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THE CITY RECORD

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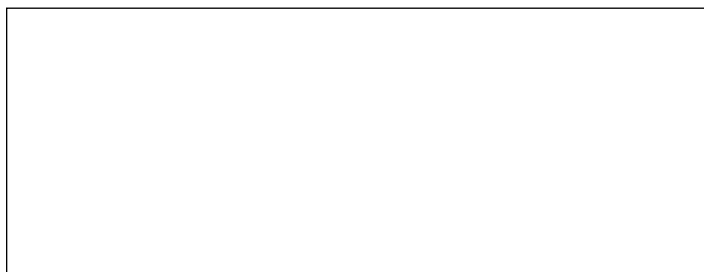
PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

■ PUBLIC HEARINGS

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



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

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

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

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

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

IN THE MATTER OF an application submitted by 1776 Eastchester Road LLC, Hutch 34 Industrial Street, LLC and Hutch 35 LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 4a and 4b:

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

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

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

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



a17-23

CITY PLANNING

PUBLIC HEARINGS

-- REVISED --

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

East Harlem Rezoning

Project Identification

CEQR No. 17DCP048M
ULURP Nos. C170358 ZMM, N170359 ZRM, C170360 HUM & N170359(A) ZRM; C170361 ZMM, N170362 ZRM, C170363 HAM, C170364 PQM, C170365 ZSM, C170366 ZSM, C170367 ZSM, & N170368 ZCM

Lead Agency

City Planning Commission (CPC)
120 Broadway, 31st Floor
New York, NY 10271

SEQRA Classification: Type I

Contact Person

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

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

The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), is proposing a series of land use actions—including zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan (collectively, the "Proposed Actions"). The Proposed Actions are intended to facilitate the development of affordable housing, preserve existing neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes. The Proposed Actions would affect an approximately 96-block area of the East Harlem neighborhood of Manhattan.

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

The DEIS considered four alternatives—a No Action Alternative, a No Unmitigated Significant Adverse Impact Alternative, a Lesser Density Alternative, and the Sendero Verde Development Alternative. Under the Sendero Verde Development Alternative, the DEIS considered a series of actions - subject to a concurrent, related land use application proposed by HPD - needed to facilitate an affordable housing development (the "Sendero Verde - East 111th Street" Proposal). The affected property is bounded by East 111th Street, Madison Avenue, East 112th Street, and Park Avenue (the "Sendero Verde Site"). The land use actions necessary to facilitate the development of the Sendero Verde Site include a zoning map amendment, zoning text amendment, UDAAP designation, disposition of City-Owned property, acquisition of a portion of the disposition area by the City, a large-scale general development (LSGD) special permit, and a City Planning Commission

certification to waive retail continuity requirements.

The Sendero Verde Development Alternative would result in significant adverse impacts beyond those identified for the Proposed Actions. Unlike the Proposed Actions, the Sendero Verde Development Alternative is expected to result in significant adverse impacts related to indirect effects to open space. Mitigation measures could include the provision of new open space on the Sendero Verde site; this and other possible mitigation measures to address the significant adverse impacts related to open space will be explored between DEIS and FEIS. In addition to the impacts identified above, the Sendero Verde Development Alternative would result in similar significant adverse impacts in the areas of transportation impacts (traffic, transit and pedestrians) and construction (noise) as the Proposed Actions. The extent and severity of the significant adverse impacts are expected to differ from those resulting from the Proposed Actions. Mitigation measures could be similar to the mitigation measures identified for the Proposed Actions for transportation and construction. The Sendero Verde Development Alternative would also result in the same significant adverse impacts related to shadows and historic and cultural resources that would occur in the Proposed Actions. Mitigation measures for shadows, historic and cultural resources for the Sendero Verde Development Alternative are expected to be the same mitigation measures as proposed for the Proposed Actions.

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

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

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



a21-22

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at 1 Centre Street, North Mezzanine, on Wednesday, August 23, 2017, at 9:30 A.M.

CITYWIDE Nos. 1 & 2

SELF STORAGE TEXT AMENDMENT No. 1

CITYWIDE N 170425 ZRY IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to create a definition, a use and, in designated areas, a special permit for self-service storage facilities and to establish APPENDIX J (Designated Areas in Manufacturing Districts).

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

ARTICLE I GENERAL PROVISIONS

Chapter 2 Construction of Language and Definitions

* * *

12-10 DEFINITIONS

* * *

Self-service storage facility

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

personal property, and where such:

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

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

* * *

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

* * *

**32-25
Use Group 16**

C8

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

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

* * *

D. Heavy Service, Wholesale, or Storage Establishments

- Carpet cleaning establishments [PRC-F]
- Dry cleaning or cleaning and dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment [PRC-F]
- Laundries, with no limitation on type of operation [PRC-F]
- Linen, towel or diaper supply establishments [PRC-F]
- Moving or storage offices, with no limitation as to storage or #floor area# per establishment [PRC-G]²
- Packing or crating establishments [PRC-G]
- Photographic developing or printing with no limitation on #floor area# per establishment [PRC-C]
- Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment [PRC-G]
- Warehouses [PRC-G]²
- Wholesale establishments, with no limitation on #accessory# storage [PRC-C]

E. #Accessory Uses#

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

* * *

**ARTICLE IV
MANUFACTURING DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

* * *

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

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

M1

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

Use Group 4A shall be limited to all health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, ambulatory

diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), and houses of worship. Such #uses# are not subject to the special permit provisions of Sections 42-32 and 74-921.

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

M1 M2 M3

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

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

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

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

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

* * *

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

**42-31
By the Board of Standards and Appeals**

* * *

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

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

* * *

M1 M2 M3

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

M1 M2 M3
#Self-service storage facilities# in designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution

M1 M2 M3

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

M1

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

M1

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

* * *

**ARTICLE V
NON-CONFORMING USES AND NON-COMPLYING BUILDINGS**

**Chapter 2
Non-Conforming Uses**

* * *

**52-40
ENLARGEMENTS OR EXTENSIONS**

* * *

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

* * *

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

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

- (a) such #self-service storage facility# has filed documentation that is satisfactory to the Department of Buildings of its existence prior to [date of adoption] as a Use Group 16D facility that meets the definition of a #self-service storage facility#; and
- (b) such #enlargement# or #extension# does not create a #non-compliance# or increase the degree of #non-compliance# of a #building or other structure#.

* * *

52-50
DAMAGE OR DESTRUCTION

* * *

52-531
Permitted reconstruction or continued use

* * *

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

* * *

ARTICLE VII
ADMINISTRATION

Chapter 4
Special Permits by the City Planning Commission

* * *

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

* * *

74- 93
Special Commercial and Manufacturing Developments

* * *

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

* * *

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

On #zoning lots# in designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the City Planning Commission may permit the change of #use# of an existing #building# to, or the #development# of, a #self-service storage facility# provided that:

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

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

- (1) the size and configuration of the #zoning lot# and its suitability for a #use# listed in Use Groups 16D (other than a #self-service storage facility#), 17 or 18;
- (2) the design and layout of loading docks, interior column spacing, floor-to-floor height and other relevant physical characteristics in an existing #building# and its suitability for a #use# listed in Use Groups 16D (other than a #self-service storage facility#), 17 or 18;

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

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

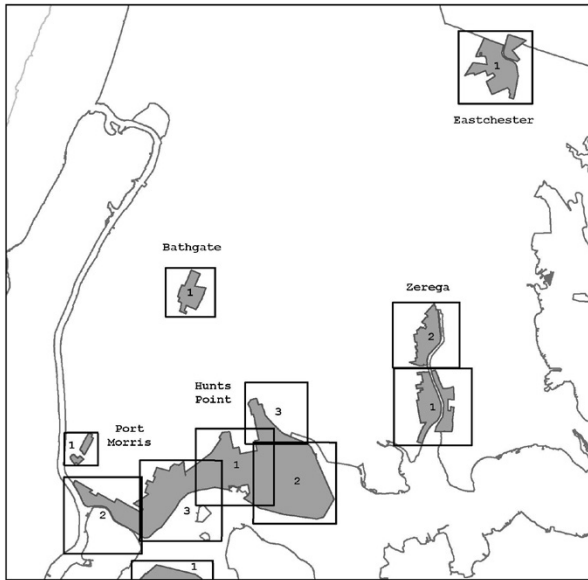
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APPENDIX J - Designated Areas Within Manufacturing Districts

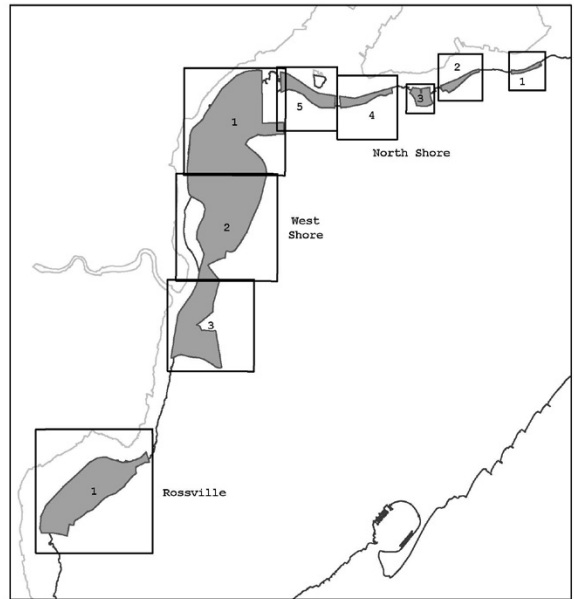
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

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

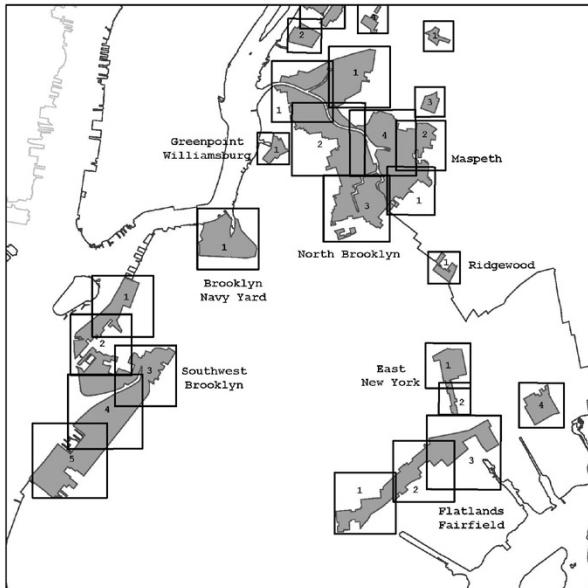
The Bronx



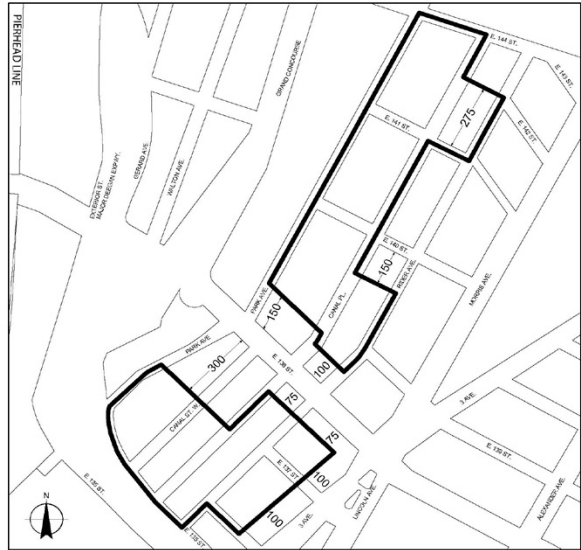
Staten Island



Brooklyn

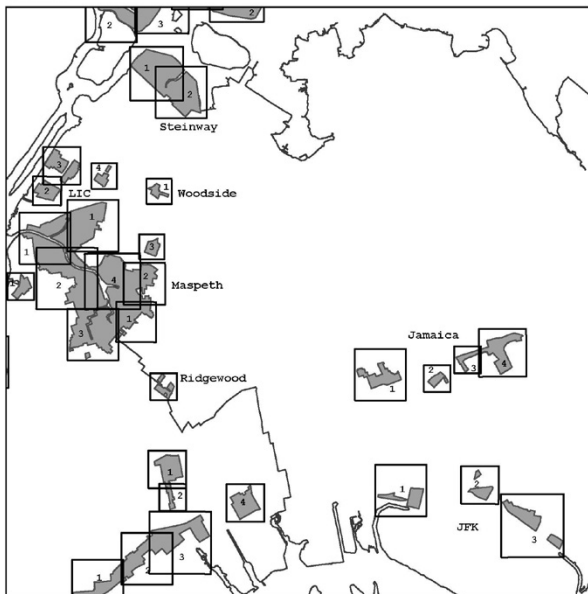


Port Morris
Map 1

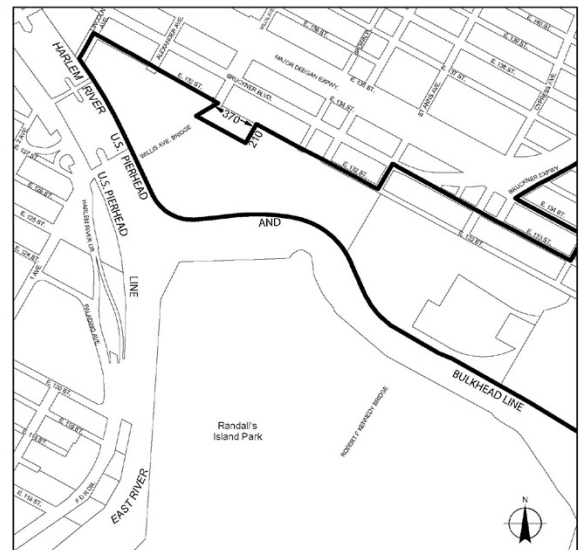


Portion of Community District 1, Bronx

Queens

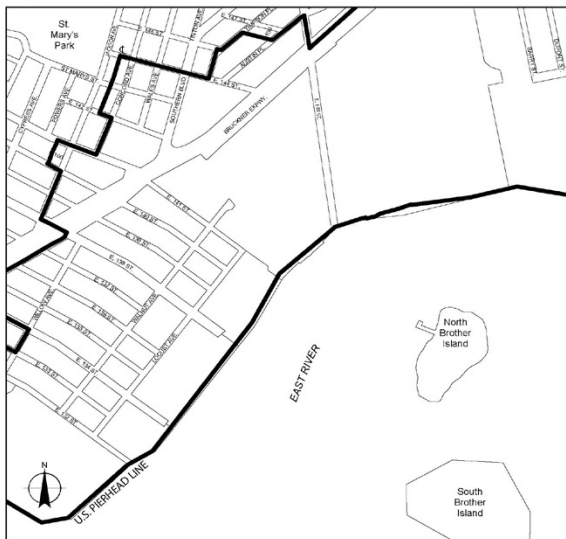


Port Morris
Map 2



Portion of Community District 1, Bronx

Port Morris/Hunts Point
Map 3



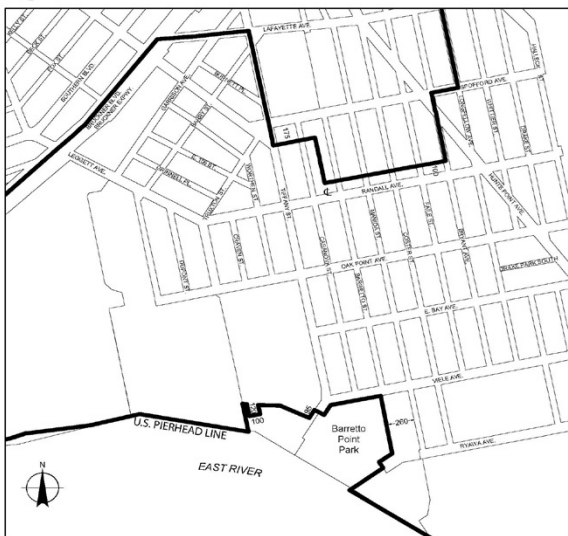
Portions of Community Districts 1 and 2, Bronx

Hunts Point
Map 3



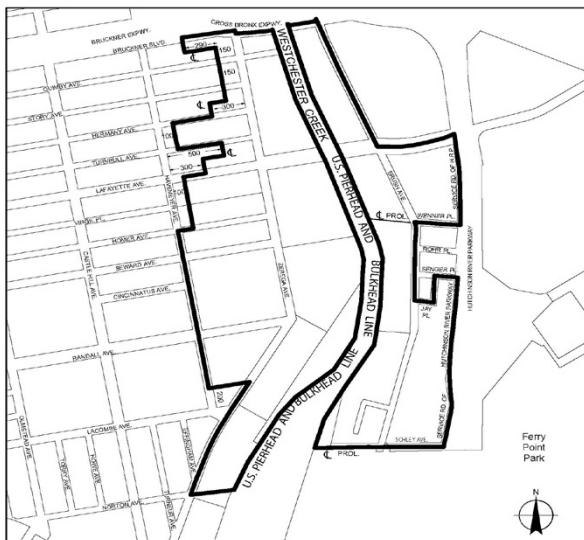
Portion of Community District 2, Bronx

Hunts Point
Map 1



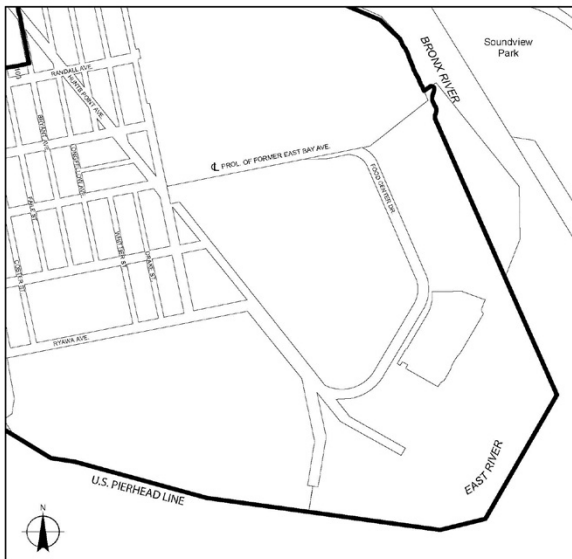
Portion of Community District 2, Bronx

Zerega
Map 1



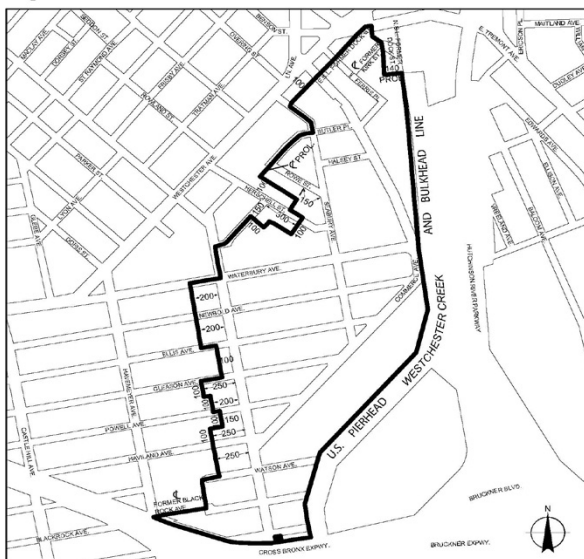
Portion of Community District 9, Bronx

Hunts Point
Map 2



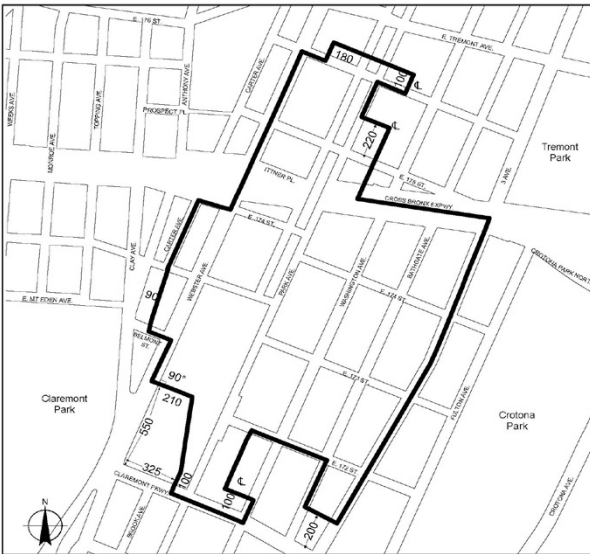
Portion of Community District 2, Bronx

Zerega
Map 2



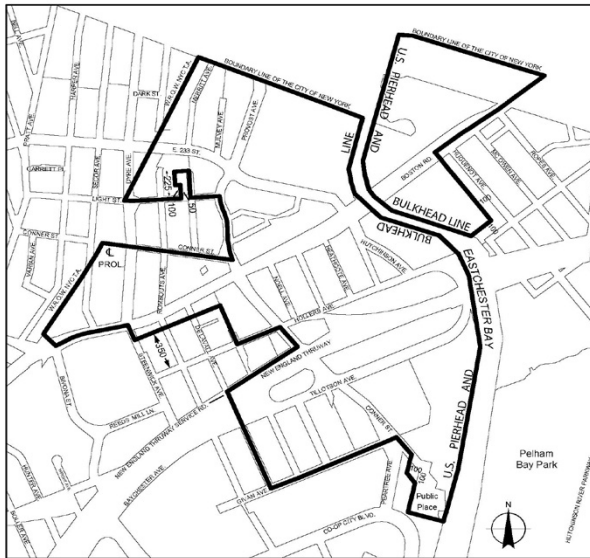
Portions of Community Districts 9 and 10, Bronx

Bathgate
Map 1



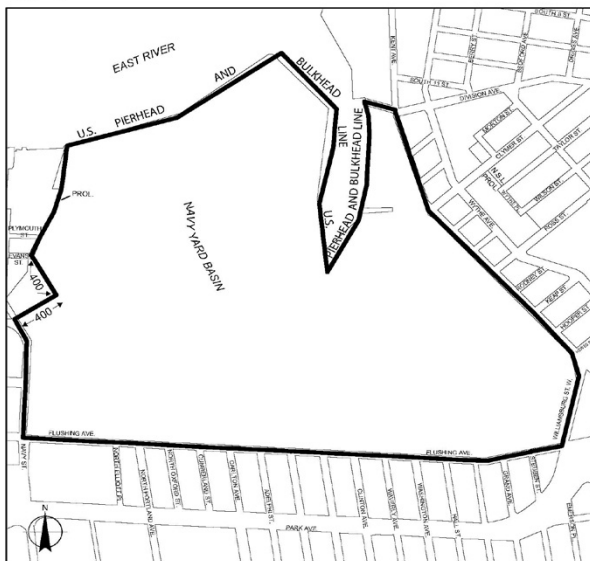
Portion of Community Districts 3, 4, and 6, Bronx

Eastchester
Map 1



Portions of Community Districts 10 and 12, Bronx

Brooklyn Navy Yard
Map 1



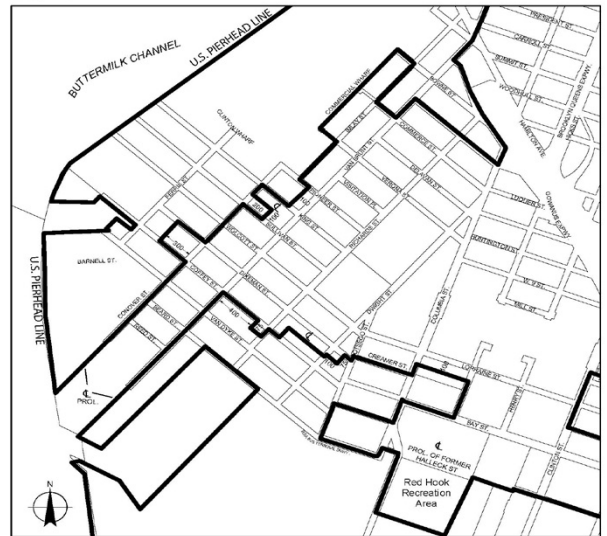
Portion of Community District 2, Brooklyn

Southwest Brooklyn
Map 1



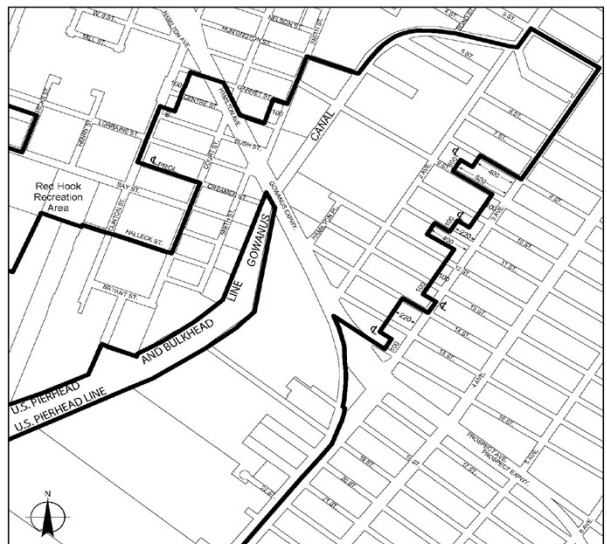
Portion of Community District 6, Brooklyn

Southwest Brooklyn
Map 2



Portion of Community District 6, Brooklyn

Southwest Brooklyn
Map 3



Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn
Map 4



Portions of Community Districts 6 and 7, Brooklyn

Flatlands/Fairfield
Map 2



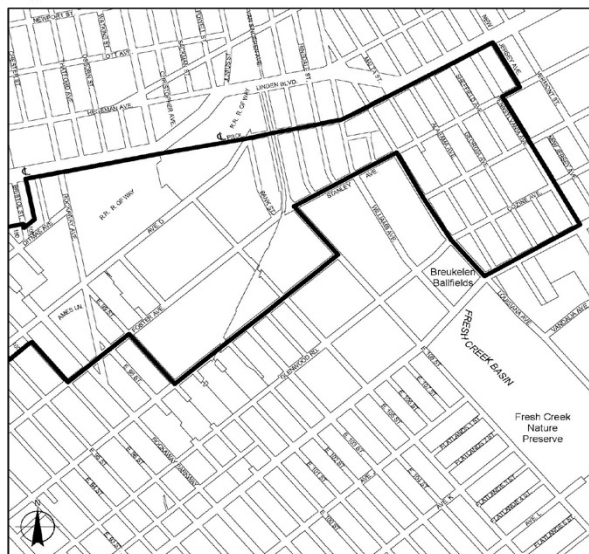
Portions of Community Districts 17 and 18, Brooklyn

Southwest Brooklyn
Map 5



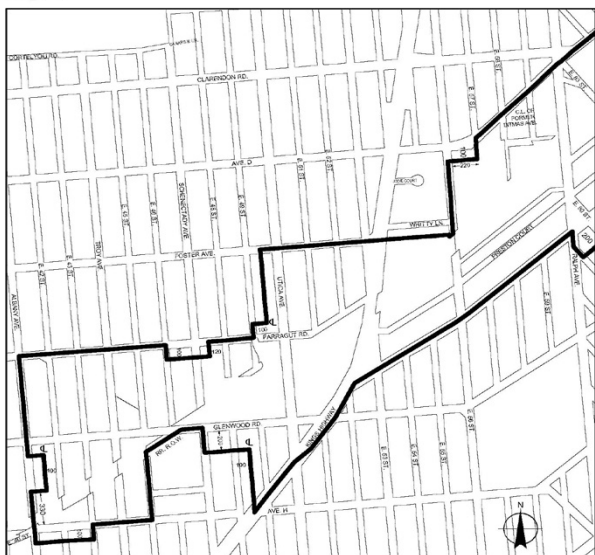
Portion of Community District 7, Brooklyn

Flatlands/Fairfield
Map 3



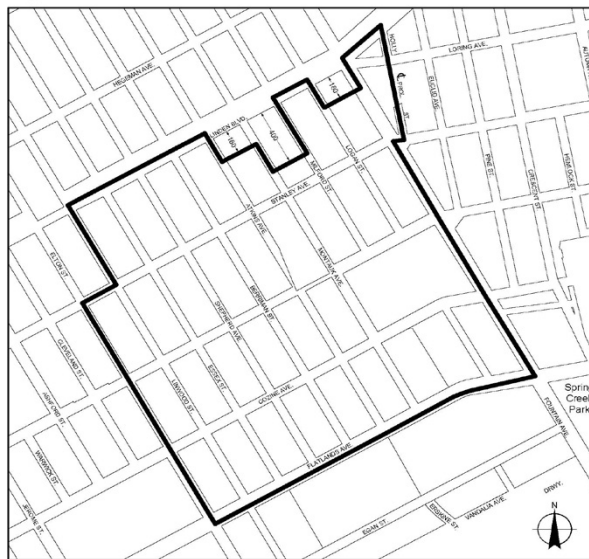
Portions of Community Districts 5, 16, and 18, Brooklyn

Flatlands/Fairfield
Map 1



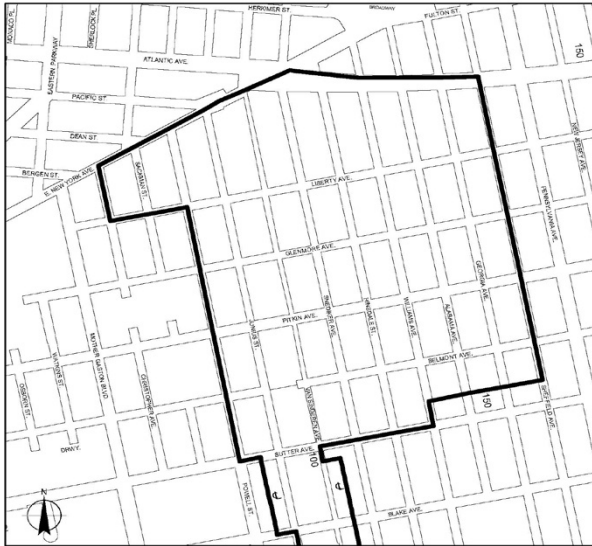
Portions of Community Districts 17 and 18, Brooklyn

Flatlands/Fairfield
Map 4



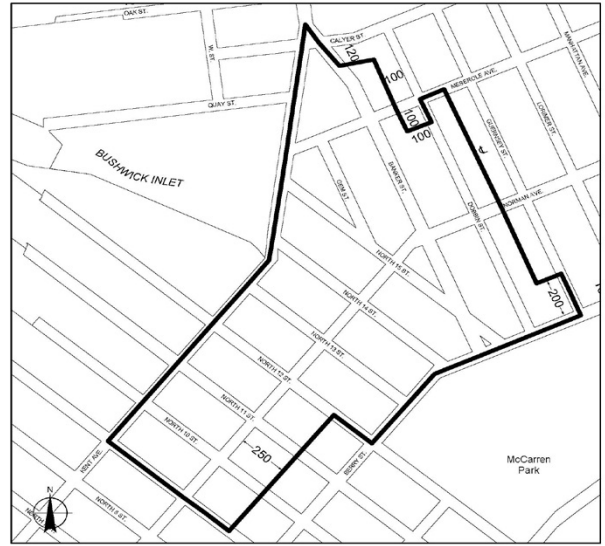
Portion of Community District 5, Brooklyn

East New York
Map 1



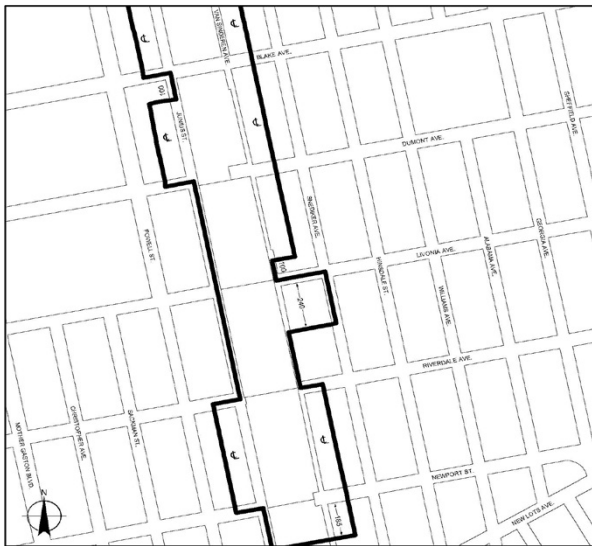
Portion of Community District 5, Brooklyn

