); (b) fee on condition interests, subject to a right of reacquisition by the City of New York, in a volume of space beneath the surface of the entire portion of West 132<sup>nd</sup> Street, between Broadway and Twelfth Avenue, along with a permanent easement in a volume of space beneath the foregoing street volume (“Damage Parcel 15”); and (c) permanent easements in volumes of space beneath the surfaces of 12th Avenue (“Damage Parcel PE 22”), West 133rd Street (“Damage Parcel PE 23”), and Broadway (“Damage Parcel PE 24” and, together with Damage Parcel PE 22 and Damage Parcel PE 23, the “Subsurface Street Easements”), all of the foregoing to be acquired as part of the Columbia University Educational Mixed-Use Development Land Use Improvement and Civic Project.

PLEASE TAKE FURTHER NOTICE that the metes and bounds descriptions for Damage Parcel 14 is as follows:

**PORTION OF WEST 131<sup>ST</sup> STREET**

*(Damage Parcel 14)*

All that certain plot, piece or parcel of land, situate, lying and being in the bed of West 131st Street, as laid out on the Borough President of Manhattan Final Sectional Map No. 112 and No. 113, in the Borough of Manhattan, City, County, and State of New York and that portion of West 131st Street as shown on the tax map of the City of New York, Borough of Manhattan, as said tax map existed on December 9, 2019, being more particularly bounded and described as follows:

**HORIZONTAL LIMITS**

BEGINNING at the corner formed by the intersection of the northerly line of West 131st Street (60 feet wide) and the easterly line of 12th Avenue (100 feet wide);

1. Running thence easterly along the northerly line of West 131st Street, a distance of 375 feet and 0 inches (375.00 feet) to a point, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the easterly line of 12th Avenue;
2. Running thence southerly through the bed of West 131st Street, a distance of 60 feet and 0 inches (60.00 feet) to a point on the southerly line of West 131st Street, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the northerly line of West 131st Street;
3. Running thence westerly along the southerly line of West 131st Street, a distance of 375 feet and 0 inches (375.00 feet) to the corner formed by the intersection of the southerly line of West 131st Street and the easterly line of 12th Avenue, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last mentioned course;

4. Running thence northerly along the easterly line of 12th Avenue, a distance of 60 feet and 0 inches (60.00 feet) to the place and point of Beginning, said easterly line of 12th Avenue forming an interior angle of 90 degrees 00 minutes 00 seconds with the southerly line of West 131st Street.

Containing 22,500 Square Feet or 0.517 Acres

**VERTICAL LIMITS**

**UPPER LIMITS**

The upper vertical limits of the parcel within the horizontal limits described above consist of two sloping and abutting planes, the westerly plane and the easterly plane, with the westerly plane having a westerly side being a horizontal line at elevation 2.30, parallel to, and along the easterly line of 12th Avenue, and the easterly side of the plane being a horizontal line at elevation 4.36, parallel to, and located a horizontal distance of 179.00 feet easterly of the easterly line of 12th Avenue; with the easterly plane having a westerly side being a horizontal line at elevation 4.36, parallel to, and located a horizontal distance of 179.00 feet easterly of the easterly line of 12th Avenue, and the easterly side of the plane being a horizontal line at elevation 10.20, parallel to, and located a horizontal distance of 375.00 feet easterly of, the easterly line of 12th Avenue.

**LOWER LIMIT**

The lower vertical limit of the parcel within the horizontal limits described above consists of one horizontal plane, having a westerly side being located along the easterly line of 12th Avenue, and the easterly side of the plane being a horizontal line parallel to, and located a horizontal distance of 375.00 feet easterly of the easterly line of 12th Avenue, being at elevation -78.35 (NAVD 88) and / or -80.00 (Manhattan Borough Datum).

Containing 69,787 Cubic Yards

Note: Elevations are referenced to the North American Vertical Datum of 1988 (NAVD88). The above descriptions are graphically shown on a drawing entitled “Damage and Acquisition Map, Damage Parcel 14, West 131st Street, Borough of Manhattan, City, County & State of New York”, Sheet 2 of 6, dated December 20, 2019, last revised on June 26, 2020, prepared by Control Point Associates, Inc.

