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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

MEETING

City Planning Commission

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

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, NY 10007, at 1:30 P.M.

Contract Awards Public Hearing

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

Civilian Complaint Review Board

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

Design Commission

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

Department of Education

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

Board of Elections

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

Environmental Control Board

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

Board of Health

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

Health Insurance Board

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

Board of Higher Education

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

Citywide Administrative Services

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

Commission on Human Rights

Meets on 10th Floor in the Commission's Central Office, 40 Rector Street, New York, NY 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

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

Franchise and Concession Review Committee

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

Real Property Acquisition and Disposition

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

Landmarks Preservation Commission

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

Employees' Retirement System

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

Housing Authority

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

Parole Commission

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

Board of Revision of Awards

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

Board of Standards and Appeals

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

Tax Commission

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

BOROUGH PRESIDENT - BROOKLYN

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT, pursuant to Section 201 of the New York City Charter, the Brooklyn borough president, will hold a remote public hearing, on the following matters, commencing at 6:00 P.M., on Tuesday, November 10th, 2020. The hearing, will be conducted, via the Webex video conferencing system. Members of the public, may join using the following information:

Event Address:

<https://nycbp.webex.com/nycbp/onstage/g.php?MTID=ec41932d00d0e33b2f9762f33fbc5d41c>

Event Number: 173 716 4553

Event Password: BBPU1110

Those wishing to call in without video may do so using the following information:

Audio Conference: +1-408-418-9388

Access Code: 173 716 4553

This hearing will be recorded for public transparency and made available on Borough President Adams' YouTube channel, One Brooklyn.

Note: For further information on accessibility, or to make a request for accommodations, such as sign language interpretation services, please contact Nathan Sherfinski, via email, at nathan.sherfinski@brooklynbp.nyc.gov, or via phone, at (718) 802-3857, at least five (5) business days in advance to ensure availability.

1620 Cortelyou Road Rezoning (180496 ZMK, 180497 ZRK)

An application, submitted by 1600/20 Realty Corp., pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment, to change the south side of Cortelyou Road between East 15th and East 16th Streets, from R6A/C2-4 to R7D/C2-4, and a zoning

text amendment, to designate the rezoning area, a Mandatory Inclusionary Housing (MIH) area. These actions are requested to facilitate a nine-story 82,962 square-foot (sq. ft.) mixed-use development, with 85 dwelling units and 9,500 square feet of commercial space, intended for a 6,500 square foot supermarket and local retail, in Brooklyn Community District 14 (CD 14). The building's cellar would contain 44 accessory parking spaces accessible via a ramp on East 16th Street.

16th Avenue Rezoning (200062 ZMK, 200063 ZRK)

An application, submitted by Borough Park Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment, to change the west side of 15th Avenue between 58th and 59th Streets, from R5 and C2-4 to a C4-4A district, which would be mapped to a depth of 100 feet; a zoning map amendment, to eliminate the remaining 50 feet of the commercial overlay on the block, and a zoning text amendment, to designate the rezoning area an MIH area. These actions are requested to facilitate a five-story, 15,945 square foot commercial office development, at 5802 16th Avenue, in Brooklyn Community District 12 (CD 12).

9114 Fifth Avenue Rezoning (190447 ZMK, 190448 ZRK)

An application, submitted by BayRidge Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a zoning map amendment to change the western side of Fifth Avenue between 91st and 92nd Streets, from C8-2 to R7A/C-4, and a zoning text amendment, to designate the rezoning area an MIH area. These actions are requested to facilitate a nine-story development, with 50 dwelling units and 9,300 square feet of commercial use, in Brooklyn Community District 10 (CD 10). Up to 30 percent of the building's residential floor area would be affordable, pursuant to MIH. The applicant also intends to seek a waiver of the required parking.

Accessibility questions: Nathan Sherfinski, (718) 802-3857, nathan.sherfinski@brooklynbp.nyc.gov, by: Monday, November 2, 2020, 5:00 P.M.



o28-n10

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following remote public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a remote public hearing on the following matter, commencing at 2:00 P.M. on November 5, 2020 at <https://council.nyc.gov/livestream/>. Please visit <https://council.nyc.gov/testify/> in advance for information about how to testify and how to submit written testimony.

DSNY QUEENS SANITATION GARAGE 1

Queens CB - 1

C 200238 PCQ

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.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Monday, November 2, 2020, 3:00 P.M.



o29-n5

NOTICE IS HEREBY GIVEN that the Council has scheduled the following remote public hearing on the matter indicated below:

The Subcommittee on Zoning and Franchises will hold a remote public hearing on the following matters, commencing at 10:00 A.M., on November 9, 2020, at <https://council.nyc.gov/livestream/>. Please visit <https://council.nyc.gov/testify/> in advance for information about how to testify and how to submit written testimony.

SPECIAL FLUSHING WATERFRONT DISTRICT

QUEENS CB - 7

C 200033 ZMQ

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 36th 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 36th Avenue, College Point Boulevard, 39th Avenue, Janet Place, Roosevelt Avenue, College Point Boulevard, the northerly street line of 40th Road and its northeasterly and south westerly prolongations, a line passing through a point distant 891.29 feet southwesterly 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.

**SPECIAL FLUSHING WATERFRONT DISTRICT
QUEENS CB - 7 N 200034 ZRQ**

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;
 Matter within # # is defined in Section 12-10;
 * * * indicates where unchanged text appears in the Zoning Resolution

**ARTICLE I
GENERAL PROVISIONS**

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

* * *

**11-122
Districts established**

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

* * *

Special Purpose Districts

* * *

Establishment of the Special 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 District</u>	No	Yes
Forest Hills District ¹	No	Yes
Long Island City Mixed Use District ²	No	Yes
Southern Hunters Point District	No	Yes
Willetts 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:

- Article VII, Chapter 8 (Special Regulations Applying to Large Scale Residential Developments);
- 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:

- 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
- 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 former 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#;
- (1) 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 #waterfront public access areas# may be certified 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 remaining #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 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.

