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<b>TABLE OF CONTENTS</b>	<b>PROCUREMENT</b>	Information Technology and	<b>AGENCY PUBLIC HEARINGS</b>
<b>PUBLIC HEARINGS &amp; MEETINGS</b>	Citywide Administrative Services . . . . .1775	Telecommunications . . . . .1776	Environmental Protection . . . . .1776
City Council . . . . .1765	Citywide Purchasing . . . . .1775	Executive Division . . . . .1776	<b>AGENCY RULES</b>
City Planning Commission . . . . .1769	Municipal Supply Services . . . . .1775	Parks and Recreation . . . . .1776	City Planning . . . . .1776
Board of Correction . . . . .1774	Vendor Lists . . . . .1775	Capital Projects . . . . .1776	Finance . . . . .1778
Employees' Retirement System . . . . .1774	Education . . . . .1775	Small Business Services . . . . .1776	<b>SPECIAL MATERIALS</b>
Landmarks Preservation Commission . .1774	Contracts and Purchasing . . . . .1775	Transportation . . . . .1776	Citywide Administrative Services . . . . .1779
<b>PROPERTY DISPOSITION</b>	Finance . . . . .1775	Traffic and Planning . . . . .1776	Comptroller . . . . .1780
Citywide Administrative Services . . . . .1775	Health and Hospitals Corporation . . . .1775	Triborough Bridge and Tunnel	Housing Preservation and Development 1780
Citywide Purchasing . . . . .1775	Housing Authority . . . . .1775	Authority . . . . .1776	Office of Mayor . . . . .1780
Police . . . . .1775	Human Resources Administration . . . .1776	Procurement . . . . .1776	
	Agency Chief Contracting Officer . . .1776		

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### CITY COUNCIL

#### ■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Monday, July 22, 2013:

**CAFÉ CONDESA**  
**MANHATTAN CB - 2** 20135587 TCM  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 183 Condechi Associates, LLC, d/b/a Café Condesa, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 183 W. 10th Street.

**FRANKIE'S 570 SPUNTINO**  
**MANHATTAN CB - 2** 20135774 TCM  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Francis Louis, LLC, d/b/a Frankie's 570 Spuntino, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 570 Hudson Street.

**TERTULIA**  
**MANHATTAN CB - 2** 20135775 TCM  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Apicio, LLC, d/b/a Tertulia, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 359 6th Avenue.

**PICCOLA CUCINA**  
**MANHATTAN CB - 2** 20135658 TCM  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of R&G Spring, LLC, d/b/a Piccola Cucina, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 196 Spring Street.

**23RD AVENUE REZONING**  
**QUEENS CB - 1** C 110178 ZMQ  
Application submitted by T. F. Cusanelli Architect, P.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, establishing within an existing R5 District a C1-4 District bounded by a line 100 feet southwesterly of Broadway, 23rd Street, 33rd Avenue, and a line 100 feet northwesterly of 23rd Street, Borough of Queens, Community District 1, as shown

in a diagram (for illustrative purposes only) dated March 4, 2013 and subject to the conditions of CEQR Declaration E-300.

**PITKIN AVENUE REZONING**  
**BROOKLYN CB - 5** C 130161 ZMK  
Application submitted by Pitkin Berriman HDFC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17c:

- eliminating from within an existing R5 District a C1-3 District property bounded by a line 150 feet northerly of Pitkin Avenue, Berriman Street, Pitkin Avenue, and Shepherd Avenue;
- changing from an R5 District to an R7A District property bounded by a line 100 feet northerly of Pitkin Avenue, Berriman Street, Pitkin Avenue, and Shepherd Avenue; and
- establishing within the proposed R7A District a C2-4 District property bounded by a line 100 feet northerly of Pitkin Avenue, Berriman Street, Pitkin Avenue, and Shepherd Avenue;

Borough of Brooklyn, Community District 5, as shown on a diagram (for illustrative purposes only) dated February 4, 2013, and subject to the conditions of CEQR Declaration E-298.

**CULTURE SHED TEXT AMENDMENT**  
**MANHATTAN CB - 4** N 130178 ZRM  
Application submitted by the New York City Department of Cultural Affairs pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

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

### ARTICLE IX SPECIAL PURPOSE DISTRICTS

#### Chapter 3 Special Hudson Yards District

#### 93-00 GENERAL PURPOSES

#### 93-01 Definitions

**ERY Culture, Festival and Exhibit Facility**  
An "ERY Culture, Festival and Exhibit Facility" is a #use#, operated by a not for profit entity, that comprises changing, non-permanent exhibits, events, expositions, presentations, festivals and fairs related to any or all of the following: visual arts, performing arts, culinary arts, literature, journalism, crafts, fashion and design, or any similar artistic activity. No trade shows shall be permitted unless they are related to one of the activities listed in the preceding sentence. Any #building# in which an #ERY Culture, Festival and Exhibit Facility# is located may include a moveable portion that may

be extended and retracted to cover all or a portion of the Culture Facility Plaza described in Section 93-71(i).

#### 93-10 USE REGULATIONS

**93-101 ERY Culture, Festival and Exhibit Facility**  
For purposes of this Chapter, all references to #community facility#, #community facility use# or #uses# in Use Groups 3 or 4 in connection with Eastern Rail Yard Subarea A1 shall be deemed to include an #ERY Culture, Festival and Exhibit Facility#.

#### 93-17 Modification of Sign Regulations

- (a) Subdistricts A, B, C, D and E
- Within Subdistricts A, B, C, D and E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39th Street and its southerly prolongation to West 33rd Street. The following modifications to the underlying #sign# regulations shall apply in the Eastern Rail Yard Subarea A1:

- (4) For an #ERY Culture, Festival and Exhibit Facility#, the total #surface area# of all permitted #signs# and banners shall be as set forth in this subsection. The maximum aggregate #surface area# of all #signs# shall not exceed 2,700 square feet. #Signs# (other than banners) facing the outdoor plaza, as described in Section 93-71(b), shall not exceed a maximum aggregate #surface area# of 200 square feet; #signs# facing the Connection to the High Line, as described in Section 93-71(f), shall not exceed a maximum aggregate #surface area# of 200 square feet; and #signs# facing West 30th Street shall not exceed a maximum aggregate #surface area# of 1,700 square feet. A maximum of 600 square feet of #signs# in the form of banners are permitted facing or within the outdoor plaza. No #sign# shall exceed a height of 30 feet above the level of the Culture Facility Plaza, as described in Section 93-71(i) and no #signs# facing West 30th Street shall be located at a height above the #High Line#. Banners located within the outdoor plaza may be installed on one or two poles located not less than 13 feet from an #ERY Culture, Festival and Exhibit Facility#. The bottom of any such banner shall be located at least 10 feet above the bottom of the pole. Any #sign# that exceeds 300 square feet of #surface area# shall be non-illuminated# or a #sign with indirect illumination#.

#### 93-20 FLOOR AREA REGULATIONS

The #floor area# regulations of this Section, inclusive, shall apply to #zoning lots#.

#### 93-21 Floor Area Regulations in the Large-Scale Plan Subdistrict A

- In the Large-Scale Plan Subdistrict A, the #floor area# provisions of this Section shall apply.
- (b) Eastern Rail Yard Subarea A1
- (1) The maximum #floor area ratio# for any #zoning lot# in the subarea shall be 11.0. The maximum #floor area ratio# for

#commercial use# shall be 9.0, the maximum #floor area ratio# for #community facility use#, shall be 2.0, and the maximum #floor area ratio# for #residential use# shall be 3.0. #Residential use# shall only be permitted on a #zoning lot# with non-#residential floor area ratio # of 8.0 or more, or as provided for phased developments pursuant to Section 93-122 (Certification for residential use in Subdistricts A, B and E).

Any floor space occupied by an #ERY Culture, Festival and Exhibit Facility#, including any floor space #accessory# thereto, that is located:

- (i) below the elevation of the Culture Shed Plaza described in Section 93- 71(i),
- (ii) within the moveable portion that may be extended and retracted to cover and enclose all or any portion of the Culture Facility Plaza, or
- (iii) within a portion of a #building# that contains #residential use# and is not designed to house the moveable portion described above, shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#. In addition, in a #building# containing both #residential use# and an #ERY Culture, Festival and Exhibit Facility#, any floor space occupied by elevator shafts, structural systems or stairwells serving the #residential use# that is either located on any #story# occupied entirely by the #ERY Culture, Festival and Exhibit Facility# except for such elevator shafts, structural systems, and stairwells, or is located on a #story# occupied in part by the #ERY Culture, Festival and Exhibit Facility# where such elevator shaft or stairwell is not accessible for #residential use# on such #story# except for emergency egress, shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #residential uses# and the total maximum #floor area ratio# of the #zoning lot#.

For a #building# or portion of a #building# containing #residential use# that is located adjacent to the #ERY High Line#, any floor space used for storage, restrooms, maintenance facilities or other support space for the #ERY High Line# shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #residential or community facility uses# and the total maximum #floor area ratio# of the #zoning lot#.

\* \* \*

**93-514 Eastern Rail Yard Subarea A1**

- (a) Location of #buildings#  
#Buildings# shall be located only in the following areas:
  - (1) east of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East;
  - (2) west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 220 feet of West 33rd Street; and
  - (3) west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street, provided that either:
    - (i) such area contains only #uses# in Use Groups 3 and 4; or
    - (ii) where such area includes #residential use#, (a) such #residential use# is permitted shall be located only in a #building# or portion of a #building# located west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West, and such #building# may also include uses in Use Groups 3, 4, 6A and 6C. and (b) a #building# containing only #uses# in Use Groups 3 or 4 may be located not closer than 50 feet east of such prolongation. In addition, #uses# in Use Group 3 or 4 may be located in a #building#

separate from any #building# containing #residential use#, provided that any such separate #building# may not be located closer than 50 feet east of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West.

\* \* \*

**93-70 PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES**

Public access shall be provided for special sites as specified in this Section, inclusive. In the event of a conflict between the provisions of this Section, inclusive, and any underlying regulation, the provisions of this Section shall govern.

No building permit shall be issued for any #development# or #enlargement# on such sites other than for an #ERY Culture, Festival and Exhibit Facility# until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the provisions of this Section have been met.

An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#; a site plan indicating the area and dimensions of all required public access areas and the location of all proposed #buildings#, and a detailed plan or plans demonstrating compliance with the provisions of this Section. For certifications relating to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, as set forth in 93-71, paragraph (h), the requirements set forth in such Section shall apply.

Plans for public access areas shall be set forth in an instrument in a form acceptable to the City, and setting forth such provisions as necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

The Chairperson shall allow for the phased development of public access areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase. Such plan may provide for the outdoor plaza described in Section 93-71, paragraph (b), to be constructed in phases. The completion of the Cultural Facility Plaza shall be deemed integral only to an #ERY Culture, Festival and Exhibit Facility# and to no other #use# or #development# in the Eastern Rail Yard Subarea A1. Where the public use and enjoyment of a public access area is contingent upon #development# on an adjacent #zoning lot# that has not yet occurred, the Chairperson may allow for the future development of such public access area at the time that the adjacent #zoning lot# is #developed#.

For any portion of any #development# or #enlargement# other than an #ERY Culture, Festival and Exhibit Facility#, no temporary certificate of occupancy from the Department of Buildings may be issued for any portion of any #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is substantially complete, and the public access area is open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is complete and that all public access requirements of this Section have been met in accordance with the plans for such public access areas. Notwithstanding the foregoing, for #zoning lots# with multiple #buildings# for which the Chairperson has certified that a plan has been submitted that provides for the phased development of public access areas through completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase, such certifications shall be made with respect to substantial completion or completion of the public access areas integral to each such phase, except as provided in Section 93-71, paragraph (h). Issuance of a temporary or permanent certificate of occupancy for any #building# or portion of a #building# not occupied by an #ERY Culture, Festival and Exhibit facility# shall not be conditioned upon the completion, substantial completion or improvement of the Culture Facility Plaza.

For an #ERY Culture, Festival and Exhibit Facility#, no temporary certificate of occupancy from the Department of Buildings may be issued for such #ERY Culture, Festival and Exhibit Facility# until the Chairperson certifies to the Department of Buildings that the Culture Facility Plaza described in paragraph (i) of Section 93-71 is substantially complete and open to and useable by the public and no permanent certificate of occupancy from the Department of Buildings may be issued for the #ERY Culture, Festival and Exhibit Facility# until the Chairperson certifies to the Department of Buildings that the Culture Facility Plaza is complete. If a moveable portion of the #ERY Culture, Festival and Exhibit Facility# is not initially constructed as part of the #ERY Culture, Festival and Exhibit Facility# but is constructed at a later date, any closure of the Culture Facility Plaza necessary for such construction shall not affect the validity of any certificate of occupancy previously issued for the #ERY Culture, Festival and Exhibit Facility#. No temporary certificate of occupancy for the moveable portion that is thereafter constructed, or an amended temporary certificate of occupancy for the #ERY Culture, Festival and Exhibit Facility# that includes the moveable portion, may be issued by the Department of Buildings until the Chairperson certifies to the Department of Buildings that the reconstructed Culture Facility Plaza is substantially complete and open to and useable by the public and no

permanent certificate of occupancy for the moveable portion that is thereafter constructed, or an amended permanent certificate of occupancy for the #ERY Culture, Festival and Exhibit Facility# that includes the moveable portion, may be issued by the Department of Buildings until the Chairperson certifies to the Department of Buildings that the reconstructed Culture Facility Plaza is complete.

**93-71 Public Access Areas in the Eastern Rail Yard Subarea A1**

Any #development# in the Eastern Rail Yard Subarea A1 shall provide public access areas in accordance with the following requirements:

- (a) Amount of public access areas  
  
Public access areas shall be provided in an amount not less than 55 percent of the #lot area# of the #zoning lot#. At least 40 percent of the #lot area# of the #zoning lot# shall be publicly accessible and open to the sky. At least an additional 15 percent of the #lot area# of the #zoning lot# shall be publicly accessible and may be either open or enclosed. Such open or enclosed areas shall be comprised of the types of public access areas listed in paragraphs (b) through (f), and paragraphs (h) and (i), of this Section. For purposes of determining compliance with such 55% and 40% requirements, the Culture Facility Plaza, any portion of the Connection to the High Line allowed to be covered by the moveable portion of an #ERY Culture, Festival and Exhibit Facility# pursuant to paragraph (f) of this Section, and any portion of the Connection to the High Line that is not required to have a clear height of 60 feet pursuant to paragraph (f) of this Section shall be deemed publicly accessible and open to the sky at all times, including any time when a moveable portion of an #ERY Culture, Festival and Exhibit Facility# extends over the Culture Facility Plaza or the Connection to the High Line. Open areas may also include the area of the sidewalk widening along Eleventh Avenue required pursuant to Section 93-61 and, at the option of the owner, the #Tenth Avenue Spur#. If the Cultural Facility Plaza is closed during the construction of the moveable portion of the #ERY Culture, Festival and Exhibit Facility#, the amount of publicly accessible open space shall not be considered reduced during such period.

All public access areas listed in this Section, other than the #ERY High Line# and the #Tenth Avenue Spur#, shall be accessible to the public, as follows:

- (1) unenclosed public access areas shall be accessible between the hours of 6:00 am and 1:00 am, except that any portions of the outdoor plaza, as described in paragraph (b) of this Section, designed and constructed for purposes of vehicular use, shall be accessible at all times except as necessary to perform maintenance and repairs or address hazardous or emergency conditions;
- (2) enclosed portions of the through block connection and connection to the public plaza, described in paragraphs (d) and (e) of this Section, shall be accessible to the public between the hours of 8:00 A.M. and 10:00 P.M.; and
- (3) upon completion of the Tenth Avenue bridge, described in paragraph (g) of this Section, access between the bridge and the outdoor plaza shall be provided by means of the through block connection between the hours of 6:00 A.M. and 1:00 A.M.

All public access areas, other than the #ERY High Line# and the #Tenth Avenue Spur#, shall include public space signage erected at conspicuous locations. Such signs shall include the statement "Open to the Public," followed by the hours of operation specified in this paragraph, (a). The public space signage for the Culture Facility Plaza may include additional information, consistent with the provisions of paragraph (i) of this Section.

- (b) Outdoor plaza  
  
A publicly accessible space, open to the sky (hereinafter referred to as the "outdoor plaza"), shall be located within the area bounded by West 33rd Street, the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East, a line 250 feet north of and parallel to West 30th Street, Eleventh Avenue, a line 220 feet south of and parallel to West 33rd Street, and the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West. Such open area may extend beyond such boundaries and have necessary grade changes, and up to ten percent of the area of such outdoor plaza may be covered by a #building# or other structure#. In addition, a #building# containing eating or drinking places and #uses# listed in Use Groups 6A and 6C may be located within the outdoor plaza (but shall not be included as public access area pursuant to paragraph (a) of Section 93-71), provided that any such #building#:
  - (1) is located within the area west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 400 feet of West 30th Street;

- (2) covers no more than 3,600 square feet of the #zoning lot# at the level of the outdoor plaza and above;
- (3) contains no more than 7,200 square feet of #floor area# at the level of the outdoor plaza and above, and no more than 3,600 square feet of #floor area# below the level of the outdoor plaza;
- (4) has a maximum north-south dimension of 85 feet at the level of the outdoor plaza and above;
- (5) is located such that the maximum east/west dimension measured along a line 355 feet from West 30th Street is 40 feet at the level of the outdoor plaza and above. For portions of the #building# located north or south of such line, the maximum east/west dimension shall increase at a rate of one foot in the east/west dimension for every four feet in the north/south dimension from such line, up to a maximum east/west dimension of 60 feet; and
- (6) has a maximum perimeter wall height of 24 feet, and a maximum #building# height of 30 feet. Above a height of 24 feet, no portion of a building may penetrate a #sky exposure plane# that begins at a height of 24 feet above the perimeter walls and rises over the #building# at a slope of 2.5 feet of horizontal distance for each foot of vertical distance. Such heights shall be measured from the highest level of the adjoining portions of the outdoor plaza.

No #building# location or setback requirements shall apply to any #building# walls facing the northern, eastern or southern boundaries of the outdoor plaza.

#Building# walls fronting upon the western boundary of the outdoor plaza shall extend along at least 70 percent of the length of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and shall rise to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, a setback at least 20 feet in depth is required from such prolongation line. However, such #building# wall may rise without setback at such prolongation line, provided the aggregate width of such #building# wall does not exceed 50 percent of the width of such line and provided all other portions of the #building# that exceed a height of 120 feet are set back at least 20 feet from such prolongation line at a height not lower than 90 feet.

The retail and glazing requirements of Section 93-14 (Ground Floor Level Requirements) shall apply to at least 70 percent of the length of all #building# walls facing each side of the outdoor plaza, except that such retail requirements shall not apply to any #building# or portion of a #building# located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street containing only #uses# in Use Group 3 or 4 or an #ERY Culture, Festival and Exhibit Facility#. ~~located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street.~~

- (f) Connection to the High Line
- A publicly accessible connection between the High Line and the outdoor plaza (hereinafter referred to as the "connection") shall be provided that has a minimum width, measured parallel to the High Line, of ~~80~~ 60 feet, and is located east of the Culture Facility Plaza. ~~If any portion is covered~~ For a width of 60 feet measured parallel to the High Line, the clear height of ~~such~~ the connection shall be at least 60 feet. ~~Above such height, overhangs of the 60 foot width dimension of the connection shall be permitted by the movable portion of the #ERY Culture, Festival and Exhibit Facility#, provided that the angle of such overhang is a maximum of 14 degrees east of the vertical extension of the western edge of such 60 foot width, as measured from the intersection of such vertical extension with the 60 foot clear height of the connection. Additionally, such overhang shall project over no more than 16 feet of the 60 foot width dimension. Any portion of the connection east of the minimum 60 foot width shall, if covered, have a minimum clear height of 60 feet. The movable portion of the #ERY Culture, Festival and Exhibit Facility# shall be permitted to overhang any portion of the connection west of such minimum 60 foot width, provided that the angle of such overhanging portion is a maximum of 14 degrees measured at the western edge of the connection at its ground level.~~ The glazing requirements of Section 93-14, paragraph (c), shall apply to at least 50 percent of the length of all #building# walls facing ~~such~~ the connection.

- (i) Culture Facility Plaza
- A publicly accessible space located east of and abutting the non-moveable portion of an #ERY Culture, Festival and Exhibit Facility#, and bounded to the north by the outdoor plaza and to

~~the south by the #ERY High Line# shall be provided. During times when the Culture Facility Plaza is not covered by the moveable portion of an #ERY Culture, Festival and Exhibit Facility#, the Culture Facility Plaza may be used for purposes of outdoor events related to an #ERY Culture, Festival and Exhibit Facility#. Outdoor installations for such events, including seating, shall be restricted to the Culture Facility Plaza. All such events shall be open and accessible to the general public free of admission charge, provided that ticketed events with tickets available on a first come first served or timed basis shall be permitted. During all times when the Culture Facility Plaza is not used for an #ERY Culture, Festival and Exhibit Facility# event or covered by the moveable portion of an #ERY Culture, Festival and Exhibit Facility#, the Culture Facility Plaza shall be open and accessible to the public between the hours of 6:00 am and 1:00 am. Notwithstanding any other provision, the Culture Facility Plaza may be closed to the public not more than 12 days each calendar year for an event related to the #ERY Culture, Festival and Exhibit Facility#, provided that not less than five days prior to any such closing, notice is given to the applicable community board and is posted at conspicuous locations at such plaza. No #building# or portion of a #building# that is not used for an #ERY Culture, Festival and Exhibit Facility# shall have any obligation to comply with the requirements of this subparagraph or paragraph (a) of Section 93-71 related to the Culture Facility Plaza.~~

\* \* \*

**SPECIAL GOVERNORS ISLAND DISTRICT  
MANHATTAN CB - 1 N 130189(A) ZRM**

Application submitted by Governors Island Corporation d/b/a The Trust for Governors Island pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, to add Article XIII, Chapter 4, establishing the Special Governors Island District in Community District 1, Borough of Manhattan, and to amend related Sections.