PLEASE TAKE FURTHER NOTICE that the metes and bounds descriptions for Damage Parcel 15 is as follows:

**WEST 132<sup>ND</sup> STREET**

*(Damage Parcel 15)*

All that certain plot, piece or parcel of land, situate, lying and being in the bed of West 132nd Street, as laid out on the Borough President of Manhattan Final Sectional Map No. 113, in the Borough of Manhattan, City, County, and State of New York and that portion of West 132nd Street as shown on the tax map of the City of New York, Borough of Manhattan, as said tax map existed on December 9, 2019, being more particularly bounded and described as follows:

**HORIZONTAL LIMITS**

BEGINNING at the corner formed by the intersection of the northerly line of West 132nd Street (60 feet wide) and the westerly line of Broadway (150 feet wide);

1. Running thence southerly along the westerly line of Broadway, a distance of 60 feet and 0 inches (60.00 feet) to the corner formed by the intersection of the southerly line of West 132nd Street and the westerly line of Broadway, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the northerly line of West 132nd Street;
2. Running thence westerly along the southerly line of West 132nd Street, a distance of 775 feet and 0 inches (775.00 feet) to the corner formed by the intersection of the easterly side of 12th Avenue (100 feet wide) and the southerly line of West 132nd Street, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the westerly line of Broadway;
3. Running thence northerly along the easterly line of 12th Avenue, a distance of 60 feet and 0 inches (60.00 feet) to the corner formed by the intersection of the northerly line of West 132nd Street and the easterly line of 12th Avenue, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the southerly line of West 132nd Street;
4. Running thence easterly along the northerly line of West 132nd Street, a distance of 775 feet and 0 inches (775.00 feet) to the place and point of Beginning, said northerly line of West 132nd Street forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course.

Containing 46,500 Square Feet or 1.067 Acres

**VERTICAL LIMITS**

**UPPER LIMITS OF FEE PORTION OF DAMAGE PARCEL 15**

The upper vertical limits of the fee portion of the damage parcel within the horizontal limits described above consist of three sloping and abutting planes, the westerly plane, the central plane and the

easterly plane, with the westerly plane having a westerly side being a horizontal line at elevation 3.44, parallel to, and along the easterly line of 12th Avenue, and the easterly side of the plane being a horizontal line at elevation 16.46, parallel to, and located a horizontal distance of 262.00 feet easterly of, the easterly line of 12th Avenue; with the central plane having a westerly side being a horizontal line at elevation 16.46, parallel to, and located a horizontal distance of 262.00 feet easterly of, the easterly line of 12th Avenue, and the easterly side of the plane being a horizontal line at elevation 30.65, parallel to, and located a horizontal distance of 254.00 feet westerly of, the westerly line of Broadway; and with the easterly plane having a westerly side being a horizontal line at elevation 30.65, parallel to, and located 254.00 feet westerly of, the westerly line of Broadway, and the easterly side of the plane being a horizontal line at elevation 45.33, said easterly side being located along the westerly line of Broadway.

**LOWER LIMIT OF FEE PORTION OF DAMAGE PARCEL 15**  
The lower vertical limit of the fee portion of the damage parcel within the horizontal limits described above consists of one horizontal plane, having a westerly side being located along the easterly line of 12th Avenue, and the easterly side of the plane being located along the westerly line of Broadway, being at elevation -68.35 (NAVD 88) and / or -70.00 (Manhattan Borough Datum).

Containing 158,508 Cubic Yards

**UPPER LIMITS OF SUBSURFACE EASEMENT PORTION OF DAMAGE PARCEL 15**  
The upper vertical limit of the subsurface easement portion of the damage parcel within the horizontal limits described above is a horizontal plane at elevation -68.35 (NAVD 88) and / or -70.00 (Manhattan Borough Datum).

**LOWER LIMIT OF SUBSURFACE EASEMENT PORTION OF DAMAGE PARCEL 15**  
The lower vertical limit of the subsurface easement portion of the damage parcel within the horizontal limits described above is a horizontal plane at elevation -298.35 (NAVD 88) and / or -300.00 (Manhattan Borough Datum).

Containing 396,111 Cubic Yards

The complete damage parcel comprising a volume of 554,619 cubic yards, more or less.

PLEASE TAKE FURTHER NOTICE that the metes and bounds descriptions for the Subsurface Street Easements are as follows:

**SUBSURFACE STREET EASEMENTS**

*(Damage Parcel PE 22)*

All that certain plot, piece or parcel of land, situate, lying and being in the bed of 12th Avenue, as laid out on the Borough President of Manhattan Final Sectional Map No. 113, in the Borough of Manhattan, City, County, and State of New York and that portion of 12th Avenue as shown on the tax map of the City of New York, Borough of Manhattan, as said tax map existed on December 9, 2019, being more particularly bounded and described as follows:

**HORIZONTAL LIMITS**

BEGINNING at the corner formed by the intersection of the westerly line of 12th Avenue (100 feet wide) and the northerly line of West 133rd Street (60 feet wide);

1. Running thence easterly along the northerly line of West 133rd Street, a distance of 100 feet and 0 inches (100.00 feet) to the corner formed by the intersection of the easterly line of 12th Avenue and the northerly line of West 133rd Street, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the westerly line of 12th Avenue;
2. Running thence southerly along the easterly line of 12th Avenue, a distance of 494 feet and 8 inches (494.66 feet) to a point, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with last mentioned course;
3. Running thence westerly through the bed of 12th Avenue, a distance of 100 feet and 0 inches (100.00 feet), to a point on the westerly line of 12th Avenue, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the easterly line of 12th Avenue;
4. Running thence northerly along the westerly line of 12th Avenue, a distance of 494.00 feet and 8 inches (494.66 feet) to the place and point of Beginning, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course.