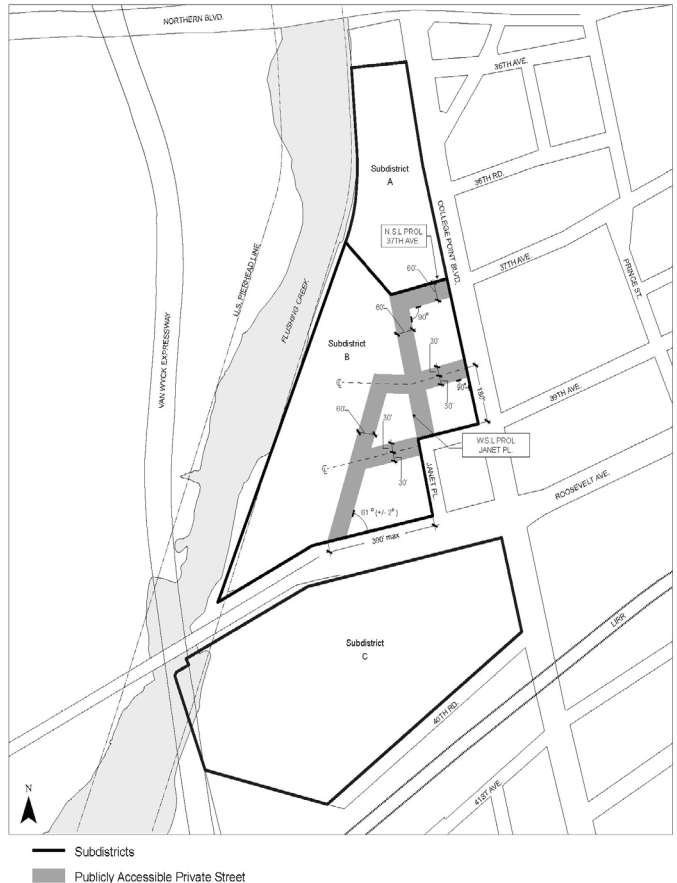
Appendix

SPECIAL FLUSHING WATERFRONT DISTRICT PLAN

Map 1. Special Flushing Waterfront District and Subdistricts

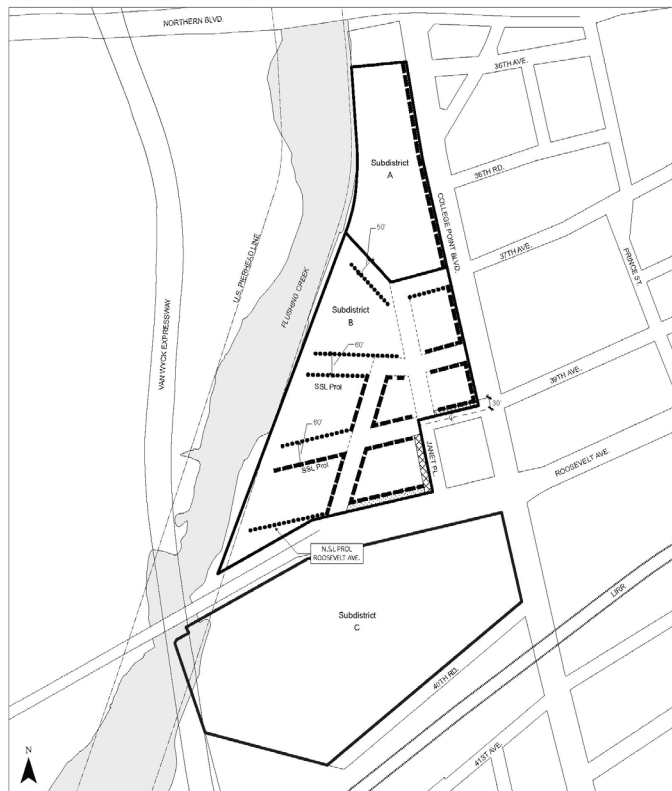


Map 2. Publicly Accessible Private Street Network



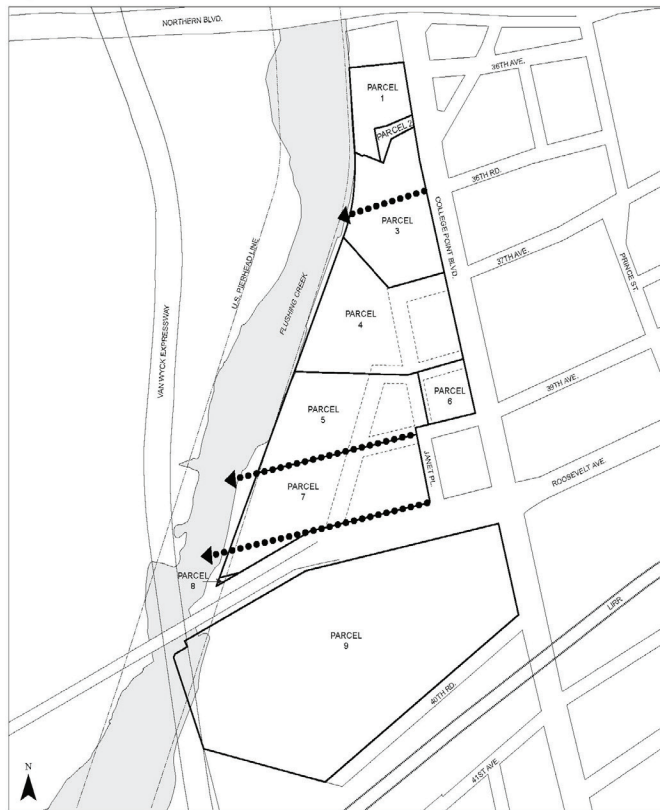
Legend: Subdistricts (black outline), Publicly Accessible Private Street (grey fill)

Map 3. Requirements Along Street Frontages



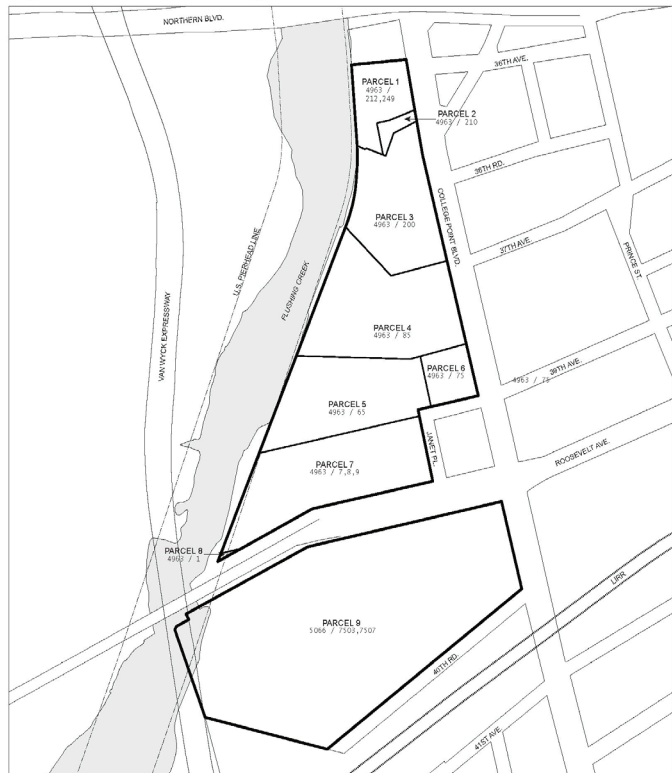
- | | | |
|---|---|---|
| Primary Street Frontages | Secondary Street Frontages | Sidewalk Widening |
| — Type 1 Primary | All other street frontages not designated as primary street frontages are secondary street frontages. | 5 Feet |
| — Type 2 Primary | | @ 30-foot line parallel to the center line of 39TH AVENUE |
| — Subdistrict Boundary | | 10 Feet |
| — Publicly Accessible Private Street Boundary | | |

Map 5. Waterfront Access Plan: Visual Corridors



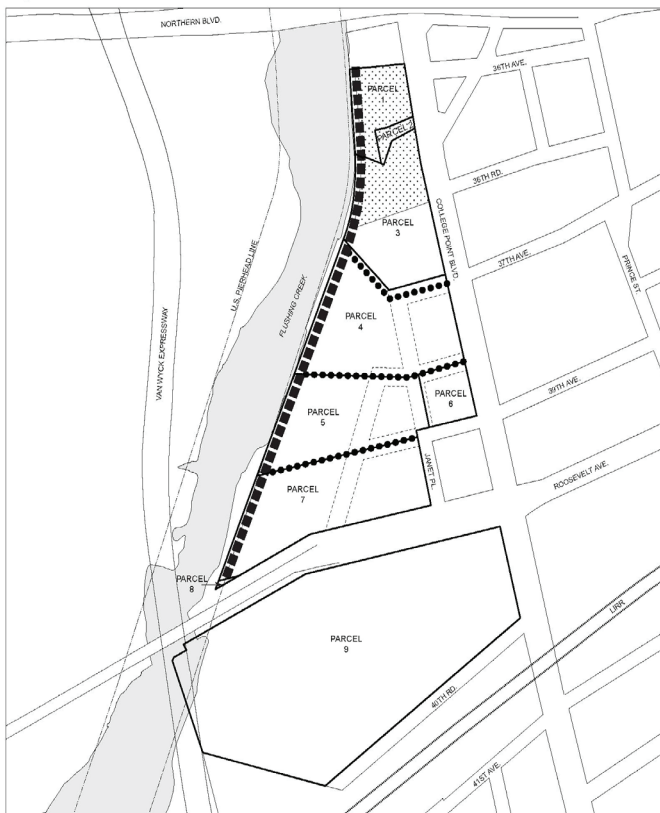
- > Visual Corridor
- Publicly Accessible Private Street Boundary

Map 4. Waterfront Access Plan: Parcel Designation



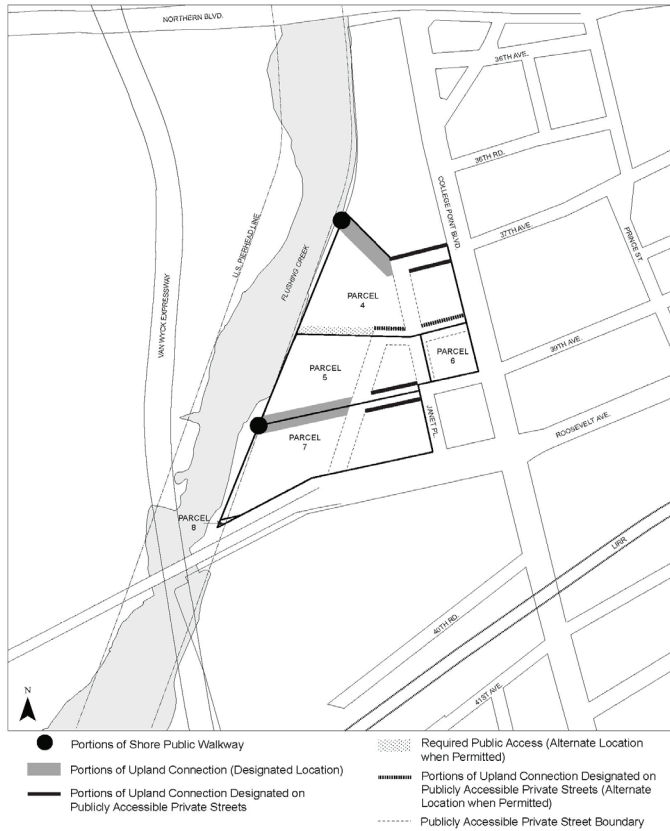
- WAP Boundary
- Parcel Line
- 4963/7, 8, 9 Tax Block / Lot numbers