Matter Underlined is new, to be added;  
Matter in ~~Strikeout~~ is old, to be deleted;  
Matter within # # is defined in Section 12-10;  
\* \* \* indicate where unchanged text appears in the Zoning Resolution

**Article I  
Chapter 1**

**11-122  
Districts Established**

\* \* \*

Establishment of the Special Governors Island District

In order to carry out the special purposes of this Resolution, as set forth in Article XIII, Chapter 4, the #Special Governors Island District# is hereby established.

\* \* \*

**Article I  
Chapter 2**

**12-10  
DEFINITIONS**

\* \* \*

Special Governors Island District

The "Special Governors Island District" is a Special Purpose District designated by the letters "GI" in which the special regulations set forth in Article XIII, Chapter 4, apply.

\* \* \*

Physical culture or health establishments ~~(2/2/11)~~

A "physical culture or health establishment" is any establishment or facility, including #commercial# and non-#commercial# clubs, which is equipped and arranged to provide instruction, services or activities which improve or affect a person's physical condition by physical exercise or by massage. Physical exercise programs include aerobics, martial arts or the use of exercise equipment.

Therapeutic or relaxation services, such as sun tanning, baths, showers, tubs, jacuzzis, whirlpools, saunas, steam rooms, isolation floatation tanks and meditation facilities may be provided only as #accessory# to the physical exercise program or massage facility. Except as specifically provided in ~~the #Special Battery Park City District#~~ special purpose districts, #physical culture or health establishments# are only permitted pursuant to the provisions of Section 73-36. No license or permit shall be issued by the New York City Department of Health in conjunction with any health related facility/services pursuant to this Section until a certificate of occupancy has been issued by the Department of Buildings establishing the #use# of the premises as a #physical culture or health establishment#.

\* \* \*

**Article I: General Provisions**

**Chapter 3  
Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core**

**13-05  
Exceptions**

The provisions of this Chapter shall not apply to Roosevelt Island, in Community District 8, or to Governors Island, in Community District 1, in the Borough of Manhattan. In the #Hudson Yards parking regulations applicability area#, as defined in Section 93-81, the provisions of this Chapter shall apply as specified in Section 93-80 (OFF-STREET PARKING REGULATIONS).

Additional modifications to the provisions of this Chapter are found in the following Special Purpose Districts:

\* \* \*

**Article VI**

**Chapter 2  
Special Regulations Applying in the Waterfront Area**

**62-13  
Applicability of District Regulations**

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.

In the event a Special Purpose District imposes a restriction on the height of a #building or other structure# that is lower than the height limit set forth in this Chapter, the lower height shall control. However, all heights shall be measured from the #base plane#.

The provisions of this Chapter shall not apply to the following Special Purpose Districts unless expressly stated otherwise in the special district provisions:

- #Special Battery Park City District#
- #Special Governors Island District#
- #Special Stapleton Waterfront District#.

The #Special Sheepshead Bay District# shall be applicable, except that Section 94-061 (Uses permitted by right) shall be modified to permit all WD #uses# listed in Section 62-211 from Use Groups 6, 7, 9 and 14 in accordance with the underlying district regulations.

\* \* \*

**Article XIII - Special Purpose Districts**

**Chapter 4  
Special Governors Island District**

**134-00  
GENERAL PURPOSES**

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

- (a) promote public use and enjoyment of the Island as a recreational destination that draws upon its location in New York Harbor with singular views and natural beauty;
- (b) encourage educational and cultural uses such as the arts, music and dance which bring the public to the Island to enjoy cultural events in a unique setting of historic buildings and green spaces;
- (c) promote public use of the Island for water-related recreational and educational activities that benefit from the unique Island setting;
- (d) preserve historic buildings in the historic district and encourage their renovation and redevelopment for appropriate educational, cultural, and commercial uses;
- (e) facilitate commercial uses including, but not limited to, hotels, restaurants, retail, arts and crafts galleries and related uses that are compatible with the educational, cultural and recreational uses of the Island and with the primary use of the Island by the public as a recreational resource; and
- (f) promote the most desirable use of land and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

**134-01  
General Provisions**

For the purposes of this Chapter, the area within the boundaries of the #Special Governors Island District# shall be considered a single #zoning lot#.

Development rights may not be transferred across the boundary of the #Special Governors Island District#.

Except as modified by the express provisions of the #Special Governors Island District#, the regulations of the underlying zoning district remain in effect.

**134-02  
Applicability of Parking and Loading Regulations**

The off-street parking and loading regulations of the underlying zoning district and Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core), shall not apply. In lieu thereof, off-street parking and loading berths #accessory# to any #use# permitted within the #Special Governors Island District# shall be allowed.

**134-03  
Applicability of Special Regulations Applying in the Waterfront Area**

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply, except as set forth in Section 134-22 (Special Height and Setback Regulations).

### 134-10 SPECIAL USE REGULATIONS

#### 134-11 Commercial Uses

The following #commercial uses# shall be allowed:

#### From Use Group 5: All #uses#.

#### From Use Groups 6A, 6B, 6D, 6E, and 6F: All #uses#.

**From Use Group 6C:**  
All #uses#, except automobile supply stores, drive-in banks, carpet, rug, linoleum or other floor covering stores, furniture stores, loan offices, medical or orthopedic appliance stores, paint stores, sewing machine stores or typewriter stores.

#### From Use Groups 7A and 7E: All #uses#.

**From Use Group 7B:**  
Bicycle rental or repair shops  
Sailmaking establishments  
Sign painting shops, limited to 2,500 square feet of #floor area# per establishment.

#### From Use Groups 8A and 8E: All #uses#.

**From Use Group 9A:**  
All #uses#, except for automobile, motorcycle, #trailer# or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery, blueprinting or photostating establishments, musical instrument repair shops, plumbing, heating or ventilating equipment showrooms, without repair facilities, typewriter or other small business machine sales, rental or repairs or umbrella repair shops.

#### From Use Group 9C: All #uses#.

**From Use Group 10A:**  
Docks for ferries, other than #gambling vessels#, with no restriction on passenger load  
Eating or drinking places, without restrictions on entertainment or dancing, but limited to location in hotels  
Photographic or motion picture productions studios  
Radio or television studios.

#### From Use Group 10C: All #uses#.

**From Use Group 11A and 11C:**  
All #uses#, except for medical, dental, drafting instruments, optical goods, or similar precision instruments, or orthopedic or medical appliances, or custom manufacturing.

**From Use Group 12A:**  
All #uses#, except for eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, stadiums or trade expositions.

#### From Use Groups 12B, 12C, and 12E: All #uses#.

#### From Use Group 13: All #uses#.

#### From Use Group 14: All #uses#.

#### From Use Group 15: Merry-go-rounds.

Any #commercial use# or #physical culture or health establishment# larger than 7,500 square feet in #floor area# shall only be permitted provided that, prior to the establishment of such #use#, the applicant shall submit a written description of such #use# to the local community board, together with information to demonstrate that such #use# will promote the goals of the #Special Governors Island District#, complement existing #uses# within the special district, and be compatible with the nature, scale and character of other #uses# within the special district. The local community board shall have the opportunity to respond to such submission with written comments within forty-five (45) days of receipt and the applicant shall thereafter provide the local community board with a written response to such comments, including a description of any modifications to the proposal or, if a recommendation of the local community board has not been adopted, the reasons such modification has not been made.

No building permit shall be issued with respect to a #commercial use# or #physical culture or health establishment# larger than 7,500 square feet unless the Chairperson of the City Planning Commission shall have certified to the Department of Buildings that the applicant has complied with the provisions of this Section.

The provisions of this Section shall not apply to #commercial uses# permitted pursuant to Section 134-12 (Authorization for Certain Commercial Uses).

### 134-12 Authorization for Certain Commercial Uses

The City Planning Commission may authorize any #commercial use# not allowed pursuant to Section 134-11 to locate within the #Special Governors Island District#, provided that such #commercial use#:

(a) will promote the goals of the #Special Governors Island District#;

(b) complements existing #uses# within the special district; and

(c) is compatible with the nature, scale and character of other #uses# within the special district.

### 134-13 Physical Culture or Health Establishments

#Physical culture or health establishments# shall be permitted in the #Special Governors Island District#, subject to the requirements of Section 134-11. The special permit provisions of Section 73-36 shall not apply.

### 134-14 Signs

For #commercial uses# and #physical culture or health establishments#, the #sign# regulations of a C1 District mapped within an R3-2 District shall apply.

### 134-20 SPECIAL BULK REGULATIONS

#### 134-21 Special Regulations for Commercial Uses

For #commercial uses# and #physical culture or health establishments#, the #floor area# regulations of a C1 District mapped within an R3-2 District shall apply.

#### 134-22 Special Height and Setback Regulations

The provisions of Section 62-341 (Developments on land and platforms) shall apply to all #buildings# in the #Special Governors Island District#.

\* \* \*

**SPECIAL GOVERNORS ISLAND DISTRICT  
MANHATTAN CB - 1 C 130190 ZMM**  
Application submitted by Governors Island Corporation d/b/a The Trust for Governors Island pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a by establishing a Special Governors Island District (GI) bounded by a line 2675 feet northeasterly from the southwesterly point of Governors Island as measured along a line perpendicular to said line and bisecting the angle formed by the southwesterly boundary lines of Governors Island, and the northerly, northeasterly and southeasterly shorelines of Governors Island, Borough of Manhattan, Community District 1, as shown on a diagram (for illustrative purposes only) dated February 19, 2013.

**The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Monday, July 22, 2013:**

**BED-STUY/EXPANDED STUYVESANT HEIGHTS HISTORIC DISTRICT  
BROOKLYN CB - 3 20135631 HKK (N 130270 HKK)**  
Designation (List No. 463/LP-2496) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Bedford-Stuyvesant/Expanded Stuyvesant Heights Historic District. The district boundaries consist of the property bounded by a line beginning at northwest corner of Malcolm X Boulevard and Chauncey Street, continuing westerly along the northern curblin of Chauncey Street, southerly across Chauncey Street along a line extending northerly from the eastern property line of 82 Chauncey Street, southerly along the eastern property line of 82 Chauncey Street, westerly along the southern property lines of 82 through 78 Chauncey Street and 419 Stuyvesant Avenue, westerly across Stuyvesant Avenue, southerly along the western curblin of Stuyvesant Avenue, northwesterly along the northern curblin of Fulton Street to a point in the middle of the roadbed of Lewis Avenue, northerly along a line extending up the middle of the roadbed of Lewis Avenue to its intersection with a point on a line which continues the northern curblin of Bainbridge Street, westerly along that line and the northern curblin of Bainbridge Street, northerly from the curblin to the western property line of 430 Lewis Avenue (aka 67 Bainbridge Street) through 424 Lewis Avenue, westerly along part of the southern property line of 422 Lewis Avenue, westerly along the southern property lines of 206 through 142-144 Decatur Street (aka 471-477 Marcus Garvey Boulevard), westerly to the eastern curblin of Marcus Garvey Boulevard, northerly along the eastern curblin of Marcus Garvey Boulevard, westerly across Marcus Garvey Boulevard to the southern property line of 140 Decatur Street (aka 464 Marcus Garvey Boulevard), westerly along the southern property lines of 140 Decatur Street (aka 464 Marcus Garvey Boulevard) and 138 Decatur Street, northerly along part of the western property line of 138 Decatur Street, westerly along the southern property lines of 136 through 132 Decatur Street, northerly along part of the western property line of 132 Decatur Street, westerly along the southern property line of 3 Albany Avenue, westerly across Albany Avenue, southerly along the western curblin of Albany Avenue, westerly to the northern building line of 8 Albany Avenue, westerly along the northern building line of 8 Albany Avenue, southerly along part of the eastern property line of 116 Decatur Street, westerly along the southern property lines of 116 through 110 Decatur Street and part of the southern property line of 108 Decatur Street, westerly along the southern property lines of 104 through 88 Decatur Street and 631 Throop Avenue, westerly to the eastern curblin of Throop Avenue, northerly along the eastern curblin of Throop Avenue, westerly across Throop Avenue to the easternmost point of the southern property line of 70-72 Decatur Street (aka 644 Throop Avenue), westerly, northerly, and northwesterly along the southern property line of 70-72 Decatur Street (aka 644 Throop Avenue), northwesterly along the southern property lines of

68 through 52 Decatur Street, southwesterly along part of the eastern property line of 50 Decatur Street (aka 1497 Fulton Street), northwesterly along a line to the southern property line of 44 Decatur Street, northwesterly along the southern property line of 44 Decatur Street, southwesterly along part of the eastern property line of 42 Decatur Street, northwesterly along the southern property lines of 42 and 40 Decatur Street, southwesterly along part of the eastern property line of 38 Decatur Street, northwesterly along the southern property lines of 38 and 36 Decatur Street, northeasterly along the western property line of 36 Decatur Street, northerly across Decatur Street, westerly along the northern curblin of Decatur Street, northerly along the eastern curblin of Tompkins Avenue, westerly to the southern property line of 58-72 MacDonough Street (aka 468-480 Tompkins Avenue), westerly along the southern property line of 58-72 MacDonough Street (aka 469-480 Tompkins Avenue), northerly along the western property line of 58-72 MacDonough Street (aka 469-480 Tompkins Avenue), northerly to the southern curblin of MacDonough Street, easterly along the southern curblin of MacDonough Street, northerly across MacDonough Street to the western property line of 61-73 MacDonough Street (aka 458-466 Tompkins Avenue), northerly along the western property line of 61-73 MacDonough Street (aka 458-466 Tompkins Avenue), easterly along the northern property line of 61-73 MacDonough Street (aka 458-466 Tompkins Avenue), easterly across Tompkins Avenue, northerly along the eastern curblin of Tompkins Avenue, easterly to the northern property line of 467 Tompkins Avenue, easterly along the northern property line of 467 Tompkins Avenue, easterly to the northern property line of 91-97 MacDonough Street, easterly along the northern property lines of 91-97 through 129 MacDonough Street, southerly along part of the eastern property line of 129 MacDonough Street, easterly along the northern property line of 133 MacDonough Street, northerly along part of the western property line of 137 MacDonough Street, easterly along the northern property line of 137 MacDonough Street, southerly along part of the eastern property line of 137 MacDonough Street, easterly along the northern property line of 141 MacDonough Street (aka 622 Throop Avenue), easterly to a point in the middle of the roadbed of Throop Avenue, northerly along a line extending up the middle of the roadbed of the Throop Avenue to a point in the middle of its intersection with Macon Street, easterly along a line extending down the middle of the roadbed of Macon Street to its intersection with a point on a line which continues the eastern curblin of Throop Avenue, northerly along that line and the eastern curblin of Throop Avenue, easterly to the northern property line of 267 Macon Street (aka 579 Throop Avenue), easterly along the northern property lines of 267 Macon Street (aka 579 Throop Avenue) through 331 Macon Street and part of the northern property line of 333 Macon Street, northerly along the western property lines of 410 through 404 Marcus Garvey Boulevard (aka 394-400 Halsey Street) to the southern curblin of Halsey Street, easterly along the southern curblin of Halsey Street, southerly along the western curblin of Marcus Garvey Boulevard, easterly across Marcus Garvey Boulevard to the northern property line of 417 Marcus Garvey Boulevard, easterly along the northern property line of 417 Marcus Garvey Boulevard, southerly along part of the eastern property line 417 Marcus Garvey Boulevard, easterly along the northern property lines of 351 through 403 Macon Street, northerly along part of the western property line of 364 Lewis Avenue and the western property lines of 362 through 354-356 Lewis Avenue (aka 468-476 Halsey Street) to the southern curblin of Halsey Street, easterly along the southern curblin of Halsey Street, easterly across Lewis Avenue to its intersection with the eastern curblin of Lewis Avenue, northerly across Halsey Street, northerly along the eastern curblin of Lewis Avenue, easterly to the northern property line of 437 Halsey Street (aka 343-351 Lewis Avenue), easterly along the northern property lines of 437 Halsey Street (aka 343-351 Lewis Avenue) through 503 Halsey Street, northerly along the western property lines of 308 through 302 Stuyvesant Avenue (aka 568 Hancock Street), northerly across Hancock Street, northerly along the western property lines of 300 Stuyvesant Avenue (aka 561 Hancock Street) through 284 Stuyvesant Avenue (aka 624-632 Jefferson Avenue) to the southern curblin of Jefferson Avenue, easterly along the southern curblin of Jefferson Avenue, easterly across Stuyvesant Avenue, easterly along the southern curblin of Jefferson Avenue, southerly to the eastern property line of 273-279 Stuyvesant Avenue (aka 634 Jefferson Avenue), southerly along the eastern property line of 273-279 Stuyvesant Avenue (aka 634 Jefferson Avenue), easterly along part of the northern property line of 281 Stuyvesant Avenue, southerly along the eastern property lines of 281 Stuyvesant Avenue and 575 Hancock Street (aka 285 Stuyvesant Avenue), southerly across Hancock Street, southerly along the eastern property lines of 291 Stuyvesant Avenue (aka 576 Hancock Street) through 297 Stuyvesant Avenue and part of the eastern property line of 299 Stuyvesant Avenue, easterly along the northern property lines of 525 through 533 Halsey Street, southerly along part of the eastern property line of 553 Halsey Street, easterly along the northern property lines of 553A and 555 Halsey Street, northerly along part of the western property line of 557 Halsey Street, easterly along the northern property lines of 557 through 559 Halsey Street, southerly along part of the eastern property lines of 559 Halsey Street, easterly along the northern property lines of 561 through 573 Halsey Street and part of the northern property line of 254 Malcolm X Boulevard, northerly along the western property lines of 248 through 240 Malcolm X Boulevard (aka 654 Hancock Street) to the southern curblin of Hancock Street, easterly along the southern curblin of Hancock Street, and southerly along the western curblin of Malcolm X Boulevard to the point of the beginning.

**416-SEAT PRIMARY SCHOOL  
QUEENS CB - 11 20135594 SCQ**  
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 416-Seat Primary School Facility to be located at 210-07 48th Avenue (Block 7327, Lots 28, 38, 39 and 49), in the Bayside area of Queens, Community School District No. 26.

**The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Monday, July 22, 2013:**

**211 WEST 147TH STREET**  
**MANHATTAN CB - 10 20135776 HAM**  
 Application submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area Project and related tax exemption for property located at 211 West 147th Street (Block 2033, Lot 21), Borough of Manhattan, Council District 7, pursuant to Article 16 of the New York General Municipal Law and Section 577 of the Private Housing Finance Law.

**640 BROADWAY**  
**BROOKLYN CB - 1 20135773 HAK**  
 Application submitted by the New York City Department of Housing Preservation and Development ("HPD"), for an exemption of real property taxes for property located at 640 Broadway (Block 2270, Lot 10), Borough of Brooklyn, Council District 33, pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.