Williamsburg/Greenpoint
Map 1



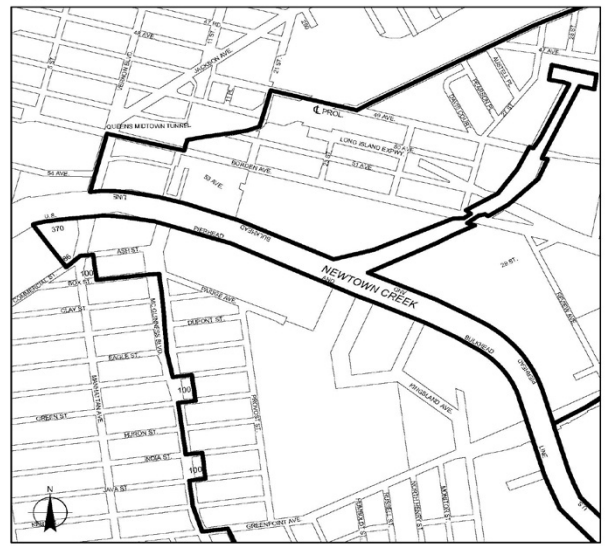
Portion of Community District 1, Brooklyn

East New York
Map 2



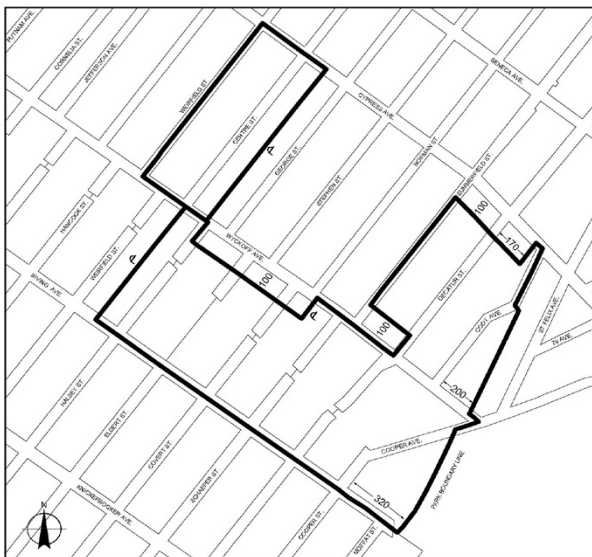
Portions of Community Districts 5 and 16, Brooklyn

North Brooklyn/Long Island City
Map 1



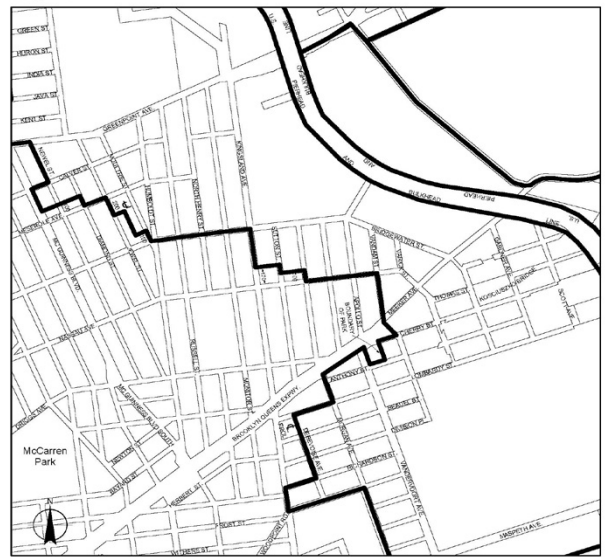
Portions of Community District 1, Brooklyn and Community District 2, Queens

Ridgewood
Map 1



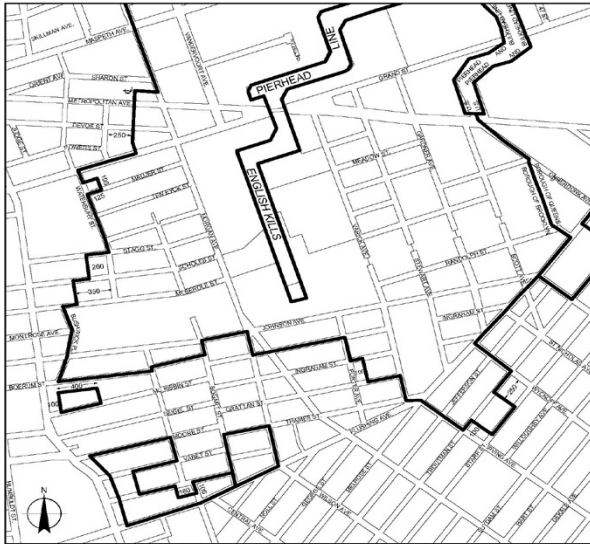
Portions of Community District 4, Brooklyn and Community District 5, Queens

North Brooklyn/Maspeth
Map 2



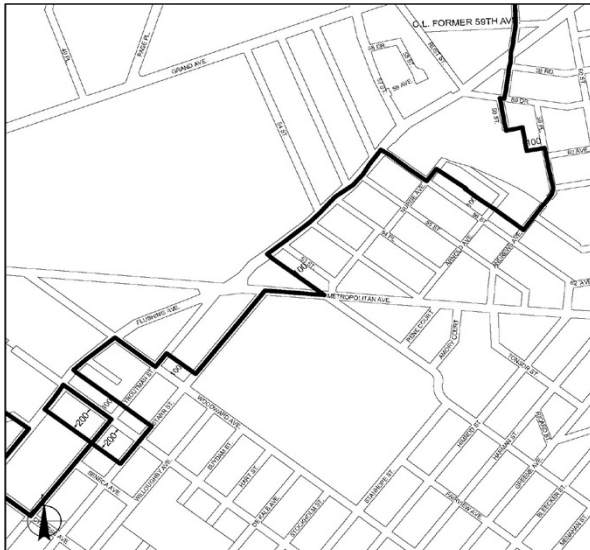
Portions of Community District 1, Brooklyn and Community District 2, Queens

North Brooklyn
Map 3



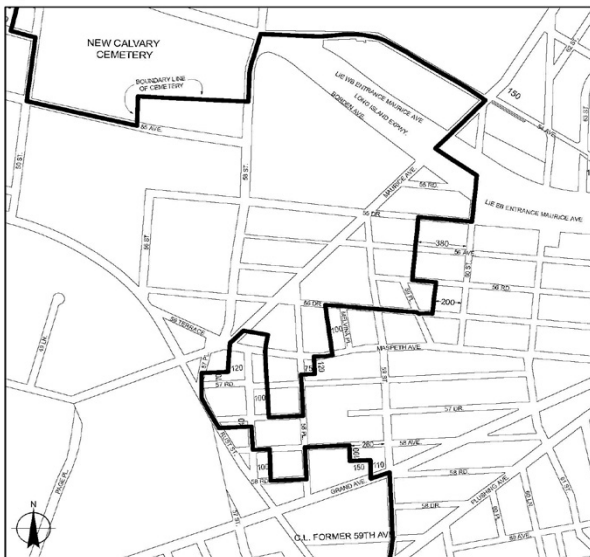
Portions of Community District 1, Brooklyn and Community District 4, Queens

Maspeth
Map 1



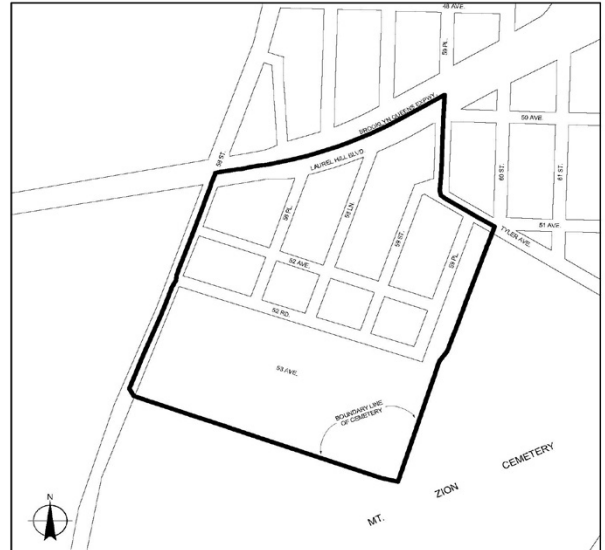
Portion of Community District 5, Queens

Maspeth
Map 2



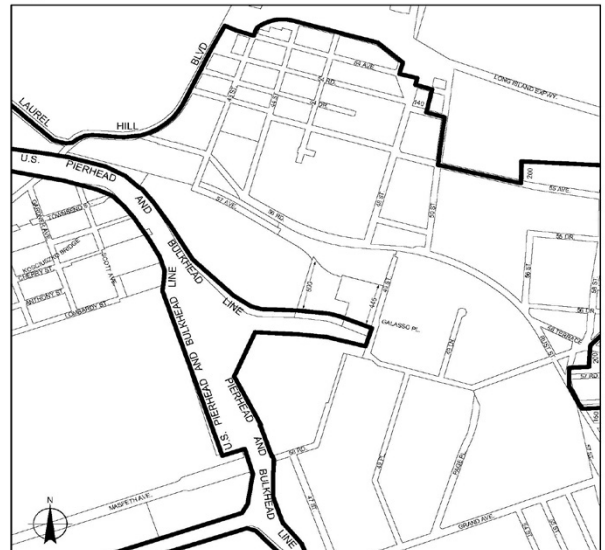
Portions of Community Districts 2 and 5, Queens

Maspeth
Map 3



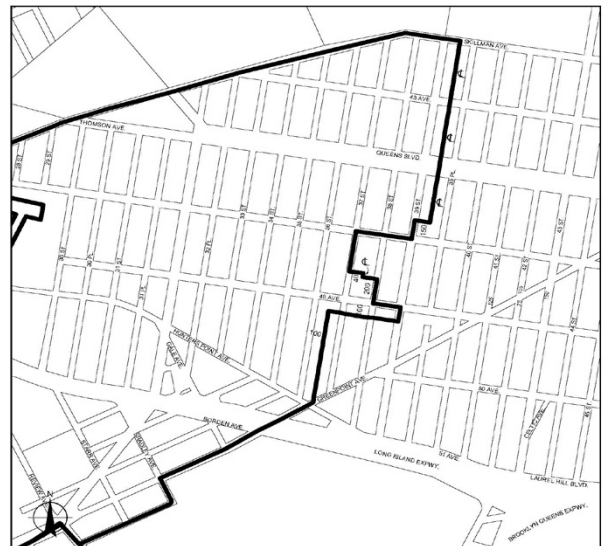
Portion of Community District 2, Queens

Maspeth/North Brooklyn
Map 4



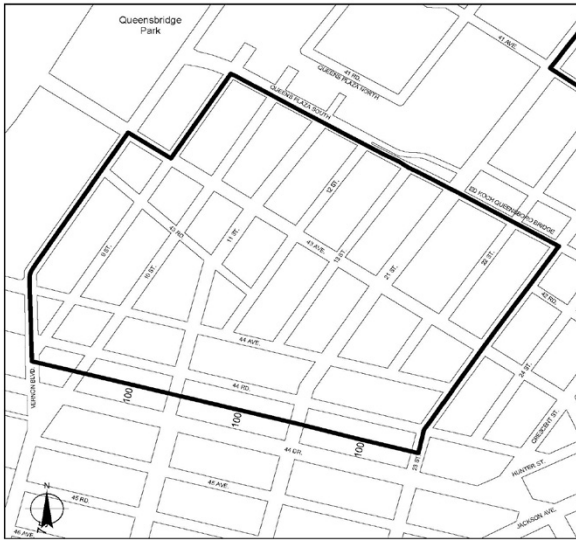
Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn

Long Island City
Map 1



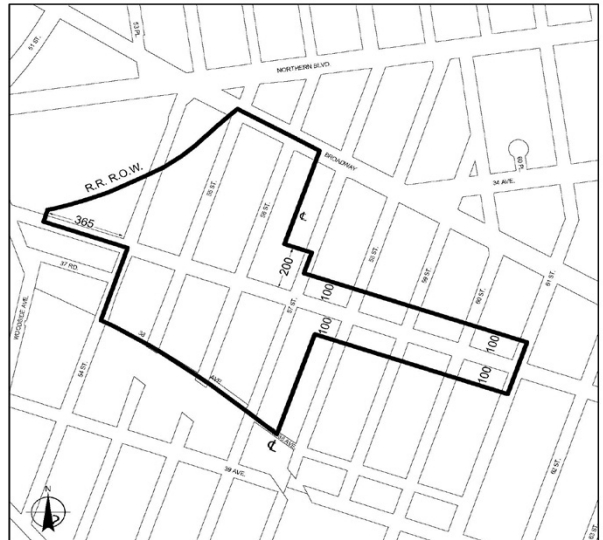
Portion of Community District 2, Queens

Long Island City
Map 2



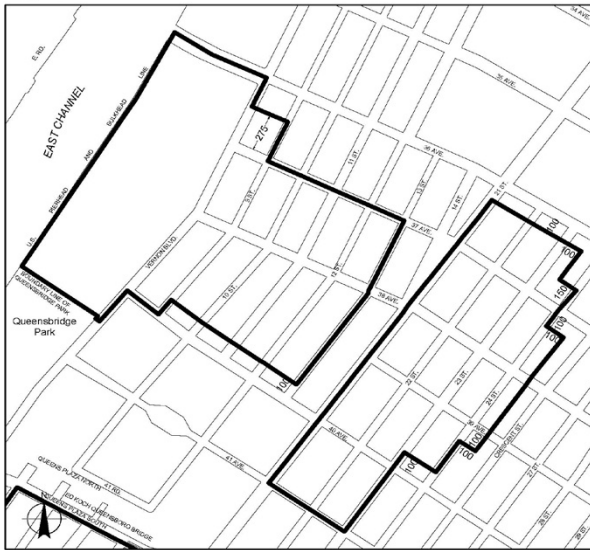
Portion of Community District 2, Queens

Woodside
Map 1



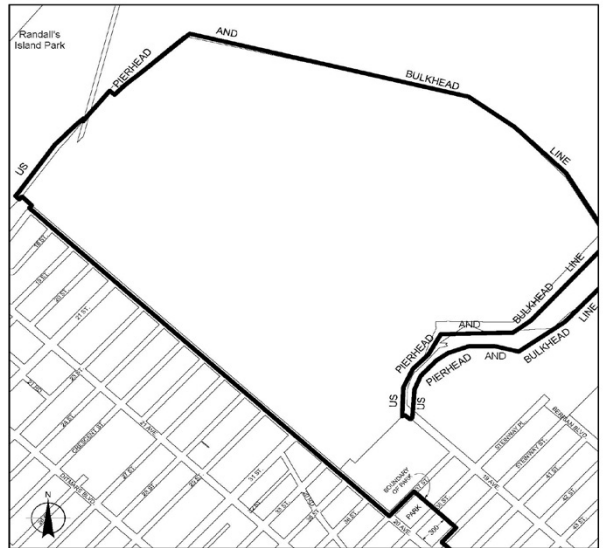
Portion of Community District 2, Queens

Long Island City
Map 3



Portion of Community District 1, Queens

Steinway
Map 1



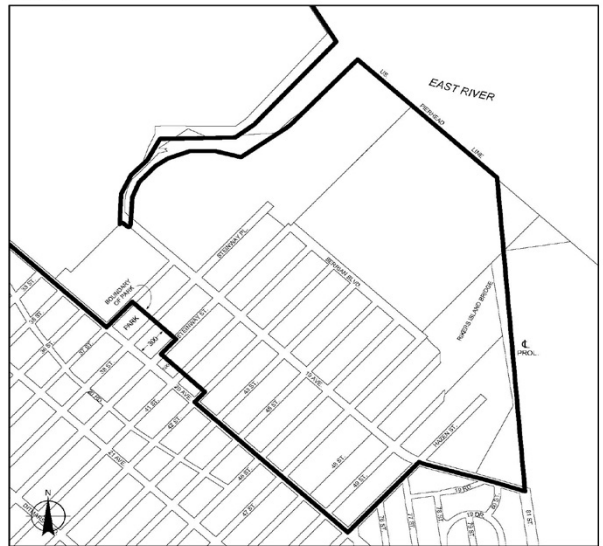
Portion of Community District 1, Queens

Long Island City
Map 4



Portion of Community District 1, Queens

Steinway
Map 2



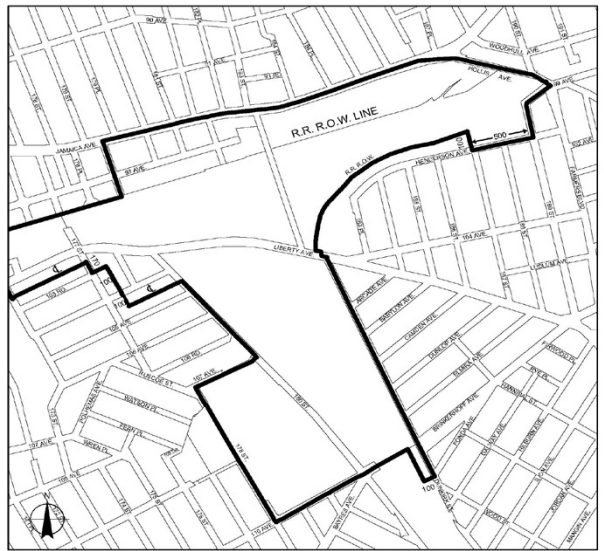
Portion of Community District 1, Queens

Jamaica
Map 1



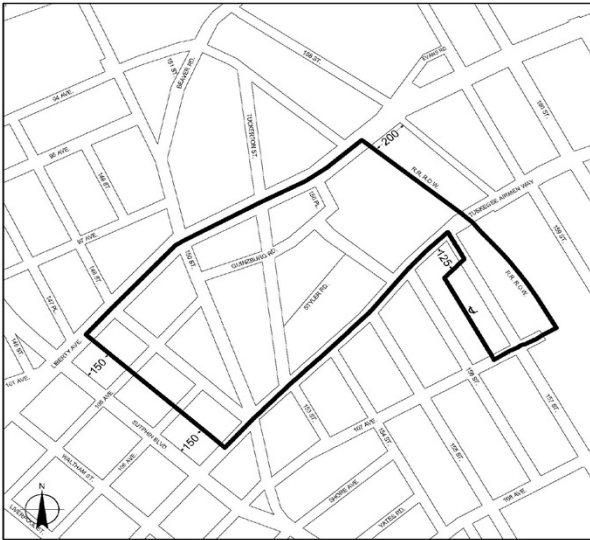
Portion of Community District 9, Queens

Jamaica
Map 4



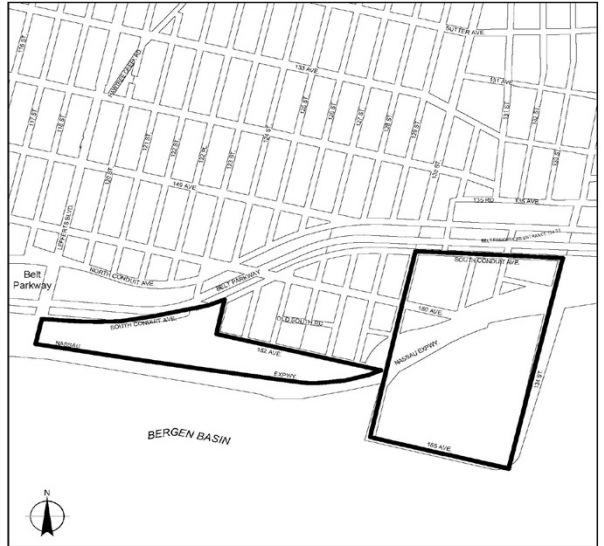
Portion of Community District 12, Queens

Jamaica
Map 2



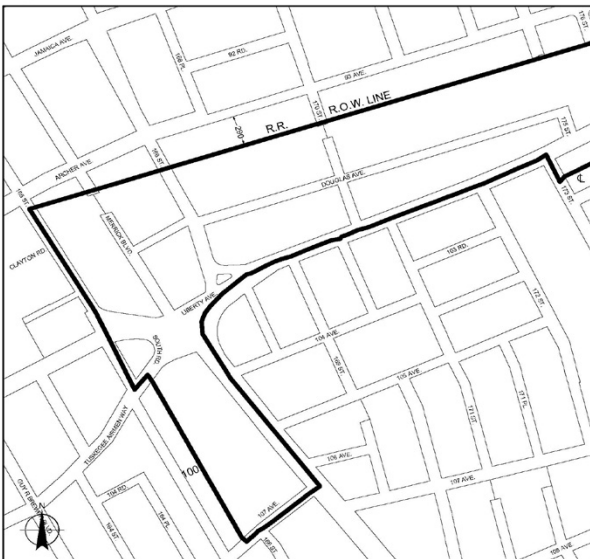
Portion of Community District 12, Queens

JFK
Map 1



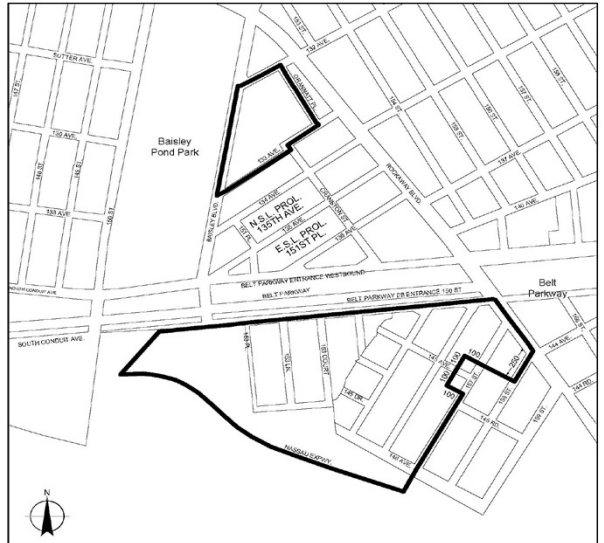
Portion of Community District 10, Queens

Jamaica
Map 3



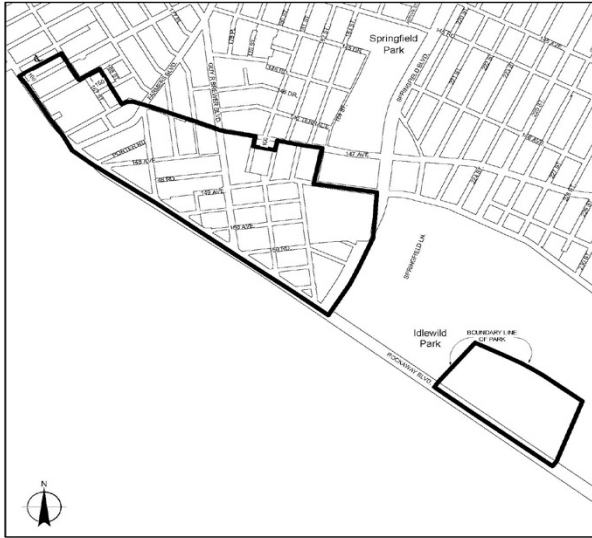
Portion of Community District 12, Queens

JFK
Map 2



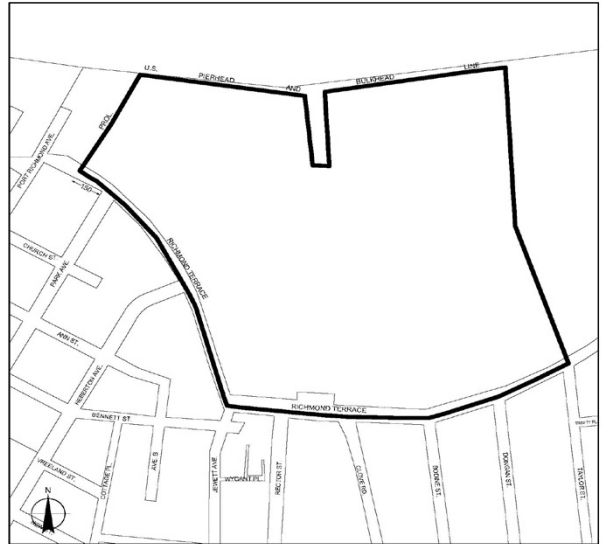
Portion of Community District 12, Queens

JFK
Map 3



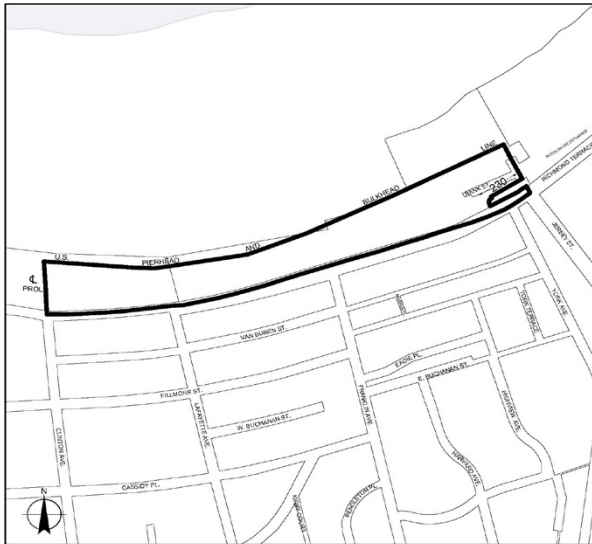
Portion of Community District 13, Queens

North Shore
Map 3



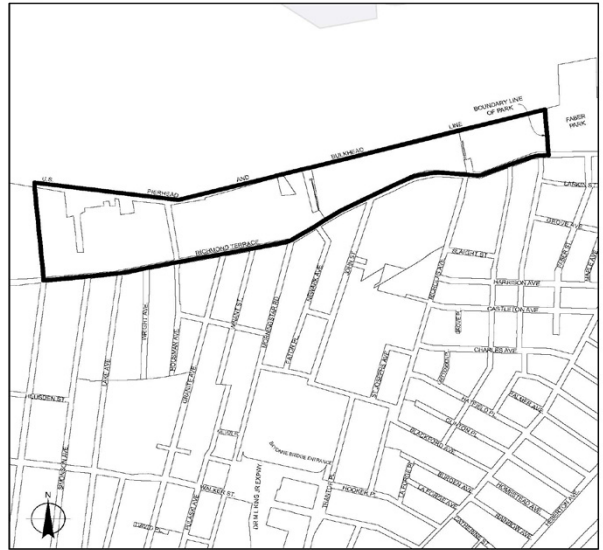
Portion of Community District 1, Staten Island

North Shore
Map 1



Portion of Community District 1, Staten Island

North Shore
Map 4



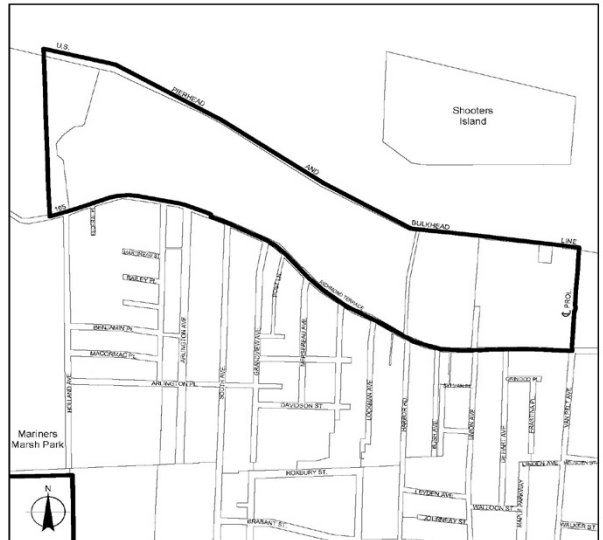
Portion of Community District 1, Staten Island

North Shore
Map 2



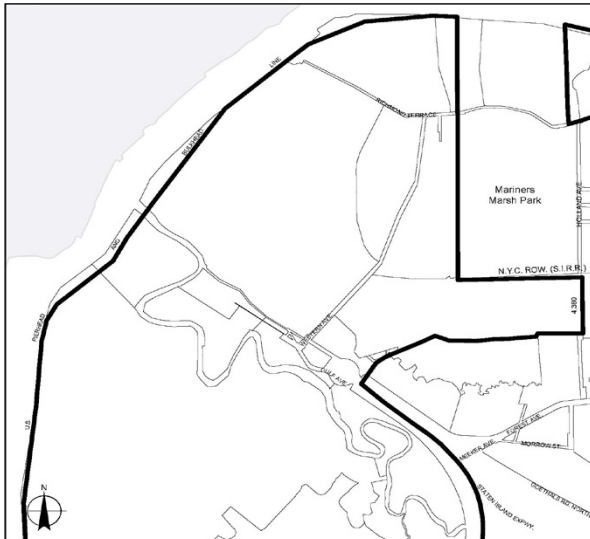
Portion of Community District 1, Staten Island

North Shore
Map 5



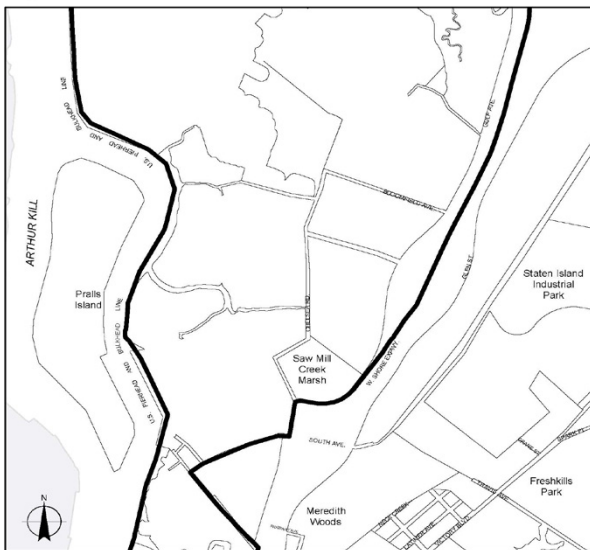
Portion of Community District 1, Staten Island

West Shore
Map 1



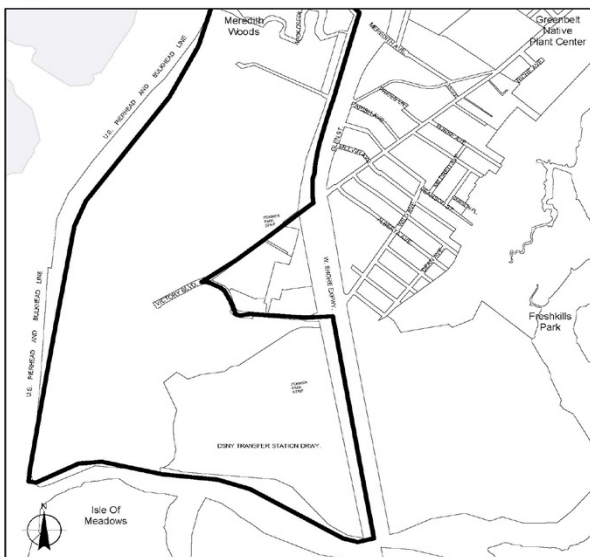
Portion of Community District 1, Staten Island

West Shore
Map 2



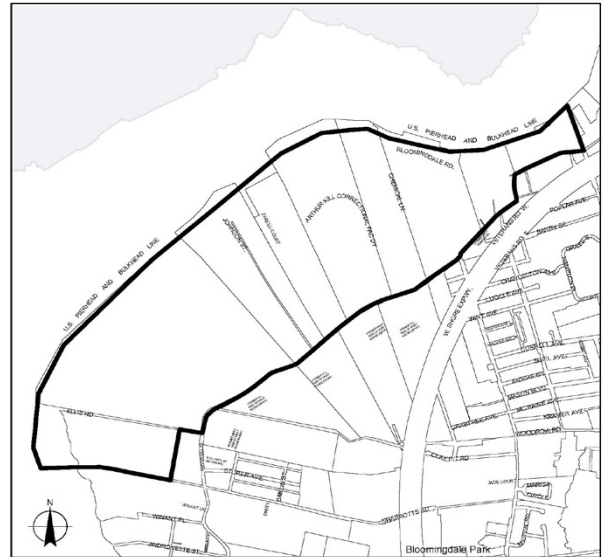
Portion of Community District 2, Staten Island

West Shore
Map 3



Portion of Community District 2, Staten Island

Rossville
Map 1



Portion of Community District 3, Staten Island

No. 2

N 170425(A) ZRY

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

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

**ARTICLE I
GENERAL PROVISIONS**

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
DEFINITIONS**

* * *

Industrial ground floor

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

* * *

Self-service storage facility

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

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

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

* * *

32-10 USES PERMITTED AS-OF-RIGHT

* * *

32-25 Use Group 16

C8

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

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

* * *

D. Heavy Service, Wholesale, or Storage Establishments

Carpet cleaning establishments [PRC-F]

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

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

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

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

Packing or crating establishments [PRC-G]

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

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

Warehouses [PRC-G]²

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

E. #Accessory Uses#

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

* * *

ARTICLE IV MANUFACTURING DISTRICT REGULATIONS

Chapter 2 Use Regulations

* * *

42-10 USES PERMITTED AS-OF-RIGHT

* * *

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

M1 M2 M3

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

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

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

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

In designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J additional regulations for #self-service storage facilities# as listed in Use Group 16D, are set forth in Section 42-121 (Use Group 16D self-service storage facilities).