Map 6. Waterfront Access Plan: Public Access Areas

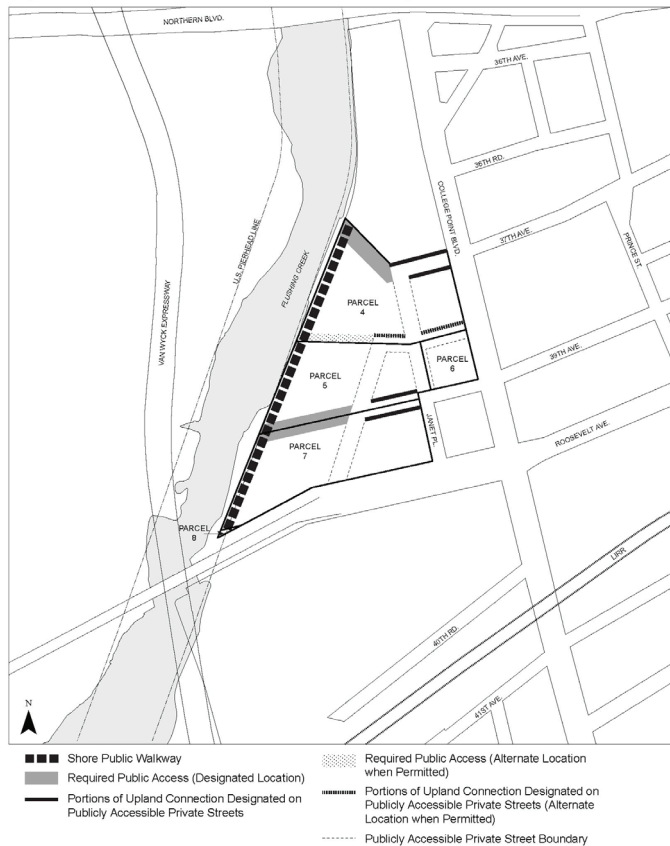


- Upland Connection (Designated Location)
- Upland Connection (Flexible Location)
- Shore Public Walkway
- Publicly Accessible Private Street Boundary

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



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



* * *

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

QUEENS

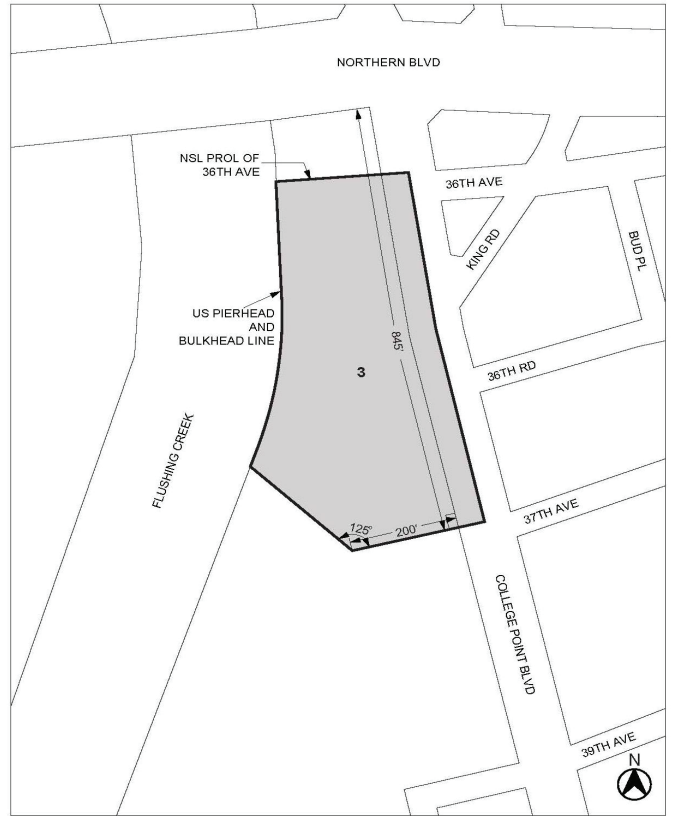
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Queens Community District 7

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

* * *

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov, or nbenjamin@council.nyc.gov, or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Maria Sabalvaro, msabalvaro@council.nyc.gov, by: Wednesday, November 4, 2020, 3:00 P.M.



n2-9

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, November 18, 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/286999/1>

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] or made by calling [212-720-3508]. Requests must be submitted at least five business days before the meeting.

BOROUGH OF MANHATTAN
Nos. 1 & 2
CORT THEATER
No. 1

CD 5 C 200123 ZSM
IN THE MATTER OF an application submitted by Cort Theatre LLC and Clarity 47 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-745* of the Zoning Resolution to allow a floor area bonus for the substantial rehabilitation or restoration of a listed theater, as set forth in Section 81-742 (Listed theatres), and to allow the bonus floor area to be utilized anywhere on the zoning lot, on property located at 138 West 48th Street a.k.a. 145 West 47th Street (Block 1000, Lots 7, 11, 49, 55, 56, 57, 58, and 59), in C6-5.5 and C6-7T Districts, within the Special Midtown District (Theater Subdistrict).

*Note: Section 81-745 is proposed to be amended under a concurrent related application for a Zoning Text Amendment (N 200124 ZRM). Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271.

No. 2

CD 5 N 200124 ZRM
IN THE MATTER OF an application submitted by Cort Theatre LLC and Clarity 47 LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VIII Chapter 1 (Special Midtown District) for the purpose of amending the provisions of a special permit regulating theater rehabilitation bonuses.

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

ARTICLE VIII
SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Midtown District

81-70
SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

81-74
Special Incentives and Controls in the Theater Subdistrict

81-745
Floor area bonus for rehabilitation of existing listed theaters

The City Planning Commission by special permit may authorize bonus #floor area# for substantial rehabilitation or restoration of any theater listed as a "listed theater" in Section 81742 (Listed theaters), in accordance with the provisions of this Section.

(a) Conditions for rehabilitation bonus

As a condition for the issuance of a special permit under the provisions of this Section, the following requirements shall be satisfied:

- (1) Location of #development#
The #development# or #enlargement# for which a theater rehabilitation bonus is granted is located on the same #zoning lot# as the "listed theater."
(2) Qualification of substantial rehabilitation
Substantial rehabilitation work qualifying for a #floor area# bonus shall consist of major interior structural changes for the purpose of improving a theater's design and its commercial viability for legitimate theater #use#, or historic restoration of the interior of a theater designated as an interior landmark.
Substantial rehabilitation may include, without limitations, such work as expanding stage wings, reraising the orchestra, increasing rehearsal, dressing room or lobby and ancillary spaces, improving accessibility beyond applicable legal requirements, or historic restoration. It may also include reconversion to legitimate theater #use# of an original legitimate theater currently in other #use#. Substantial rehabilitation does not mean normal theater maintenance, painting or improvements to mechanical systems alone.
(3) Timing and commitment
(i) there shall be a contractual commitment or commitments for the construction work involved in the substantial rehabilitation;
(ii) the requirements of Section 81-743 (Required assurances for continuance of legitimate theater use) shall be satisfied; and
(iii) a rehabilitation bonus shall not be granted for a substantial rehabilitation completed before May 13, 1982.

(b) Amount of rehabilitation bonus

The amount of bonus #floor area# granted for a qualifying theater rehabilitation shall be at the discretion of the Commission after consideration of the following findings:

- (1) how and to what extent the proposed rehabilitation will improve the theater's suitability for #use# as a legitimate theater;
(2) how the proposed rehabilitation will contribute toward satisfying the needs of the Theater Subdistrict;
(3) whether the bonus #floor area# will unduly increase the #bulk# of any #development# or #enlargement#, density of population or intensity of #use# on any #block# to the detriment of occupants of #buildings# on the #block# or the surrounding area; and
(4) whether the distribution and location of such #floor area# bonus will adversely affect the surrounding area by restricting light and air or otherwise impair the essential character or future development of the surrounding area.

Such bonus #floor area# shall not exceed 20 percent of the basic maximum #floor area# permitted on the #zoning lot# containing the #development# or #enlargement# by the regulations of the underlying district, except that in the case of an underlying C6-4, C6-5 or M1-6 District, the bonus #floor area# shall not exceed 44 percent of the basic maximum #floor area# permitted in such underlying district, and except that in the case of a #zoning lot# located wholly or partially in a C6-5.5 District, the Commission may allow bonus #floor area# to be utilized anywhere on the #zoning lot#.

For purposes of applying the provisions of Section 11-42 (Lapse of Authorization or Special Permit by the City Planning Commission Pursuant to the 1961 Zoning Resolution) to a special permit granted pursuant to this Section, "substantial construction" shall mean substantial rehabilitation, as described in paragraph (b) of this Section, of the subject theater for which a #floor area# bonus has been granted to a related #development# or #enlargement#.

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

* * *

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



COMMUNITY BOARDS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 Wednesday, November, 18, 2020, 7:00 P.M., Brooklyn Community Board 18, Meeting Room, 1097 Bergen Avenue, NY 11234.

U.L.U.R.P. Application# 210106PCK – Premises affected – 1427 Ralph Avenue, Block 7918, Lot 86.

An application submitted by the NYC Department of Health and Mental Hygiene (DOHMH), in conjunction with NYC Department of Citywide Administrative Services (DCAS), is seeking a site selection/acquisition action for combined office, lab, and storage space of approximately 36,000 gsf (and a parking lot of approximately 19,700 sf) for a Pest Control and Vector Control Program Facility, at 1427 Ralph Avenue (Block 7918, Lots 86, p/o 93, and 141), in Brooklyn, Community District 18. Please check the CB18 website, at www.nyc.gov/BKCB18, for details on how to join the meeting via WebEx.

← n2-17

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, November 24, 2020, via Webex. If you would like to attend this meeting, please contact BES Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

o14-n24

The Board of Education Retirement System Board of Trustees Meeting will be held, at 4:00 P.M. on Tuesday, December 15, 2020, via Webex. If you would like to attend this meeting, please contact BES Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

o22-d15

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 Thursday, November 12, 2020, at 2:30 P.M., via Microsoft Teams dial-in. The dial-in information is below.

Dial-in #: 1 646-893-7101

Access Code: 321 646 848

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.

o23-n12

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, November 10, 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. 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, 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.**

35 Love Lane - Brooklyn Heights Historic District

LPC-21-00437 - Block 236 - Lot 30 - **Zoning:** R7-1

CERTIFICATE OF APPROPRIATENESS

A 19th century carriage house. Application is to excavate and construct a below-grade addition.