**FULTON STREET SOUTH**  
**BROOKLYN CB - 3 20135777 HAK**  
 Application submitted by the New York City Department of Housing Preservation and Development ("HPD"), for approval of the proposed disposition of property located in Brooklyn, Block 1861, Lot 119, subject to restrictions pursuant to Private Housing Finance Law (PHFL) Section 122(1), Borough of Brooklyn, Council District 36, pursuant to the Private Housing Finance Law, Section 122(1).  
 jy16-22

**CITY PLANNING COMMISSION**

**PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, July 24, 2013 at 10:00 A.M.**

**BOROUGH OF THE BRONX**  
**Nos. 1 & 2**  
**EAST FORDHAM ROAD REZONING**  
**No. 1**

**CD 6 C 130273 ZMX**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c:

1. eliminating from within an existing R6 District a C2-3 District bounded by Belmont Avenue, the northeasterly terminus of Belmont Avenue and its southeasterly prolongation, Crotona Avenue, and East Fordham Road;
2. eliminating from within an existing R6 District a C2-4 District bounded by Hughes Avenue, a line perpendicular to the northwesterly street line of Belmont Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Belmont Avenue and the northeasterly street line of East Fordham Road, Belmont Avenue, and East Fordham Road;
3. changing from an R6 District to an R6B District property bounded by:
  - a. Bathgate Avenue, East 191st Street, the northeasterly street line Prolongation of a line 100 feet southeasterly of Hoffman Street, a line 160 feet northeasterly of East 191st Street, a line 175 feet northwesterly of Hughes Avenue, East 191st Street, Hughes Avenue, and a line 100 feet northeasterly of East Fordham Road; and
  - b. Hughes Avenue, the northeasterly terminus of Hughes Avenue and its southeasterly prolongation, Belmont Avenue, and a line perpendicular to the northwesterly street line of Belmont Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the
  - c. northwesterly street line of Belmont Avenue and the northeasterly street line of East Fordham Road;
4. changing from an R6 District to a C4-5D District property bounded by:
  - a. Hughes Avenue, a line perpendicular to the northwesterly street line of Belmont Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Belmont Avenue and the northeasterly street line of East Fordham Road, Belmont Avenue, the northeasterly terminus of Belmont Avenue and its southeasterly prolongation, Crotona Avenue, and East Fordham Road;
  - b. a line 100 feet southwesterly of East Fordham Road, Belmont Avenue, a 315 feet northeasterly of East 189th Street,

- Hughes Avenue, and a line 295 feet northeasterly of East 189th Street; and
- c. a line 100 feet southwesterly of East Fordham Road, a line 110 feet southeasterly of Cambreleng Avenue, and a line 365 feet northeasterly of East 189th Street;
5. changing from a C8-1 District to an R6 District property bounded by:
    - a. Arthur Avenue, a line 295 feet northeasterly of East 189th Street, and a line 100 feet southwesterly of East Fordham Road; and
    - b. a line 110 feet southeasterly of Cambreleng Avenue, a line 365 feet northeasterly of 189th Street, a line 160 feet southeasterly of Cambreleng Avenue, and the northeasterly centerline prolongation of 189th Street;
  6. changing from a C8-1 District to a C4-5D District property bounded by a line 100 feet northeasterly of East Fordham Road, Hughes Avenue, East Fordham Road, Southern Boulevard, a line passing through two points: the first on the westerly street line of Southern Boulevard distant 140 feet northerly (as measured along the street line) from its point of intersection of the northeasterly street line of former 188th Street and the second on a line 100 feet southeasterly of Crotona Avenue distant 230 feet northeasterly (as measured along this line) from its intersection with the northeasterly street line of former 188th Street, a line 100 feet southeasterly of Crotona Avenue, a line 100 feet northeasterly of former 189th Street, Crotona Avenue, East 189th Street, a line 160 feet southeasterly of Cambreleng Avenue, a line 365 feet northeasterly of East 189th Street, a line 110 feet southeasterly of Cambreleng Avenue, a line 100 feet southwesterly of East Fordham Road, a line 295 feet northeasterly of East 189th Street, Arthur Avenue, a line 100 feet southwesterly of East Fordham Road, Bathgate Avenue, East Fordham Road, and Bathgate Avenue; and establishing within an existing R6 District a C2-4 District bounded by a line 100 feet southwesterly of East Fordham Road, Arthur Avenue, a line 100 feet southwesterly of East Fordham Road, a line midway between Arthur Avenue and Hughes Avenue, East 188th Street, Arthur Avenue, a line 100 feet northeasterly of East 187th Street, and a line midway between Hoffman Street and Arthur Avenue;
  - 7.

as shown on a diagram (for illustrative purposes only) dated May 20, 2013 and subject to the conditions of CEQR Declaration E-304.

**No. 2**

**CD 6 N 130274 ZRX**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the addition of an Inclusionary Housing Designated Area to Appendix F (Inclusionary Housing Designated Areas).

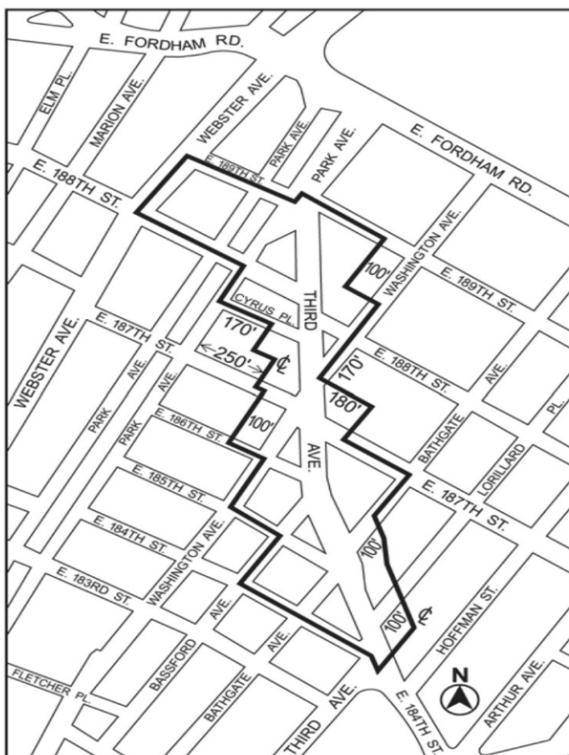
Matter in underline is new, to be added;  
 Matter in ~~strikeout~~ is to be deleted;  
 Matter with # # is defined in Section 12-10;  
 \* \* \* indicates where unchanged text appears in the Zoning Resolution

**APPENDIX F**  
**Inclusionary Housing Designated Areas**

**The Bronx Community District 6**  
 In the R7A, R7D, R7X, R8A and R8X Districts within the areas shown on the following Map 1:

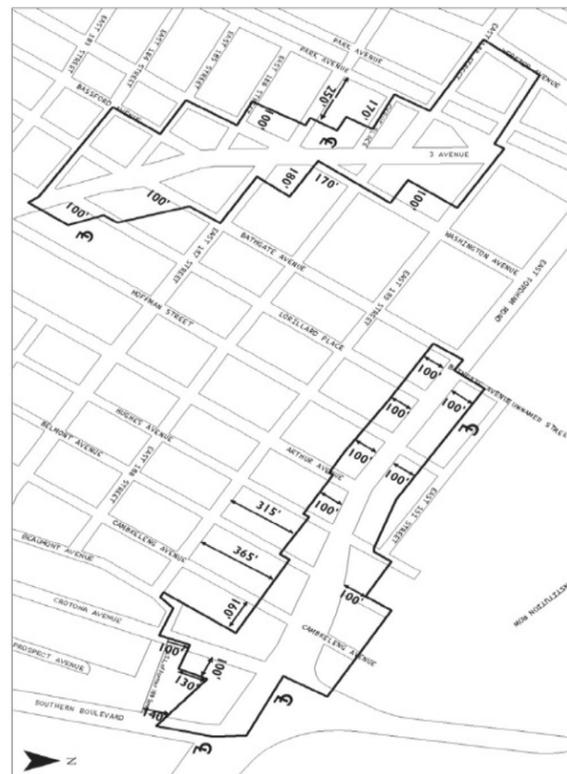
Map 1

**EXISTING MAP TO BE DELETED**



Portion of Community District 6, The Bronx  
 Map 1

**PROPOSED TO REPLACE EXISTING MAP**



Portion of Community District 6, The Bronx

\* \* \*  
**NOTICE**

**On Wednesday, July 24, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map and text amendments for an area encompassing approximately 12 blocks in the Bronx, Community Board 6. The zoning map amendment would rezone existing C8-1, R6, R6/C2-3 and R6/C2-4 districts along East Fordham Road between Bathgate Avenue and Southern Boulevard to a C4-5D district. It would also rezone East 191st Street north of East Fordham Road from R6 to R6B and a portion of a block fronting Beaumont and Crotona Avenues from C8-1 to R6. The zoning map amendment would also map new C2-4 commercial overlays along Arthur Avenue south of East Fordham Road to East 187th Street. The zoning text amendment would apply the provisions of the Inclusionary Housing program to the proposed C4-5D district along East Fordham Road. Comments are requested on the DEIS and will be accepted until Monday, August 5, 2013.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 13DCP107X.**

**BOROUGH OF BROOKLYN**  
**Nos. 3 & 4**  
**BROOKLYN COLLEGE CAMPUS**

**No. 3**

**CD 14 C 120326 MMK**  
**IN THE MATTER OF** an application submitted by the Dormitory Authority of the State of New York pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Campus Road south of Avenue H;
- the elimination, discontinuance and closing of a portion of Avenue H between Campus Road and Nostrand Avenue;
- the discontinuance and closing of Amersfort Place between Avenue H and Nostrand Avenue;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2732 and N-2733 dated May 7, 2013 and signed by the Borough President.

**No. 4**

**CD 14 C 130306 ZMK**  
**IN THE MATTER OF** an application submitted by the Dormitory Authority State of New York pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 23a:

1. changing from a C8-2 District to an R6 District property bounded by the westerly centerline prolongation of Avenue H, Nostrand Avenue, the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division), the northerly centerline prolongation of East 29th Street, and the centerline of former Campus Road\* and its southwesterly prolongation; and
2. establishing within a proposed R6 District a C2-4 District property bounded by the westerly centerline prolongation of Avenue H, Nostrand Avenue, the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division),

the northerly centerline prolongation of East 29th Street, and the centerline of former Campus Road\* and its southwesterly prolongation;

as shown on a diagram (for illustrative purposes only) dated May 20, 2013.

\*Note: Campus Road is proposed to be demapped under a concurrent related application (C 120326 MMK) for a change in the City Map.

**BOROUGH OF MANHATTAN**  
**Nos. 5 & 6**  
**ADAPT NYC**  
**No. 5**

**CD 6** **C 130235 ZMM**  
**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 8d, by establishing within an existing R8 District a C2-5 District bounded by a line midway between East 28th Street and Pedestrian Way, a line 100 feet westerly of First Avenue, Pedestrian Way, and Mount Carmel Place, as shown on a diagram (for illustrative purposes only) dated April 8, 2013.

**No. 6**

**CD 6** **C 130236 HAM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a. the designation of properties located at 335 East 27th Street (Block 933, Lots 10 and Part of 25), as an Urban Development Action Area; and
  - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a mixed use building with approximately 55 dwelling units.

**No. 7**  
**203/205 EAST 92ND STREET**

**CD 8** **N 130263 ZRM**  
**IN THE MATTER OF** an application submitted by Carnegie Park Land Holding LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 8 to amend the ownership provisions of ZR Sec. 78-06 to allow application for modification of a Residential Large Scale authorizations and special permits granted in connection with an urban renewal area that has expired;

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is old, to be deleted;  
Matter in # # is defined in Section 12-10;  
\* \* \* indicate where unchanged text appears in the Zoning Resolution

\* \* \*  
(b) Notwithstanding the provisions on paragraphs (a) of this Section, the following actions shall be permitted:

- (7) In the event that the urban renewal plan has expired, the owner(s) of a parcel(s) of land previously used as open space for a term of years that has expired within such #large scale residential development#, if located in a former urban renewal area listed below, may make application for an be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter, where such modifications do not seek the distribution of #floor area# from any #zoning lot# not included within such parcel(s), for a #development# that includes a #building# and public open space permitted by the applicable district regulations. Such modifications shall result in a site plan that includes a #building# and public open space that are appropriately located and oriented with respect to other uses in the surrounding area.

\* \* \*  
**No. 8**  
**945 2ND AVENUE**

**CD 6** **N 130232 ZRY**  
**IN THE MATTER OF** an application submitted by 945 Realty Holdings, LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article III, Chapter 2 to amend Section 32-421 to permit commercial use on the second floors of buildings in C1 and C2 districts mapped within R9 & R10 districts and in C1-8, C1-9, C2-7, & C2-8 districts.

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is old, to be deleted;  
Matter in # # is defined in Section 12-10;  
\* \* \* indicate where unchanged text appears in the Zoning Resolution

**32-421**  
**Limitation on floors occupied by commercial uses**  
C1 C2 C3  
In the districts indicated, in any #building#, or portion of a

#building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, no #commercial uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level of the first #story# ceiling, provided, however, that permitted #signs#, other than #advertising signs#, #accessory# to such #commercial uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by #commercial uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14. ~~Non #residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970 in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts.~~

However, in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts, non-residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970. For #buildings# constructed prior to September 17, 1970, such non-residential uses# may occupy the lowest two #stories# in such #building# provided that:

- (a) the second #story#, on May 1, 2013, was not occupied by a #community facility use#, a #dwelling unit# or #rooming unit#; and
- (b) the second #story# of at least one other #building#, on the same #block# frontage as such #building#, is occupied by a #use# listed in Use Groups 6, 7, 8, 9, or 14.

\* \* \*

**BOROUGH OF QUEENS**  
**No. 9**  
**22-44 JACKSON AVENUE**

**CD 2** **C 130191 ZSQ**  
**IN THE MATTER OF** an application submitted by G&M Realty, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 117-56 of the Zoning Resolution to allow an increase in the permitted floor area ratio of Section 117-522, from 5.0 to a maximum of 8.0, and to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height), in connection with a proposed mixed-use development on property located at 22-44 Jackson Avenue (Block 86, Lots 1, 6, 7, 8, 22, and Block 72, p/o Lot 80), in an M1-5/R7-3 District, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict, Area C).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**No. 10**  
**HALLETTS POINT**

**CD 1** **C 130244 ZSQ**  
**IN THE MATTER OF** an application submitted by Halletts A Development Company, LLC and the New York City Housing Authority pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-836 of the Zoning Resolution to modify initial setback distance, the maximum base height, the maximum building height, the floor area distribution, the maximum residential tower size, and the maximum width of walls facing shoreline requirements of Section 62-341 (Developments on land and platforms), and to modify the distance between buildings requirements of Section 23-711 (Standard minimum distance between buildings), in connection with a proposed mixed use development on property generally bounded by 26th Avenue and its westerly prolongation, 2nd Street, 27th Avenue, 8th Street, the northerly boundary of a Park, and the U.S. Pierhead and Bulkhead Line, (Block 913, Lot 1; Block 915, Lot 6; Block 916, Lots 1 & 10; Block 490, Lots 1, 11, p/o 100, & 101; portions of lands underwater westerly of Blocks 916 and 490; and the beds of the proposed to be demapped portions of 26th Avenue\*\*, 27th Avenue\*\*, Astoria Boulevard\*\*, & Park), in R6\*\*\*, R6/C1-4\*\*\* and R7-3/C1-4\*\*\* Districts, in a large-scale general development, within the Halletts Point Peninsula.

\*\*\*Note: Portions of 26th Avenue, 27th Avenue, Astoria Boulevard, & Park are proposed to be demapped under a concurrent related application (C 130068 MMQ) for changes to the city map.

\*\*\*Note: The site is proposed to be rezoned by changing M1-1 and R6 Districts and demapped Park to R6/C1-4 and R7-3/C1-4 Districts under a concurrent related application C 090484 ZMQ.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**NOTICE**

**On Wednesday, July 24, 2013, at 10:00 A.M. in Spector Hall at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a continued public hearing will be held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map changes; zoning text amendments; large-scale general development project (LSGD) special permits related to bulk; authorizations, certification; city map amendment actions; and waterfront special permit.**

**The applicant, Halletts A Development Company, LLC is requesting the discretionary approvals, with the**

**New York City Housing Authority (NYCHA) as co-applicant for some of the approvals, to facilitate a mixed-use development on several parcels on Halletts Point along the East River in Astoria, Queens. The zoning map changes would rezone an existing manufacturing (M1-1) district along 1st Street south of 26th Avenue to residential with commercial over lay (R7-3/C1-4); establish a commercial overlay (C1-4) over the existing residential (R6) zoning district along Astoria Boulevard and 27th Avenue; establish Whitey Ford Field as a mapped public parkland and rezone a portion of the adjacent streetbed from residential (R6) to manufacturing (M1-1). The zoning text amendments would make the project area eligible for the Inclusionary Housing Program and Food Retail Expansion to Support Health (FRESH) Program; exempt accessory parking under certain circumstances from the definition of floor area; allow lot lines coincident with the boundary of a mapped Public Park to be treated as a wide street for the purposes of applying minimum distance between legally required windows and lot lines; and, permit floor area distribution from a zoning lot under certain circumstances to another zoning lot within a LSGD if it contributes to better site planning. The city mapping actions would eliminate two cul-de-sacs in Astoria Boulevard between 1st Street and 8th Street and convey a street easement from NYCHA to the City, establish a public park (Whitey Ford Field), and eliminate 26th Avenue and 27th Avenue between 1st Street and the U.S. Pierhead and Bulkhead Line. Other discretionary actions requested include disposition of public housing (NYCHA) property, use of development rights associated with lands underwater, and potential financing approval for affordable housing. The proposed actions would facilitate a proposed development of approximately 2.73 million gross square feet (gsf) in total that would include approximately 2.2 million gsf of residential space (2,644 housing units including 2,161 market-rate and 483 affordable housing units); approximately 69,000 gsf of retail space (including an approximately 30,100-gross square foot retail space designed for supermarket use); and 1,375 accessory parking spaces. Comments are requested on the DEIS and will be accepted until Monday August 5, 2013.**

**This hearing is being held pursuant to the National Environmental Policy Act (NEPA), State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP084Q.**

**BOROUGH OF STATEN ISLAND**  
**Nos. 11-15**  
**CHARLESTON**  
**No. 11**

**CD 3** **C 130279 ZMR**  
**IN THE MATTER OF** an application submitted by the New York City Economic Development Corporation and Bricktown Pass, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 32d:

1. changing from an M1-1 District to an R3-2 District property bounded by Englewood Avenue\*, the easterly, northerly and westerly boundary lines of a Park\* and its northerly prolongation, and Cosmen Street;
2. changing from an M1-1 District to a C4-1 District property bounded by Arthur Kill Road, the westerly prolongation of a northerly boundary line of a Park\*, a westerly boundary line of a Park\* and its southerly prolongation, a line 480 feet northerly of Veterans Road West, Waunner Street and its northerly centerline prolongation, and Veterans Road West; and
3. changing from an M1-1 District to a C4-1 District property bounded by a southerly boundary line of a Park\*, the southerly prolongation of an easterly boundary line of a Park\*, Bricktown Way\*, and an easterly boundary line of a Park\* and its southerly prolongation;

as shown on a diagram (for illustrative purposes only), dated May 6, 2013

\*Note: a Park (Fairview Park), Englewood Avenue and Bricktown Way are proposed to be mapped under a concurrent related application (C 130229 MMR) for a change to the City Map.

**No. 12**

**CD 3** **C 130229 MMR**  
**IN THE MATTER OF** an application submitted by the New York City Department of Transportation and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the establishment of Englewood Avenue between Arthur Kill Road and Kent Street;
- the establishment of Bricktown Way northwest of Veterans Road West;
- the establishment of Tyrellan Avenue from Veterans Road West to Bricktown Way;
- the establishment of Fairview Park;
- the extinguishment of several record streets;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4234 dated May 6, 2013 and signed by the Borough President.

**No. 13**

**CD 3** **C 130289 PSR**  
**IN THE MATTER OF** an application submitted by the New

York Public Library and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property generally bounded by Englewood Avenue, Arthur Kill Road, and Veterans Road West (Block 7459, p/o lot 50; Block 7454, p/o lot 5; Block 7452, p/o lot 75; Block 7487, p/o lot 100; and p/o Bayne Avenue record street)) for use as a public library.

## No. 14

**CD 3 C 130288 PQR**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property generally bounded by Englewood Avenue, Arthur Kill Road, and Veterans Road West (Block 7375, lot 7) to facilitate the construction of a public school.

## No. 15

**CD 3 C 130290 PQR**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of an easement for public unrestricted vehicular, pedestrian, and bicycle access over and along the mapped dimensions of Bricktown Way and Tyrellan Avenue, including p/o Block 7446, lot 75; p/o Block 7481, lot 1 and p/o Block 7469, lot 200.

## NOTICE

**On Wednesday, July 24, 2013, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) for which the Office of the Deputy Mayor for Economic Development is the CEQR Lead Agency concerning zoning map changes; site selection of a public facility; property acquisitions; authorizations; certifications; and mapping actions.**

The applicant, the New York City Economic Development Corporation, is requesting discretionary approvals, on behalf of the City with New York Public Library, the Department of Citywide Administrative Services, and Bricktown Pass, LLC as co-applicants for some of the approvals, to facilitate a mixed-use development on an approximately 93-acre parcel located in Charleston, Staten Island. The co-applicants for the related mapping actions are the New York City Department of Parks & Recreation and the New York City Department of Transportation.

The zoning map changes would establish Fairview Park as a mapped public parkland; rezone an existing manufacturing (M1-1) district bounded by Englewood Avenue, the proposed Fairview Park, and Cosmen Street to residential (R3-2); and rezone two existing manufacturing (M-1) districts to commercial districts (C4-1) at Arthur Kill Road and Veterans Road West, and also by Bricktown Way and the proposed Park.

The city mapping actions would eliminate 12 record streets, establish a public park (Fairview Park and an existing conservation area), map Englewood Avenue between Arthur Kill Road to Kent Street, map the existing Bricktown Way north of Veterans Road West, map Tyrellan Avenue from Veterans Road West to Bricktown Way, and authorize any acquisition or disposition of real property related thereto.

Other discretionary actions requested include: Mayor and Borough Board approval of the business terms of the sale of the disposition parcels pursuant to Section 384(b)(4) of the New York City Charter; Subdivision of zoning lots (ZR 107-08), Acquisition of private property (Block 7375, lot 7) to facilitate the construction of a public school and acquisition of an easement to facilitate unrestricted public access over and along the mapped dimensions of Bricktown Way and Tyrellan Avenue, including p/o Block 7446, lot 75; p/o Block 7481, lot 1; and p/o Block 7469, lot 200; Site selection of property (Block 7459, p/o lot 50; Block 7454, p/o lot 5; Block 7452, p/o lot 75; Block 7487, p/o lot 100; and p/o Bayne Avenue record street) for use as a public library; CPC authorization to permit: the removal of trees (ZR 107-64), modification of the existing topography (ZR 1-7-312), Group Parking Facilities with more than 30 spaces (ZR 107-68), applicability of regulations in C4-1 districts for Site Plan Approval (ZR 36-023), applicability of regulations in C4-1 districts for Reduced Parking (ZR 36-023); Chair certifications for cross access connections (ZR 36-592) and waiver of cross access connections (ZR 36-596); and New York State Department of Environmental Conservation wetland permits.