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

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

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

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

* * *

42-30 USES PERMITTED BY SPECIAL PERMIT

* * *

42-32 By the City Planning Commission

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

* * *

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

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

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

* * *

Chapter 3 Bulk Regulations

* * *

43-10 FLOOR AREA REGULATIONS

* * *

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

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

* * *

Chapter 4 Accessory Off-street Parking and Loading Regulations

* * *

44-20 REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY

FACILITY USES

* * *

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

* * *

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

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

* * *

44-50 GENERAL PURPOSES

* * *

44-58 Additional Regulations for Permitted or Required Berths

* * *

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

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

#Floor Area# (in square feet) Required Berths

Table with 2 columns: Floor Area, Required Berths. Rows include First 15,000 (None), Next 25,000 (1), Next 40,000 (1), Each additional 80,000 or fraction thereof (1).

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

* * *

ARTICLE VII ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

* * *

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

* * *

74-93 Special Commercial and Manufacturing Developments

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

* * *

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

On #zoning lots# in designated areas within #Manufacturing Districts# as shown on the maps in APPENDIX J (Designated Areas Within Manufacturing Districts) of this Resolution, the City Planning Commission may permit, for a #self-service storage facility#, a modification, or waiver of the #industrial ground floor#, as required in Section 42-121 (Use Group 16D self-service storage facilities), provided the Commission finds that:

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

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

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

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

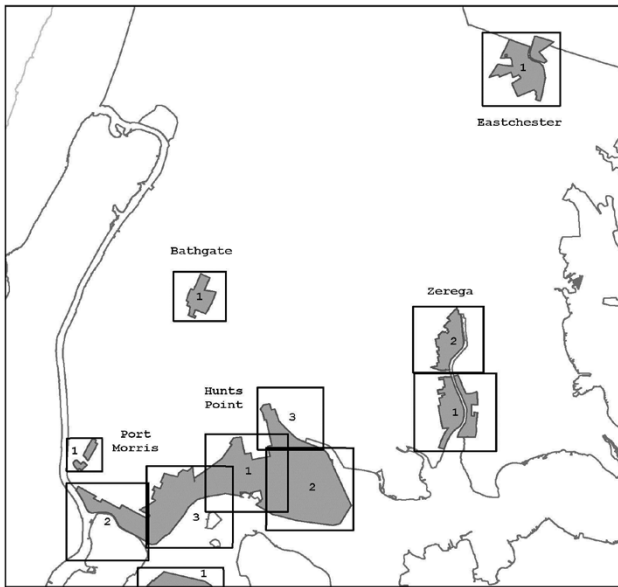
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APPENDIX J - Designated Areas Within Manufacturing Districts

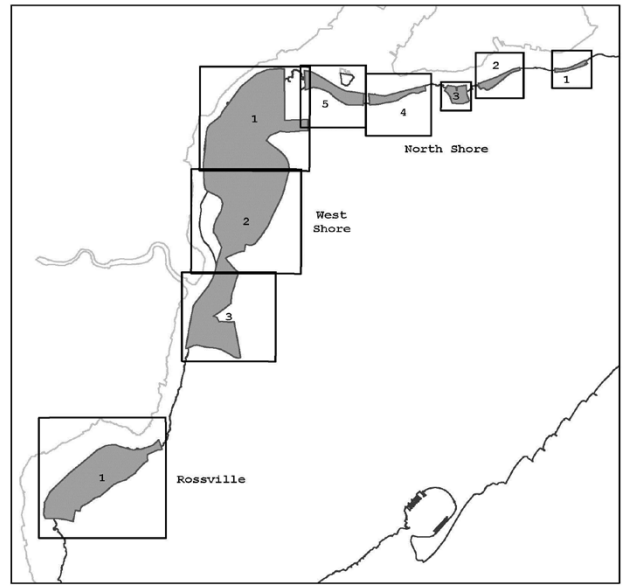
The boundaries of certain designated areas within #Manufacturing Districts# are shown on the maps in this APPENDIX, and include areas in the following Community Districts:

Table with 4 columns: Borough, Community Districts, Name of Designated Area in M District, Map No. Lists various areas like Port Morris, Hunts Point, Zerega, Bathgate, Eastchester, Brooklyn Navy Yard, Southwest Brooklyn, Flatlands/Fairfield, East New York, Ridgewood, Williamsburg/Greenpoint, North Brooklyn/Long Island City/Maspeth, Maspeth/North Brooklyn, Long Island City, Woodside, Steinway, Jamaica, JFK, North Shore, West Shore, Rossville.

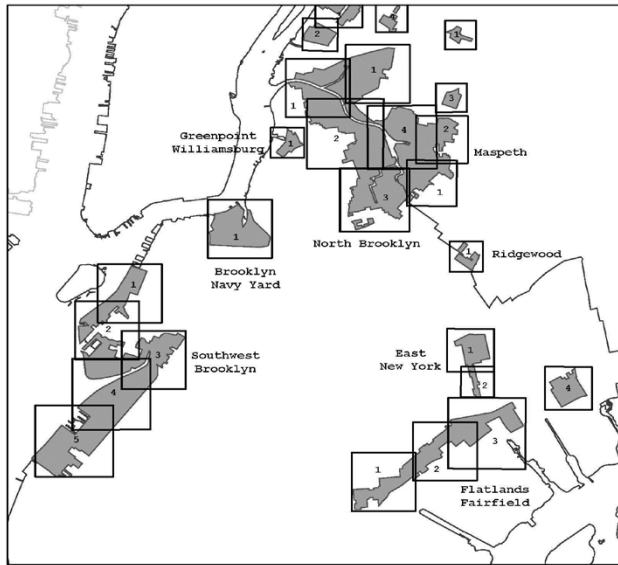
The Bronx



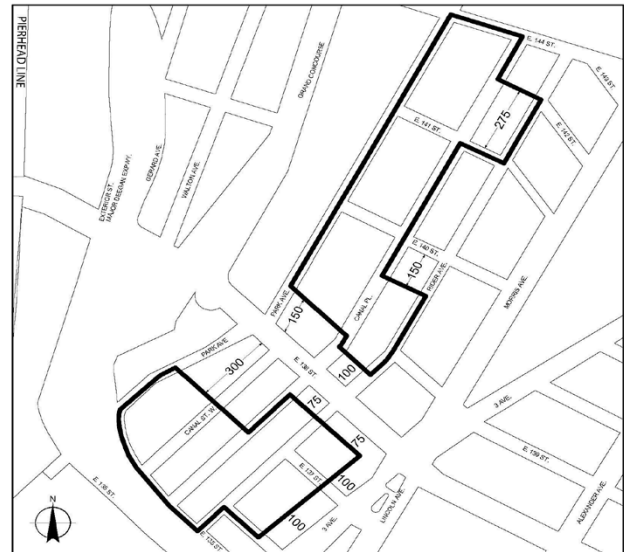
Staten Island



Brooklyn

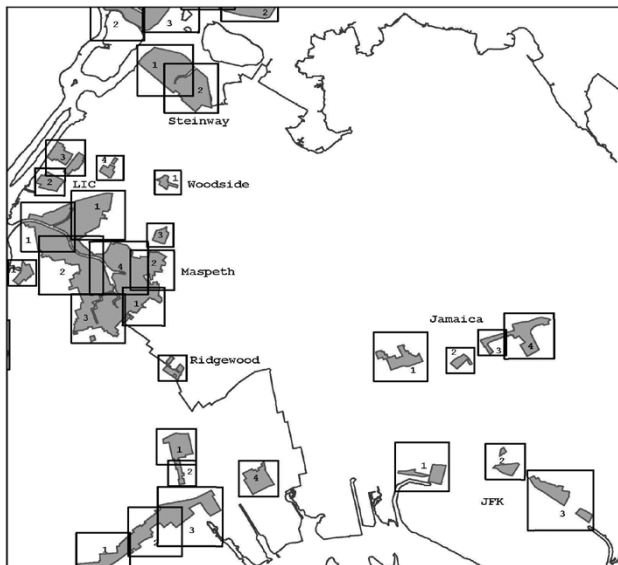


Port Morris
Map 1

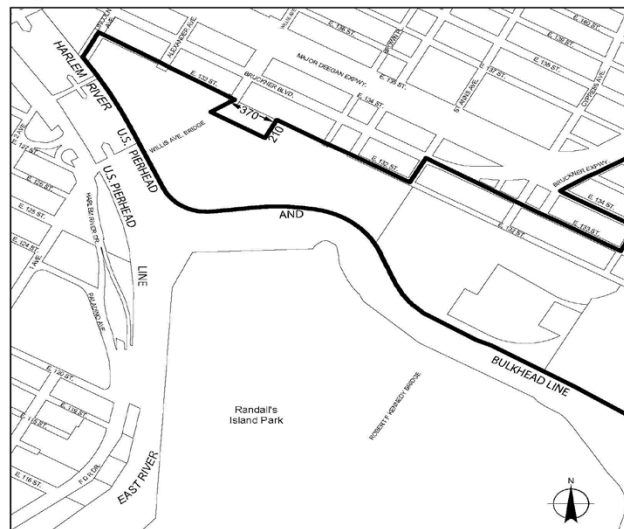


Portion of Community District 1, Bronx

Queens



Port Morris
Map 2



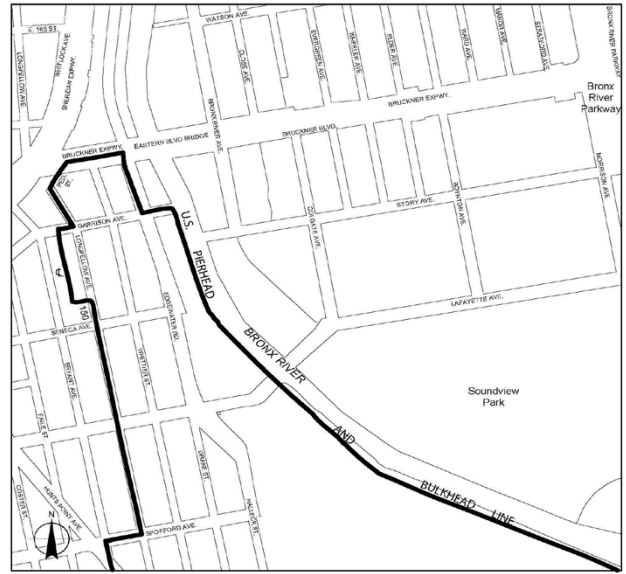
Portion of Community District 1, Bronx

Port Morris/Hunts Point
Map 3

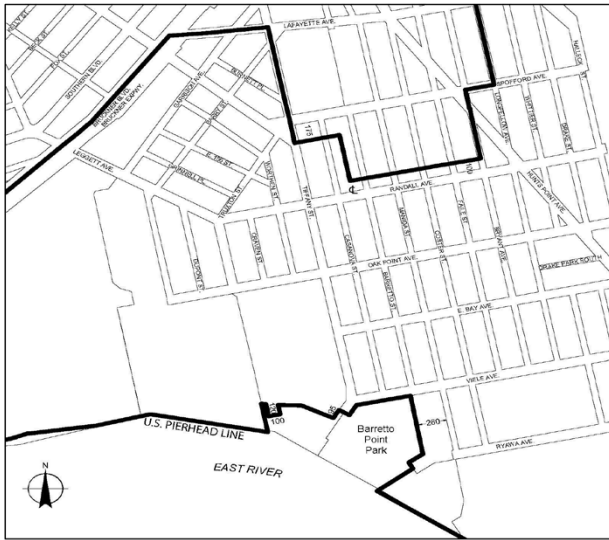


Portions of Community Districts 1 and 2, Bronx

Hunts Point
Map 3

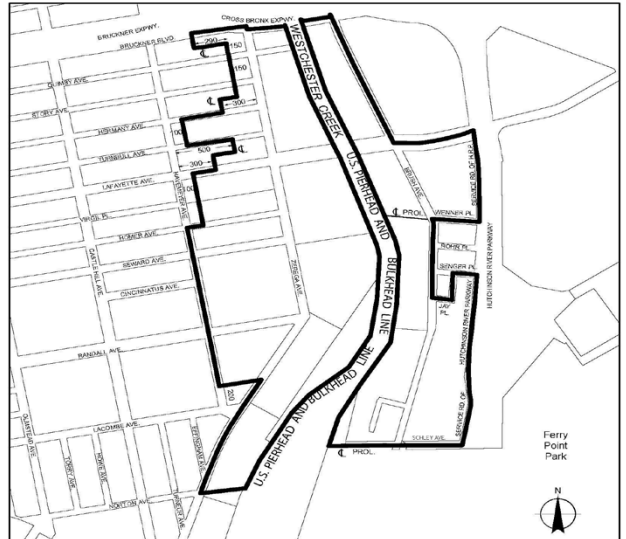


Hunts Point
Map 1



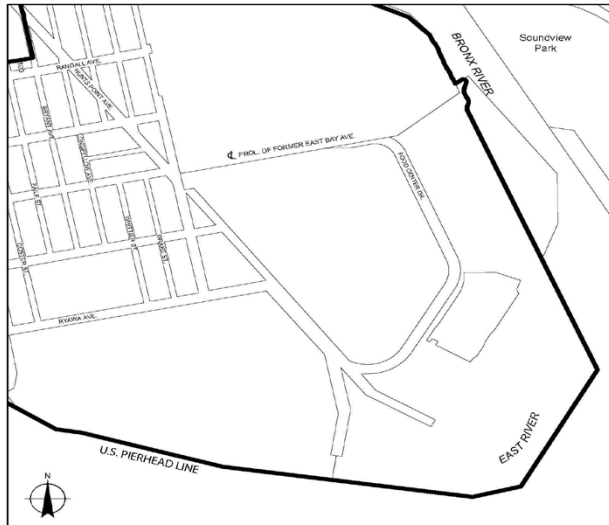
Portion of Community District 2, Bronx

Zerega
Map 1



Portion of Community District 9, Bronx

Hunts Point
Map 2



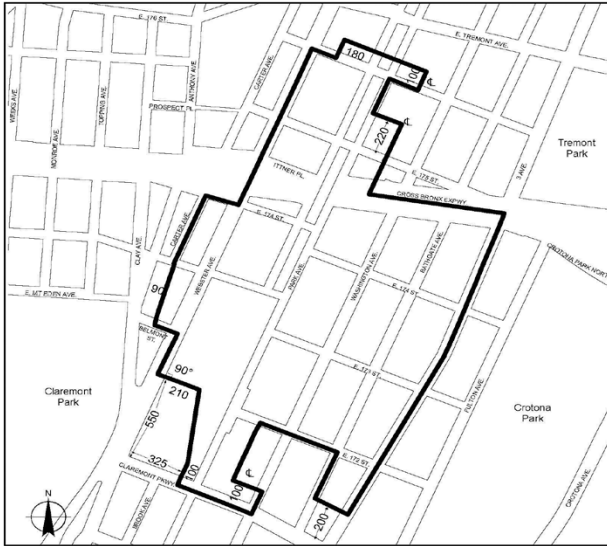
Portion of Community District 2, Bronx

Zerega
Map 2



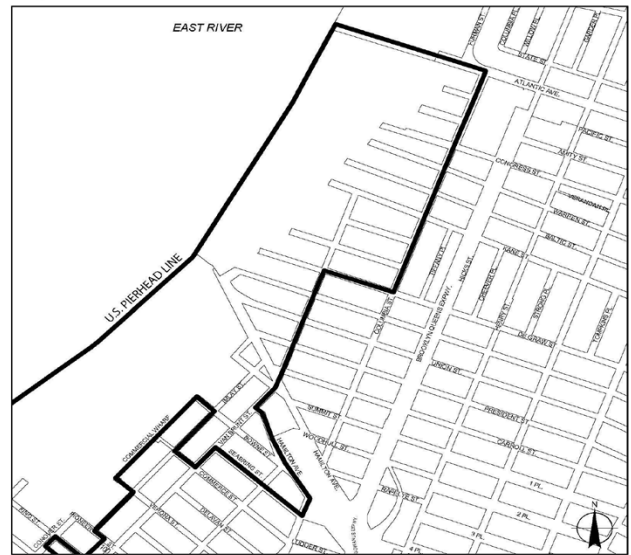
Portions of Community Districts 9 and 10, Bronx

Bathgate
Map 1



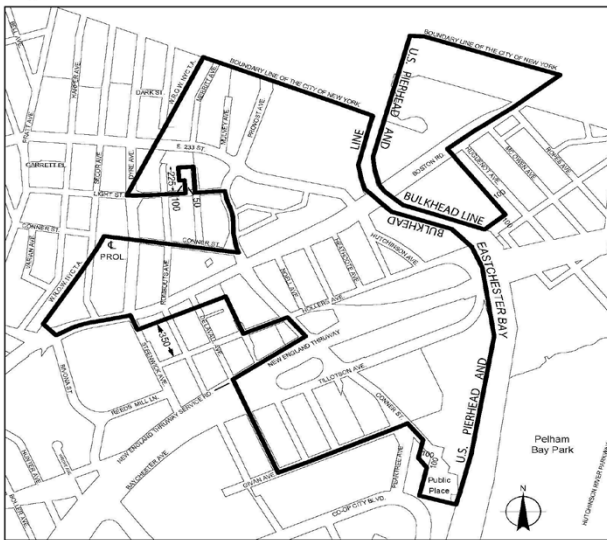
Portion of Community Districts 3, 4, and 6, Bronx

Southwest Brooklyn
Map 1



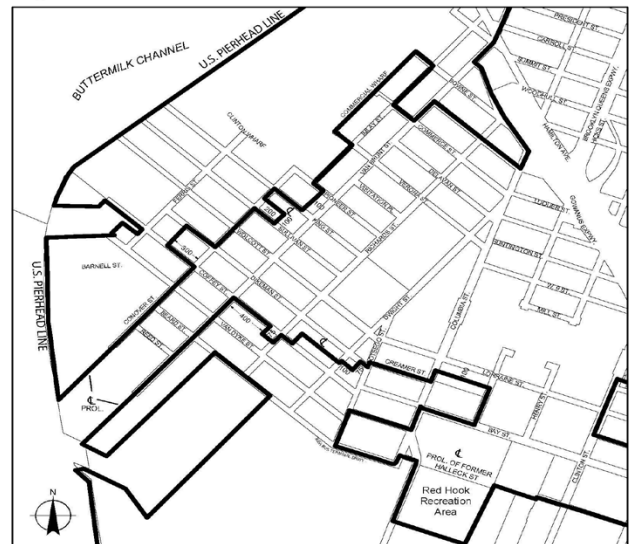
Portion of Community District 6, Brooklyn

Eastchester
Map 1



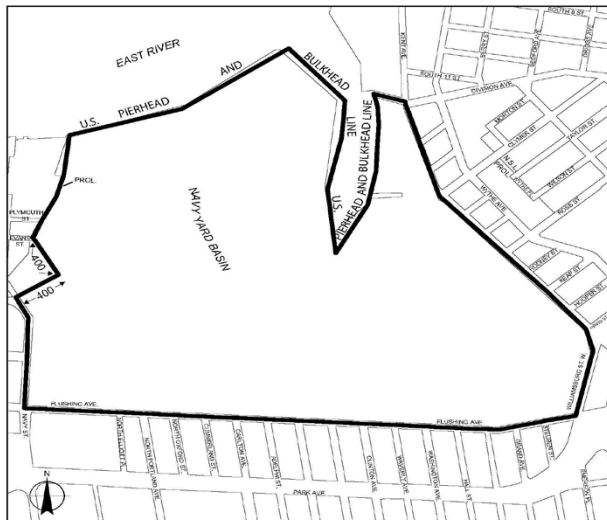
Portions of Community Districts 10 and 12, Bronx

Southwest Brooklyn
Map 2



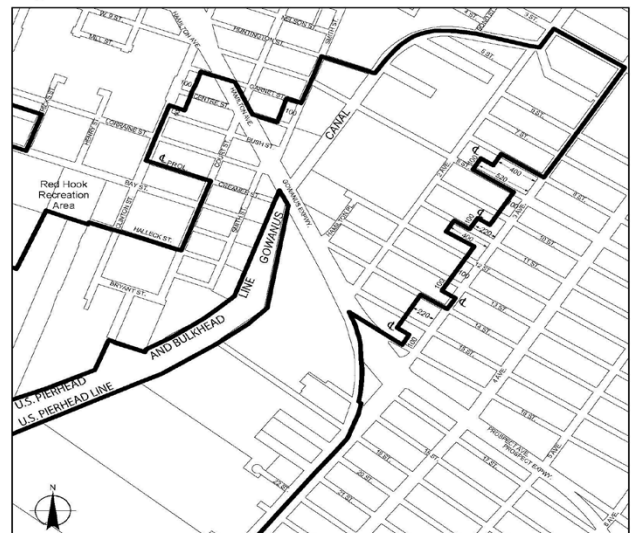
Portion of Community District 6, Brooklyn

Brooklyn Navy Yard
Map 1



Portion of Community District 2, Brooklyn

Southwest Brooklyn
Map 3



Portions of Community Districts 6 and 7, Brooklyn

Southwest Brooklyn

Map 4



Portions of Community Districts 6 and 7, Brooklyn

Flatlands/Fairfield

Map 2



Portions of Community Districts 17 and 18, Brooklyn

Southwest Brooklyn

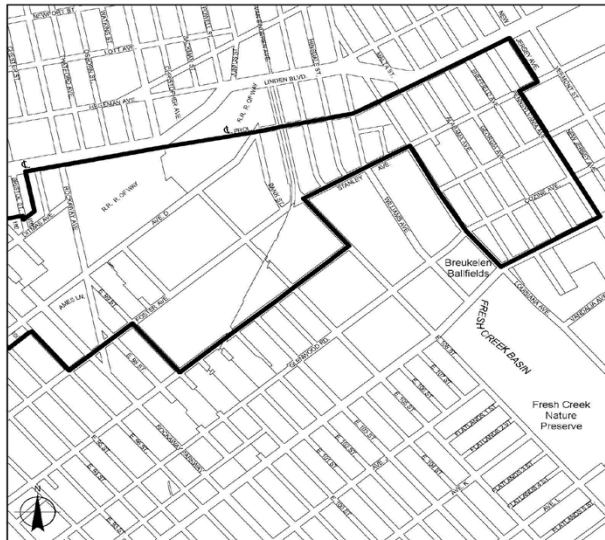
Map 5



Portion of Community District 7, Brooklyn

Flatlands/Fairfield

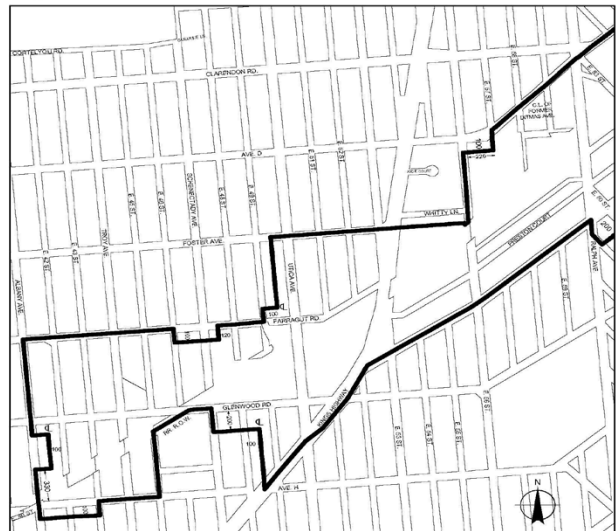
Map 3



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

Flatlands/Fairfield

Map 1



Portions of Community Districts 17 and 18, Brooklyn

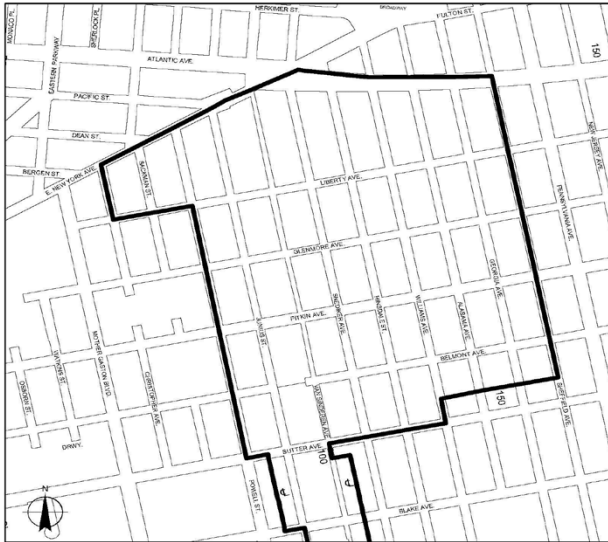
Flatlands/Fairfield

Map 4



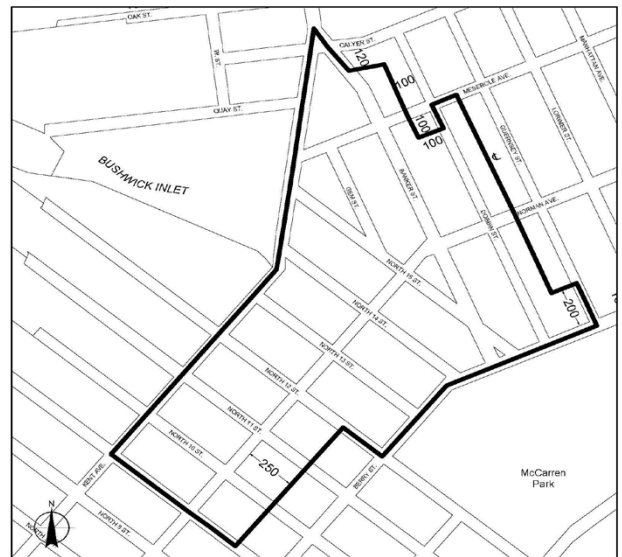
Portion of Community District 5, Brooklyn

East New York
Map 1



Portion of Community District 5, Brooklyn

Williamsburg/Greenpoint
Map 1



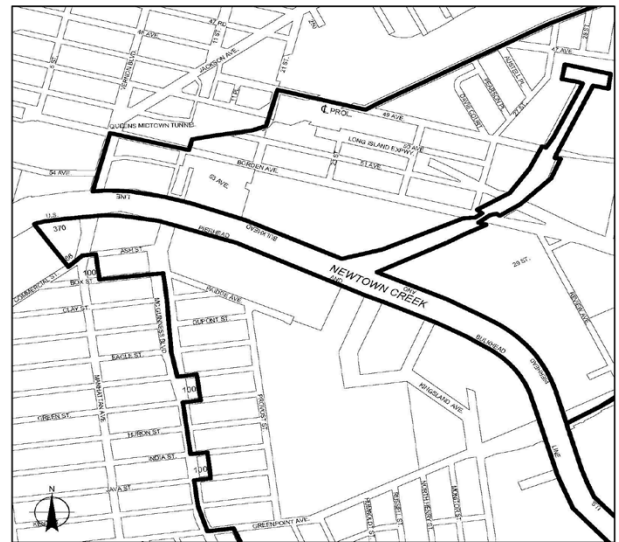
Portion of Community District 1, Brooklyn

East New York
Map 2



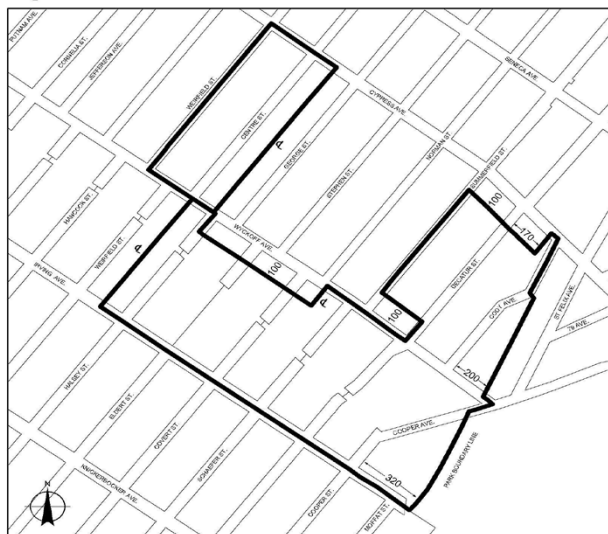
Portions of Community Districts 5 and 16, Brooklyn

North Brooklyn/Long Island City
Map 1



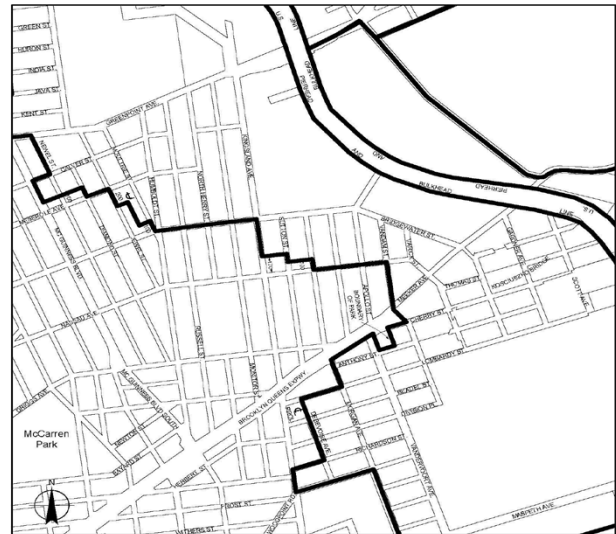
Portions of Community District 1, Brooklyn and Community District 2, Queens

Ridgewood
Map 1



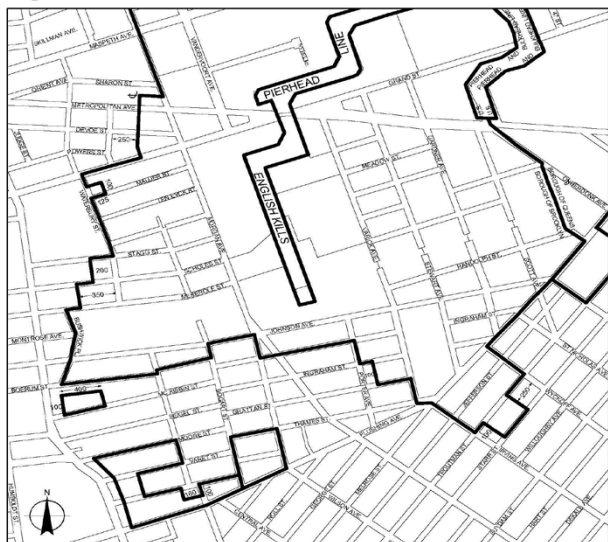
Portions of Community District 4, Brooklyn and Community District 5, Queens

North Brooklyn/Maspeth
Map 2



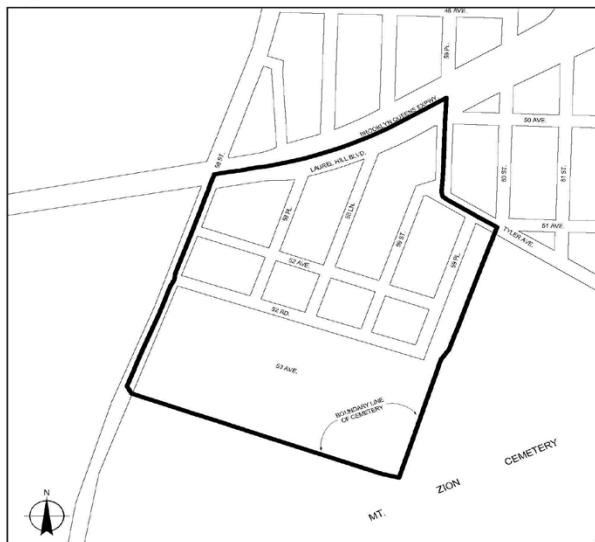
Portions of Community District 1, Brooklyn and Community District 2, Queens

