



# THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD U.S.P.S. 0114-660  
Printed on paper containing 30% post-consumer material

VOLUME CXLVIII NUMBER 162

MONDAY, AUGUST 23, 2021

Price: \$4.00

## TABLE OF CONTENTS

### PUBLIC HEARINGS AND MEETINGS

Board Meetings	5507
City Planning Commission	5508
Civic Engagement Commission	5537
Community Boards	5538
Board of Education Retirement System	5538
Franchise and Concession Review Committee	5538
Housing Authority	5538
Parks and Recreation	5538

### PROPERTY DISPOSITION

Citywide Administrative Services	5539
Housing Preservation and Development	5540

### PROCUREMENT

Administration for Children's Services	5540
Administration	5540
Aging	5541
External Affairs	5541
Brooklyn Bridge Park	5541
Brooklyn Navy Yard Development Corp.	5541
Environmental Protection	5541
Wastewater Treatment	5541
Finance	5541

Sheriff-General Sheriff	5541
Health and Mental Hygiene	5542
Housing Authority	5542
Procurement	5542
Mayor's Fund to Advance New York City	5542
Finance and Operations	5542
Parks and Recreation	5542
Revenue and Concessions	5542
Police Department	5543
Management and Budget	5543
Support Services Bureau	5543
Records and Information Services	5543
Administration	5543
Transportation	5543

### AGENCY RULES

City Planning	5544
---------------	------

### SPECIAL MATERIALS

City Planning	5546
Comptroller	5562
Housing Preservation and Development	5562
Mayor's Office of Contract Services	5564
Changes in Personnel	5564

### LATE NOTICE

Citywide Administrative Services	5565
Administration	5565

READER'S GUIDE	5566
----------------	------

## THE CITY RECORD

**BILL DE BLASIO**

Mayor

**LISETTE CAMILO**

Commissioner, Department of Citywide Administrative Services

**JANAE C. FERREIRA**

Editor, The City Record

Published Monday through Friday except legal holidays by the New York City Department of Citywide Administrative Services under Authority of Section 1066 of the New York City Charter.

Subscription \$500 a year, \$4.00 daily (\$5.00 by mail). Periodicals Postage Paid at New York, NY  
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, 17th Floor, New York, NY 10007-1602

Editorial Office/Subscription Changes:  
The City Record, 1 Centre Street, 17th Floor, New York, NY 10007-1602 (212) 386-0055

Visit The New City Record Online (CROL) at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord) for a searchable database of all notices published in the City Record.

## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

## BOARD MEETINGS

### MEETING

#### City Planning Commission

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

#### City Council

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

#### Contract Awards Public Hearing

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

#### Civilian Complaint Review Board

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

#### Design Commission

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

#### Department of Education

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

#### Board of Elections

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

#### Environmental Control Board

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

#### Board of Health

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

#### Health Insurance Board

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

#### Board of Higher Education

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

#### Citywide Administrative Services

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

#### Commission on Human Rights

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

**In Rem Foreclosure Release Board**

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

**Franchise and Concession Review Committee**

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

**Real Property Acquisition and Disposition**

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

**Landmarks Preservation Commission**

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

**Employees' Retirement System**

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

**Housing Authority**

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

**Parole Commission**

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

**Board of Revision of Awards**

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

**Board of Standards and Appeals**

Meets at 22 Reade Street, 1st Floor, in Manhattan on Mondays and Tuesdays at 10:00 A.M. Review sessions are customarily held immediately before the public hearing. For changes in the schedule or additional information, please call the Board's office at (212) 386-0009 or consult the Board's website at [www.nyc.gov/bsa](http://www.nyc.gov/bsa).

**Tax Commission**

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

**CITY PLANNING COMMISSION**

**■ PUBLIC HEARINGS**

In light of the Governor's announcement on June 24, 2021 of the end of the State-declared state of emergency, and in support of the City's continued efforts to contain the spread of COVID-19, the City Planning Commission will hold a public hearing accessible both in person and remotely.

The public hearing will be held on Wednesday, September 1, 2021, starting at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Masks are required to be worn to enter the building and during the hearing.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287261/1>.

Members of the public attending remotely should observe the meeting through DCP's website. Verbal testimony can be provided remotely by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

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

253 215 8782 US Toll Number  
213 338 8477 US Toll Number

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

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

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

**BOROUGH OF BROOKLYN  
Nos. 1 & 2  
1045 ATLANTIC AVENUE  
No. 1**

**CD 3** **C 210276 ZMK**  
**IN THE MATTER OF** an application submitted by Atlantic Brooklyn LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16c & 17a, by changing from an M1-1 District to a C6-3A District property bounded by a line midway between Lefferts Place and Atlantic Avenue, a line perpendicular to the northeasterly street line of Atlantic Avenue distant 180 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Franklin Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), and a line perpendicular to the northeasterly street line of Atlantic Avenue distant 210 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the easterly street line of Classon Avenue, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-631.

**No. 2**

**CD 3** **N 210277 ZRK**  
**IN THE MATTER OF** an application submitted by Atlantic Brooklyn LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

**ARTICLE III  
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 5  
Bulk Regulations for Mixed Buildings in Commercial Districts**

**35-66  
Special Height and Setback Provisions for Certain Areas**

**35-662  
Special height and setback provisions in C6-3A Districts along Atlantic Avenue within Community District 3, Borough of Brooklyn**

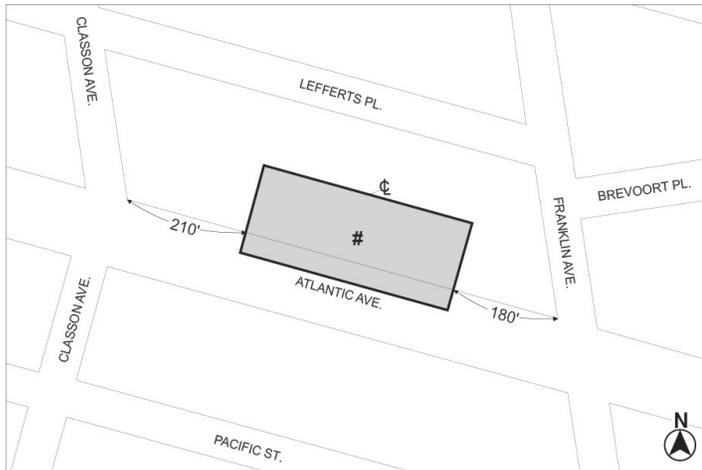
In C6-3A Districts in Community District 3, in the Borough of Brooklyn, for a #zoning lot# with frontage along Atlantic Avenue, the #street wall# provisions of paragraph (a) of Section 35-651 shall apply along the Atlantic Avenue #street# frontage, and shall also apply along #street# frontages intersecting Atlantic Avenue, within 50 feet of the intersection.

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

**BROOKLYN**

**Brooklyn Community District 3**

Map 7 - [date of adoption]



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

Portion of Community District 3, Brooklyn

\* \* \*

**Nos. 3-7**  
**COOPER PARK COMMONS**  
**No. 3**

**CD 1** **C 210480 ZMK**  
**IN THE MATTER OF** an application submitted by Maspeth Manager, LLC and the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 13a and 13b:

1. changing from an R6 District to an R7-2 District property bounded by Jackson Street, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue; and
2. establishing within the proposed R7-2 District a C2-4 District bounded by a line 150 feet northerly of Maspeth Avenue, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue.

as shown on a diagram (for illustrative purposes only) dated June 21, 2021 and subject to the terms of CEQR Declaration E-629.

**CD 1** **C 210481 ZSK**  
**IN THE MATTER OF** an application submitted by Maspeth Manager, LLC and the New York City 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 23-66 (Height and Setback Requirements for Quality Housing Buildings) and Section 23-711 (Standard minimum distance between buildings), in connection with the development of two new buildings and the enlargement and conversion of two existing buildings, within a large-scale general development generally bounded by Jackson Street, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue/ Grandparents Avenue (Block 2885, Lots 1, 20, 23, 28, and 32), in R7-2\* and R7-2/C2-4\* Districts.

\* Note: The development site is proposed to be rezoned by changing an existing R6 District to R7-2 and R7-2/C2-4 Districts under a concurrent related application for a Zoning Map change (C 210480 ZMK).

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

**No. 5**

**CD 1** **N 210482 ZRK**  
**IN THE MATTER OF** an application submitted by Maspeth Manager, LLC and 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**

\* \* \*

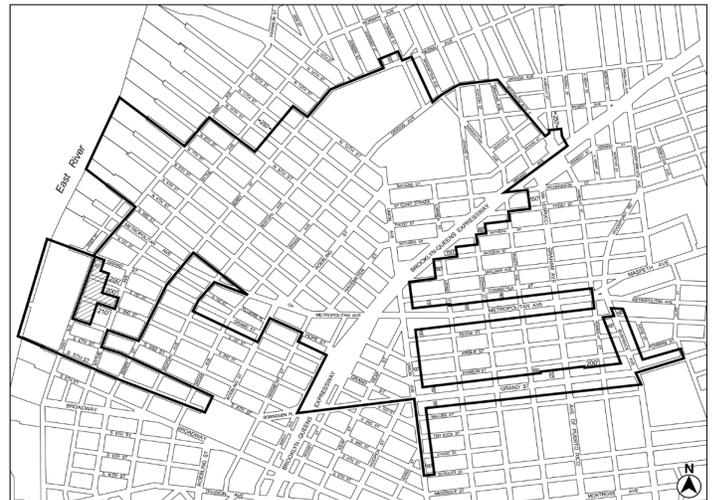
**BROOKLYN**

**Brooklyn Community District 1**

\* \* \*

Map 2 – [date of adoption]

[EXISTING MAP]



Inclusionary Housing designated area  
 Excluded Area

[PROPOSED MAP]



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

Portion of Community District 1, Brooklyn

\* \* \*

**No. 6**

**CD 1** **C 210483 HAK**  
**IN THE MATTER OF** an application submitted by the New York City 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 288 Jackson Avenue (Block 2885, Lot 1) 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 enlargement of two existing buildings and the construction of two new buildings containing approximately 556 affordable and senior housing units, a 200-bed homeless shelter and community facility and commercial space.

No. 7

CD 1 C 210484 PPK
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c of the New York City Charter, to modify the restriction limiting use of property located at 20 Kingsland Avenue (Block 2885, Lot 10) from a health care facility use to general community facility uses.

Nos. 8, 9 & 10
SPECIAL BROOKLYN NAVY YARD DISTRICT
No. 8

CD 2 C 210462 ZMK
IN THE MATTER OF an application submitted by Building 77 QALICB, Inc. and the NYC Small Business Services, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

- 1. changing from an R6B District to an M2-1 District property bounded by the following courses:
(i) a line 400 feet northeasterly of Navy Street;
(ii) a line perpendicular to the last named course at a point 400 feet southeasterly (as measured on such named course) from the point of intersection of the southerly street line of Evans Street and the easterly street line of Little Street;
(iii) a line passing through a point along the northeasterly street line of Navy Street, 95 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Navy Street and the easterly prolongation of a line 100 feet northerly of York Street and proceeding northerly at an angle 138 degrees to the northeasterly street line of Navy Street;
(iv) a line passing through a point along the last named course, 170 feet northerly of the northeasterly street line of Navy Street (as measured along the last named course), proceeding easterly at an angle 92 degrees to the last named course; and
(v) a line passing through a point along the last named course, 131 feet easterly of the intersection of the last named course and Course 1(iii) above (as measured along the last named course), proceeding northeasterly at an angle 117 degrees to the last named course;
2. changing from an M1-2 District to an M2-1 District property bounded by:
a. a line 400 feet northeasterly and easterly of Navy Street, the easterly centerline prolongation of Sands Street, Navy Street, and Course 1(ii); and
b. a line 400 feet northerly of Flushing Avenue, the northerly centerline prolongation of North Oxford Street, Flushing Avenue, and a line 680 feet easterly of Navy Street;
3. changing from an M3-1 District to an M2-1 District property bounded by:
a. a line 400 feet northerly of Flushing Avenue, a line 3,515 feet easterly of Navy Street, Flushing Avenue, and the northerly centerline prolongation of North Oxford Street; and
b. the following courses:
(i) Kent Avenue;
(ii) the southwesterly prolongation of the northwesterly street line of Clymer Street;
(iii) a line passing through the intersection of the southwesterly prolongation of the northwesterly street line of Clymer Street and the southwesterly street line of Kent Avenue and proceeding southerly at an angle 46 degrees from the southwesterly street line of Kent Avenue;
(iv) the southwesterly centerline prolongation of Taylor Street;
(v) a line passing through a point along the last named course 311 feet southwesterly (as measured along the last named course) of the intersection of the last named course and Course 3b(iii), proceeding northwesterly at an angle 100 degrees to the last named course;
(vi) the U.S. Pierhead and Bulkhead Line;
(vii) a line passing through a point along Course 3b(v) distant 919 feet northwesterly (as measured along Course 3b(v)) from the intersection of Course 3b(v) and Course 3b(iv), proceeding northeasterly at an angle 90 degrees to Course 3b(v);
(viii) a line passing through two points, the first being a point along the last named course 350 feet

- northeasterly of the intersection of the last named course and Course 3b(vi) and the second being a point on the U.S. Pierhead and Bulkhead Line distant 149 feet southerly (as measured along the US Pierhead and Bulkhead Line) from the point of intersection of the U.S. Pierhead and Bulkhead Line and a southerly boundary line of the NYC Pierhead Line;
(ix) the U.S. Pierhead and Bulkhead Line; and
(x) the easterly prolongation of the NYC Pierhead Line; and
c. the following courses:
(i) a line 400 feet northeasterly and easterly of Navy Street;
(ii) a line passing through the point of intersection of the last named course and Course 1(v) proceeding easterly at an angle 115 degrees to Course 1(v);
(iii) a line passing through a point along the last named course 540 feet easterly (as measured along the last named course) from the intersection of the last named course and Course 1(v) proceeding southerly at an angle 90 degrees to the last named course; and
(iv) a line passing through a point along the last named course 294 feet southerly (as measured along the last named course) from the intersection of the last named course and Course 3c(ii) proceeding southwesterly at an angle 141 degrees to the last named course;
4. establishing a Special Brooklyn Navy Yard District (BNY) bounded by the following courses:
(i) the U.S. Pierhead and Bulkhead Line;
(ii) the NYC Pierhead Line and its easterly prolongation;
(iii) Kent Avenue;
(iv) the northerly centerline prolongation of Classon Avenue;
(v) Williamsburg Street West;
(vi) Flushing Avenue;
(vii) a line 680 feet easterly of Navy Street;
(viii) a line 350 feet northerly of Flushing Avenue;
(ix) a line passing through a point on the last named course 272 feet westerly of the intersection of the last named course and Course 4(vii) proceeding northwesterly at an angle 135 degrees to the last named course;
(x) a line 34 feet southerly of the easterly centerline prolongation of Sands Street;
(xi) a line 132 feet easterly of Navy Street;
(xii) a line 50 feet southerly of the easterly centerline prolongation of Sands Street;
(xiii) Navy Street;
(xiv) Course 1(iii);
(xv) Course 1(iv);
(xvi) Course 1(v);
(xvii) Course 3c(ii);
(xviii) the northerly prolongation of Course 3c(iii)

as shown on a diagram (for illustrative purposes only) dated June 7, 2021.

No. 9

CD 2 N 210463 ZRK
IN THE MATTER OF an application submitted by Building 77 QALICB, Inc. and NYC Small Business Services, 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 Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying other 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

\* \* \*

11-12
Establishment of Districts

\* \* \*

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 Bay Street Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 5, the #Special Bay Street Corridor District# is hereby established.

Establishment of the Special Brooklyn Navy Yard District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 4, the #Special Brooklyn Navy Yard District# is hereby established.

Establishment of the Special City Island District

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

\* \* \*

Chapter 2 Construction of Language and Definitions

\* \* \*

12-10 Definitions

\* \* \*

Special Bay Street Corridor District (6/26/19)

The "Special Bay Street Corridor District" is a Special Purpose District designated by the letters "BSC" in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ([date of adoption])

The "Special Brooklyn Navy Yard District" is a Special Purpose District designated by the letters "BNY" in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The "Special City Island District" is a Special Purpose District designated by the letters "CD" in which special regulations set forth in Article XI, Chapter 2, apply.

\* \* \*

Chapter 4 Sidewalk Café Regulations

\* \* \*

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

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

\* \* \*

Table with 3 columns: District Name, #Enclosed Sidewalk Café#, #Unenclosed Sidewalk Café#. Rows include Brooklyn, Bay Ridge District, Brooklyn Navy Yard District, and Coney Island District.

ARTICLE VI SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2 Special Regulations Applying in the Waterfront Area

\* \* \*

62-13 Applicability of District Regulations

\* \* \*

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

- #Special Battery Park City District#
Special Bay Street Corridor District (6/26/19)

The "Special Bay Street Corridor District" is a Special Purpose District designated by the letters "BSC" in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ([date of adoption])

The "Special Brooklyn Navy Yard District" is a Special Purpose District designated by the letters "BNY" in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The "Special City Island District" is a Special Purpose District designated by the letters "CD" in which special regulations set forth in Article XI, Chapter 2, apply.

\* \* \*

Chapter 4 Sidewalk Café Regulations

\* \* \*

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

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

\* \* \*

Table with 3 columns: District Name, #Enclosed Sidewalk Café#, #Unenclosed Sidewalk Café#. Rows include Brooklyn, Bay Ridge District, Brooklyn Navy Yard District, and Coney Island District.

ARTICLE VI SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2 Special Regulations Applying in the Waterfront Area

\* \* \*

62-13 Applicability of District Regulations

\* \* \*

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

- #Special Battery Park City District#
#Special Brooklyn Navy Yard District#
#Special Governors Island District#

\* \* \*

ARTICLE XIV SPECIAL PURPOSE DISTRICTS

\* \* \*

[All below text is new, to be underlined]

Chapter 4 Special Brooklyn Navy Yard District (BNY)

144-00 GENERAL PURPOSES

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

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
(b) to promote job growth;
(c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
(d) to use traffic management planning to meet loading and parking needs including through alternate means of travel
(e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and
(f) to promote the most desirable use of land in accordance with

a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

#### 144-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where a term in italics is defined in both Section 12-10 and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section 62-11 (Definitions).

#### Barge Basin

#Barge Basin# shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

#### Shoreline

The definition of #shoreline# set forth in Section 12-10 is modified to mean the line identified as the Brooklyn Navy Yard Shoreline in that certain survey dated [date of survey] on file in the Office of the Department of City Planning.

#### 144-02 General Provisions

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented, or modified by the provisions of this Chapter or where excluded from application by the terms of such other 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. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

#### 144-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

- Map 1 Special Brooklyn Navy Yard District and Subdistricts
- Map 2 Barge Basin Subareas and Public Access Areas
- Map 3 Navy Street Central Subarea
- Map 4 Flushing Avenue Subareas and View Corridors

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

#### 144-04 Subdistricts and Subareas

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established in the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

- Perimeter Subdistricts
  - Navy Street Subdistrict
  - Navy Street Central Subarea
  - Flushing Subdistrict
    - Flushing West Subarea
    - Flushing East Subarea
  - Barge Basin Subdistrict
    - Barge Basin East Subarea
    - Barge Basin West Subarea
  - Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

#### 144-05 Applicability of Special Regulations Applying in the Waterfront Area

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

#### 144-06 Single Zoning Lot

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

#### 144-10 SPECIAL USE REGULATIONS

The provisions of Article IV, Chapter 2 (Use Regulations) are modified within the #Special Brooklyn Navy Yard District# by the provisions of Section 144-11 (Additional Uses Permitted in M2-1 zones) through Section 144-13 (Additional Uses in M3-1 Districts).

#### 144-11 Additional Uses Permitted in All Districts

The following modifications to the underlying district regulations shall be applicable throughout the #Special Brooklyn Navy Yard District#:

- (a) Alcoholic beverages and breweries
  - The manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), shall be permitted, subject to the applicable performance standards, except that the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply.
- (b) Water-dependent #uses#
  - The provisions of Section 62-21 (Classification of Uses in the Waterfront Area), Section 62-22 (Commercial Docking Facilities), Section 62-24 (Uses on Piers and Platforms), and Section 62-25 (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of [date of adoption] shall be deemed conforming #uses#.
- (c) #Physical culture or health establishments#
  - #Physical culture or health establishments# shall be permitted as-of-right and. For the purposes of applying the underlying regulations, such #use# shall be considered a Use Group 9A #use#, and shall be within parking requirement category (PRC) B.*

#### 144-12 Additional Uses Permitted in M2-1 Districts

The provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section 144-212 (Floor area limitations on additional uses):

- (a) all Use Group 3A #uses#, as set forth in Section 22-13, not otherwise permitted by the underlying regulations other than #uses# containing sleeping accommodations; and
- (b) Use Groups 6C, 9A, 10A and 12B, as set forth in Sections 32-15, 32-18, 32-19 and 32-21, respectively, all #uses# not otherwise permitted by the underlying regulations.

#### 144-13 Additional Uses in M3-1 Districts

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, as listed in Use Group 3A, provided that the Commission finds that:

- (a) such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Brooklyn Navy Yard Special District#, and
- (b) the location of the #school#, college or university will not interfere with any industrial #use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

The Commission may impose appropriate conditions and safeguards to minimize adverse impacts effects on the character of the surrounding area.

#### 144-20 SPECIAL BULK REGULATIONS

#### 144-21 Floor Area Regulations

The #floor area# regulations of the underlying controls shall apply as modified by Sections 144-211 (Floor area ratio) through 144-213 (Floor area limitations on additional uses).

#### 144-211 Floor area ratio

The maximum #floor area ratio# for all #uses# within the #Special Brooklyn Navy Yard Special District# shall be 2.0.

#### 144-212

##### Floor area ratio calculations

Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall apply in the #Special Brooklyn Navy Yard District#.

#### 144-213

##### Floor area limitations on additional uses

The additional #uses# allowed pursuant to Section 144-11 (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are allowed.

#### 144-22

##### Yard Regulations

Section 43-20 (YARD REGULATIONS) and Section 43-31 (Other Special Provisions for Rear Yards) shall not apply in the #Special Brooklyn Navy Yard District#. In lieu thereof, no #yards# shall be required.

#### 144-23

##### Height and Setback Regulations

The height and setback regulations set forth in Section 43-40 (HEIGHT AND SETBACK REGULATIONS) shall apply, except as modified by the regulations of this Section, inclusive.

#### 144-231

##### Flushing East Subarea

- (a) Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

- (b) Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

- (c) View corridors

View corridors with a minimum width of 50 feet shall be provided:

- (1) within the Vanderbilt Avenue view corridor; and
- (2) within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or horizontal #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

#### 144-232

##### Barge Basin Subdistrict

In the Barge Basin Subdistrict, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings# or other structures# shall comply with the provisions of this Section.

- (a) Sidewalk widening and Barge Basin setback

- (1) A sidewalk with a minimum width of 15 feet inclusive of any sidewalk located within the adjoining #street# shall be located along the Barge Basin Subdistrict. Any open area within the Barge Basin Subdistrict required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times. Any required sidewalk widening line shall be deemed the #street line# for purposes of this Section 144-232.
- (2) No portion of any #development# or #enlargement# other than a #cellar# level located completely below grade shall be located within forty feet of the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea or within fifty feet of the western boundary of the #Barge Basin# in

the Barge Basin West Subarea. The area between the #Barge Basin# and any #building# within the Barge Basin Subdistrict shall be improved as publicly accessible space in accordance with Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

- (b) Base height

The maximum base height of any #building# prior to the setbacks required by paragraph (e) of this Section shall be 85 feet or six stories, whichever is less.

- (c) Building wall continuity

- (1) Any wall of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# shall be located within eight feet of the setback distance required under paragraph (a)(ii) of this Section for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower.
- (2) The #street wall# of any #building# #developed# or horizontally #enlarged# in the Barge Basin East Subarea shall be located within eight feet of the #street line# for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower

For purposes of this paragraph #buildings# that abut one another shall be considered a single #building#.

- (d) Building articulation

For walls of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# having a length of more than 200 feet and subject to the building wall continuity requirement of paragraph (c), a minimum of 20 percent and maximum of 50 percent of the surface area of the #building# wall up to the height of the ceiling of the second #story# or 30 feet, whichever is lower, shall either recess or project from the plane of the #building# wall by a minimum of three feet. Such recesses and projections shall be treated as permitted obstructions.

- (e) Required setback

Any portion of a #building# that exceeds the maximum base height set forth in paragraph (b) shall set back at least 15 feet from any #street line,# at least 70 feet from the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and at least 80 feet from the western boundary of the #Barge Basin# in the Barge Basin West Subarea. In addition, in any location where a #building# or portion of a #building# is set back at least 60 feet from the boundary of the #Barge Basin# for a length of at least 50 feet, such portion may rise without setback subject to the requirements of paragraphs (f) and (g), provided that the length of any such #building wall# shall be limited to 100 feet.

- (f) Sky Exposure Planes

- (i) Kent Avenue. Any portion of a #development# or horizontal #enlargement# facing Kent Avenue and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1 commencing at the #street line# at such maximum base height.
- (ii) Barge Basin. Any portion of a #building# facing the Barge Basin and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1.
- (iii) Southern Boundary. Any portion of a #building# facing the southern boundary of the Barge Basin Subdistrict shall fit within a #sky exposure plane# of 5.6:1 commencing at the southern boundary of the Subdistrict at a height of 85 feet above #base plane#.

For purposes of this paragraph, the setback lines set forth in paragraph (a)(ii) of Section 144-232 (Barge Basin Subdistrict) and the southern boundary of the Barge Basin Subdistrict shall be deemed #street lines#.

- (g) Towers

#Buildings# may encroach on the #sky exposure planes# set forth in paragraph (f) and such portion of a #building# shall be deemed a tower, provided that (i) the #lot coverage# of such portion of the #building# shall not exceed, in the aggregate with any other #buildings# in the Subarea, 40 percent of the #lot area# of the relevant Subarea, and (ii) the width of the wall closest to Barge Basin of any tower portion

shall not exceed 200 feet. For purposes of this paragraph, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered a #zoning lot#.

(h) Permitted Obstructions

The provisions of Section 43-42 (Permitted Obstructions), as modified by paragraph (d) of this Section shall apply in the Barge Basin Subdistrict.

**144-24  
Shoreline Setback**

Except as provided in Section 144-241 (Certification for resiliency measures) no #building# shall be located closer to the #shoreline# than 30 feet within the #Special Brooklyn Navy Yard District# other than (i) #buildings# used for #water dependent uses#, and (ii) #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement set forth in Section 144-24 (Shoreline Setback) shall be eliminated or reduced in distance if the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

- (a) a #building# proposed to be located within such 30 foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is fifty-eight inches above the mean high water line existing on [date of adoption]; or
- (b) A district-wide resiliency plan for the #Special Brooklyn Navy Yard# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

**144-25  
Modification of Bulk Regulations**

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow a modification of the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- (a) such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- (b) such distribution of #bulk# will result in better site planning and will thus benefit both the residents, occupants or users of the #Special Brooklyn Navy Yard District# and the surrounding neighborhood;
- (c) such distribution of #bulk# will permit adequate access of light and air to surrounding public access areas, #streets# and properties; and
- (d) such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

**144-30  
SPECIAL PUBLIC ACCESS AREA REGULATIONS**

Public access areas shall be provided in connection with #developments# located within the Subareas identified in this Section, inclusive, as applicable. For purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

**144-31  
Required Public Access Areas**

(a) Navy Street Central Subarea

Except as set forth in paragraph (g), public access area in an amount equal to not less than 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the Navy Street Central Subarea in connection with any

#development# or #enlargement#. The required public access area shall have a minimum dimension in all directions of 50 feet for at least eighty percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

If the Navy Street Central Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase by certification of the Chairperson of City Planning, as set forth in paragraph (e) of this Section.