The proposed actions would facilitate a proposed development and related mapping of up to approximately 4 million square feet (sf) in total that would include approximately 1,901,866 sf of parkland; 394,819 sf of residential space (162 housing units including 80 affordable multi-family age-restricted units and 82 age-restricted for sale units); approximately 796,674 sf of retail space, an approximately 15,000 sf public library; an approximately 256,194 sf public school, and up to 1,248 accessory parking spaces.

The Notice of Completion and the DEIS for this project were issued by the Office of the Deputy Mayor for Economic Development on May 2, 2013 and are available for review from the contact person listed below and on the website of the Mayor's Office of Environmental Coordination:

<http://www.nyc.gov/html/oec/html/ceqr/13dme001r.shtml>

Comments are requested on the DEIS and will be

accepted at the contact address below through 5:00 P.M. on Monday, August 5, 2013.

**This Notice of Public Hearing has been prepared pursuant to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act (SEQRA)), its implementing regulations found at 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review found at 62 RCNY Chapter 5, and Mayoral Executive Order 91 of 1977, as amended (CEQR).**

**CEQR No. 13DME001R.**

**Lead Agency:**

**Office of the Deputy Mayor for Economic Development**

**Robert R. Kulikowski, Ph.D.**

**Assistant to the Mayor**

**100 Gold Street, 2nd Floor**

**New York, New York 10038**

**Email: rkulikowski@cityhall.nyc.gov**

**SEQRA/CEQR Classification: Type I**

## Nos. 16-21

**ST. GEORGE WATERFRONT DEVELOPMENT**

## No. 16

**CD 1 C 130315 ZMR**  
**IN THE MATTER OF** an application submitted by the NYC Economic Development Corporation, New York Wheel LLC and St. George Outlet Development LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 21c, by establishing a Special St. George District bounded by Richmond Terrace; the northerly prolongation of the westerly street line of St. Peters Place, the U.S. Pierhead Line, and the northerly street line of Borough Place and its easterly and westerly prolongations, as shown on a diagram (for illustrative purposes only) dated May 20, 2013.

## No. 17

**CD 1 N 130316 ZRR**  
**IN THE MATTER OF** an application submitted by the New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII, Chapter 8, and related sections, concerning the expansion of the Special St. George District.

Matter in underline is new, to be added.

Matter in ~~strikeout~~ is to be deleted.

Matter with # # is defined in Section 12-10.

\* \* \* indicates where unchanged text appears in the Zoning Resolution.

**Article VI – Special Regulations Applicable to Certain Areas**

**Chapter 2**

**Special Regulations Applying in the Waterfront Area**  
 \* \* \*

**62-13**

**Applicability of District Regulations**

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.

In the event a Special Purpose District imposes a restriction on the height of a #building or other structure# that is lower than the height limit set forth in this Chapter, the lower height shall control. However, all heights shall be measured from the #base plane#.

The provisions of this Chapter shall not apply to the following Special Purpose Districts unless expressly stated otherwise in the special district provisions:

#Special Battery Park City District# #Special

Stapleton Waterfront District#.

The regulation of this Chapter shall not apply in the #Special Sheepshead Bay District# ~~shall be applicable~~, except that Section 94-061 (Uses permitted by right) shall be modified to permit all WD #uses# listed in Section 62-211 from Use Groups 6, 7, 9 and 14 in accordance with the underlying district regulations.

The regulations of this Chapter shall apply in the #Special St. George District#, except as specifically modified within the North Waterfront Subdistrict.

\* \* \*

**Article XII - Special Purpose Districts**

**Chapter 8**

**Special St. George District**

**128-03**

**District Plan and Maps**

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

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

Map 1 Special St. George District and Subdistricts  
 Map 2 Commercial Streets  
 Map 3 Minimum and Maximum Base Heights  
 Map 4 Tower Restriction Areas  
 Map 5 Visual Corridors

The maps are located in the Appendix to this Chapter and are hereby incorporated and made a part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this

Chapter apply.

**128-04**

**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, the #Special St. George District# shall include two ~~three~~ subdistricts: the Upland Subdistrict, the North Waterfront Subdistrict and the South Waterfront Subdistrict, as shown on Map 1 (Special St. George District and Subdistricts) in the Appendix to this Chapter.

**128-05**

**Applicability of District Regulations**

\* \* \*

**128-054**

**Applicability of Article VI, Chapter 2**

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), shall apply in the North Waterfront Subdistrict of the #Special St. George District#. However, in such Subdistrict, such provisions shall not apply to improvements to the Waterfront Esplanade, nor to #developments#, #enlargements#, alterations and changes of #use# permitted pursuant to Section 128-61 (Special Permit for North Waterfront Sites), which shall be subject to the Proposed Plans as approved pursuant to the provisions, conditions and findings set forth in such special permit, except that the regulations of Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall apply to such #developments#, #enlargements#, alterations and changes of #use# as modified pursuant to such special permit. In addition, the special requirements for visual corridors set forth in Section 128-43 (Visual Corridors in the North Waterfront Subdistrict) shall apply.

**128-055**

**Applicability of Article VII, Chapter 4**

Within the North Waterfront Subdistrict of the #Special St. George District#, the following special permits shall not apply:

Section 74-512 (In other districts)

Section 74-68 (Development Within or Over a Right-of-way or Yards)

Section 74-922 (Certain Large Retail Establishments)

In addition, the provisions and conditions of the following special permits, as granted, shall be deemed to be modified pursuant to a special permit granted pursuant to Section 128-61 (Special Permit for North Waterfront Sites) for Parcel 1 or Parcel 2 in the North Waterfront Subdistrict of the #Special St. George District#, including but not limited to subdivision of the #zoning lot# and relocation of accessory parking to another #zoning lot#:

C000012 ZSR

C000013 ZSR

C000014 ZSR

C000016(A) ZSR

**128-10**

**USE REGULATIONS**

\* \* \*

**128-12**

**Transparency Requirements**

Any #street wall# of a #building developed# or #enlarged# after October 23, 2008, where the ground floor level of such #development# or #enlarged# portion of the #building# contains #commercial# or #community facility uses#, excluding #schools#, shall be glazed with transparent materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. For the purposes of this Section, Bank Street shall be considered a #street#. However, this Section shall not apply to a stadium #use# within the North Waterfront Subdistrict.

\* \* \*

**128-30**

**HEIGHT AND SETBACK REGULATIONS**

The provisions of this Section, inclusive, shall apply to all #buildings or other structures# within the Upland Subdistrict.

In C1-2 Districts mapped within R3-2 Districts, all #buildings or other structures# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 128-32 (Street Wall Location) shall apply.

The underlying height and setback regulations of C4-2 Districts within the Upland Subdistrict shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply.

In the South and North Waterfront Subdistricts, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except that:

- (a) in the South Waterfront Subdistrict, roof top regulations are as modified in Section 128-31 (Rooftop Regulations); and
- (b) in the North Waterfront Subdistrict, #developments#, #enlargements#, alterations and changes of #use# permitted pursuant to Section 128-61 (Special Permit for North Waterfront Sites) shall instead be subject to the Proposed Plans as approved pursuant to the provisions, conditions and findings set forth in such special permit.

All heights shall be measured from the #base plane#, except that wherever a minimum or maximum base height is specified for #zoning lots# with multiple #street frontages#, such heights shall be determined separately for each #street# frontage, with each height measured

from the final grade of the sidewalk fronting such #street wall#.

\*\*\*

**128-43**

**Visual Corridors in the North Waterfront Subdistrict**

The designated locations for #visual corridors#, as defined in Article VI, Chapter 2, are shown on Map 5 in the Appendix to this Chapter. Such #visual corridors# shall be provided in accordance with the standards of Sections 62-512 (Dimensions of visual corridors) and 62-513 (Permitted obstructions in visual corridors), except that:

- (a) lighting fixtures shall be considered permitted obstructions; and
- (b) within the #visual corridor# provided through Parcel 2 to the pierhead line within the flexible location zone indicated on Map 5, a portion of a #building# shall be a permitted obstruction provided that such obstruction is located no more than 14 feet above the reference plane of the #visual corridor#, and that such obstruction occupies no more than 185,000 cubic feet in total above the reference plane of the #visual corridor#.

\*\*\*

**128-60**

**SPECIAL APPROVALS**

The special permit set forth in Section 128-61 is established in order to guide and encourage appropriate #uses# and #developments# in a unique location within the #Special St. George District# that serves as a gateway between Staten Island and Manhattan for both visitors and daily commuters. Redevelopment of the North Waterfront sites pursuant to this special permit provides an appropriate means to address the special characteristics of these sites, while accommodating their continuing transportation function, as part of their transformation into a regional destination that will contribute to the revitalization of the #Special St. George District# and surrounding area.

**128-61**

**Special Permit for North Waterfront Sites**

In the North Waterfront Subdistrict, for Parcels 1 and 2, and for improvements to the Waterfront Esplanade provided in connection with the #development# of such Parcels, the City Planning Commission may approve, by special permit, a development plan for each such Parcel and an improvement plan for such Waterfront Esplanade. For any application for such special permit, the applicant shall provide plans to the Commission including but not limited to a site plan, interim parking plan, signage plan, lighting plan and Waterfront Esplanade improvement plan (the "Proposed Plans"). Such Proposed Plans shall be subject to the provisions and conditions set forth in paragraphs (a) through (e) and the findings set forth in paragraph (f) of this Section. Pursuant to such Proposed Plans, the Commission may:

- (a) Permit the following #uses#:
  - (1) #commercial uses# as set forth in Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16) with no limitation on #floor area# per establishment;
  - (2) #uses# specified in Section 32-24 (Use Group 15);
  - (3) #public parking garages# with more than 150 spaces;
  - (4) temporary #public parking lots# or #public parking garages# with more than 150 spaces, supplied in connection with an interim parking plan, provided that the applicable findings of Section 74-51 (Public Parking Garages or Public Parking Lots outside High Density Central Areas) are met by each such temporary #public parking# facility. In addition:
    - (i) such temporary #public parking lots# or #public parking garages# with more than 150 spaces, may be located off-site or beyond the boundaries of the #Special St. George District# as set forth in the interim parking plan. Any change in the location of such temporary #public parking# facility with more than 150 spaces, or any increase in the number of spaces in a temporary #public parking# facility to more than 150 spaces, or any addition of a #public parking# facility with more than 150 spaces provided in connection with such interim parking plan, shall be subject to approval by the City Planning Commission and referred to the applicable Community Boards for review; and
    - (ii) the permit to operate such #public parking lots# or #public parking garages# shall expire 30 days after the Department of Buildings issues a certificate of occupancy for all permanent #public parking# facilities on Parcel 2; and
- (b) Where such #development# is located partially or entirely within a railroad or transit right-of-way or yard or in #railroad or transit air space#:
  - (1) permit that portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the calculations of #lot area# for such #development#;

- (2) establish, in lieu of #base plane#, an appropriate level or levels as the reference plane for the entire #zoning lot# for the applicable regulations pertaining to, but not limited to, height and setback, #floor area#, and #yards#; and
- (c) Permit #signs# pursuant to a signage plan subject to the following conditions:
  - (1) The #sign# regulations of a C4 District as set forth in Section 32-60 shall apply except as specifically modified by the conditions set forth in paragraphs (c) (2) through (c)(5) inclusive, of this Section;
  - (2) #flashing signs# shall not be permitted;
  - (3) the height of #signs# shall be measured from the #base plane#; and
  - (4) On Parcel 1:
    - (i) the total #surface area# of #signs# affixed to a #building# frontage facing the shoreline or affixed to the base of a structure facing the shoreline shall not exceed 1,120 square feet, provided that for a #sign# with a #surface area# larger than 60 square feet, all writing, pictorial representations, emblems, flags, symbols or any other figure or character comprising the design of such #sign#, shall be separate elements, individually cut and separately affixed to the structure or #building#. No perimeter or background surfaces shall be applied or affixed to the structure in addition to such separate elements. No portion of such separate elements shall extend beyond the maximum dimensions allowed for the structure or #building#; and
    - (ii) #signs# shall be permitted to be located on the deck of the railroad right-of-way, provided that the #surface area# of such #signs# shall be included in the calculations of total #surface area# of #signs#; and
  - (5) On Parcel 2:
    - (i) open pedestrian pathways of at least 20 feet in width shall be considered #streets# for the purposes of #sign# regulations;
    - (ii) #signs# shall not extend to a height greater than 60 feet above the #base plane#; and
    - (iii) the total #surface area# of #signs# on the #building# frontage facing Richmond Terrace, the prolongation of Wall Street, or on the #building# frontage or other structure facing the access route into the Ferry Terminal for buses, may exceed the limitations for total #surface area# for #signs# permitted in a C4 district pursuant to an approved signage plan; and
  - (6) The total #surface area# of all #signs# on Parcel 2 facing the #shoreline#, or that are within 15 degrees of being parallel to the shoreline, shall not exceed:
    - (i) 500 square feet for #signs# located above the level of the first #story# ceiling of #buildings#;
    - (ii) 250 square feet for #signs# located below the level of the first #story# ceiling of #buildings#; and
- (d) Through approval of the Proposed Plans, establish appropriate requirements in lieu of the following #Special St. George District# regulations:
  - (1) Section 128-12 (Transparency Requirements);
  - (2) Section 128-42 (Planting Areas);
  - (3) Section 128-54 (Location of Accessory Off-Street Parking Spaces) to the extent necessary to accommodate demand for parking within the North Waterfront Subdistrict;
  - (4) Section 128-55 (Special Requirements for Roofs of Parking Facilities); and
- (e) Through approval of the Proposed Plans:
  - (1) establish appropriate requirements for the height and setback of #buildings or other structures#, permitted obstructions in #yards#, off-street parking and loading; and
  - (2) permit #floor area# to be distributed within the North Waterfront Subdistrict

- without regard for #zoning lot lines#, provided that if distribution is made to a #zoning lot# subject to a special permit granted under this Section from a #zoning lot# not subject to such special permit, Notices of Restriction in a form acceptable to the Department of City Planning shall be filed against such #zoning lots# setting forth the increase and decrease in the #floor area# on such #zoning lots#, respectively.
- (f) The Commission shall find that the Proposed Plans:
  - (1) include #uses# that are appropriate, considering the unique location of the site in relation to the Staten Island Ferry Terminal, the Staten Island Rail Road, and the land uses in and around the #Special St. George District#;
  - (2) provide for a distribution of #floor area#, locations and heights of #buildings or other structures#, primary business entrances and open areas that will result in a superior site plan, providing a well-designed relationship between #buildings and other structures# and open areas on the #zoning lot#, and shall also provide a well designed relationship between the site and adjacent #streets#, surrounding #buildings#, adjacent off-site open areas and shorelines and will thus benefit the users of the site, the neighborhood and the City as a whole;
  - (3) provide a distribution of #floor area# and locations and heights of #buildings or other structures# that will not unduly increase the #bulk# of #buildings or other structures# in the North Waterfront Subdistrict or unduly obstruct access of light and air to the detriment of the users of the site or nearby #blocks# or of people using the public #streets#, and that will provide waterfront vistas from nearby #streets# and properties on nearby #blocks#;
  - (4) provide useful and attractive publicly accessible open space, with sufficient public amenities, including but not limited to seating, landscaping and lighting, that results in a superior relationship with surrounding neighborhood destinations, #streets#, #buildings#, open areas, public facilities and the waterfront;
  - (5) improve public access to the waterfront;
  - (6) improve the Bank Street portion of the Waterfront Esplanade sufficiently to ensure that emergency vehicles will have adequate access to the waterfront and adjacent #developments#;
  - (7) in connection with the improvement of the Bank Street portion of the Waterfront Esplanade, restore planted areas, trees and lighting in a way that is attractive and compatible with the existing design of the Waterfront Esplanade;
  - (8) provide adequate parking and loading to meet the demand for all users during peak utilization;
  - (9) provide adequate parking for commuters at locations convenient and accessible to the Staten Island Ferry Terminal at all times and during all phases of construction;
  - (10) provide signage and lighting that are compatible with the scenic and historic character of the harbor and will not adversely affect the character of the surrounding neighborhood;
  - (11) for a #public parking garage# with more than 150 parking spaces, will ensure that:
    - (i) entrances are proposed in locations and with design features that minimize traffic congestion and conflicts with pedestrians;
    - (ii) adequate reservoir space has been provided at the vehicular entrances; and
    - (iii) the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby; and
  - (12) for a #development# located partially or entirely within a railroad or transit right-of-way or yard and/or in #railroad or transit air space#, that:
    - (i) the distribution of #floor area# does not adversely affect the character of the surrounding area by being unduly concentrated in any portion of such #development#, including any portion of the development# located beyond the boundaries of such railroad or transit right-of-way or yard; and
    - (ii) if such railroad or transit right-of-way or yard is deemed appropriate for future transportation #use#, the site plan and structural design of the #development# do not preclude future use of, or improvements to, the right-of-way for such transportation #use#.

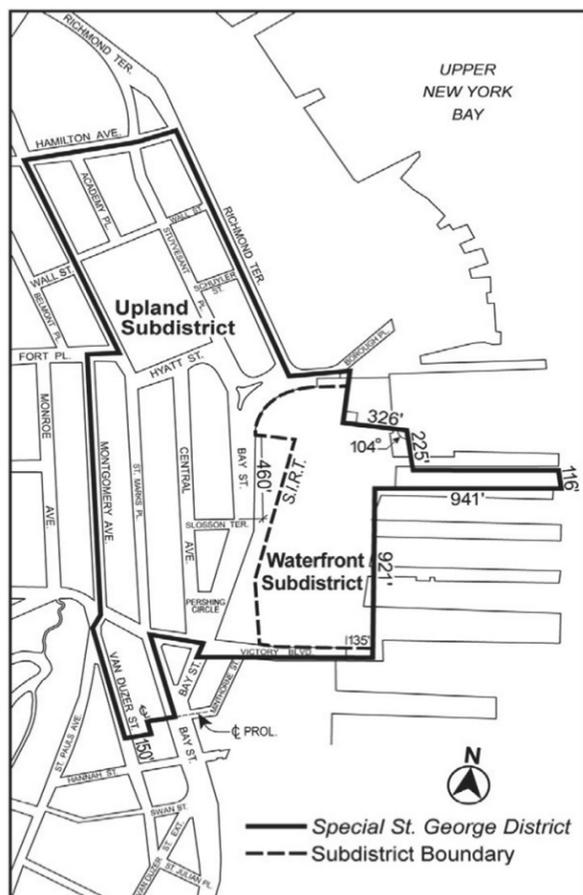
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area. In addition, for a #development# located partially or entirely within a railroad or transit right-of-way or yard, or in #railroad or transit air space#, the Commission may require that the structural design of such #development# makes due allowance for changes within the layout of tracks or other structures within any #railroad or transit air space# or railroad or transit right-of-way or yard which may be deemed necessary in connection with future development or improvement of the transportation system. Prior to granting a special permit, the City Planning Commission shall request the Metropolitan Transportation Authority and the Departments of Transportation of the State of New York and the City of New York to indicate whether said agencies have any plan to use that portion of any #railroad or transit air space# or railroad or transit right-of-way or yard where the railroad or transit #use# has been discontinued.

The execution and recordation of a restrictive declaration acceptable to the Commission, binding the owners, successors and assigns to maintain such #developments#, #enlargements#, alterations, changes of #use#, and any temporary parking facilities, in accordance with the approved Proposed Plans comprising the approved development plan, and in a manner consistent with any additional conditions and safeguards prescribed by the Commission, shall be a condition to exercise of the special permit. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a #development#, #enlargement# or change of #use#.