969 Park Avenue (aka 961-971 Park Avenue; 101-105 East 82nd Street) - Park Avenue Historic District

LPC-21-02194 - Block 1511 - Lot 1 - **Zoning:** R10

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building, designed by Pickering & Walker and built in 1911-1912. Application is to establish a Master Plan, governing the future installation of windows.

456 West 23rd Street - Chelsea Historic District Extension

LPC-21-01296 - Block 720 - Lot 75 - **Zoning:** R7B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse, built in 1857. Application is to replace windows.

1 West 67th Street - Upper West Side/Central Park West Historic District

LPC-21-02245 - Block 1120 - Lot 23 - **Zoning:** R8 R10A

CERTIFICATE OF APPROPRIATENESS

A Neo-Gothic style studio building, with Tudor style elements, designed by George M. Pollard, built in 1915-18. Application is to modify the parapet, replace a skylight, and replace windows.

35-30 81st Street - Jackson Heights Historic District

LPC-20-04297 - Block 1280 - Lot 12 - **Zoning:** R7-1

CERTIFICATE OF APPROPRIATENESS

A Neo-Georgian style apartment building, designed by M.N. Weinstein and built in 1940. Application is to install stairs in an areaway and enlarge masonry openings.

81 Pierrepont Street - Brooklyn Heights Historic District

LPC-21-00436 - Block 236 - Lot 5 - **Zoning:** R7-1

CERTIFICATE OF APPROPRIATENESS

A Greek Revival style rowhouse, built in 1845. Application is to excavate and construct a below-grade addition.

135 East 71st Street (aka 140 East 72nd Street) - Upper East Side Historic District

LPC-20-10381 - Block 1406 - Lot 17 - **Zoning:** R9X R10A

CERTIFICATE OF APPROPRIATENESS

An apartment building, built in 1955. Application is to modify the building's base, replace storefront infill, establish a Master Plan for the installation of signage, and modify a Master Plan for the replacement of windows.

241 Washington Avenue - Clinton Hill Historic District

LPC-20-02189 - Block 1918 - Lot 31 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, designed by W. H. Gaylor and built in 1879. Application is to install a rooftop privacy wall and pergola, and extend flues.

217 East 5th Street (and 217 Rear East 5th Street) - East Village/Lower East Side Historic District

LPC-21-02023 - Block 461 - Lot 7502 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

An Italianate style apartment building, and back building, built c. 1862-63. Application is to construct an elevator tower, replace a deck, modify a masonry opening, and install a balcony at the back building.

61 East 77th Street - Upper East Side Historic District

LPC-20-10899 - Block 1392 - Lot 28 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Neo-Federal style school building, with Beaux-Art style features, designed by Harde and Hasselman, built in 1916. Application is to reconstruct the stoop and construct a barrier-free access ramp.

538 East 11th Street - LPC-20-09935 - Block 404 - Lot 23 - **Zoning:** R8B
CERTIFICATE OF APPROPRIATENESS

A Neo-Italian Renaissance style building, designed by Arnold W. Brunner and built in 1904-05. Application is to alter the façade.

245 Arleigh Road - Douglaston Historic District LPC-19-35502 - Block 8047 - Lot 42 - **Zoning:** R1-2
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style house, designed by John C.W. Cadoo and built in 1926. Application is to alter the facades, construct an addition, and widen the driveway.

373 Manor Road - Douglaston Historic District LPC-19-38718 - Block 8037 - Lot 45 - **Zoning:** R1-2
CERTIFICATE OF APPROPRIATENESS

A freestanding ranch house built in 1960. Application is to alter the facades, and relocate the driveway and curb cut.

Accessibility questions: Rich Stein, Community and Intergovernmental Affairs Coordinator, richstein@lpc.nyc.gov or (646) 248-0220, by: Tuesday, November 3, 2020, 5:00 P.M.



o27-n10

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, November 17, 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. 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, 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.**

311 East 140th Street - Mott Haven Historic District LPC-21-01275 - Block 2315 - Lot 21 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS

A vernacular style rowhouse, built in 1874. Application is to modify the areaway and front façade and install a barrier-free access chair.

40-42 West 84th Street - Upper West Side/Central Park West Historic District LPC-20-06245 - Block 1197 - Lot 52 - **Zoning:** R8B
CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style apartment building, designed by George F. Pelham and built in 1916-17. Application is to install railings and alter the existing penthouse addition.

60-53 68th Avenue - Central Ridgewood Historic District LPC-19-15249 - Block 3532 - Lot 50 - **Zoning:** R5B
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style house, built in 1909. Application is to legalize alterations to the front stoop and replacement of areaway fence without Landmarks Preservation Commission permit(s).

220 East 61st Street - Treadwell Farm Historic District LPC-20-09349 - Block 1415 - Lot 39 - **Zoning:** R8B
CERTIFICATE OF APPROPRIATENESS

A late Anglo-Italianate style house, designed by F.S. Barns and built in 1871-72. Application is to legalize reconstruction of the rear parapet in non-compliance with Certificate of No Effect 19-20807.

115 Fenimore Street - Prospect Lefferts Gardens Historic District LPC-20-10931 - Block 5037 - Lot 80 - **Zoning:** R2
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style house, designed by G. A. Schellenger and built in 1896. Application is to legalize the installation of a fence and

driveway gate without Landmarks Preservation Commission permit(s).

2935 Broadway (aka 2931-2939 Broadway; 600 West 115th Street) - Morningside Heights Historic District LPC-20-10024 - Block 1896 - Lot 7501 - **Zoning:** R8 C1-4
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building, designed by Gaetan Ajello and built in 1910. Application is to install window film at a storefront.

201 Sullivan Street (aka 169 Bleecker Street) - South Village Historic District LPC-20-05802 - Block 539 - Lot 42 - **Zoning:** R7-2 C1-5
CERTIFICATE OF APPROPRIATENESS

A stripped Greek Revival style rowhouse, built in 1835. Application is to modify a masonry opening and install a barrier free access ramp.

75 Broadway - Individual Landmark LPC-21-02452 - Block 49 - Lot 1 - **Zoning:** C5-5
CERTIFICATE OF APPROPRIATENESS

A Gothic Revival style church, designed by Richard Upjohn and built in 1846. Application is to install signage.

1860 Bedford Avenue - Prospect Lefferts Gardens Historic District LPC-20-10485 - Block 5031 - Lot 57 - **Zoning:** R2
CERTIFICATE OF APPROPRIATENESS

A Neo-Georgian style house, designed by Slee and Bryson and built in 1923-24. Application is to legalize the installation of paving, fence and gate, without Landmarks Preservation Commission permit(s).

West Broadway, Reade, Chambers and Hudson Streets - Tribeca West Historic District LPC-21-02877 - Block - Lot - **Zoning:** C6-3A
BINDING REPORT

A raised triangular-shaped pedestrian island, created c. 1920. Application to install PDC-approved food kiosk.

519 2nd Street - Park Slope Historic District LPC-19-37213 - Block 1076 - Lot 65 - **Zoning:** R6-B
CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style house, designed by Robert Dixon, James Nelson, and J.L. Allan and built in 1894-98. Application is to modify the areaway and stoop.

875 St. Marks Avenue - Crown Heights North Historic District LPC-21-00136 - Block 1222 - Lot 7501 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival rowhouse, designed by Langston & Dahlander and built c. 1891. Application is to legalize façade work and installation of a mailbox, in non-compliance with Certificate of No Effect 16-7468.

Accessibility questions: Rich Stein, Community and Intergovernmental Affairs Coordinator, richstein@lpc.nyc.gov or (646) 248-0220, by: Tuesday, November 10, 2020, 5:00 P.M.



n2-17



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.

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 DEPARTMENT

■ 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

“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

ENVIRONMENTAL PROTECTION

CONTRACT MANAGEMENT

■ SOLICITATION

Services (other than human services)

1564-BIO-1: FOR THE TRANSPORTATION & BENEFICIAL USE OF BIOSOLIDS - Negotiated Acquisition- Specifications cannot be made sufficiently definite - PIN#82621N0001 - Due 11-20-20 at 4:00 P.M.

Pursuant to PPB Rules Section 3-04(b)(2)(i)(D), DEP intends to enter into a negotiated acquisition agreement with Waste Management of NY, LLC for 1564-BIO-1 for Transportation and Beneficial Use of Biosolids generated at the Wards Island Resource Recovery Facility.

DEP has identified Waste Management of NY, LLC (WMNY), a subsidiary of Waste Management, as the preferable vendor for managing the biosolids generated at the WI WRRF. Waste Management is a publicly traded, solid waste company providing a broad array of services including organics and biosolids recycling. Any firm which believes it can also provide the required service IN THE FUTURE is invited to do so, indicated by letter which must be received no later than November 20, 2020, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, Attn: Ms. Debra Butlien, dbutlien@dep.nyc.gov, (718) -595-3423.

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

Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373. Glorivee Roman (718) 595-3226; glroman@dep.nyc.gov



o30-n6

PURCHASING MANAGEMENT

■ INTENT TO AWARD

Services (other than human services)

BENTLEY ENTERPRISE LICENSE - Sole Source - Available only from a single source - PIN# 1020006X - Due 11-16-20 at 11:00 A.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Bentley Enterprise License for maintenance and support services for Enterprise License Subscription. Any firm which believes they can also provide these items, are invited to indicate by letter or email, to Ira M. Elmore, Deputy Agency Chief Contracting Officer.