Containing 49,466 Square Feet or 1.136 Acres

**VERTICAL LIMITS**

**UPPER LIMITS**

The upper vertical limits of the parcel within the horizontal limits described above consist of two sloping and abutting planes, the southerly plane and the northerly plane, with the southerly plane having a southerly side being a horizontal line at elevation 1.11, parallel to, and located a horizontal distance of 25.00 feet northerly of

the northerly line of West 131st Street, and the northerly side of the plane being a horizontal line at elevation 1.36, parallel to, and located a horizontal distance of 272.33 feet northerly of the northerly line of West 131st Street; and with the northerly plane having a southerly side being a horizontal line at elevation 1.36, parallel to, and located 247.33 feet southerly of the northerly line of West 133rd Street, and the northerly side of the plane being a horizontal line at elevation 2.29, said northerly side being located along the northerly line of West 133rd Street.

**LOWER LIMIT**

The lower vertical limit of the parcel within the horizontal limits described above consists of one horizontal plane, having a southerly side being located a horizontal distance of 25.00 feet northerly of the northerly line of West 131st Street, and the northerly side of the plane being located along the northerly line of West 133rd Street, being at elevation -298.35 (NAVD 88) and / or -300.00 (Manhattan Borough Datum).

Containing 549,402 Cubic Yards

*(Damage Parcel PE 23)*

All that certain plot, piece or parcel of land, situate, lying and being in the bed of West 133rd Street, as laid out on the Borough President of Manhattan Final Sectional Map No. 113, in the Borough of Manhattan, City, County, and State of New York and that portion of West 133rd Street as shown on the tax map of the City of New York, Borough of Manhattan, as said tax map existed on December 9, 2019, being more particularly bounded and described as follows:

**HORIZONTAL LIMITS**

BEGINNING at the corner formed by the intersection of the northerly line of West 133rd Street (60 feet wide) and the westerly line of Broadway (150 feet wide);

1. Running thence southerly along the westerly line of Broadway, a distance of 60 feet and 0 inches (60.00 feet) to the corner formed by the intersection of the southerly line of West 133rd Street and the westerly line of Broadway, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the northerly line of West 133rd Street;
2. Running thence westerly along the southerly line of West 133rd Street, a distance of 775 feet and 0 inches (775.00 feet) to the corner formed by the intersection of the easterly side of 12th Avenue (100 feet wide) and the southerly line of West 133rd Street, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last mentioned course;
3. Running thence northerly along the easterly line of 12th Avenue, a distance of 60 feet and 0 inches (60.00 feet) to the corner formed by the intersection of the northerly line of West 133rd Street and the easterly line of 12th Avenue, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the southerly line of West 133rd Street;
4. Running thence easterly along the northerly line of West 133rd Street, a distance of 775 feet and 0 inches (775.00 feet) to the place and point of Beginning, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last mentioned course.

Containing 46,500 Square Feet or 1.067 Acres

**VERTICAL LIMITS**

**UPPER LIMITS**

The upper vertical limits of the parcel within the horizontal limits described above consist of two sloping and abutting planes, the westerly plane and the easterly plane, with the westerly plane having a westerly side being a horizontal line at elevation 2.74, parallel to, and along the easterly line of 12th Avenue, and the easterly side of the plane being a horizontal line at elevation 28.53, parallel to, and located a horizontal distance of 387.50 feet easterly of, the easterly line of 12th Avenue; and with the easterly plane having a westerly side being a horizontal line at elevation 28.53, parallel to, and located 387.50 feet westerly of the westerly line of Broadway, and the easterly side of the plane being a horizontal line at elevation 55.18, said easterly side being located along the westerly line of Broadway.

**LOWER LIMIT**

The lower vertical limit of the parcel within the horizontal limits described above consists of one horizontal plane, having a westerly side being located along the easterly line of 12th Avenue, and the easterly side of the plane being located along the westerly line of Broadway, being at elevation -298.35 (NAVD 88) and / or - 300.00 (Manhattan Borough Datum).