North Brooklyn
Map 3



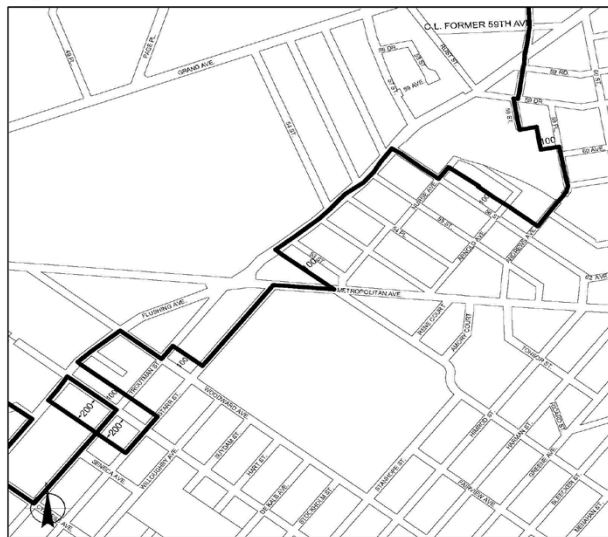
Portions of Community District 1, Brooklyn and Community District 4, Queens

Maspeth
Map 3



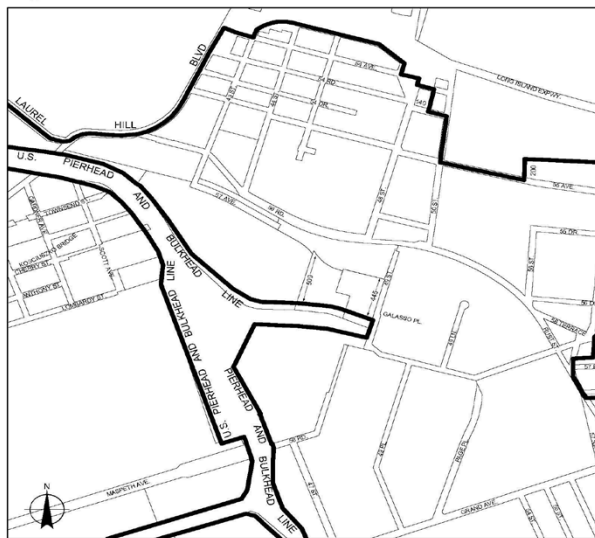
Portion of Community District 2, Queens

Maspeth
Map 1



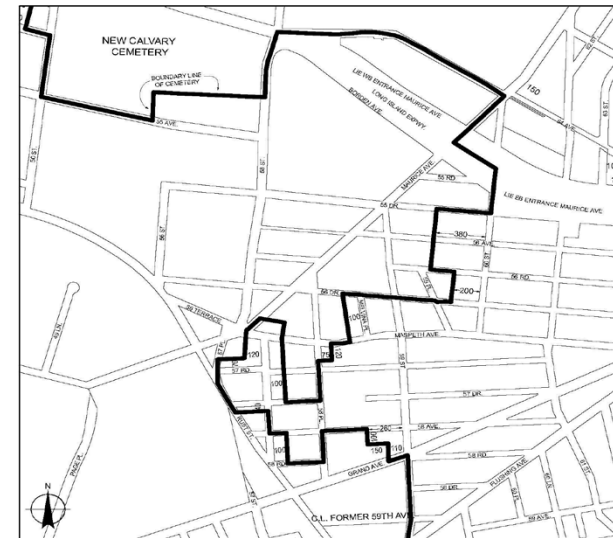
Portion of Community District 5, Queens

Maspeth/North Brooklyn
Map 4



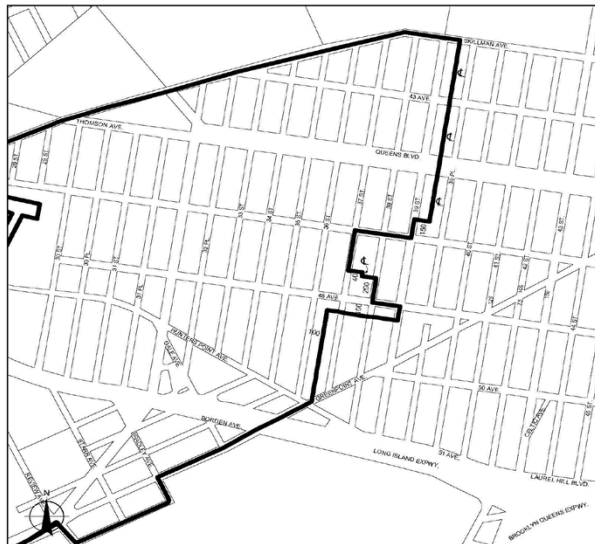
Portions of Community Districts 2 and 5, Queens and Community District 1, Brooklyn

Maspeth
Map 2



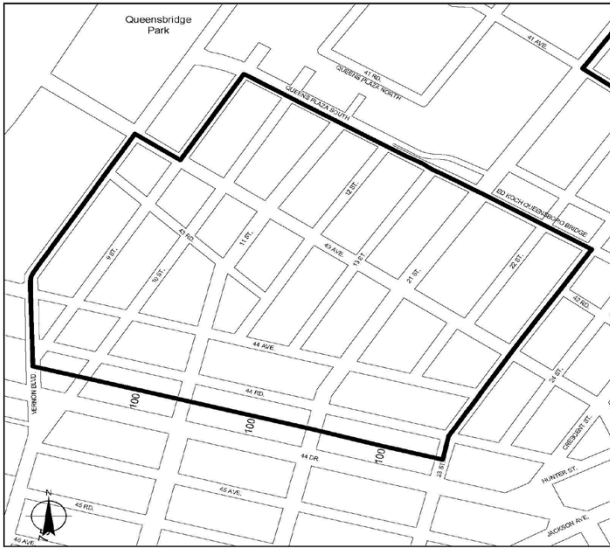
Portions of Community Districts 2 and 5, Queens

Long Island City
Map 1



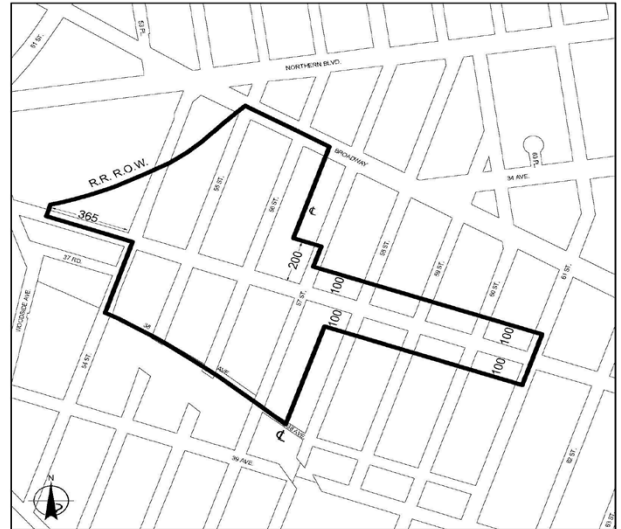
Portion of Community District 2, Queens

Long Island City
Map 2



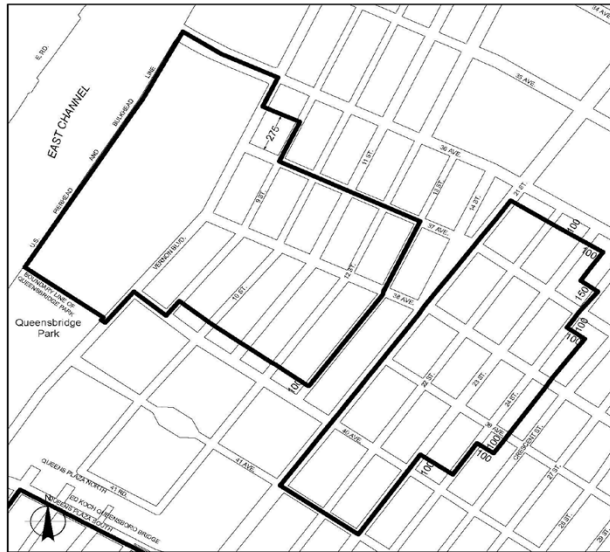
Portion of Community District 2, Queens

Woodside
Map 1



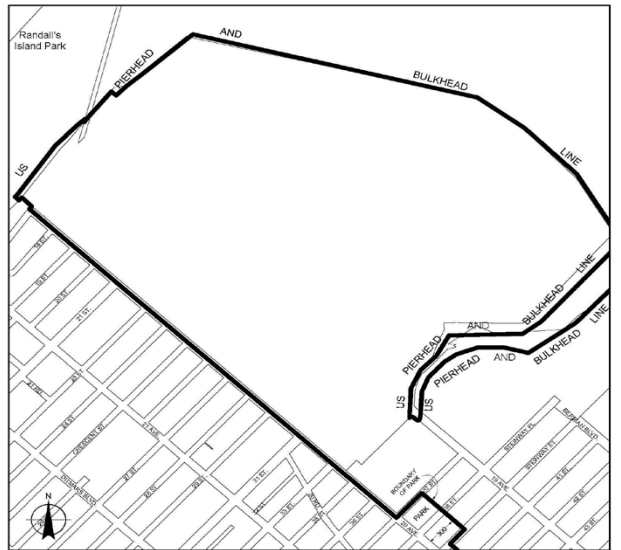
Portion of Community District 2, Queens

Long Island City
Map 3



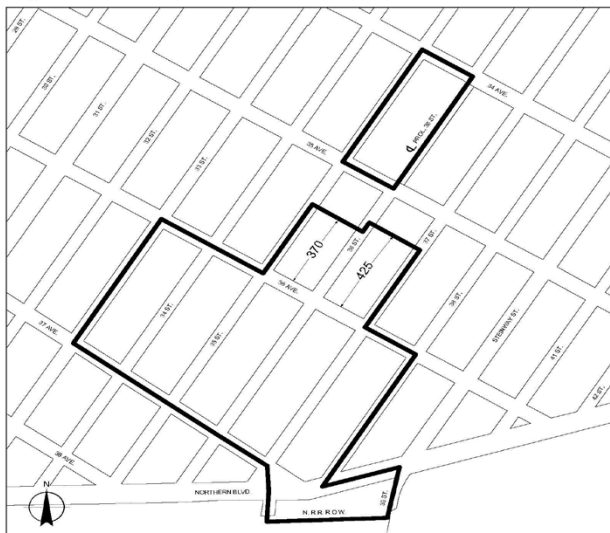
Portion of Community District 1, Queens

Steinway
Map 1



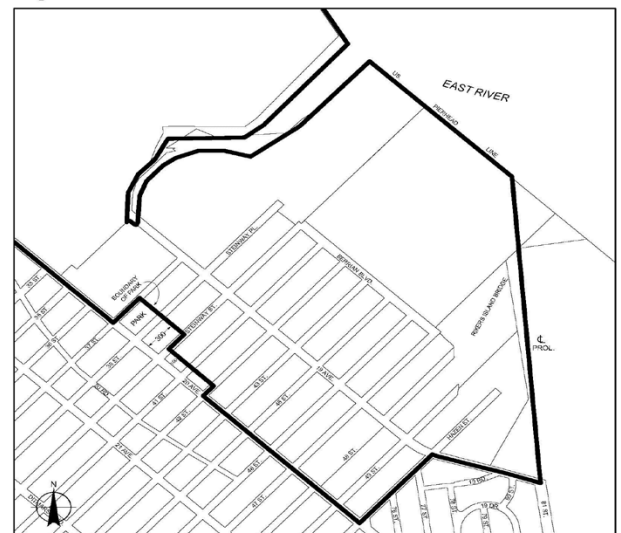
Portion of Community District 1, Queens

Long Island City
Map 4



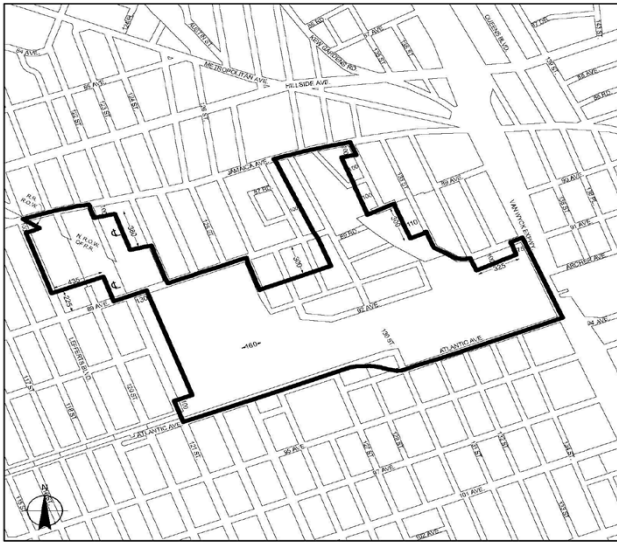
Portion of Community District 1, Queens

Steinway
Map 2



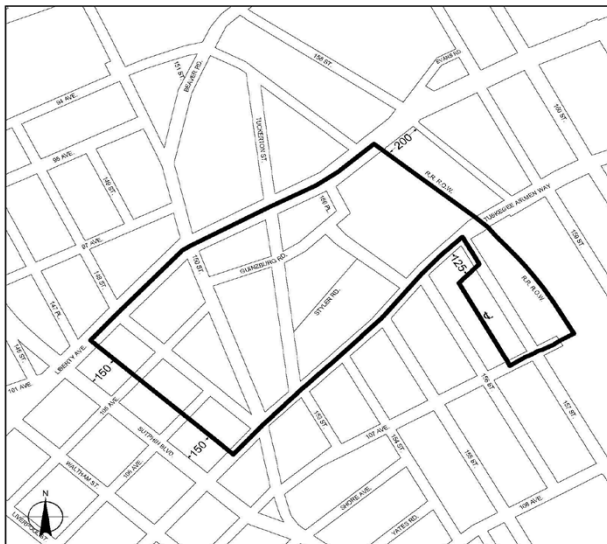
Portion of Community District 1, Queens

Jamaica
Map 1



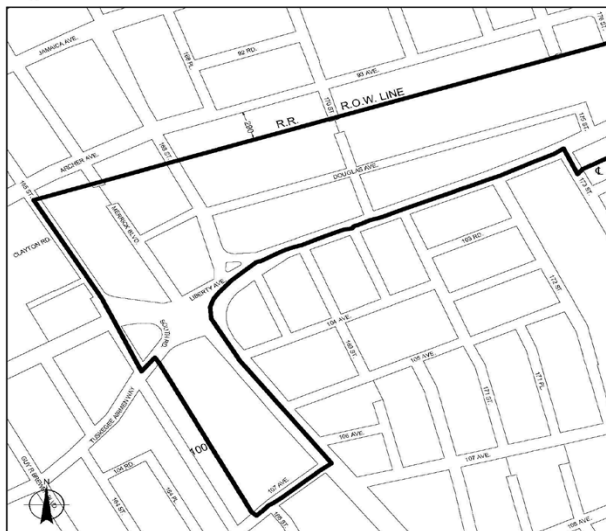
Portion of Community District 9, Queens

Jamaica
Map 2



Portion of Community District 12, Queens

Jamaica
Map 3



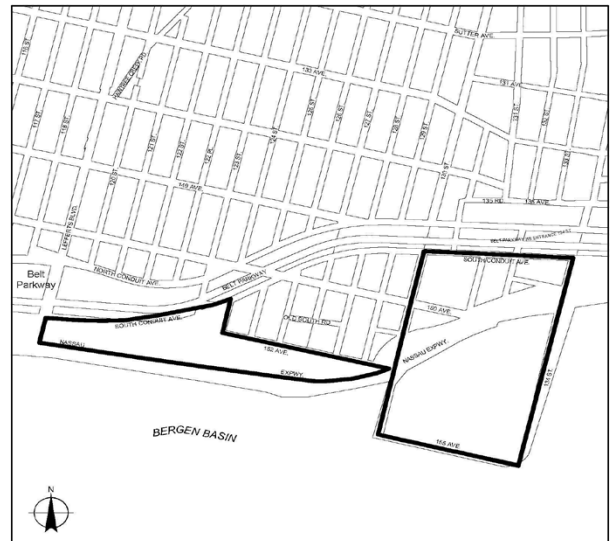
Portion of Community District 12, Queens

Jamaica
Map 4



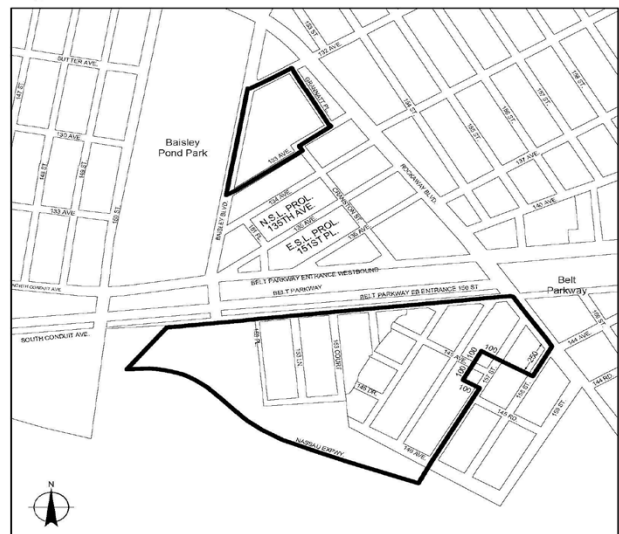
Portion of Community District 12, Queens

JFK
Map 1



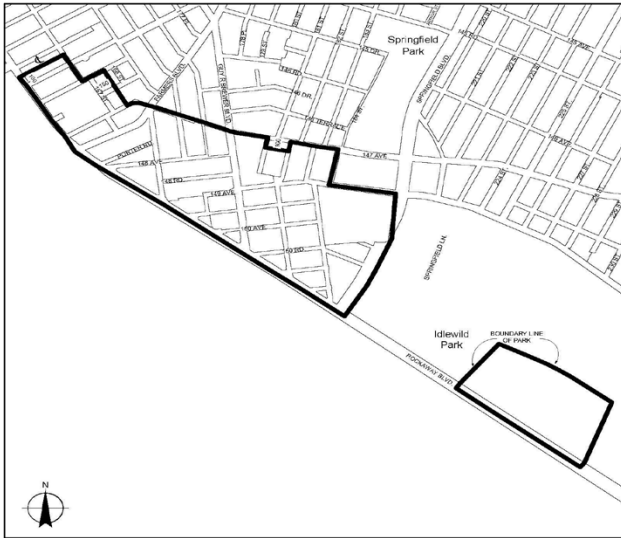
Portion of Community District 10, Queens

JFK
Map 2



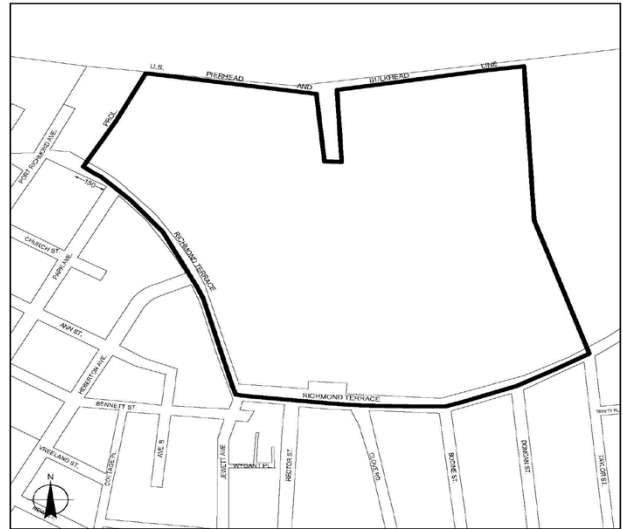
Portion of Community District 12, Queens

JFK
Map 3



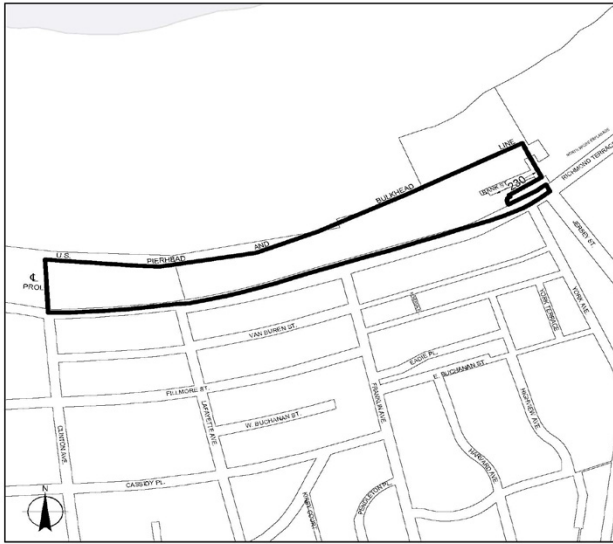
Portion of Community District 13, Queens

North Shore
Map 3



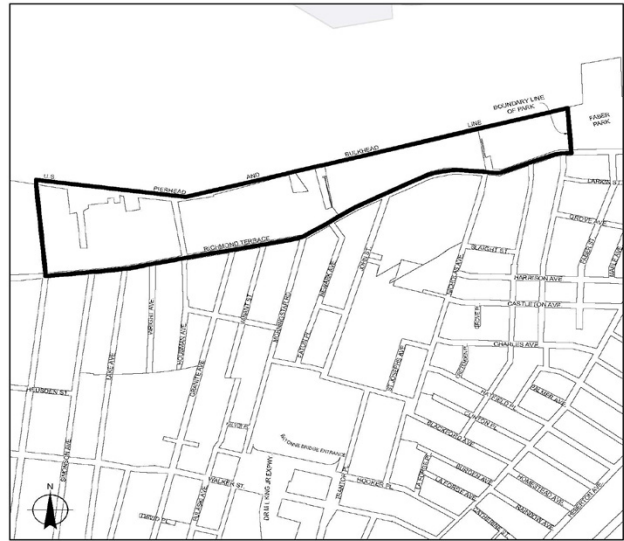
Portion of Community District 1, Staten Island

North Shore
Map 1



Portion of Community District 1, Staten Island

North Shore
Map 4



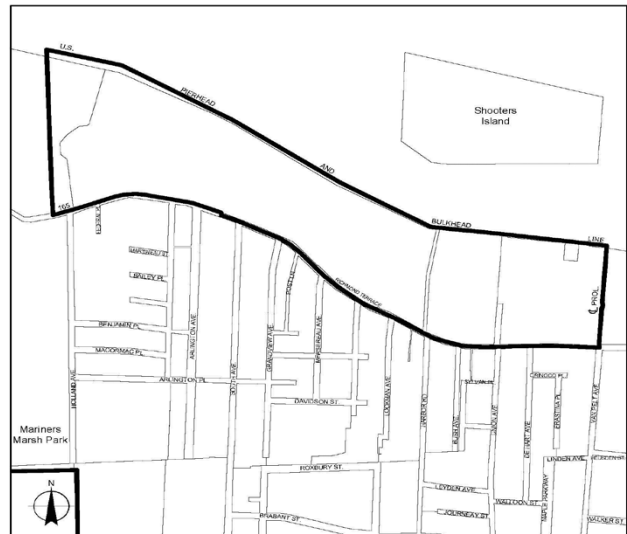
Portion of Community District 1, Staten Island

North Shore
Map 2



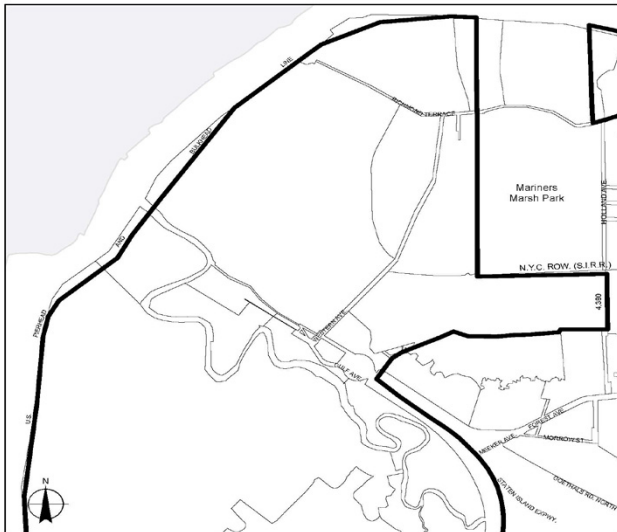
Portion of Community District 1, Staten Island

North Shore
Map 5



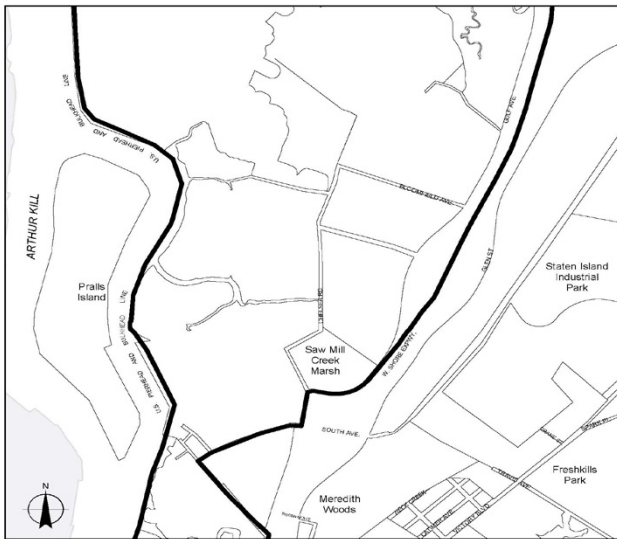
Portion of Community District 1, Staten Island

West Shore
Map 1



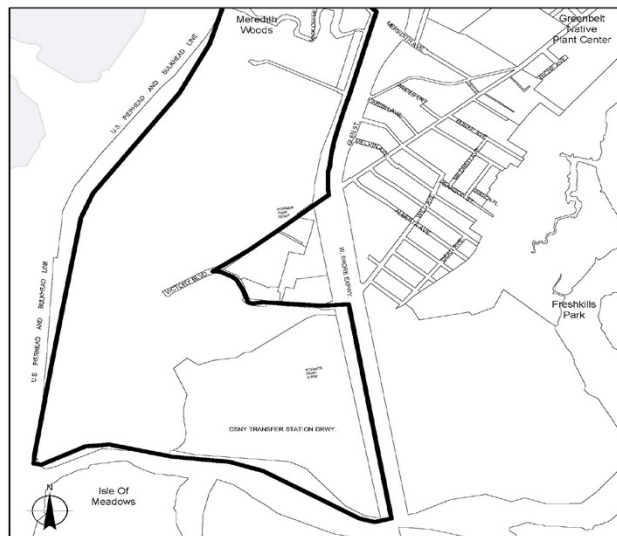
Portion of Community District 1, Staten Island

West Shore
Map 2



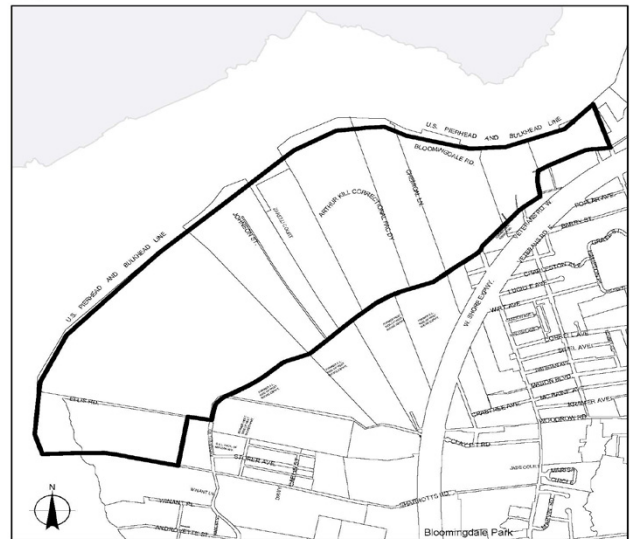
Portion of Community District 2, Staten Island

West Shore
Map 3



Portion of Community District 2, Staten Island

Rossville
Map 1



Portion of Community District 3, Staten Island

NOTICE

On Wednesday, August 23, 2017, in the Manhattan Municipal Building, Mezzanine level, 1 Centre Street, New York, NY 10007 (access through the North Entrance), a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of City Planning (DCP). DCP proposes a zoning text amendment to establish restrictions on new self-storage facilities within Industrial Business Zones to ensure that their development does not unduly limit future siting opportunities for industrial uses. The proposed restrictions would apply within newly established "Designated Areas" in Manufacturing districts, which largely coincide with Industrial Business Zones (IBZs).

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

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

**BOROUGH OF BROOKLYN
No. 3**

WARREN STREET CENTER FOR CHILDREN

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

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

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

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

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

No. 5

CD 16 **N 170455 ZRK**
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development, pursuant to

Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

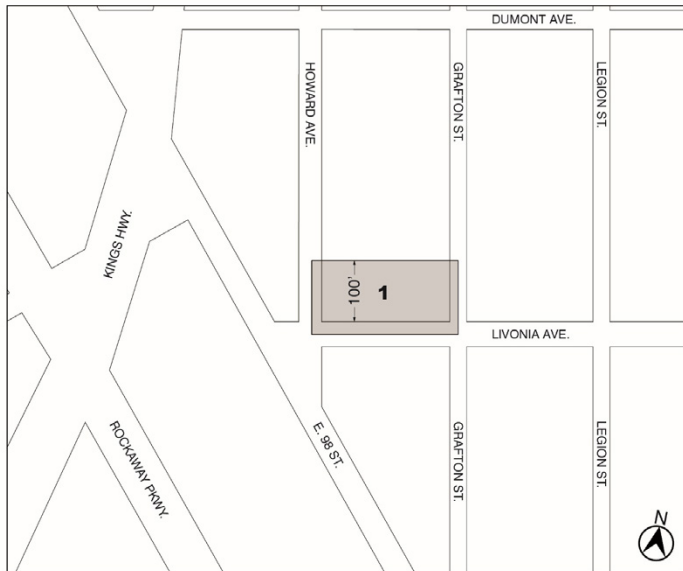
APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

BROOKLYN

Brooklyn Community District 16

In the R7-2 District within the area shown on the following Map 3:
Map 3 - (date of adoption)

[PROPOSED MAP]



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

Area 1 (date of adoption) - MIH Program Option 1 and Option 2
Portion of Community District 16, Brooklyn

No. 6

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

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

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

No. 7

CD 16 C 170457 ZSK
IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum floor area ratio for certain community facility uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations in connect with a proposed eight-story building on property located at 3 Livonia Avenue (Block 3566, Lot 6), in an R7-2/C2-3* District.

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

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

Nos. 8 & 9

TILLARY AND PRINCE STREET REZONING

No. 8

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

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

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

No. 9

CD 2 N 170401 ZRK
IN THE MATTER OF an application submitted by YYY Brooklyn NY, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections.