(b) Flushing East Subarea

Except as set forth in paragraph (g), public access area with a minimum depth of 50 feet from the #street line# extending along the entire length of the #street wall line# of a #building# shall be provided within the Flushing East Subarea in connection with any #development# or #enlargement# and shall extend to any visual corridor required under paragraph (c) of Section 144-231 (Flushing East Subarea) adjacent to the site of the #development# or #enlargement#.

(c) Barge Basin East Subarea

Except as set forth in Paragraph (g), public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea shall be provided within the Barge Basin East Subarea in connection with any #development# or #enlargement#.

The Barge Basin East Subarea public access area shall consist of:

- (i) a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width, measured from such edge, of 40 feet;
- (ii) a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and eastern portion of the pedestrian esplanade required by clause (i);
- (iii) a pedestrian connection with a minimum width of 60 feet located within 150 feet of the southern boundary of the Barge Basin East Subarea connecting Kent Avenue and the pedestrian esplanade required by clause (i); and
- (iv) such supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the required percentage of publicly accessible area.

If the Barge Basin East Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (e) of this Section.

(d) Barge Basin West Subarea

Except as set forth in paragraph (g), public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such parcel in connection with any #development# or #enlargement#.

The Barge Basin West Subarea public access area shall consist of:

- (i) a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width measured from such edge of 50 feet;
- (ii) an esplanade entry area at the southern end of the Barge Basin West Subarea having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to western edge of the #Barge Basin#; and
- (iii) such supplemental publicly accessible open space contiguous to one or more of the elements set forth above as may be required to achieve the percentage of publicly accessible area required by this paragraph.

If the Barge Basin West Subarea is #developed# with more

than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (f) of this Section.

- (e) Public Access Area Phasing in the Navy Street Central Subarea and in the Barge Basin East Subarea

Except in the Barge Basin West Subarea, where public access areas required under this Section may be phased, any such phased portion shall meet the following criteria:

- i. The amount of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or horizontally #enlarged# as compared to the #lot area# of the Subarea. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase;
- ii. The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
- iii. Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
- iv. Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, and (ii) an improved public access area; and
- v. Planting shall be included within the phase.

- (f) Public Access Area Phasing in the Barge Basin West Subarea

Where public access in the Barge Basin West Subarea is phased, any such phased portion shall meet the following criteria:

- i. The public access area to be provided in the phase shall include the portion of the required public access area located between the #development# or horizontal #enlargement# and the Barge Basin;
- ii. If the #development# or #enlargement# included in a phase is located within 100 feet the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or horizontal #enlargement#;
- iii. The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
- iv. Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
- v. Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, (ii) a private street if the required public access area is required for the first phase of #development# or #enlargement#, and (iii) an improved public access area; and
- vi. A proportionate amount of planted areas shall be included within the phase.

- (g) Exceptions to Public Access Area Requirements for Minor Developments

The public access area required under paragraphs (a) through (d) shall not apply to any #development# or #enlargement# adding #floor area# of an amount less than or equal to five percent of the #lot area# of the Subdistrict in which the Subarea is located, provided that the #use# that occupies such #floor area# is #accessory# to a Use Group 11, 16, 17, or 18 #use# or #uses# existing within the #Special Brooklyn Navy Yard District at the time of such #development# or #enlargement#. Any #development# or #enlargement# allowed, pursuant to this paragraph (g) must be located at least fifty feet away from the #street line# in the Navy Street Central Subarea and the Flushing East Subarea, and may not be located in the areas where public access areas are required within the Barge Basin Subdistrict.

#### 144-32 Design Requirements

The required public access areas in each Subarea shall comply with the following provisions:

- (a) The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;

(b) The required public access area shall include planted areas in an amount not less than 20% of the area of the required open space;

(c) Except as set forth below in this Section, at least one linear foot of seating shall be provided for each 200 square feet of required public access areas;

(d) Public access area signage complying with the requirements of Section 37-751 (Public space signage systems) shall be located at all entry points to the public access areas.

The requirements of paragraphs (b) and (c) shall not apply to the public access areas required under paragraph (c)(ii) of Section 144-31 (Required Public Access Areas). Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

#### 144-33 Additional Barge Basin Design Requirements

In addition to the requirements set forth in Section 144-32 (Design Requirements), required public access areas in the Barge Basin Subdistrict shall comply with the following provisions:

(a) The pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet.

(b) At least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

#### 144-34 Hours of Operation

All public access areas shall be open to the public from 6:00 a.m. to 10:00 p.m. from April 15th to October 31st and from 7:00 a.m. to 8:00 p.m. from November 1st to April 14th, except when required to be closed for repairs.

#### 144-35 Maintenance

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent areas.

#### 144-36 Chairperson Certification of Waterfront Compliance and Phasing

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the provisions of Section 144-31 (Required Public Access Areas), 144-32 (Design Requirements), and for the Barge Basin East Subarea and the Barge Basin West Subarea Section 144-33 (Additional Barge Basin Design Requirements), including the requirements of Section 144-31(e) or 144-31(f) for any phased public access area.

Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

#### 144-37 Timing of Public Access Areas

No temporary certificate of occupancy allowing for the actual occupancy by tenants or users of more than 10 percent of the #manufacturing floor area# in a #development# or horizontal #enlargement# resulting in a public access area requirement under Section 144-31 (Required Public Access Areas) shall be issued by the Department of Buildings

or the Department of Small Business Services, as applicable, without the substantial completion of the public access area required for such #development# or horizontal #enlargement#, and no final certificate of occupancy allowing for the actual occupancy of any such #development# or horizontal #enlargement# shall be issued prior to the final completion of the required public access area.

#### 144-40 MANDATORY DISTRICT PLAN ELEMENTS

The provisions of Section 144-40 (MANDATORY DISTRICT PLAN ELEMENTS) shall apply to new #developments# and horizontal #enlargements# within the #Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea and the Barge Basin West Subarea subject to the requirements of Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

#### 144-41 Ground Floor Streetscape Provisions

The provisions of this Section shall apply to #developments# and horizontal #enlargements# within the Special District Subareas subject to a public access area requirement under Section 144-30 (SPECIAL ACCESS AREA REGULATIONS), and shall apply to (a) #ground floor level street walls# more than 50 feet in length, (b) to #ground floor level# walls facing a public access area provided, pursuant to Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS) more than 50 feet in length, and (c) #ground floor level# walls within 50 feet of the frontages set forth in clauses (a) and (b). For purposes of the Section, #ground floor level# shall have the meaning set forth in Section 37-311 (Definitions).

#Ground floor level walls# meeting the requirements of clauses (a) and (b) shall be deemed "primary street frontages" and #ground floor level walls# meeting the requirements of (c) shall be deemed "secondary street frontages".

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

Along #primary street frontages#, at least 50 percent of the width of the #ground floor level# shall be occupied by #floor area#, that extends to a minimum depth of thirty feet, provided that the depth may be reduced to not less than fifteen feet in areas where there are no walls parallel to the building frontage or #street wall# within such lesser depth.

The portion of the #ground floor level street wall# allocated to such minimum #floor area# requirement shall be glazed in accordance with the following requirements:

- (i) 50 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #community facility use# or a #commercial use# other than a #commercial use# listed in use Groups 11 or 16; and
- (ii) 25 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #manufacturing use# or a #commercial use# listed in use Groups 11 or 16.

##### (c) Blank wall provisions along #primary# and #secondary street frontages#

Along both #primary# and #secondary street frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

#### 144-50 SPECIAL PARKING AND LOADING REGULATIONS

The requirements of Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply in the #Special Brooklyn Navy Yard District# except as specifically set for the in this Section. In lieu thereof, the provisions of this Section shall apply.

#### 144-51 Permitted Accessory Parking

#Accessory# parking shall be permitted in the #Special Brooklyn Navy Yard District# without limitation subject to Section 144-54 (Curb Cuts).

#### 144-52 Required Accessory Off-Street Parking

The requirements of Section 44-21 (General Provisions) shall apply within in the #Special Brooklyn Navy Yard District#, provided that in the event that a Transportation Management Plan has been prepared in accordance with Section 144-56 (Transportation Management Planning), Section 44-21 (General Provisions) shall not be applicable and no parking shall be required.

#### 144-53 Loading Berths

Loading berths are not required but are permitted within the #Special Brooklyn Navy Yard District# subject to Section 144-54 (Curb Cuts), and any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

#### 144-54 Curb Cuts

Access to any #accessory# off-street loading berth and parking areas for a #development# within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

Additional curb cuts may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been approved by the Commissioner of the Department of Transportation.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

#### 144-55 Bicycle Parking

The requirements of Section 44-60 (BICYCLE PARKING) shall apply in the #Special Brooklyn Navy Yard District#, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

#### 144-56 Transportation Management Planning

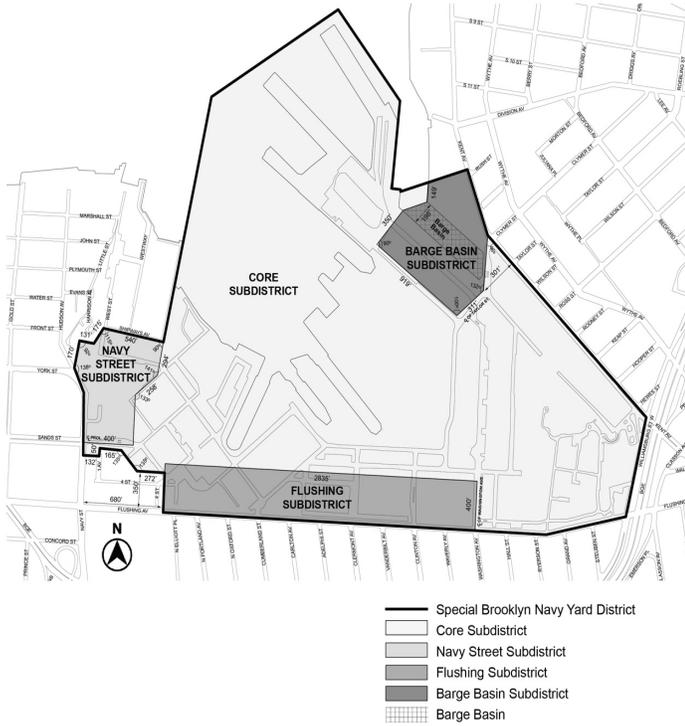
In lieu of the requirements of Section 44-21 (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents: (i) existing parking within the Special District; (ii) parking and bicycle parking utilization rates; (iii) transportation mode choice; (iv) plans, if any, for additional parking within the Special District; (v) public transportation options in and around the Special District; (vi) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces, and (vii) measures being employed and planned to incentivize alternate means of transportation. Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three (3) years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the #Special Brooklyn Navy Yard District#. Such updates shall be submitted to the Department of City Planning, and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect, or if it is no longer in effect the date that the Transportation Management Plan terminated.

Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be subject to the requirements of Section 44-21 (General Provisions).

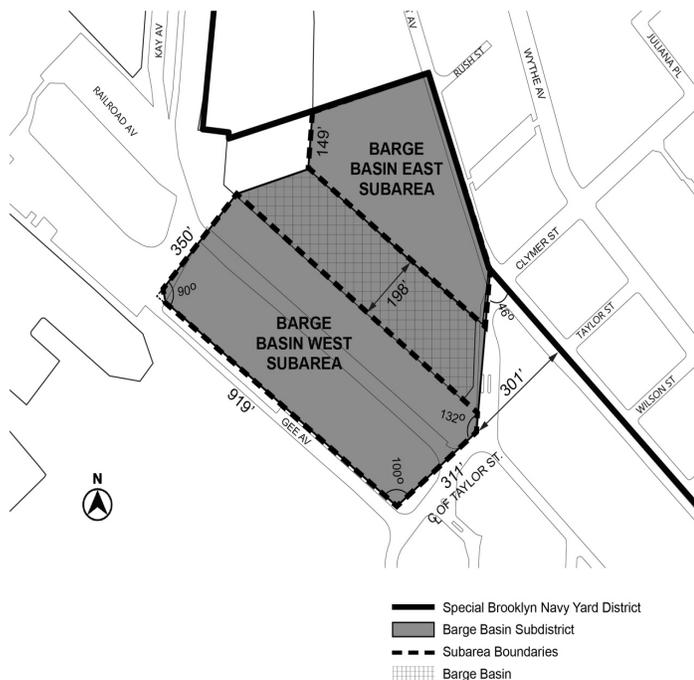
APPENDIX A

Special Brooklyn Navy Yard District Plan

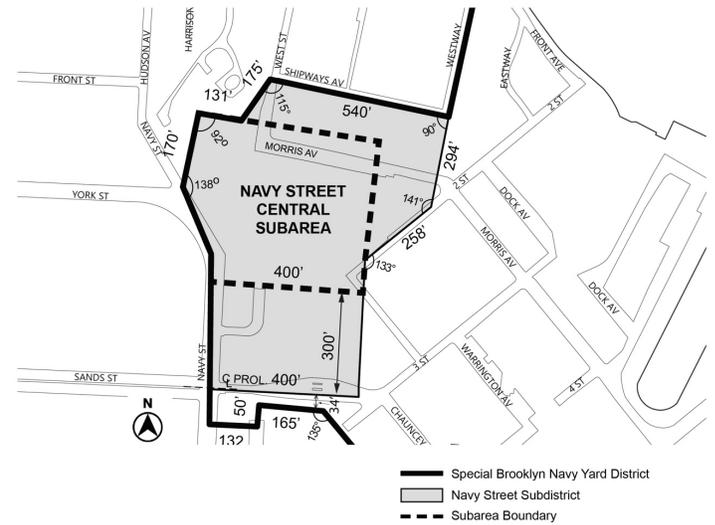
Map 1 - Special Brooklyn Navy Yard District and Subdistricts



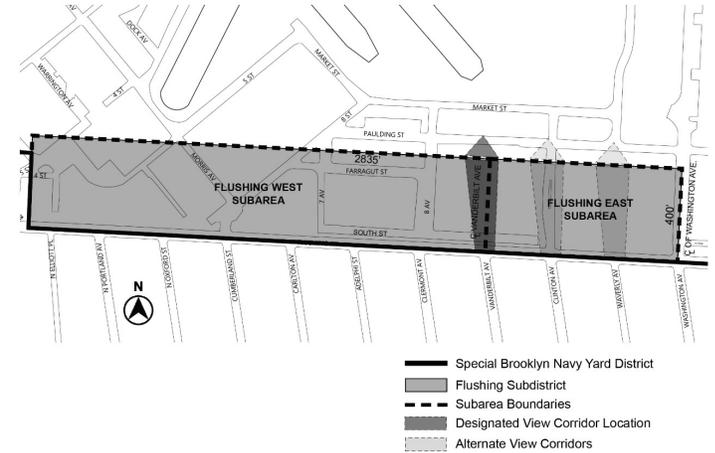
Map 2 - Barge Basin Subareas and Public Access Areas



Map 3 - Navy Street Central Subarea



Map 4 - Flushing Avenue Subareas and View Corridors



Resolution for adoption scheduling September 1, 2021 for a public hearing.

No. 10

CD 2 IN THE MATTER OF an application submitted by Building 77 QALICB, Inc., and NYC Small Business Services, 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 Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying other related Sections.

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

ARTICLE I GENERAL PROVISIONS

Chapter 1 Title, Establishment of Controls and Interpretation of Regulations

11-12 Establishment of Districts

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 Bay Street Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 5, the #Special Bay Street Corridor District# is hereby established.

Establishment of the Special Brooklyn Navy Yard District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 4, the #Special Brooklyn Navy Yard District# is hereby established.

Establishment of the Special City Island District

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

\* \* \*

Chapter 2 Construction of Language and Definitions

\* \* \*

12-10 Definitions

\* \* \*

Special Bay Street Corridor District (6/26/19)

The "Special Bay Street Corridor District" is a Special Purpose District designated by the letters "BSC" in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ([date of adoption])

The "Special Brooklyn Navy Yard District" is a Special Purpose District designated by the letters "BNY" in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The "Special City Island District" is a Special Purpose District designated by the letters "CD" in which special regulations set forth in Article XI, Chapter 2, apply.

\* \* \*

Chapter 4 Sidewalk Café Regulations

\* \* \*

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

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

\* \* \*

Table with 3 columns: District Name, #Enclosed Sidewalk Café#, #Unenclosed Sidewalk Café#. Rows include Brooklyn, Bay Ridge District, Brooklyn Navy Yard District, and Coney Island District.

ARTICLE VI SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2 Special Regulations Applying in the Waterfront Area

\* \* \*

62-13 Applicability of District Regulations

\* \* \*

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

- #Special Battery Park City District#
#Special Brooklyn Navy Yard District#
#Special Governors Island District#

\* \* \*

[All below text is new, to be underlined]

ARTICLE XIV SPECIAL PURPOSE DISTRICTS

\* \* \*

Chapter 4 Special Brooklyn Navy Yard District (BNY)

144-00 GENERAL PURPOSES

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

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
(b) to promote job growth;
(c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
(d) to use traffic management planning to meet loading and parking needs including through alternate means of travel
(e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and
(f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

144-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where a term in italics is defined in both Section 12-10 and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section 62-11 (Definitions).

Barge Basin

#Barge Basin# shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

Shoreline

The definition of #shoreline# set forth in Section 12-10 is modified to mean the line identified as the Brooklyn Navy Yard Shoreline in that certain survey dated [date of survey] on file in the Office of the Department of City Planning.

144-02 General Provisions

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented, or modified by the provisions of this Chapter or where excluded from application by the terms of such other 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. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

144-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

- Map 1 Special Brooklyn Navy Yard District and Subdistricts
Map 2 Barge Basin Subareas and Public Access Areas
Map 3 Navy Street Central Subarea
Map 4 Flushing Avenue Subareas and View Corridors

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

144-04 Subdistricts and Subareas

In order to carry out the purposes and provisions of this Chapter,

four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established in the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

Perimeter Subdistricts

Navy Street Subdistrict

Navy Street Central Subarea

Flushing Subdistrict

Flushing West Subarea

Flushing East Subarea

Barge Basin Subdistrict

Barge Basin East Subarea

Barge Basin West Subarea

Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

#### 144-05

##### Applicability of Special Regulations Applying in the Waterfront Area

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

#### 144-06

##### Single Zoning Lot

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

#### 144-10

##### SPECIAL USE REGULATIONS

The provisions of Article IV, Chapter 2 (Use Regulations) are modified within the #Special Brooklyn Navy Yard District# by the provisions of Section 144-11 (Additional Uses Permitted in M2-1 zones) through Section 144-14 (Special Sign Regulations).

#### 144-11

##### Additional Uses Permitted in All Districts

The following modifications to the underlying district regulations shall be applicable throughout the #Special Brooklyn Navy Yard District#:

Alcoholic beverages and breweries

The manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), shall be permitted, subject to the applicable performance standards, except that the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply.

Water-dependent #uses#

The provisions of Section 62-21 (Classification of Uses in the Waterfront Area), Section 62-22 (Commercial Docking Facilities), Section 62-24 (Uses on Piers and Platforms), and Section 62-25 (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of [date of adoption] shall be deemed conforming #uses#.

#Physical culture or health establishments#

#Physical culture or health establishments# shall be permitted as-of-right and. For the purposes of applying the underlying regulations, such #use# shall be considered a Use Group 9A #use#, and shall be within parking requirement category (PRC) B.

#### 144-12

##### Additional Uses Permitted in M2-1 Districts

The provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section 144-212 (Floor area limitations on additional uses):

all Use Group 3A #uses#, as set forth in Section 22-13, not otherwise permitted by the underlying regulations other than #uses# containing sleeping accommodations; and

Use Groups 6C, 9A, 10A and 12B, as set forth in Sections 32-15, 32-18, 32-19 and 32-21, respectively, all #uses# not otherwise permitted by the

underlying regulations.

#### 144-13

##### Additional Uses in M3-1 Districts

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, as listed in Use Group 3A, provided that the Commission finds that:

such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Brooklyn Navy Yard Special District#; and

the location of the #school#, college or university will not interfere with any industrial #use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

The Commission may impose appropriate conditions and safeguards to minimize adverse impacts effects on the character of the surrounding area.

#### 144-14

##### Special Sign Regulations

In the #Special Brooklyn Navy Yard District#, the underlying #sign# regulations of Section 42-50 (SIGN REGULATIONS) shall apply, except as modified by the provisions of Section 144-141 (Illuminated non-flashing signage) through Section 144-143 (Special provisions near certain parks):

#### 144-141

##### Illuminated non-flashing signage

The provisions of Section 42-533 (Illuminated or flashing signs) shall be modified to allow one #accessory# non-#flashing illuminated sign# to have a #surface area# of 750 square feet in the Navy Street Central Subarea, between Clinton Avenue and Washington Avenue in the Flushing East Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea. All other #illuminated signs# shall comply with the requirements of Section 42-533 (Illuminated or flashing signs).

#### 144-142

##### Special provisions along district boundaries

The provisions of Section 42-56 (Special Provisions Applying Along District Boundaries) shall be modified as follows:

within the Flushing East Subarea, the provisions of Section 42-561 (Restrictions along the district boundary located in a street) shall not apply to any #sign# provided in accordance with Section 144-141 (Illuminated non-flashing signage); and

within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict, the orientation provisions of Section 42-562 (Restriction on angle and height above curb level) shall not apply to #signs# provided in accordance with Section 144-141 (Illuminated non-flashing signage).

#### 144-143

##### Special provisions near certain parks

The provisions of Section 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) shall not apply to any #signs# provided in accordance with Section 144-141 (Illuminated non-flashing signage) within the Barge Basin East Subarea.

#### 144-20

##### SPECIAL BULK REGULATIONS

#### 144-21

##### Floor Area Regulations

The #floor area# regulations of the underlying controls shall apply as modified by Sections 144-211 (Floor area ratio) through 144-213 (Floor area limitations on additional uses).

#### 144-211

##### Floor area ratio

The maximum #floor area ratio# for all #uses# within the #Special Brooklyn Navy Yard Special District# shall be 2.0.

#### 144-212

##### Floor area ratio calculations

Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall apply in the #Special Brooklyn Navy Yard District#.

#### 144-213

##### Floor area limitations on additional uses

The additional #uses# allowed pursuant to Section 144-11 (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are allowed.

## 144-22 Yard Regulations

Section 43-20 (Yard Regulations) and Section 43-31 (Other Special Provisions for Rear Yards) shall not apply in the #Special Brooklyn Navy Yard District#. In lieu thereof, no #yards# shall be required.

## 144-23 Height and Setback Regulations

The height and setback regulations set forth in Section 43-40 (Height and Setback Regulations) shall apply, except as modified by the regulations of this Section, inclusive.

## 144-231 Flushing East Subarea

Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section 144-30 (Special Public Access Area Regulations).

(c) View corridors

View corridors with a minimum width of 50 feet shall be provided: within the Vanderbilt Avenue view corridor; and

within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or horizontal #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

## 144-232 Barge Basin Subdistrict

In the Barge Basin Subdistrict, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings# or other structures# shall comply with the provisions of this Section.

Sidewalk widening and Barge Basin setback

A sidewalk with a minimum width of 15 feet inclusive of any sidewalk located within the adjoining #street# shall be located along the Barge Basin Subdistrict. Any open area within the Barge Basin Subdistrict required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times. Any required sidewalk widening line shall be deemed the #street line# for purposes of this Section 144-232.

No portion of any #development# or #enlargement# other than a #cellar# level located completely below grade shall be located within forty feet of the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea or within fifty feet of the western boundary of the #Barge Basin# in the Barge Basin West Subarea. The area between the #Barge Basin# and any #building# within the Barge Basin Subdistrict shall be improved as publicly accessible space in accordance with Section 144-30 (Special Public Access Area Regulations).

Base height

The maximum base height of any #building# prior to the setbacks required by paragraph (e) of this Section shall be 85 feet or six stories, whichever is less.

Building wall continuity

Any wall of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# shall be located within eight feet of the setback distance required under paragraph (a)(ii) of this Section for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower.

The #street wall# of any #building# #developed# or horizontally #enlarged# in the Barge Basin East Subarea shall be located within eight feet of the #street line# for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower

For purposes of this paragraph #buildings# that abut one another shall be considered a single #building#.

Building articulation

For walls of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# having a length of more than 200 feet

and subject to the building wall continuity requirement of paragraph (c), a minimum of 20 percent and maximum of 50 percent of the surface area of the #building# wall up to the height of the ceiling of the second #story# or 30 feet, whichever is lower, shall either recess or project from the plane of the #building# wall by a minimum of three feet. Such recesses and projections shall be treated as permitted obstructions.

(e) Required setback

Any portion of a #building# that exceeds the maximum base height set forth in paragraph (b) shall set back at least 15 feet from any #street line,# at least 70 feet from the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and at least 80 feet from the western boundary of the #Barge Basin# in the Barge Basin West Subarea. In addition, in any location where a #building# or portion of a #building# is set back at least 60 feet from the boundary of the #Barge Basin# for a length of at least 50 feet, such portion may rise without setback subject to the requirements of paragraphs (f) and (g), provided that the length of any such #building wall# shall be limited to 100 feet.

(f) Sky Exposure Planes

Kent Avenue. Any portion of a #development# or horizontal #enlargement# facing Kent Avenue and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1 commencing at the #street line# at such maximum base height.

Barge Basin. Any portion of a #building# facing the Barge Basin and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1.

Southern Boundary. Any portion of a #building# facing the southern boundary of the Barge Basin Subdistrict shall fit within a #sky exposure plane# of 5.6:1 commencing at the southern boundary of the Subdistrict at a height of 85 feet above #base plane#.

For purposes of this paragraph, the setback lines set forth in paragraph (a)(ii) of Section 144-232 (Barge Basin Subdistrict) and the southern boundary of the Barge Basin Subdistrict shall be deemed #street lines#.

(g) Towers

#Buildings# may encroach on the #sky exposure planes# set forth in paragraph (f) and such portion of a #building# shall be deemed a tower, provided that (i) the #lot coverage# of such portion of the #building# shall not exceed, in the aggregate with any other #buildings# in the Subarea, 40 percent of the #lot area# of the relevant Subarea, and (ii) the width of the wall closest to Barge Basin of any tower portion shall not exceed 200 feet. For purposes of this paragraph, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered a #zoning lot#.

(h) Permitted Obstructions

The provisions of Section 43-42 (Permitted Obstructions), as modified by paragraph (d) of this Section shall apply in the Barge Basin Subdistrict.

## 144-24 Shoreline Setback

Except as provided in Section 144-241 (Certification for resiliency measures) no #building# shall be located closer to the #shoreline# than 30 feet within the #Special Brooklyn Navy Yard District# other than (i) #buildings# used for #water dependent uses#, and (ii) #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement set forth in Section 144-24 (Shoreline Setback) shall be eliminated or reduced in distance if the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

a #building# proposed to be located within such 30 foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is fifty-eight inches above the mean high water line existing on [date of adoption]; or

A district-wide resiliency plan for the #Special Brooklyn Navy Yard# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or

building permit and authorize such agency to determine compliance with the provisions of this Section.

#### 144-25 Modification of Bulk Regulations

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow a modification of the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- such distribution of #bulk# will result in better site planning and will thus benefit both the residents, occupants or users of the #Special Brooklyn Navy Yard District# and the surrounding neighborhood;
- such distribution of #bulk# will permit adequate access of light and air to surrounding public access areas, #streets# and properties; and
- such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

#### 144-30 SPECIAL PUBLIC ACCESS AREA REGULATIONS

Public access areas shall be provided in connection with #developments# located within the Subareas identified in this Section, inclusive, as applicable. For purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

#### 144-31 Required Public Access Areas

##### (a) Navy Street Central Subarea

Except as set forth in paragraph (g), public access area in an amount equal to not less than 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the Navy Street Central Subarea in connection with any #development# or #enlargement#. The required public access area shall have a minimum dimension in all directions of 50 feet for at least eighty percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

If the Navy Street Central Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase by certification of the Chairperson of City Planning, as set forth in paragraph (e) of this Section.