Containing 563,330 Cubic Yards

(Damage Parcel PE 24)

All that certain plot, piece or parcel of land, situate, lying and being in the bed of Broadway, as laid out on the Borough President of Manhattan Final Sectional Map No. 113, in the Borough of Manhattan, City, County, and State of New York and that portion of Broadway as shown on the tax map of the City of New York, Borough of Manhattan, as said tax map existed on December 9, 2019, being more particularly bounded and described as follows:

**HORIZONTAL LIMITS**

BEGINNING at the corner formed by the intersection of the westerly line of Broadway (150 feet wide) and the northerly line of West 133rd Street (60 feet wide);

1. Running thence easterly through the bed of Broadway, a distance of 150 feet and 0 inches (150.00 feet) to the corner formed by the intersection of the easterly line of Broadway and the northerly line of West 133rd Street, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the westerly line of Broadway;

2. Running thence southerly along the easterly line of Broadway, a distance of 500.00 feet and 0.6 inches (500.05 feet) to a point, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last mentioned course;

3. Running thence easterly through the bed of Broadway, a distance of 150 feet and 0 inches (150.00 feet), to a point on the westerly line of Broadway, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the easterly line of Broadway;

4. Running thence northerly along the westerly line of Broadway, a distance of 500.00 feet and 0.6 inches (500.05 feet) to the place and point of Beginning, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course.

Containing 75,008 Square Feet or 1.722 Acres

**VERTICAL LIMITS**

**UPPER LIMIT**

The upper vertical limits of the parcel within the horizontal limits described above consist of two sloping and abutting planes, the southerly plane and the northerly plane, with the southerly plane having a southerly side being a horizontal line at elevation 35.96, parallel to and located a horizontal distance of 19.61 feet northerly of the northerly line of West 131st Street, and the northerly side of the plane being a horizontal line at elevation 45.89, parallel to, and located a horizontal distance of 269.64 feet northerly of the northerly line of West 131st Street; with the northerly plane having a southerly side being a horizontal line at elevation 45.89, parallel to, and located 250.025 feet southerly of the northerly line of West 133rd Street, and the northerly side of the plane being a horizontal line at elevation 56.10, said northerly side being located along the northerly line of West 133rd Street.

**LOWER LIMIT**

The lower vertical limit of the parcel within the horizontal limits described above consists of one horizontal plane, having a southerly side being parallel to and located a distance of 19.61 feet north of the northerly line West 131st Street, and the northerly side of the plane being located along the northerly line of West 133rd Street, being at elevation -298.35 (NAVD 88) and / or -300.00 (Manhattan Borough Datum).

Containing 956,512 Cubic Yards

Acquisition of Damage Parcels 14, 15, and the Subsurface Street Easements shall exclude the following interests:

(1) All right, title and interest of the Metropolitan Transportation Authority of the State of New York and its subsidiaries, including the New York City Transit Authority and the Manhattan and Bronx Surface Transit Operating Authority in and to the following property, if and to the extent located within the property being acquired: (a) routes, tracks, tunnels, switches, sidings, extensions, connections, platforms, structures or terminals; (b) wires, conduits, pipes, ducts, telephone, signal and other communication or service facilities; (c) columns, footings, bracings, foundations and other structural members; and (d) any other devices, equipment and facilities used in connection with the operation or maintenance of the subway system.

(2) The interests held by the Petitioner and by the City of New York pursuant to the provisions of that certain Declaration of Covenants and Restrictions by The Trustees of Columbia University in the City of New York, dated as of December 14, 2011, and recorded in the Office of the Register of the City of New York, New York County as CRFN2012000005762.

(3) The public and governmental utility facilities having a physical manifestation within the area being acquired; all recorded easements, licenses and other agreements, if any, for such public and governmental utility facilities and reasonable rights of access to such public and government utility facilities

as necessary for the maintenance, operation, repair, replacement or use of the same whether or not embodied in recorded instruments.

(4) The rights and interests held by the City of New York and by the Trustees of Columbia University in the City of New York under the Streets Acquisition Agreement between the City of New York and the Trustees of Columbia University in the City of New York, dated as of April 3, 2008, as amended.

PLEASE TAKE FURTHER NOTICE that a diagram or representation of the acquisition map, which shows the perimeters of the property in which interests are to be acquired, is set forth below. Parcels to be acquired are outlined in black.

September 1, 2020.

NEW YORK STATE URBAN DEVELOPMENT CORPORATION, d/b/a  
EMPIRE STATE DEVELOPMENT  
633 Third Avenue – Floor 37  
New York, NY 10017

Exhibit A. Project Site Map