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

ARTICLE X

SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Downtown Brooklyn District

101-20

SPECIAL BULK REGULATIONS

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

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

APPENDIX E

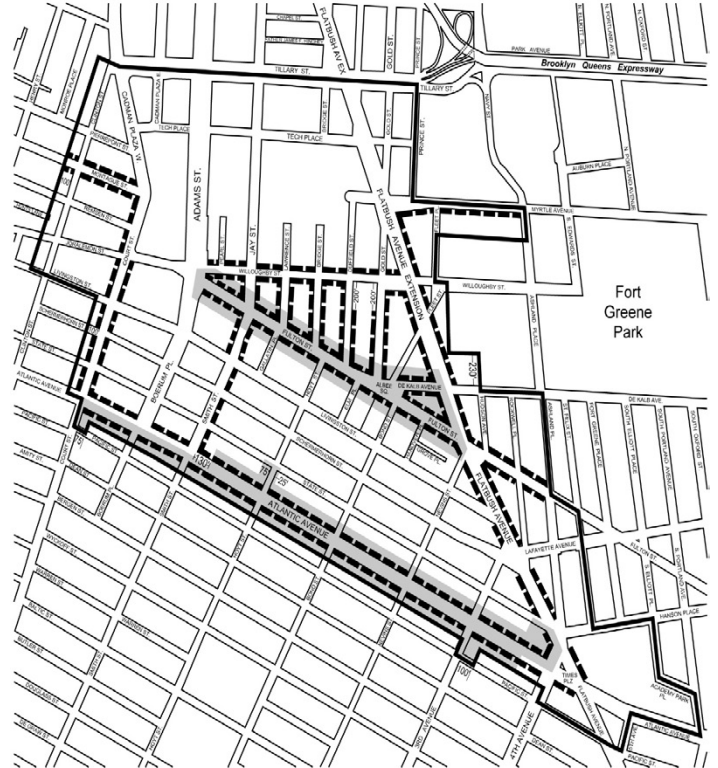
Special Downtown Brooklyn District Maps
Map 1. Special Downtown Brooklyn District and Subdistricts

[EXISTING MAP]



- Special Downtown Brooklyn District
- AA Atlantic Avenue Subdistrict
- FM Fulton Mall Subdistrict

[EXISTING MAP]



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

[PROPOSED MAP]

Appendix E
Special Downtown Brooklyn District Maps

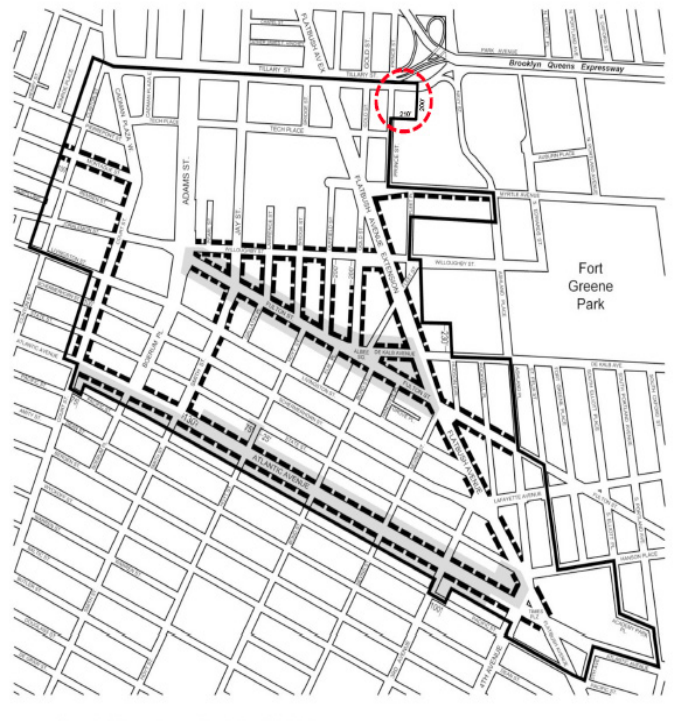
Map 1 Special Downtown Brooklyn District and Subdistricts



- Special Downtown Brooklyn District
- AA Atlantic Avenue Subdistrict
- FM Fulton Mall Subdistrict

Map 2. Ground Floor Retail Frontage

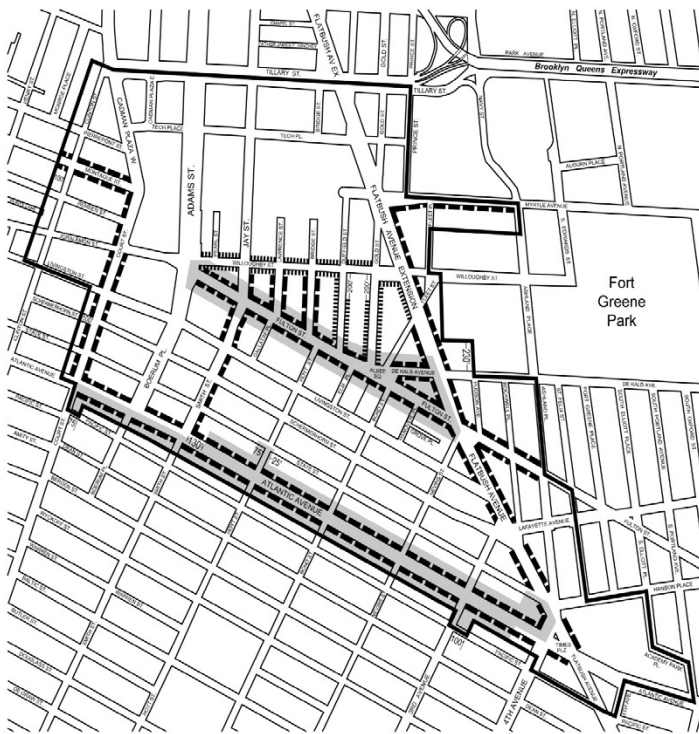
[PROPOSED MAP]



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

Map 3. Ground Floor Transparency Requirements

[EXISTING MAP]



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

[PROPOSED MAP]



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

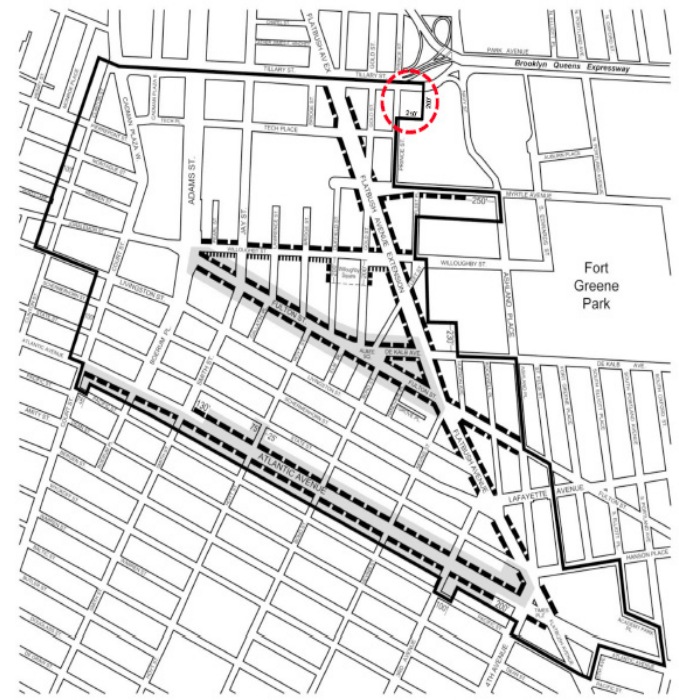
Map 4. Street Wall Continuity and Mandatory Sidewalk Widenings

[EXISTING MAP]



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

[PROPOSED MAP]



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

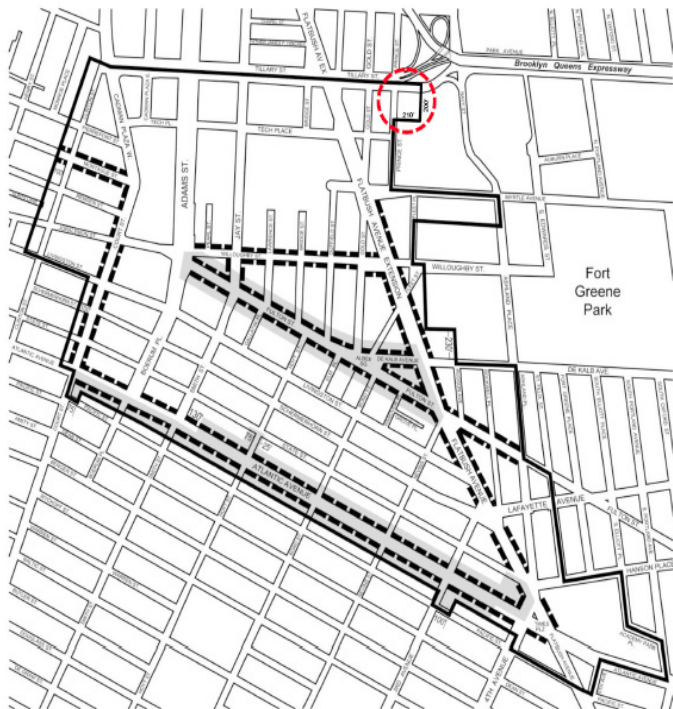
Map 5. Curb Cut Restrictions

[EXISTING MAP]



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

[PROPOSED MAP]



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

Map 6. Height Limitation Area

[EXISTING MAP]



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

[PROPOSED MAP]



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

Map 7. Subway Station Improvement Areas

[EXISTING MAP]



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

[PROPOSED MAP]



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

* * *

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

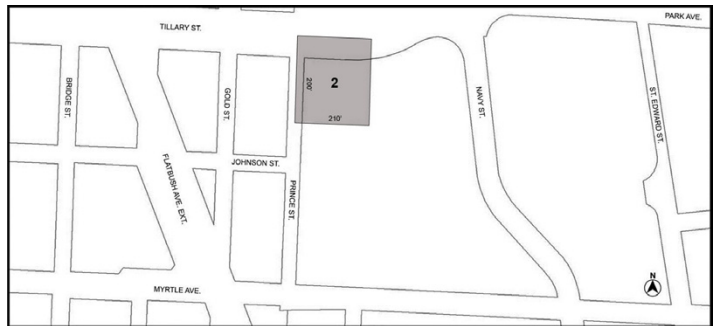
Brooklyn Community District 2

* * *

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

Map 5 – [date of adoption]

[PROPOSED MAP]



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

Area 2 [date of adoption] - MIH Program Option 1
Portion of Community District 2, Brooklyn

* * *

**Nos. 10 & 11
LINDEN BOULEVARD REZONING
No. 10**

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

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

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

No. 11

CD 5 **N 170431 ZRK**
IN THE MATTER OF an application submitted by Canyon Sterling Emerald LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

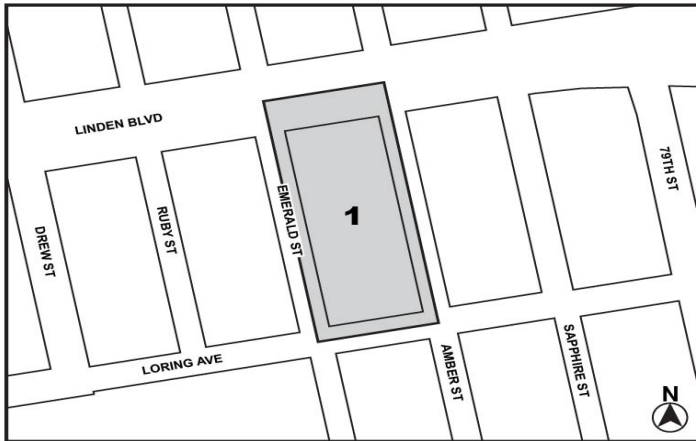
BROOKLYN

Brooklyn Community District 5

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

Map 2 - [date of adoption]

[PROPOSED MAP]



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

BOROUGH OF QUEENS

No. 12

NYPD PROPERTY CLERK WAREHOUSE CONSOLIDATION CD. 5 C 170394 PCQ

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

BOROUGH OF MANHATTAN

No. 13

661 8TH AVENUE SIGNAGE TEXT AMENDMENT

CD 4 N 170433 ZRM

IN THE MATTER OF an application submitted by 42nd and 8th Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District).

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

ARTICLE VIII: SPECIAL PURPOSE DISTRICTS

Chapter 1: Special Midtown District

81-70 SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

81-73 Special Sign and Frontage Regulations

81-733 Special provisions for central refuse storage area

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

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

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

81-74 Special Incentives and Controls in the Theater Subdistrict

No. 14 449 BROADWAY

CD 2 C 170464 ZSM

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

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

No. 15 220 CENTRAL PARK SOUTH PARKING

CD 5 C 170249 ZSM

IN THE MATTER OF an application submitted by VNO 225 West 58th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended accessory off-street parking facility with a maximum capacity of 64 spaces on portions of the ground floor and subcellar level 2 of a proposed mixed use building on property located at 220 Central Park South (Block 1030, Lots 15, 16, 17, 19, 24, 25, 39, 46, 48 and 58), in R10H and C5-1 Districts.

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

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

CD 11 C 170358 ZMM

IN THE MATTER OF an application submitted by NYC Department of City Planning pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 6a and 6b:

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

- 100 feet westerly of Third Avenue;
- c. East 112th Street, a line 100 feet easterly of Second Avenue, East 108th Street, Second Avenue, East 109th Street, and a line 100 feet westerly of Second Avenue; and
 - d. East 106th Street, a line 100 feet easterly of Second Avenue, East 104th Street, a line 100 feet westerly of Second Avenue;
3. eliminating from within an existing R7-2 District a C2-4 District bounded by:
 - a. East 132nd Street, Park Avenue, East 131st Street, and a line 100 feet westerly of Park Avenue;
 - b. East 124th Street, a line 100 feet easterly of Park Avenue, a line midway between East 123rd Street and East 124th Street, and Park Avenue;
 - c. East 123rd Street, Park Avenue, East 122nd Street, and a line 100 feet westerly of Park Avenue;
 - d. East 124th Street, a line 100 feet easterly of Lexington Avenue, East 120th Street, Lexington Avenue, East 122nd Street, and a line 100 feet westerly of Lexington Avenue; and
 - e. a line 125 feet northerly of East 119th Street, a line 100 feet easterly of Park Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and 117th Street, and Park Avenue;
 4. eliminating a Special Transit Land Use District bounded by the southerly street line of East 126th Street, a line 100 feet easterly of Second Avenue, the northerly street line of East 120th Street and its easterly prolongation, a line 100 feet westerly of Second Avenue, a line midway between East 124th Street and East 125th Street/Dr. Martin Luther King Jr. Boulevard, a line 150 feet westerly of Second Avenue, a line midway between East 125th Street/Dr. Martin Luther King Jr. Boulevard and East 126th Street, and a line 100 feet westerly of Second Avenue;
 5. changing from an R7-2 District to an R7A District property bounded by East 132nd Street, a line 100 feet easterly of Madison Avenue, East 128th Street, Madison Avenue, East 127th Street, a line 100 feet easterly of Madison Avenue, East 126th Street, a line 100 feet westerly of Madison Avenue, 130th Street, Madison Avenue, East 131st Street, and a line 100 feet westerly of Madison Avenue;
 6. changing from an R7-2 District to an R7B District property bounded by:
 - a. East 132nd Street, a line 100 feet westerly of Madison Avenue, East 131st Street, and a line 100 feet easterly of Fifth Avenue;
 - b. East 132nd Street, a line 100 feet westerly of Park Avenue, a line midway between East 129th Street and East 130th Street, a line 90 feet westerly of Park Avenue, East 129th Street, a line 70 feet westerly of Park Avenue, East 128th Street, and a line 100 feet easterly of Madison Avenue;
 - c. East 130th Street, a line 100 feet westerly of Madison Avenue, East 126th Street, and a line 100 feet easterly of Fifth Avenue;
 - d. East 127th Street, a line 100 feet westerly of Park Avenue, East 126th Street, and a line 100 feet easterly of Madison Avenue;
 - e. East 124th Street, a line 100 feet westerly of Second Avenue, East 123rd Street, a line 100 feet easterly of Third Avenue;
 - f. East 123rd Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 121st Street and East 122nd Street, and a line 100 feet easterly of Park Avenue;
 - g. a line midway between East 119th Street and East 120th Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, and a line 100 feet easterly of Park Avenue;
 - h. a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, a line 100 feet westerly of Lexington Avenue, East 115th Street, and a line 100 feet easterly of Park Avenue;
 - i. East 111th Street, a line 100 feet westerly of Lexington Avenue, East 110th Street, a line 100 feet easterly of Park Avenue, a line midway between East 110th Street and East 111th Street, and a line 155 feet easterly of Park Avenue; and
 - j. East 107th Street, a line 100 feet westerly of Lexington Avenue, East 106th Street, a line 180 feet easterly of Park Avenue, a line midway between East 106th Street and East 107th Street, and a line 230 feet easterly of Park Avenue;
 7. changing from an C8-3 District to an R7B District property bounded by a line midway between East 129th Street and 130th Street, a line 90 feet westerly of Park Avenue, East 129th Street, and a line 100 feet westerly of Park Avenue;
 8. changing from an R7-2 District to an R7D District property bounded by:
 - a. East 124th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Lexington Avenue, East 117th Street, Lexington Avenue, East 122nd Street, and a line 100 feet westerly of Lexington Avenue;
 - b. a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Park Avenue;
 - c. a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Lexington Avenue, East 115th Street, and a line 100 feet westerly of Lexington Avenue; and
 - d. East 112th Street, a line 100 feet easterly of Lexington Avenue, East 104th Street, a line 100 feet westerly of Lexington Avenue, East 107th Street, Lexington Avenue, East 110th Street, and a line 100 feet westerly of Lexington Avenue;
 9. changing from an R7A District to an R7D District property bounded by:
 - a. a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Third Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Lexington Avenue; and
 - b. a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Second Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Third Avenue;
 10. changing from an R7-2 District to an R9 District property bounded by:
 - a. East 132nd Street, the westerly boundary line of the New York Central Railroad right-of-way, East 131st Street, and a line 100 feet westerly of Park Avenue;
 - b. East 124th Street, Second Avenue, East 123rd Street, and a line 100 feet westerly of Second Avenue;
 - c. East 118th Street, a line 100 feet easterly of Park Avenue, East 115th Street, and a line 100 feet westerly of Park Avenue; and
 - d. a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, and a line 100 feet westerly of Lexington Avenue;
 11. changing from an R7A District to an R9 District property bounded by East 120th Street, a line 100 feet westerly of Second Avenue, East 119th Street, and a line 110 feet westerly of second Avenue;
 12. changing from an R8A District to an R9 District property bounded by:
 - a. East 122nd Street, Second Avenue, East 120th Street, a line 100 feet easterly of Second Avenue, East 115th Street, and a line 100 feet westerly of Second Avenue;
 - b. East 112th Street, a line 100 feet easterly of Second Avenue, East 108th Street, Second Avenue, East 109th Street, and a line 100 feet westerly of Second Avenue; and
 - c. East 106th Street, a line 100 feet easterly of Second Avenue, East 104th Street, and a line 100 feet westerly of Second Avenue;
 13. changing from an R7-2 District to an R10 District property bounded by East 122nd Street, Park Avenue, a line midway between East 119th Street and East 120th Street, a line 100 feet easterly of Park Avenue, East 118th Street, a line 100 feet westerly of Park Avenue, East 120th Street and a line 100 feet westerly of Park Avenue;
 14. changing from an R8A District to an R10 District property bounded by East 112th Street, a line 100 feet easterly of Third

- Avenue, East 109th Street, Third Avenue, East 106th Street, a line 100 feet easterly of Third Avenue, East 104th Street, and a line 100 feet westerly of Third Avenue;
15. changing from a C4-4 District to a C4-6 District property bounded by East 124th Street, a line 100 feet easterly of Third Avenue, East 123rd Street, Third Avenue, East 122nd Street, and a line 100 feet westerly of Third Avenue;
 16. changing from a C4-4D District to a C4-6 District property bounded by East 122nd Street, a line 100 feet easterly of Third Avenue, East 115th Street and a line 100 feet westerly of Third Avenue;
 17. changing from an R7-2 District to an C6-4 District property bounded by East 124th Street, Park Avenue, East 122nd Street, and a line 100 feet easterly of Park Avenue;
 18. changing from a C4-4D District to a C6-4 District property bounded by East 126th Street, a line 100 feet easterly of Park Avenue, East 125th Street/Dr. Martin Luther King Jr. Boulevard, a line 140 easterly of Park Avenue, East 124th Street, and a line 90 feet easterly of Park Avenue;
 19. changing from a C6-3 District to a C6-4 District property bounded by East 126th Street, a line 90 feet easterly of Park Avenue, East 124th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 125th Street/Dr. Martin Luther King Jr. Boulevard, and a line 90 feet westerly of Park Avenue;
 20. changing from a C8-3 District to a M1-6/R9 District property bounded by:
 - a. East 131st Street, the westerly boundary line of the New York Central Railroad right-of-way, East 128th Street, a line 70 feet westerly of Park Avenue, East 129th Street, a line 90 feet westerly of Park Avenue, a line midway between East 129th Street and East 130th Street, and a line 100 feet westerly of Park Avenue; and
 - b. East 127th Street, the westerly boundary line of the New York Central Railroad right-of-way, East 126th Street, and a line 100 feet westerly of Park Avenue;
 21. changing from an R7-2 District to an M1-6/R10 District property bounded by:
 - a. East 124th Street, a line 100 feet easterly of Park Avenue, a line midway between East 123rd Street and East 124th Street, and Park Avenue; and
 - b. a line 125 feet northerly of East 119th Street, a line 100 feet easterly of Park Avenue, a line midway between East 119th Street and East 120th Street, and Park Avenue;
 22. changing from an M1-2 District to an M1-6/R10 District property bounded by East 128th Street, a line 160 feet easterly of Park Avenue, a 100 feet southerly of East 128th Street, a line 100 feet easterly of Park Avenue, East 126th Street, and the westerly boundary line of the New York Central Railroad right-of-way;
 23. changing from an M1-4 District to an M1-6/R10 District property bounded by a line midway between East 123rd Street and East 124th Street, a line 100 feet easterly of Park Avenue, a line 125 feet northerly of East 119th Street, and Park Avenue;
 24. establishing within an existing R7-2 District a C1-5 District bounded by:
 - a. East 115th Street, a line 100 feet easterly of Park Avenue, East 112th Street, and a line 70 feet westerly of Park Avenue;
 - b. East 115th Street, Lexington Avenue, a line 240 feet southerly of East 115th Street, a line 100 feet easterly of Lexington Avenue, East 112th Street, and a line 100 feet westerly of Lexington Avenue;
 - c. East 115th Street, a line 100 feet easterly of Third Avenue, East 112th Street, a line 100 feet westerly of Third Avenue, a line 252 feet southerly of East 115th Street, and Third Avenue; and
 - d. East 115th Street, a line 100 feet easterly of Second Avenue, a line 100 feet northerly of East 113th Street, Second Avenue, East 113th Street, a line 100 feet easterly of Second Avenue, East 112th Street, and a line 100 feet westerly of Second Avenue;
 25. establishing within a proposed R7D District a C1-5 District bounded by:
 - a. East 120th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Lexington Avenue, East 117th Street, and Lexington Avenue;
 - b. a line midway between East 117th Street and East 116th Street-Luis Munoz Marin Boulevard, a line 100 feet westerly of Lexington Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, and a line 100 feet easterly of Park Avenue; and
 - c. East 112th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 110th Street and East 111th Street, and a line 100 feet westerly of Lexington Avenue;
 26. establishing within a proposed R7D District a C2-5 District bounded by East 124th Street, a line 100 feet easterly of Lexington Avenue, East 120th Street, Lexington Avenue, East 122nd Street, and a line 100 feet westerly of Lexington Avenue;
 27. establishing within a proposed R9 District a C2-5 District bounded by:
 - a. East 132nd Street, the westerly boundary line of the New York Central Railroad right-of-way, East 131st Street, and a line 100 feet westerly of Park Avenue;
 - b. East 118th Street, a line 100 feet easterly of Park Avenue, East 115th Street, and a line 100 feet westerly of Park Avenue;
 - c. a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, and a line 100 feet westerly of Lexington Avenue;
 - d. East 124th Street, Second Avenue, East 123rd Street, and a line 100 feet westerly of Second Avenue;
 - e. East 122nd Street, Second Avenue, East 120th Street, a line 100 feet easterly of Second Avenue, East 115th Street, a line 100 feet westerly of Second Avenue, East 119th Street, a line 110 feet westerly of Second Avenue, East 120th Street, and a line 100 feet westerly of Second Avenue;
 - f. East 112th Street, a line 100 feet easterly of Second Avenue, East 108th Street, Second Avenue, East 109th Street, and a line 100 feet westerly of Second Avenue; and
 - g. East 106th Avenue, a line 100 feet easterly of Second Avenue, East 104th Street, and a line 100 feet westerly of Second Avenue;
 28. establishing within a proposed R10 District a proposed C2-5 District property by:
 - a. East 122nd Street, Park Avenue, a line midway between East 119th Street and East 120th Street, a line 100 feet easterly of Park Avenue, East 118th Street, a line 100 feet westerly of Park Avenue, East 120th Street, and a line 100 feet westerly of Park Avenue; and
 - b. East 112th Street, a line 100 feet easterly of Third Avenue, East 109th Street, Third Avenue, East 106th Street, a line 100 feet easterly of Third Avenue, East 104th Street, and a line 100 feet westerly of Third Avenue;
 29. establishing a Special East Harlem Corridors District bounded by:
 - a. East 132nd Street, the westerly boundary line of the New York Central Railroad right-of-way, East 128th Street, a line 70 feet westerly of Park Avenue, East 129th Street, a line 90 feet westerly of Park Avenue, a line midway between East 129th Street and East 130th Street, and a line 100 feet westerly of Park Avenue;
 - b. East 128th Street, a line 160 feet easterly of Park Avenue, a line 100 feet southerly of East 128th Street, a line 100 feet easterly of Park Avenue, East 126th Street, a line 100 feet westerly of Park Avenue, East 127th Street, and the westerly boundary line of the New York Central Railroad right-of-way;
 - c. East 124th Street, a line 100 feet easterly of Park Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Lexington Avenue, East 117th Street, Lexington Avenue, East 122nd Street, a line 100 feet westerly of Lexington Avenue, East 124th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Third Avenue, East 123rd Street, Third Avenue, East 122nd Street, a line 100 feet easterly of Third Avenue, a line midway between East 116th Street-Luis Munoz Marin Boulevard and East 117th Street, a line 100 feet westerly of Second Avenue, East 122nd Street, Second Avenue, East 120th Street, a line 100 feet easterly of Second Avenue, East 115th Street, a line 100 feet westerly of Second

Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Third Avenue, East 115th Street, a line 100 feet westerly of Third Avenue, a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, a line 100 feet easterly of Lexington Avenue, East 115th Street, a line 100 feet westerly of Park Avenue, East 120th Street, and a line 100 feet westerly of Park Avenue;

- d. East 124th Street, Second Avenue, East 123rd Street, and a line 100 feet westerly of Second Avenue;
e. East 112th Street, a line 100 feet easterly of Lexington Avenue, East 104th Street, a line 100 feet westerly of Lexington Avenue, East 107th Street, Lexington Avenue, East 110th Street, a line 100 feet westerly of Lexington Avenue;
f. East 112th Street, a line 100 feet easterly of Third Avenue, East 109th Street, Third Avenue, East 106th Street, a line 100 feet easterly of Third Avenue, East 104th Street, and a line 100 feet westerly of Third Avenue;
g. East 112th Street, a line 100 feet easterly of Second Avenue, East 108th Street, Second Avenue, East 109th Street, and a line 100 feet westerly of Second Avenue; and
h. East 106th Street, a line 100 feet easterly of Second Avenue, East 104th Street, and a line 100 feet westerly of Second Avenue; and

- 30. establishing a Special Transit Land Use District bounded by:
a. East 126th Street, a line 85 feet easterly of Fifth Avenue, a line midway between East 125th Street/Dr. Martin Luther King Jr. Boulevard and East 126th Street, a line 100 feet westerly of Park Avenue, East 126th Street, a line 100 feet easterly of Third Avenue, East 124th Street, a line 200 feet westerly of Madison Avenue, a line midway between East 124th Street and East 125th Street/Dr. Martin Luther King Jr. Boulevard, and Fifth Avenue;
b. East 120th Street, a line 100 feet easterly of Second Avenue, a line 100 feet southerly of East 115th Street, and a line 100 feet westerly of Second Avenue;
c. a line midway between East 110th Street and East 111th Street, a line 100 feet easterly of Second Avenue, the southerly street line of East 110th Street, and a line 100 feet westerly of Second Avenue; and
d. the northerly street line of East 105th Street, a line 100 feet easterly of Second Avenue, a line midway between East 104th Street and East 105th Street, and a line 100 feet westerly of Second Avenue;

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

No. 17

CD 11 N 170359 ZRM

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

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

ARTICLE I
GENERAL PROVISIONS

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-122
Districts established

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

* * *

Special Purpose Districts

* * *

Establishment of the Special Downtown Jamaica District

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

hereby established.

Establishment of the Special East Harlem Corridors District

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

Establishment of the Special Enhanced Commercial District

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

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
DEFINITIONS

* * *

Special Downtown Jamaica District

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

Special East Harlem Corridors District

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

Special Enhanced Commercial District

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

* * *

Chapter 4
Sidewalk Cafe Regulations

* * *

14-40
AREA ELIGIBILITY FOR SIDEWALK CAFES

* * *

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

* * *

Table with 3 columns: Manhattan, #Enclosed Sidewalk Cafe#, #Unenclosed Sidewalk Cafe#. Rows include Clinton District, East Harlem Corridors District, Enhanced Commercial District 2 (Columbus and Amsterdam Avenues).

* * *

ARTICLE II
RESIDENCE BULK REGULATIONS

Chapter 3
Residential Bulk Regulations in Residence Districts

* * *

23-011
Quality Housing Program

* * *

R6 R7 R8 R9 R10

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

* * *

(2) Special Purpose Districts

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

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

* * *

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

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

* * *

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

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

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

* * *

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

C1 C2 C3 C4 C5 C6 C7 C8

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

* * *

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

* * *

**ARTICLE IX
SPECIAL PURPOSE DISTRICTS
Chapter 5
Special Transit Land Use District**

**95-00
GENERAL PURPOSES**

* * *

**95-03
Transit Easement**

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

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

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

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

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

* * *

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

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

* * *

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

At the 106th Street, 116th Street and 125th Street stations, a transit easement shall be provided to accommodate, whether singly or in any combination, light wells, stairs, ramps, escalators, elevators, passageways, or ancillary facilities required to support the functioning of subway station or rail mass transit facilities, including, but not limited to, emergency egress or ventilation structures, the Metropolitan Transportation Authority shall, in consultation with the owner of the #zoning lot# and the City Planning Commission, determine the appropriate type of transit easement and reasonable dimensions for such transit easement volume.

**95-0323
Location of transit easements**

* * *

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

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

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

* * *

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

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

* * *

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

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

* * *

**Article IX
Special Purpose Districts**

**Chapter 7
Special 125th Street District**

**97-00
GENERAL PURPOSES**

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

following specific purposes:

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

* * *

**97-03
District Plan and Maps**

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

**97-04
Establishment of Core Subdistricts**

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

* * *

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

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

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

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

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

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

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

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

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

**97-063
Applicability of Inclusionary Housing Program**

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

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

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

* * *

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

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

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

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

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

**97-20
LOCATION AND ACCESS REGULATIONS**

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

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

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

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

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

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

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

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

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

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

Any arts and entertainment #uses# listed in Section 97-11 that are

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

* * *

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

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

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

* * *

97-213
Access to non-ground floor uses

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

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

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

97-214
Transparency requirements along 125th Street

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

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

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

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

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

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

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

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

97-222
Ground floor use and streetscape regulations

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

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

(a) **Along #primary street frontages#**

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

(b) **Along #secondary street frontages#**

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

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

97-23
Transparency Requirements

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

* * *

97-40
SPECIAL BULK REGULATIONS

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

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

97-41
Special Floor Area Regulations

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

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

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

* * *

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

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

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

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

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

arts uses) have been met.