##### (b) Flushing East Subarea

Except as set forth in paragraph (g), public access area with a minimum depth of 50 feet from the #street line# extending along the entire length of the #street wall line# of a #building# shall be provided within the Flushing East Subarea in connection with any #development# or #enlargement# and shall extend to any visual corridor required under paragraph (c) of Section 144-231 (Flushing East Subarea) adjacent to the site of the #development# or #enlargement#.

##### (c) Barge Basin East Subarea

Except as set forth in Paragraph (g), public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea shall be provided within the Barge Basin East Subarea in connection with any #development# or #enlargement#.

The Barge Basin East Subarea public access area shall consist of:

- a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width, measured from such edge, of 40 feet;
- a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and eastern portion of the pedestrian esplanade required by clause (i);
- a pedestrian connection with a minimum width of 60 feet located within 150 feet of the southern boundary of the Barge Basin East Subarea connecting Kent Avenue and the pedestrian esplanade required by clause (i); and
- such supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the

required percentage of publicly accessible area.

If the Barge Basin East Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (e) of this Section.

##### (d) Barge Basin West Subarea

Except as set forth in paragraph (g), public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such parcel in connection with any #development# or #enlargement#.

The Barge Basin West Subarea public access area shall consist of:

- a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width measured from such edge of 50 feet;
- an esplanade entry area at the southern end of the Barge Basin West Subarea having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to western edge of the #Barge Basin#; and
- such supplemental publicly accessible open space contiguous to one or more of the elements set forth above as may be required to achieve the percentage of publicly accessible area required by this paragraph.

If the Barge Basin West Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (f) of this Section.

##### (e) Public Access Area Phasing in the Navy Street Central Subarea and in the Barge Basin East Subarea

Except in the Barge Basin West Subarea, where public access areas required under this Section may be phased, any such phased portion shall meet the following criteria:

The amount of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or horizontally #enlarged# as compared to the #lot area# of the Subarea. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase; The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved; Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas; Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, and (ii) an improved public access area; and Planting shall be included within the phase.

##### (f) Public Access Area Phasing in the Barge Basin West Subarea

Where public access in the Barge Basin West Subarea is phased, any such phased portion shall meet the following criteria:

The public access area to be provided in the phase shall include the portion of the required public access area located between the #development# or horizontal #enlargement# and the Barge Basin; If the #development# or #enlargement# included in a phase is located within 100 feet the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or horizontal #enlargement#; The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved; Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas; Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, (ii) a private street if the required public access area is required for the first phase of #development# or #enlargement#, and (iii) an improved public access area; and A proportionate amount of planted areas shall be included within the phase.

##### (g) Exceptions to Public Access Area Requirements for Minor Developments

The public access area requirements of paragraphs (a) through (f) of this Section shall not apply to any #development# or #enlargement# where:

the additional #floor area# created through such #development# or

#enlargement# in the respective Subarea, as compared to the #floor area# existing on [date of enactment], does not exceed: 10,000 square feet in either the Barge Basin East or the Navy Street Central Subareas; or 20,000 square feet in either the Barge Basin West or Flushing East Subareas;

such #floor area# is allocated exclusively to #uses# in Use Group 11, 16, 17, or 18; and

such #floor area# is not located within the boundaries of designated public access areas required pursuant to this Section, or if located in the Navy Street Central Subarea, is not within 50 feet of a #street#.

#### 144-32

##### Design Requirements

The required public access areas in each Subarea shall comply with the following provisions:

The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;

The required public access area shall include planted areas in an amount not less than 20% of the area of the required open space;

Except as set forth below in this Section, at least one linear foot of seating shall be provided for each 200 square feet of required public access areas;

Public access area signage complying with the requirements of Section 37-751 (Public space signage systems) shall be located at all entry points to the public access areas.

The requirements of paragraphs (b) and (c) shall not apply to the public access areas required under paragraph (c)(ii) of Section 144-31 (Required Public Access Areas). Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

#### 144-33

##### Additional Barge Basin Design Requirements

In addition to the requirements set forth in Section 144-32 (Design Requirements), required public access areas in the Barge Basin Subdistrict shall comply with the following provisions:

The pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet.

At least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

#### 144-34

##### Hours of Operation

All public access areas shall be open to the public from 6:00 A.M. to 10:00 P.M., from April 15th to October 31st and from 7:00 A.M. to 8:00 P.M. from November 1st to April 14th, except when required to be closed for repairs.

#### 144-35

##### Maintenance

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent areas.

#### 144-36

##### Chairperson Certification of Waterfront Compliance and Phasing

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the provisions of Section 144-31 (Required Public Access Areas), 144-32 (Design Requirements), and for the Barge Basin East Subarea and the Barge Basin West Subarea Section 144-33 (Additional Barge Basin Design Requirements), including the requirements of Section 144-31(e) or 144-31(f) for any phased public access area.

Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

#### 144-37

##### Timing of Public Access Areas

No temporary certificate of occupancy allowing for the actual occupancy by tenants or users of more than 10 percent of the #manufacturing floor area# in a #development# or horizontal #enlargement# resulting in a public access area requirement under Section 144-31 (Required Public Access Areas) shall be issued by the Department of Buildings or the Department of Small Business Services, as applicable, without the substantial completion of the public access area required for such #development# or horizontal #enlargement#, and no final certificate of occupancy allowing for the actual occupancy of any such #development# or horizontal #enlargement# shall be issued prior to the final completion of the required public access area.

#### 144-40

##### MANDATORY DISTRICT PLAN ELEMENTS

The provisions of Section 144-40 (Mandatory District Plan Elements) shall apply to new #developments# and horizontal #enlargements# within the #Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea and the Barge Basin West Subarea subject to the requirements of Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

#### 144-41

##### Ground Floor Streetscape Provisions

The provisions of this Section shall apply to #developments# and horizontal #enlargements# within the Special District Subareas subject to a public access area requirement under Section 144-30 (SPECIAL ACCESS AREA REGULATIONS), and shall apply to (a) #ground floor level street walls# more than 50 feet in length, (b) to #ground floor level# walls facing a public access area provided pursuant to Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS) more than 50 feet in length, and (c) #ground floor level# walls within 50 feet of the frontages set forth in clauses (a) and (b). For purposes of the Section, #ground floor level# shall have the meaning set forth in Section 37-311 (Definitions).

#Ground floor level walls# meeting the requirements of clauses (a) and (b) shall be deemed "primary street frontages" and #ground floor level walls# meeting the requirements of (c) shall be deemed "secondary street frontages".

(a) Along #primary street frontages#

Along #primary street frontages#, at least 50 percent of the width of the #ground floor level# shall be occupied by #floor area#, that extends to a minimum depth of thirty feet, provided that the depth may be reduced to not less than fifteen feet in areas where there are no walls parallel to the building frontage or #street wall# within such lesser depth.

The portion of the #ground floor level street wall# allocated to such minimum #floor area# requirement shall be glazed in accordance with the following requirements:

50 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #community facility use# or a #commercial use# other than a #commercial use# listed in use Groups 11 or 16; and

25 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #manufacturing use# or a #commercial use# listed in use Groups 11 or 16.

Blank wall provisions along #primary# and #secondary street frontages#

Along both #primary# and #secondary street frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

#### 144-50

##### SPECIAL PARKING AND LOADING REGULATIONS

The requirements of Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply in the #Special Brooklyn Navy Yard District# except as specifically set for the in this Section. In lieu thereof, the provisions of this Section shall apply.

#### 144-51 Permitted Accessory Parking

#Accessory# parking shall be permitted in the #Special Brooklyn Navy Yard District# without limitation subject to Section 144-54 (Curb Cuts).

#### 144-52 Required Accessory Off-Street Parking

The requirements of Section 44-21 (General Provisions) shall apply within in the #Special Brooklyn Navy Yard District#, provided that in the event that a Transportation Management Plan has been prepared in accordance with Section 144-56 (Transportation Management Planning), Section 44-21 (General Provisions) shall not be applicable and no parking shall be required.

#### 144-53 Loading Berths

Loading berths are not required but are permitted within the #Special Brooklyn Navy Yard District# subject to Section 144-54 (Curb Cuts), and any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

#### 144-54 Curb Cuts

Access to any #accessory# off-street loading berth and parking areas for a #development# within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

Additional curb cuts may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been approved by the Commissioner of the Department of Transportation.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

#### 144-55 Bicycle Parking

The requirements of Section 44-60 (Bicycle Parking) shall apply in the #Special Brooklyn Navy Yard District#, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

#### 144-56 Transportation Management Planning

In lieu of the requirements of Section 44-21 (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents: (i) existing parking within the Special District; (ii) parking and bicycle parking utilization rates; (iii) transportation mode choice; (iv) plans, if any, for additional parking within the Special District; (v) public transportation options in and around the Special District; (vi) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces, and (vii) measures being employed and planned to incentivize alternate means of transportation. Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three (3) years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the #Special Brooklyn Navy Yard District#. Such updates shall be submitted to the Department of City Planning, and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect, or if it is no longer in effect the date that the Transportation Management Plan terminated.

Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be subject to the requirements of Section 44-21 (General Provisions).

### BOROUGH OF MANHATTAN No. 11 LAS RAICES

**CD 11** **C 210428 PPM**  
**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of a city owned property, located at 303 East 102nd Street (Block 1674, Lot 104), 338 East 117th Street (Block 1688, Lot 34), 505-507 East 118th Street (Block 1815, Lots 5 and 6), 1761-1763 Park Avenue (Block 1771, Lots 1 and 2) for four new buildings containing approximately 81 affordable dwelling units and community facility space.

#### NOTICE

**On Wednesday, September 1, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application for a CPC discretionary action by the New York City Department of Housing Preservation and Development (NYC HPD), on behalf of Las Raices East Harlem LLC, the Project Sponsor, that would facilitate the development of four new affordable housing developments "the proposed project" on four separate development sites in the East Harlem neighborhood of Manhattan, Community District 11 (CD 11). The proposed project would be facilitated by disposition of City-owned property through the Uniform Land Use Review Procedure ("the proposed action"). The proposed project would develop six tax lots grouped into four Development Sites (named A through D for identification purposes) with a total of four buildings containing a total of approximately 81 affordable dwelling units (DUs) (plus two superintendent's units for a total of 83 units) and approximately 10,740 gross square feet (gsf) of community facility space. All six lots are City-owned and would be conveyed by HPD to the Project Sponsor as a result of the proposed action. Construction of the Proposed Project is expected to be completed in 2023.**

**Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.**

**For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.**

**This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20HPD002M.**

**Nos. 12, 13 & 14  
250 WATER STREET  
No. 12**

**CD 1** **C 210438 ZSM**  
**IN THE MATTER OF** an application submitted by 250 Seaport District, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits, pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for zoning lot lines; and
2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Sections 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location);

in connection with a proposed mixed use development on property located at 250 Water Street (Block 98, Lot 1), in a C6-2A District, within a Large-Scale General Development generally bounded by Pearl Street, Peck Slip, Water Street, Beekman Street and its easterly prolongation, the U.S. Pierhead line and John Street and its easterly prolongation (Block 73, p/o Lot 10, p/o Lot 8, Lot 11 & a portion of Marginal Street, Wharf or Place, Block 98, Lot 1, Block 74, p/o Lot 20, and the de-mapped portions of Fulton Street, Water Street & Front Street), in C4-6, C5-3, and C6-2A Districts, within the Special Lower Manhattan District.

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

**No. 13**

**CD 1** **C 210438(A) ZSM**  
**IN THE MATTER OF** an application submitted by 250 Seaport District, LLC, pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 206(c)(1) of the Uniform Land Use Review Procedure for the grant of special permits, pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for zoning lot lines; and

2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Section 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location);

in connection with a proposed mixed use development on property located at 250 Water Street (Block 98, Lot 1), in a C6-2A District, within a Large-Scale General Development generally bounded by Pearl Street, Peck Slip, Water Street, Beekman Street and its easterly prolongation, the U.S. Pierhead line and John Street and its easterly prolongation (Block 73, p/o Lot 10, p/o Lot 8, Lot 11 & a portion of Marginal Street, Wharf or Place, Block 98, Lot 1, Block 74, p/o Lot 20, and the de-mapped portions of Fulton Street, Water Street & Front Street), in C4-6, C5-3, and C6-2A Districts, within the Special Lower Manhattan District.

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

**No. 14**

**CD 1** **N 210439 ZRM**

**IN THE MATTER OF** an application submitted by 250 Seaport District, 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 the provisions of the South Street Seaport Subdistrict in Article IX Chapter 1 (Special Lower Manhattan 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 IX**  
**SPECIAL PURPOSE DISTRICTS**

**Chapter 1**  
**Special Lower Manhattan District**

**91-60**  
**REGULATIONS FOR THE SOUTH STREET SEAPORT**  
**SUBDISTRICT**

\* \* \*

**91-62**  
**Definitions**

For purposes of this Section, matter in *italics* is defined in Section 12-10 (DEFINITIONS) or within this Section.

\* \* \*

Receiving lot

Within the South Street Seaport Subdistrict, a “receiving lot” is a #zoning lot# identified on the map of transfer areas (Map 6 in Appendix A) to which #development rights# may be added. Such “receiving lots” are identified on the map as Parcels 1, 2, 8, 15, 16, 20, 21 and 22.

\* \* \*

**91-68**  
**Designated Pedestrian Ways**

Within the South Street Seaport Subdistrict, the volume situated above the subsurface #streets# shown on the City Map, and listed in this Section are designated pedestrian ways and are governed by paragraph (b) of the definition of #street# as set forth in Section 91-62 (Definitions):

- (a) Fulton Street, between Water and South Streets
- (b) Water Street, between Fulton and Beekman Streets
- (c) Front Street, between Fulton and Beekman Streets, and between John and Fulton Streets
- (d) South Street (the 18-foot-wide strip located on the northwesterly side), between Beekman and John Streets.

In addition, the designated pedestrian ways referenced in paragraphs (a), (b) and (c) of this Section may be considered a single #zoning lot# for purposes of the definition of #large-scale general development# in Section 12-10 (Definitions).

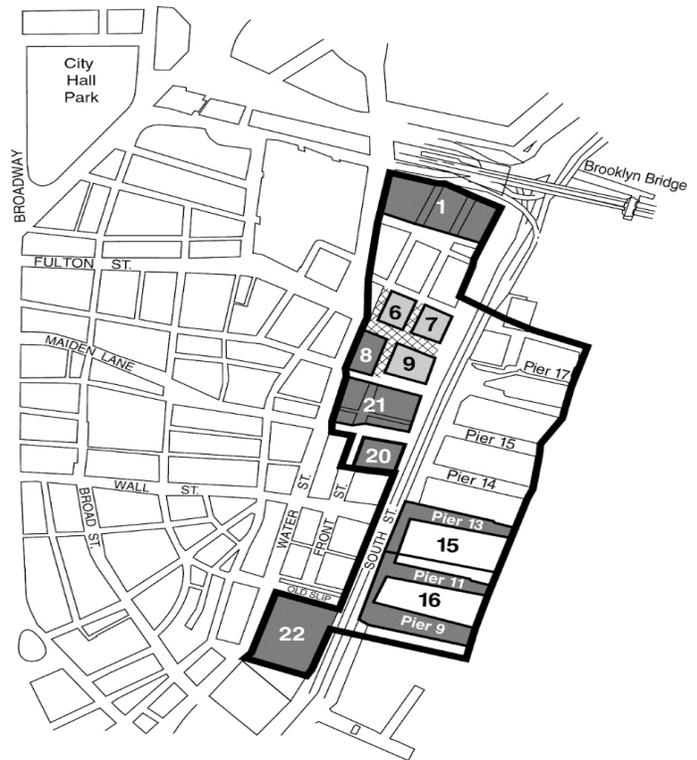
\* \* \*

**Appendix A**  
**Lower Manhattan District Plan Maps**

\* \* \*

Map 6 - South Street Seaport Subdistrict (91-A6)

[EXISTING MAP]



— South Street Seaport Subdistrict  
 ■ Receiving Lot  
 □ Granting Lot  
 ▨ Designated Pedestrian Ways  
 Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

[PROPOSED MAP]



— South Street Seaport Subdistrict  
 ■ Receiving Lot  
 □ Granting Lot  
 ▨ Designated Pedestrian Ways  
 Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

\* \* \*

**Appendix A**

**NOTICE**

**On Wednesday, September 1, 2021, a public hearing is being**

held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by 250 Seaport District, LLC (the Applicant). The Applicant is seeking a special permit, modifications to a previously approved large-scale general development (LSGD), zoning text amendments, and authorizations (the Proposed Actions) from the City Planning Commission (CPC) to facilitate the development of an up to approximately 680,500-gross square foot (gsf), up to 395-foot tall mixed-use building (the Proposed Project) containing market-rate and affordable housing, retail, office, and community facility spaces as well as parking at 250 Water Street (Block 98, Lot 1; the Development Site) in the South Street Seaport neighborhood in Lower Manhattan, Community District 1. The Proposed Project would also facilitate the restoration, reopening, and potential expansion of the South Street Seaport Museum (the Museum) at 89-93 South Street, 2-4 Fulton Street, 167-175 John Street (Block 74, a portion of Lot 1; the Museum Site). The Proposed Project would additionally include operational changes to facilitate passenger drop off on the Pier 17 access drive as well as minor improvements to the Pier 17 access drive area and building, and may include streetscape, open space, or other improvements (e.g., planters) under the Proposed Actions on the Project Area. The Project Area is also located within the South Street Seaport Historic District, and the construction and design of the proposed development is subject to Landmarks Preservation Commission (LPC) approval.

The public hearing will also consider a modification to the application (ULURP No. C 210438(A) ZSM).

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP084M.

**Nos. 15-20**  
**175 PARK AVENUE**  
**No. 15**

**CD 5** **C 210412 ZSM**  
**IN THE MATTER OF** an application submitted by Commodore Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-685\* of the Zoning Resolution, in conjunction with a special permit pursuant to 81-64 (Special Floor Area Provisions for Qualifying Sites), to modify:

1. the qualifying site definition of Section 81-613\* (Definitions) to include two or more zoning lots that are contiguous and in include the zoning lot occupied by Grand Central Terminal;
2. the requirement that a development exceed the basic maximum floor area ratio set forth in Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) as a pre-condition to an increase in floor area pursuant to such table, where a qualifying site includes the zoning lot occupied by Grand Central Terminal;
3. the street wall regulations of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements);
4. the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation) and Section 81-66 (Special Height and Setback Requirements);
5. the mandatory district plan elements of Section 81-42 (Retail Continuity along Designated Streets), and 81-45 (Pedestrian Circulation Space), Section 81-674 (Ground floor use provisions) & Section 37-53 (Design Standards for Pedestrian Circulation Space);
6. the requirement that the publicly accessible space required pursuant to Section 81-681 (Mandatory Requirements for Qualifying Sites), comply with the provisions of Section 37-70 (Public Plazas); and
7. the requirements of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) to extend the time period not to exceed 10 years, for substantial construction to be completed prior to the lapse of any special permit granted for the qualifying site;

in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site

consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

\* Note: A zoning text amendment is proposed to Sections 81-613 and 81-685 under a concurrent related application for a Zoning Text change (N 210416 ZRM).

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

**No. 16**

**CD 5** **C 210413 ZSM**  
**IN THE MATTER OF** an application submitted by Commodore Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-621 of the Zoning Resolution to allow Use Group 5 uses (transient hotel), on property, located at 175 Park Avenue (Block 1280, Lot 30), in a C5-3 District, within the Special Midtown District (East Midtown Subdistrict).

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

**No. 17**

**CD 5** **C 210414 ZSM**  
**IN THE MATTER OF** an application submitted by Commodore Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-644\* of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Section 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict - Grand Central Transit Improvement Zone Subarea).

\* Note: A zoning text amendment is proposed to Section 81-644 under a concurrent related application for a Zoning Text change (N 210416 ZRM).

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

**No. 18**

**CD 5** **C 210415 ZSM**  
**IN THE MATTER OF** an application submitted by Commodore Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-645\* of the Zoning Resolution as follows:

1. to allow an increase in the amount of floor area permitted, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment on the qualifying site; and
2. to modify the off-street loading berth requirements of Section 36-62 (Required Accessory Off-street Loading Berths) to allow a reduction in the required number of berths;

in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

\* Note: A zoning text amendment is proposed to Section 81-645 under a concurrent related application for a Zoning Text change (N 210416 ZRM).

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

**No. 19**

**CD 5** **N 210416 ZRM**  
**IN THE MATTER OF** an application submitted by Commodore 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 the provisions of the East Midtown 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

\* \* \*

81-60  
SPECIAL REGULATIONS FOR THE EAST MIDTOWN  
SUBDISTRICT

\* \* \*

81-61  
General Provisions

\* \* \*

81-613  
Definitions

\* \* \*

Public Realm Improvement Fund

For the purposes of Section 81-60, inclusive, the "Public Realm Improvement Fund" (the "Fund") shall be a separate interest-bearing account established for the deposit of contributions made when #developments# or, where permitted, #enlargements# on #qualifying sites# in the East Midtown Subdistrict will exceed the basic maximum #floor area ratio# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) through their utilization of the provisions of Sections 81-642 (Transfer of development rights from landmarks to qualifying sites), or 81-643 (Special provisions for retaining non-complying floor area in commercial buildings) or 81-685 (Special permit to modify qualifying site provisions). The Fund shall be utilized, at the discretion of the #Public Realm Improvement Fund Governing Group#, to provide funding to implement improvements to the East Midtown Subdistrict, and its immediate vicinity, in the Borough of Manhattan. Upon receipt of any contribution, the #Public Realm Improvement Fund Governing Group# or the Department of City Planning shall notify the Comptroller of the City of New York and the Speaker of the New York City Council and promptly deposit it into the Fund.

\* \* \*

81-644  
Special permit for transit improvements

For #qualifying sites# located in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 2 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

81-645  
Special permit for a public concourse

For #qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment, is provided on the #qualifying site#. Such publicly accessible spaces shall include amenities that are characteristic of #public plazas# or public atriums, as applicable, for the comfort and convenience of the public. In addition, to facilitate such public concourse, the Commission may permit the modification of provisions, other than #floor area ratio# regulations, of this Resolution.

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# or, where permitted, #enlargement#, complies with the conditions and application requirements of paragraph (a), the findings of paragraph (b) and the additional requirements of paragraph (c) of this Section.

- (a) Applications shall include information and justification sufficient to provide the Commission with the basis for:
  - (1) evaluating the benefits to the general public;
  - (2) determining the appropriate amount of increased #floor area# to grant; and
  - (3) determining whether the applicable findings set forth in paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.
- (b) The Commission shall find that:
  - (1) to the extent practicable, the open or enclosed public concourse will:
    - (i) consist of a prominent space of generous proportions and quality design that is inviting to the public;
    - (ii) improve pedestrian circulation and provide suitable amenities for the occupants;
    - (iii) front upon a #street# or a pedestrian circulation space in close proximity to and within view of, and accessible from, an adjoining sidewalk;
    - (iv) provide or be surrounded by active #uses#;
    - (v) be surrounded by transparent materials;
    - (vi) provide connections to pedestrian circulation spaces in the immediate vicinity; and
    - (vii) be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; and
  - (2) the public benefit derived from the proposed public concourse merits the amount of additional #floor area# being granted to the proposed #development# or, where permitted, #enlargement#, pursuant to this special permit; and
  - (3) with regard to a modification to regulations of this Resolution, other than #floor area ratio# regulations, such modification:
    - (i) is the minimum extent necessary and will facilitate an improved public concourse, inclusive of enhancements described in the findings of paragraph (b)(1) of this Section; and
    - (ii) will not have adverse effects on the #qualifying site#, surrounding #zoning lots#, or adjacent #streets#.
- (c) Prior to obtaining a foundation permit or building permit for a #development# or, where permitted, an #enlargement# on a #qualifying site#, from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to construct, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, and such improvements are usable by the public. Such portion of the #building# utilizing increased #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# until all improvements have been finally completed in accordance with the approved plans, as determined by the Chairperson.

\* \* \*

81-685  
Special permit to modify qualifying site provisions

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may permit modifications to certain #qualifying site# criteria, as well as height and setback regulations and mandatory plan elements, as set forth in paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in paragraph (b) and the findings set forth in paragraph (c) of this Section are met.

- (a) The Commission may modify the following, whether singly or in any combination:
  - (1) the following #qualifying site# criteria:
    - (i) the requirement for minimum #wide street# frontage, including the requirement that no existing #buildings# will remain on such #wide street# frontage, set forth in paragraphs (b) and (c) of the definition of a #qualifying site# in Section 81-613 (Definitions);
    - (ii) the #building# performance and publicly accessible space requirements in paragraph (f) of the definition of a #qualifying site# and Section 81-681 (Mandatory requirements for qualifying sites); or
    - (iii) the requirement that the additional #floor area# permitted through the provisions of Section 81-64 be achieved exclusively through a #development#;
    - (iv) the requirement that a #qualifying site# be comprised of a single #zoning lot#, provided that the two or more #zoning lots# constituting such #qualifying site# are contiguous and include the #zoning lot# occupied by Grand Central Terminal. All #bulk# regulations of this Chapter shall apply to such modified #qualifying site# without regard to #zoning lot lines#; or
    - (v) the requirement that a #development# or #enlargement# exceed the basic maximum #floor area ratio# set forth in Row A of the table in Section 81-64 as a pre-condition to an increase in #floor area# pursuant to such table, where a #qualifying site# includes the #zoning lot# occupied by Grand Central Terminal;
  - (2) the provisions for #zoning lots# divided by district boundaries set forth in Sections 77-02 (Zoning Lots Not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions) or 77-22 (Floor Area Ratio), and the provisions of Section 81-612 (Applicability along district boundaries) requiring that #zoning lots# divided by Subarea boundaries utilize the provisions of Article VII, Chapter 7;
  - (3) for #qualifying sites# modified, pursuant to paragraph (a)(1)(iv) and paragraph (a)(1)(v) of this Section:
    - (i) the pre-condition of achieving the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 prior to, or in conjunction with, the special permits set forth in Sections 81-644 (Special permit for transit improvements) and 81-645 (Special permit for a public concourse), provided that, prior to obtaining a new building permit for a #development# utilizing bonus #floor area# granted pursuant to Sections 81-644 or 81-645, a contribution is made to the #Public Realm Improvement Fund# in an amount that is commensurate with what the provisions of Section 81-642 (Transfer of development rights from landmarks to qualifying sites) would require if the #zoning lot# occupied by Grand Central Terminal were a #granting lot# and the #development# site were a #receiving lot#; and
    - (ii) the permitted #floor area ratio# attributable to the combination of the special permits set forth in Row F and Row G of the table in Section 81-64, from 3.0 to 6.0;
  - (3)(4) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-671 (Special street wall requirements), inclusive;
  - (4)(5) the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), inclusive, or 81-66 (Special Height and Setback Requirements); or
  - (5)(6) the mandatory district plan elements of Sections 81-42 (Retail Continuity Along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions), 81-675 (Curb cut restrictions and loading berth requirements), 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted; or
  - (7) for #qualifying sites# modified pursuant to paragraph (a)(1)(iv) or paragraph (a)(1)(v) of this Section, the time period for substantial construction to be completed prior to the lapse of any special permit granted for such #qualifying site#, as

set forth in Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution), provided that such time period does not exceed 10 years.