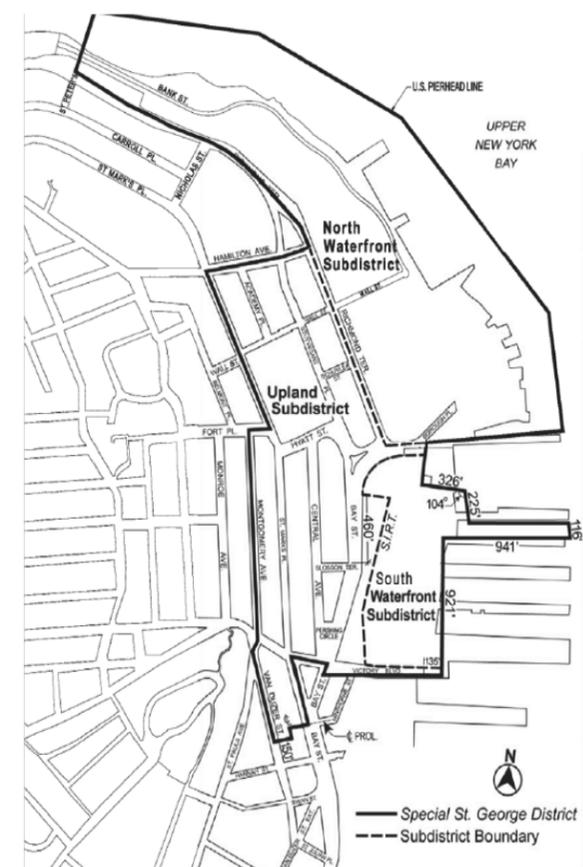
**Appendix  
Special St. George District Plan**

Map 1 - Special St. George District and Subdistricts

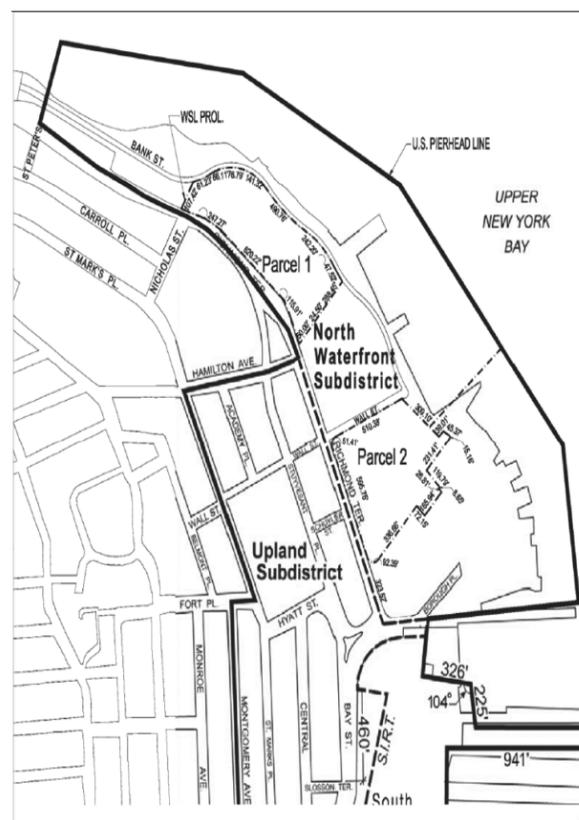
Map to be deleted:



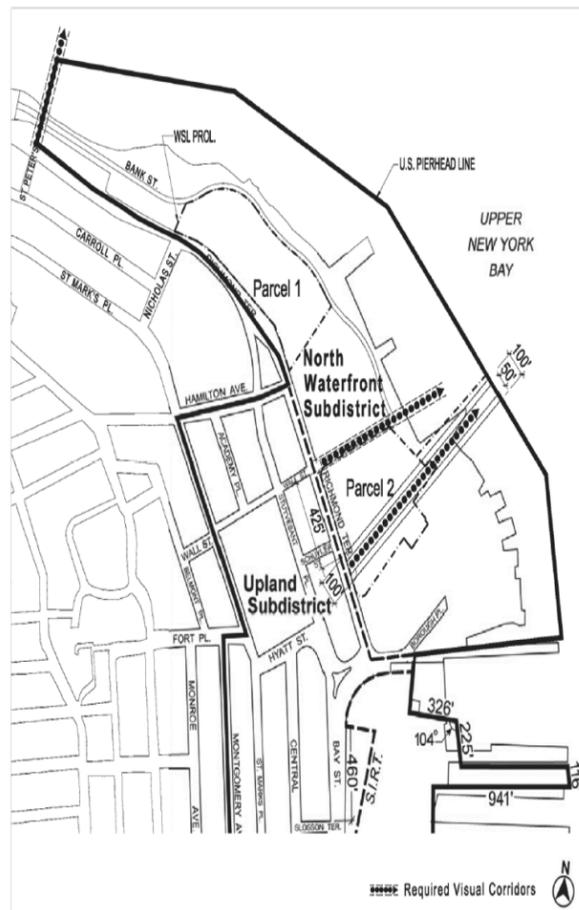
[MAP TO BE ADDED:]  
Map 1 - Special St. George District and Subdistricts



**Parcels**



[MAP TO BE ADDED:]  
Map 5 - Visual Corridors



No. 18

**CD 1 C 130317 ZSR**  
**IN THE MATTER OF** an application submitted by the NYC Economic Development Corporation and New York Wheel LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 128-61\* of the Zoning Resolution to allow a development plan for an Observation Wheel and accessory terminal building, and a public parking garage with a maximum of 950 spaces, and an improvement plan for a Waterfront Esplanade, on property located on Parcel 1 in the North Waterfront Subdistrict\*\* (Block 2, p/o Lot 20) and on the Waterfront Esplanade, in an M1-1 District, within the Special St. George District.

\*Note: A zoning text amendment is proposed to create Section 128-61 (Special Permit for North Waterfront Sites) under a concurrent related application C 130316 ZRR.

\*\*Note: The site is proposed to be rezoned by establishing a Special St. George District under a concurrent related application C 130315 ZMR.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 19

**CD 1 C 130318 ZSR**  
**IN THE MATTER OF** an application submitted by the NYC Economic Development Corporation and St. George Outlet Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 128-61\* of the Zoning Resolution to allow a development plan for a retail outlet mall, catering facility, hotel and a public parking garage with a maximum of 1274 spaces, and an improvement plan for a Waterfront Esplanade, on property located on Parcel 2 in the North Waterfront Subdistrict\* (Block 2, p/o Lots 1,5,10 and 20) and on the Waterfront Esplanade, in an M1-1 District, within the Special St. George District\*\*.

\*Note: A zoning text amendment to create a new Section 128-61 (Special Permit for North Waterfront Sites) and a North Waterfront Subdistrict, is proposed under a concurrent related application C 130316 ZRR.

\*\*Note: The site is proposed to be rezoned by establishing a

Special St. George District under a concurrent related application C 130315 ZMR.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 20

**CD 1 C130319 PPR**  
**IN THE MATTER OF** an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located on Block 2, p/o Lot 20 restricted to the development authorized by the special permit granted under the NYC Zoning Resolution (ZR) Section 128-61.

No. 21

**CD 1 C130320 PPR**  
**IN THE MATTER OF** an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of four (4) city-owned properties located on Block 2, p/o Lot 1, p/o Lot 5, p/o Lot 10 and p/o Lot 20 restricted to the development authorized by the special permit granted under the NYC Zoning Resolution (ZR) Section 128-61.

**NOTICE**

On Wednesday, July 24, 2013, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) for which the New York City Department of Small Business Services is the CEQR Lead Agency, for the proposed development project that would result in the simultaneous development of two sites along the St. George Waterfront referred to as the "North Site" and the "South Site," located adjacent to and on either side of the Richmond County Bank Ballpark (the "Stadium"), and just north of the Staten Island Ferry St. George Terminal (the "Ferry Terminal"). The North Site would be developed with the New York Observation Wheel (Observation Wheel, or Wheel), and a Wheel Terminal Building with various complementing uses, and parking. The South Site would be developed with the St. George Retail Development, including a hotel and parking. In addition, a new waterborne transit landing may also be pursued as a third project component independent of the proposed North Site and South Site developments.

These projects require a variety of ministerial and discretionary actions to implement, including tax lot subdivisions, adoption of a text amendment modifying the Special St. George District (ZR Section 128-00 et seq.) to add a new North Waterfront Subdistrict that will include the North Site and South Site within its boundaries, a zoning map amendment to reflect the extension of the Special St. George District, new special permits to establish development requirements in the new subdistrict that will also modify previous special permits for the Stadium, approval by the Public Design Commission, long-term lease and development agreements, and other local and state approvals as necessary.

The following City and State discretionary actions are necessary for both the North Site and South Site proposed projects to move forward:  
**Zoning Map Amendment**  
Sectional Map 21c would be amended to show the extension of the Special St. George District to the shoreline to include the Ferry Terminal, the South Site, the Stadium and the North Site.

**Zoning Text Amendment to Add a Subdistrict to the Special St. George District**  
The Special St. George District text would be modified to add a new North Waterfront Subdistrict that would include the North Site and South Site, the Ferry Terminal, and the Stadium Sites. The Subdistrict text would provide new special permit provisions that would enable the proposed projects on the North Site and South Site to be developed.

**NORTH SITE**

**Disposition and Approval of Business Terms (Section 1301(2)(f))**

- Disposition of property rights as needed including the possible transfer or conveyance of development rights to construct a deck and roadway over the RROW.

**Special Permit**

- A special permit pursuant to proposed zoning section 128-61 that will permit development of the North Site pursuant to the applicable provisions of the new special permit text and modify the previous special permits granted from the Stadium.

**NYCDOT Actions and Approvals**

- Curb cut to use Nicholas Street for both vehicular and pedestrian access.
- Potential revocable consent for structural connections to deck over the RROW.

**New York State Department of Environmental Conservation Actions and Approvals**

- NYSDEC consent for disturbance of soil beneath the cap for areas subject to Voluntary Cleanup Agreement (VCA) as per March 2006 Operation, Maintenance and Monitoring Plan.
- NYSDEC approval to amend deed restriction.
- NYSDEC permit to subdivide waterfront lots.

**SOUTH SITE**

**Disposition and Business Terms (Section 1301(2)(f))**

- Disposition of property rights as needed including the possible transfer or conveyance of development rights over the RROW.

**Special Permit**

- A special permit pursuant to proposed zoning section 128-61 that will permit development of the South Site pursuant to the applicable provisions of the new special permit text and modify the previous special permits granted for the Stadium.

**NYCDOT Actions and Approvals**

- Mid-block access on Richmond Terrace (e.g., street geometry change, new signals, and

turning lanes) and two curb cuts for hotel access.

- Potential revocable consent for structural connections to access the site (including decking over RRW).
- Potential approvals for entrances to the garage from Wall Street.

#### NYSDEC Actions and Approvals

- NYSDEC consent for disturbance of soil beneath the cap for areas subject to VCA as per March 2006 Operation, Maintenance and Monitoring Plan.
- NYSDEC and/or New York City Department of Environmental Protection (NYCDEP) remedial action plan for portion of site not subject to prior VCA.
- NYSDEC approval to amend deed restriction.
- NYSDEC permit to subdivide waterfront lots.

The zoning map amendment, the disposition actions and the request for the granting of special permits pursuant to the proposed text are subject to the City's Uniform Land Use Review Procedure (ULURP). The design of the proposed project would also require Public Design Commission (PDC) approval. The zoning text amendment, while technically not subject to ULURP would follow a review process similar to ULURP and proceed simultaneously with the other actions. Additional related actions would include permits and approvals from NYCDOT for proposed signal and roadway improvements and review and approval of construction drawings regarding construction adjacent to NYCDOT facilities, and NYSDEC for stormwater management during construction and operation.

In addition, the proposed project would likely require an amended drainage plan which is subject to the approval of NYCDEP. Additional approvals could also be required from NYCDEP for the extension of sanitary sewer lines and/or storm sewers. Review may also be required by the Industrial Development Agency. Actions may also be required for temporary barges during construction.

It is intended that state agencies, including MTA and NYSDEC would be in a position to make the required findings for their respective actions based on this environmental review.

Since the project sites lie within the designated boundaries of the City's coastal zone, the City's coastal zone management policies apply. The City Planning Commission (CPC), acting as the City Coastal Commission, must therefore make a consistency determination pursuant to these policies.

#### POTENTIAL WATERBORNE TRANSIT LANDING

If pursued in addition to the North Site and South Site developments, the following City and State discretionary actions are necessary for the potential waterborne transit landing to move forward:

- Approvals of the Business Terms pursuant to Section 1301(2)(f)
- Waterfront Requirements: Certification pursuant to ZR Section 62-811; and compliance with the requirements of waterfront public access area and visual corridors.
- NYSDEC Actions and Approvals for Permits related to construction and disturbance along watercourses and navigable waters and adjacent areas.
- New York State Department of State Approvals
- Coastal Consistency Determination

The applicant, the New York City Department of Economic Development, is requesting discretionary approvals, on behalf of the New York City Department of Small Business Services, the New York City Department of Citywide Administrative Services, New York Wheel LLC, and St. George Outlet Development LLC.

The Notice of Completion and the DEIS for this project were issued on May 15, 2013 by the New York City Department of Small Business Services, the CEQR Lead Agency for the proposed project.

The DEIS may be downloaded online from: [www.nycdec.com/project/st-george-waterfront](http://www.nycdec.com/project/st-george-waterfront).

Copies of the DEIS may be obtained by any member of the public by emailing [StGeorgeWaterfront@nycdec.com](mailto:StGeorgeWaterfront@nycdec.com) or calling 212-312-3861. Copies of the DEIS are also available for public inspection at NYCEDC's offices at 110 William Street, New York, NY 10038.

Comments are requested on the DEIS and will be accepted at the contact address below through 5:00 P.M. on Monday, August 5, 2013.

Attn: Meenakshi Varandani  
New York City Economic Development Corporation  
110 William Street, New York, NY 10038  
Email: [mvarandani@nycdec.com](mailto:mvarandani@nycdec.com)

This Notice of Public Hearing has been prepared pursuant to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act (SEQRA)), its implementing regulations found at 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review found at 62 RCNY Chapter 5, and Mayoral Executive Order 91 of 1977, as amended (CEQR).

CEQR No. 13SBS001R  
Lead Agency: New York City Department of Small Business Services  
SEQRA/CEQR Classification: Type I

#### BOROUGH OF MANHATTAN No. 22 NYPD OFFICE SPACE

CD 5 N 140007 PXM  
IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 469 Seventh Avenue (Block 811, Lot 68) (NYPD offices).

YVETTE V. GRUEL, Calendar Officer  
City Planning Commission  
22 Reade Street, Room 2E  
New York, New York 10007  
Telephone (212) 720-3370

jy10-24

#### BOARD OF CORRECTION

##### MEETING

Please take note that the next meeting of the Board of Correction will be held on July 22, 2013, at 9:00 A.M., in the Public Hearing Room of the Landmarks Preservation Commission, located at 1 Centre Street, 9th Floor, Room 924, New York, NY 10007.

At that time, there will be a discussion of various issues concerning New York City's correctional system.

jy16-22

#### EMPLOYEES' RETIREMENT SYSTEM

##### INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, July 23, 2013 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

jy16-22

#### LANDMARKS PRESERVATION COMMISSION

##### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, July 23, 2013 at 9:40 A.M.**, at the Landmarks Preservation Commission will conduct a public hearing in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark and Landmark Site. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

#### BOROUGH OF MANHATTAN

##### PUBLIC HEARING ITEM

LP-2260

CHURCH OF ST. PAUL THE APOSTLE, 8 Columbus Avenue; (aka 8-10 Columbus Avenue; 120 West 60th Street), Manhattan.

Landmark Site: Borough of Manhattan Tax Map Block 1131, Lot 31

Modification to the Landmark Site: Borough of Manhattan Tax Map Block 1131, Lot 31 in part consisting of the land underneath the described church and the 60th Street areaway.

[Community District 07]

jy12-22

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 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **July 23, 2013 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-3296 - Block 2457, lot 28-175 Broadway, aka 834-844 Driggs Avenue-(former) Williamsburg Savings Bank - Individual & Interior Landmark A Classic Revival style bank building designed by George B. Post and built in 1875, with a Renaissance and neo-Grec style domed banking hall designed by George B. Post, with a mural by Peter B. Wight. Application is to install light fixtures. Community District 1.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-4927 - Block 234, lot 36-145 Columbia Heights- Brooklyn Heights Historic District A Greek Revival style house built in 1842. Application is to raise the height of the parapet wall, raise the roof of an existing rooftop addition, construct a stair bulkhead, and install railings. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-5474 - Block 196, lot 15-208 Dean Street - Boerum Hill Historic District An Italianate style house built in 1852-53. Application is to alter the front areaway. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-3159 - Block 2112, lot 35-98 Fort Greene Place - Brooklyn Academy of Music Historic District An Italianate style rowhouse built in 1857 and altered in 1919. Application is to alter the front facade. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-4900 - Block 1977, lot 10-473 Clinton Avenue-Clinton Hill Historic District A neo-Grec style rowhouse designed by John Mumford and built in 1878. Application is to install a rooftop deck and railings. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-1089 - Block 2100, lot 64-52 South Oxford Street-Fort Greene Historic District An altered Italianate style rowhouse built c. 1864. Application is to reconstruct the facade. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 13-7640 - Block 1961, lot 51-410-412 Waverly Avenue-Clinton Hill Historic District A pair of neo-Grec style carriage houses designed by C. Cameron and

built in 1879. Application is to construct a rooftop addition and alter the front and rear facades. Zoned R-6. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 13-9468 - Block 2120, lot 25 - 156 Lafayette Avenue, aka 338 Adelphi Street-Clinton Hill Historic District An Italianate style rowhouse built c.1857 with later 19th century alterations. Application is to demolish a garage and rear yard fence installed without Landmarks Preservation Commission permit(s), and to construct a new garage and fence. Zoned R6B. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-4256 -Block 436, lot 68-305A President Street-Carroll Gardens Historic District A neo-Grec style rowhouse built in 1876. Application is to alter the areaway and the front and rear facades, construct a rooftop bulkhead, and excavate the rear yard. Community District 6.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 14-2289 - Block 5116, lot 6-1216 Albemarle Road- Prospect Park South Historic District A free-standing house designed by Salvatore G. Cammarota and built in 1965. Application is to construct rear yard and rooftop additions and alter the facades. Zoned R1-2. Community District 14.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-8344 - Block 152, lot 31-319 Broadway-319 Broadway Building - Individual Landmark An Italianate style bank and office building designed by D. & J. Jardine and built in 1869-70. Application is to enlarge the existing elevator bulkhead, install a stair bulkhead, replace storefront infill and windows, and alter the fire escape. Community District 1.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-5305 - Block 190, lot 7504-27 North Moore Street-Tribeca West Historic District A neo-Renaissance style cold storage warehouse building designed by William H. Birkmire and built in 1905. Application is to construct a bulkhead, install rooftop mechanical equipment, and alter the penthouse. Zoned 12A. Community District 1.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-3023 - Block 519, lot 22-34 King Street-Charlton-King-Vandam Historic District A Greek Revival style rowhouse built in 1846. Application is to construct rooftop and rear yard additions. Zoned R6. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-5622 - Block 483, lot 15-520 Broadway-SoHo-Cast Iron Historic District A Beaux-Arts style store and loft building designed by Buchman & Fox and built in 1900-01. Application is to replace storefront infill. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-1528 - Block 487, lot 24, 25-152-154 Spring Street-SoHo-Cast Iron Historic District A dwelling built in 1819 and a store and loft building designed by Louis Sheinhart and built in 1911. Application is to construct rooftop and rear yard additions and replace storefront infill. Zoned M1-5A.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-3936 - Block 502, lot 23-150-152 Prince Street-SoHo-Cast Iron Historic District Extension A Renaissance Revival style store and tenement building designed by Pasquale Sauria and built in 1906-07. Application is to install storefront infill and signage. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-2420 - Block 529, lot 25-31 Bond Street-NoHo Historic District Extension A Renaissance Revival style store and loft building designed by De Lemos & Cordes and built in 1888-1889. Application is to alter the existing storefront infill, remove the rear shaft extension and install new windows, and construct a rooftop addition. Zoned M1-5B. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-4853 - Block 572, lot 61-35 West 8th Street-Greenwich Village Historic District A rowhouse built in 1845 and altered in the early 20th century to accommodate storefronts at the first and second floors. Application is to alter the ground floor and install storefront infill, signage, and an awning. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-8944 -Block 527, lot 66-30 Carmine Street-Greenwich Village Historic District Extension II An altered neo-Grec/Queen Anne style tenement building with a commercial ground floor, built in 1886. Application is to modify ground floor infill. Community District 2.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-5658 -Block 670, lot 70-239 11th Avenue-West Chelsea Historic District An Industrial neo-Classical style warehouse and freight terminal, designed by Maurice Alvin Long, and built in 1912-13. Application is to alter the ground floor and install storefront infill and construct a steel stair and platform. Community District 4.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-5515 - Block 829, lot 47-10 West 28th Street-Madison Square North Historic District An Italianate style rowhouse built in 1856. Application is to replace storefront infill. Community District 5.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-4808 - Block 77, lot 7-455-457 Madison Avenue-The Villard Houses-Individual landmark A complex of Italian Renaissance style brownstone townhouses combined into a single monumental U-shaped unit set around an open court, designed by McKim, Mead & White and built in 1882-85. Application is to alter the paving in the entrance courtyard. Community District 5.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-5054 - Block 1268, lot 1-51 West 52nd Street -CBS Building - Individual Landmark A skyscraper designed by Eero Saarinen & Associates, completed by Kevin Roche and John Dinkeloo and built in 1961-64. Application is to install planters at the plaza. Community District 5.

##### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 14-5168 - Block 999, lot 3-1560 Broadway-Embassy Theater - Interior Landmark A French-inspired movie theater designed by Thomas Lamb and the decorating firm Rambusch Studio, and built in 1925.