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

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

97-42 Additional Floor Area Bonuses Regulations

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

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

97-421 Inclusionary Housing

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

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

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

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

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

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

* * *

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

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

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

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

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

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

* * *

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

* * *

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

or bonused #floor area# or below grade floor space. #Accessory uses# shall include but are not limited to educational and classroom space, non-primary rehearsal space, administrative offices, lobbies, circulation space, ticket offices, restrooms, dressing rooms, other backstage areas and equipment space; and

(6) Signage

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

* * *

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

* * *

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

* * *

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

* * *

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

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

**97-441 431
Permitted obstructions**

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

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

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

(a) Street wall location

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

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

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

(b) Maximum height of building and setback

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

- (a)(1) The minimum and maximum base height of the #street wall# and the maximum height of a #building or other structure# shall be as set forth in the following table:
* * *
- (b)(2) Special regulations for certain C4-7 Districts
 - (1)(i) For the area located within 50 feet of the 126th Street frontage and between 200 feet east of Adam Clayton Powell Boulevard and 150 feet west of Lenox Avenue/ Malcolm X Boulevard, the height of any portion of a #building or other structure# shall be limited to 80 feet.
 - (2)(ii) For #zoning lots# bounded by 125th Street, Park Avenue and 124th Street, the maximum height of a #building or other structure# shall be 330 feet.
 - (3)(iii) For Lots 1 and 7501 on Block 1910, the requirements of City Environmental Quality Review (CEQR) Environmental Designation Number (E-102) have been modified, as set forth in the Technical Memorandum to the Final Environmental Impact Statement for CEQR Number 07DCP030M, dated July 18, 2008.
- (c)(3) In C6-3 Districts, the maximum length of any #story# located above a height of 85 feet shall not exceed 150 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 85 feet. No side of such rectangle shall exceed a width of 150 feet.

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

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

**97-44 431
Permitted obstructions**

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

**97-44 432
Height and setback regulations for C4-7 and C6-3 Districts in the Core Subdistrict and areas outside of a subdistrict**

* * *

**97-44 433
Street wall location
Height and setback regulations in the Park Avenue Hub Subdistrict**

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

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

- (a) #Street wall# location
The applicable provisions of Section 35-651 shall be modified as follows:
 - (1) Along 125th Street
Along 125th Street, the minimum base height shall be 60 feet, or the height of the #building#, whichever is less, except that for #buildings# or portions thereof within 50 feet of Park Avenue, the minimum base height shall be 40 feet, or the height of the #building#, whichever is less. The street wall location provisions of this paragraph shall be modified to allow a sidewalk widening pursuant to the provisions of paragraph (a)(2) of this Section; and
 - (2) Along Park Avenue and #narrow streets#
Along Park Avenue and any #narrow streets#, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.
In addition, for #zoning lots# with frontage along Park Avenue between 124th Street and 125th Street, any #development# or horizontal #enlargement# shall provide a sidewalk widening along the #street line# of Park Avenue. Such sidewalk widening shall have a depth of 10 feet, be improved to Department of Transportation standards for sidewalks, and be at the same level as the

adjoining public sidewalk.

- (b) Basic maximum #building# height and setback regulations
The maximum height of #buildings or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable, except that the minimum base height shall be as set forth in paragraph (a) of this Section, and the maximum base height for #buildings or other structures# along the #street line# of 125th Street and within 50 feet of such #street line# shall be 85 feet.
For the purposes of applying the provisions for #qualifying ground floors#, the provisions of Section 97-20 (LOCATION AND ACCESS REGULATIONS), inclusive, shall apply in lieu of the applicable provisions of paragraph (b)(2) of Section 35-652.
- (c) Optional height and setback regulations
As an alternative to the provisions of paragraph (b) of this Section, the provisions of this paragraph (c) may be applied to #zoning lots# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), or #zoning lots# where 50 percent or more of the #floor area# is allocated to non-#residential uses#.
 - (1) Setbacks
At a height not lower than the minimum base height specified in paragraph (a) of this Section, nor higher than a maximum base height of 85 feet, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations). Above such required setback, any portion of a #building# or #buildings# on the #zoning lot# shall be considered a "tower."
 - (2) #Lot coverage# requirements for towers
Each #story# of a tower containing #residential floor area# shall not exceed a maximum #lot coverage# of 40 percent, except that, for #zoning lots# less than 20,000 square feet, such #lot coverage# may be increased in accordance with the table in Section 23-65 (Tower Regulations). Each #story# of a tower allocated exclusively to non-#residential floor area# shall not exceed a maximum #lot coverage# of 50 percent. However, where dormers are provided within the required setback, such portions of #buildings# shall not count toward the maximum allowable #lot coverage# set forth in this paragraph.
 - (3) Maximum #building# height
No height limit shall apply to towers.

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

* * *

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

* * *

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

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

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

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

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

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

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

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

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

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

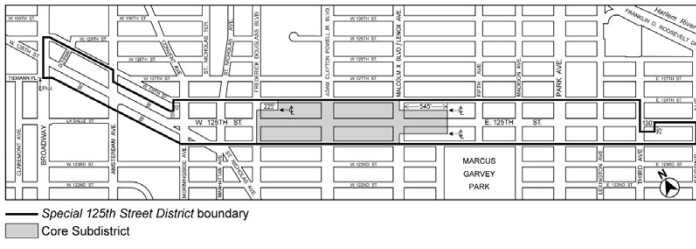
In the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the regulations of the underlying district.

* * *

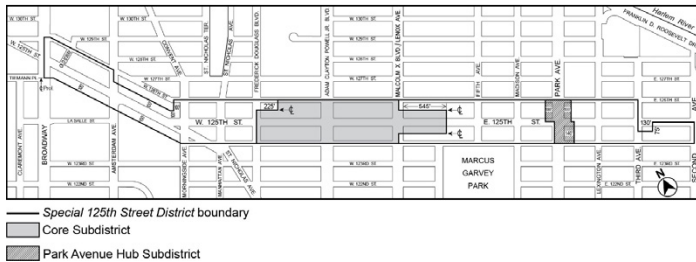
**Appendix A
Special 125th Street District Plan**

Map 1: Special 125th Street District and Core Subdistricts

[EXISTING MAP]



[PROPOSED MAP]



* * *

**Article XIII
SPECIAL PURPOSE DISTRICTS**

* * *

**Chapter 8
Special East Harlem Corridors District**

**138-00
GENERAL PURPOSES**

The “Special East Harlem Corridors District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

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

- (g) promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

**138-01
General Provisions**

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

**138-02
District Plan and Maps**

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

**138-03
Subdistrict**

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

**138-04
Applicability**

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

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

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

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

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

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

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

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

**138-10
SPECIAL USE REGULATIONS**

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

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

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

**138-12
Transient Hotels**

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

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

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

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 4,470 #dwelling units# within the combined areas of #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special 125th Street District), have received temporary or final certificates of occupancy subsequent to [date of adoption].

138-13 Physical Culture or Health Establishments

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

138-14 Public Parking Garages

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

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

138-20 SPECIAL BULK REGULATIONS

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

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

138-21 Floor Area Regulations

138-211 Floor area regulations in the Park Avenue Subdistrict

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

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

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

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

- (b) Modified maximum #floor area ratio# for certain #zoning lots#
The maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:
 - (1) the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before [date of adoption] with a #lot area# of less than 5,000 square feet. For #zoning lots# utilizing the provisions of this paragraph (b)(1), the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall not apply;
 - (2) for #zoning lots# subject to the provisions of paragraph (d)(4)(i) or (d)(4)(iii) of Section 23-154 (Inclusionary Housing), the maximum #residential floor area ratio# of the underlying district as specified in Section 23-153 (For Quality Housing buildings) shall apply; and
 - (3) for #zoning lots# subject to paragraphs (b)(1) or (b)(2) of this Section, the maximum #floor area ratio# for all #uses# shall be 7.52 in M1-6 Districts paired with an R9 District, and 10.0 in C6-4 Districts and M1-6 Districts paired with an R10 District.

138-212 Floor area regulations outside of the Park Avenue Subdistrict

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

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

138-22 Street Wall Regulations

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

- (a) Along #wide streets# other than Park Avenue
Along all #wide streets# other than Park Avenue, and along #narrow streets# within 50 feet of an intersection with such #wide street#, the provisions of paragraph (b) of Section 35-651 shall apply, except that the minimum base height shall be 60 feet, or the height of the #building#, whichever is less.
- (b) Along Park Avenue
Along Park Avenue and along #narrow streets# located within 100 feet of Park Avenue, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.
- (c) Along all other #streets#
Along all #streets# not subject to the provisions of paragraph (a) or (b) of this Section, the provisions of paragraph (a) of Section 35-651 shall apply, except that the minimum base height shall be 60 feet, or the height of the #building#, whichever is less.

(d) Within #flood zones#

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

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

138-23**Basic Height and Setback Regulations**

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

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

138-24**Optional Height and Setback Regulations in Certain Districts**

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

(a) Setbacks

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

(b) #Lot coverage# requirements for towers

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

(c) Maximum #building# height

No height limit shall apply to towers.

138-25**Height and Setback Regulations in M1 Districts Paired With an R9 or R10 District**

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

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

138-30**STREETSCAPE REQUIREMENTS**

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

138-31**Ground Floor Use Regulations**

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

(a) Along #primary street frontages#

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

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

(b) Along #secondary street frontages#

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

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

**138-32
Special Streetscape Provisions for Blank Walls**

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

(a) Planting

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

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

(b) Benches

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

(c) Bicycle racks

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

(d) Tables and chairs

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

(e) Wall treatment

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

**138-40
OFF-STREET PARKING AND LOADING REGULATIONS**

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

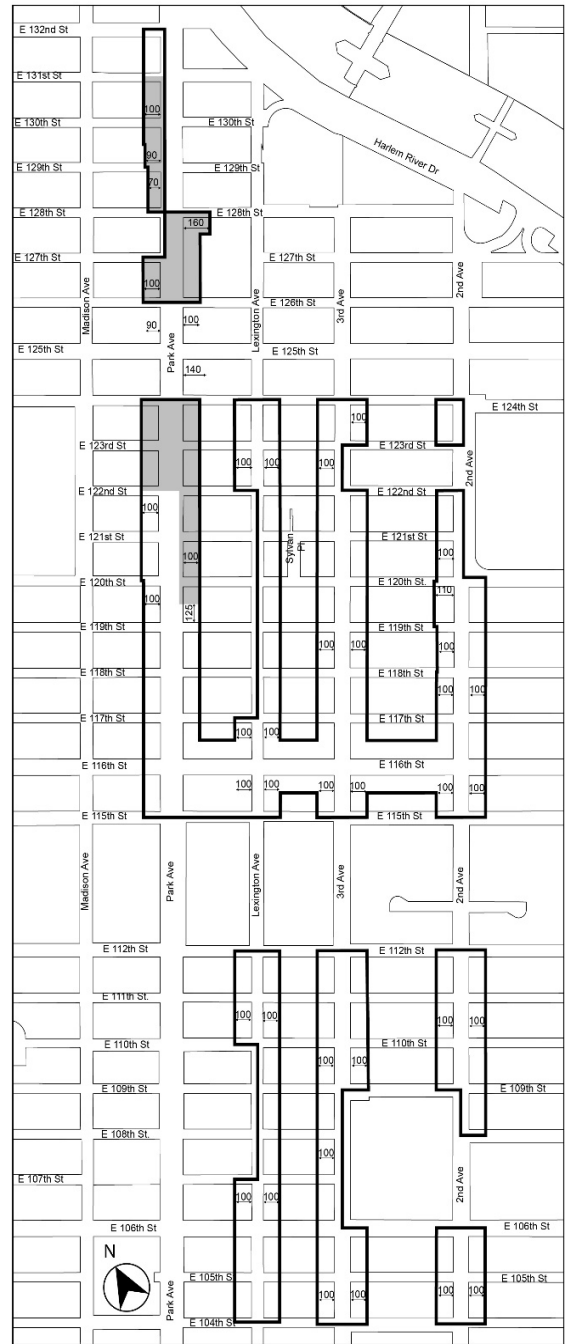
**138-41
Required Accessory Off-street Parking Spaces for Residences**

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



APPENDIX: SPECIAL EAST HARLEM CORRIDORS DISTRICT PLAN

Special East Harlem Corridors District and Subdistrict

[PROPOSED MAP]



EAST HARLEM DISTRICT PLAN
SPECIAL EAST HARLEM CORRIDOR DISTRICT AND SUBDISTRICT

-  Special East Harlem Corridors District
-  Park Avenue Subdistrict

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

MANHATTAN

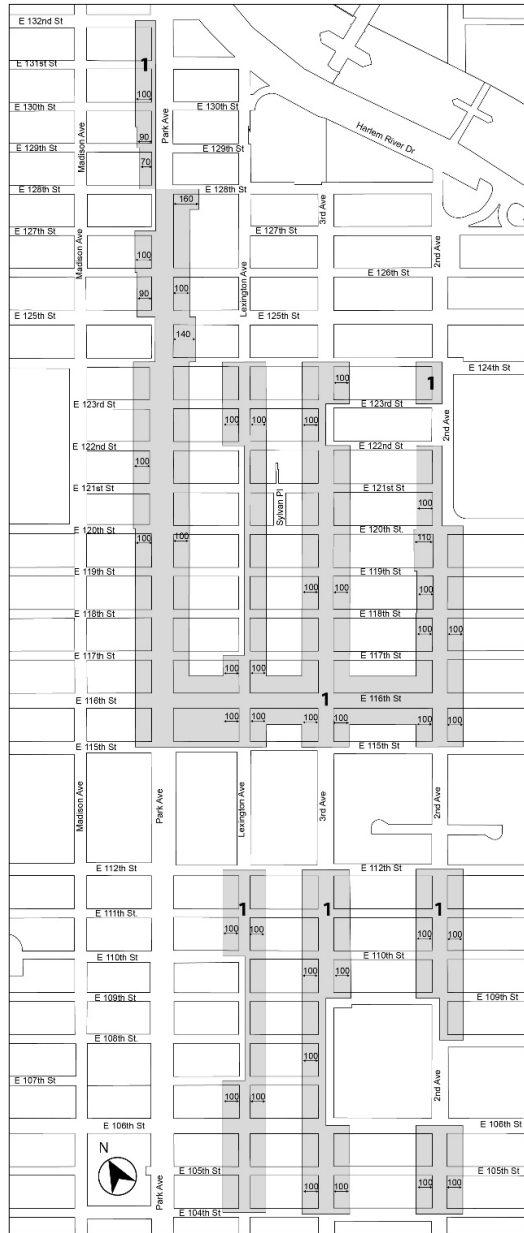
Manhattan Community District 11


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

* * *

Map 2 – [date of adoption]

[PROPOSED MAP]



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

Area 1 [date of adoption] - MIH Program Option 1 and Option 2
 Portion of Community District 11, Manhattan

* * *

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

No. 18

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

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

**ARTICLE I
 GENERAL PROVISIONS**

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

* * *

**11-122
 Districts established**

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

* * *

Special Purpose Districts

* * *

Establishment of the Special Downtown Jamaica District

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

Establishment of the Special East Harlem Corridors District

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

Establishment of the Special Enhanced Commercial District

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

* * *

**Chapter 2
 Construction of Language and Definitions**

* * *

**12-10
 DEFINITIONS**

* * *

Special Downtown Jamaica District

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

Special East Harlem Corridors District

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

Special Enhanced Commercial District

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

* * *

**Chapter 4
 Sidewalk Cafe Regulations**

* * *

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

* * *

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

* * *

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

**ARTICLE II
 RESIDENCE BULK REGULATIONS**

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

* * *

23-011
Quality Housing Program

R6 R7 R8 R9 R10

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

* * *

(3) Special Purpose Districts

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

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

* * *

23-03
Street Tree Planting in Residence Districts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

* * *

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

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

* * *

ARTICLE III
COMMERCIAL DISTRICT REGULATIONS

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

* * *

33-03
Street Tree Planting in Commercial Districts

C1 C2 C3 C4 C5 C6 C7 C8

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

* * *

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

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

#Special Grand Concourse Preservation District#;

* * *

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

Chapter 5
Special Transit Land Use District

95-00
GENERAL PURPOSES

* * *

95-03
Transit Easement

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

pursuant to the provisions of Section 95-04.

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

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

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

* * *

95-031
Selection of transit easement at certain stations

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

* * *

95-032
Determination of transit easements at other stations

At the 106th Street, 116th Street and 125th Street stations, a transit easement shall be provided to accommodate, whether singly or in any combination, light wells, stairs, ramps, escalators, elevators, passageways, or ancillary facilities required to support the functioning of subway station or rail mass transit facilities, including, but not limited to, emergency egress or ventilation structures, the Metropolitan Transportation Authority shall, in consultation with the owner of the #zoning lot# and the City Planning Commission, determine the appropriate type of transit easement and reasonable dimensions for such transit easement volume.

95-0323
Location of transit easements

* * *

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

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

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

* * *

95-051
Development of transit access facilities

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

* * *

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

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

* * *

Article IX
Special Purpose Districts
Chapter 7
Special 125th Street District

97-00
GENERAL PURPOSES

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

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

* * *

97-03
District Plan and Maps

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

97-04
Establishment of Core Subdistricts

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

* * *

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

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

97-061
Applicability of Special Transit Land Use District Regulations

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

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

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

97-062
Applicability of the Quality Housing Program

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

REGULATIONS)]

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

97-063
Applicability of Inclusionary Housing Program

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

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

97-10
SPECIAL USE AND LOCATION REGULATIONS

* * *

97-14
Transient Hotels Within the Park Avenue Hub Subdistrict

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

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or
- (b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:

- (1) sufficient sites are available in the area to meet the #residential development# goal; or
- (2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

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

97-20
LOCATION AND ACCESS REGULATIONS

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

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

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

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

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

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

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

Within the #Special 125th Street District#, Ffor any #zoning lot# that fronts upon 125th Street, the #use# regulations of the underlying

districts shall be modified by the locational and access requirements of this Section, inclusive. However, ~~on #through lots# or #corner lots# with frontage along 125th Street, such requirements shall apply within the first 100 feet of the 125th Street #street line#.~~

97-211
Location and Access to Art and Entertainment Uses

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

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

* * *

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

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

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

* * *

97-213
Access to non-ground floor uses

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

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

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

97-214
Transparency requirements along 125th Street

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

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

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

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

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

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

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

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

97-222
Ground floor use and streetscape regulations

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

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

(a) **Along #primary street frontages#**

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

(b) **Along #secondary street frontages#**

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

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

97-23
Transparency Requirements

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

* * *

97-40
SPECIAL BULK REGULATIONS

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

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

97-41
Special Floor Area Regulations

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

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

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

* * *

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

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

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

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

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

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

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

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

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

97-42 Additional Floor Area Bonuses Regulations

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

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

97-421 Inclusionary Housing

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

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

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

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

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

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

* * *

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

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

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

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

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

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

* * *

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

* * *

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

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

* * *

(6) Signage

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

* * *

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

* * *

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

* * *

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

* * *

97-44 43
Special Height and Setback Regulations

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

97-441 431
Permitted obstructions

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

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

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

(a) Street wall location

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

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

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

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

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

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

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

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

(b) Maximum height of building and setback

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

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

* * *

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

(1)(i) For the area located within 50 feet of the 126th Street frontage and between 200 feet east of Adam Clayton Powell

Boulevard and 150 feet west of Lenox Avenue/Malcolm X Boulevard, the height of any portion of a #building or other structure# shall be limited to 80 feet.

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

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

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

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

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

**97-44 431
Permitted obstructions**

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

**97-44 432
Height and setback regulations for C4-7 and C6-3 Districts in the Core Subdistrict and areas outside of a subdistrict**

* * *

**97-44 433
Street wall location
Height and setback regulations in the Park Avenue Hub Subdistrict**

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

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

(a) #Street wall# location

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

(1) Along 125th Street

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

(2) Along Park Avenue and #narrow streets#

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

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

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

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

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

(c) Optional height and setback regulations

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

(1) Setbacks

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

(2) #Lot coverage# requirements for towers

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

(3) Maximum #building# height

No height limit shall apply to towers.

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

* * *

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

* * *

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

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

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

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

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

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

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

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

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

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

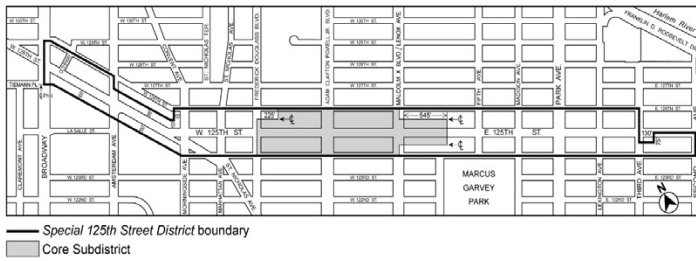
In the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, no #accessory# off-street parking shall be required for #residences#. Off-street parking shall be permitted in accordance with the regulations of the underlying district.

* * *

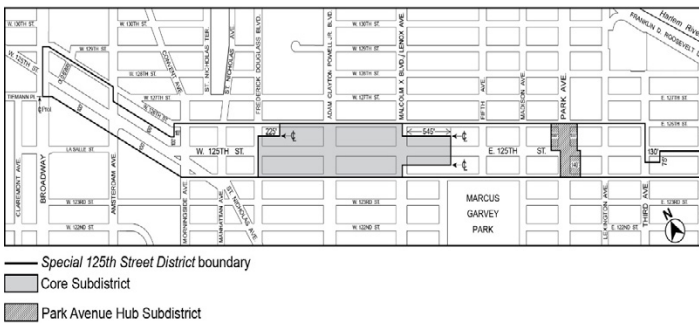
**Appendix A
Special 125th Street District Plan**

Map 1: Special 125th Street District and Core Subdistricts

[EXISTING MAP]



[PROPOSED MAP]



* * *

**Article XIII
SPECIAL PURPOSE DISTRICTS**

* * *

**Chapter 8
Special East Harlem Corridors District**

**138-00
GENERAL PURPOSES**

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

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

**138-01
General Provisions**

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

**138-02
District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special East Harlem Corridors District# Plan. The District Plan includes the map, "Special East Harlem Corridors District and Subdistrict," in the Appendix to this Chapter which is hereby incorporated and made part

of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

**138-03
Subdistrict**

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

**138-04
Applicability**

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

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

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

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

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

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

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

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

**138-10
SPECIAL USE REGULATIONS**

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

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

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

**138-12
Transient Hotels**

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

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

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

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

For the purpose of applying the provisions of this Section, the

#residential development# goal shall be met when at least 4,470 #dwelling units# within the combined areas of #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special 125th Street District), have received temporary or final certificates of occupancy subsequent to [date of adoption].

138-13 Physical Culture or Health Establishments

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

138-14 Public Parking Garages

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

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

138-20 SPECIAL BULK REGULATIONS

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

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

138-21 Floor Area Regulations

138-211 Floor area regulations in the Park Avenue Subdistrict

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

(a) Maximum #floor area ratio#

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

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

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

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

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

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

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

138-212 Floor area regulations outside of the Park Avenue Subdistrict

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

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

138-22 Street Wall Regulations

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

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

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

(b) Along Park Avenue

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

(c) Along all other #streets#

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

(d) Within #flood zones#

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

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

138-23 Height and Setback Regulations in Commercial Districts

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

(a) Basic Height and Setback Regulations

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

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

(b) Alternate Height and Setback Regulations in Certain Districts

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

(1) Setbacks

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

(2) #Lot coverage# requirements for towers

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

(3) Maximum #building# height

No height limit shall apply to towers.

(c) Special Height and Setback Regulations in Certain Areas

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

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

(i) The area bounded by the centerline of East 124th Street, the centerline of Second Avenue, the centerline of East 123rd Street, and a line 100 feet west of the westerly #street line# of Second Avenue;

(ii) The area bounded by a line 100 feet north of the northerly #street line# of East 116th Street, a line 100 feet east of the easterly #street line# of Lexington Avenue, a line 100 feet south of the southerly #street line# of East 116th Street, and a line 100 feet west of the westerly #street line# of Lexington Avenue;

(iii) The area bounded by the centerline of East 124th Street, a line 100 feet east of the easterly #street line# of Third Avenue, the centerline of East 123rd Street, the centerline of Third Avenue, the centerline of East 122nd Street, and a line 100 feet west of the westerly #street line# of Third Avenue.

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

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

of the #block# located between East 120th Street and East 119th Street;

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

138-24

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

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

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

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

138-30

STREETSCAPE REQUIREMENTS

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

138-31

Ground Floor Use Regulations

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

(a) Along #primary street frontages#

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

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

(2) in #flood zones#, where no transparent materials or #building# entrances or exits are provided on the #ground floor level street wall# below a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 15 feet, visual mitigation elements shall be provided in

accordance with Section 138-32 for such blank wall.

(b) Along #secondary street frontages#

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

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

138-32 Special Streetscape Provisions for Blank Walls

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

(a) Planting

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

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

(b) Benches

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

(c) Bicycle racks

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

(d) Tables and chairs

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

(e) Wall treatment

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

138-40 OFF-STREET PARKING AND LOADING REGULATIONS

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

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

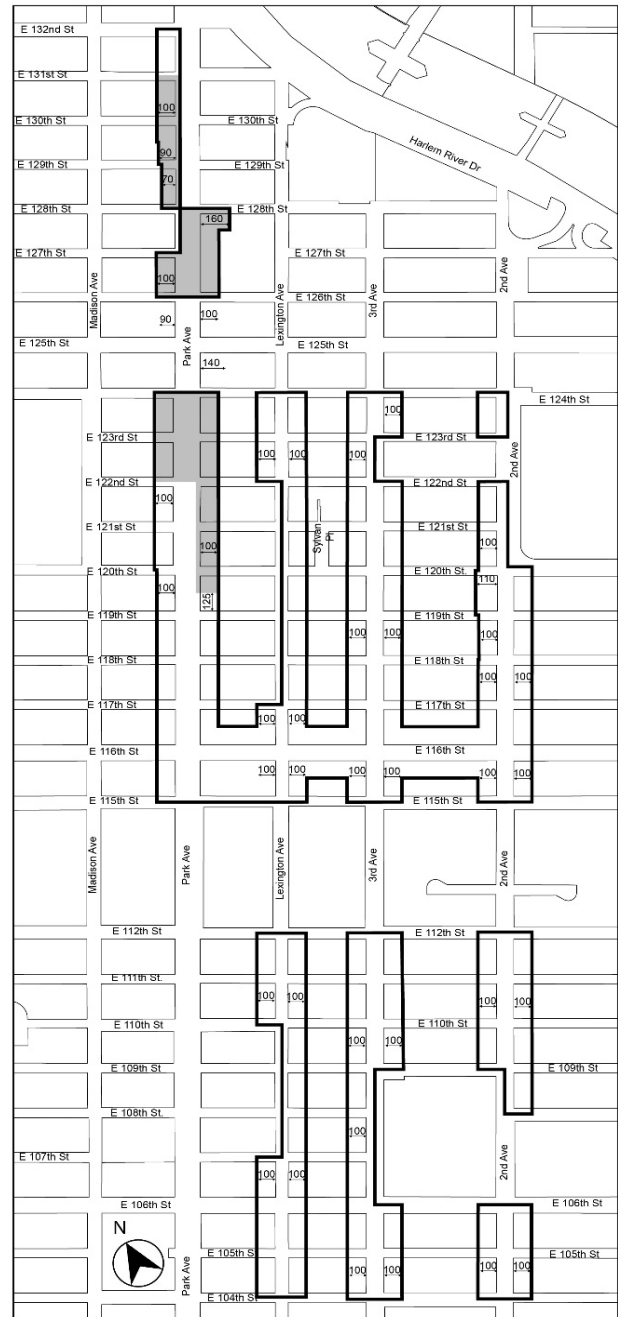
In the #Special East Harlem Corridors District#, no #accessory# off-street parking shall be required for #residences#. Off-street

parking shall be permitted in accordance with the underlying district regulations.

APPENDIX: SPECIAL EAST HARLEM CORRIDORS DISTRICT PLAN

Special East Harlem Corridors District and Subdistrict

[PROPOSED MAP]



EAST HARLEM DISTRICT PLAN

SPECIAL EAST HARLEM CORRIDOR DISTRICT AND SUBDISTRICT

Special East Harlem Corridors District

Park Avenue Subdistrict

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

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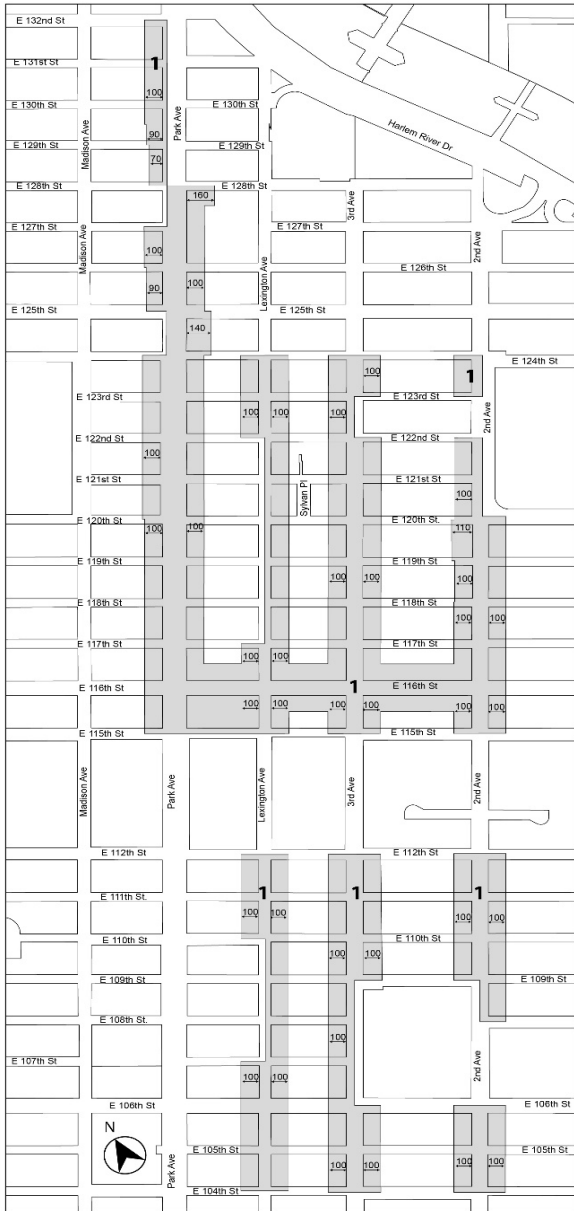
Manhattan Community District 11

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

* * *

Map 2 – [date of adoption]

[PROPOSED MAP]



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

Portion of Community District 11, Manhattan

* * *

No. 19

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

NOTICE

On Wednesday, August 23, 2017, starting no earlier than 2:00 P.M., in the Manhattan Municipal Building, Mezzanine level, 1 Centre Street, New York, NY 10007 (access through the North

Entrance), a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of City Planning (DCP) and the Department of Housing Preservation and Development (HPD). DCP, together with HPD, is proposing a series of land use actions—including zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan (collectively, the “Proposed Actions”). The Proposed Actions are intended to facilitate the development of affordable housing, preserve existing neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes. The Proposed Actions would affect an approximately 96-block area of the East Harlem neighborhood of Manhattan.

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

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

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

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

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

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

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

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

No. 21

CD 11 N 170362 ZRM
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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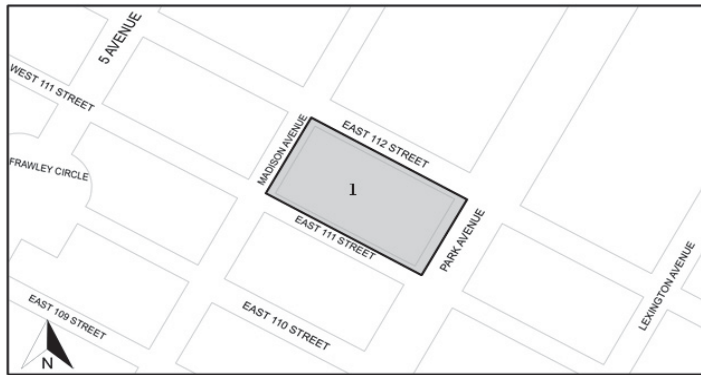
Manhattan Community District 11

* * *

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

* * *

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



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

* * *

No. 22

CD 11 C 170363 HAM
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

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

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

No. 23

CD 11 C 170364 PQM
IN THE MATTER OF an application submitted by the Department of Housing Preservation, pursuant to Section 197-c of the New York City Charter, for acquisition of property generally located on the block generally bounded East 111th Street, Park Avenue, East 112th Street and Madison Avenue (Block 1617, Lots 22, 35, 121, 122 and parts of Lots 23, 25, 28, 37) for use as passive recreation space and community gardens.

No. 24

CD 11 C 170365 ZSM
IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and the rear yard requirements of Sections 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 24-382 (Require Rear Yard Equivalents), in connection with a proposed mixed used development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts.