- (b) Application requirements
 

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:

  - (1) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43, or as such provisions are modified, pursuant to Section 81-671, as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 or 81-27, or as such provisions are modified pursuant to Section 81-66, as applicable;
  - (2) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-66; and
  - (3) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-66; and
  - (4) for any #development# or #enlargement# on a #qualifying site# that includes Grand Central Terminal, a report from the Landmarks Preservation Commission concerning the harmonious relationship of the #development# or, where permitted, #enlargement# to Grand Central Terminal.
- (c) Findings
 

The Commission shall find that such proposed modifications:

  - (1) to the definition of #qualifying site# are the minimum extent necessary, and are harmonious with the Subdistrict objective to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers;
  - (2) to the requirement for #wide street# frontage in the definition of #qualifying sites# will not unduly concentrate #bulk# towards the middle of the #block# to the detriment of the surrounding area;
  - (3) to the #building# performance requirements in the definition of #qualifying sites# and paragraph (a) of Section 81-681:
    - (i) are necessary due to the presence of existing #buildings# on the site; and
    - (ii) will not detract from the incorporation of innovative sustainable design measures;
  - (4) to the publicly accessible space requirements in the definition of #qualifying sites# and paragraph (b) of Section 81-681:
    - (i) are the minimum necessary to accommodate the proposed #building#; and
    - (ii) that any reduction or waiver will result in a better site plan and will not detract from a lively streetscape and pedestrian experience;
  - (5) to regulations pertaining to #zoning lots# divided by district boundaries will result in better site planning;
  - (6) to #floor area ratio# requirements will facilitate significant improvements to transit infrastructure and the public realm in and around Grand Central Terminal;
  - (6)(7) to the mandatory district plan elements:
    - (i) will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions);
    - (ii) any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #zoning lot#; and
  - (7)(8) to the #street wall# or height and setback regulations:
    - (i) are necessary due to constraints or conditions of the #development# or #enlargement# and conditions

imposed by the configuration of the site;

- (ii) will not unduly obstruct the access of light and air to surrounding properties;
- (iii) will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations); and
- (iv) the overall design of the #building# demonstrates an integrated and well-considered facade, taking into account factors such as #street wall# articulation, and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area and constitutes a distinctive addition to the Midtown Manhattan skyline; and

- (9) to the time period for substantial construction to be completed prior to the lapse of any special permit granted for such #qualifying site# are necessary due to the complexity of demolition and construction on the site.

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

\* \* \*  
No. 20

**CD 5 C 210417 PPM**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of a city-owned property, located at 175 Park Avenue aka 109 East 42nd Street (Block 1280, Lot 30), pursuant to zoning.

**NOTICE**

On September 1, 2021 a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Commodore Owner, LLC (the Applicant). The Applicant is seeking several discretionary approvals from the City Planning Commission (CPC)—including special permits and zoning text amendment (the Proposed Actions)—to facilitate approximately 2,992,161 gsf (2,246,515 zsf) of mixed-use development space, including a hotel, office, and public space (the Proposed Project). The proposed actions also include disposition of city-owned property sought by the Department of Citywide Administrative Services (DCAS). The Development Site would contain approximately 2,108,820 gsf of office space; an approximately 452,950-gsf, 500-room hotel; public space; and retail space on the cellar, ground, and second floors of the proposed building. The Proposed Project would also include significant public realm improvements, as well as subway and mass transit improvements to enhance circulation and reduce congestion at Grand Central Terminal and the Grand Central - 42nd Street subway station. The Terminal and Market are located on an existing merged zoning lot (Lots 1, 54, and 154) and contain approximately 322,664 sf of floor area. The MTA controls Lots 1, 54, and 154 as well as ground-floor and mezzanine-level circulation areas located on the Development Site. The Project Area—comprising the existing hotel, Terminal, and Market on Block 1280, Lots 1, 30, 54, and 154—has a combined area of 203,872 sf, with approximately 340 feet of frontage on Vanderbilt Avenue; 669 feet of frontage on East 42nd Street; and 253 feet of frontage on Lexington Avenue. Pursuant to a proposed zoning text amendment, the Project Area would be treated as a qualifying site under the East Midtown Subdistrict provisions of the Zoning Resolution.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP057M.

**BOROUGH OF QUEENS**  
**No. 23**  
**WILDFLOWER STUDIOS**

**CD 1 C 210459 ZSQ**  
**IN THE MATTER OF** an application submitted by WF Industrial IV LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-837 of the Zoning Resolution to modify the height and setback, maximum width of walls facing shoreline and the ground floor streetscape requirements of Section 62-341 (Development on Land and Platforms), in connection

with the construction of an approximately 495,000 square-foot motion picture studio, on property, located at 1 Steinway Place a.k.a. 36-01 19<sup>th</sup> Avenue (Block 814, Lots 1 and 10), in an M3-1 District.

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

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



a18-s1

In light of the Governor's announcement on June 24, 2021 of the end of the State-declared state of emergency, and in support of the City's continued efforts to contain the spread of COVID-19, the City Planning Commission will hold a public hearing accessible both in person and remotely.

The public hearing will be held, on Thursday, September 2, 2021, starting, at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. An overflow space will be provided, at 1 Centre Street, North Mezzanine, New York, NY.

Masks are required to be worn to enter the buildings and during the hearing.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating, to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-special-public-meeting/302209/1>

Members of the public, attending remotely should observe the meeting through DCP's website. Verbal testimony can be provided remotely by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

- 877 853 5247 US Toll-free
- 888 788 0099 US Toll-free
- 253 215 8782 US Toll Number
- 213 338 8477 US Toll Number
- Meeting ID: **618 237 7396**
- [Press # to skip the Participation ID]
- Password: 1

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

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

**BOROUGH OF MANHATTAN**  
**Nos. 1 & 2**  
**SoHo/NoHo NEIGHBORHOOD PLAN**  
**No. 1**

**CD 2 C 210422 ZMM**  
**IN THE MATTER OF** an application submitted by New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos.12a & 12c:

1. changing from an M1-5A District to an M1-5/R7X District property, bounded by West Houston Street, Mercer Street, Broome Street, a line midway between West Broadway and Wooster Street, a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, West Broadway, Broome Street, and a line midway between Thompson Street and West Broadway;
2. changing from an M1-5B District to an M1-5/R7X District property, bounded by:
  - a. Great Jones Street, a line 100 westerly of Bowery, Bleecker Street, Lafayette Street, a line 122 feet southerly of Bond

Street, and a line 140 feet easterly of Broadway;

- b. a line passing through two points: one on the easterly street line of Lafayette Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the easterly street line of Lafayette Street and the other on the westerly street line of Mulberry Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the westerly street line of Mulberry Street, Mulberry Street, Prince Street, and Lafayette Street;
  - c. Prince Street, Lafayette Street, Broome Street, Centre Street, Grand Street, a line 100 feet easterly of Crosby Street, Howard Street, and Crosby Street; and
  - d. Broome Street, Mercer Street, the westerly centerline prolongation of Howard Street, Greene Street, a line perpendicular, to the easterly street line of Wooster Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Wooster Street and the northerly street line of Canal Street, Wooster Street, a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, and a line midway between West Broadway and Wooster Street;
3. changing from an M1-5A District to an M1-5/R9X District property, bounded by a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, a line midway between West Broadway and Wooster Street, Canal Street, and West Broadway;
4. changing from an M1-5B District to an M1-5/R9X District property, bounded by Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, a line 100 feet westerly of Fourth Avenue, a line 100 feet westerly of Bowery, Great Jones Street, a line 140 feet easterly of Broadway, a line 122 feet southerly of Bond Street, Lafayette Street, Bleecker Street, Mulberry Street, East Houston Street, Lafayette Street, Prince Street, Crosby Street, Howard Street, the southerly prolongation of a line 100 feet easterly of Crosby Street, a line perpendicular, to the northerly street line of Canal Street distant 110 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, Canal Street, a line midway between West Broadway and Wooster Street, a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, Wooster Street, a line perpendicular, to the easterly street line of Wooster Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Wooster Street and the northerly street line of Canal Street, Greene Street, the westerly centerline prolongation of Howard Street, Mercer Street, West Houston Street, and Broadway;
5. changing from an M1-5A District to an M1-6/R10 District property, bounded by Broome Street, West Broadway, Canal Street, and a line midway between West Broadway and Thompson Street;
6. changing from an M1-5B District to an M1-6/R10 District property, bounded by:
- a. a line 100 feet southerly of Astor Place, Fourth Avenue, Bowery, Great Jones Street, 100 feet westerly of Bowery, and a line 100 feet westerly of Fourth Avenue;
  - b. a line 200 feet northerly of Broome Street, a line midway between Thompson Street and West Broadway, Canal Street, Avenue of the Americas, Watt Street, and Thompson Street; and
  - c. Grand Street, Baxter Street, Canal Street, a line perpendicular, to the northerly street line of Canal Street distant 110 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, and a line 100 feet easterly of Crosby Street and its southerly prolongation; and
7. establishing a Special SoHo-NoHo Mixed Use District (SNX), bounded by Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, Fourth Avenue, Bowery, Great Jones Street, a line 100 feet westerly of Bowery, Bleecker Street, Mulberry Street, East Houston Street, Lafayette Street, a line passing through two points: one on the easterly street line of Lafayette Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street

and the easterly street line of Lafayette Street and the other on the westerly street line of Mulberry Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the westerly street line of Mulberry Street, Mulberry Street, Prince Street, Lafayette Street, Broome Street, Centre Street, Grand Street, Baxter Street, Canal Street, Avenue of the Americas, Watt Street, Thompson Street, a line 200 northerly of Broome Street, a line midway between Thompson Street and West Broadway, West Houston Street, and Broadway;

as shown on a diagram (for illustrative purposes only) dated May 17, 2021, and subject, to the conditions of CEQR Declaration of E-619.

**No. 2**

**N 210423 ZRM**

**CD 2**  
**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 SoHo-NoHo Mixed Use District (Article XIV, Chapter 3), and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area and other 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**

\* \* \*

**11-10**

**ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF MAPS**

\* \* \*

**11-12**  
**Establishment of Districts**

\* \* \*

**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 Sheepshead Bay District

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

Establishment of the Special SoHo-NoHo Mixed Use District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 3, the #Special SoHo-NoHo Mixed Use District# is hereby established.

Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

\* \* \*

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

\* \* \*

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

\* \* \*

Accessory use, or accessory

An "accessory use"

\* \* \*

- (2) Living or sleeping accommodations for caretakers in connection with any #use# listed in Use Groups 3 through 18 inclusive, provided that:

\* \* \*

(iv) in C6-2M, C6-4M, M1-5M, M1-6M; M1-5A and M1-5B Districts, no living or sleeping accommodation for caretakers is permitted in any #building# which contains a #residential use# or a #joint living-work quarters for artists#; and

\* \* \*

Joint living-work quarters for artists

A "joint living-work quarters for artists" consists of one or more #rooms# in a #non-residential building#, on one or more floors, with lawful cooking space and sanitary facilities meeting the requirements of the Housing Maintenance Code, occupied:

- (a) and arranged and designed for use by, and is used by, not more than four non-related #artists#, or an #artist# and the #artist's# household, and including adequate working space reserved for the #artist#, or #artists# residing therein;
(b) by any household residing therein on September 15, 1986 whose members are all unable to meet the #artist# certification qualifications of the Department of Cultural Affairs that registers with the Department of Cultural Affairs prior to nine months from January 8, 1987; or
(c) by any person who is entitled to occupancy by any other provision of law.

Regulations governing #joint living-work quarters for artists# are set forth in Article I, Chapter 5, Sections 42-14, paragraph D. (Use Group 17 - Special Uses in M1-5A and M1-5B Districts), 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts), 43-17 (Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts) and 74-78 (Conversions of Non-residential Floor Area).

\* \* \*

Special Sheepshead Bay District

The "Special Sheepshead Bay District" is a Special Purpose District designated by the letters "SB" in which special regulations set forth in Article IX, Chapter 4, apply.

Special SoHo-NoHo Mixed Use District [date of adoption]

The "Special SoHo-NoHo Mixed Use District" is a Special Purpose District designated by the letters "SNX" in which special regulations set forth in Article XIV, Chapter 3, apply.

Special South Richmond Development District

The "Special South Richmond Development District" is a Special Purpose District designated by the letters "SR" in which special regulations set forth in Article X, Chapter 7, apply.

\* \* \*

Chapter 4 Sidewalk Cafe Regulations

\* \* \*

14-41 Locations Where Certain Sidewalk Cafes Are Not Permitted

No #enclosed# or #unenclosed sidewalk cafes# shall be permitted on any of the following #streets#, portions of #streets# and areas, except that #small sidewalk cafes# may be permitted pursuant, to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Citywide:

All #streets# with elevated rail transit lines, unless specifically permitted in Section 14-43.

Manhattan:

All #streets#, bounded by 38th Street on the south, 59th Street on the north, Third Avenue on the east and Eighth Avenue on the west

All #streets# within the M1-5A and M1-5B Districts and the #Special SoHo-NoHo Mixed Use District#, south of Houston Street

Bowery — from East Broadway to Canal Street

\* \* \*

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

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

Table with 3 columns: District, #Enclosed Sidewalk Cafe#, #Unenclosed Sidewalk Cafe#. Rows include Manhattan, Manhattanville Mixed-Use District, SoHo-NoHo Mixed Use District, and Transit Land Use District.

\* \* \*

\* \* \*

#Unenclosed sidewalk cafes# are not permitted south of Houston Street, except for #small sidewalk cafes# in locations designated in Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted)

\* \* \*

Chapter 5 Residential Conversion within Existing Buildings

\* \* \*

15-01 Applicability

\* \* \*

15-012 Applicability within C6-1G, C6-2G, M1-5A, M1-5B or M1-6D Districts

#Conversions# in #buildings#, or portions thereof, in C6-1G or C6-2G Districts shall be permitted only by special permit, pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts).

Except as specifically set forth in Sections 15-013 and 15-024, the provisions of this Chapter are not applicable in M1-5A or M1-5B Districts.

In M1-6D Districts, the conversion to #dwelling units# of #non-residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted, subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (MINOR MODIFICATIONS), paragraph (b), except as superseded or modified by the provisions of Section 42-481 (Residential use).

\* \* \*

15-02 General Provisions

\* \* \*

15-021 Special use regulations

\* \* \*

- (e) In C6-1G and C6-2G Districts, in all #manufacturing# and #commercial buildings# except police stations, courthouses and fire houses, or portions thereof, erected prior to December 15, 1961, #residential use# shall not be permitted unless the Commission has granted a special permit, pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts). However, if the Chairperson determines that #floor area# in such #buildings# was occupied for #residential use# on April 1, 1984, such #residential use# shall be permitted to remain and no special permit shall be required, provided that a complete application for determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than April 17, 1985.

\* \* \*

15-50
SPECIAL PERMIT

\* \* \*

15-51
Residential Conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts

In C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts, the City Planning Commission may permit modification of the requirements of Sections 15-021 paragraph (e), or 15-21 in accordance with the provisions of Sections 74-711 (Landmark preservation in all districts) or 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts).

\* \* \*

ARTICLE II
RESIDENCE DISTRICT REGULATIONS

Chapter 3
Residential Bulk Regulations in Residence Districts

\* \* \*

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):

- (a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#, except as provided in paragraphs (b) and (c) of this Section;
(b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

\* \* \*

- #Special Ocean Parkway District# ;
#Special SoHo-NoHo Mixed Use District# ;
#Special South Richmond Development District# ;

\* \* \*

ARTICLE IV
MANUFACTURING DISTRICT REGULATIONS

Chapter 1
Statement of Legislative Intent

\* \* \*

41-10
PURPOSES OF SPECIFIC MANUFACTURING DISTRICTS

\* \* \*

41-11
M1 Light Manufacturing Districts (High Performance)

These districts are designed for a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences. New residences are excluded from these districts, except for:

- (a) joint living-work quarters for artists in M1-5A and M1-5B Districts;
(b) dwelling units in M1-5M and M1-6M Districts;

\* \* \*

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

\* \* \*

42-111
Special provisions for hotels in M1 Districts

In M1 Districts, #transient hotels# shall be permitted only as set forth in this Section. The City Planning Commission may permit transient hotels in an M1 District, pursuant to a special permit set forth in

another Section of this Resolution, or, pursuant to Section 74-803 (Transient hotels within M1 Districts), as applicable.

\* \* \*

- (c) Within M1-5A and M1-5B Districts

Within an M1-5A or M1-5B District, a special permit, pursuant to Section 74-803 shall be required in conjunction with a special permit, pursuant to Section 74-781 (Modifications by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts) except that a permit, pursuant to Section 74-781 shall not be required for a #transient hotel# located above the ground floor level, where the #floor area# used for such #use# on the ground floor does not exceed an amount minimally necessary to access and service such #transient hotel#.

\* \* \*

42-13
Use Groups 6C, 9A and 12B

\* \* \*

42-131
M1-5A and M1-5B Districts

M1-5A M1-5B

The regulations governing M1 Districts shall apply in M1-5A and M1-5B Districts except where the special #use# regulations set forth in Section 42-14, paragraph D. (Special Uses in M1-5A and M1-5B Districts) provide otherwise.

\* \* \*

42-14
Use Group 17

M1 M2 M3

\* \* \*

- D. Special #uses# in M1-5A and M1-5B Districts

M1-5A M1-5B

- (1) #Joint living-work quarters for artists# in #buildings# in M1-5A and M1-5B Districts, provided:

- (a) Such #building# was erected prior to December 15, 1961.
(b) The #lot coverage# of such #building# does not exceed 5,000 square feet except that in #buildings# with frontage along Broadway the #lot coverage# shall not exceed 3,600 square feet. However, such quarters may also be located in a #building# occupying more than 5,000 square feet of #lot area# if the entire #building# was held in cooperative ownership by #artists# on September 15, 1970. #Joint living-work quarters for artists# are permitted in other #buildings or other structures# only by special permit of the City Planning Commission, pursuant to Section 74-782, by minor modification of the Chairperson of the City Planning Commission, pursuant to Section 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts), paragraph (e), or by authorization of the City Planning Commission, pursuant to Section 42-142 (Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts).

\* \* \*

- (c) In M1-5B Districts in #buildings# occupying less than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission, pursuant to Section 42-141, Section 74-781 (Modification by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts), or by authorization of the City Planning Commission, pursuant to Section 42-142.

\* \* \*

- (2) #Commercial# and #manufacturing uses# below the floor level of the second #story# provided,

- (a) In M1-5A Districts, in #buildings# occupying more than 3,600 square feet of #lot area#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings#, unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;

- (b) in M1-5B Districts, in any #buildings#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings# unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;

(3) In addition, to the above restrictions, the following #uses# are not permitted as of right in any #building# or other structure# or on any tract of land in M1-5A or M1-5B Districts:

\* \* \*

(4) (a) Any #use# which became #non-conforming# after April 27, 1976, shall be governed by Article V (Non-Conforming Uses and Non-Complying Buildings), except that in M1-5A and M1-5B Districts, Section 52-37 is hereby suspended and replaced by paragraph D.(4)(b) of this Section.

(b) In M1-5A and M1-5B Districts, any #non-conforming use# listed in Use Groups 5, 6, 8, 10, 12, 13, 14 or 15 may be changed, initially or in any subsequent change, only to a conforming #use# or a #use# listed in Use Group 6.

\* \* \*

(5) Museums or non-commercial art galleries, subject, to the #bulk# regulations applicable for #manufacturing uses#, and subject, to the provisions of this Section.

(a) As of right

In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant, to the provisions of paragraphs D.(2) or D.(4) of this Section and, above the ground floor where #joint living-work quarters for artists# are permitted, pursuant to paragraph D.(1) of this Section.

(b) By authorization of the City Planning Commission

In an M1-5A District, the City Planning Commission may authorize a museum or non-commercial art gallery where it is not permitted as-of-right, provided that the Commission finds that:

(i) the #use# of such space as a museum or non-commercial art gallery will not harm #manufacturing uses# in the M1-5A District or the industrial sector of the City's economy;

(ii) any commercial or manufacturing tenants in such space were given the opportunity by the owner or predecessors in title to remain in the space, at fair market rentals, and the property owners or predecessors in title did not cause the vacating of the space through harassment, non-renewal of leases, or the charging of rents in excess of the then fair market value; and

(iii) any such museum or non-commercial art gallery will be supportive of the local art industry.

The Commission may set such conditions on the grant of an authorization to allow such #uses# as it deems necessary to protect #manufacturing uses# or the industrial sector of the City's economy. In no case shall such museum or non-commercial art gallery occupy more than 65,000 square feet of #floor area#.

\* \* \*

**42-141 Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts**

In M1-5A and M1-5B Districts, the requirements of paragraphs D.(1)(b), D.(1)(c), D.(1)(d) and D.(1)(e) or D.(2) of Section 42-14 (Use Group 17) may be modified by certification of the Chairperson of the City Planning Commission as provided in this Section. A copy of any request for modification under this Section shall be sent by the applicant, to the applicable Community Board, at least 20 days prior, to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 31 days of such notification.

\* \* \*

**42-142 Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts**

In M1-5A and M1-5B Districts, the requirements of Section 42-14 (Use Group 17), paragraphs D.(1)(b), (c), and (d), may be modified by authorization of the City Planning Commission, provided that:

\* \* \*

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

\* \* \*

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

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

\* \* \*

**M1-5A M1-5B**  
Eating and drinking establishments, with entertainment but not dancing, with a capacity of 200 persons or less [PRC-D]

**M1-5A M1-5B M1-5M M1-6M**  
Eating or drinking establishments, with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing [PRC-D]

\* \* \*

**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**  
Indoor interactive entertainment facilities with eating and drinking\* [PRC-D]

\* \* \*

\* In M1-1; M1-5A; and M1-5B Districts, and in M1 Districts with a suffix "D," indoor interactive entertainment facilities with eating and drinking are not permitted

\* \* \*

**42-50 SIGN REGULATIONS**

\* \* \*

**42-54 Permitted Projection or Height of Signs**

\* \* \*

**42-541 Permitted projection**

**M1 M2 M3**  
In all districts, as indicated, except as otherwise provided in Section 42-542 (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#, except that:

(a) in M1-5A; M1-5B, M1-5M and M1-6M Districts, for each establishment located on the ground floor, non-illuminated signs# other than #advertising signs# may project no more than 40 inches across a #street line#, provided that along each #street# on which such establishment fronts, the number of such #signs# for each establishment shall not exceed two two-sided #signs# separated, at least 25 feet apart, and further provided that any such #sign# shall not exceed a #surface area# of 24 by 36 inches and shall not be located above the level of the first #story# ceiling.

\* \* \*

**Chapter 3 Bulk Regulations**

\* \* \*

**43-10 FLOOR AREA REGULATIONS**

\* \* \*

**43-17 Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts**

**M1-5A M1-5B**  
In the districts district indicated, no #building# containing #joint living-work quarters for artists# shall be #enlarged#.

Mezzanines are allowed within individual quarters, in #buildings# with an existing #floor area ratio# of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross #floor area# of such individual quarters. Such

mezzanines shall not be included as #floor area# for the purpose of calculating minimum required size of a #joint living-work quarters for artists#.

In the districts district indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified, pursuant to Section 43-171.

However, the minimum size requirement may be replaced by the requirements of Section 15-024 for #joint living-work quarters for artists#:

\* \* \*

**ARTICLE VII  
ADMINISTRATION**

**Chapter 3**

**Special Permits by the Board of Standards and Appeals**

\* \* \*

**73-20**

**THEATERS**

\* \* \*

**73-202**

**In M1-5A or M1-5B Districts**

In M1-5A or M1-5B Districts, the Board of Standards and Appeals may permit theaters for a term not to exceed five years, provided that the following findings are made:

\* \* \*

**73-24**

**Eating or Drinking Places**

**73-241**

**In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts**

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less, for a term not to exceed five years, provided that the following findings are made:

- (a) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhood;
- (b) that such #use# will not cause undue congestion in local #streets#;
- (c) that in M1-5A and M1-5B Districts, eating and drinking places shall be limited to not more than 5,000 square feet of floor space;
- (d) that in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C5, M1-5A and M1-5B Districts, such #use# shall take place in a #completely enclosed building#; and
- (e) that the application is made jointly by the owner of such #building# and the operators of such eating or drinking establishment.

\* \* \*

**73-60**

**MODIFICATIONS OF BULK REGULATIONS**

\* \* \*

**73-62**

**Modification of Bulk Regulations for Buildings Containing Residences**

\* \* \*

**73-625**

**Modification of Affordable Housing Fund payment options in the SoHo NoHo Mixed Use District**

Within the #Special Soho-NoHo Mixed Use District#, for #conversions# from non-#residential# to #residential use# in #buildings# existing prior to [date of adoption] that are not otherwise subject to paragraph (d)(3)(v) of Section 23-154 (Inclusionary Housing), the Board of Standards and Appeals may permit a contribution, to the #affordable housing fund#, pursuant to such paragraph to satisfy the requirements of paragraph (d)(3), inclusive, of such Section, provided that the Board finds that:

- (a) the configuration of the #building# imposes constraints, including, but not limited to, deep, narrow or otherwise irregular #building# floorplates, limited opportunities to locate #legally required windows#, or pre-existing locations of vertical circulation or

structural column systems, that would create practical difficulties in reasonably configuring the required #affordable floor area# into a range of apartment sizes and bedroom mixes serving a number of lower-income residents comparable to what such quantity of #affordable floor area# would serve in a more typical configuration, pursuant, to the #guidelines# of the Inclusionary Housing Program. In order to make such determination, the Board may consult with the Department of Housing Preservation and Development. Such practical difficulties shall be shown on a floor plan; and

- (b) the practical difficulties existed on [date of enactment].

For the purposes of this Section, defined terms include those set forth in Sections 12-10 and 23-911.

The Board may prescribe such conditions and safeguards as it deems necessary to minimize adverse effects upon the surrounding area and the community, at large.

\* \* \*

**Chapter 4**

**Special Permits by the City Planning Commission**

\* \* \*

**74-71**

**Landmark Preservation**

\* \* \*

**74-712**

**Developments in Historic Districts**

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- (a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, or has not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development# and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided:

\* \* \*

**ARTICLE XIV**

**SPECIAL PURPOSE DISTRICTS**

**Chapter 3**

**Special SoHo-NoHo Mixed Use District**

**143-00**

**GENERAL PURPOSES**

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

- (a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
- (b) to reinforce the longstanding mixed-use character of the area by allowing a wider range of residential, commercial and community facility uses while retaining significant concentration of commercial and manufacturing space;
- (c) to ensure the development of buildings is compatible with existing neighborhood character;
- (d) to sustain SoHo/NoHo's cultural legacy and support New York City's creative economy with provisions that support arts, cultural and creative uses, organizations and their broader public audience;
- (e) to retain jobs within New York City; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

**143-01**

**General Provisions**

The provisions of this Chapter shall apply within the #Special SoHo-NoHo Mixed Use 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.

### 143-02 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

#### Qualifying building

For the purposes of this Chapter, a “qualifying building” shall be any #building#, where, prior to [date of adoption]:

- (a) such #building# contained, at least 60,000 square feet of #floor area#; and
- (b) at least 20 percent of the #floor area# within such #building# was allocated to non-#residential floor area#, as such term is utilized in Section 143-14.

#### SoHo-NoHo Arts Fund

For the purposes of this Chapter inclusive, the “SoHo-NoHo Arts Fund” (the “Arts Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when converting #joint living-work quarters for artists# to #residences# through in accordance with the provisions of Section 143-13 (Joint Living-Work Quarters for Artists). The Arts Fund shall be allocated by the New York City Department of Cultural Affairs, or a not-for-profit entity designated by the Department of Cultural Affairs, to support arts programming, projects, organizations, and facilities that promote the public presence of the arts within the Special District and surrounding neighborhoods and extend the cultural legacy of SoHo and NoHo generally. Such allocation should prioritize under-resourced organizations and under-served areas within Lower Manhattan neighborhoods south of 14th Street.

### 143-03 District Plan and Map

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

#### Appendix A

##### Map 1. Ground Floor Use Requirements

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

### 143-04 Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special SoHo-NoHo Mixed Use District# are shown on the maps in APPENDIX F of this Resolution. Such provisions are modified as follows:

- (a) #Conversions# from #joint living-work quarters for artists# to #residences#, as set forth in Section 143-13 (Joint Living-Work Quarters for Artists), shall not be subject, to the provisions of paragraph (d)(1) of Section 23-154.
- (b) The provisions of paragraph (d)(4)(i) of Section 23-154 shall apply only to a #development# or #enlargement# on a #zoning lot# on which the maximum permitted #residential floor area#, less the #lot area#, does not exceed 12,500 square feet on [date of adoption].
- (c) For #conversions# in #buildings# existing prior to [date of adoption] that are not otherwise subject to paragraph (d)(3)(v) of Section 23-154, the Board of Standards and Appeals may permit a contribution, to the #affordable housing fund#, pursuant, to the provisions of Section 73-625.