Application is install escalators and modify the walls. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-0608 - Block 1141, lot 122-125 West 69th Street-Upper West Side/Central Park West Historic District A neo-Grec style rowhouse designed by Thom and Wilson and built in 1882. Application is to construct rooftop and rear yard additions. Zoned R8B. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-5084 - Block 1142, lot 39-116 West 71st Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1883-84. Application is to legalize the construction of a rear yard addition in non-compliance with Landmarks Preservation Commission permit(s). Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-3717 - Block 1148, lot 64-349 Amsterdam Avenue-Upper West Side/Central Park West Historic District A Renaissance Revival style tenement building, designed by Gilbert A. Schellenger, and built in 1895. Application is to alter the ground floor, install storefront infill and signage, and construct a rear yard addition. Zoned C2-7A. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-4161 - Block 1150, lot 29-101 West 78th Street, aka 380-384 Columbus Avenue-Upper West Side/Central Park West Historic District A Renaissance Revival style flats building designed by Emil Gruwe and built in 1882-1886, with an addition built in 1893. Application is to construct a rooftop addition and to install a barrier-free access lift. Zoned C1-8A. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-4938 - Block 1385, lot 37-730 Park Avenue-Upper East Side Historic District A neo-Renaissance/neo-Jacobean style apartment building, designed by Lafayette A. Goldstone and built in 1929. Application is to replace a rooftop addition. Zoned R10. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-4535 - Block 1399, lot 48-136 East 65th Street-Upper East Side Historic District Extension An Italianate style rowhouse designed by Frederick S. Barus and built in 1870-71, and altered in the Colonial Revival style by James Gamble Rogers in 1922. Application is to construct a rear yard addition and excavate the rear yard. Zoned R8B. Community District.

jy10-23

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, July 23, 2013 at 9:30 A.M.**, the Landmarks Preservation Commission will conduct a public hearing in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Interior Landmark. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

#### BOROUGH OF MANHATTAN

#### PUBLIC HEARING ITEM NO. 1

LP-2551  
STEINWAY & SONS RECEPTION ROOM & HALLWAY, FIRST FLOOR INTERIOR, 109-113 West 57th Street (aka 106-116 West 58th Street), Manhattan, first floor interior consisting of the Steinway & Sons Reception Room, including the domed rotunda and mezzanine, the east foyer and stairs leading to the mezzanine; the hallway of the public corridor, up to the north glass doors, that adjoins the Reception Room; and the fixtures and components of these spaces, including but not limited to, wall and ceiling surfaces, floor surfaces, ceiling murals, arches, pilasters, stairs, landings, decorative medallions, metal railings, metal grilles, chandeliers and lighting fixtures, door enframements, doors and windows, and attached furnishings and decorative elements.  
*Landmark Site:* Borough of Manhattan Tax Map Block 1010, Lot 25  
[Community District 05]

jy8-22

## PROPERTY DISPOSITION

## CITYWIDE ADMINISTRATIVE SERVICES

### CITYWIDE PURCHASING

#### NOTICE

The Department of Citywide Administrative Services, Office of Citywide Purchasing 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 Purchasing, 1 Centre Street, 18th Floor, New York, NY 10007.

jy24-d1

## POLICE

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

The following listed property is in the custody, of the Property Clerk Division without claimants.

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

**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.**

### 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.**

j1-d31

## PROCUREMENT

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

### ● Win More Contracts at [nyc.gov/competetowin](http://nyc.gov/competetowin)

**“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”**

## CITYWIDE ADMINISTRATIVE SERVICES

### CITYWIDE PURCHASING

#### SOLICITATIONS

*Services (Other Than Human Services)*

**PUBLIC SURPLUS ONLINE AUCTION – Other –**  
PIN# 0000000000 – DUE 12-31-14.

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.  
*Department of Citywide Administrative Services, 66-26 Metropolitan Avenue, Queens Village, NY 11379. Donald Lepore (718) 417-2152; Fax: (212) 313-3135; [dlepore@dcas.nyc.gov](mailto:dlepore@dcas.nyc.gov)*

s6-f25

### MUNICIPAL SUPPLY SERVICES

#### VENDOR LISTS

*Goods*

**EQUIPMENT FOR DEPARTMENT OF SANITATION –**  
In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j2-d31

## EDUCATION

### CONTRACTS AND PURCHASING

#### SOLICITATIONS

*Goods & Services*

**REPAIR AND REPLACEMENT OF AUDITORIUM DIMMER BOARDS –** Competitive Sealed Bids – PIN# B2336040 – DUE 09-09-13 AT 4:00 P.M. – The Contractor shall provide all labor, material, transportation, equipment, supervision and any other necessary appurtenances required and necessary to install, repair, modify, and make additions to Auditorium Dimmer Boards and related equipment and devices. If you cannot download this BID, please send an e-mail to [VendorHotline@schools.nyc.gov](mailto:VendorHotline@schools.nyc.gov) with the BID number and title in the subject line of your e-mail. For all questions related to this BID, please e-mail to [sepstei@schools.nyc.gov](mailto:sepstei@schools.nyc.gov) with the BID number and title in the subject line of your e-mail.  
Bid opening Date and Time: September 10, 2013 at 11:00 A.M.

Pre-Bid Conference: Wednesday, July 31, 2013 at 12:00 P.M., at 65 Court Street, 12th Floor, Conference Room 1201, Brooklyn, NY 11201.

● **REMOVAL AND DISPOSAL OF HAZARDOUS WASTE MATERIALS –** Competitive Sealed Bids – PIN# B2305040 – DUE 08-28-13 AT 4:00 P.M. - The Contractor shall provide labor, material, equipment, tools, and incidental work for the identification, packing, transportation, disposal and documentation of chemicals, waste, and hazardous waste from Department property. If you cannot download this BID, please send an e-mail to [VendorHotline@schools.nyc.gov](mailto:VendorHotline@schools.nyc.gov) with the BID number and title in the subject line of your e-mail. For all questions related to this BID, please e-mail to [sepstei@schools.nyc.gov](mailto:sepstei@schools.nyc.gov) with the BID number and title in the subject line of your e-mail.  
Bid opening Date and Time: August 29, 2013 at 11:00 A.M.

Mandatory Pre-Bid Conference: Tuesday, July 30, 2013 at 1:30 P.M., at 65 Court Street, 12th Floor, Conference Room 1201, Brooklyn, NY 11201.

● **REPAIR OF METAL WINDOWS –** Competitive Sealed Bids – PIN# B2330040 – DUE 08-29-13 AT 4:00 P.M. - The Contractor shall provide all labor, parts, material, and supervision required and necessary to repair, and maintain steel and aluminum windows and window operating components such as balances. If you cannot download this BID, please send an e-mail to [VendorHotline@schools.nyc.gov](mailto:VendorHotline@schools.nyc.gov) with the BID number and title in the subject line of your e-mail. For all questions related to this BID, please e-mail to [sepstei@schools.nyc.gov](mailto:sepstei@schools.nyc.gov) with the BID number and title in the subject line of your e-mail.  
Bid opening Date and Time: August 30, 2013 at 11:00 A.M.

Pre-Bid Conference: Tuesday, July 30, 2013 at 12:00 P.M., at 65 Court Street, 12th Floor, Conference Room 1201, Brooklyn, NY 11201.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Department of Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; [vendorhotline@schools.nyc.gov](mailto:vendorhotline@schools.nyc.gov)*

jy19

## FINANCE

### INTENT TO AWARD

*Services (Other Than Human Services)*

**PAYNEARME PAYMENT PROCESSING SERVICES –** Demonstration Project – Testing or experimentation is required - PIN# 83613D0001 – DUE 07-25-13 AT 10:00 A.M. – Intent to award a contract with PayNearMe, Inc., located at 292 Gibraltar Drive, Suite 104, Sunnyvale, CA 94089, to test and evaluate the use of a proprietary payment system.

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.  
*Department of Finance, 1 Centre Street, Room 1040, New York, NY 10007. Robert Aboulafia (212) 669-4262; Fax: (212) 669-4294; [aboulafiar@finance.nyc.gov](mailto:aboulafiar@finance.nyc.gov)*

jy17-23

## HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

## HOUSING AUTHORITY

### SOLICITATIONS

*Goods & Services*

**NON-PROFIT PROVIDERS TO PROVIDE NYCHA WITH URBAN FARMING ASSISTANCE AT VARIOUS NYCHA DEVELOPMENTS –** Request for Proposals – PIN# 59751 – DUE 10-15-13 AT 2:00 P.M. – NYCHA, through this Solicitation, seeks proposals (the "Proposals")

from qualified non-profit organizations ("Proposers") to provide NYCHA with urban farming assistance at the NYCHA developments identified in Exhibit A to this Solicitation (the "Developments"). The services ("Services") to be provided by the successful proposer ("Successful Proposer" or the "Non-Profit Partner"), which are described in greater detail in Section II of this Solicitation, shall consist of, among other things, the Successful Proposer creating a new large scale community based urban agricultural site via NYCHA's Garden and Greening Program (the "G and GP").

Each Proposer is required to submit one (1) signed original and five (5) copies of its Proposal package. The original must be clearly labeled. If there are any differences between the original and any of the copies, the material in the signed original will prevail.

A non-mandatory proposers conference ("Proposers' Conference") will be held on September 12, 2013, at 10:00 A.M. in The Ceremonial Room located on the 5th floor at 90 Church Street, New York, New York 10007. All firms seeking to attend the Proposers' Conference must notify NYCHA's Coordinator by no later than 1:00 P.M. on September 10, 2013 (the "Conference Confirmation Deadline"), of their intent to attend the Proposers' Conference. NYCHA additionally recommends that prospective Proposers submit any questions, in writing, in advance of the Proposers' Conference to NYCHA's Coordinator prior to the Conference Confirmation Deadline. The questions may be e-mailed or mailed to NYCHA's Coordinator by no later than 12:00 P.M. on September 3, 2013 (the "Question Deadline") with the e-mail subject matter or the mailing envelope entitled, "Urban Farming Solicitation - PROPOSER'S QUESTIONS." The prospective Proposer must include with the written questions the name, title and telephone number of the individual submitting the questions. Prospective Proposers will be permitted to ask additional questions at the Proposers' Conference. All questions, and any answers, will be provided to each firm that received a copy of this Solicitation. NYCHA reserves the right not to answer any question posed. While attendance at the Site Visits and Proposers' Conference is not mandatory, all prospective Proposers are strongly encouraged to attend.

Interested firms are invited to obtain a copy on NYCHA's website: Doing Business With NYCHA. <http://www.nyc.gov/nycbabusiness>; Select "Selling to NYCHA". Vendors are instructed to access the "Getting Started: Register or Log-in" link. If you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click "Returning Supplier users, Log-in here". If you do not have your log-in credentials, select "Click here to Request a Log-in ID". Upon access, select "Sourcing Supplier" then "Sourcing Homepage"; conduct a search for applicable RFQ number. Proposers electing to obtain a non-electronic paper document will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order, Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at time of request. Answer any question posed.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Meddy Ghabaee (212) 306-4839;  
Fax: (212) 306-5108; Meddy.Ghabaee@nycha.nyc.gov

jy19

## HUMAN RESOURCES ADMINISTRATION

### AGENCY CHIEF CONTRACTING OFFICER

#### AWARDS

#### Human / Client Services

**DOMESTIC VIOLENCE INTERVENTION, EDUCATION AND PREVENTION PROGRAM (DVIEP)** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06914H084201 – AMT: \$750,328.00 – TO: Safe Horizon, Inc., 2 Lafayette Street, 3rd Floor, NY, NY 10007. Term: 7/1/2013-6/30/2014. E-PIN: 06909X0077CNVN005.

jy19

## INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

### EXECUTIVE DIVISION

#### SOLICITATIONS

#### Services (Other Than Human Services)

**CITYWIDE PROJECT MANAGEMENT QUALITY ASSURANCE SERVICES** – Negotiated Acquisition – DUE 07-24-13 AT 2:00 P.M. – PIN# 85809O0048CNVN002; PIN# 85809O0049CNVN002; PIN# 85809O0050CNVN002; PIN# 85809O0051CNVN002;

DoITT intends to enter into negotiations with the following four (4) vendors to provide Citywide Project Management Quality Assurance Services: CTG, Inc.; Gartner, Inc.; KPMG LLP and Visionary Integration Professionals LLC

Any firm which believes it can provide the required service in the future is invited to express interest via email to [acco@doitt.nyc.gov](mailto:acco@doitt.nyc.gov) by July 24, 2013, 2:00 P.M.

The services cannot be timely procured through competitive sealed bidding or competitive sealed proposals. DoITT is utilizing the Negotiated Acquisition Extension procurement source method to provide the services in order to continue to provide uninterrupted service.

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.

Department of Information Technology and Telecommunications, 255 Greenwich Street, 9th Floor, New York, NY 10007. Anne Cody (212) 788-6276;  
Fax: (347) 788-4082; [acody@doitt.nyc.gov](mailto:acody@doitt.nyc.gov)

jy17-23

## PARKS AND RECREATION

### CAPITAL PROJECTS

#### INTENT TO AWARD

#### Construction Related Services

**ENVIRONMENTAL MONITORING SERVICES FOR YANKEE POCKET PARKS** – Negotiated Acquisition – Testing or experimentation is required - PIN# 8462013N0001 – DUE 07-29-13 AT 4:30 P.M. – Department of Parks and Recreation, Capital Project Division, intends to enter into a Negotiated Acquisition with Henningson, Durham and Richardson Architectural and Engineering P.C. (HRD) for Environmental Monitoring Services for Yankee Pocket Parks at River Avenue in The Bronx.

Any firms that would like to express their interest in providing services for similar projects in the future may do so. All expressions of interest must be in writing to the address listed and received by July 29, 2013. You may join the City Bidders list by filling out the "NYC-FMS Vendor Enrollment Application" available on-line at [NYC.gov/selltonyc](http://NYC.gov/selltonyc) and in hard copy by calling the Vendor Enrollment Center (212) 857-1680.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Parks and Recreation, Olmsted Center, Room 60, Flushing Meadows-Corona Park, Flushing, NY 11368.  
Grace Fields-Mitchell (718) 760-6687; Fax: (718) 760-6885;  
[grace.fields-mitchell@parks.nyc.gov](mailto:grace.fields-mitchell@parks.nyc.gov)

jy16-22

## SMALL BUSINESS SERVICES

#### INTENT TO AWARD

#### Services (Other Than Human Services)

**CITYWIDE ECONOMIC DEVELOPMENT SERVICES AT BROOKLYN NAVY YARD** – Sole Source – Available only from a single source - PIN# 80114S0001 – DUE 07-30-13 AT 12:00 P.M. – The NYC Department of Small Business Services intends to enter into sole source negotiations with the Brooklyn Navy Yard Development Corporation for "Citywide Economic Development Services at the Brooklyn Navy Yard." Any entity with the in-house expertise and experience in a wide variety of economic development services on a citywide basis that believes it is qualified to provide such services or would like to provide such services in the future is invited to express an interest. Please indicate your interest and qualifications by letter sent via postal mail, which must be received no later than July 30, 2013 at 12:00 P.M., to Mr. Daryl Williams, Agency Chief Contracting Officer, NYC Department of Small Business Services, 110 William Street, 7th Floor, New York, New York 10038.

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.  
Department of Small Business Services, 110 William Street, 7th Floor, New York, New York 10038.  
Daryl Williams (212) 513-6300;  
[procurementhelpdesk@sbs.nyc.gov](mailto:procurementhelpdesk@sbs.nyc.gov)

jy15-19

## TRANSPORTATION

### TRAFFIC AND PLANNING

#### AWARDS

#### Construction / Construction Services

**INSTALL, REMOVE AND REPAIR STREET LIGHTS IN PARKS, CITYWIDE** – Emergency Purchase – PIN# 84113MBTR718 – AMT: \$3,048,473.20 – TO: Hellman Electric, Corp., 855 Brush Avenue, Bronx, NY 10465.

Pursuant to Section 103(4) of the General Municipal Law, Section 315 of the New York City Charter and Section 3-06 of the Procurement Policy Board Rules, the Comptroller and the Corporation Counsel approved the emergency declaration due to Hurricane Sandy. Therefore, this was an emergency procurement. Due to the emergency situation, competition obtained as far as it was possible and practicable.

jy19

## TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

### PROCUREMENT

#### SOLICITATIONS

#### Construction / Construction Services

**SUBSTRUCTURE AND UNDERWATER WORK AT THE MARINE PARKWAY GIL-HODGES MEMORIAL BRIDGE** – Competitive Sealed Bids – PIN# MP0600000000 – DUE 08-14-13 AT 3:00 P.M. – A pre-bid conference is scheduled for 7/26/13 at 11:00 A.M. Reservations must be made with Harold Booth, Contract Manager, at (646) 252-7308 or via email at [hbooth@mtabt.org](mailto:hbooth@mtabt.org) no later than noon the preceding work day.

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.  
Triborough Bridge and Tunnel Authority, 2 Broadway, 23rd Floor, New York, NY 10004.  
Victoria Warren (646) 252-7092; Fax: (646) 252-7077;  
[vprocure@mtabt.org](mailto:vprocure@mtabt.org)

jy19

## AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

**NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.**

## ENVIRONMENTAL PROTECTION

#### PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on August 1, 2013 commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** a proposed contract between the Department of Environmental Protection and URS Corporation-New York, One Penn Plaza, Suite 600, New York, New York 10119 for EE-PEDS-13A: Professional Engineering Services & Technical Engineering Support for DEP Capital Projects. The Contract term shall be 1095 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$5,500,000.00 - Location: NYC - EPIN: 82613P0008001.

**IN THE MATTER OF** a proposed contract between the Department of Environmental Protection and Black and Veatch New York LLP, 489 5th Avenue, 14th Floor, New York, New York 10017 for EE-PEDS-13B: Professional Engineering Design Services and Technical Engineering Support for DEP Capital Projects. The Contract term shall be 1095 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$5,500,000.00 - Location: NYC - EPIN: 82613P0008002.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from July 19, 2013 to August 1, 2013 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contact Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

jy19

## AGENCY RULES

## CITY PLANNING

#### NOTICE

#### NOTICE OF PUBLIC HEARING

**Subject:** Opportunity to comment on proposed Department of City Planning rules establishing submission and meeting participation requirements prior to filing a land use application or application for environmental review.

**Date / Time:** August 20, 2013 at 3:00 P.M.

**Location:** Spector Hall, 22 Reade Street, New York, NY 10007

**Contact:** Barak Wrobel, 22 Reade Street, New York, NY 10007, [bwrobel@planning.nyc.gov](mailto:bwrobel@planning.nyc.gov) (212) 720-3259

#### Proposed Rule Amendment

Pursuant to the authority vested in it by Sections 1043 and 191(b)(2) of the New York City Charter, the New York City Department of City Planning ("Department") proposes to establish a new Chapter 10 within Title 62 of the Rules of the City of New York. This rule was included in the Department's regulatory agenda.

#### Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment to the Deputy Counsel of the Department of City Planning by mail at 22 Reade Street, New York, NY 10007, or electronically through NYC RULES at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules), by 5:00 P.M. on August 20, 2013.
- Any person in attendance at the hearing will be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes. Each speaker has a maximum of three (3) minutes.
- To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact Barak Wrobel at (212) 720-3259 or [bwrobel@planning.nyc.gov](mailto:bwrobel@planning.nyc.gov) by 5:00 P.M. on August 13, 2013.
- Written comments and a tape recording of oral comments received at the hearing will be available for public inspection within seven (7) days after receipt thereof, between the hours of 9:00 A.M. and 5:00 P.M. at the Freedom of Information Law Desk, 22 Reade Street #2W, New York, NY 10007, telephone number (212) 720-3208.

#### STATEMENT OF BASIS AND PURPOSE

The Department of City Planning ("Department") is proposing to amend Title 62 of the Rules of the City of New

York ("Rules") pursuant to its authority under Sections 1043 and 191(b)(2) of the New York City Charter ("Charter"). The proposed amendment would add a new Chapter 10 to Title 62 to establish submission and meeting participation requirements prior to the filing of a land use application or application for environmental review. This "Pre-Application Process" may include the following:

- Submission Requirements: A Pre-Application Statement, Reasonable Worst Case Development Scenario Memorandum, draft land use application (or portions thereof), draft City Environmental Quality Review environmental assessment statement short/full form (or portions thereof), and/or other information needed to define, describe, and analyze the land use and environmental considerations related to a proposed project; and
- Meeting Participation Requirements: An Informational Meeting, Interdivisional Meeting, and/or a Reasonable Worst Case Development Scenario Meeting.

Potential applicants or their designated representatives ("Applicants") must meet these requirements prior to filing land use applications or applications for environmental review with the Department, unless the application is grandfathered or otherwise exempt pursuant to the proposed amendment.

Pursuant to Section 191(b)(2) of the Charter, the Director of the Department, who also serves as Chair of the City Planning Commission ("Commission"), provides staff assistance to the Commission in all matters under its jurisdiction, including the consideration of land use applications and applications for environmental review. The Department provides substantive staff assistance to the Commission through the production of studies examining land use and socioeconomic conditions, land use plans, policy recommendations, waterfront resilience measures, and transportation planning initiatives, among other items. The Department also advises Applicants in the preparation of highly technical land use applications and applications for environmental review that are first filed with the Department before they are considered by the Commission.

The proposed rule will formalize this process by which the Department advises Applicants and assists the Commission. The Pre-Application Process is not designed to assess the merits of a proposed project. Instead, the goal is to gather key basic information about the site and the proposed development, so that the Department can advise Applicants on any required land use actions and on the level of environmental analysis that may be required to facilitate the proposed development projects. Land use applications and applications for environmental review often involve the preparation of highly technical documents, drawings, and analyses in order to demonstrate compliance with zoning, environmental, and other applicable standards and to aid decision-makers in the public review process. These materials must be sufficiently comprehensive, clear, and complete before an application can be certified or referred for public review.

Accordingly, the Pre-Application Process will:

- (i) assist Applicants in early identification of significant land use and environmental issues and actions, which may affect or alter their proposals;
- (ii) provide relevant information to Department staff so that they may assist Applicants in identifying necessary land use application and application for environmental review materials;
- (iii) organize the information and material necessary to prepare complete and accurate land use applications and applications for environmental review for consideration by the Commission; and
- (iv) better allocate Department resources to help achieve these ends.