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

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

No. 25

CD 11 C 170366 ZSM
IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-421 (Location of commercial uses) to allow Use Group 6 uses on portions of the third floor of a proposed building (Building A), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9/C2-5* Districts.

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

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

No. 26

CD 11 C 170367 ZSM
IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all required accessory residential off-street parking spaces, in connection with a proposed mixed use development, within a large scale general development, in the Transit Zone, on property generally bounded by East 112th Street, Park Avenue, East 111th Street and Madison Avenue (Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121 & 122), in R9 and R9/C2-5* Districts.

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

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

NOTICE

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

On Wednesday, August 23, 2017, starting no earlier than 2:00 P.M., in the Manhattan Municipal Building, Mezzanine level, 1 Centre Street, New York, NY 10007 (access through the North Entrance), a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of Housing Preservation and Development (HPD). HPD proposes a series of land use actions necessary to facilitate the development of an affordable housing development at the Sendero Verde - East 111th Street Property (the "Sendero Verde Site") bounded by East 111th Street, Madison Avenue, East 112th Street, and Park Avenue. The proposed actions include a zoning map amendment, zoning text amendment, UDAAAP designation, disposition of City-Owned property, acquisition of a portion of the disposition area by the City, a large-scale general development (LSGD) special permit, and a City Planning Commission certification to waive retail continuity requirements. The East Harlem Rezoning DEIS (CEQR No.17DCP048M) considers these actions and their environmental effects.

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

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

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

*Note: The Sendero Verde - East 111th Street Proposal is considered and analyzed in the East Harlem Rezoning DEIS, prepared in connection with a concurrent related application (East Harlem Neighborhood Rezoning, ULURP Nos. 170358 ZMM, N170359 ZRM, 170360 HUM).

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



a9-23

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY 10007, on Wednesday, September 6, 2017, at 10:00 A.M.

BOROUGH OF BROOKLYN
Nos. 1 & 2
723-733 MYRTLE AVENUE REZONING
No. 1

CD 3 **C 170025 ZMK**
IN THE MATTER OF an application submitted by JMS Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Myrtle Avenue, Nostrand Avenue, Myrtle Avenue, and Walworth Street;
2. changing from an M1-2 District to an R6A District property bounded by Myrtle Avenue, Nostrand Avenue, a line 100 feet southerly of Myrtle Avenue, and Sandford Street;
3. establishing within the proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Myrtle Avenue, Nostrand Avenue, Myrtle Avenue, and Walworth Street; and
4. establishing within the proposed R6A District a C2-4 District bounded by Myrtle Avenue, Nostrand Avenue, a line 100 feet southerly of Myrtle Avenue, and Sandford Street;

as shown on a diagram (for illustrative purposes only), dated June 5, 2017 and subject to the conditions of the CEQR Declaration E-433.

No. 2

CD 3 **N 170026 ZRK**
IN THE MATTER OF an application submitted by JMS Realty Corp., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Housing Designated Areas

* * *

BROOKLYN

* * *

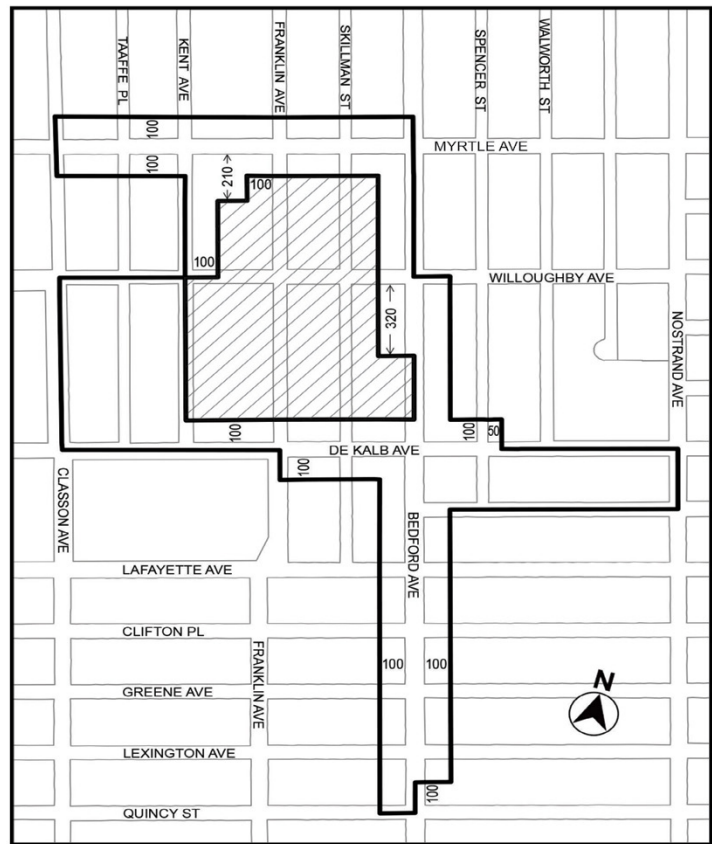
Brooklyn Community District 3

In the R6A, R7A and R7D Districts within the areas shown on the following Maps 1, 2, 3, 4, and 5:

* * *

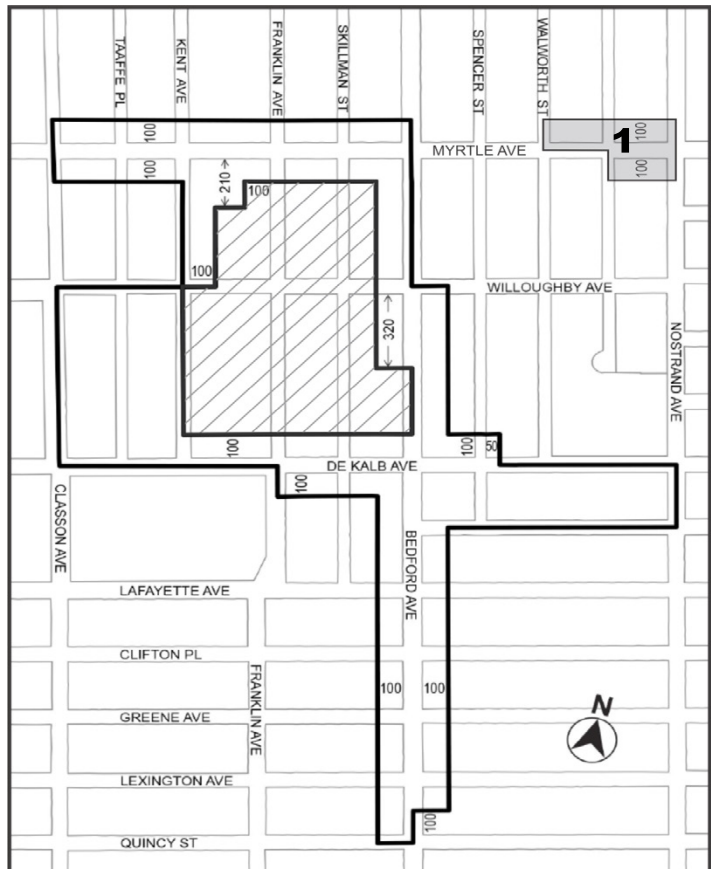
Map 3 - (10/11/12)

[EXISTING MAP]



Map 3 - [date of adoption]

[PROPOSED MAP]



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

Portion of Community District 3, Brooklyn
* * *

No. 3

ALL MY CHILDREN DAY CARE AND NURSERY

CD 9 C 160132 PQK
IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 317 Rogers Avenue (Block 1296, Lot 1), for continued use as a child care center.

BOROUGH OF MANHATTAN

No. 4

ESCUELA HISPANA MONTESSORI 1 CHILD CARE CENTER

CD 3 C 160207 PQM
IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 180 Suffolk Street (Block 350, Lot 8) for continued use as a child care center.

No. 5

19 EAST 72ND STREET

CD 8 C 170452 ZSM
IN THE MATTER OF an application submitted by 19 East 72nd Street Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit, pursuant to Section 74-711 of the Zoning Resolution, to modify the use regulations of Section 22-10 to allow a retail use (Use Group 6 uses) on portions of the ground floor, and the sign regulations of Section 22-30, to allow accessory commercial signs for an existing 17-story building on property, located at 19 East 72nd Street (Block 1387, Lot 14), in R10 and C5-1 Districts, partially within the Special Madison Avenue Preservation District and the Special Park Improvement District, within the Upper East Side Historic District.

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

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

 **a22-s6**

DESIGN AND CONSTRUCTION

NOTICE

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

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

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

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

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

1. The public use and benefit of this project is for the Construction of Storm and Sanitary Sewers, for the

Replacement of Water Main and Appurtenances in the borough of Queens (the "Project").

2. The properties to be acquired are shown on the City's Tax Map for the borough of Queens and include the following properties:

- Block 12132, part of Lot 25;
- Block 12133, part of Lot 1;
- Bed of 151st Place from 135th Avenue to North Conduit Avenue.

The proposed acquisition shall consist of the following locations:

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

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

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

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

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

DETERMINATION:

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

NOTICE:

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

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

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

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

a21-23

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 5, 2017, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**58 Remsen Street - Brooklyn Heights Historic District
LPC-19-11498 - Block 251 - Lot 34 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1844 and later altered in the Anglo-Italianate style with the addition of a Mansard roof. Application is to alter a fence and install steps.

188 Prospect Park West, aka 496 14th Street, 496A 14th Street, 498 14th Street, 187-191 Prospect Park West - Park Slope Historic District

LPC-19-13969 - Block 1103 - Lot 37 - **Zoning:** R8B R6B
CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style movie theater designed by Harrison G. Wiseman and Magnuson & Kleintert Associates and built c. 1928. Application is to construct a bulkhead.

536 1st Street - Park Slope Historic District

LPC-19-10514 - Block 1077 - Lot 13 - **Zoning:** 16D
CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style rowhouse built in 1909. Application is to construct a rooftop addition.

1100 Grand Concourse - Grand Concourse Historic District

LPC-19-6401 - Block 2462 - Lot 33 - **Zoning:** R8
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building designed by Gronenberg and Leuchtag and built in 1927-28. Application is to reconstruct walls and planters and install lighting.

400 West Broadway - SoHo-Cast Iron Historic District Extension

LPC-19-12883 - Block 488 - Lot 22 - **Zoning:** M1-5A
CERTIFICATE OF APPROPRIATENESS

An Italianate style store building, designed by William Jose and built in 1870-71, and altered in the late 20th century. Application is to legalize the installation of storefront infill in non-compliance with Certificate of Appropriateness 17-2488.

408-410 Avenue of the Americas - Greenwich Village Historic District

LPC-19-7528 - Block 572 - Lot 4, 5 - **Zoning:** C4-5
CERTIFICATE OF APPROPRIATENESS

Two altered rowhouses built in 1839. Application is to legalize the installation of rooftop mechanical equipment without Landmarks Preservation Commission permit(s).

45 Bond Street - NoHo Historic District Extension

LPC-19-4257 - Block 529 - Lot 31 - **Zoning:** M1-5B
CERTIFICATE OF APPROPRIATENESS

A store and loft building designed by Adolph Giobbe and built in 1912-13 and later altered. Application is to replace storefront infill and windows.

114 Prince Street - SoHo-Cast Iron Historic District

LPC-19-11186 - Block 500 - Lot 19 - **Zoning:** M1-5A
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style store building designed by Richard Berger and built in 1889-90. Application is to install a flagpole and bracket sign.

74 East 4th Street - East Village/Lower East Side Historic District

LPC-19-8690 - Block 459 - Lot 23 - **Zoning:** R8B
CERTIFICATE OF APPROPRIATENESS

A professional association hall designed by August H. Blankenstein and built in 1873, altered in the German Renaissance Revival and Neo-Grec styles by Frederick William Kurtzer & Richard O.L. Rohl in 1892. Application is to construct rooftop additions and install storefront infill.

218 East 18th Street - Stuyvesant Square Historic District

LPC-19-13317 - Block 898 - Lot 46 - **Zoning:** R7B
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1856-57. Application is to modify the areaway and install a barrier-free access chair lift.

◀ a22-s5

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M., on Wednesday, August 30, 2017. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice), at 55 Water Street, 9th Floor South West, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 67 Wall Street Owner LLC, to continue to maintain, and use bollards along the south sidewalk of Wall Street, west of Pearl Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years

from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1569**

For the period July 1, 2017 to June 30, 2027 - \$1,750/per annum

the maintenance of a security deposit in the sum of \$2,800 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 IN THE MATTER OF a proposed revocable consent authorizing 81 Charles Street Owner LLC and Flagstaff LLC, to construct, maintain and use a stoop and a fenced-in area, together with stairs on the north sidewalk of Charles Street, between Bleecker and West 4th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2402**

From the Approval Date to the Expiration Date - \$25/per annum

the maintenance of a security deposit in the sum of \$7,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#3 IN THE MATTER OF a proposed revocable consent authorizing 1282 Street LLC to construct, maintain and use snowmelt system south sidewalk of East 82nd Street, between Fifth and Madison Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2401**

From the Approval Date by the Mayor to June 30, 2027 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 IN THE MATTER OF a proposed revocable consent authorizing Anthony Blumka, to continue to maintain, and use a fenced-in area on the north sidewalk of East 72nd Street, east of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1618**

From July 1, 2017 to June 30, 2027 - \$280/per annum

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 IN THE MATTER OF a proposed revocable consent authorizing East 72nd Realty LLC and River York Stratford LLC, to continue to maintain, and use a conduit under and across East 73rd Street, West of York Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1125**

For the period July 1, 2017 to June 30, 2018 - \$ 5,015

For the period July 1, 2018 to June 30, 2019 - \$ 5,127

For the period July 1, 2019 to June 30, 2020 - \$ 5,239

For the period July 1, 2020 to June 30, 2021 - \$ 5,351

For the period July 1, 2021 to June 30, 2022 - \$ 5,463

For the period July 1, 2022 to June 30, 2023 - \$ 5,575

For the period July 1, 2023 to June 30, 2024 - \$ 5,687

For the period July 1, 2024 to June 30, 2025 - \$ 5,799

For the period July 1, 2025 to June 30, 2026 - \$ 5,911

For the period July 1, 2026 to June 30, 2027 - \$ 6,023

the maintenance of a security deposit in the sum of \$6,100 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#6 IN THE MATTER OF a proposed revocable consent authorizing Gouverneur Gardens Housing Corporation, to continue to maintain, and use pipes and conduits at two locations under and across Water Street, between Montgomery Street and Gouverneur slip East, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #748**

For the period July 1, 2017 to June 30, 2018 - \$ 19,715

For the period July 1, 2018 to June 30, 2019 - \$ 20,157

For the period July 1, 2019 to June 30, 2020 - \$ 20,599

For the period July 1, 2020 to June 30, 2021 - \$ 21,041

For the period July 1, 2021 to June 30, 2022 - \$ 21,483

For the period July 1, 2022 to June 30, 2023 - \$ 21,925

For the period July 1, 2023 to June 30, 2024 - \$ 22,367

For the period July 1, 2024 to June 30, 2025 - \$ 22,809

For the period July 1, 2025 to June 30, 2026 - \$ 23,251

For the period July 1, 2026 to June 30, 2027 - \$ 23,693

the maintenance of a security deposit in the sum of \$23,700 and the

insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#7 IN THE MATTER OF a proposed revocable consent authorizing Gouverneur Gardens Housing Corporation, to continue to maintain, and use pipes and conduits at two locations under and across Madison Street, east of Montgomery Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 749**

- For the period July 1, 2017 to June 30, 2018 - \$ 10,342
- For the period July 1, 2018 to June 30, 2019 - \$ 10,574
- For the period July 1, 2019 to June 30, 2020 - \$ 10,806
- For the period July 1, 2020 to June 30, 2021 - \$ 11,038
- For the period July 1, 2021 to June 30, 2022 - \$ 11,270
- For the period July 1, 2022 to June 30, 2023 - \$ 11,502
- For the period July 1, 2023 to June 30, 2024 - \$ 11,734
- For the period July 1, 2024 to June 30, 2025 - \$ 11,966
- For the period July 1, 2025 to June 30, 2026 - \$ 12,198
- For the period July 1, 2026 to June 30, 2027 - \$ 12,430

the maintenance of a security deposit in the sum of \$12,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#8 IN THE MATTER OF a proposed revocable consent authorizing The New York Presbyterian Hospital, to construct, maintain and use a conduit duct for telecommunications under, and across East 69th Street, West of York Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2335**

For the period July 1, 2017 to June 30, 2018 - \$566/annum + \$4,348/per annum (prorated from the date of Approval by the Mayor)

- For the period July 1, 2018 to June 30, 2019 - \$4,914
- For the period July 1, 2019 to June 30, 2020 - \$5,026
- For the period July 1, 2020 to June 30, 2021 - \$5,137
- For the period July 1, 2021 to June 30, 2022 - \$5,248
- For the period July 1, 2022 to June 30, 2023 - \$5,360
- For the period July 1, 2023 to June 30, 2024 - \$5,471
- For the period July 1, 2024 to June 30, 2025 - \$5,583
- For the period July 1, 2025 to June 30, 2026 - \$5,694

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#9 IN THE MATTER OF a proposed revocable consent authorizing One NY Plaza Co. LLC, to continue to maintain, and use two pipelines, together with an associated valve chamber under and across South Street near Broad Street, under and across Marginal Street and extending out shore thereof, all in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #945**

- For the period July 1, 2017 to June 30, 2018 - \$ 118,936
- For the period July 1, 2018 to June 30, 2019 - \$ 121,600
- For the period July 1, 2019 to June 30, 2020 - \$ 124,264
- For the period July 1, 2020 to June 30, 2021 - \$ 126,928
- For the period July 1, 2021 to June 30, 2022 - \$ 129,592
- For the period July 1, 2022 to June 30, 2023 - \$ 132,256
- For the period July 1, 2023 to June 30, 2024 - \$ 134,920
- For the period July 1, 2024 to June 30, 2025 - \$ 137,584
- For the period July 1, 2025 to June 30, 2026 - \$ 140,248
- For the period July 1, 2026 to June 30, 2027 - \$ 142,912

the maintenance of a security deposit in the sum of \$143,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#10 IN THE MATTER OF a proposed revocable consent authorizing Riverbend Housing Company Inc., to continue to maintain, and use a conduit under and across East 139th Street, East of Fifth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #918**

- For the period July 1, 2017 to June 30, 2018 - \$5,089
- For the period July 1, 2018 to June 30, 2019 - \$5,203
- For the period July 1, 2019 to June 30, 2020 - \$5,317
- For the period July 1, 2020 to June 30, 2021 - \$5,431
- For the period July 1, 2021 to June 30, 2022 - \$5,545
- For the period July 1, 2022 to June 30, 2023 - \$5,659
- For the period July 1, 2023 to June 30, 2024 - \$5,773
- For the period July 1, 2024 to June 30, 2025 - \$5,887
- For the period July 1, 2025 to June 30, 2026 - \$6,001
- For the period July 1, 2026 to June 30, 2027 - \$6,115

the maintenance of a security deposit in the sum of \$6,200 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#11 IN THE MATTER OF a proposed revocable consent authorizing Shun Hua Zhuo and Miao Qu Bao, to continue to maintain, and use a fenced-in area on the west sidewalk of 203rd Street, North of 42nd Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2005**

From July 1, 2017 to June 30, 2027 - \$101/per annum

the maintenance of a security deposit in the sum of \$2,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#12 IN THE MATTER OF a proposed revocable consent authorizing The Merchants House, to continue to maintain and use an accessibility ramp and stairs on the north sidewalk of North Moore Street, east of Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027, and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1583**

From July 1, 2017 to June 30, 2027 - \$25/per annum

the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

a10-30

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

SALE

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

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

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

o11-m29

OFFICE OF CITYWIDE PROCUREMENT

NOTICE

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

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

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

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

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

j3-d29

POLICE

NOTICE

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

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

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

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

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

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

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j3-d29



“Compete To Win” More Contracts!

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

- ***Win More Contracts at nyc.gov/competetowin***

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

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and

relevant service experience.

- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN’S SERVICES

■ INTENT TO AWARD

Human Services/Client Services

FAMILY FOSTER CARE SERVICES - Negotiated Acquisition - Available only from a single source - PIN#06818N0002 - Due 9-5-17 at 4:00 P.M.

The New York City Administration for Children’s Services Office of Procurement, in accordance with Section 3-04(b)(2)(i)(D) of the Procurement Policy Board Rules, intends to enter into a negotiated acquisition with Cayuga Home for Children Inc. for the provision of family foster care services. The term of the contract is projected to be from September 1, 2017 to June 30, 2020. This notice is for information purposes only. Organizations interested in future solicitation for these services are invited to do so by submitting a simple, electronic prequalification application, using the City’s new Health and Human Services (HHS) Accelerator System. To prequalify or for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator.

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

Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038. Rafael Asusta (212) 341-3511; Fax: (212) 551-7113; rafael.asusta@acs.nyc.gov

a16-22

■ SOLICITATION

Services (other than human services)

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

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

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

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

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

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

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

Administration for Children's Services, 150 William Street, New York, NY 10038. Jean Sheil (212) 341-3518; Fax: (212) 341-3520; jean.sheil@acs.nyc.gov

a17-23

OFFICE OF PROCUREMENT

INTENT TO AWARD

Human Services/Client Services

EXTRAORDINARY NEEDS FOSTER CARE SERVICES - Renewal - PIN#06817R0001001R001 - Due 9-5-17 at 4:00 P.M.

The Administration for Children Services intends to enter into renewal negotiations, for the purchase of Extraordinary Needs Foster Care services, for the vendor Cumberland Hospital LLC. Any information concerning the provider's performance as well as any other factors relevant to this renewal may be expressed by contacting Rafael Asusta, Child Welfare Services Unit, 150 William Street, 9th Floor, New York, NY 10038, or by calling (212) 341-3511, between the hours of 10:00 A.M. and 4:00 P.M. on business days.

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

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Mani Jadunauth (212) 676-7522; Fax: (212) 341-3504; maninauth.jadunauth@acs.nyc.gov

a22

CITYWIDE ADMINISTRATIVE SERVICES

AWARD

Services (other than human services)

WEBEX SUBSCRIPTION - Competitive Sealed Bids - PIN# 8561700014 - AMT: \$125,550.00 - TO: Presidio Networked Solutions Group LLC, 110 Parkway Drive South, Hauppauge, NY 11788. Various Locations.

a22

OFFICE OF CITYWIDE PROCUREMENT

AWARD

Goods

GRP: CUMMINS DIESEL ENGINE - Competitive Sealed Bids - PIN# 8571700283 - AMT: \$1,540,000.00 - TO: Gabrielli Truck Sales Ltd., 153-20 South Conduit Avenue, Jamaica, NY 11434.

a22

INTENT TO AWARD

Services (other than human services)

ENERGY CONSERVATION CONSULTING SERVICES - Government to Government - PIN#85618T0001 - Due 9-7-17 at 5:00 P.M.

Pursuant to Section 3-13 of the Procurement Policy Board Rules of the City of New York, the New York City Department of Citywide Administrative Services ("DCAS") intends to enter into a contract with the Dormitory Authority of the State of New York ("DASNY") for services related to energy efficiency programs. Specifically, DASNY shall provide advisory and consulting services related to the development of more efficient strategies for carbon reduction efforts; maintenance action plans related to energy efficient operations; and asset inventorying and mechanical system condition assessments for City owned and managed buildings.

This government-to-government purchase is in the best interest of DCAS as it supports the Mayor's Climate Action Executive Order and the mandate to meet the principles and goals of the Paris Climate Agreement of limiting warming to only 1.5 degrees Celsius

by providing DCAS with particular expertise, as a means to continue developing its operations and maintenance, and planning programs. DASNY is best suited for this contract due to their existing extensive knowledge of the energy efficiency programs managed by the Office of Client Agency Engagement.

Qualified vendors may express their interest in providing such services in the future by contacting Jeff Choi at (212) 386-0407 or jchoi@dcas.nyc.gov. The due date for expressions of interest is September 7th, 2017.

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10008. Jeff Choi (212) 386-0407; Fax: (212) 313-3265; jchoi@dcas.nyc.gov

a22-28

SOLICITATION

Goods

SWEEPER, INDUSTRIAL, 4-WHEEL, DIESEL - DSNY - Other - PIN#857PS1800042 - Due 9-18-17 at 9:30 A.M.

A Pre-Solicitation Conference for the above mentioned commodity is scheduled for September 18, 2017, at 9:30 A.M., at 1 Centre Street, 18th Floor, New York, NY 10007.

The purpose of this Conference is to review proposed specifications for the commodity listed above to ensure a good product and maximum competition. Please make every effort to attend this conference, your participation will assist us in revising the attached specifications so they can be issued as a part of final bid package.

A copy of the Pre-Solicitation package can be downloaded from the City Record Online site at www.nyc.gov/cityrecord. Enrollment is free. Please review the documents before you attend the conference.

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Kirklyval Henry (212) 386-0438; Fax: (212) 313-3447; khenry@dcas.nyc.gov

Accessibility questions: DCAS Diversity and EEO Office (212) 386-0297, by: Monday, September 11, 2017, 12:00 A.M.



a22

DISTRICT ATTORNEY - NEW YORK COUNTY

IT PROCUREMENT

INTENT TO AWARD

Goods and Services

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

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

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

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

a18-24

ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICE

SOLICITATION

Services (other than human services)

EHSINV-17: ENVIRONMENTAL HEALTH AND SAFETY INVESTIGATION SERVICES - Request for Proposals - PIN#82617EHS002 - Due 9-22-17 at 4:00 P.M.

The Department of Environmental Protection (DEP) seeks a consultant to provide supplemental investigatory and technical assistance to support DEP's Employee Concerns Program, Workplace Violence Investigations and Incident Investigation Policy.

MINIMUM QUALIFICATION REQUIREMENTS: The Lead Investigator for EHS incidents should possess certification as a Certified Safety Professional.

Pre-Proposal Conference: August 29, 2017; 3:30 P.M.; DEP, 59-17 Junction Boulevard, 6th Floor, Lecture Room, Flushing, NY 11373. Attendance by proposers is not mandatory, but strongly recommended. A maximum of one representative from each proposer may attend due to room constraints.

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

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Jeanne Schreiber (718) 595-3456; Fax: (718) 595-3278; rfp@dep.nyc.gov



☛ a22

HOUSING AUTHORITY

SUPPLY MANAGEMENT

■ SOLICITATION

Construction Related Services

SMD ELEVATOR DOOR AND FRAME REPLACEMENT - MARCY HOUSES, BROOKLYN - Competitive Sealed Bids - PIN#65805 - Due 9-7-17 at 10:00 A.M.

Remove existing door equipment, furnish and install sill support/ install sills, install frame hang and adjust door and interlock/install rixons rough finish mason work and Repair and paint surrounding wall.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the "Doing Business with NYCHA", using the link: <http://www.nyc.gov/nychabusiness>. Once on that page, please scroll down to mid page, on the left hand column, select "Selling to NYCHA", click into "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 iSupplier Users" and "Log-In Here" If you do not have your log-in credentials, select "Request a Log-In ID." Upon access, select "Sourcing Supplier" then "Sourcing Homepage", reference applicable RFQ number per solicitation.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Mimose Julien (212) 306-8141; Fax: (212) 306-5109; mimose.julien@nycha.nyc.gov

☛ a22

Goods and Services

SMD IDIQ CONTRACT FOR: MAINTENANCE PAINTING OF (I) APARTMENTS AND (II) INTERIOR AND EXTERIOR PUBLIC SPACES - CITYWIDE - Competitive Sealed Bids - PIN#65807 - Due 9-12-17 at 10:00 A.M.

This is an indefinite-delivery, indefinite-quantity ("IDIQ") contract. NYCHA guarantees to the Contractor that it will order a quantity of Work with a minimum value of \$150,000.00 (the "Minimum Value"). NYCHA is under no obligation to order from the Contractor more than the Minimum Value under this Contract, but NYCHA may order no more than \$2,500,000.00.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have

never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Mimose Julien (212) 306-8141; Fax: (212) 306-5109; mimose.julien@nycha.nyc.gov

☛ a22

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ INTENT TO AWARD

Services (other than human services)

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

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

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

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

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

a17-23

NYC HEALTH + HOSPITALS

SUPPLY CHAIN SERVICES

■ SOLICITATION

Goods

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

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

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

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

a16-22

PARKS AND RECREATION

■ **VENDOR LIST**

Construction / Construction Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION - NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business Enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

*Firms that are in the process of becoming a New York City-certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained on-line at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap>; or <http://www.nycgovparks.org/opportunities/business>.

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

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

j3-d29

CAPITAL PROJECTS

■ **INTENT TO AWARD**

Construction Related Services

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

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

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-

qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center Annex, Flushing Meadows - Corona Park, Flushing, NY 11368. Grace Fields-Mitchell (718) 760-6687; Fax: (718) 760-6885; grace.fields-mitchell@parks.nyc.gov

a18-24

CONTRACTS

■ **AWARD**

Construction / Construction Services

RECONSTRUCTION OF PAVEMENTS, FENCING, SAFETY SURFACING - Competitive Sealed Bids - PIN# 84616B0188001 - AMT: \$2,200,903.94 - TO: 2 SAAB Construction, Inc., 3084 Coney Island Avenue, Brooklyn, NY 11235. Contract MG-914MA.

a22

■ **SOLICITATION**

Construction / Construction Services

RECONSTRUCTION OF A SKATE PARK - Competitive Sealed Bids - PIN# 84617B0180 - Due 9-13-17 at 10:30 A.M.

Located at West 109th Street in Riverside Park, Borough of Manhattan. Contract M071-115M.

This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013.

Bid Security: Bid Deposit in the amount of 5 percent of Bid Amount or Bid Bond in the amount of 10 percent of Bid Amount.

The Cost Estimate Range: \$1,000,000.00 to \$3,000,000.00.

To request the Plan Holder's List, please call the Blue Print Room at (718) 760-6576.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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 64, Flushing Meadows-Corona Park, Flushing, NY 11368. Susana Hersh (718) 760-6855; susana.hersh@parks.nyc.gov

a22

PROBATION

■ **AWARD**

Human Services / Client Services

ADOLESCENT IMPACT RENEWAL - Renewal - PIN# 78114I0001001R002 - AMT: \$3,358,836.51 - TO: Esperanza NY, Inc., 636 Broadway, 4th Floor, New York, NY 10012. Exercise of one-year option to renew from 7/1/2017 - 6/30/2018.

● **AIM RENEWAL - Renewal - PIN# 78112P0001** Exercise of one year renewal option from 7/1/2017 to 6/30/2018:

Good Shepherd Services
305 Seventh Avenue, New York, NY 10001
78112P0001001R003

\$307,100.08

Union Settlement Association
237 East 104th Street, New York, NY 10029
78112P0001005R003

\$270,038.68

Community Mediation Services
89-64 163rd Street, Jamaica, NY 11432
78112P0001003R003

\$306,201.04

Fund for the City of New York/Center for Court Innovation
121 Avenue of the Americas, 6th Floor, New York, NY 10013
78112P0001004R003

\$306,739.06

Youth Advocate Programs
2007 North Third Street, Harrisburg, PA 17102

78112P0001002R003
 \$676,800.00
 ● **NEXT STEPS RENEWAL** - Renewal - PIN# 78115I0001005
 Exercise of one-year option to renew from 7/1/2017 - 6/30/2018
 Community Mediation Services
 89-64 163rd Street, Jamaica, NY 11432
 78115I0001005R002
 \$141,540.72
 Good Shepherd Services
 305 Seventh Avenue, 9th Floor, New York, NY 10001
 78115I0001002R002
 \$282,481.80
 New York Center for Interpersonal Development
 130 Stuyvesant Place, Staten Island, NY 10301
 78115I0001006R002
 \$141,034.83
 The Osborne Association
 809 Westchester Avenue, Bronx, NY 10455
 78115I0001001R002
 \$425,333.81
 ● **NEXT STEPS RFP** - Competitive Sealed Proposals/Pre-Qualified
 List - Judgment required in evaluating proposals - PIN# 78117I0001
 These contracts have been awarded by the HHS Accelerator method,
 pursuant to Section 3-16 of the Procurement Policy Board Rules:
 Center for Community Alternatives
 25 Chapel Street, 7th Floor, Brooklyn, NY 11201
 78117I0001001
 \$282,706.40
 The Children's Village
 One Echo Hills, Dobbs Ferry, NY 10522
 78117I0001005
 \$141,520.00
 Fedcap Rehabilitation Services, Inc.
 633 Third Avenue, 6th Floor, New York, NY 10017
 78117I0001004
 \$141,520.00
 Exodus Transitional Community
 2271 Third Avenue, New York, NY 10035
 78117I0001003
 \$283,040.00
 Harlem Commonwealth Council
 231 West 125th Street, New York, NY 10027
 78117I0001002
 \$283,040.00
 ● **NEON ARTS RENEWAL** - Renewal - PIN# 78115N0001001R001
 - AMT: \$630,000.00 - TO: Carnegie Hall Corporation, 881 Seventh
 Avenue, 8th Floor, New York, NY 10019.
 Exercise of one-year option to renew from 7/1/2017 - 6/30/2018

← a22

Services (other than human services)

CE SOFTWARE SUBSCRIPTIONS/CONSULTING - Sole Source
 - Available only from a single source - PIN# 78117S0001001 - AMT:
 \$285,066.88 - TO: Automon LLC, 6621 North Scottsdale Road,
 Scottsdale, AZ 85250.