[Note: references, to the provisions of Article VI, Chapter 6 reflect the proposed zoning text amendment Elevate Transit: Zoning for Accessibility (application number N 210270 ZRY), which is currently in public review.]

### 143-05 Applicability of Article VI, Chapters 4 and 6

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

### 143-06 Applicability of Article XII, Chapter 3

In the #Special SoHo-NoHo Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

Notwithstanding the provisions of Section 123-10 (GENERAL PROVISIONS), in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

### 143-07 Applicability of Quality Housing regulations

All #buildings# 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#.

### 143-10 SPECIAL USE REGULATIONS

Within the #Special SoHo-NoHo Mixed Use District#, the #use# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

#### 143-11 Retail Uses

All #uses# listed in Use Group 10A shall be permitted as-of-right.

#### 143-12 Home Occupation

The #home occupation# provisions of Section 12-10 (DEFINITIONS - Home occupation) shall apply, except that up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#, and such #home occupation# may occupy more than 500 square feet of #floor area#.

In addition, in connection with such #home occupation#, up to three persons not residing in such #dwelling unit# may be employed, and a #home occupation# may include any permitted #commercial use#, subject, to the limitations set forth in paragraph (b) of the definition of #home occupation#.

### 143-13 Joint Living-Work Quarters for Artists

#Conversions# to #joint living-work quarters for artists#, as listed in Use Group 17D, shall not be permitted after [date of adoption] within the #Special SoHo-NoHo Mixed Use District#.

For #joint living-work quarters for artists# existing on [date of adoption], any #conversion# to a #residence# shall only be permitted upon certification by the Chairperson of the City Planning Commission, to the Commissioner of the Department of Building that instruments in a form acceptable, to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #SoHo-NoHo Arts Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition, to the filing for or issuing of any #building# permit allowing the #conversion# a #joint living-work quarters for artists# to a #residence#.

The contribution amount shall be \$100.00 per square foot of #floor area# to be #converted# from a #joint living-work quarters for artists# to a #residential use# as of [date of adoption], and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the 12 months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect, at the time the contribution is received.

### 143-14 Non-Residential Retention for Qualifying Buildings

For #developments#, #enlargements#, and #conversions# on #zoning lots# with #qualifying buildings# existing on [date of adoption], #residential uses# shall only be permitted upon certification by the Chairperson of the City Planning Commission, to the Commissioner of the Department of Buildings that the #zoning lot#, as it existed on [date of adoption], will contain, at least the amount of non-#residential floor area# that existed within such #qualifying buildings# on the #zoning lot# on [date of adoption]. For the purposes of this Section, non-#residential floor area# shall not include #residences#, including #dwelling units# that are registered Interim Multiple Dwellings or are covered by the New York City Loft Board, pursuant to Article 7-C of the New York State Multiple Dwelling Law or that the Loft Board determines were occupied for #residential use# on September 1, 1980, #joint living-work quarters for artists#, #community facility uses# with sleeping accommodations or #transient hotels#, where permitted.

A restrictive declaration acceptable, to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns, to provide the amount of non-residential floor area that existed within #qualifying buildings# on [date of adoption], on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register.

### **143-15 Ground Floor Use Requirements**

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

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 #streets# designated on Map 1 in the Appendix to this Chapter 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 include those in Sections 12-10 and 37-311.

#### (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 1 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). #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#

Any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

### **143-16 Physical Culture or Health Establishments**

#Physical culture or health establishments# shall be permitted as-of-right. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9A #use#.

### **143-17 Transient Hotels**

In all districts, the #development# of a #transient hotel#: a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption] that increases the #floor area# of such #use# by 20 percent or more, shall be permitted only by special permit of the City Planning Commission pursuant, to the provisions of this Section.

In order to permit such a #transient hotel#, the Commission shall find that such #transient hotel# is so located as not to impair the essential character of, or the future #use# or #development# of, the surrounding area.

Any #transient hotel# existing prior to [date of adoption] shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject, to the limitations set forth in this Section, and subject, to the applicable district #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building# or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of this Section. In addition, in the event a casualty damages or destroys a #transient hotel# that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed, pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

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

### **143-20 SPECIAL BULK REGULATIONS**

Within the #Special SoHo-NoHo Mixed Use District#, the #bulk# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

### **143-21 Special Floor Area Regulations**

The applicable #floor area# regulations shall be modified as follows:

- (a) the #floor area ratio# for #community facility uses# shall be 6.5; and
- (b) in M1-5 Districts paired with an R9X District north of Howard Street, the #floor area ratio# for all other non-residential uses# shall be 6.0.

### **143-22 Density**

For all #residential buildings#, or portions thereof, including those existing on December 15, 1961, the factor to determine the maximum number of #dwelling units# shall be 680.

### **143-23 Special Yard Regulations**

The applicable #rear yard# and #rear yard equivalent# regulations shall be modified as follows:

#### (a) Permitted obstructions

In any #rear yard# or #rear yard equivalent#, any #building# or portion of a #building# used for #commercial#, #manufacturing#, or #residential uses#, other than dwelling units, shall be a permitted obstruction, provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#.

In addition, in M1-5 Districts paired with an R9X District north of Howard Street, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-residential use#, shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

Decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, pursuant to Section 43-42 (Permitted Obstructions), shall be permitted above such height limitations.

#### (b) Required #rear yards#

For all #uses#, a #rear yard# with a depth of not less than 20 feet shall be provided, at every #rear lot line# on any #zoning lot#, except as follows:

- (1) no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting, at an angle of 135 degrees or less;
- (2) whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#; and
- (3) for #interior lots# where the depth of such #zoning lot#, or a portion thereof, is less than 90 feet, and such shallow depth was in existence on December 15, 1961 and the date of application for a #building# permit, the required #rear yard# for such #interior lot#, or portion thereof, may be reduced by six inches for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 90 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 10 feet.

#### (c) Required #rear yard equivalents#

For #buildings#, or portions thereof, containing non-residential uses#, no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

For #buildings#, or portions thereof, containing #residential# uses, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet midway, or within 10 feet of being midway, between the two #street lines# upon which such #through lot# fronts, shall be provided.

However, for #through lots# where the depth of such #zoning lot#, or a portion thereof, is less than 180 feet, and such shallow depth was in existence on December 15, 1961 and on the date of application for a building permit, the required #rear yard equivalent# for such #through lot#, or portion thereof, may be reduced by one foot for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 180 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 20 feet.

#### (d) Along district boundaries

The provisions of 43-30 (Special Provisions Applying Along District Boundaries), shall not apply along the district boundaries of two M1 Districts paired with #Residence Districts#.

143-24
Special Height and Setback regulations

For the purposes of this Section, Watts Street, West Broadway, Centre Street, and Great Jones Street shall be considered #wide streets#.

The applicable height and setback regulations are modified as follows:

(a) #Street wall# location

Along all #street# frontages, the #street wall# regulations applicable to #Quality Housing buildings# on a #wide street# in a C6 District, as set forth in Section 35-651 (Street wall location), shall apply. On #through lots#, the additional regulations set forth in paragraph (b) of Section 35-655 shall not apply.

For the purposes of applying such regulations, the minimum base height a #street wall# shall rise to, without setback, shall be those set forth in paragraph (b) of this Section.

(b) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, and maximum #building# height for all #buidings#.

A setback is required for all portions of a #building# that exceed the maximum base height specified for the applicable district, and shall be provided in accordance with paragraph (c) of this Section.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT, AND MAXIMUM BUILDING HEIGHTS

Table with 4 columns: District, Minimum base height (in feet), Maximum base height (in feet), Maximum #building# height (in feet). Rows include M1-5 / R7X, M1-5 / R9X, and M1-6 / R10.

However, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum and maximum base heights may be modified as follows:

- (1) the minimum base height of a #street wall# may vary between the minimum height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height; and
(2) the maximum base height of a #street wall# may vary between the maximum base height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height.

(c) Setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district in the table in paragraph (b) of this Section, a setback shall be provided in accordance with paragraph (c) of Section 23-662. (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(d) Dormers

As an alternative, to the dormer provisions of paragraph (c) of Section 23-621, dormers may be a permitted obstruction within a required front setback distance above a maximum base height, provided that the aggregate width of all dormers, at the maximum base height does not exceed 40 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height increases.

143-25
Additional bulk modifications

For #buildings# containing #residences#, or portions thereof, the following additional #bulk# modifications shall apply.

(a) #Outer court# modifications

For #outer courts# containing #legally required windows#, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be, at least equal, to the depth of such #outer court#. If an #outer court# is 20 feet or more in width, it may extend to any depth.

(b) #Inner court# modifications

For #inner courts# containing #legally required windows#, the area shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet.

The minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 20 feet.

(c) Distance between #legally required windows# and #lot lines#

The minimum distance between a #legally required window# and: any wall; a #rear lot line#, or vertical projection thereof; or a #side lot line#, or vertical projection thereof; shall be 20 feet, measured in a horizontal plane, at the sill level of, and perpendicular to, such window for the full width of the rough window opening.

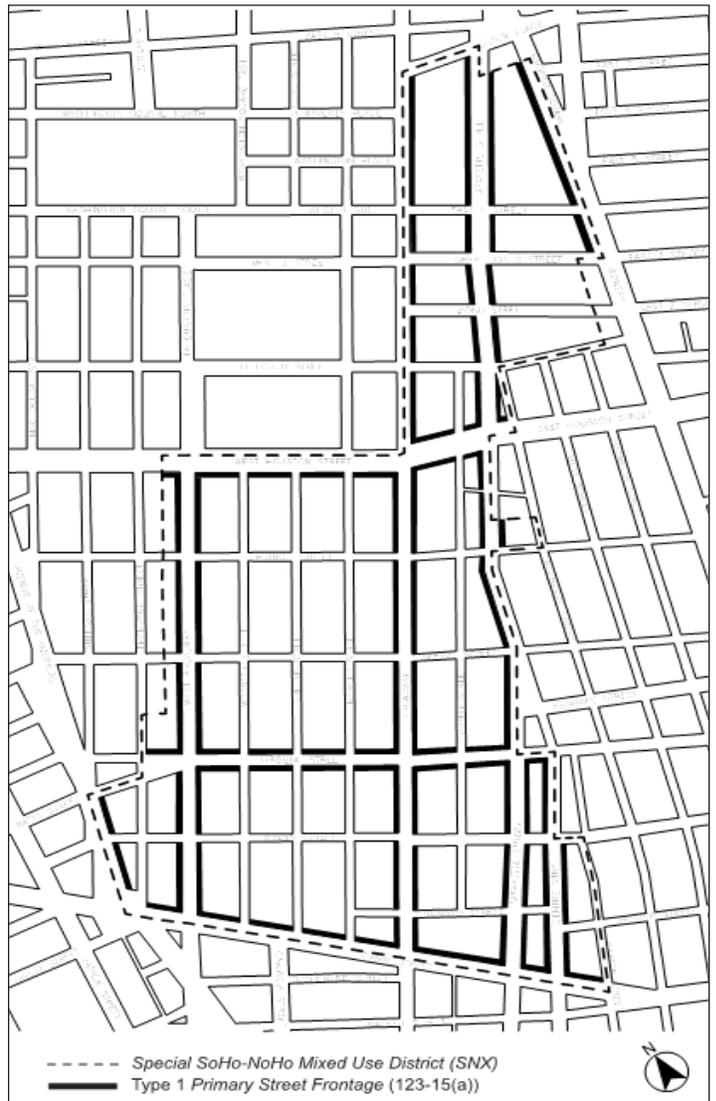
(d) Distance between #buildings#

The required minimum distance between the portion of a #building# containing #dwelling units# and any other #building# on the same #zoning lot# shall be 40 feet below a height of 125 feet. Portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced, at least 80 feet apart.

APPENDIX A

Special SoHo-NoHo Mixed Use District Plan

Map 1: Ground Floor Use Requirements



\* \* \*

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

MANHATTAN

\* \* \*

**Manhattan Community District 2**

Map 1 – [date of adoption]



Portion of Community District 2, Manhattan

\* \* \*

**NOTICE**

On Thursday, September 2, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by The City of New York. The City of New York, acting through the Department of City Planning (DCP), is proposing a series of land use actions — zoning map and zoning text amendments (the “Proposed Actions”) to implement land use and zoning recommendations in the SoHo/NoHo Neighborhood Plan. The area subject to the Proposed Actions is generally, bounded by Astor Place and Houston Street, to the north; Bowery, Lafayette Street, and Baxter Street, to the east; Canal Street, to the south, and Sixth Avenue, West Broadway, and Broadway, to the west. The Proposed Actions would affect an approximately 56-block, 146-acre area (the “Project Area”) of the SoHo and NoHo neighborhoods of Manhattan Community District 2. The Reasonable Worst-Case Development Scenario (RWCDS) for the Proposed Actions identifies 26 projected development sites. On the projected development sites, the Proposed Actions are expected to result in a net increase of approximately 1,829 projected dwelling units (DUs) (including approximately 382 to

573 permanently affordable DUs for lower-income New Yorkers in accordance with the Mandatory Inclusionary Housing Program (MIH)); 61,789 gross square feet (gsf) of projected retail space (local and destination retail and supermarket space); and 20,778 gsf of projected community facility space. The RWCDS also identifies 58 potential development sites, which are considered less likely to be developed by the analysis year. On the potential development sites, the Proposed Actions may result in a net increase of approximately 1,719 DUs, including 365 to 545 permanently affordable DUs; 52,360 gsf of potential destination retail space; and 16,272 gsf of potential community facility space. Development on some of these sites, due to the sites’ location within New York City-designated historic districts, would be subject to future review and approval by the New York City Landmarks Preservation Commission (LPC) in accordance with the New York City Landmarks Law.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

For instructions on how to submit comments and participate remotely, please refer, to the instructions, at the beginning of this agenda.

This hearing is being held pursuant, to the State Environmental Quality Review Act (SEQR) and City Environmental Quality Review (CEQR), CEQR No. 21DCP059M.

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



a19-s2

**CIVIC ENGAGEMENT COMMISSION**

■ NOTICE

**Tuesday, August 24, 2021, at 11:00 A.M.**  
**1 Centre Street, Comptroller’s Public Hearing Room**  
**Borough of Manhattan**  
**New York, NY 10007**

The Civic Engagement Commission will hold a public meeting, at 11:00 A.M., on Tuesday, August 24, 2021, at 1 Centre Street, Comptroller’s Public Hearing Room. Please use the South Side entrance.

In November 2018, New York City voters approved Charter revisions that established the New York City Civic Engagement Commission (**Chapter 76 of the New York City Charter**). The Commission’s purpose is to enhance civic participation through a variety of initiatives, including participatory budgeting, expanded poll site interpretation and assistance to community boards.

For more information about the Commission, please visit the Commission’s [website](#).

The meeting is open to the public. The NYCCEC will hold a public comment period at the end of its meeting for comments related to the mission and activities of the Commission. Please note that public comment is limited to three minutes. This time is intended for comment and is not designated for questions and answers. To allow for comment in an orderly fashion, please sign up, by emailing your name and affiliation, to [info@civicengagement.nyc.gov](mailto:info@civicengagement.nyc.gov), by 5:00 P.M., Monday, August 24th, 2021.

**What if I need assistance to participate in the meeting?** The meeting location is accessible to individuals using wheelchairs or other mobility devices. Free induction loop systems, ASL interpreters, and oral interpretation services are available upon request. Please make any such requests or other accessibility requests no later than 10:00 A.M., Thursday, August 19th, 2021, by emailing [info@civicengagement.nyc.gov](mailto:info@civicengagement.nyc.gov), or calling (646) 763-2189.

The public can view a live stream of this meeting along with past Commission meetings and hearings on the Commission’s website, in the [meetings section](#).

**Covid-19 Health Guidelines**

- All attendees over the age of two and able to medically tolerate a face covering must wear a face covering when entering the building and traveling within the building to the event space. (This includes while in an elevator.)
- All attendees must practice physical distancing (remain 6 feet apart) when entering the building and traveling within the building to the event space, where feasible.

- Private organization attendees and members of the public attending an event, must read the [Health Screening Assessment](#) posted at the entrance of the building and affirm to a DCAS officer or guard that they are cleared to enter the building.

Accessibility questions: Francis Urroz, (646) 763-2189, furroz@civicengagement.nyc.gov, by: Thursday, August 19, 2021, 10:00 A.M.



a11-24

## COMMUNITY BOARDS

### ■ PUBLIC HEARINGS

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

#### BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 6 - Monday, August 23rd, 2021, at 6:30 P.M. through Zoom. Register for the Zoom meeting here: [https://zoom.us/join/zoom/register/WN\\_tIU0jHu9Si-e0GzveFchtg](https://zoom.us/join/zoom/register/WN_tIU0jHu9Si-e0GzveFchtg).

A public hearing with respect to a Citywide Text Amendment that would modify NYC Zoning in order to allow for a permanent Open Restaurants program.

a19-23

## BOARD OF EDUCATION RETIREMENT SYSTEM

### ■ MEETING

The Board of Education Retirement System Board of Trustees Meeting will be held on August 26, 2021 from 4:00 P.M. - 6:00 P.M. via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at [Srich4@Bers.nyc.gov](mailto:Srich4@Bers.nyc.gov).

a18-26

## FRANCHISE AND CONCESSION REVIEW COMMITTEE

### ■ MEETING

**PUBLIC NOTICE IS HEREBY GIVEN** that the Franchise and Concession Review Committee, will hold a public meeting on Wednesday, September 8, 2021, at 2:30 P.M., the Office of the Manhattan Borough President, David N. Dinkins Municipal Building, 1 Centre Street, South Entrance, Manhattan, New York, NY 10007.

Please be aware that masks will be required, and social distancing will be enforced in line with COVID-19 guidelines at the hearing venue. All meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status.

#### ***Please do not attend this meeting if:***

- You have experienced any symptoms of COVID-19 within the past 10 days (a fever of 100.0 degrees Fahrenheit or greater, a new cough, new loss of taste or smell, or shortness of breath).
- You have tested positive for COVID-19 within the past 10 days.
- You have been in close contact (within 6 feet for at least 10 minutes over a 24-hour period) with anyone while they had COVID-19 within the past 10 days and are required to quarantine under existing CDC guidance (you have not had COVID-19 within the past 3 months, and you are not fully vaccinated).

**NOTE: This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email, at [DisabilityAffairs@mocs.nyc.gov](mailto:DisabilityAffairs@mocs.nyc.gov), or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least three (3) business days in advance of the meeting to ensure availability.**

a23-57

## HOUSING AUTHORITY

### ■ MEETING

The Governance Committee Meeting of the New York City Housing Authority, scheduled for Wednesday, August 25, 2021, at 10:30 A.M., will be held in-person in the Ceremonial Room, on the 5th Floor of 90 Church Street, New York, NY, and will be streamed live on NYCHA's YouTube Channel, <http://nyc.gov/nycha>, and NYCHA's Website, on [nyc.gov/boardmeetings](http://nyc.gov/boardmeetings).

Because of capacity limitations, the Governance Committee Meeting may also be accessed via Zoom by calling (646) 558-8656 using Webinar ID: 814 7639 9118 and Passcode: 1723517978.

For those wishing to provide public comment, either in-person or via Zoom, pre-registration is required via email, to [corporate.secretary@nycha.nyc.gov](mailto:corporate.secretary@nycha.nyc.gov), or by contacting (212) 306-6088, no later than 5:00 P.M., on the day prior to the Governance Committee Meeting. No in-person registration will be conducted. When pre-registering, please provide your name, development, or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Agenda.

Speaking time will be limited to three (3) minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (30) minutes allotted for public comment, whichever occurs first.

Copies of the Agenda are available on NYCHA's Website, at <https://www1.nyc.gov/site/nycha/about/governance-committee>, to the extent practicable, no earlier than 24 hours before the upcoming Governance Committee Meeting. Copies of the draft Minutes are available on NYCHA's Website, at <https://www1.nyc.gov/site/nycha/about/governance-committee>, no earlier than 3:00 P.M., on the Thursday following the Governance Committee Meeting.

Any person requiring a reasonable accommodation to participate in the Governance Committee Meeting, should contact the Office of the Corporate Secretary, by phone at (212) 306-6088, or by email, at [corporate.secretary@nycha.nyc.gov](mailto:corporate.secretary@nycha.nyc.gov), no later than Friday, August 20, 2021, at 5:00 P.M.

Any changes to the schedule will be posted on NYCHA's Website, at <https://www1.nyc.gov/site/nycha/about/governance-committee>, and via social media to the extent practicable at a reasonable time before the meeting.

This meeting is open to the public.

- Members of the public attending the Governance Committee Meeting, regardless of vaccination status, must wear face coverings while indoors.

For additional information regarding the Governance Committee Meeting, please contact the Office of the Corporate Secretary, by phone at (212) 306-6088, or by email, at [corporate.secretary@nycha.nyc.gov](mailto:corporate.secretary@nycha.nyc.gov).

a17-25

## PARKS AND RECREATION

### ■ PUBLIC HEARINGS

**NOTICE OF A JOINT PUBLIC HEARING** of the Franchise and Concession Review Committee and the New York City Department of Parks & Recreation ("NYC Parks"), to be held on Tuesday, September 7, 2021, at the Office of the Manhattan Borough President, David N. Dinkins Municipal Building, 1 Centre Street, South Entrance, Manhattan, New York, NY 10007, commencing at 2:30 P.M., relative to:

**INTENT TO AWARD** as a concession for the Renovation, Operation, and Maintenance of an 18-Hole Golf Course, Clubhouse, and Food Service Facility at Silver Lake Park, Staten Island, NY, for a twenty (20) year term, to Silver Lake Golf, LLC. ("Licensee"). Licensee shall make payments to the City for each Operating Year, consisting of the \$4.00 surcharge for each round of golf played excluding rounds played by Juniors plus the annual minimum fee and the annual percentage of gross revenue derived from the operation of the Licensed Premises. Compensation under the License Agreement for the annual minimum fee and annual percentage of gross revenue will be according to the following schedule: For Years 1-5: \$3,000.00 and either 12.5% over \$2.5 million of gross receipts or 17.5% over \$3 million of gross receipts; for Years 6-10: \$5,000.00 and either 13.5% over \$3 million of gross receipts or 18.5% over \$3.5 million of gross receipts; for Years 11-15: \$7,000.00 and either 14.5% over \$3.5 million of gross receipts or 19.5% over \$4

million of gross receipts; and for Years 16-20: \$9,000.00 and either 15.5% over \$4 million of gross receipts or 20% over \$4.5 million of gross receipts.

A draft copy of the agreement may be obtained at no cost by any of the following ways:

- 1) Submit a written request by email to NYC Parks, at concessions@parks.nyc.gov, from August 24, 2021, through September 7, 2021.
- 2) Download from August 24, 2021, through September 7, 2021, on Parks' website. To download a draft copy of the agreement, visit <https://www.nycgovparks.org/opportunities/concessions/rfps-rfbs-rfeis>.
- 3) Submit a written request by mail to NYC Department of Parks and Recreation, Revenue Division, 830 Fifth Avenue, Room 407, New York, NY 10065. Written requests must be received by August 24, 2021. For mail-in request, please include your name, return address, and License # R22-GC-

A transcript of the hearing will be posted on the FCRC website, at <https://www1.nyc.gov/site/mocs/reporting/agendas.page>.

Please be aware that all meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status. The Hearing venue has a occupancy limit of 40 people total with additional overflow rooms at the venue allowing for another 12 people to watch the proceedings remotely.

**Please do not attend this meeting if:**

- You have experienced any symptoms of COVID-19 within the past 10 days (a fever of 100.0 degrees Fahrenheit or greater, a new cough, new loss of taste or smell, or shortness of breath).
- You have tested positive for COVID-19 within the past 10 days.
- You have been in close contact (within 6 feet for at least 10 minutes over a 24-hour period) with anyone while they had COVID-19 within the past 10 days and are required to quarantine under existing CDC guidance (you have not had COVID-19 within the past 3 months, and you are not fully vaccinated).

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

Please be aware that all meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status. The Hearing venue has a occupancy limit of 40 people total with additional overflow rooms at the venue allowing for another 12 people to watch the proceedings remotely.

**Please do not attend this meeting if:**

- You have experienced any symptoms of COVID-19 within the past 10 days (a fever of 100.0 degrees Fahrenheit or greater, a new cough, new loss of taste or smell, or shortness of breath).
- You have tested positive for COVID-19 within the past 10 days.
- You have been in close contact (within 6 feet for at least 10 minutes over a 24-hour period) with anyone while they had COVID-19 within the past 10 days and are required to quarantine under existing CDC guidance (you have not had COVID-19 within the past 3 months, and you are not fully vaccinated).

Accessibility questions: DisabilityAffairs@mocs.nyc.gov, (646) 872-0231, by: Tuesday, August 31, 2021, 5:00 P.M.



◀ a23

**NOTICE OF A JOINT PUBLIC HEARING** of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation ("NYC Parks") to be held on Tuesday, September 7, 2021, at 2:30 P.M., at the Office of the Manhattan Borough President, David N. Dinkins Municipal Building, 1 Centre Street, South Entrance, Manhattan, New York, NY 10007 relative to:

INTENT TO AWARD as a concession for the renovation, operation and maintenance of an outdoor café and snack bar, at Conservatory Water, Central Park, Manhattan for a fifteen (15) year term, to LPQ Sailboat Pond Inc. Compensation to the City will be as follows: for each Interim Operating Year (as defined in the concession agreement) and for each Post-Construction Operating Year (as defined in the concession agreement) LPQ Sailboat Pond Inc., shall pay the City a fee consisting of the higher of a minimum annual fee or the minimum annual fee plus 10% of Gross Receipts exceeding \$1,000,000. The Minimum Annual Fee for each operating year is as follows: Year 1: \$250,000; Year 2: \$262,500;

Year 3: \$275,625; Year 4: \$289,406; Year 5: \$303,877; Year 6: \$319,070; Year 7: \$335,024; Year 8: \$351,775; Year 9: \$369,364; Year 10: \$387,382; Year 11: \$407,224; Year 12: \$427,585; Year 13: \$448,964; Year 14: \$471,412; Year 15: \$494,983.

A draft copy of the agreement may be obtained at no cost by any of the following ways:

- 1) submitting a written request to NYC Parks, at concessions@parks.nyc.gov, from August 24, 2021 through September 7, 2021.
- 2) download from August 24, 2021 through September 7, 2021 on Parks' website. To download a draft copy of the agreement, visit <https://www.nycgovparks.org/opportunities/concessions/rfps-rfbs-rfeis>.
- 3) by submitting a written request by mail to NYC Department of Parks and Recreation, Revenue Division, 830 Fifth Avenue, Revenue Division, Room 407, New York, NY 10065. Written requests must be received by August 24, 2021. For mail-in request, please include your name, return address, and License # M10-(15) SB.

A transcript of the hearing will be posted on the FCRC website, at <https://www1.nyc.gov/site/mocs/reporting/agendas.page>.

Please be aware that all meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status. The Hearing venue has a occupancy limit of 40 people total with additional overflow rooms at the venue allowing for another 12 people to watch the proceedings remotely.

**Please do not attend this meeting if:**

- You have experienced any symptoms of COVID-19 within the past 10 days (a fever of 100.0 degrees Fahrenheit or greater, a new cough, new loss of taste or smell, or shortness of breath).
- You have tested positive for COVID-19 within the past 10 days.
- You have been in close contact (within 6 feet for at least 10 minutes over a 24-hour period) with anyone while they had COVID-19 within the past 10 days and are required to quarantine under existing CDC guidance (you have not had COVID-19 within the past 3 months, and you are not fully vaccinated).