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

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Ira Elmore (718) 595-3259; ielmore@dep.nyc.gov

n2-9

FINANCE

TREASURY

■ SOLICITATION

Services (other than human services)

RE-SOLICITATION - PRESENT AND NOT-PRESENT MERCHANT CARD & ELECTRONIC CHECK PROCESSING - Request for Proposals - PIN# 83621P0002 - Due 12-14-20 at 3:00 P.M.

<https://www1.nyc.gov/site/finance/about/procurements.page>
This RFP includes a 30 percent M/WBE goal requirement.

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.

Finance, 59 Maiden Lane, 32nd Floor New York, NY 10038; Celloy Williams (212) 291-4427; bids@finance.nyc.gov

n2

■ INTENT TO AWARD

Services (other than human services)

BANK SERVICE CHARGES FOR SCHOOLS AND AGENCY BANK ACCOUNTS - Negotiated Acquisition - Available only from a single source - PIN#83619N0004 - Due 11-17-20 at 3:00 P.M.

This is a notice of intent to enter into negotiations for a 1.5 year contract with Capital One, N.A for Bank Service Charges for Schools and Agency Bank Accounts for the City of New York.

<https://mspwvw-dcscpf03.csc.nycnet/Login.aspx>

The Agencies are heavily reliant on the funding distribution of the vendor.

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.

Finance, 59 Maiden Lane, New York, NY 10038. Tia Clarke (212) 291-4435; clarket@finance.nyc.gov

o30-n6

MAYOR'S OFFICE OF CRIMINAL JUSTICE

■ INTENT TO AWARD

Human Services/Client Services

FUND FOR THE CITY OF NEW YORK/CENTER FOR COURT INNOVATION BROWNSVILLE YOUTHSTAT PROGRAM - Negotiated Acquisition - Other - PIN# 00221N0003 - Due 11-12-20 at 5:00 P.M.

In response to a mass shooting that occurred on July 27, 2019, and resulted in 11 injuries and one fatality during the Annual Old Timers Day Community Event, Mayor Bill de Blasio announced funding to support the Brownsville community. The Mayor announced that the funding would support a Neighborhood YouthStat – a youth centered version of MAP's NeighborhoodStat – that trains young people in community organizing and engagement, peacemaking, crime prevention through environmental design and a suite of mental health and trauma response skills. The Mayor has also committed resources to support a community-engaged design process to transform and activate Brownsville Playground and other public spaces in Brownsville.

The Brownsville Neighborhood Safety Program will consist of two major activities: (1) A Brownsville Neighborhood YouthStat and (2) a participatory design process also to be centralized in Brownsville.

The Brownsville Neighborhood YouthStat will draw on the established leadership in the community and select three young people between the ages of 15-24 from each of the ten developments in the neighborhood; these developments include: Marcus Garvey Apartments, Brownsville Houses, Langston Hughes Houses, Van Dyke I & II Houses, Sethlow Houses, Glenmore Plaza, Sally Mathews/Tapscott Houses, Howard Houses, Marcus Garvey Houses, and Tilden Houses. The Brownsville Youth Neighborhood Safety Program will also engage residents (youth and adults) in an annual participatory design process that mirrors the Local NeighborhoodStat process that is currently deployed as part of the Mayor's Action Plan for Neighborhood Safety. Engagement activities for this participatory design process may include a series of large-scale public events, exposure to visual and experiential exhibits to show examples of possible projects, multiple opportunities for residents to submit ideas for physical, programmatic, and/or policy solutions for enhanced safety, the orchestration of a voting process to ensure that the selection of the annual project is democratic and representative and, finally, opportunities for residents to work with the vendor and city agencies to implement the selected process.

The Mayor's Office of Criminal Justice, is utilizing the Negotiated Acquisition procurement method, for services pursuant to sections 3-04(b)(2)(i) and 3-04(b)(2)(ii) of the PPB rules due to the extraordinarily tight timeframe to implement direct services to the public housing population associated with the Mayor's Action Plan for Neighborhood Safety and the limited number of vendors available with the knowledge, expertise, and capacity to perform the scope of services required of the Prime Vendor.

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.

Mayor's Office of Criminal Justice, 1 Center Street, 10th Floor, Room 1012N, New York, NY 10007-1602. Jacob Reiben (212) 312-6861; MOCJProcurements@cityhall.nyc.gov

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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 RFP.

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/nycvendonline/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

j2-d31

REVENUE AND CONCESSIONS

■ SOLICITATION

Services (other than human services)

FOR THE DEVELOPMENT, OPERATION AND MAINTENANCE OF BICYCLE RENTAL STATIONS AT VARIOUS LOCATIONS IN QUEENS - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# Q99-BR-2020 - Due 12-10-20 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks"), is issuing, as of the date of this notice a significant Request for Proposals ("RFP"), for the development, operation and maintenance of bicycle rental stations at various locations in Queens with the option for future Queens locations.

There will be a recommended remote proposer meeting on Monday, November 16, 2020, at 2:00 P.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote proposer meeting.

The Cisco WebEx link for the remote proposer meeting is as follows:
<https://nycparks.webex.com/nycparks/j.php?MTID=m438965e0079815d e256ca51d6b2cd790>

Meeting number: 173 397 3351

Password: Bikes123

You may also join the remote proposer meeting by phone using the following information:

+1-646-992-2010 OR +1-408-418-9388

Access code: 173 397 3351

If you cannot attend the remote proposer meeting, please let us know by Friday, November 13, 2020 and we may set up a meeting at the Arsenal, which is located at 830 5th Avenue, in Central Park, Manhattan. Note that no more than 25 people will be permitted at the meeting.

All proposals submitted in response to this RFP must be submitted no later than Thursday, December 10, 2020, at 3:00 P.M.

Hard copies of the RFP can be obtained at no cost, commencing Thursday, October 29, 2020 through Thursday, December 10, 2020 by contacting Eric Weiss, Project Manager at (347) 971-0879 or at eric.weiss@parks.nyc.gov.

The RFP is also available for download, on Thursday, October 29, 2020 through Thursday, December 10, 2020, on Parks' website. To download the RFP, visit <http://www.nyc.gov/parks/businessopportunities> and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description.

For more information or if you cannot attend the remote proposer meeting, prospective proposers may contact Eric Weiss, Project Manager, at (347) 971-0879 or at eric.weiss@parks.nyc.gov.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
 (212) 504-4115.

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, The Arsenal, Central Park, 830 Fifth Avenue, Room 407, New York, NY 10065. Eric Weiss (212) 360-3483; eric.weiss@parks.nyc.gov

o29-n13

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. 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 E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



COMPTROLLER

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Monday, November 16, 2020, at 10:00 A.M. The Public Hearing will be held via Conference Call. Call-in #: (646) 876-9923, Meeting ID: 942 2026 4499.

IN THE MATTER OF a proposed contract between the New York City Office of the Comptroller and Eyes To See Incorporated dba RA Technology Services, located at 1193 E 40th Street Apt 1F, Brooklyn, NY 11210, for Purchase and Delivery of Lenovo Desktop Personal Computers including related Software, Equipment and Warranties. The value of the contract shall be \$377,640.00. The term of the contract will be one year from the date of registration. PIN# 01521BIST48934.

The vendor has been selected pursuant to Section 3-08 (c)(1)(iv) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call (646) 876 9923, Meeting ID: 942 2026 4499, no later than 9:55 A.M. If you need

further accommodations, please let us know at least five business days in advance of the Public Hearing via email to Pratihba Prabhu at pprabhu@comptroller.nyc.gov.

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SPECIAL MATERIALS

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 1200, New York, NY 10007 on 11/17/2020 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Row 1: 31, 32, 33 | 3414 | 51, 52, 53

Acquired in the proceeding entitled: MID-ISLAND BLUEBELT, PHASE 1 (SOUTH BEACH) subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

o30-n16

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., RM 1200, New York, NY 10007 on 11/3/2020 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Row 1: 3, 3A | 5708 | Adjacent to and part of 22. Row 2: 6, 6A | 5708 | Adjacent to and part of 29

Acquired in the proceeding entitled: Grantwood Avenue subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

o20-n2

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 1200, New York, NY 10007, on 11/11/2020, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Row 1: 1, 1A | 5709 | Adjacent to and part of 20. Row 2: 2, 2A | 5709 | Adjacent to and part of 23

Acquired in the proceeding entitled: Grantwood Avenue subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

o27-n10

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists names like GROPMAN, GROSS, GROSSMAN, GROUDAN, GROVES, GRUBE, GRUBSKIN, GRULLON, LIZA, ROSANNY, GUARD, GUERRERO, ANA, GUGGENHEIMER, GUIDONI, GUILLEME, PEARLINE, GUILLEMO, RAMONA, GULBRANDSEN, LAUREN, K, GUNASEKARAN, DIVYA, GUNTER, PETER, GUPTA, AKASH, GUPTA, LAXMI, GUPTA, RICHA, GUPTA, SHELLY, GURRY, R, GUS, LINDSAY, GUSEV, MICHAEL, GUSTAFSON, THOMAS, A, GUTERMUTH, CLAIRE, GUTIERREZ, ALONDRA, M, GUTIERREZ, ARISLEYD, GUTIERREZ, JENNIFER, E, GUTIERREZ-BRUNS, ZOLANLILY, GUTMANN, MARGARET, GUZMAN, MIRIAM, E, GWILT, JESSIE, HADEN, COLE, HADIS, SYNTIA, HAGBERG, EVA, HAGOOD-FULSON, CIRE, E, HALEM, ELIZABET, HALKY, ALEXANDR, B, HALL, COLLEEN, M, HALL, JADA, HALL, TESS, A, HALL JR, JAMES HE, HALLINAN, CLARE, HALLS, ANTHONY, HALLUM, EMILY, HAMADI, LITASHKA, HAMILTON, ALEX, M, HAMILTON, CHRISTOP