Notice of intent to enter into sole source negotiations was published in
 the City Record starting on March 2, 2017. Automon LLC is the sole
 owner of the Caseload Explorer System and all associated code, it is
 thereby the only vendor capable of providing the needed subscriptions
 for CE Check-In Web, CE Check-In Kiosk, and CE Field, as well as all
 associated consulting/configuration services.

← a22

PUBLIC LIBRARY - QUEENS

■ SOLICITATION

Goods and Services

WINDOW CLEANING AND EMERGENCY REMEDIAL SERVICES - Competitive Sealed Bids - PIN# 0817-1 - Due 9-6-17 at
 2:00 P.M.

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.

Public Library - Queens, 89-11 Merrick Boulevard, Jamaica, NY 11432.
 Cristina Polychronopoulos (718) 990-8684; Fax: (718) 658-2945;
 bidcontact@queenslibrary.org



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CONTRACT AWARD HEARINGS

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, 9TH FLOOR, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICES.

HOMELESS SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Special Contract Public Hearing will be held on Tuesday, August 29, 2017, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York and the contractor listed below, to operate a Stand Alone Transitional Residence for Homeless Families. The term of this contract will be from August 1, 2017 to June 30, 2022, with an option to renew from July 1, 2022 to June 30, 2026.

| <u>Vendor /Address</u> | <u>Site Address</u> | <u>E-PIN</u> | <u>Amount</u> |
|---|------------------------------------|---------------|---------------|
| Bronx Parent Housing Network Inc., 1802 Crotona Avenue, Bronx, NY 10457 | 3001 Briggs Avenue Bronx, NY 10458 | 07110P0002184 | \$9,894,603 |

The proposed contractor has been selected by means of the Competitive Sealed Proposal method (Open Ended Request for Proposals), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, excluding Saturdays, Sundays and holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF four (4) proposed contracts between the Department of Homeless Services of the City of New York and the contractors listed below, for transition from housing cluster sites to Stand Alone Transitional Residences for Homeless Families. The term of these contracts will be from August 1, 2017 to June 30, 2022, with an option to renew from July 1, 2022 to June 30, 2026.

| <u>Vendor /Address</u> | <u>Site Address</u> | <u>E-PIN</u> | <u>Amount</u> |
|---|---|---------------|---------------|
| Bronx Parent Housing Network, Inc. 1802 Crotona Avenue, Bronx, NY 10457 | 1838 Vyse Avenue Bronx, NY 10460 | 07116N0012001 | \$18,934,407 |
| Bronx Parent Housing Network, Inc. 1802 Crotona Avenue, Bronx, NY 10457 | 1387 Grand Concourse, Bronx, NY 10452 | 07116N0012003 | \$13,824,612 |
| Bronx Parent Housing Network, Inc. 1802 Crotona Avenue, Bronx, NY 10457 | 1237/1239/1243 Webster Avenue Bronx, NY 10456 | 07116N0012004 | \$14,779,026 |
| Core Services Group, Inc. 45 Main Street, Suite 711, Brooklyn, NY 11201 | 526 Pennsylvania Avenue, Brooklyn, NY 11207 | 07116N0012005 | \$11,751,082 |

The proposed contractors have been selected by means of Negotiated Acquisition method, pursuant to Section 3-04 of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts are available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, excluding Saturdays, Sundays and holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York and the contractor listed below, to operate a Safe Haven and a Drop-in Center for Homeless Adults, at 112-114 West 14th Street, New York, NY 10011. The term of this contract will be from October 1, 2016 to June 30, 2021 with five (5) options to renew, from July 1, 2021 to June 30, 2026, and from July 1, 2026 to June 30, 2031, and from July 1, 2031 to June 30, 2036, and from July 1, 2036 to June 30, 2041, and from July 1, 2041 to June 30, 2046.

| <u>Contractor/Address</u> | <u>Site Address</u> | <u>E-PIN</u> | <u>Amount</u> | <u>Service Area</u> |
|---|--|---------------|---------------|---------------------|
| Center for Urban Community Services, Inc. 198 East 121 st Street, New York, NY 10035 | 112-114 West 14 th Street, New York, NY 10011 | 07110P0002120 | \$28,000,000 | Manhattan |

The proposed contractor has been selected by means of the Competitive Sealed Proposal method (Open Ended Request for Proposal), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, Office of Contracts, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and holidays. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York and the contractor listed below, **for the provision of a Safe Haven for Homeless Single Adults with Mental Illness.** The term of the contract will be from July 1, 2017 to December 31, 2048.

| <u>Contractor/Address</u> | <u>Site</u> | <u>E-PIN</u> | <u>Amount</u> | <u>Service Area</u> |
|--|--|---------------|---------------|---------------------|
| Center for Urban Community Services, Inc., 198 East 121 st Street, New York, NY 10035 | Kelly Safe Haven 419 West 126 th Street, New York, NY 10027 | 07116I0014007 | \$118,085,610 | Manhattan |

The proposed contractor has been selected through the HHS Accelerator method, pursuant to Section 3-16 of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, Office of Contracts, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and holidays. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York and the contractor listed below, for transition from housing cluster sites to a Stand Alone Transitional Residence for Homeless Families. The term of this contract will be from August 1, 2017 to June 30, 2020.

| <u>Vendor/Address</u> | <u>Site Addresses</u> | <u>E-PIN</u> | <u>Amount</u> |
|--|--|---------------|---------------|
| Core Services Group, Inc. 45 Main Street, Suite 711 Brooklyn, NY 11201 | 124 Stuyvesant Avenue, Brooklyn, NY 11221 38 Cooper Street Brooklyn, NY 11207 | 07116N0012006 | \$29,513,333 |

389 Chauncey Street, Brooklyn, NY 11233

429 Bainbridge Street, Brooklyn, NY 11233

853 Halsey Street, Brooklyn, NY 11233

1027 Putnam Avenue, Brooklyn, NY 11221

The proposed contractor has been selected by means of Negotiated Acquisition method, pursuant to Section 3-04 of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, excluding Saturdays, Sundays and holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York and the contractor listed below, to provide shelter services for a special population of young adults. The term of this contract will be from July 1, 2017 to June 30, 2018.

| <u>Vendor/Address</u> | <u>Site Address</u> | <u>E-PIN</u> | <u>Amount</u> |
|---|--|-------------------|---------------|
| Create Inc. 73 Malcolm X Boulevard New York, NY 10026 | 133-55 West 128 th Street, New York, NY 10027 | 07106R0030CNVN003 | \$1,317,303 |

The proposed contractor has been selected through the Negotiated Acquisition Extension procurement method, pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, excluding Saturdays, Sundays and holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York and the contractor listed below, to operate a Stand Alone Transitional Residence for Homeless Families. The term of this contract will be from October 1, 2017 to September 30, 2022, with an option to renew from October 1, 2022 to September 30, 2026.

| <u>Vendor /Address</u> | <u>Site Address</u> | <u>E-PIN</u> | <u>Amount</u> |
|---|---|---------------|---------------|
| Harlem United Community Aids Center, Inc. 306 Lenox Avenue, NY 10027 3 rd Floor New York, NY 10027 | 11 & 17-19 Old Broadway, New York, NY 10027 | 07110P0002144 | \$17,315,440 |

The proposed contractor has been selected by means of the Competitive Sealed Proposal method (Open Ended Request for Proposals), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, excluding Saturdays, Sundays and holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF a proposed contract between the Department of Homeless Services of the City of New York, and the contractor listed below, to operate a Stand Alone Transitional Residence for Homeless Families. The term of this contract will be from August 9, 2017 to June 30, 2022, with an option to renew from July 1, 2022 to June 30, 2026.

| Vendor /Address | Site Address | E-PIN | Amount |
|--|--|---------------|--------------|
| Urban Resource Institute 75 Broad Street New York, NY 10004 | 1270 Pacific Street Brooklyn, NY 11216 | 07110P0002171 | \$11,951,747 |

The proposed contractor has been selected by means of the Competitive Sealed Proposal method (Open Ended Request for Proposals), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from August 22, 2017 to August 29, 2017, excluding Saturdays, Sundays and holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment, and/or need additional information, please contact Paul Romain at (929) 221-5555.



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CONSUMER AFFAIRS

■ NOTICE

Notice of Adoption

Notice of adoption of amendments to Chapter 6 of Title 6 of the Rules of the City of New York.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs (DCA) by Sections 1043, 2203(f), and 2203(h)(1) of the New York City Charter, Executive Order No. 18, and Sections 17-1409, 20-104, 20-105, 20-271(d), 20-275(b), 20-494, 20-703(a), 20-818(a), 20-818(b), and 20-910(e) of the Administrative Code of the City of New York, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department amends Sections 6-01, 6-10, 6-11, 6-19, 6-47, and 6-61, and promulgates and adopts Sections 6-62, 6-63, 6-64, and 6-65, of Chapter 6 of Title 6 of the Rules of the City of New York, to clarify DCA's enforcement powers after notice and hearing with respect to unlicensed activity and authority to seal a premise, to clarify the applicable penalty if a penalty is not specifically provided for a violation of a law or rule, and to amend and update DCA's fixed penalties.

The rule was proposed and published on May 25, 2017. The required public hearing was held on June 26, 2017.

Statement of Basis and Purpose of Rules

Chapter 6 of Title 6 of the Rules of the City of New York contains the rules implementing Executive Order No. 18, dated June 23, 2016, which transferred DCA's adjudicatory responsibilities to the Office of Administrative Trials and Hearings (OATH). The rules provide guidance to those who want to settle their violations before appearing at OATH, including by setting fixed penalties for violations issued by the Department.

These rules seek to provide additional guidance by clarifying the Commissioner's enforcement powers with respect to unlicensed activities and authority to seal premises under the Administrative Code of the City of New York and any other City, State or Federal law conferring such power upon the Commissioner. These rules also seek to clarify that if a penalty is not specifically provided for a violation of law or rule that is within DCA's jurisdiction to enforce, Section 2203(h)(1), which authorizes DCA to impose civil penalties up to \$500, will apply. These rules also seek to amend the fixed penalties for violations of the consumer protection and public safety laws and establish additional fixed penalties for violations of laws and rules related to dealers in second-hand articles, debt collection agencies, carpet VOC emissions,

air conditioning, and pregnancy services centers.

New material is underlined.

[Deleted material is in brackets.]

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

Rules

Section 1. Sections 6-01, 6-10, 6-11, 6-19, 6-47, and 6-61 of Chapter 6 of Title 6 of the Rules of the City of New York are amended to read as follows:

§ 6-01. Delegation of Authority

- (a) Except as otherwise provided in this subchapter, the adjudicatory powers granted to the Commissioner of the Department of Consumer Affairs (“Commissioner”) under the Administrative Code of the City of New York (“Administrative Code”) and New York State law to conduct hearings, issue decisions, impose fines and civil penalties, and order any other relief are hereby delegated to the Office of Administrative Trials and Hearings (“OATH”).
- (b) Nothing in this rule shall prohibit the Commissioner from exercising powers [that] conferred upon the Commissioner [may invoke without an adjudication], including, but not limited to:
 - (1) the power to suspend a license, without an adjudication, pursuant to Administrative Code § 20-104(e)(3);
 - (2) the powers with respect to unlicensed activities pursuant to Subdivisions (b)(2), (b)(3), and (b)(4) of Administrative Code § 20-105; and
 - (3) the power to order that a premises be sealed under the Administrative Code or any other City, State or Federal law conferring such power upon the Commissioner.

§ 6-10. Compliance with New York City Charter

- (a) Pursuant to New York City Charter § 2203(h)(2), as used in this chapter, the term “notice of violation” means any notice commencing a proceeding, including a summons or any other form as prescribed by the Commissioner.
- (b) Pursuant to New York City Charter § 2203(h)(1), except to the extent that dollar limits are otherwise specifically provided, civil penalties shall not exceed five hundred dollars for each violation of any law or rule the enforcement of which is within the jurisdiction of the Department pursuant to the New York City Charter, Administrative Code or any other general, special or local law. The remedies and penalties provided for in this subchapter shall be applied per violation and shall be in addition to any other remedies or penalties provided for the enforcement of such provisions under any other law including, but not limited to, civil or criminal actions or proceedings. Such remedies and the maximum penalties authorized by a law or rule shall apply to a respondent who fails to appear to answer a notice of violation.

§ 6-11. License Enforcement Penalty Schedule

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|---------------------|---------------------------|-----------------|---------------|------------------|----------------|--------------------------------|------------------------------|
| Admin Code § 20-109 | Improper license transfer | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |

| | | | | | | | |
|---------------------|---|--------|--------|-------|-------|-------|-------|
| Admin Code § 20-110 | Failure to obtain DCA approval of change of corporate ownership | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-111 | Failure to obtain DCA approval of change in a partnership | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-112 | Failure to comply with licensee address requirements | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-113 | Failure to comply with trade name requirements | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-114 | Failure to comply with inspection and license display requirements | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-03(a) | Failure to post the license and complaint sign | \$375* | \$500* | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-03(b) | Failure to post the sidewalk café license and complaint sign | \$375* | \$500* | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-05 | Failure to contain license number in advertisements and other printed matter | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-13 | Failure to comply with requirements related to responding to a consumer's complaint | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-14 | Failure to appear to answer a Notice of Hearing or respond to Subpoena Duces Tecum | \$375 | \$375 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-15 | Failure to satisfy judgment | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-16 | Failure to comply with record and business premise inspection requirements | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-17 | Improper wearing of badge | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 1-18 | Failure to surrender identification documents issued by the department | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |

§ 6-19. Dealers in Second-Hand Articles Penalty Schedule

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time

violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|------------------------|--|-----------------|---------------|------------------|----------------|--------------------------------|------------------------------|
| Admin Code § 20-265 | Operating as a second hand dealer without a license | \$100 per day | \$100 per day | \$100 per day | \$100 per day | \$100 per day | \$100 per day |
| Admin Code § 20-267 | Failure to report required records to police commissioner | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-268 | Failure to comply with specified restrictions pertaining to second hand dealers | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-270 | Failure to comply with signage requirements | \$375* | \$500* | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-271(a) | Failure to label second-hand articles as not new [Failure to comply with labeling requirements] | \$375* | \$500* | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-271(b) | Failure of dealer in second-hand automobiles to clearly and conspicuously post price of second-hand automobile or prices for add-on products | \$500 | \$500 | \$750 | \$750 | \$1000 | \$1000 |

| | | | | | | | |
|----------------------------|--|-------|-------|-------|-------|-------|-------|
| Admin Code § 20-272 | Failure to comply with requirements pertaining to lost or stolen property | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| Admin Code § 20-273 | Failure to <u>comply with requirements pertaining to</u> [maintain] record of purchases and sales | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-101 | Failure to verify and record identity of persons who sell to second-hand dealers | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-102 | Failure to comply with requirements pertaining to sale of second-hand furniture | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(a) | Failure to maintain documents recording transfer of title in sale of second-hand automobile | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(b) | Failure to comply with requirements pertaining to deferred payment, collateral and financing terms in sale of second-hand automobile | \$500 | \$500 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(c) | Covering or concealing of motor or serial number in sale of second-hand automobile or motorcycle | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(d) | Failure of dealer in second-hand automobiles to meet deferred payment commitments in purchase of second-hand automobile from private person | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(e) | Improper statements, representations, promises or acts by dealer in second-hand automobiles or agents | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(f) | Failure of dealer in second-hand automobiles to disclose all terms of undertaking or agreement with purchaser | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(g) (1)(i) | Sale of second-hand automobile not inspected and certified in accordance with Vehicle and Traffic Law | \$500 | \$500 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(g) (1)(ii) | Failure to provide required Notice to Buyer with contract for sale of second-hand automobile | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(g) (1)(iii) | Contract for sale of second-hand automobile containing prohibited limitations | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(g) (1)(iv) | Failure of dealer in second-hand automobiles to submit form contracts with license application | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(g) (1)(v) | Failure of dealer in second-hand automobiles to display required sign at place of business | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(g)(2) | Misrepresentation of vehicle mileage | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(h) | Failure of dealer in second hand automobiles to investigate previous use of vehicle or to maintain record of vehicle's previous use and odometer reading | \$500 | \$500 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(i) | Sale of second-hand automobile at price other than advertised | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(j) | Sale of second-hand automobile from licensed place of business by any person other than licensed dealer in second-hand automobiles | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |

| | | | | | | | |
|----------------------|--|--------|--------|-------|-------|--------|--------|
| 6 RCNY § 2-103(k)(1) | Improperly accepting deposit in sale of second hand automobile | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(k)(2) | Deposit receipt fails to contain required information | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(k)(3) | Failure to keep proper record of deposits in sales of second hand automobiles | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(l)(1) | Failure of dealer in second hand automobiles to keep proper records of income and expenses | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(l)(2) | Failure of dealer in second hand automobiles to maintain proper record of cash receipts and cash disbursements | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-103(m)(2) | <u>Dealer in second-hand automobiles parking or allowing automobiles to encroach on a sidewalk or other public space</u> | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-105(a) | <u>Failure to label second-hand articles as not new</u> | \$375* | \$500* | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-105(b) | <u>Failure of dealer in second-hand automobiles to post price of second-hand automobile according to required specifications</u> | \$375 | \$500 | \$675 | \$750 | \$1000 | \$1000 |
| 6 RCNY § 2-105(c) | <u>Failure of dealer in second-hand automobiles to post price of add-on products according to required specifications</u> | \$375 | \$500 | \$675 | \$750 | \$1000 | \$1000 |

§ 6-47. Consumer Protection Law Penalty Schedule

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|---------------------|---|-----------------|---------------|------------------|----------------|--------------------------------|------------------------------|
| Admin Code § 20-700 | Engaged in an unlawful deceptive or unconscionable trade practice | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-23 | Failure to meet the requirement(s) for layaway plans | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-24 | Failure to meet requirement(s) for credit card limitations | \$260* | \$350* | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-32 | Failure to meet the requirement(s) for documentation of transactions | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-36 | Failure to meet the requirement(s) for sale of used items | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-37 | Failure to comply with disclosure of refund policy requirements | \$260* | \$350* | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-39 | Failure to meet the requirements for cancellation of home appointment | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-40 | Improper limit or disclaimer of liability for negligence | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-40(e) | Improper posting of sign that business is not liable for negligence | \$260* | \$350* | \$315 | \$350 | \$350 | \$350 |

| | | | | | | | |
|-----------------------|--|-------|-------|-------|-------|---------|---------|
| Admin Code § 10-134.2 | Failure to comply with the requirements pertaining to the sale of laser pointers | \$300 | \$300 | \$500 | \$500 | \$1,000 | \$1,000 |
| 6 RCNY § 4-10 | Improper sign content regarding laser pointers | \$300 | \$300 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 4-11 | Improper size of sign regarding laser pointers | \$300 | \$300 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 4-12 | Improper posting of sign regarding laser pointers | \$300 | \$300 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 4-15 | Improper number of signs regarding laser pointers | \$300 | \$300 | \$500 | \$500 | \$500 | \$500 |
| 6 RCNY § 4-16 | Sign not in required language | \$300 | \$300 | \$500 | \$500 | \$500 | \$500 |
| [6 RCNY § 5-73 | Failure to comply with requirements pertaining to the sale of box cutters | \$350 | \$350 | \$500 | \$500 | \$500 | \$500] |

§2. Chapter 6 of Title 6 of the Rules of the City of New York is amended by adding new Sections 6-62, 6-63, 6-64, and 6-65 to read as follows:

§ 6-62. Debt Collection Agency Penalty Schedule

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a

separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|-------------------------------|---|---|---|---|---|---|---|
| Admin Code § 20-490 | Acting as a debt collection agency without a DCA license | \$750, plus \$100 per day & \$100 per instance of contact | \$1,000, plus \$100 per day & \$100 per instance of contact | \$900, plus \$100 per day & \$100 per instance of contact | \$1,000, plus \$100 per day & \$100 per instance of contact | \$1,000, plus \$100 per day & \$100 per instance of contact | \$1,000, plus \$100 per day & \$100 per instance of contact |
| Admin Code § 20-493.1(a)(i) | Failure to provide a call back number answered by a natural person | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.1(a)(ii) | Failure to provide the name of the debt collection agency | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.1(a)(iii) | Failure to provide the originating creditor of the debt | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.1(a)(iv) | Failure to provide the name of the person to call back | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.1(a)(v) | Failure to provide the amount of the debt at the time of communication | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.1(b) | Failure to provide written confirmation to the consumer within 5 business days of any debt payment schedule or settlement agreement | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.2(a) | Attempting to collect or contact a consumer about a debt after failing to provide adequate verification of the debt upon request | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-493.2(b) | Contacting a consumer about a debt for which the statute of limitations has expired without first providing required notice | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| 6 RCNY § 2-190 | Failure to provide specified written documentation verifying the debt | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| 6 RCNY § 2-191 | Failure to provide specified statute of limitations disclosure regarding the debt | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |

| | | | | | | | |
|------------------|--|-------|---------|-------|---------|---------|---------|
| 6 RCNY § 2-192 | Failure to provide specified written confirmation of the debt payment schedule or settlement agreement | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| 6 RCNY § 2-193 | Failure to comply with debt collection agency record-maintenance requirements | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |
| 6 RCNY § 2-194 | Failure to comply with call-back number requirements | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| 6 RCNY § 5-77(a) | Failure to comply with requirements pertaining to acquisition of location information | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-77(b) | Failure to comply with requirements pertaining to communicating in connection with the collection of a debt | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-77(c) | Engaging in harassment or abuse in connection with the collection of a debt | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-77(d) | Making a false, deceptive, or misleading representation in connection with the collection of a debt | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-77(e) | Using an unfair or unconscionable means to collect or attempt to collect a debt | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-77(f) | Failure to comply with the validation procedures for debt collectors who are creditors or who are employed by creditors | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |
| 6 RCNY § 5-78 | Designing, compiling, or furnishing a form to create false consumer belief that a third party is participating in the collection of a debt | \$260 | \$350 | \$315 | \$350 | \$350 | \$350 |

§ 6-63. Air Conditioning System Penalty Schedule

All citations are to Title 20 of the Administrative Code of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or

other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|------------------------|---|-----------------|---------------|------------------|----------------|--------------------------------|------------------------------|
| Admin Code § 20-910(b) | Business keeps door or window open while using air conditioner to cool the area adjacent to the door or window | \$250 | \$250 | \$500 | \$500 | \$500 | \$500 |
| Admin Code § 20-910(b) | Chain store keeps door or window open while using air conditioner to cool the area adjacent to the door or window | \$500 | \$500 | \$1,000 | \$1,000 | \$1,000 | \$1,000 |
| Admin Code § 20-910(f) | Failure to post open door or window complaint sign | \$375 | \$500 | \$450 | \$500 | \$500 | \$500 |

§ 6-64. Carpet Volatile Organic Compound Emissions Penalty Schedule

All citations are to Title 17 of the Administrative Code of the City of New York or Title 24 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or

other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|----------------------|---|------------------------|----------------------|-------------------------|-----------------------|---------------------------------------|-------------------------------------|
| Admin Code § 17-1402 | <u>Non-compliant carpet or carpet cushion sold, offered for sale, installed, or laid</u> | \$250 | \$500 | \$500 | \$500 | \$500 | \$500 |
| Admin Code § 17-1403 | <u>Non-compliant carpet adhesive installed in building</u> | \$250 | \$500 | \$500 | \$500 | \$500 | \$500 |
| Admin Code § 17-1405 | <u>Required documentation establishing compliance with volatile organic compound (VOC) standards not maintained and available for inspection</u> | \$250 | \$250 | \$250 | \$250 | \$250 | \$250 |
| Admin Code § 17-1407 | <u>Required notice not posted in a conspicuous location, or not provided in written form</u> | \$250 | \$250 | \$250 | \$250 | \$250 | \$250 |
| 24 RCNY 30-03(c) | <u>Required documentation establishing compliance with volatile organic compound (VOC) standards not provided within three (3) business days of request</u> | \$250 | \$250 | \$250 | \$250 | \$250 | \$250 |
| 24 RCNY 30-03(d) | <u>Required receipt not provided to consumer or required receipt does not meet specifications</u> | \$150 | \$250 | \$250 | \$250 | \$250 | \$250 |
| 24 RCNY 30-04(a) | <u>Posted sign does not meet required specifications</u> | \$150 | \$250 | \$250 | \$250 | \$250 | \$250 |
| 24 RCNY 30-04(b) | <u>Notice text does not conform to wording requirement</u> | \$150 | \$250 | \$250 | \$250 | \$250 | \$250 |

§ 6-65. Pregnancy Services Centers Penalty Schedule

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

Unless otherwise specified by law, a second or third or subsequent violation shall mean a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

The parties shall be authorized to present evidence to mitigate the premise sealing period within the date range marked by two asterisks (**).

| Citation | Violation Description | First Violation | First Default | Second Violation | Second Default | Third and Subsequent Violation | Third and Subsequent Default |
|---------------------------|---|------------------------|----------------------|-------------------------|-----------------------|---------------------------------------|-------------------------------------|
| Admin Code § 20-817 | <u>Failure to comply with requirements pertaining to confidentiality of health and personal information</u> | \$750 | \$1,000 | \$2,250 | \$2,500 | \$2,500 | \$2,500 |
| Admin Code § 20-818(b)(5) | <u>Sealing order mutilated or removed</u> | \$187 | \$250 | \$225 | \$250 | \$250 | \$250 |
| Admin Code § 20-818(b)(5) | <u>Intentional disobedience or resistance to sealing order</u> | \$750 | \$1,000 | \$900 | \$1,000 | \$1,000 | \$1,000 |
| 6 RCNY § 5-268 | <u>Failure to comply with requirements pertaining to displaying disclosure signs</u> | \$750 | \$1,000 | \$2,250 | \$2,500 | \$2,500 (plus 0 to 5 day sealing)** | \$2,500 (plus 5 day sealing) |
| 6 RCNY § 5-269 | <u>Failure to comply with requirements pertaining to disclosures in advertising</u> | \$750 | \$1,000 | \$2,250 | \$2,500 | \$2,500 (plus 0 to 5 day sealing)** | \$2,500 (plus 5 day sealing) |
| 6 RCNY § 5-270 | <u>Failure to comply with requirements pertaining to oral disclosures</u> | \$750 | \$1,000 | \$2,250 | \$2,500 | \$2,500 (plus 0 to 5 day sealing)** | \$2,500 (plus 5 day sealing) |

SPECIAL MATERIALS

HOUSING PRESERVATION AND DEVELOPMENT

NOTICE

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

Notice Date: August 11, 2017

To: Occupants, Former Occupants, and Other Interested Parties

Table with 4 columns: Property, Address, Application #, Inquiry Period. Lists various Manhattan addresses and their corresponding application numbers and inquiry periods.

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.

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.

a15-23

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

Notice Date: August 11, 2017

To: Occupants, Former Occupants, and Other Interested Parties

Table with 4 columns: Property, Address, Application #, Inquiry Period. Lists 350 West 52nd Street, Manhattan with application number 83/17 and inquiry period July 26, 2002 to Present.

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

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period.

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.

a15-23

CHANGES IN PERSONNEL

Table with 7 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Department of Education Admin for period ending 07/14/17.

Table with 7 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Department of Education Admin for period ending 07/14/17.

READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these

entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

| | |
|--------|---|
| ACCO | Agency Chief Contracting Officer |
| AMT | Amount of Contract |
| CSB | Competitive Sealed Bid including multi-step |
| CSP | Competitive Sealed Proposal including multi-step |
| CR | The City Record newspaper |
| DP | Demonstration Project |
| DUE | Bid/Proposal due date; bid opening date |
| EM | Emergency Procurement |
| FCRC | Franchise and Concession Review Committee |
| IFB | Invitation to Bid |
| IG | Intergovernmental Purchasing |
| LBE | Locally Based Business Enterprise |
| M/WBE | Minority/Women's Business Enterprise |
| NA | Negotiated Acquisition |
| OLB | Award to Other Than Lowest Responsive Bidder/Proposer |
| PIN | Procurement Identification Number |
| PPB | Procurement Policy Board |
| PQL | Pre-qualified Vendors List |
| RFEI | Request for Expressions of Interest |
| RFI | Request for Information |
| RFP | Request for Proposals |
| RFQ | Request for Qualifications |
| SS | Sole Source Procurement |
| ST/FED | Subject to State and/or Federal requirements |

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

| | |
|---------|--|
| CSB | Competitive Sealed Bidding including multi-step Special Case Solicitations/Summary of Circumstances: |
| CSP | Competitive Sealed Proposal including multi-step |
| CP/1 | Specifications not sufficiently definite |
| CP/2 | Judgement required in best interest of City |
| CP/3 | Testing required to evaluate |
| CB/PQ/4 | CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed |
| CP/PQ/4 | Demonstration Project |
| DP | Sole Source Procurement/only one source |
| RS | Procurement from a Required Source/ST/FED |
| NA | Negotiated Acquisition |
| NA/8 | For ongoing construction project only: Compelling programmatic needs |
| NA/9 | New contractor needed for changed/additional work |
| NA/10 | Change in scope, essential to solicit one or limited number of contractors |
| NA/11 | Immediate successor contractor required due to termination/default |

For Legal services only:

| | |
|-------|--|
| NA/12 | Specialized legal devices needed; CSP not advantageous |
| WA | Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP only) |
| WA1 | Preventing loss of sudden outside funding |
| WA2 | Existing contractor unavailable/immediate need |
| WA3 | Unsuccessful efforts to contract/need continues |
| IG | Intergovernmental Purchasing (award only) |
| IG/F | Federal |
| IG/S | State |
| IG/O | Other |
| EM | Emergency Procurement (award only): An unforeseen danger to: |
| EM/A | Life |
| EM/B | Safety |
| EM/C | Property |
| EM/D | A necessary service |
| AC | Accelerated Procurement/markets with significant short-term price fluctuations |
| SCE | Service Contract Extension/insufficient time; necessary service; fair price Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only) anti-apartheid preference |
| OLB/a | local vendor preference |
| OLB/b | recycled preference |
| OLB/c | other: (specify) |

HOW TO READ CR PROCUREMENT NOTICES

Procurement notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards, and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM
-Competitive Sealed Bids- PIN# 056020000293 -
DUE 04-21-03 AT 11:00 A.M.

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.

*NYPD, Contract Administration Unit,
51 Chambers Street, Room 310, New York, NY 10007.
Manuel Cruz (646) 610-5225.*

◀m27-30

| ITEM | EXPLANATION |
|---|--|
| POLICE DEPARTMENT | Name of contracting agency |
| DEPARTMENT OF YOUTH SERVICES | Name of contracting division |
| ■ SOLICITATIONS | Type of Procurement action |
| <i>Services (Other Than Human Services)</i> | Category of procurement |
| BUS SERVICES FOR CITY YOUTH PROGRAM | Short Title |
| CSB | Method of source selection |
| PIN #056020000293 | Procurement identification number |
| DUE 04-21-03 AT 11:00 A.M. | Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same. |
| Use the following address unless otherwise specified or submit bid/proposal documents; etc. | Paragraph at the end of Agency Division listing providing Agency |
| ◀ | Indicates New Ad |
| m27-30 | Date that notice appears in The City Record |