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

Accessibility questions: DisabilityAffairs@mocs.nyc.gov, (646) 872-0231, by: Tuesday, August 31, 2021, 5:00 P.M.



◀ a23



**CITYWIDE ADMINISTRATIVE SERVICES**

■ SALE

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

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

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

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

f23-a4

HOUSING PRESERVATION AND DEVELOPMENT

PUBLIC HEARINGS

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

j4-d30

PROCUREMENT

“Compete To Win” More Contracts!

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

- Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
● Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
● Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
● Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, at http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children’s Services (ACS)
Department for the Aging (DFTA)
Department of Consumer Affairs (DCA)
Department of Corrections (DOC)
Department of Health and Mental Hygiene (DOHMH)
Department of Homeless Services (DHS)
Department of Probation (DOP)
Department of Small Business Services (SBS)

Department of Youth and Community Development (DYCD)
Housing and Preservation Department (HPD)
Human Resources Administration (HRA)
Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN’S SERVICES

AWARD

Services (other than human services)

06821N0038-PAY PER SHIFT BASIC CAR SERVICE - Negotiated Acquisition - Other - PIN# 06821N0038001 - AMT: \$791,269.25 - TO: Corporate Transportation Group Ltd, 335 Bond Street, Brooklyn, NY 11231.

Car Service - Shift Basic

There is a need for ACS to maintain continuity of Pay-per-Shift car service with the current vendor until services resulting from a new comprehensive Transportation RFP are put in place. ACS has already exhausted the 12-month available discretionary amendment for its various Transportation contracts, leaving Negotiated Acquisition Extension as the only means by which services can continue uninterrupted. ACS expects new contracts to be in place by 1/1/2022.

▲ a23

ADMINISTRATION

INTENT TO AWARD

Human Services/Client Services

EXTRAORDINARY NEEDS FOSTER CARE (ENFC) PROGRAM - Negotiated Acquisition - Testing or experimentation is required - PIN# 06821N0023001 - Due 9-7-21 at 4:00 P.M.

Pursuant to Section 3-04(b)(2)(i)(D), 3-04(b)(2)(ii), and 3-16(a) of the Procurement Policy Board Rules, the Administration for Children’s Services (ACS) intends to enter into a negotiated acquisition contract with The Children’s Village Inc. (located at One Echo Hills, Dobbs Ferry, NY 10522), for the provision of an Extraordinary Needs Foster Care (ENFC) program for youth with Commercial Sexual Exploitation of Children (CSEC) behaviors. The term of the contract will be from August 31, 2020 to June 30, 2022. The proposed total contract for this negotiated acquisition is \$1,589,153.84. Organizations interested in future solicitations for these services are invited to do so by registering the NYC Mayor’s Office of Contract Services (MOCS) PASSPort system. To register with PASSPort, please go to www.nyc.gov/PASSPort. There you will find additional guides to assist you with the registration process.

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

Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10009. Peter Pabon (212) 341-3450; peter.pabon@acs.nyc.gov

▲ a23-27

SOLICITATION

Human Services/Client Services

COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN CONEPT PAPER - Request for Proposals - PIN# 06822Y0033 - Due 10-8-21 at 5:00 P.M.

This concept paper is being offered to New York City’s community-based organizations, service providers, and the public to inform them about a Request for Proposals (RFP) that ACS expects to release following the release of this concept paper. Through the RFP, ACS will initiate and standardize a new Commercial Sexual Exploitation of Children (CSEC) program, for youth at the Children’s Center awaiting placement in foster care programs operated by an ACS contracted Provider Agency.

This concept paper is being offered to New York City’s community-based organizations, service providers, and the public to inform them about a Request for Proposals (RFP) that ACS expects to release following the release of this concept paper Through the RFP, ACS will initiate and standardize a new Commercial Sexual Exploitation of Children (CSEC) program, for youth at the Children’s Center awaiting placement in foster care programs operated by an ACS contracted Provider Agency. The Concept Paper can be found in the PASSPort System.

To submit feedback on this Concept Paper, please submit your comments through the PASSPort system, either by submitting a

response in the Manage Responses tab or submitting a comment/question in the Discussion Forum.

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. Sherene Hassen (212) 676-9156; CSEC-CP@acs.nyc.gov

a17-23

**AGING**

**EXTERNAL AFFAIRS**

■ INTENT TO AWARD

*Services (other than human services)*

**12522Y0013-SOLE SOURCE FOR AGELESS CAMPAIGN ADVERTISING** - Request for Information - PIN# 12522Y0013 - Due 8-26-21 at 2:00 P.M.

Pursuant to Section 3-05 of the PPB rules, the NYC Department for the Aging, intends to enter into a sole source contract, with Outfront Media Group LLC. The vendor will provide advertising placement services on MTA subways, from 10/4/2021 through 10/31/2021.

Any firm or organization which believes they can also provide these services is invited to respond to the RFI "12522Y0013-Sole Source for Ageless Campaign Advertising", by emailing, "MBhuiyan@aging.nyc.gov", with the subject line "12522Y0013-Sole Source for Ageless Campaign Advertising", no later than August 26, 2021, 2:00 P.M.

a20-26

**BROOKLYN BRIDGE PARK**

■ SOLICITATION

*Construction Related Services*

**BROOKLYN BRIDGE PARK - PIER 6 NORTHWEST CORNER RESTORATION** - Request for Proposals - PIN#334118 - Due 9-16-21 at 4:00 P.M.

Brooklyn Bridge Park, is an eighty-five (85) acre waterfront park in Brooklyn, NY, which requires regular restoration work to various sections of the park. The Pier 6 Northwest Corner Restoration project, is intended to revive the unprogrammed Northwest corner of Pier 6. Pier 6 is the southernmost pier of BBP, and is located between Bridge Park Drive and Atlantic Avenue. The restoration includes spall repairs of concrete walls and curb, selective demolition, lead abatement and repainting, lighting and electrical, and earthworks. BBP has also included add-alternates for additional electrical scope, and installation of bench seating. Note that the work outlined in this RFP will be accessed via open sections of the park populated by the public. While this section of the Pier will be closed to the public during construction, site access from the street will run across BBP's open Greenway.

Brooklyn Bridge Park is an eighty-five (85) acre waterfront park in Brooklyn, NY, which requires regular restoration work to various sections of the park. The Pier 6 Northwest Corner Restoration project is intended to revive the unprogrammed Northwest corner of Pier 6.

Pier 6 is the southernmost pier of BBP, and is located between Bridge Park Drive and Atlantic Avenue. The restoration includes spall repairs of concrete walls and curb, selective demolition, lead abatement and repainting, lighting and electrical, and earthworks. BBP has also included add-alternates for additional electrical scope, and installation of bench seating

Note that the work outlined in this RFP will be accessed via open sections of the park populated by the public. While this section of the Pier will be closed to the public during construction, site access from the street will run across BBP's open Greenway.

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

Brooklyn Bridge Park, 334 Furman Street, Brooklyn, NY 11201. Lindsey Ross (718) 650-5931; lross@bbp.nyc

◀ a23

**BROOKLYN NAVY YARD DEVELOPMENT CORP.**

■ SOLICITATION

*Services (other than human services)*

**DESIGN OF EXTERIOR LIGHTING AT THE BROOKLYN NAVY YARD CAMPUS** - Competitive Sealed Proposals - Other - PIN#000198 - Due 10-7-21 at 11:00 A.M.

RFP documents will be available as of Monday, August 16, 2021, on BNYDC website, at <http://brooklynnavyyard.org/about/contract-opportunities>.

Other Legally Mandated Information: A Mandatory pre-proposal conference will be held, at BNYDC, Building 77, 8th Floor, Suite 801, on Thursday, August 26, 2021, at 11:00 A.M. All attendees must rsvp by sending an email, to lblackwood@bnydc.org. Failure to attend will result in disqualification.

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

Brooklyn Navy Yard Development Corporation, Building 77, 141 Flushing Avenue, Suite 801, Brooklyn, NY 11205. Lloyd Blackwood (718) 907-5930; lblackwood@bnydc.org



a16-25

**ENVIRONMENTAL PROTECTION**

**WASTEWATER TREATMENT**

■ INTENT TO AWARD

*Goods*

**82622Y0080-BWT - FLYGT PUMPS, CONTROL SYSTEMS AND PARTS - SS** - Request for Information - PIN#82622Y0080 - Due 9-3-21 at 11:00 A.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Xylem Water Solutions USA Inc., for Flygt Pumps, Control Systems and Parts. Any firm, which believes they can also provide these products is invited to respond to this RFI.

◀ a23-30

**82622Y0079-BWT-BELZONA POLYMER COMPOSITE PRODUCTS-SS** - Request for Information - PIN#82622Y0079 - Due 9-3-21 at 2:00 P.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Belzona Inc., for Belzona polymer composite products. Any firm, which believes they can also provide these products are invited to respond to this RFI.

◀ a23-30

**FINANCE**

**SHERIFF-GENERAL SHERIFF**

■ INTENT TO AWARD

*Services (other than human services)*

**83621T0002-VILLAGE OF HEMPSTEAD-FIREARMS TRAINING** - Government to Government - PIN#83621T0002 - Due 8-26-21 at 6:00 P.M.

Three year firearm training contract with the incorporated village of Hempstead starts January 1, 2021 and ends December 31, 2023 (renewals?? - up to contracts) funding includes for NYC sheriff general (9101) HRA - Warrants (9102), Kendra (9106); BCI/Sheriff 9019 and OTE - Office of Tax Enforcements 0404 see attachments for contract from Hempstead, estimates for the three year contract village of Hempstead contact: Janis Fowlkes Village Attorney's Office Incorporated Village of Hempstead, 99 James A. Garner Way, Hempstead, NY 11550, (516) 478-6429, jfowlkes@villageofhempsteadny.gov, <http://www.villageofhempstead.org>

a20-26

HEALTH AND MENTAL HYGIENE

AWARD

Human Services/Client Services

SUPPORT HEALTHCARE AND WELLNESS PROGRAMS QUEENS & MANHATTAN - BP/City Council Discretionary - PIN# 21AZ044801R0X00, PIN# 81621L0463001 - AMT: \$105,000.00 - TO: Community Healthcare Network Inc., 60 Madison Avenue, New York, NY 10010.

a23

HOUSING AUTHORITY

PROCUREMENT

SOLICITATION

Services (other than human services)

NYCHA UCAAS AND CCAAS - Request for Proposals - PIN#333903 - Due 9-27-21 at 2:00 P.M.

NYCHA, by issuing this RFP, seeks proposals ("Proposals") from IT firms (the "Proposers") to provide NYCHA with integrations and transition from NYCHA's current IVR system ("IVR" or "IVR System") which is comprised of the Cisco Unified Communications Manager ("CUCM") and Unified Contact Center Enterprise ("UCCE") systems (as detailed in Exhibit 6 attached to this RFP) to a subscription modelled cloud based Call Center as a Service ("CCaaS") and Unified Communications as a Service ("UCaaS"). CCaaS must be fully integrated with NYCHA's on premise Siebel and Maximo systems, NYCHA's Microsoft cloud based Active Directory, eMail systems and NYCHA's cloud based ServiceNow instance. This RFP also seeks 24/7/365 managed services for the entirety of the voice system post cloud migration, which includes periodic reviews as well as system and call reports. The provision of the CCaaS and UCaaS cloud system, the integration and transition services, and the managed services are detailed more fully within Section II of this RFP and are collectively referred to herein as the "Services."

The release date of this RFP is August 23, 2021 (the "Release Date").

A non-mandatory virtual Proposers' conference will be hosted online via Microsoft Teams ("Proposers' Conference") on September 8, 2021, at 11:00 A.M. Pre bid Teams Meeting information: 646-838-1534, Conference ID: 358992531#. Although attendance is not mandatory at the Proposers' Conference, it is strongly recommended that all interested Proposers attend. To receive an invite to the teleconference please RSVP by email to Robert Thomas at Robert.Thomas@nycha.nyc.gov, by 4:00 P.M., on September 7, 2021.

NYCHA additionally recommends that Proposers submit, via email, written questions in advance of the Proposer's Conference to NYCHA's Coordinator by no later than 2:00 P.M. on September 7, 2021. Questions submitted in writing must include the firm name and the name, title, address, telephone number, fax number and email address of the individual to whom responses to the Proposer's questions should be given. Proposers will be permitted to ask additional questions at the Proposer's Conference. All questions and answers will be provided to all firms that received a copy of this RFP.

Proposals must be received by NYCHA no later than 2:00 P.M., on September 27, 2021 (the "Proposal Submission Deadline"). Proposers should refer to Section IV(2) of this RFP for details on Proposal packaging and submission requirements.

The anticipated award date of the Agreement(s) to the Selected Proposer(s) is on or about December 2021.

All times stated above are Eastern Standard Time (EST).

Interested firms are invited to obtain a copy of the RFP on NYCHA's website. To conduct a search for the RFP number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Proposers should refer to Section IV(2) of this RFP for details on Proposal packaging and submission requirements. After the Proposers registers for iSupplier, it typically takes 24 to 72 hours for Proposer's iSupplier profile to be approved. It is Proposer's sole responsibility to leave ample time to complete iSupplier registration and submit its Proposal through iSupplier before the Proposal Submission Deadline. NYCHA is not responsible for delays caused by technical difficulty or caused by any other occurrence. NYCHA will not accept Proposals via e-mail or facsimile. The submission of attachments containing embedded documents or proprietary file extensions is prohibited. All Responses shall become the property of NYCHA.

Further, NYCHA shall have the right to request any documents or instruments including, but not limited to, corporate resolutions, incumbency certificates, or other forms of verification for purpose of confirming that signatory thereon is duly authorized to execute and deliver such Response of behalf of the Respondent. Electronic Responses must include all required components and can be uploaded via iSupplier by no later than 2:00 P.M., on the RFP Submission Deadline date.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered.

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. Robert Thomas (212) 305-4540; Robert.Thomas@nycha.nyc.gov

a23

MAYOR'S FUND TO ADVANCE NEW YORK CITY

FINANCE AND OPERATIONS

SOLICITATION

Goods and Services

ACCELERATING EMPLOYEE OWNERSHIP CLEAN TECH RFP - Request for Proposals - PIN#2021 - Due 9-17-21 at 5:00 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.

Mayor's Fund to Advance New York City, 253 Broadway, 6th Floor, New York, NY 10007. Mayor's Fund (212) 788-7794; fundrfp@cityhall.nyc.gov

a16-26

PARKS AND RECREATION

REVENUE AND CONCESSIONS

SOLICITATION

Goods

OPERATION AND MAINTENANCE OF A FMCP SNACK BAR/CAFETERIA AND FOOD KIOSK, QUEENS - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# Q99-J-SB 2021 - Due 9-21-21 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the Department of Parks and Recreation ("Parks"), is issuing, as of the date of this notice, an RFP for the operation and maintenance of a Snack Bar/Cafeteria, at Parks' Olmsted Center and a Food Kiosk, located at David Dinkins' Circle, Flushing Meadows-Corona Park, Queens.

There will be a recommended remote proposer meeting and site tour, on September 8, 2021, at 2:00 P.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote meeting and site tour. The Cisco WebEx link for the remote proposer meeting is as follows:

https://nycparks.webex.com/nycparks/j.php?MTID=mf42ec1e5d7ad0ad013e2b2a1c69ce37e

Meeting number: 179 624 7182

Password: tpCxPn6ev34

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

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

Access code: 179 624 7182

Subject to availability and by appointment only, we may set up a meeting at the proposed concession site, located within Parks and Recreation's Olmsted Center, which is located, at 117-02 Roosevelt Avenue, Flushing, NY 11368 ("Licensed Premises").

All Proposals submitted in response to this RFP, must be submitted by no later than September 21, 2021, at 3:00 P.M.

Hard copies of the RFP can be obtained, at no cost, commencing,

August 16, 2021, through September 21, 2021, by contacting Glenn Kaalund, Senior Project Manager, at (212) 360-3482, or via email, glenn.kaalund@parks.nyc.gov.

The RFP is also available for download, commencing August 16, 2021, through September 21, 2021, on Parks' website. To download the RFP, visit, <http://www.nyc.gov/parks/businessopportunities>, click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFP's description.

For more information or if you cannot attend the remote proposer meeting, the prospective proposer may contact Glenn Kaalund, Senior Project Manager, at (212) 360-3482, or via email: glenn.kaalund@parks.nyc.gov.

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

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

*Parks and Recreation, The Arsenal, 830 Fifth Avenue, Room 407, New York, NY 10065. Glenn Kaalund (212) 360-3482; glenn.kaalund@parks.nyc.gov*

Accessibility questions: Glenn Kaalund (212) 360-3482, by: Thursday, September 16, 2021, 4:00 P.M.



a16-27

**POLICE DEPARTMENT**

**MANAGEMENT AND BUDGET**

■ SOLICITATION

*Services (other than human services)*

**05622P0001-CONFIDENTIAL COMPREHENSIVE MENTAL HEALTH SERVICES TO THE NYPD UNIFORMED OFFICERS**  
- Competitive Sealed Proposals - Other - PIN#05622P0001 - Due 10-4-21 at 2:00 P.M.

The New York City Police Department, is seeking appropriately qualified vendor(s)/provider(s) to provide Confidential, Comprehensive Mental Health Services to serve the needs of NYPD Uniformed Members of Service ("UMOS"). While at the present time, it is anticipated that this Contract would be to provide services to UMOS, the NYPD anticipates that the final contract with the selected vendor would contain a provision to allow the contract to be amended to also include those serving in Civilian Titles at the NYPD should the need arise at some point in the future during the term of the Agreement. These services include but are not limited to (1) confidential clinical ambulatory services with a psychiatrist or psychologist;(2) live and staffed telephone access centers for emergencies (operating 24 hours per day, 7 days per week and 365 days per year (366 days on Leap Years) in which an appointment for UMOS would be both scheduled and actually provided within 48 hours of initial contact; and (3) related administrative and support services required for program oversight and care management. This RFP ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, please visit the PASSPort Public Portal, at <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page> and click on the "Search Funding Opportunities in PASSPort" button. To locate the RFx on the Public Portal, insert the EPIN: 05622P0001 into the Keywords search field. If you need assistance submitting a response, please contact help@mocs.nyc.gov.

Pre bid conference location -Virtual Pre-Proposal Conference - Click below link to join, [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YTZhNzQyNjQtZjRlNy00NjRlLWEyMjQtMmU4OQWQ1YjI2ZTA4%40thread.v2/0?context=%7b%22Tid%22%3a%222b9f57eb-78d1-46fb-be83-a2afdd7c6043%22%2c%22Oid%22%3a%2210038%22%7d%22](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTZhNzQyNjQtZjRlNy00NjRlLWEyMjQtMmU4OQWQ1YjI2ZTA4%40thread.v2/0?context=%7b%22Tid%22%3a%222b9f57eb-78d1-46fb-be83-a2afdd7c6043%22%2c%22Oid%22%3a%2210038%22%7d%22) New York, NY 10038. Mandatory: no Date/Time - 2021-9-8 10:00:00.

Proposals must be technically evaluated and scored by an evaluation committee to determine the best overall value to the Department. In this case, it is not practicable or advantageous to the Department to select a vendor through the competitive sealed bidding where the lowest responsive and responsible bidder would be selected.

☛ a23

**SUPPORT SERVICES BUREAU**

■ SOLICITATION

*Services (other than human services)*

**05621B0017-INCINERATE NARCOTICS AND CONTRABAND**  
- Competitive Sealed Bids - PIN#05621B0017 - Due 9-22-21 at 1:45 P.M.

The New York City Police Department, seeks to obtain a contract with a qualified vendor for the purpose of using their incinerator for the destruction of narcotics and other contraband goods. The Property Clerk Division of the Department receives narcotics and other contraband goods through arrests. When the narcotics are no longer needed as evidence, it is sent to the Narcotics Destruction Unit to be incinerated. Once the narcotics are no longer needed for evidence, pursuant to Section 14-140 of the Administrative Guide, the Property Clerk disposes of the narcotics by incineration. In addition to narcotics, counterfeit goods have to be incinerated to insure the integrity of the destruction of said goods. This competitive sealed bid ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, please visit the PASSPort Public Portal, at <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page> and click on the "Search Funding Opportunities in PASSPort" button. To locate the RFx on the Public Portal, insert the EPIN: 05621B0017 into the Keywords search field. If you need assistance submitting a response, please contact help@mocs.nyc.gov.

☛ a23

**RECORDS AND INFORMATION SERVICES**

ADMINISTRATION

■ VENDOR LIST

*Services (other than human services)*

**NOTICE OF MAILING LIST FOR FUTURE CONCESSIONS**  
The New York City Department of Records and Information Services (DORIS) is seeking individuals and businesses interested in being contacted for future requests for bids or proposals for DORIS concessions.

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.  
*Records and Information Services, 31 Chambers Street, Room 304, New York, NY 10007-1602. Concessions, concessions@records.nyc.gov*

a18-24

**TRANSPORTATION**

■ AWARD

*Services (other than human services)*

**NOTICE OF AWARD - FORDHAM PLAZA KIOSK 2** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 84119BXAD339 - AMT: \$1.00 - TO: Fordham Plaza Kiosk Inc., 201 West 83rd Street, New York, NY 10024.

To Fordham Plaza Kiosk, Inc. ("CONCESSIONAIRE") To provide for the development, operation, and maintenance of a food, beverage and/or merchandise concession at Kiosk 2, located at Fordham Plaza in the Bronx.

DOT's Office of Cityscape & Franchises, has awarded a License Agreement ("License"), pursuant to Section 1-13 of the Concession Rules of the City of New York, to Fordham Plaza Kiosk Inc. ("Concessionaire"), whose address is 201 West 83rd Street, New York, NY 10024, to provide for the development, operation, and maintenance of a food, beverage and/or merchandise concession at Kiosk 2, located at Fordham Plaza in the borough of the Bronx ("Licensed Plaza"). The term of the License will provide for one (1) five-year term, commencing upon written Notice to Proceed, with three (3) five-year renewal options, exercisable at the sole discretion of DOT.

☛ a23

## AGENCY RULES

### CITY PLANNING

#### ■ PUBLIC HEARINGS

#### **Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of City Planning proposes to amend its rules by adding a new Chapter 12 establishing procedures for the queuing of applications to obtain certifications pursuant to the FRESH program regulations of Section 63-00, *et seq.* of the New York City Zoning Resolution ("ZR") (as amended by proposed N 210380 ZRY) to obtain additional floor area for developments with fresh food stores. The purpose of the queue is to manage the even distribution of stores subject to the FRESH program and prevent their overconcentration in a given area of the City, consistent with a concurrently proposed zoning text amendment to the FRESH regulations. The Department of City Planning is also proposing two corrections to Chapter 3 of its rules governing the fee structure for land use applications.

**When and where is the Hearing?** The Department of City Planning will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 on September 22, 2021. The hearing will be held at the Department of City Planning, located at the lower level arcade of 120 Broadway, New York, New York 10271.

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

- **Website.** You can submit comments to the Department of City Planning through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to, [danswin@planning.nyc.gov](mailto:danswin@planning.nyc.gov).
- **Mail.** You can mail comments to Dominick Answini, Counsel's Office, Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, New York 10271.
- **Fax.** You can fax comments to the Department of City Planning at 212-720-3303.
- **Speaking at the Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling us at 212-720-3676. You can also sign up in the hearing room before the hearing begins on September 22, 2021. You can speak for up to three minutes.

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold this public hearing remotely as well. To join the meeting and comment, please visit **NYC Engage** at <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287261/1> or dial **877-853-5247** (US Toll-free), **888-788-0099** (US Toll-free), **(253) 215-8782** (Toll number) or **(213) 338-8477** (Toll number). If calling into the meeting, please use the following **Meeting ID 618 237 7396**, and when prompted for a participation code, please enter "#" followed by the password "1" when prompted. Instructions on how to participate, as well as materials relating to the meeting, will be posted on NYC Engage in advance of the meeting. To help the meeting host effectively manage the meeting, those who do not intend to actively participate are invited to watch the meeting through the livestream/LINK provided on NYC Engage or the recording that will be posted after the meeting on DCP's website.

**Is there a deadline to submit written comments?** Written comments will be accepted until September 22, 2021.

**What if I need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by email or mail at the addresses given above. You may also tell us by telephone at 212-720-3676. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by September 8, 2021.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public between the hours of 9:00 A.M. and

5:00 P.M. at the Freedom of Information Law Desk, 120 Broadway, 31<sup>st</sup> Floor, telephone number 212-720-3208.

**What authorizes the Department of City Planning to make this rule?** Sections 1043 and 191(b)(2) of the City Charter and ZR Section 63-00, *et seq.* (as amended by proposed N 210380 ZRY) authorize the Department of City Planning to make this proposed rule. This proposed rule was not included in the Department of City Planning's regulatory agenda for this Fiscal Year because it was not contemplated when the Department of City Planning published the agenda.

**Where can I find the Department of City Planning's rules?** The Department of City Planning's rules are in Title 62 of the Rules of the City of New York.

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

#### **Statement of Basis and Purpose of Proposed Rule**

The Food Retail Expansion to Support Health Program (FRESH) was developed in 2009 to offer zoning incentives and financial benefits in communities that are underserved by neighborhood grocery stores. Its goal is to encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods in addition to a full range of grocery products. The program offers a set of zoning incentives that provide additional floor area in mixed buildings, reduce the amount of required parking for food stores and permit larger grocery stores as-of-right in light manufacturing districts. The financial benefits, administered by the NYC Industrial Development Agency, exempt or reduce certain taxes for qualifying FRESH food stores.

Since the adoption of the FRESH program in 2009, to date there are 27 certified FRESH Projects, eight of which have been built. Approximately half of the certified projects are concentrated in Brooklyn, and applications have been concentrating in specific areas with strong housing markets, such as Bedford-Stuyvesant and Harlem. While seeking to expand opportunities to attract development of FRESH stores, it is also critical to prevent an oversaturation of stores to maintain market balance.

The New York City Zoning Resolution ("ZR") contains provisions for the implementation of these zoning incentives found at ZR Section 63-00, and what follows. Upon a Certification by the Chair of the City Planning Commission for a development, and upon a demonstration that the application for that development has provided the requisite drawings, a commitment from the store operator, and restrictive declaration for the proposed development, the program allows for an additional square foot of residential floor area in the development for every square foot provided in the development for a FRESH food store, up to a maximum of 20,000 square feet. This proposed rule is being introduced concurrently with a proposed ZR text amendment (N 210380 ZRY) that would limit the amount of total additional residential floor area ("Residential Floor Area") to 40,000 sq within a half-mile radius of any proposed FRESH food store, to avoid an overconcentration of FRESH food stores. The proposed ZR text amendment was referred into public review by the City Planning Commission on May 19, 2021.

Given this new limitation in the proposed ZR text amendment, if there is more than one application for certification of a FRESH food store within a given radius, there needs to be a way for the Department of City Planning ("the Department") to determine the priority of such projects within the radius. This proposed rule does that by:

- Queueing all projects according to when the project's pre-application statement or draft application (whichever is applicable) for certification of a FRESH food store is received by the Department.
- Ensuring that projects ahead in the queue can obtain their proposed Residential Floor Area, to the extent available, within a radius prior to those projects later in the queue.
- Giving the Department the ability to put projects with unresponsive sponsors "on hold" and eventually, if the sponsors remain unresponsive, removing such projects from the queue.
- Giving the Department the ability to return Residential Floor Area to a given radius if a previously obtained certification lapses as a result of the associated project failing to vest or otherwise qualify in accordance with the FRESH regulations, as modified by the proposed text amendment.
- The Department also proposes to amend Section 3-07(e) of the Department's rules to update a cross-reference to a ZR provision that was renumbered by the "Key Terms Clarification Zoning Text Amendment" (N 110090 (A) ZRY of 2011. Finally, the Department proposes to amend Section 3-07(g) of the Department's rules to correct an error in the Supplemental Fee for Large Projects schedule. The schedule provides for a supplemental fee for projects

based on whether such project's floor area falls within one of three ranges based on square footage. The range resulting in a \$120,000 supplemental fee has a gap of 999 square-feet due to a drafting error in a prior rule revision and this proposed rule would close that gap.