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists names like HAMILTON, COLETTE, HAMILTON, GABRIELL, HAMILTON, GRACE, HAMILTON, KENDALL, HAMMONS, GREGORY, C, HANDBERRY, LATOYA, S, HANDER, MARLA, J, HANIF, FATEMA, HANIF, TANJIDA, HANLON, COLIN, P, HANNA, SARAH, E, HAPANGMA, SHIRLEY, HAQ, WASQUI, HARDING, GENEVIEV, HARDY, EMILY, HARLIN, KEVIN, P, HARLOW, WILLIAM, HARNEY, OLIVE, E, HARPER, PAULA, HARRINGTON, CHRISTOP, C, HARRIS, CATHERIN, HARRIS, DREW, I, HARRIS, JESSICA, K, HARRIS, MAUREEN, F, HARRIS, MENIKA, C, H, HARRIS, SARELLA, HARRIS, TAMIKA, HARRIS, ZOE, N, HARRISON, ELIZABET, HARRISON, HEATHER, P, HARRISON, KIERA, M, HARSTAD, KIMBERLY, J, HART, MORGAN, HARTHUN, JESSICA, P, HARTLY, ANIYAH, A, HARTMAN-SIMKINS, JACOB, R

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like HARTMANN THOMAS J, HARTSFIELD JOYCE, etc.

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like HOGAN ROSEMARI, HOGAN TERRENCE, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists poll workers like HAYNES TIFFANY K, HAYS AMELIA, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists poll workers like HORAN PETER, HORBACHEVSKY JULIANA, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists poll workers like HIGGINS-STEEL ARIEL, HILL AUDREY, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists poll workers like HUSSAIN SAMAD, HUSSEIN AHMED, etc.

Table listing names, titles, salaries, and appointment dates for various positions. Includes names like IBRAHIM, ILLINGWORTH, IM, etc.

Table listing names, titles, salaries, and appointment dates for various positions. Includes names like JOHNSON, LAUREL, NICOLE, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table listing names, titles, salaries, and appointment dates for Board of Election Poll Workers. Includes names like JACOBSON, JACOME, JACQUES SIMON, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/18/20

Table listing names, titles, salaries, and appointment dates for Board of Election Poll Workers. Includes names like JOHNSON, ELISSA, HURHONDA, etc.



LATE NOTICE

TRANSPORTATION

SOLICITATION

Services (other than human services)

REQUEST FOR EXPRESSIONS OF INTEREST (RFEI) FOR DEMONSTRATION PROJECT(S) OF ELECTRIC-POWERED SCOOTER SHARE IN NEW YORK CITY - Request for Information - PIN# 84121RFEI431 - Due 12-16-20 at 5:00 P.M.

The New York City Department of Transportation ("NYCDOT"), is releasing this Request for Expressions of Interest ("RFEI") to solicit responses from the electric-powered scooter share industry to implement a demonstration project(s) for electric-powered scooter share within the boroughs of New York City outside Manhattan (the "Project(s)") and in areas underserved by bike share. This RFEI is released in response to Local Law 74 of 2020, which became effective on July 26, 2020 and requires NYCDOT to launch an electric-powered scooter share pilot (the "Pilot") by March 1, 2021.

The RFEI is available for download at the following webpage: https://www1.nyc.gov/html/dot/html/about/doing-business.shtml#rfei. Any inquiries concerning this RFEI should be directed by email, under the subject line "E-Scooter Share RFEI Q&A" to dmaco@dot.nyc.gov. The deadline for submission of inquiries is November 13, 2020, at 12:00 P.M. EST.

Responses to this RFEI should be submitted via email to the Authorized Agency Contact's email address indicated above, under the subject line, "Response to the E-Scooter Share RFEI" by no later than 5:00 P.M., New York City time on December 16, 2020.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other

information; and for opening and reading of bids at date and time specified above.

Transportation, n/a. David Maco (000) 000-0000; dmaco@dot.nyc.gov

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REQUEST FOR EXPRESSIONS OF INTEREST (RFEI) FOR ANCILLARY SERVICES RELATED TO DEMONSTRATION PROJECT(S) OF ELECTRIC-POWERED SCOOTER SHARE IN NEW YORK CITY - Request for Information - PIN# 84121RFEI432 - Due 11-25-20 at 5:00 P.M.

The New York City Department of Transportation ("NYCDOT") is releasing this Request for Expressions of Interest ("RFEI") to solicit responses from the ancillary micro-mobility services industry for ancillary services (the "Ancillary Services") related to the launch of an electric-powered scooter share pilot (the "Pilot") by March 1, 2021, pursuant to Local Law 74 of 2020, which became effective on July 26, 2020.

The RFEI is available for download at the following webpage: <http://www.nyc.gov/html/dot/html/about/doing-business.shtml#rfei>.

Responses to this RFEI should be submitted via email to the Authorized Agency Contact's email address, dmaco@dot.nyc.gov, indicated above, under the subject line, "Response to Pilot Ancillary Services RFEI" by no later than 5:00 P.M., New York City time on November 25, 2020.

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

Transportation, n/a. David Maco (000) 000-0000; dmaco@dot.nyc.gov

• n2

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. 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 E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



MAYOR'S OFFICE OF CRIMINAL JUSTICE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Tuesday, November 10, 2020, At 11:00 A.M. The Public Hearing will be held via Conference Call. Call-in #: 1-646-992-2010, Access Code: 715 951 139.

IN THE MATTER of a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and the Public Health Institute of Metropolitan Chicago (PHIMC), located at 180 N. Michigan Avenue, Suite 1200, Chicago, IL 60601, serving as fiscal agent for Cure Violence Global ("CVG") an Illinois not-for-profit corporation who address is 180 N. Michigan Avenue, Suite 1200, Chicago, IL 60601, to provide training and technical assistance to community-based programs and organizations that are committed to mitigating conflict that leads to gun violence in New York City. The contract term shall be from July 1, 2019 to June 30, 2021 with no option to renew. The contract shall be in an amount not to exceed \$400,000.00. E-PIN #: 00220S0002001.

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

In order to access the Public Hearing and testify, please call 1-646-992-2010, Access Code: 715 951 139 no later than 9:55 A.M. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-646-872-0231.

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CONTRACTS

■ INTENT TO AWARD

Human Services/Client Services

FY20,21,22 HIGH RISK YOUTH PROGRAM - Negotiated Acquisition - Available only from a single source - PIN# 00219N0002001 - Due 11-9-20 at 3:00 P.M.

The Mayor's Office of Criminal Justice (MOCJ) wishes to a contract for the High Risk Youth. This program is aimed to serving high risk, justice involved young people, with exhibited challenges succeeding in other programs or diversion efforts. MOCJ is looking to build a program to serve youth aged 16 and older that is comprised of the following foundational elements: -Relentless Outreach -Designed for high need and high risk -Program failure built-in (dismantling old habits) -Provide education, life skills, and employment components. The proposed awardee is Center for Alternative Sentencing and Employment Services, located at 151 Lawrence Street, Brooklyn, NY 11201, for \$7,309,328.70. Contract Term: 7/1/2019 - 6/30/2022.

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.

Mayor's Office of Criminal Justice, One Centre Street, Room 1012N, New York, NY 10007. Roselyn Rosa (212) 312-6861; MOCJProcurements@cityhall.nyc.gov

• n2-9

OFFICE OF THE MAYOR

■ NOTICE

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Mayor's Office of Special Enforcement is proposing a rule to implement Local Law 64 for the year 2020, which requires booking services to report information regarding transactions based on short-term rentals.

When and where is the hearing? The Mayor's Office of Special Enforcement will hold a public hearing on the proposed rule. The public hearing will take place at 10:30 a.m. on Wednesday, December 2, 2020. Due to the current health emergency, the public hearing for this rule is being scheduled as a virtual hearing on Zoom (Meeting ID: 881 3894 7132; Passcode: 470111), which may be accessed according to the information given below in this Notice.

Join through Internet:

- To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar: <https://us02web.zoom.us/j/88138947132?pwd=TXNZVFInElFuWDJCb3NlbnJdSSdJjQTO9>
- Alternatively, you can download and use the Zoom App
- When prompted, enter the following meeting ID: 881 3894 7132
- When prompted, enter the following Passcode: 470111
- When joining the meeting, choose either "Use computer for audio," or "Call in," for the audio portion of the public hearing. If you choose the "Call in" option, the information needed to connect (phone number, Access Code and Attendee ID) will automatically be presented to you immediately after you join the Zoom meeting.
- If you have low bandwidth or inconsistent Internet connection, please use the "Call-in" option for the hearing. This will reduce the possibility of dropped audio and stutters.