The Pre-Application Process may include:

**Informational Meeting:** To begin the process, Applicants must contact the Department Borough Office in the borough where the proposed project is to be located in order to set up an Informational Meeting with the Department. Applicants must submit, in advance of the meeting, basic information related to the location of the property and the applicable zoning regulations, in order to inform the discussion at the meeting. The purpose of the meeting is for the Department to adequately understand an Applicant's proposed project, and to share information with Applicants about zoning, the neighborhood, and City policies affecting the proposed project. The meeting will also give Applicants a clear idea of the land use application, application for environmental review, and public review processes. For large or extremely complicated projects, more than one Informational Meeting may be required.

At or after the Informational Meeting, Applicants proceeding with filing a land use application or application for environmental review must request from the Department a Project ID number, which will be used by the Department to track a proposed project during the Pre-Application Process. If the Department determines upon issuance of the Project ID that the proposed project does not require multiple divisions to review the land use application material and coordination among the divisions to provide feedback to Applicants, and that the project is classified as Type II pursuant to regulations promulgated under the New York State Environmental Quality Review Act ("SEQR"), then the Department will notify the Applicant that the Applicant may either submit a draft land use application or proceed directly to file a land use application. All other Applicants must submit a Pre-Application Statement.

**The Pre-Application Statement (PAS):** Applicants must submit a PAS to the Department in the manner and to the office so directed on the form. The PAS helps the Department advise Applicants early in the process about the land use actions necessary for the project and the framework for environmental analysis. The PAS also allows the Department to assign appropriate staff at the beginning of the Pre-Application Process and, if necessary, to coordinate review across multiple divisions in the Department. The Department may require Applicants to submit additional or revised materials in order for the Department to make a determination that the PAS is complete.

**Interdivisional Meeting (ID Meeting):** After the receipt of a completed PAS, the Department may contact Applicants to schedule an ID Meeting in cases where the complexity of the proposed project requires more than one division's review, and the divisions must coordinate their respective reviews to ensure that consistent and non-conflicting feedback is provided to Applicants. Following the ID Meeting, Applicants will receive a summary of the discussion and the next steps

necessary to continue the Pre-Application Process. The purpose of the ID Meeting is to confirm the elements of the proposed project, determine the land use actions necessary to facilitate the proposed project and the type of environmental review that will be required, and define the next steps in the Pre-Application Process. The ID Meeting is an opportunity for Applicants to present their proposals, relevant site details, and other information to the assigned divisions that will be reviewing the project, and for the Department to guide Applicants in the preparation of land use and environmental application materials. For large or extremely complicated projects, more than one ID Meeting may be required.

**Reasonable Worst Case Development Scenario (RWCDs) Memorandum Submission:** If the proposed project is not classified as Type II and is classified as either Type I or Unlisted under the State Environmental Quality Review/City Environmental Quality Review ("SEQR/CEQR"), Applicants will be required to submit a RWCDs Memorandum. Under SEQR, actions or classes of actions that have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review are classified as Type II. In contrast, Type I actions are those actions or classes of actions that are likely to have significant adverse impacts on the environment and thus more likely to require the preparation of Environmental Impact Statements, and Unlisted actions are those actions not listed as Type I or Type II. All Type I and Unlisted actions require, at minimum, the preparation and submission of an Environmental Assessment Statement (EAS) and, depending on the conclusions of the EAS, the preparation and submission of a more involved Environmental Impact Statement (EIS).

A RWCDs is broadly defined as a conservative projection of the development that could occur pursuant to a discretionary action, and provides a framework for the Department to make reasonable conclusions regarding a land use action's likely effects on the environment consistent with the requirements of SEQR/CEQR and the guidance of the City's *CEQR Technical Manual*. A RWCDs Memorandum should clarify and identify the future potential development that may occur as a result of the land use action. Following receipt of the RWCDs Memorandum, the Department may require a RWCDs Meeting to clarify the assumptions underlying the RWCDs Memorandum. The Department may also require Applicants to revise the RWCDs Memorandum. At the conclusion of the RWCDs process, the Department will direct Applicants to submit a draft CEQR Environmental Assessment Statement short/full form ("CEQR short/full form"), and will notify Applicants that they may either submit a draft land use application or proceed directly to file a land use application.

**Draft Land Use Application Submission:** If a high degree of technical expertise is necessary to produce the land use application materials required for the proposed project, the Department may request that Applicants submit one or more drafts of the land use application for review by the Department prior to the Applicants' filing of the application. This draft submission review process will help ensure that all required forms, documents, and other exhibits have been submitted and prepared in the manner required by the Department, prior to filing.

**Draft CEQR Environmental Assessment Statement Short/Full Form Submission:** At the conclusion of the RWCDs submission process, Applicants will be required to submit one or more drafts of the CEQR short/full form for review by the Department prior to the filing of an application for environmental review. The Department will review the draft CEQR short/full form and notify Applicants when the draft is substantially complete in form and substance such that the Applicants may proceed to file an application for environmental review.

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

New text is underlined; deleted material is in [brackets].

Title 62 of the Rules of the City of New York is amended by adding a new Chapter 10, to read as follows:

Chapter 10: Pre-Application Process: Submission and Meeting Participation Requirements Prior to Filing a Land Use Application or Application for Environmental Review

#### § 10-01 Purpose

These rules establish submission and meeting participation requirements ("Pre-Application Process") prior to the filing of land use applications pursuant to the Zoning Resolution and Sections 197-a, 197-c, 197-d, 199, 200, and 201 of the New York City Charter or of applications for environmental review pursuant to Chapter 5 of Title 62 of the Rules of the City of New York. The purpose of these rules is to:

- (a) assist potential applicants or their designated representatives ("Applicants") and the Department of City Planning ("Department") in identifying the land use and environmental issues related to a proposed project and the land use applications and applications for environmental review necessary to facilitate the proposed project; and
- (b) help the Department better allocate resources to assist Applicants in preparing land use applications and applications for environmental review, and to assist the City Planning Commission in considering these applications.

#### § 10-02 Applicability

(a) An Applicant must follow the applicable requirements of this chapter prior to filing any land use application or application for environmental review.

(b) Exception. Notwithstanding subdivision (a) of this section, an Applicant may be exempt from the requirements of this chapter to the extent provided under the following circumstances:

- (1) where an Applicant has submitted a Pre-Application Statement ("PAS") to the Department prior to the effective date of these rules, the requirements of §10-03 shall not apply;
- (2) where an Applicant has submitted a PAS to the Department and attended an Interdivisional Meeting ("ID Meeting") prior to the effective date of these rules, the requirements of §10-03 and §10-04 shall not apply;
- (3) where an Applicant has submitted a Reasonable Worst Case Development Scenario Memorandum ("RWCDs Memorandum") and a draft land use application to the Department prior to the effective date of these rules, the requirements of §10-03, §10-04, and §10-05 shall not apply; and
- (4) where an Applicant has submitted a draft City Environmental Quality Review Environmental Assessment Statement short/full form ("draft CEQR short/full form") and a draft land use application to the Department prior to the effective date of these rules, the requirements of §10-03,

§10-04, §10-05, and §10-06 shall not apply.

#### § 10-03 Informational Meeting

(a) Before filing a land use application or application for environmental review, an Applicant must contact the Department Borough Office in the borough where a proposed project is to be located in order to schedule an Informational Meeting with the Department.

(b) Within forty-five (45) days of an Applicant contacting a Borough Office to schedule an Informational Meeting, the Department must hold an Informational Meeting subject to the Applicant's availability. If the Applicant is not available within this period, the Department must hold the Informational Meeting as soon as practicable at a time at which both the Department and the Applicant are available.

(1) An Informational Meeting may be held in person, by telephone, or by other electronic means, including video teleconference, as the Department deems appropriate.

(2) An Applicant must submit to the Department before or at an Informational Meeting any materials identified by the Department before the meeting that are necessary to conduct the meeting. Such materials may include, but are not limited to, official zoning sectional maps, official tax maps, color aerial photos, land use maps, color site and area photographs, or site topographical surveys.

(3) An Applicant must participate in an Informational Meeting and present to the Department basic information about the proposed project and surrounding area. The Department may share with the Applicant information about zoning, the neighborhood, City policies potentially affecting the proposed project, and the relevant land use and environmental application review and public review processes.

(c) At or after an Informational Meeting, an Applicant proceeding with filing a land use application or application for environmental review must request from the Department a Project ID number, which will be used by the Department to track proposed projects during the Pre-Application Process.

(d) Within thirty (30) days of an Applicant's request for a Project ID number:

- (i) the Department must:
  - (i) issue a Project ID number to the Applicant for the proposed project; or
  - (ii) notify the Applicant that the Department requires additional information or an additional Informational Meeting in order to adequately understand the basic information about the proposed project and surrounding area. Where an additional Informational Meeting is required, the Department must hold such meeting within thirty (30) days of notifying the Applicant, subject to the Applicant's availability. If the Applicant is not available within this period, the Department must hold the Informational Meeting as soon as practicable at a time at which both the Department and the Applicant are available. Within thirty (30) days of receiving such additional information or holding an additional Informational Meeting, the Department must issue the Project ID number to the Applicant for the proposed project, or request additional information or Informational Meetings in accordance with the procedures set forth in this paragraph until such time that the Department has received sufficient information to adequately understand the basic information about the proposed project and surrounding area and issues a Project ID number.
- (2) Upon issuing a Project ID number, the Department must also notify an Applicant that:
  - (i) the Applicant is subject to the procedures set forth in §10-04; or
  - (ii) the Applicant is not subject to the procedures set forth in §10-04, §10-05, §10-06, and §10-08, if the Department determines that the proposed project does not require more than one division to review the land use application material or coordination among the divisions to ensure that consistent and non-conflicting feedback is provided to Applicants, and that the project is classified as Type II pursuant to the regulations promulgated under the New York State Environmental Quality Review Act ("SEQR"). When providing notification pursuant to this paragraph, the Department must also notify the Applicant whether the Applicant is subject to the procedures set forth in §10-07 or may directly proceed to file a land use application pursuant to §10-09.

(e) If the Department fails to hold a meeting pursuant to subdivision (b) of this section or fails to notify an Applicant pursuant to subdivision (d) of this section, the Applicant may proceed to submit a Pre-Application Statement without a Project ID number pursuant to the provisions set forth in §10-04.

(f) If the Department fails to hold a meeting pursuant to subdivision (b) of this section or fails to notify an Applicant pursuant to subdivision (d) of this section, the Applicant may proceed to submit a Pre-Application Statement without a Project ID number pursuant to the provisions set forth in §10-04.

#### § 10-04 Pre-Application Statement

(a) Following the issuance of a Project ID number and notification pursuant to §10-03(d) that the provisions of this section apply, an Applicant must submit a Pre-Application Statement ("PAS") to the Department. If an Applicant submits a PAS without a Project ID number pursuant to §10-03(e), the Department must issue the Project ID number to such Applicant upon receipt of the PAS. A PAS consists of the PAS form and any accompanying materials required by the form. The PAS form is available on the Department's website or in hard copy from the Department. The completed PAS must be submitted electronically, or in hard copy with the number of copies specified on the form, to the division or office of the Department indicated on the form.

(b) Within twenty (20) days of receiving an Applicant's PAS, the Department must provide the Applicant with a return receipt by email if the Applicant provided an email address, or otherwise by mail, confirming receipt of the PAS, and:

- (1) review the PAS to determine whether it has been submitted in the proper format and clearly and fully sets forth the information requested by the PAS form; and
- (2) notify the Applicant that:
  - (i) the PAS is complete; or
  - (ii) additional or revised materials must be submitted to the Department. The Applicant must furnish any such additional or revised materials where the Department has made such a request. Within thirty (30) days of receiving such additional or revised materials, the Department must review such materials and notify the Applicant that the PAS is complete or that additional or revised materials must be submitted. The Department may continue requesting such materials in accordance with the procedures set forth in this paragraph until such time that the Department determines that the PAS is complete.
- (3) upon notifying the Applicant that the PAS is complete, also notify the Applicant that:
  - (i) the Department will hold an ID Meeting pursuant to §10-05, if the proposed project requires more than one division to review the land use application or application for environmental review material, and the divisions must coordinate their respective reviews to ensure that consistent and non-conflicting feedback is provided to Applicants; or

(ii) the Department will not hold an ID Meeting and the project is:

(A) classified as Type I or Unlisted, pursuant to SEQR, and subject to the procedures set forth in §10-06; or

(B) classified as Type II, pursuant to SEQR, such that the procedures set forth in §10-06 and §10-08 do not apply. When providing notification pursuant to this paragraph, the Department must also notify the Applicant whether the Applicant is subject to the procedures set forth in §10-07 or may directly proceed to file a land use application pursuant to §10-09.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in §10-09 or an application for environmental review as set forth in §10-10.

#### § 10-05 Interdivisional Meeting

(a) Within ninety (90) days of notifying an Applicant pursuant to §10-04(b)(3)(i) that the Department will hold an ID Meeting, the Department must hold such a meeting with the Applicant subject to the Applicant's availability. If the Applicant is not available within this period, the Department must hold the ID Meeting as soon as practicable at a time at which both the Department and the Applicant are available.

(1) An ID Meeting may be held in person, by telephone, or by other electronic means, including video teleconference, as the Department deems appropriate.

(2) An Applicant proceeding with filing a land use application or application for environmental review must participate in an ID Meeting and provide any information requested by the Department until such time that the Department has received sufficient information to determine the land use actions necessary to facilitate the proposed project and the type of environmental review that will be required.

(b) Within ninety (90) days after an ID meeting:

(1) the Department must notify an Applicant that:

(i) the Department has received sufficient information to determine the land use actions necessary to facilitate the proposed project and the type of environmental review that will be required; or

(ii) the Department requires further information or an additional ID Meeting to determine the land use actions necessary to facilitate the proposed project and the type of environmental review that will be required. Where an additional ID Meeting is required, the Department must hold the meeting within thirty (30) days of notifying the Applicant, subject to the Applicant's availability. If the Applicant is not available within this period, the Department must hold the additional ID Meeting as soon as practicable at a time at which both the Department and the Applicant are available. Within forty-five (45) days of receiving such additional information or holding an additional ID Meeting, the Department must notify the Applicant that it has received sufficient information to determine the land use actions necessary to facilitate the proposed project and the type of environmental review that will be required, or that additional information must be submitted or an additional ID Meeting must be held in accordance with the procedures set forth in this paragraph until such time that the Department may make such a determination.

(2) Upon notifying an Applicant that the Department has received sufficient information to determine the land use actions necessary to facilitate the proposed project and the type of environmental review that will be required, the Department must also notify the Applicant that the project is:

(i) classified as Type I or Unlisted, pursuant to SEQR, and subject to the procedures set forth in §10-06; or

(ii) classified as Type II, pursuant to SEQR, such that the procedures set forth in §10-06 and §10-08 do not apply. When providing notification pursuant to this subsection, the Department must also notify the Applicant whether the Applicant is subject to the procedures set forth in §10-07 or may directly proceed to file a land use application pursuant to §10-09.

(c) If the Department fails to hold an ID Meeting pursuant to subdivision (a) of this section or fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in §10-09 and an application for environmental review as set forth in §10-10.

#### § 10-06 Reasonable Worst Case Development Scenario

(a) Following notification to an Applicant pursuant to §10-04(b)(3)(ii)(A) or §10-05(b)(2)(i), as applicable, that the Applicant's project is classified as Type I or Unlisted, an Applicant proceeding with filing a land use application or application for environmental review must submit, electronically by email or a hard copy by mail, a RWCDs Memorandum. The memorandum must be on a form provided by the Department that is available on the Department's website or in hard copy from the Department. The memorandum must set forth a description of, and the basis for, the RWCDs that may result from the land use actions that facilitate the proposed project. A RWCDs is a conservative projection of the development that may occur pursuant to a discretionary action and is used by the Department to make reasonable conclusions regarding a land use action's likely effects on the environment, consistent with the requirements of SEQR/CEQR and the guidance of the City's *CEQR Technical Manual*.

(b) Within ninety (90) days of receiving a RWCDs Memorandum, the Department must review the memorandum and:

(1) notify an Applicant that:

(i) the Department accepts the RWCDs Memorandum and the Applicant may proceed to submit, pursuant to the procedures set forth in §10-08, a draft CEQR short/full form as provided by the Mayor's Office of Environmental Coordination; or

(ii) the Department requires further information or a RWCDs Meeting in order to review and clarify the assumptions underlying the RWCDs Memorandum. Where a RWCDs Meeting is required, the Department must hold the meeting within thirty (30) days of notifying the Applicant that the Department requires a RWCDs Meeting, subject to the Applicant's availability. If the Applicant is not available within this period, the Department must hold the meeting as soon as practicable at a time at which both the Department and the Applicant are available. A RWCDs Meeting may be

held in person, by telephone, or by other electronic means, including teleconference, as the Department deems appropriate. Within forty-five (45) days of receiving additional information or holding a RWCDs Meeting, the Department must notify the Applicant that it accepts the RWCDs Memorandum and the Applicant may proceed to submit a draft CEQR short/full form pursuant to the procedures set forth in §10-08, or that it requires further information or an additional RWCDs Meeting in accordance with the procedures set forth in this paragraph in order to review and clarify the assumptions underlying the memorandum until such time that the Department accepts the memorandum and the Applicant may proceed to submit a draft CEQR short/full form.

(2) upon notifying an Applicant that the Department has accepted the Applicant's RWCDs Memorandum and the Applicant may proceed to submit a draft CEQR short/full form, also notify the Applicant whether the Applicant is subject to the procedures set forth in §10-07 or may directly proceed to file a land use application pursuant to §10-09.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in §10-09 and an application for environmental review as set forth in §10-10.

#### § 10-07 Draft Land Use Application

(a) The Department may request a draft land use application where a high degree of technical expertise is necessary to produce the land use application materials for an Applicant's proposed project. Following notification to an Applicant pursuant to §10-03(d)(2)(ii), §10-04(b)(3)(ii)(B), §10-05(b)(2)(ii), or §10-06(b)(2), as applicable, that the Applicant is subject to the procedures set forth in §10-07, an Applicant proceeding with filing a land use application must submit a draft land use application to the Department for review. The Applicant must submit, electronically by email or a hard copy by mail, the draft land use application to the Borough Office project manager handling the Applicant's project. Such application must include all required forms, documents, and exhibits in the manner required by instructions for submitting a land use application which are set forth on the Department's website and available in hard copy from the Department.

(b) Within ninety (90) days of receiving a draft land use application, the Department must review the draft application and:

(1) notify an Applicant that the draft application includes all such required forms, documents, and exhibits in the manner required by the instructions for submitting a land use application, such that the Applicant may proceed to file a land use application pursuant to §10-09; or

(2) notify an Applicant that the draft land use application is missing one or more required forms, documents, or exhibits, or is not submitted in the manner required by the instructions for submitting a land use application. The Applicant must submit a revised draft land use application to the Department. Within forty-five (45) days of receiving the revised draft land use application, the Department must review it and notify the Applicant that the Applicant may proceed to file a land use application pursuant to §10-09, or that additional or revised materials must be submitted. The Department may continue requesting such materials in accordance with the procedures set forth in this paragraph until such time that the Department determines that the Applicant may proceed to file a land use application pursuant to §10-09.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in §10-09.

#### § 10-08 Draft City Environmental Quality Review

(a) Following notification to an Applicant pursuant to §10-06(b)(1) that the Applicant may proceed to submit a draft CEQR short/full form, an Applicant proceeding with filing an application for environmental review must submit a draft CEQR short/full form to the Department for review. The Applicant must submit, electronically by email or a hard copy by mail, the draft CEQR short/full form to the Environmental Assessment Review division project manager handling the Applicant's project. Such application must include all required forms, documents, and exhibits in the manner required by instructions for submitting a CEQR short/full form as provided by the Mayor's Office of Environmental Coordination.

(b) Within ninety (90) days of receiving a draft CEQR short/full form, the Department must review the draft and:

(1) notify an Applicant that the draft CEQR short/full form is substantially complete in form and substance such that the Applicant may proceed to file an application for environmental review pursuant to §10-10; or

(2) provide comments to an Applicant on the draft CEQR short/full form, which the Applicant must address to the Department's satisfaction before the Applicant may proceed to file an application for environmental review pursuant to §10-10. Within forty-five (45) days of receiving a revised draft CEQR short/full form, the Department must review the revised draft and notify the Applicant that the revised draft is substantially complete in form and substance such that the Applicant may proceed to file an application for environmental review pursuant to §10-10, or that the revised draft does not address, in whole or in part, the comments previously provided by the Department to the Applicant, in which case the review process must continue in accordance with the procedures set forth in this paragraph until the Department determines that the draft is substantially complete in form and substance and the Applicant may proceed to file an application for environmental review pursuant to §10-10.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing an application for environmental review as set forth in §10-10.

#### § 10-09 Filing of Land Use Application

(a) After an Applicant receives notification pursuant to §10-03(d)(2)(ii), §10-04(b)(3)(ii)(B), §10-05(b)(2)(ii), §10-06(b)(2), or §10-07(b), as applicable, that it may proceed to file a land use application, the Applicant may file such application at the Department's Central Intake in accordance with §2-02(a)(1) of Title 62 of these rules.

(b) Notwithstanding subdivision (a) of this section, an Applicant may proceed with filing a land use application where otherwise provided in this chapter.

#### § 10-10 Filing of Application for Environmental Review

(a) After an Applicant receives notification pursuant to §10-08(b) that it may proceed to file an application for environmental review, the Applicant may file such application pursuant to Chapter 5 of Title 62 of these rules.