The Department's authority for these rules is found in sections 1043 and 191(b)(2) of the New York City Charter and ZR Section 63-00, *et seq.* (as amended by proposed N 210380 ZRY).

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

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

Paragraph (1) of subdivision (e) of § 3-07 of title 62 of the Rules of the City of New York is amended to read as follows:

(1) For certification for public school space pursuant to § 107 – [123]121 of Article X, Chapter 7 (Special South Richmond Development District) of the Zoning Resolution, the fee shall be \$160.

Subdivision (g) of § 3-07 of title 62 of the Rules of the City of New York is amended to read as follows:

(g) Supplemental Fee for Large Projects. In addition to all applicable fees as set forth above, a supplemental fee shall be required for the following applications:

Applications that may result in the development of 500,000 to 999,999 square feet of floor area	\$80,000
Applications that may result in the development of 1,000,000 to 2,499, [000]999 square feet of floor area	\$120,000
Applications that may result in the development of at least 2,500,000 square feet of floor area	\$160,000

Title 62 of the Rules of the City of New York is amended by adding a new chapter 12 to read as follows:

**Chapter 12: Rules for the Processing of Applications for FRESH Certifications Pursuant to Section 63-30 of the Zoning Resolution of the City of New York**

**§ 12-01 Scope**

This chapter governs the queuing of applications for the Food Retail Expansion to Support Health Program ("FRESH") pursuant to section 63-00 *et seq.* of the Zoning Resolution as well as the effect such queuing has on closed projects, terminated applications, and lapsed certifications related to such program.

**§ 12-02 Definitions**

For the purposes of this chapter:

**Application.** The term "Application" means materials filed with the Department pursuant to section 10-09 of these rules to obtain a Certification in connection with a project.

**Certification.** The term "Certification" means a Certification by the Chair of the Commission pursuant to section 63-30 of the Zoning Resolution for a FRESH food store.

**Commission.** The term "Commission" means the City Planning Commission.

**Department.** The term "Department" means the Department of City Planning.

**FRESH.** The term "FRESH" means the Food Retail Expansion to Support Health Program pursuant to section 63-00 *et seq.* of the Zoning Resolution.

**FRESH Application Statement ("FAS").** The term "FRESH Application Statement" or "FAS" means a PAS in accordance with section 10-04 of this title or, if the Department determines that such statement is not necessary, a draft land use application in accordance with section 10-07 of this title, both of which are submitted in connection with a prospective Application.

**FRESH Food Store.** The term "Fresh Food Store" shall have the same meaning as that term is defined in section 63-01 of the Zoning Resolution.

**FRESH Residential Floor Area.** The term "FRESH Residential Floor Area" means the additional residential floor area permitted in accordance with this chapter and section 63-21 of the Zoning Resolution as a result of the provision of "FRESH Food Store Floor Area," as that term is defined in section 63-01 of the Zoning Resolution.

**Pre-Application Statement ("PAS").** The term "Pre-Application

Statement" or "PAS" means the Pre-Application Statement described in section 10-04 of this title.

**Queue.** The term "Queue" means a list of projects ranked relative to each other in the order in which the Department received the FAS for each such project, subject to the provisions of this chapter.

**Radius.** The term "Radius" means a half-mile radius measured from zoning lots of the proposed FRESH Food Store where the total FRESH Residential Floor Area for all FRESH Food Stores within such radius may not exceed more than 40,000 sq ft. A FRESH Food Store with FRESH Residential Floor Area will be deemed to be included in such radius if any portion of such store's zoning lot is located within such radius.

**§ 12-03 Review and Queuing of Applications**

(a) The Department shall queue all projects in the order that their respective FAS was received by the Department, provided that, with respect to an FAS that is a PAS, such PAS has been determined by the Department to be complete in accordance with section 10-04(b) of this title.

(b) When two or more projects, including the proposed project, are located within a Radius and the total of FRESH Residential Floor Area among them exceeds 40,000 sq ft, the project for which an FAS was first received and is deemed in compliance with this title shall have priority to obtain all of its requested FRESH Residential Floor Area. The project that is next in the Queue shall then have priority to obtain all the remaining FRESH Residential Floor Area within such Radius which has not been claimed by a project earlier in the Queue. The use of remaining FRESH Residential Floor Area unclaimed by projects earlier in the Queue shall continue in this manner for subsequent projects until there is no additional unclaimed FRESH Residential Floor Area within the Radius.

(c) After a project has been added to the Queue, if there is no response from the project sponsor within two (2) months after the interdivisional meeting held in accordance with section 10-05 of this title, or the last communication of instructions from the Department, whichever is later, the Department will notify the project sponsor that its project will be placed on hold if it does not respond within a specified period of time from such notice. If the project sponsor responds within the specified timeframe but does not provide the requested materials, if any, within thirty (30) days of such response, the project will be placed on hold. If a project is on hold for twelve (12) months, the project record will be closed or the corresponding Application terminated, whichever is applicable, and the project will be removed from the Queue. The previously claimed FRESH Residential Floor Area corresponding to the removed project will now be available to projects remaining in the Queue. For terminated Applications, if the Department permits the applicant to proceed directly to filing a new Application, the Department shall place such Application in the Queue in accordance with subdivision (a) of this section as if such Application were a new FAS.

**§ 12-04 Effect of Lapse of Certification**

If a Certification lapses pursuant to section 63-30 of the Zoning Resolution, the amount of FRESH Residential Floor Area permitted by such Certification shall become available for other projects within the same Radius as the project with the lapsed building permit. The project sponsor may reapply for FRESH Residential Floor Area but must submit a new FAS Queued in accordance with section 12-03 of this chapter.

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

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

**RULE TITLE: Application Procedure for Food Retail Expansion to Support Health Program**

**REFERENCE NUMBER: DCP-10**

**RULEMAKING AGENCY: Department of City Planning**

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

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

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

August 16, 2021  
Date

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

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

**RULE TITLE:** Application Procedure for Food Retail Expansion to Support Health Program.

**REFERENCE NUMBER:** 2021 RG 053

**RULEMAKING AGENCY:** New York City Department of City Planning

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

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

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: August 16, 2021

Accessibility questions: Dominick Answini (212) 720-3676, danswin@planning.nyc.gov, by: Wednesday, September 8, 2021, 5:00 P.M.



← a23

**SPECIAL MATERIALS**

**CITY PLANNING**

■ NOTICE

**NOTICE OF COMPLETION OF  
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**River Ring**

**Project Identification**

CEQR No. 21DCP157K  
ULURP Nos. 220061MLK, 220062ZMK,  
N220063ZRK, 220064ZSK, N220069ZAK,  
N220066ZCK, N220067LDK, 220070ZSK,  
N220065ZAK, N220068ZAK, 210425MMK  
SEQRA Classification: Type I

**Lead Agency**

City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

**Contact Person**

Stephanie Shellooe, AICP, Deputy Director (212) 720-3328  
Environmental Assessment and Review Division  
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned as well as online, at <https://www1.nyc.gov/site/planning/applicants/eis->

documents.page. The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

**A. INTRODUCTION**

The Applicant, River Street Partners LLC, is proposing a series of land use actions to facilitate the redevelopment of the Proposed Development Site with mixed-use buildings and waterfront public spaces in the Williamsburg neighborhood of Brooklyn, Community District 1.

The Applicant's Proposed Development consists of two mixed-use towers and waterfront public spaces located on a zoning lot to be comprised of Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; Block 2376, Lot 50; and portions of Metropolitan Avenue and North 1<sup>st</sup> Street (collectively known as the "Proposed Development Site"). The Project Area also includes two non-Applicant owned blocks to the east of the Proposed Development Site (Blocks 2356 and 2362). The Project Area is located in an M3-1 district, mapped in 1961. There are no other prior land use actions affecting the Project Area.

The Applicant seeks the following discretionary approvals (collectively, the "Proposed Actions"):

- City Map Change to demap, discontinue, close and, as necessary, dispose of segments of Metropolitan Avenue and North 1<sup>st</sup> Street to the West of River Street;
- Landfill action to add approximately 6,319 sf of landfill as part of the waterfront public open space plan;
- Zoning Map Amendment to rezone the Project Area from an M3-1 district to C6-2 and M1-4 districts;
- Zoning Text Amendment to a) Appendix F of the Zoning Resolution (ZR) to establish the portion of the Project Area to the west of River Street as a Mandatory Inclusionary Housing (MIH) area; b) amend ZR Section 74-742 to allow a large scale general development ("LSGD") that does not meet the ownership requirements of ZR Section 74-742, when the site of such LSGD includes the Applicant's Proposed Development (as defined below) and where the areas in which the State or City have certain property interests; and c) amend ZR Section 74-743 to permit, as part of the LSGD, (i) the lot area of a new platform seaward of the bulkhead line to be part of the upland lot area of the waterfront zoning lot, provided that the amount of lot area so incorporated is less than the lot area of shoreline seaward of the bulkhead line to be removed in connection with the LSGD, (ii) additional new piers or platforms to be included as lot area for purposes of floor area, dwelling unit and other bulk regulations, provided that the amount of floor area generated by such new piers or platforms does not exceed the floor area generated by existing piers or platforms, and (iii) such new piers or platforms to be exempt from certain requirements otherwise applicable to piers and platforms provided as part of a waterfront public access areas;
- Zoning Authorizations to a) modify requirements for location, area and minimum dimensions of waterfront public access areas pursuant to ZR Section 62-822(a); b) modify requirements within waterfront public access areas pursuant to ZR Section 62-822(b); and c) allow for phased development of waterfront public access areas pursuant to ZR Section 62-822(c);
- Zoning Certification pursuant to ZR Section 62-811 with respect to compliance with waterfront public access area and visual corridor requirements, as modified by the proposed waterfront Zoning Authorizations;
- Zoning Special Permit pursuant to ZR Section 74-743(a)(2) and 74-743(a)(13), as modified under the proposed zoning text amendment, to allow the construction of new piers and platforms in the seaward portion of the LSGD that are accessible and enjoyable by the public; allow such piers or platforms to generate floor area, provided that the total distribution of floor area is limited to the floor area generated by existing land seaward of the bulkhead line to be removed and existing piers and platforms; and to modify certain bulk regulations; and
- Zoning Special Permit pursuant to ZR Section 74-533 to reduce the minimum required accessory off-street parking spaces for market rate residential units in a Transit Zone from 40% to 20%.

With respect to each of the special permits and authorizations, the Applicant is also requesting an extension of term of such approvals to a period of ten years during which substantial construction of the phased project would be completed. The project approvals would also include recordation of an (E) designation (E-636) and Restrictive Declaration to

codify commitments made related to the environmental review.

In addition, a Joint Permit Application from the NYS Department of Environmental Conservation (NYSDEC) and the US Army Corps of Engineers (USACE) is being sought in conjunction with the publicly accessible open space proposed along the waterfront. Also in conjunction with the Applicant's Proposed Development, the existing sewer infrastructure (combined sewers, intercepting sewer, regulator, and combined sewer overflow outfall) located between the East River and River Street in Metropolitan Avenue would be relocated, subject to review and approval by NYSDEC, USACE and the NYC Department of Environmental Protection (DEP), as applicable. The Applicant may also seek additional actions related to financing for the affordable housing component of the Proposed Development.

The Proposed Actions would facilitate the development of the Applicant's Proposed Development, an approximately 1.336 million gross square foot (gsf) mixed-used development, comprised of approximately 1.12 million gsf of residential space which includes approximately 70,000 sf of amenity space as a combined total for both towers (approximately 1,250 dwelling units, of which 313 units (25%) would be affordable pursuant to the MIH program), 50,000 gsf of community facility space, 83,000 gsf of commercial space (including 60,000 gsf of office and 23,000 gsf of local retail), and approximately 83,000 gsf of below-grade parking (up to 250 accessory attended parking spaces). Although plans are still in the preliminary stages, the Applicant intends to house a community center within the community facility space. In addition, as part of the reasonable worst-case development scenario (RWDCS), a non-Applicant owned Projected Development Site at 230 Kent Avenue (Block 2362, Lot 1) is expected to be improved with a three-story, approximately 20,223 gsf mixed-use light industrial, commercial and community facility building as a result of the proposed zoning change.

## B. DESCRIPTION OF THE PROJECT AREA AND SURROUNDING AREA

### PROJECT AREA/PROPOSED REZONING AREA

The Project Area (a.k.a. proposed rezoning area) is bounded to the north by North 3<sup>rd</sup> Street, to the east by Kent Avenue and property owned by the New York Power Authority (NYPA), to the south partially by North 1<sup>st</sup> Street and partially by Grand Ferry Park, and to the west by the US Pierhead Line in the East River. The Project Area comprises portions of three waterfront blocks and two inland blocks with a total lot area of approximately 441,660 sf. This includes the upland lot portion of the Applicant's Proposed Development Site, which has a lot area of approximately 143,613 sf, the seaward lot portion of the Proposed Development Site, which has a lot area of approximately 229,677 sf and includes 28,454 sf of existing seaward structures, an approximately 23,116 sf area of Metropolitan Avenue and an approximately 3,374 sf area of North 1<sup>st</sup> Street proposed to be demapped, as well as the two non-Applicant-controlled inland tax blocks, which have a total lot area of 41,880 sf. The Proposed Development Site's total upland lot area with the Proposed Actions is 170,103 sf. The Project Area is currently zoned M3-1, which allows a maximum floor area ratio (FAR) of 2.0 for industrial and commercial uses; residential and community facility uses are not allowed.

### Proposed Development Site

The Proposed Development Site is currently vacant, with the upland portion covered in compacted sand and gravel. The Proposed Development Site previously contained multiple warehousing and storage buildings that accommodated a variety of industrial uses since the 1830s. Prior to the 1900s the Proposed Development Site was occupied by the Nassau Ferry Company (south), a lumber yard (middle) and a sugar refinery (north). In the 1920s the middle of the site was converted to coal storage, and in the 1940s, it was subsequently converted to fuel storage. By 1947, the ferry terminal in the southern portion of the Proposed Development Site was demolished and was used by Charles Pfizer and Company (predecessor to Pfizer) as molasses storage. A wharf was constructed at the shoreline to replace the ferry docks and to accommodate shipping. Four cellular caissons were constructed in the early 1960s, along with a new pier between North 1<sup>st</sup> Street and Metropolitan Avenue (fuel service pier) and catwalks connecting the three southern caissons; the northernmost caisson was connected to the North 3<sup>rd</sup> Street Pier by a catwalk. Between 1966 and 1974, the Proposed Development Site north of North 1<sup>st</sup> Street was entirely covered by fuel storage tanks that spanned the entire length of the property boundary; two large circular fuel storage tanks occupied a portion of the site south of North 1<sup>st</sup> Street. During this same period, the Metropolitan Avenue Pier had been demolished; the North 1<sup>st</sup> Street Pier and the new pier between North 1<sup>st</sup> Street and Metropolitan Avenue were reduced in width to their current configuration. By 1991, the North 3<sup>rd</sup> Street Pier was reduced to a finger pier and platform.

Consolidated Edison (ConEd) had owned and operated the Proposed Development Site since 1993, using it primarily as a No. 6 fuel oil storage complex for its North First Street Terminal (NFST), until the site was decommissioned in 2012 and the tanks were demolished between 2009 and 2013. When the site was decommissioned, the bulkhead on the

northernmost block was also demolished and replaced with a shallow armored slope protected from erosion by cobbles (cobble slope).

The existing shoreline protection of the Proposed Development Site consists of a 265-foot-long by 25-foot-wide wharf, a 65-foot-long riprap revetment, a 205-foot-long bulkhead, and a 285-foot-long cobble slope. A 230-foot-long pile supported apron walkway is waterward of and parallel to the existing bulkhead. The southern portion of the apron walkway is 12-foot wide; the northern portion is 6-foot wide. A pile-supported fuel service pier extends from the middle of the apron walkway to a pile-supported fuel service platform, about 200 feet from the bulkhead. The North 1<sup>st</sup> Street Pier extends about 195 feet and is about 5-feet wide; however, the segment that connected the pier to the shore is no longer present. The North 3<sup>rd</sup> Street Pier once extended about 245 feet from the former bulkhead, but the deck of the near shore portion no longer exists; only the piles that once supported the deck remain. A pile-supported timber platform (about 38,000 sf) at the end of the former North 3<sup>rd</sup> Street Pier still exists. About 200 feet waterward of the shoreline are four cellular caissons, ranging in diameter from about 28 to 47 feet. The southern three caissons and the fuel service platform are connected by pile-supported catwalks about 5 feet wide. The North 1<sup>st</sup> Street Pier terminates at this catwalk. A 20-foot-wide catwalk extends from the former North 3<sup>rd</sup> Street platform to the northernmost caisson. There is a 60-inch combined sewer pipe in Metropolitan Avenue that carries flow from the east, which discharges to an existing regulator, also located in Metropolitan Avenue. A 24-inch branch interceptor sewer carries flow from the regulator back to Kent Avenue where it continues north to the Newtown Creek treatment plant.

### Remainder of Project Area

The Project Area also includes two inland blocks (Blocks 2356 and 2362) which are located directly east of the Applicant's Proposed Development Site. Block 2356 is comprised of a single lot (Lot 1), which contains a recently constructed six-story (83-foot-tall) mixed commercial building with approximately 24,000 gsf of office space on the 4th-6th floors, 22,000 gsf of destination retail (Trader Joe's) below grade, 21,000 gsf of ground floor retail, approximately 176 accessory attended parking spaces (34,370 gsf), and 1,600 gsf for roof garden on the third floor. On Block 2362, Lot 3 is a vacant 13,378 sf lot owned by Con Edison. Lot 1 is an approximately 5,862 sf lot that was previously occupied by a 1-story building that was demolished in 2019; subsequent permits have been filed for excavation, bracing and shoring.

### SURROUNDING AREA

The Project Area is located along Brooklyn's East River waterfront in the Williamsburg neighborhood in Brooklyn Community District 1. Land uses within a 400-foot radius (the "Surrounding Area") of the Project Area include a mix of manufacturing, commercial, and mixed residential and commercial uses, as well as utility uses and open space. To the east and northeast of the Project Area, the predominant uses include residences, retail establishments (specifically along Kent and Wythe Avenues), restaurants, offices, and light-manufacturing spaces. Residential uses include both multi-family buildings and single and two-family walk-up buildings. The New York Power Authority (NYPA) Power Plant at 49 River Street adjoins the southwestern end of the Project Area. Further to the south is a large-scale general development comprising the former Domino Sugar site, which is being developed to include residential, retail and office uses within four new buildings and one converted and enlarged landmarked building. Further to the south, and beyond the Domino Sugar site, the surrounding area is entirely residential (and comprised of mid/low rise multi-family buildings) except for retail establishments along Broadway and Grand Street. West of the Project Area is the East River. To the north of the Project Area residential uses predominate, with large tall waterfront towers ranging in height between 30 and 41 stories, and shorter mid-sized residential buildings and row-houses located upland. These waterfront towers were facilitated by the recent 2010 and 2014 rezoning actions described below. Warehouse, automotive and light-industrial uses are also located to the north/northeast of the Project Area. Recent rezonings in the surrounding area include the Greenpoint-Williamsburg Rezoning, the New Domino Rezoning, and Domino Sugar Development.

The Project Area is located within a Transit Zone. The B32 local bus runs northbound along Kent Avenue to Long Island City, Queens, and southbound along Wythe Avenue to the Williamsburg Bridge Plaza. The North Williamsburg Ferry stop is located two blocks north of the Project Area. The Bedford Avenue (L) Station on North 7<sup>th</sup> Street is located northeast of the Project Area. Open spaces within the Surrounding Area include Grand Ferry Park, immediately south and adjacent to the Project Area; Domino Park, one-block south of the Project Area; William Sheridan Playground, two blocks southeast of the Project Area on Grand Street; and North 5<sup>th</sup> Street Pier and Park, two-blocks north of the Project Area along the East River waterfront between North 5<sup>th</sup> and North 6<sup>th</sup> streets. South of North 5<sup>th</sup> Street Pier and Park is the One North Fourth waterfront esplanade, which provides a connection between the North 5<sup>th</sup> Street Pier and Park and North 3<sup>rd</sup> Street, and the covered arcade on the west side of the Austin Nichols building that creates a waterfront connection between the end of North 3<sup>rd</sup> Street and One N4th Place.

### C. DESCRIPTION OF THE PROPOSED PROJECT

The Applicant's Proposed Development would consist of two mixed-use towers with mixed income residential, commercial, and community facility uses. In total, the Proposed Development would contain approximately 1.336 million gsf, comprised of approximately 1.12 million gsf of residential space (approximately 1,250 dwelling units, of which 313 units (25%) would be affordable pursuant to the MIH program), 50,000 gsf of community facility space, 83,000 gsf of commercial space (including 60,000 gsf of office and 23,000 gsf of local retail), and approximately 83,000 gsf of below-grade parking (up to 250 accessory attended parking spaces). Although plans are still in the preliminary stages, the Applicant intends to house a community center within the community facility space. It should be noted that the Applicant plans to develop approximately 1,050 residential units, 1,250 units are being assumed in the RWCDs for conservative analysis purposes.

The North Tower would comprise 49 stories and rise to a height of approximately 560 feet. The South Tower would comprise 64 stories and rise to a height of approximately 710 feet. The North Tower's residential lobby would be located at the corner of North 3<sup>rd</sup> and River streets; the community facility use would be accessible from North 3<sup>rd</sup> Street; and local retail uses would front on River Street as well as onto the proposed open space and arcade. The South Tower's residential lobby would be located on River Street; the office component would be accessible from North 1<sup>st</sup> Street; and local retail uses would front on River Street as well as onto the proposed open space and arcade. The Proposed Development's accessory parking garage would be accessible from the South Tower via an entrance/exit on North 1<sup>st</sup> Street.

Additionally, the Proposed Actions would allow for the construction of in water resiliency infrastructure that will protect the shoreline and upland properties from storms, flooding and sea level rise. The proposed waterfront open space is designed to elevation +15 NAVD88 and for a sea level rise in the year 2100 of 5 feet – which is the "fast projection". In addition, the effectiveness of the wave protection that would be provided by the breakwater structures would become greater as sea levels rise over time through an additional 5.8 feet above the current Mean Higher High-Water line. Furthermore, due to the configuration of the proposed structures, it is anticipated that the Limit of Moderate Wave Action (LiMWA) will move offshore, thereby decreasing the Proposed Development Site's exposure from a VE Zone to an AE or A zone.

An approximately 126,308 sf (2.9 acres) of new public open space (plus 2.32 acres of secondary contact accessible in-river space and 0.86 acres of intertidal area) would be created, expanding the open space network along the East River waterfront to facilitate a continuous public waterfront experience spanning from Bushwick Inlet Park to the north, to Grand Ferry Park and Domino Park to the south. The new waterfront public space would also include 37,370 sf of intertidal area, and 101,099 sf of secondary contact accessible in-river space; in total 6.08 acres of new waterfront park. The waterfront public space would be accessible to the public and offer water-based recreation (e.g., kayak launch), educational programming and a variety of other opportunities for enjoyment of the waterfront by the community at large.

Active and passive recreation facilities to be provided in the public open space include a public beach on the new cove, stepped seating area facing the beach with granite block seating, a ramped boat launch for non-motorized watercraft (e.g., kayaks, paddleboards), a nature play area, and landscaped plantings. The beach is designed to provide secondary-contact recreation access, and per NYS Department of Health regulations, swimming will be prohibited. In accordance with waterfront zoning requirements, an approximately 900-foot-long shore public walkway would be provided along the East River; a portion of the shore public walkway would extend over a portion of the new salt marsh and tide pools being created along the south end of the cove.

### D. PROPOSED ACTIONS NECESSARY TO FACILITATE THE PROPOSED PROJECT

#### *City Map Change*

A change to the City Map is being proposed to demap, discontinue, close and, as necessary, dispose of segments of Metropolitan Avenue and North 1st Street west of River Street. The proposed City Map Amendment is intended to pedestrianize and landscape these street segments that would otherwise be unimproved, with limited access to the waterfront. This would also maximize the area of public open space that would be created along the East River. In conjunction with the Proposed Development, the upland portion of the demapped area of Metropolitan Avenue would serve as a public pedestrian corridor that allows vehicle-free access from River Street and terminates at the planned public open space that would be constructed along the East River waterfront and the demapped portion of North 1st Street would provide a connection for the proposed shore public walkway. The demapped street segments would function as a right-of-way for pedestrian traffic to the waterfront and to the adjacent Proposed Development Site.

#### *Landfill*

A landfill action to add approximately 6,319 sf as part of the waterfront public open space plan on the Proposed Development Site. The landfill area

is on the northern-most portion of the park, just south of the terminus of North 3rd Street. The purpose of the proposed landfill is to enhance the protective nature of the cove and resilient flood protection measures, as well as promote increased healthy ecology along the shoreline.

#### *Zoning Map Amendment*

The proposed zoning map amendment would rezone the portion of the Project Area west of River Street (the Proposed Development Site) from M3-1 to C6-2, and the remaining portion to the east of River Street from M3-1 to M1-4. For the Applicant's Proposed Development Site, the proposed rezoning from M3-1 to C6-2 would increase the permitted FAR from 2.0 to 6.5 for commercial uses, while allowing residential uses at an FAR of up to 7.2 (and up to 6.5 FAR for community facility uses). On Blocks 2356 and 2362, which would be rezoned from M3-1 to M1-4, the proposed zoning map amendment would increase the permitted FAR from 2.0 to 6.5 for community facility uses and maintain the maximum 2.0 FAR for commercial/manufacturing uses. This would allow for additional development density on the Proposed Development Site as well as new uses in the Project Area that are not currently permitted under existing zoning, and provide a transition/buffer zone between the Proposed Development Site and the mixed-use district mapped to the east. The proposed rezoning area encompasses the entirety of the Project Area.

#### *Zoning Text Amendment*

The proposed zoning text amendment would: a) establish the portion of the Project Area west of River Street as an MIH area; b) amend Zoning Resolution (ZR) Section 74-742 to allow a LSGD that does not meet the ownership requirements of ZR Section 74-742, when the site of such LSGD includes the Proposed Development and where the areas in which the State or City have certain property interests; and c) amend ZR Section 74-743 to permit, as part of the LSGD, (i) the lot area of a new platform seaward of the bulkhead line to be part of the upland lot area of the waterfront zoning lot, provided that the amount of lot area so incorporated is less than the lot area of shoreline seaward of the bulkhead line to be removed in connection with the LSGD, (ii) additional new piers or platforms to be included as lot area for purposes of floor area, dwelling unit and other bulk regulations, provided that the amount of floor area generated by such new piers or platforms does not exceed the floor area generated by existing piers or platforms, and (iii) new piers or platforms to be exempt from certain requirements otherwise applicable to piers and platforms provided as part of a waterfront public access area.

#### *Large-Scale General Development (LSGD) Special Permit*

A zoning special permit for the Applicant's LSGD is being sought as modified under the proposed zoning text amendment, to allow construction of new piers and platforms in the seaward portion of the LSGD that are accessible and enjoyable by the public; allow such piers or platforms to generate floor area, provided that the total distribution of floor area is limited to the floor area generated by existing land seaward of the bulkhead line and existing piers or platforms projecting seaward of the bulkhead line; and to modify certain bulk regulations.

#### *Waterfront Zoning Certification and Authorizations*

Several waterfront zoning authorizations are being sought to: a) modify requirements for location, area and minimum dimensions of waterfront public access areas pursuant to ZR Section 62-822(a); b) modify requirements within waterfront public access areas pursuant to ZR Section 62-822(b); and c) allow for phased development of waterfront public access areas pursuant to ZR Section 62-822(c).