Join via phone only:

To join the meeting only by phone, use the following information to connect: Call 646-558-8656, or to find a local number if you are outside the New York Area, check here: <https://us02web.zoom.us/j/88138947132>. Follow the prompts using Meeting ID 881 3894 7132, and using Passcode 470111.

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

- Email.** You can email comments to oserules@cityhall.nyc.gov, with the subject line of "comment on proposed rule".
- Website.** You can submit comments to the Mayor's Office of Special Enforcement through the NYC rules website at <http://rules.cityofnewyork.us>.
- Mail.** You can mail comments to: Executive Director Christian Klossner at: The Mayor's Office of Special Enforcement, 22 Reade

St., 4th Floor, New York, NY, 10007. Given restrictions on office work due to COVID and delays in receiving mail, please consider mail only as a last resort., and please call the office to let us know you have mailed comments.

- **Fax.** You can fax comments to the Mayor’s Office of Special Enforcement, The Mayor’s Office of Special Enforcement, RE: proposed rule, at 212-788-6834.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing oserules@cityhall.nyc.gov or by telephone at 646-576-3533. You can also sign up during the online hearing. You can speak for up to three minutes.

Is there a deadline to submit comments? Written comments on this proposed rule must be submitted to the Mayor’s Office of Special Enforcement no later than close of business on December 2, 2020.

What if I need assistance to participate in the hearing? You must tell the Mayor’s Office of Special Enforcement if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by email at oserules@cityhall.nyc.gov or by telephone at 646-576-3533. Please tell us by November 20, 2020. Late requests can be made but may not be honored depending on availability of assistance.

Can I review the comments made on the proposed rule? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at The Mayor’s Office of Special Enforcement, 22 Reade St, 4th floor, New York, NY 10007.

What authorizes the Mayor’s Office of Special Enforcement to make this rule? Section 1043 of the New York City Charter (“City Charter”), Chapter 21 of Title 26 of the Administrative Code of the City of New York, and Local Law 64 for the year 2020 authorize the Mayor’s Office of Special Enforcement to issue this proposed rule. This proposed rule was not included in the regulatory agenda of the Mayor’s Office for this Fiscal Year because it was not contemplated when the Mayor’s Office published the agenda.

Where can I find the rules of the Mayor’s Office? The rules of the Mayor’s Office are in Title 43 of the Rules of the City of New York.

What rules govern the rulemaking process? The Mayor’s Office of Special Enforcement must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is issued according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose

Local Law 146 for the year 2018 (LL 146), enacted on August 6, 2018, established a new provision of law: Chapter 21 (sections 26-2101 through 26-2105) of Title 26 (“Housing and Buildings”) of the Administrative Code of the City of New York, regarding reporting requirements for short-term residential rentals. The law specified that it was to be administered by the Mayor’s Office of Special Enforcement (OSE) unless specified otherwise by executive order.

Shortly after LL 146 was enacted, Airbnb, Inc. and HomeAway, Inc. each challenged LL 146 by filing a complaint against the City of New York in federal court. On January 3, 2019, the court preliminarily enjoined LL 146 from taking effect pending the resolution of the litigation. On June 20, 2019, the court nevertheless granted permission for OSE to publish the final rule it had issued to implement LL 146, which specified that the rule would not take effect until “15 business days after the lifting of the preliminary injunction issued on January 3, 2019 in *Airbnb, Inc. v City of New York*, 18 Civ. 7712 (PAE) and *HomeAway.com, Inc. v City of New York* 18 Civ. 7742 (PAE), unless another date is ordered by the court.” In the following year, Airbnb, Inc. and the City settled their case, the City amended Chapter 21 of Title 26 of the Administrative Code of the City of New York, the court dismissed the action brought by HomeAway, Inc. as moot, and consequently the rule previously published to implement LL 146 never went into effect.

The amendments to Chapter 21 of Title 26 of the Administrative Code of the City of New York were signed into law by the Mayor on July 7, 2020 as Local Law 64 for the year 2020. Chapter 21 requires online, computer, or application-based platforms, or “booking services,” that charge, collect, or receive fees for the use of the platform in connection with short-term rentals to report information about those transactions to OSE. Such information includes: the physical address of the short-term rental; the location online of the advertisement that resulted in the short-rental; information relating to the identity of the host, including contact information; and information related to the scope of the short-term rental transaction. The law specifies that it is to be administered by OSE unless specified otherwise by executive order.

The purpose of this proposed rule is to implement Chapter 21 of Title 26 of the Administrative Code of the City of New York in accordance with Local Law 64 for the year 2020. Specifically, this proposed rule would:

- Specify the time, manner, and form of reporting by the booking

- services;
- Establish penalty provisions;
- Establish a process for publishing and maintaining a list of buildings exempt from the reporting requirements; and
- Establish a retention and disposal period for information obtained pursuant to the law.

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

“Shall” and “must” denote mandatory requirements and may be used interchangeably, unless otherwise specified or unless the context clearly indicates otherwise.

Proposed Rule

Section 1. Title 43 of the Rules of the City of New York is amended by adding a new chapter 17, to read as follows:

CHAPTER 17

REQUIRED DISCLOSURES OF SHORT-TERM RENTAL TRANSACTIONS BY BOOKING SERVICES

- §17-01** **Definitions**
- §17-02** **Reporting requirements for booking services**
- §17-03** **Method of submission**
- §17-04** **Penalties**
- §17-05** **Exempt transactions based on rentals occurring in certain buildings**
- §17-06** **Privacy and security of information**
- §17-07** **Retention and Disposal of Information Obtained in the Report**
- S17-08** **No Private Right of Action**

§17-01 **Definitions**
Administering agency. The term “administering agency” means the Office of Special Enforcement, as established under executive order number 96 for the year 2006, or such other agency as subsequently designated by executive order.

Booking Service. The term “booking service” means a person who, directly or indirectly: (1) provides one or more online, computer or application-based platforms that individually or collectively can be used to (i) list or advertise offers for short-term rentals, and (ii) either accept such offers, or reserve or pay for such rentals; and (2) charges, collects or receives a fee for the use of such a platform or for provision of any service in connection with a short-term rental. A booking service shall not be construed to include a platform that solely lists or advertises offers for short-term rentals.

Building. The term “building” means a building as defined in the New York city building code that is located in the city.

Class B multiple dwelling. The term “class B multiple dwelling” shall have the meaning ascribed to such term in the housing maintenance code.

Directly or indirectly. The term “directly or indirectly” means a person acting directly or indirectly through any subsidiary or affiliate thereof to perform the activity described in the definition of booking service.

Dwelling unit. The term “dwelling unit” means a dwelling unit, as such term is defined in the housing maintenance code, that is located in a building within the city.

Host. The term “host” means a person other than a booking service, including a co-host, who uses a booking service to offer, manage or administer a short-term rental.

Qualifying Listing. The term “qualifying listing” means a listing or advertisement that offers a short-term rental via a booking service, and: (1) such listing or advertisement offers or appears to offer the short-term rental of an entire dwelling unit or housing accommodation, or (2) such listing or advertisement offers or appears to offer a short-term rental for three or more individuals at the same time.

Short-term rental. The term “short-term rental” means a rental for occupancy of fewer than 30 consecutive days of (i) a dwelling unit or part thereof or (ii) housing accommodations within a building.

§17-02 Reporting requirements for booking services

1. A booking service shall submit to the administering agency a report of transactions associated with a qualifying listing for which it charged, collected or received a fee, directly or indirectly, for activity described in the definition of booking service, except for those transactions described in §17-05 of this chapter. Each short-term rental associated with such fee is considered to be a separate transaction. Such report shall include the following information:
 - a. The physical address of the short-term rental associated with such transaction, including the street name, street number, apartment or unit number, borough or county, and zip code;

- b. The full legal name, physical address, phone number and email address of the host of such short-term rental and the uniform resource locator (URL) and the individualized name and number of such host on such booking service's platform;
 - c. The individualized name and number and the URL of the associated qualifying listing;
 - d. A statement as to whether such short-term rental transaction involved the: (i) short-term rental of the entirety of a dwelling unit or housing accommodations in a building or (ii) short-term rental of part of such unit or housing accommodations;
 - e. The total number of days that the dwelling unit, part thereof or housing accommodations in a building were rented as a short-term rental through such booking service's platform; and
 - f. If such booking service collects rent for short-term rentals on behalf of such host, (i) the total amount of such rent received by such booking service and transmitted to such host and (ii) the account name and consistently anonymized identifier for the account number for the account used by such host to receive payments from such booking service or, if such booking service provides an explanation why such anonymized identifiers are unavailable, the account name and account number for such account, provided that a booking service shall, considering its technical capacity, de-identify the account number to the greatest extent possible so as to protect the privacy and security of the account number. De-identification of a unique account number shall be consistent from report to report.
2. In instances where any of the above information is unavailable to the booking service, the booking service shall provide an explanation of why such information is unavailable.
 3. A booking service need not report any information for transactions associated with a qualifying listing when all such transactions within a reporting period result in the rental of a dwelling unit or housing accommodation for an aggregate of four days or less.
 4. The reports shall be submitted on a quarterly basis. With the exception of the initial reporting period, the reporting periods shall consist of the following quarters: January 1 to March 31; April 1 to June 30; July 1 to September 30; and October 1 to December 31. The initial reporting period shall begin when Local Law 64 for the year of 2020 takes effect on January 3, 2021, and end on March 31, 2021.
 5. Each report shall cover transactions occurring during a period that begins with the first day of a reporting period and ends with the last day of that reporting period.
 6. A transaction related to a short-term rental that begins in one reporting period but ends in a subsequent reporting period shall be included in the report covering the reporting period in which such rental concludes.
 7. The initial report shall be submitted not more than 60 calendar days after the conclusion of the initial reporting period. Following the initial report, a booking service must submit the report to the administering agency not more than 45 calendar days after the conclusion of the reporting period.