(b) Notwithstanding subdivision (a) of this section, an Applicant may proceed with filing an application for environmental review where otherwise provided in this chapter.

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: Pre-Application Submission and Meeting Participation Requirements**

**REFERENCE NUMBER: 2013 RG 017**

**RULEMAKING AGENCY: Department of City Planning**

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: July 12, 2013

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: Submission and meeting participation requirements for land use or environmental review applications**

**REFERENCE NUMBER: DCP-2**

**RULEMAKING AGENCY: Department of City Planning**

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

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

/s/ Amy Bishop  
Mayor's Office of Operations

July 12, 2013  
Date

• jy19

## FINANCE

### NOTICE

#### NOTICE OF ADOPTION

Pursuant to the power vested in me as Commissioner of Finance by sections 389(b), 1043 and 1504 of the New York City Charter, I hereby promulgate the within Amendment to the Rules of the Commissioner of Finance Relating to Fees. This amendment was published in proposed form on June 7, 2013. A hearing for public comment was held on July 8, 2013.

S/S  
David M. Frankel  
Commissioner of Finance

Matter underlined is new.

#### Statement of Basis and Purpose

On October 2, 2007 Mayor Bloomberg issued Executive Order 106 (EO 106) which calls for the City to implement a unified billing, payment, and collection strategy. EO 106 also requires all City agencies to establish and implement a system for accepting credit and debit card payments for fees, fines, sales of products and any other suitable transactions.

To further implement this policy, the Commissioner of Finance is adopting a rule that establishes a consistent policy for accepting credit card payments and a uniform fee to defray

the cost incurred by the City from credit card transactions.

Section 5(c) of the General Municipal Law and section 11-105(3) of the Administrative Code of the City of New York authorize the City to charge and collect a reasonable and uniform fee as a condition of accepting a credit and debit cards as means of payment of a fine, civil penalty, tax, fee, rent, rate, charge or other amount owed to the City. These laws require that the fee not exceed the cost incurred by the City in connection with such credit and debit card transactions, including any fee payable by the City to the card issuer.

Section 1504 of the New York City Charter requires the New York City Department of Finance to perform those functions and operations of the City that relate to the administration and collection of taxes, assessments and charges imposed by the City. Pursuant to that authority, the Department of Finance is authorized to promulgate rules concerning a fee as a condition of accepting a credit or debit card for payment of City charges.

The rule applies to "covered" City agencies, defined as mayoral agencies described by section 385 of the New York City Charter, and to other agencies listed in the proposed rule. Other non-covered City agencies could, via rulemaking, opt into the rule.

The amendment requires that covered City agencies charge a nonrefundable fee of 2.49% of the amount paid for credit and debit card transactions. The amendment does not apply to checks, money orders, cash or other forms of electronic payments such as eChecks — these forms of payment will be accepted without a fee.

The fee will be refunded when the credit card payment was the result of certain technical errors, not caused by the customer, such as a duplication of a charge or an erroneous entry by a covered agency. The fee will also be refunded when the charge resulted from a fraudulent payment not made by the customer where the customer notifies the agency of the fraudulent payment.

The fee will not be imposed for credit or debit card payments:

- for parking time purchased from a "muni-meter," because the administrative expense of processing the fee from often small purchases of parking time is not cost effective;
- for retail transactions for the sale of merchandise sold by a payee agency, such as the sale of merchandise at the CityStore;
- for payments made as donations, except when the donation is paid as part of an existing transaction for which a fee is charged;
- for re-payments of Medicaid, Cash Assistance, or Supplemental Nutrition Assistance Program benefits for over-payments by any of these programs, and for payments made by beneficiaries to reduce their income in order to qualify for eligibility for Medicaid, because the administrative costs associated with these payments can be absorbed by state and federal agencies;
- for fees paid for emergency medical ambulance services as these credit card transaction costs have already been incorporated into the cost of operating the City's emergency services;
- for birth and death certificates issued by the Department of Health and Mental Hygiene's Vital Records Bureau because these records are processed through a third party service, and the City does not incur any additional credit card related expenses, and
- where credit card is the only means of payment permitted for such charge.

A particular credit or debit card will not be accepted for payment if that particular credit or debit card does not allow for charging convenience fees.

The rule phases in the fee for two groups of agencies listed in the rule. The agencies in the first group will start complying with the rule 13 months after its final publication in the City Record. The agencies in the second group will start complying with the rule 19 months after its final publication in the City Record. These timeframes will allow the Department of Finance to work with all of the agencies to ensure that the new fee is implemented without interrupting their day-to-day operations or causing reporting, reconciliation, or fiscal issues. An agency may start complying with the rule earlier if it notifies the Department of Finance that implementation would not materially impede the agency's operations or services to the public. If needed, agencies in both groups that are being phased in could obtain a delay in charging and collecting the fee of up to six months of additional time beyond the 13-month and 19-month timeframes that would otherwise apply.

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

**Amendment to Rules Relating to Fees**

Section 1. The Rules of the Commissioner of Finance Relating to Fees (19 RCNY Chapter 9) are amended to add a new section 9-02 to read as follows:

**§9-02. Fee for credit card transactions.**

(a) Definitions. As used in this section:

(1) "Card issuer" means an issuer of a credit card, charge card or other value transfer device.

(2) "Covered agency" means an agency described in subdivision (a) of section 385 of the New York City Charter, including all units within the Executive Office of the Mayor, and the following:

- (i) Board of Standards and Appeals;
- (ii) Business Integrity Commission;
- (iii) Commission on Human Rights;
- (iv) Conflict of Interest Board;
- (v) Franchise and Concession Review Committee;
- (vi) Landmarks Preservation Commission;
- (vii) Public Design Commission (Art Commission);

- (viii) Office of Administrative Trials and Hearings, including the Environmental Control Board;
  - (ix) Office of Chief Medical Examiner; and
  - (x) Taxi and Limousine Commission.
- (3) "Credit card" means any credit card, credit plate, charge card, charge plate, courtesy card, debit card or other identification card or device issued by a person to another person which may be used to obtain a cash advance or a loan or credit, or to purchase or lease property or services on the credit of the person issuing the credit card or a person who has agreed with the issuer to pay obligations arising from the use of a credit card issued to another person.
- (4) "Financing agency" means a person engaged, in whole or in part, in the business of purchasing retail installment contracts, obligations or credit agreements or indebtedness of buyers under credit agreements from one or more retail sellers or entering into credit agreements with retail buyers. The term includes but is not limited to a bank, trust company, private banker, industrial bank or investment company, if so engaged. "Financing agency" shall not include a retail seller.
- (5) "Muni-meter" means an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicle's dashboard.
- (6) "Non-covered agency" means an agency of the City of New York that is not a covered agency.
- (7) "Person" means an individual, partnership, corporation or any other legal or commercial entity.

(b) Credit card fee imposed by covered agencies. (1) Except as provided in paragraphs two, three and four of this subdivision and in subdivision (d) of this section, as a condition of accepting a credit card as payment of a fine, civil penalty, tax, fee, rent, rate, charge or other amount, a covered agency must charge and collect from the person offering a credit card as a means of payment a nonrefundable fee in the amount of 2.49% of the amount of the fine, civil penalty, tax, fee, rent, rate, charge or other amount to be paid with the credit card. A covered agency must not charge any other fee for accepting a credit card as payment of any such charges in lieu of, or in addition to, the fee authorized by this section.

(2) Prior to thirteen months from final publication of this rule in the City Record, the fee provided in paragraph one of this subdivision shall not be charged or collected by any of the following covered agencies unless the agency first notifies the Commissioner of Finance in writing that charging and collecting the fee would not materially impede such agency's operations or services to the public:

- (i) Business Integrity Commission;
- (ii) Department of Citywide Administrative Services;
- (iii) Department of Environmental Protection;
- (iv) Department of Finance;
- (v) Department of Health and Mental Hygiene;
- (vi) Department of Investigation;
- (vii) Department of Sanitation;
- (viii) Department of Transportation;
- (ix) Fire Department;
- (x) Human Resources Administration;
- (xi) Office of Administrative Trials and Hearings;
- (xii) Office of the Mayor; and
- (xiii) Taxi and Limousine Commission.

(3) Prior to nineteen months from final publication of this rule in the City Record, the fee provided in paragraph one of this subdivision shall not be charged or collected by any of the following covered agencies unless the agency first notifies the Commissioner of Finance in writing that charging and

collecting the fee would not materially impede such agency's operations or services to the public:

- (i) Department of Buildings;
- (ii) Department of Consumer Affairs;
- (iii) Department of Housing Preservation and Development;
- (iv) Department of Parks and Recreation; and
- (v) Police Department.

(4) The Commissioner of Finance may grant a waiver from charging and collecting the fee provided in paragraph one of this subdivision for up to six months beyond the thirteen and nineteen months in paragraphs (2) and (3) respectively, for agencies specified in such paragraphs, upon a determination that charging and collecting the fee earlier creates a risk of materially impeding an agency's operations or services to the public.

(c) Credit card fee imposed by non-covered agencies. Any non-covered agency may by rule opt to be treated as a covered agency pursuant to this section, in which case the provisions of this section shall apply to such agency in their entirety. Any non-covered agency that does not opt to be treated as a covered agency will not be subject to this section and may charge a fee in accordance with section 11-105 of the Administrative Code of the City of New York.

(d) When fee must not be imposed. The fee provided by this section must not be imposed:

- (1) for parking time purchased from a muni-meter or parking cards purchased to use at a muni-meter;
- (2) for retail transactions for the sale of merchandise or the purchase of parking time at municipal garages;
- (3) for payments made as donations, except when the donation is paid as part of an existing transaction for which a fee is charged;
- (4) for re-payments of Medicaid, Cash Assistance, or Supplemental Nutrition Assistance Program benefits for overpayments by any of these programs, and for payments made by beneficiaries to reduce their income in order to qualify for eligibility for Medicaid;
- (5) for fees paid for emergency medical ambulance services;
- (6) for birth and death certificates issued by the Department of Health and Mental Hygiene's Vital Records Bureau; and
- (7) where payment by credit card is the only means of payment accepted.

(e) Refund of fee. Notwithstanding the provisions of subdivision (b) of this section, a credit card fee will be refunded when the credit card payment was:

- (1) the result of certain technical errors, not caused by the customer, such as a duplication of a charge or an erroneous entry by a covered agency; or
- (2) was a fraudulent payment not made by the customer where the customer notifies the agency of the fraudulent payment.

(f) A covered agency must not accept a particular credit card for payment if imposition of the fee pursuant to subdivision (b) of this section would not be consistent with the terms of any agreements of such covered agency or the City of New York with any financing agency, card issuer or other commercial entity governing the acceptance of such credit card.

• jy19

**SPECIAL MATERIALS**

**CITYWIDE ADMINISTRATIVE SERVICES**

**MUNICIPAL SUPPLY SERVICES**

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 7121  
FUEL OIL AND KEROSENE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 7/15/2013
3187251	11.0	#1DULS >=80% CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+0.152 GAL.	3.6262 GAL.
3187251	12.0	#1DULS B100 <=20% CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+0.152 GAL.	4.8920 GAL.
3187251	13.0	#1DULS >=80% P/U	SPRAGUE ENERGY CORP.	+0.152 GAL.	3.5419 GAL.
3187251	14.0	#1DULS B100 <=20% P/U	SPRAGUE ENERGY CORP.	+0.152 GAL.	4.8076 GAL.
3187249	1.0	#2DULS CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1623 GAL.
3187249	2.0	#2DULS P/U	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1208 GAL.
3187249	3.0	#2DULS CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1778 GAL.
3187249	4.0	#2DULS P/U	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1408 GAL.
3187249	7.0	#2DULS >=80% CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1701 GAL.
3187249	8.0	#2DULS B100 <=20% CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.3073 GAL.
3187249	9.0	#2DULS >=80% P/U	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1308 GAL.
3187249	10.0	#2DULS B100 <=20% P/U	CASTLE OIL CORPORATION	+0.0620 GAL.	3.2643 GAL.
3387022	15.1	#2DULS BARGE MTF III & ST. GEORGE & WI	SPRAGUE ENERGY CORP.	+0.0620 GAL.	3.2582 GAL.
3387090	1.1	JETA FLOYD BENNETT	SPRAGUE ENERGY CORP.	+0.0628 GAL.	3.6631 GAL.
3387042	1.0	#2B5 CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1252 GAL.
3387042	2.0	#4B5 CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0525 GAL.	2.8105 GAL.
3387042	3.0	#6B5 CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0422 GAL.	2.5188 GAL.
3387042	4.0	B100 <=20% CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.7287 GAL.
3387042	5.0	#2(ULSH) >=80% CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.0934 GAL.

**NOTE:**

3187249	#2DULSB5 95% ITEM 7.0 & 5% ITEM 8.0	CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1769 GAL.
3187249	#2DULSB20 80% ITEM 7.0 & 20% ITEM 8.0	CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0620 GAL.	3.1975 GAL.

Contract No. 3387094, Gasoline, expired June 30, 2013. If you have questions regarding the Gasoline Fuel Card, please contact Mahanth Joishy, mjoishy@dcas.nyc.gov, Fleet Department, (212) 386-0367 for assistance.

**OFFICIAL FUEL PRICE SCHEDULE NO. 7122  
FUEL OIL, PRIME AND START**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 7/15/2013
3087225	1.0	#4 CITY WIDE BY TW	METRO FUEL OIL CORP.	+0.0520 GAL.	3.2063 GAL.
3087225	2.0	#6 CITY WIDE BY TW	METRO FUEL OIL CORP.	+0.0412 GAL.	2.8466 GAL.

3087154	1.0	ULSH	MANH	F & S PETROLEUM CORP.	+0.0620 GAL.	3.1826 GAL.
3087154	79.0	ULSH	BRONX	F & S PETROLEUM CORP.	+0.0620 GAL.	3.1826 GAL.
3087154	157.0	ULSH	BKLYN, QUEENS, SI	F & S PETROLEUM CORP.	+0.0620 GAL.	3.2626 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 7123**

**FUEL OIL AND REPAIRS**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE	EFF. 7/15/2013
3087218	1.0	#4	CITY WIDE BY TW	PACIFIC ENERGY	+0.0520 GAL.	3.1476 GAL.
3087218	2.0	#6	CITY WIDE BY TW	PACIFIC ENERGY	+0.0412 GAL.	2.8995 GAL.
3087115	1.0	ULSH	MANH & BRONX	PACIFIC ENERGY	+0.0620 GAL.	3.0080 GAL.
3087115	80.0	ULSH	BKLYN, QUEENS, SI	PACIFIC ENERGY	+0.0620 GAL.	3.0132 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 7124**

**GASOLINE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE	EFF. 7/15/2013
3187093	2.0	PREM	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+1.1804 GAL.	3.2673 GAL.
3187093	4.0	PREM	P/U	SPRAGUE ENERGY CORP.	+1.1804 GAL.	3.1882 GAL.
3187093	1.0	U.L.	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+1.1868 GAL.	3.0820 GAL.
3187093	3.0	U.L.	P/U	SPRAGUE ENERGY CORP.	+1.1868 GAL.	3.0059 GAL.
3187093	6.0	E85	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+1.1317 GAL.	2.7307 GAL.

**NOTE:**

OCP is processing a Negotiated Acquisition Extension with Clean Energy Corp. to extend the Compressed Natural Gas Contract, #20121200361, for an additional two years. The Negotiated Acquisition Extension will have a new contract number after it is registered. The current contract expires August 7, 2013 and we are diligently working on the new contract.

It is expected that the Negotiated Acquisition Extension will be registered after August 7th; therefore if your agency uses this contract we are requesting that your agency encumber funds sufficient for 120 days of contract use in your current PO for the existing contract in the event that there is a contract lapse before the NAE is registered.

**REMINDER FOR ALL AGENCIES:**

Please send Inspection Copy of Receiving Report for all Gasoline (E85, UL & PREM) delivered by Tank Wagon to DMSS/ Bureau of Quality Assurance (BQA), 1 Centre St., 18th Floor, NY, NY 10007.

**COMPTROLLER**

**NOTICE**

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on July 30, 2013, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
69	15837	1
70	15838	67
71	15838	63
72	15838	61
73	15838	59

Acquired in the proceeding, entitled: BEACH 46TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C. LIU  
Comptroller

jy16-30

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on July 29, 2013, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
59	15837	23
60	15837	19
61	15837	17
62	15837	15
63	15837	13
67	15837	7
68	15837	5

Acquired in the proceeding, entitled: BEACH 46TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C. LIU  
Comptroller

jy15-29

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on August 1, 2013, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
74	15838	57
75	15838	55
76	15838	53
77	15838	51

78	15838	49
79	15838	48
80	15838	47

Acquired in the proceeding, entitled: BEACH 46TH STREET subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C. LIU  
Comptroller

jy18-a1

**HOUSING PRESERVATION & DEVELOPMENT**

**NOTICE**

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

Notice Date: July 12, 2013

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application#	Inquiry Period
238 West 73rd Street, Manhattan a/k/a 238-244 W. 73 Street	61/13	June 3, 2010 to Present
124 West 123rd Street, Manhattan	62/13	June 5, 2010 to Present
550 West 140th Street, Manhattan	63/13	June 5, 2010 to Present
153 West 119th Street, Manhattan	64/13	June 5, 2010 to Present
241 Lenox Avenue, Manhattan	65/13	June 6, 2010 to Present
319 West 137th Street, Manhattan	66/13	June 11, 2010 to Present
31 East 126th Street, Manhattan	67/13	June 13, 2010 to Present
22 East 129th Street, Manhattan	68/13	June 14, 2010 to Present
241 Bowery, Manhattan	70/13	June 19, 2010 to Present
208 West 138th Street, Manhattan	71/13	June 19, 2010 to Present
401 7th Avenue, Manhattan a/k/a 401-415 7th Avenue	72/13	June 19, 2010 to Present
114 West 124th Street, Manhattan	73/13	June 20, 2010 to Present
221 West 113th Street, Manhattan	74/13	June 21, 2010 to Present
206 West 138th Street, Manhattan	75/13	June 26, 2010 to Present
113 West 130th Street, Manhattan	76/13	June 28, 2010 to Present
195 Mac Donough Street, Brooklyn	69/13	June 17, 2010 to Present
349 Gates Avenue, Brooklyn	77/13	June 28, 2010 to Present

Authority: SRO, Administrative Code §27-2093

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

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

jy12-19

**OFFICE OF THE MAYOR**

**HOUSING RECOVERY OPERATIONS**

**NOTICE**

**OFFICE OF MANAGEMENT AND BUDGET DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT- MULTI-FAMILY BUILDINGS**

**COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

**REQUEST FOR RELEASE OF FUNDS**

The New York City Office of Management and Budget (NYCOMB) is the Responsible Entity for environmental reviews conducted under the CDBG-DR Program. On or about August 06, 2013 the city will submit to HUD its request for the release of CDBG-DR funds to undertake the NYC Build It Back: Multi-Family Buildings program for the purposes of addressing unmet housing needs associated with damages from Hurricane Sandy in the City's five boroughs for the amount of \$215,000,000. The NYC Multi-Family Buildings program will provide rehabilitation loans for multi-family (five units or more) housing, which includes 3-4 unit, non-owner-occupied buildings. Funds will be used throughout the City, and will serve a wide range of housing types, including market-rate properties, HUD-assisted properties, permanent housing for the homeless, and private market units receiving project-based assistance or with tenants that participate in the Section 8 Housing Choice Voucher Program. Some of the activities include:

- Rehabilitation and new build supportive housing projects and on-site supportive services serving chronically homeless individuals with special needs;
- Conversion of damaged nursing homes, rooming houses, and other facilities to supportive housing; and
- Rehabilitation and retrofit of existing affordable housing developments, including HUD-assisted housing (Section 202 senior housing, Low Income Housing Tax Credit projects, and State Mitchell-Lama program developments).

The CDBG-DR funding will convey loans as low- or no-interest, potentially forgivable, or as restricted grants. In addition, projects that will maintain the property as a viable housing resource in a storm-impacted community even if the scope items are non-storm related will be considered. The Department of Housing Preservation and Development will oversee the program.

**FINDING OF NO SIGNIFICANT IMPACT**

The City has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 is not required. Additional project information is contained in the Environmental Review Record on file with Mr. Calvin Johnson, Assistant Director, New York City Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007 and may be examined weekdays 10:00 A.M. to 5:00 P.M. or using the following link <http://www.nyc.gov/html/housingrecov> and then clicking on "Public Notices".

**PUBLIC COMMENTS**

Any individual, group or agencies disagreeing with this determination or wishing to comment on the project may submit written comments to NYCOMB to the above address or submitted via email to [CDBGDR-enviro@omb.nyc.gov](mailto:CDBGDR-enviro@omb.nyc.gov). All comments received by August 03, 2013 will be considered by NYC OMB prior to the submission of the request for release of funds to HUD. Comments should reference which Notice they are addressing.

**RELEASE OF FUNDS**

NYC OMB certifies to HUD that Mark Page, in his capacity as the Certifying Officer of the CDBG-DR Program consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City to use CDBG-DR program funds.

**OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the NYCOMB certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the NYCOMB; (b) NYCOMB has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to: Tennille S. Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, Rm 7272, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York, Office of Management and Budget, Mark Page, Director  
Date: July 19, 2013

jy19-29