§17-03 Method of submission

1. Each report shall be electronically submitted by a booking service through a secure portal accessible from the administering agency's website. No later than 15 business days after Local Law 64 for the year of 2020 takes effect on January 3, 2021, the administering agency will publish on its website additional guidance on the electronic submission process.
2. The portal may require a booking service to submit contact information, including an email address, to be used by the administering agency for communications related to booking service submissions.
3. A booking service may apply for an exception to electronic submission, indicating specifically a proposed alternate secure method of submission and the reporting period(s) for which it seeks the exception. Such exception shall be granted only in the following circumstances, and at the sole discretion of the administering agency:
 - a. the booking service has fewer than 20 hosts;
 - b. the booking service had fewer than 100 short-term rental transactions during the reporting period; or
 - c. the booking service is prevented from using the prescribed submission method based on a technical disruption that is beyond its control or another such unusual circumstance that exists.

4. The report shall be submitted in an electronic format prescribed and published on the administering agency's website no later than the close of the initial reporting period. Reports not in compliance with the required formatting will be rejected and deemed missing, except for those booking services that were granted an exception pursuant to this section. The administering agency will provide at least 90 days' notice before any changes to the formatting requirements take effect. The 90-day notice will be published on the administering agency's website and sent to all booking services who have submitted at least one report previously, via the contact information provided by the booking service.

§17-04 Penalties

1. A booking service that fails to submit a report in compliance with the requirements of this chapter shall be liable for a civil penalty, to be assessed once per reporting period for each qualifying listing for which any of the information required pursuant to section 17-02(1) of this chapter is missing, incomplete or inaccurate.
2. In the event that a booking service's report is missing, incomplete, or inaccurate, the administering agency will provide the booking service a written notice of its deficiencies in compliance. The notice shall include specific information regarding deficiencies in need of correction. The booking service shall have 15 business days from the date such a notice is provided to either correct the deficiency or provide a written statement explaining why the required information is unavailable or how it is complete or accurate. The booking service shall submit the corrections or explanation in a manner directed in the notice of deficiency. Upon the conclusion of the 15 business-day period in which a booking service may cure deficiencies, the administering agency may seek civil penalties for any continuing deficiency.
3. The civil penalty shall not be more than the greater of \$1,500 or the total fees collected during the preceding year by the booking service for transactions related to the qualifying listing for which there is missing, incomplete or inaccurate information being reported. Penalties based on total fees shall not include any fees that were used to assess a previous penalty.
4. Civil penalties established by this section may be imposed and recovered in a proceeding before the office of administrative trials and hearings or a court of competent jurisdiction.

§17-05 Exempt transactions based on rentals occurring in certain buildings

1. The administering agency will publish a list of addresses for buildings it has reason to believe at the time of such publication are class B multiple dwellings lawfully used for transient occupancy. Booking services are not required to include in reports transactions which are based on a short-term rental occurring in a building on this list, and no penalties shall be assessed based on the absence of or material deficiencies for transactions occurring at these addresses in such report.
2. Inclusion or lack of inclusion on such list does not alter and may not be deemed to alter the legal occupancy or zoning use group of a building or portion thereof as described in the certificate of occupancy or as otherwise determined by the Department of Buildings ("DOB").
3. The administering agency will publish the list of exempt buildings on its website no later than 15 business days after Local Law 64 for the year of 2020 takes effect on January 3, 2021. The list shall be updated every six months thereafter, and published in the same location.
4. The owner, as defined in the housing maintenance code, of a building not included on the list may apply to the administering agency for a review of the building's legal occupancy and inclusion on the list. Any individual, including, but not limited to, owners, tenants, neighbors, or civic groups may apply to the administering agency for a review of a building's legal occupancy and removal from the list.
5. An application for inclusion on or removal from the exempt buildings list shall indicate the basis for adding or removing the building to or from the list, and must include all documents and statements supporting the application. The application must include the currently applicable certificate of occupancy, if one is available from the DOB. If no currently applicable certificate of occupancy is available, the application must include other relevant and applicable documentation of the current lawful uses of the multiple dwelling which the applicant is seeking to be added to or removed from the list. Such documentation may include I-cards maintained by the Department of Housing Preservation and Development or other records maintained by the DOB regarding the subject multiple dwelling, including DOB job applications. The supporting documents and statements shall be submitted to the administering agency in the particular format specified on the administering agency's website.

- 6. The application must be accompanied by payment to the City of a \$200 processing fee. The administering agency may waive the processing fee upon request of the applicant if doing so would be in the public interest. If an application is withdrawn before the administering agency conducts its review, partial or full refund of processing fees shall be provided upon application to the Comptroller of the City of New York, and upon verification of claim by the administering agency.
- 7. The administering agency will review all documents and statements submitted in support of the application, and may consider any other information it deems relevant.
- 8. The administering agency will notify the applicant in writing of the final agency decision within 60 days of receipt of the application.
- 9. Subsequent applications for review of a previously reviewed building filed by the same applicant will only be considered if there has been a change in the legal occupancy occurring after the previous agency decision.

§17-06 Privacy and security of information

- 1. Information submitted in the report shall be available for public review only to the extent required by federal, state and local law.
- 2. Unless otherwise required by federal, state or local law, reports submitted pursuant to this chapter and information contained therein shall be used by the administering agency and the personnel of agencies assigned to such administering agency solely for purposes related to the enforcement of laws relating to short-term rentals, and will be kept confidential by the administering agency and such personnel, and will not be revealed by the administering agency or such personnel in any other manner or under any other circumstances.
- 3. Identifying information, as defined in section 23-1201 of the administrative code, will be collected, retained, and disclosed by the administering agency only in compliance with this chapter, in accordance with the requirements and approvals required by chapter 12 of title 23 of the administrative code, and only with all approvals required by that chapter.
- 4. When receiving requests for information in the reports pursuant to the New York state freedom of information law ("FOIL"), the administering agency will consider whether disclosure of such information would constitute an unwarranted invasion of personal privacy under sections 87(2) and 89(2) of the new york state public officers law, and will deny access to those portions of the records that would constitute such an invasion if released. In accordance with section 89(2)(c) of the new york state public officers law, the administering agency may withhold identifying information, prior to making records available for public inspection. In the event that the administering agency is compelled by law to disclose such records without withholding the identifying information, the administering agency will, prior to such disclosure, notify the individuals whose identifying information must be disclosed. Submission of such notice to the email address provided by the booking service for each such individual shall constitute an adequate attempt to notify the individual. The administering agency will also consider whether their disclosure would interfere with law enforcement investigations or judicial proceedings or deprive a person of a right to a fair trial or impartial adjudication, and are thereby exempt from disclosure pursuant to section 87(2)(e) of the new york state public officers law. The administering agency will also consider whether the records are exempt from disclosure under any other exemption enumerated in section 87(2) of the new york state public officers law.
- 5. If a booking service requests, at the time of submission of a report required by this chapter, that the administering agency exempt such records from disclosure pursuant to the new york state public officers law § 87(2)(d), and the administering agency determines that it is compelled by law to disclose such records, then the administering agency will notify such booking service of the disclosure of such records at least 10 calendar days prior to such disclosure.
- 6. When receiving demands for records pursuant to subpoena, court order, or other legal process, the administering agency will consider whether it is appropriate or feasible to seek a court order quashing, modifying, or protecting against subsequent disclosure.
- 7. The administering agency will protect the privacy and security of identifying information by implementing appropriate physical, technical and administrative safeguards, in accordance with the city's information technology security standards and requirements relating to the use, transfer and storage of confidential data.

§17-07 Retention and disposal of information obtained in the report

- 1. The administering agency will retain the reports:
 - a. As long as investigations involving the information in the reports remain open; or
 - b. For a period of three years after all investigations are closed, except that records involved in civil court litigation will be kept for a period of 10 years after the close of the case.
- 2. Records will be kept in the administering agency offices for three years after all investigations are closed, and thereafter in the Records Center in the case of litigation records.
- 3. Booking services must retain all submitted reports for three years.

§17-08 No private right of action

- 1. Nothing contained in this chapter shall be construed as creating any private right of action against the city or any agency, office or employee thereof.

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

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

RULE TITLE: Reporting Requirements for Booking Services Regarding Short Term Rental Transactions

REFERENCE NUMBER: 2020 RG 094

RULEMAKING AGENCY: Mayor's Office of Special Enforcement

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: October 29, 2020

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

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

RULE TITLE: Reporting Requirements for Booking Services Regarding Short Term Rental Transactions

REFERENCE NUMBER: MO-4

RULEMAKING AGENCY: Mayor's Office of Special Enforcement

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) The booking service will have 15 business days from the date a notice is provided to either correct the deficiency or provide a written statement explaining why the required information is unavailable or how it is complete or accurate.

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

October 29, 2020
Date