A waterfront zoning certification is also being sought pursuant to ZR Section 62-811 with respect to compliance with waterfront public access area and visual corridor requirements, as modified by the waterfront zoning authorizations discussed above.

#### *Special Permit to Reduce Parking*

A Special Permit pursuant to ZR Section 74-533 is being requested to reduce the minimum required accessory parking spaces for market-rate residential units in a Transit Zone from 40% to 20%.

In addition, with respect to each of the special permits and authorizations discussed above, the Applicant is requesting an extension of term of such approvals to a period of ten years during which substantial construction of the phased project would be completed.

#### *Other Discretionary Approvals*

The Proposed Development would entail in-water construction associated with the proposed waterfront open space, and the Project Area is partially within the East River's littoral zone, an area over which the NYS Department of Environmental Conservation (NYSDEC) and the United States Army Corps of Engineers (USACE) have jurisdiction. As such, a Joint Permit Application from NYSDEC and USACE is being sought in conjunction with the publicly accessible open space proposed along the waterfront. Also in conjunction with the Applicant's Proposed Development, the existing sewer infrastructure (combined sewers, intercepting sewer, regulator, and combined sewer overflow outfall) located between the East River and River

Street in Metropolitan Avenue would be relocated, subject to review and approval by NYSDEC, USACE and the NYC Department of Environmental Protection (DEP), as applicable.

The Applicant may seek additional actions related to financing for the affordable housing component of the Proposed Development.

#### E. PURPOSE AND NEED

The Proposed Actions are intended to align with the City's 2020 Fair Housing Plan: *Where We Live* which encourages the creation and distribution of affordable housing in safe, high opportunity neighborhoods, like Williamsburg, with good access to transportation, open space, job opportunities and schools. The Proposed Actions are being requested to allow for the redevelopment of the Applicant's Proposed Development Site, which is currently vacant, in the Williamsburg neighborhood of Brooklyn. While the Project Area and much of the surrounding area was previously used for manufacturing purposes, there is no longer a concentration of industrial activity in the area. However, a strong demand for affordable and market-rate housing exists.

The Proposed Actions would create an opportunity for the development of two new mixed-use buildings with residential (including market rate and affordable units), local retail, office, and community facility uses, as well as new public open space, on the Applicant's property. The Proposed Actions would allow the Applicant to maximize use of its property while providing a contiguous swath of public open space along the East River that would connect to existing public spaces both to the north and south of the Proposed Development Site, as well as 2.32 acres of secondary contact accessible in-river space. The in-river space includes the new means of access along nature trails and boardwalks that are part of the new open space ring and breakwater design and includes the intertidal area within the two new protected coves created that will allow secondary contact recreation, such as kayaking, and use of non-motorized boats. The beach is designed to provide secondary contact recreation access, and per NYS Department of Health regulations, swimming will be prohibited. Signage will be provided on-site to indicate that swimming is prohibited.

#### F. ANALYSIS FRAMEWORK

The 2020 *CEQR Technical Manual* serves as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential impacts to the environment.

#### ANALYSIS YEAR

The Applicant's Proposed Development would be constructed over a period of approximately 50 months, with expected completion and full occupancy by 2027. Therefore, the technical analyses and consideration of alternatives in the DEIS assume a 2027 analysis year for the purposes of determining potential impacts.

As the Applicant's Proposed Development Site is currently vacant, there would be minimal startup time subsequent to approval of the Proposed Actions. Assuming the Proposed Actions would be approved in early 2022, it is conservatively estimated that up to 18 months following project approval would be utilized for finalizing building design and DOB permitting, and construction mobilization. As such, it is anticipated that demolition of select existing seaward structures would commence in the third quarter of 2023 and will begin the construction process of the marine infrastructure and waterfront park, which is anticipated to occur over a 24-month period. Construction on the first tower (the North Tower), as well as the excavation and foundation for both towers, is planned to begin in the fourth quarter of 2023 and would last for approximately 24 months, and construction of the second tower (the South Tower) is estimated to commence in the fourth quarter of 2025 and last for approximately 23 months. The South Tower would not have an excavation/ foundation stage, as the excavation and foundation for the entire upland development would take place during construction of the North Tower. The Proposed Development is expected to be completed by the third quarter of 2027.

In addition to the Proposed Development, an additional Projected Development Site has been identified in the Project Area (Block 2362, Lot 1). However, as described below, no formal redevelopment plans exist for the Projected Development Site; nonetheless, the site meets the CEQR soft site criteria and is included for RWCDs analysis purposes. Construction of the Projected Development Site is anticipated to take approximately 10 months, and, it is assumed to be completed by the analysis year of 2027.

#### REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDs)

In order to assess the possible effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDs) was established for both the future without the Proposed Actions (No-Action) and the future with the Proposed Actions (With-Action) for an analysis year, or Build Year, of 2027. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses.

#### Identification of Development Sites

According to the *CEQR Technical Manual*, two following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Actions;

- **The uses and bulk allowed:** Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and
- **Size of the development site:** Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

The *CEQR Technical Manual* indicates that if sites meet both of these criteria, the likelihood of development should be further determined by considering the amount and type of recent as-of-right development in the area; recent real estate trends in the area; recent and expected future changes in residential population and employment in the study area; government policies or plans, such as a building on a site being identified for a landmark designation, that may affect the development potential of a site or sites; site specific conditions that make development difficult; and issues relating to site control or site assemblage that may affect redevelopment potential.

The *CEQR Technical Manual* also specifies that some uses and types of buildings that meet these soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the proposed actions. These "Excluded Sites" include: full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate; long-standing institutional uses with no known development plans; or residential buildings with six (6) or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to demolish due to tenant re-location requirements.

#### Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2027), while potential sites are considered less likely to be developed over the same period.

*Applicant's proposed Development Site (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; Block 2376, Lot 50)*

As this site, which is currently vacant, is the subject of the Proposed Actions in order to facilitate the Applicant's plans for its redevelopment, it is a known Development Site for CEQR analysis purposes (a.k.a. Applicant's "Proposed Development Site"). The Applicant's Proposed Development Site also includes portions of Metropolitan Avenue and North 1st Street that are proposed to be demapped as part of the Proposed Actions.

#### Remainder of Project Area

**Block 2356; Lot 1 (200 Kent Avenue)** – This 22,640 sf lot is currently occupied by a recently constructed six-story (83-foot-tall) mixed commercial building with approximately 24,000 gsf of office space on the 4<sup>th</sup>-6<sup>th</sup> floors, 22,000 gsf of destination retail (Trader Joe's) below grade, 21,000 gsf of ground floor retail, approximately 176 accessory attended parking spaces (34,370 gsf), and 1,600 gsf for roof garden on the third floor. The development on this lot maximizes the 2.0 allowable commercial/manufacturing FAR under both the existing M3-1 and proposed M1-4 zoning. As this site was only recently developed (2020) it meets the *CEQR Technical Manual* "Excluded Sites" criteria of newly constructed buildings. Therefore, no new development would be expected to occur on this lot as a result of the Proposed Actions.

**Block 2362; Lot 1 (230 Kent Avenue)** – This 5,862-sf lot was previously occupied by a 1-story building that had full lot coverage. Demolition permits were filed in February 2019. Subsequent permits have been filed for excavation, bracing and shoring, but no New Building permits are on file at DOB. As this is a site where construction is currently actively occurring, it is expected to be redeveloped irrespective of the Proposed Actions. Moreover, the proposed M1-4 district would not increase the maximum allowable FAR for commercial

or manufacturing uses compared to the existing M3-1 designation. However, as the proposed rezoning from M3-1 to M1-4 would broaden allowable uses to include community facilities and increase the maximum allowable FAR for mixed-use buildings that include community facility uses, this lot is conservatively being assumed as a soft-site (a.k.a., Projected Development Site) for RWCDs purposes.

**Block 2362; Lot 3 (218 River Street)** – A vacant 13,378 sf lot owned by Con Edison. As this site is owned by a utility company, with no known development plans, it meets the *CEQR Technical Manual* “Excluded Sites” criteria of a full block with utility uses, and is therefore unlikely to be redeveloped as a result of the Proposed Actions. Therefore, no new development is expected to occur on this lot as a result of the Proposed Actions.

#### **The Future Without the Proposed Actions (No-Action Condition)**

##### *Proposed Development Site*

Under the No-Action scenario, the Applicant’s Proposed Development Site would be developed on an as-of-right basis pursuant to the existing M3-1 zoning district. There would be no mapping action to demap a segment of Metropolitan Avenue or a portion of North 1<sup>st</sup> Street, and they would remain as mapped City streets that would be opened to traffic and would have public sidewalks. As such, the Proposed Development Site under the No-Action condition would comprise a lot area for zoning analysis purposes of approximately 157,088 sf (137,506 sf of upland lot and 19,582 sf of seaward piers).

In the No-Action scenario, the Applicant would construct two buildings, with a combined total floor area of approximately 621,500 gsf (312,050 zsf), including approximately 54,500 gsf of office uses, 83,100 gsf of retail uses (60,100 gsf of destination retail and 23,000 gsf of local retail), approximately 68,000 gsf of light manufacturing maker space, an approximately 102,100 gsf last-mile distribution facility (Use Group (UG) 16D), and 94,750 gsf of warehouse uses, as well as 579 accessory parking spaces (202,550 gsf) and 16,500 sf of mechanical space. The No-Action development would have a combined FAR of approximately 2.0.

The northern building of the No-Action development would consist of approximately 315,500 gsf, comprising six floors above grade (and one cellar level, below 23 feet), with a height of approximately 100 feet to the building roof line (140 feet to top of mechanical bulkhead). Destination retail uses would occupy the cellar level of the northern building. The ground floor would be occupied by accessory parking (19,100 gsf), local retail (14,000 gsf), an office lobby (1,000 gsf), last-mile distribution loading space (20,000 gsf), and destination retail lobby (3,000 gsf). The second floor would be occupied with accessory parking (57,100 gsf). The third floor would include accessory parking (30,600 gsf), mechanical space (16,500), and last-mile distribution facility space (10,000 sf). The fourth and fifth floors would be occupied by last-mile distribution facility space (57,100 gsf and 15,000 gsf, respectively). Finally, the sixth floor would include 15,000 gsf of office space.

The southern building would consist of approximately 306,000 gsf, comprising eight floors above grade (and one cellar below 23 feet), with a height of approximately 110 feet to the building roof line (approximately 150 feet to top of mechanical bulkhead). Accessory parking would be located on the cellar level (41,000 gsf), a portion of the ground floor (30,000 gsf), and a portion of the second floor (24,750 gsf). The ground floor would also include local retail space (9,000 gsf), an office lobby (1,000 gsf), a lobby for light manufacturing maker space (1,750 gsf), and warehouse lobby (12,000 gsf). In addition to accessory parking, the second floor would include 29,000 gsf of warehouse space. The third floor would include 53,750 gsf of warehouse space, and the fourth and fifth floors would include 53,750 gsf and 12,500 gsf of light manufacturing maker space, respectively. The sixth through eighth floors would each include 12,500 gsf of office space per floor.

The Proposed Development Site would provide a total of 579 (self-park) accessory parking spaces. As the No-Action development would be comprised predominantly of UG 16 and 17 (more than 75% of the zoning floor area), the Proposed Development Site would be exempt from waterfront public access area and visual corridor requirements, and the waterfront area on the Proposed Development Site would continue to be inaccessible to the public.

##### *Projected Development Site*

For the non-Applicant-owned Projected Development Site, it is assumed that the site would develop the largest as-of-right building permitted under the existing zoning (2.0 FAR), and the mix of uses assumed is based on recent market trends in the area as well as the type of uses allowed by the existing M3-1 zoning.

As such, for CEQR analysis purposes, the non-Applicant-owned Projected Development Site (Block 2362, Lot 1) is assumed to be developed in the No-Action with the maximum allowable 2.0 FAR of commercial/manufacturing uses, resulting in approximately 13,482 gsf (11,724 zsf). It is assumed that this No-Action development would consist of two stories (approximately 30 feet high), with approximately 6,741 gsf of commercial space (assumed as local retail) and 6,741 gsf of light industrial space (assumed as warehouse). Twenty accessory

parking spaces would be provided in accordance with zoning requirements, which are assumed to be provided below-grade.

#### **The Future With the Proposed Actions (With-Action Condition)**

##### *Proposed Development Site*

Under the With-Action scenario, the Proposed Development Site would be redeveloped as outlined in Section E above. As described above, the Proposed Development Site would be redeveloped with a total of 1,336,000 gsf, including 1,120,000 gsf of residential floor area (including approximately 70,000 gsf of amenity space), 83,000 gsf of commercial floor area (including office and retail), 50,000 gsf of community facility floor area (community center), and 83,000 gsf of below-grade parking (up to 250 accessory attended parking spaces). Although the Applicant plans to develop 1,050 rental DUs on the Proposed Development Site (including approximately 263 affordable units pursuant to MIH) in the With-Action condition, for conservative analysis purposes, the RWCDs will assume a total of 1,250 rental DUs, of which 313 DUs (25%) would be affordable units and 937 would be market-rate units. Pursuant to *CEQR Technical Manual* guidance, a smaller unit size is being assumed for analysis purposes. Based on data for residential buildings in Brooklyn CD 1 that were constructed since 2005 and have more than 50 units, the average unit size in the area is estimated at approximately 852 sf/DU. The RWCDs for the With-Action condition assumes 840 gsf/DU (excluding amenity space), which is consistent with average unit size for comparable developments in the community.

The Proposed Development would be comprised of two towers, the North Tower would comprise 49 stories and rise to a height of approximately 560 feet, excluding mechanical bulkheads. The South Tower would comprise 64 stories and rise to a height of approximately 710 feet. In addition, approximately 126,308 gsf (2.9 acres) of new waterfront public space (plus 2.32 acres of secondary contact accessible in-river space and 0.86 acres of intertidal area) would be created on the Proposed Development Site under the With-Action scenario. The beach is designed to provide secondary-contact recreation access, and per NYS Department of Health regulations, swimming will be prohibited. Signage will be provided on-site to indicate that swimming is prohibited.

The Applicant is proposing to demap approximately 23,116 sf of Metropolitan Avenue and approximately 3,374 sf of North 1<sup>st</sup> Street between River Street and the US Bulkhead line. Under the density regulations of the proposed C6-2 zoning district for the Applicant’s Proposed Development Site, this demapping would generate approximately 208,000 sf of development rights (zoning floor area, or ZFA). For purposes of the RWCDs, however, the LSGD ZFA will be capped at 1,162,469 sf, which does not include development rights from the street segments to be demapped.

The Applicant’s Proposed Development would be limited in height, density, and bulk by the LSGD special permits granted by CPC. Any development larger than this would require further discretionary actions. Therefore, the Applicant’s Proposed Development would be considered the most reasonable and conservative With-Action scenario.

##### *Projected Development Site*

On the non-Applicant-owned Projected Development Site, the With-Action RWCDs assumes that the Proposed Actions would facilitate development of an additional 1.0 FAR of community facility uses above the No-Action development. This assumption is based on the amount and type of recent as-of-right development in the area, recent real estate trends in the area, as well as the type of uses allowed by the proposed M1-4 zoning. Although the proposed zoning allows up to 6.5 FAR of community facility uses, development of more than the 1.0 FAR assumed for RWCDs purposes would be unlikely, given the site’s relatively small footprint, current market conditions, and recent development trends in the area. As such, the With-Action development on the Projected Development Site is assumed to be comprised of a 3-story (approximately 45-foot high) mixed-use building with approximately 20,223 gsf (17,586 zsf), with approximately 6,741 gsf of commercial space (local retail), 6,741 gsf of light industrial space (warehouse), and approximately 6,741 gsf of community facility space. For RWCDs purposes, the community facility space will be assumed as medical office. In accordance with M1-4 zoning regulations, no parking spaces are assumed to be provided on this site in the With-Action scenario.

##### *Increment for Analysis*

For analysis purposes, a comparison of the RWCDs No-Action and With-Action scenarios are identified, for the Proposed Development Site and Projected Development Site combined. The Proposed Actions would result in an incremental (net) increase of approximately 1,250 DUs, including 313 affordable units, 56,741 gsf of community facility space, 5,500 gsf of office, and 2.9 acres of publicly accessible open space, no change in local retail space, and a net decrease of approximately 102,100 gsf of last-mile distribution facility (UG 16D), 97,750 gsf of warehouse uses, 68,000 gsf of light manufacturing maker space uses, 60,100 gsf of destination retail, and a net decrease of 349 parking spaces. The RWCDs for the Proposed Actions is estimated to result in a net increase of approximately 2,888 residents and a net decrease of 199 workers within the Project Area, as compared to the No-Action conditions.

## G. PROBABLE IMPACTS OF THE PROPOSED PROJECT LAND USE, ZONING, AND PUBLIC POLICY

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not have a significant adverse impact related to land use, zoning, or public policy. The Proposed Actions would not adversely affect surrounding land use, nor would the Proposed Actions generate land uses that would be incompatible with land use, zoning, or public policy within the quarter-mile secondary study area.

While changes in land use and zoning would occur within the Project Area, with proposed residential, office, local retail, community facility uses, and public waterfront open space replacing an underutilized vacant property, the Proposed Actions would facilitate the development of a residential development that would include 313 permanently affordable residential units under the Mandatory Inclusionary Housing (MIH) program. The proposed residential, office, local retail, and community facility uses would be comparable to existing and planned developments in Williamsburg, and would directly support several major City policies aimed at increasing supply of affordable housing in New York City as well as address the city's goals of creating more public open space and improving waterfront resiliency. The Proposed Actions would facilitate a mixed-use development in an area well-served by mass transit, and would also facilitate the creation of new public waterfront open space, making the waterfront accessible to upland residents and workers. Based on the increasingly residential character of the secondary study area, the Applicant's Proposed Development would be compatible with the land use trends in the surrounding area.

The zoning actions requested for the Project Area would facilitate the creation of permanently affordable housing, open space, and public access to the waterfront. These zoning changes would be compatible with the quarter-mile radius surrounding the Project Area. The requested C6-2 and M1-4 zoning district designations would allow a density observed in other nearby C6-2 and R8 districts, many of which are within a quarter-mile radius of the Project Area. The removal of the M3-1 district from the Project Area would ensure that heavy industrial uses that are not compatible with adjacent residential and commercial uses could not be constructed within the Project Area. The rezoning of an M3-1 district to an M1-4 district on Blocks 2456 and 2362 would eliminate the potential for heavy industrial uses to be developed in the Project Area and instead permit community facility uses, and would provide a transition/buffer zone between the Proposed Development Site and the mixed-use district mapped to the east.

Finally, the Proposed Actions would promote the public policies applicable to the area, including *OneNYC* and *Housing New York*, and the *Williamsburg Waterfront 197-a Plan*. The Proposed Actions would also promote the policies outlined in the New York City Waterfront Revitalization Program (WRP), facilitating new residential, commercial, and community facility development in an appropriate waterfront location and substantially improving waterfront access.

### SOCIOECONOMIC CONDITIONS

A preliminary assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to socioeconomic conditions. The Proposed Actions would not result in any significant adverse impacts to the five socioeconomic areas studied under CEQR including direct residential, direct business/institutional displacement, indirect residential displacement, indirect business/institutional displacement, and adverse effects on specific industries, in accordance with *CEQR Technical Manual* guidance. The Proposed Actions would not result in the direct displacement of any residents or businesses, or adverse effects on specific industries, and the incremental commercial uses would not represent a substantial new use warranting assessment of potential indirect business displacement. With respect to potential indirect residential displacement, a preliminary assessment finds that the average income of the project-generated population is expected to be similar to or lower than the current average in the ½-mile study area as well as the future population, given existing trends of household incomes in the area. The permanently affordable housing added by the Proposed Actions pursuant to the Mandatory Inclusionary Housing (MIH) program would help to maintain a more diverse demographic composition within the study area than would otherwise exist. Therefore, the Proposed Actions would not introduce a new concentration of higher-income residents that could alter rental market conditions in the study area, and there would be no significant adverse impacts due to indirect residential displacement.

### COMMUNITY FACILITIES AND SERVICES

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded child care centers were conducted, and determined that the Proposed Actions would not result in any significant adverse impacts related to community facilities. Based on the *CEQR Technical Manual* screening methodology, detailed analyses of high schools, outpatient health care facilities, and police

and fire protection services are not warranted for the Proposed Actions.

#### *Direct Effects*

The Proposed Actions would not displace or otherwise directly affect any public schools, child care centers, libraries, health care facilities, or police and fire protection services facilities.

#### *Indirect Effects*

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded child care centers were conducted for the Proposed Actions. Based on the *CEQR Technical Manual* screening methodology, detailed analyses of high schools, outpatient health care facilities, and police and fire protection services are not warranted for the Proposed Actions.

#### *Public Schools*

According to the *CEQR Technical Manual*, a significant adverse impact may occur if a project would result in both of the following conditions: (1) a utilization rate of the schools in a sub-district study area that is equal to or greater than 100 percent in the future With-Action condition; and (2) an increase of five percentage points or more in the collective utilization rate between the No-Action and With-Action conditions.

#### Elementary Schools

CSD 14, Sub-District 3 elementary schools would continue to operate with available capacity in the future with the Proposed Actions (as in the future without the Proposed Actions). CSD 14, Sub-District 3 elementary schools would increase from a No-Action utilization rate of 81.9 percent to 83.6 percent in the With-Action condition, with 476 available elementary school seats. As CSD 14, Sub-District 3 elementary schools would continue to operate below capacity in the future with the Proposed Actions, no significant adverse impacts to public elementary schools would occur as a result of the Proposed Actions.

#### Intermediate Schools

In the future with the Proposed Actions, CSD 14, Sub-District 3 intermediate schools would continue to operate with available capacity, as under No-Action conditions. CSD 14, Sub-District 3 intermediate schools would increase from a No-Action utilization rate of 64.0 percent to 64.6 percent in the With-Action condition, with 738 available intermediate school seats. As CSD 14, Sub-District 3 intermediate schools would continue to operate below capacity in the future with the Proposed Actions, no significant adverse impacts would occur.

#### *Libraries*

According to the *CEQR Technical Manual*, if a project increases the study area population by five percent or more as compared to the No-Action condition, this increase may impair the delivery of library services to the study area, and a significant adverse impact could occur. The catchment area populations of the Williamsburgh, Greenpoint, and Leonard Libraries would not increase by more than five percent in the future with the Proposed Actions. Therefore, pursuant to *CEQR* guidance, the Proposed Actions would not result in a significant adverse impact on public libraries.

#### *Publicly Funded Child Care Centers*

The Proposed Actions would not result in significant adverse impacts on publicly funded child care centers. According to the *CEQR Technical Manual*, a significant adverse child care center impact could result if a project results in: (1) a collective utilization rate greater than 100 percent in the With-Action condition; and (2) the demand constitutes an increase of five percent or more in the collective capacity of child care centers serving the study area over the No-Action condition. The Proposed Actions would facilitate a net increase of 313 affordable housing units in the Project Area. For *CEQR* analysis purposes, 20 percent of total units (i.e., 250 units) are assumed to be set aside for households making 80 percent or less of the AMI (which is used as a proxy for eligibility for publicly funded child care service), thereby introducing approximately 45 children potentially eligible for subsidized child care to the study area. The analysis of publicly funded child care services found that under the With-Action condition the child care study area would experience a utilization rate of 112.4 percent, an increase of approximately 4.84 percentage points over No-Action conditions. As such, the Proposed Actions would not result in significant adverse impacts on publicly funded child care facilities.

### OPEN SPACE

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to open space resources. According to the *CEQR Technical Manual*, a project may result in a significant adverse impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency

in open space in the surrounding area.

The Proposed Actions would not directly displace or alter existing open space in the study area. Additionally, the Proposed Actions would not result in a reduction of total or passive open space ratios in the study area that would consequently overburden existing facilities or further exacerbate a deficiency in open space. Conversely, the new waterfront open space introduced by the Applicant's Proposed Development would increase total and passive residential open space ratios in the study area as compared to No-Action conditions. In the future with the Proposed Actions, the residential total open space ratio in the study area would increase by 1.4 percent, the residential active open space ratio would decrease by 1.5 percent, and the residential passive open space ratio would increase by 3.4 percent as compared to the No-Action scenario. The reduction in the active open space would be ameliorated by several factors, including the additional secondary contact in-river space and intertidal area planned for the Proposed Development Site that were conservatively excluded from the quantitative analysis, the availability of additional active open space resources just outside the study area boundary, as well as the planned expansion and renovation of two existing open space resources in the study area. Therefore, no significant adverse impacts to open space would occur as a result of the Proposed Actions, but rather, the Proposed Actions would improve residential open space ratios in the study area with the introduction of 2.9 acres of publicly accessible open space (plus 2.32 acres of secondary contact accessible in-river space and 0.86 acres of intertidal area) in the Project Area under With-Action conditions.

### SHADOWS

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to shadows. The Proposed Actions would result in incremental shadow coverage (i.e., additional, or new, shadow coverage) on portions of five sunlight-sensitive open space/natural resources: John V. Lindsay East River Park, the East River, North 5<sup>th</sup> Street Pier and Park, Bushwick Inlet Park, and Bushwick Inlet Pop-up Park. The extent and duration of the incremental shadows on these open space/natural resources would (1) not significantly reduce direct sunlight exposure on any of the sunlight-sensitive features found within these five open spaces; and (2) would not significantly alter the public's use or enjoyment of the open spaces or threaten the viability of vegetation or other elements located within the open spaces. Therefore, incremental shadows as a result of the Proposed Development on these sunlight-sensitive resources would not be considered a significant adverse impact, in accordance with *CEQR Technical Manual* methodology.

### HISTORIC AND CULTURAL RESOURCES

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in significant adverse direct or indirect impacts related to historic or cultural resources.

#### Direct (Physical) Impacts

The Proposed Actions are site-specific, and the Project Area does not contain any designated or eligible historic resources. Therefore, the Proposed Actions would not result in any direct impacts to historic architectural resources.

#### Indirect (Contextual) Impacts

The Proposed Actions would not result in significant adverse indirect impacts on historic architectural resources. Development facilitated by the Proposed Actions would not significantly alter the context or setting of the NYCL-eligible and S/NR-listed Austin, Nichols & Co. Warehouse, the S/NR-eligible Metropolitan Avenue Warehouse, the S/NR-eligible Rokeach & Sons Warehouse, or the S/NR-eligible Grand Street Historic District as compared to No-Action conditions. The Proposed Actions would facilitate the development of two towers on the Proposed Development Site, rising 49 and 64 stories (approximately 560 and 710 feet, respectively), which would be 43- to 56-stories taller than the as-of-right No-Action buildings on the site. The Proposed Actions would also facilitate the development of an additional story on the Projected Development Site, increasing the building height from 30 feet to 45 feet. These additional stories in the Project Area would be visible behind the Austin, Nichols & Co. Warehouse when looking south on North 4th Place and southwest on Kent Avenue; and the additional height on the Proposed Development Site would be visible beyond the Metropolitan Avenue Warehouse when looking west along Metropolitan Avenue, and when looking north in the Grand Street Historic District. Although the Proposed Development would alter the backdrops of these historic architectural resources, these changes would not be significant or adverse. The study area is a dense urban environment with multiple existing mid- and high-rise buildings that currently form the setting and context of these three historic resources, and there are multiple buildings that will be constructed in the study area irrespective of the Proposed Actions. Examples of existing and expected towers include the 40-story building at 2 North 6th Street, the 30-story tower at 164 Kent Avenue, and the 41-story building at 1 North 4th Street, all to the north of the Project Area, as well as the newly

constructed 42-story mixed-use tower at 260 Kent Avenue (a.k.a. One South First/Ten Grand), just south of the Project Area. Development facilitated by the Proposed Actions would not substantially change the visual setting of any surrounding historic architectural resource so as to affect those characteristics that make it eligible for listing on the S/NR and/or designation by the LPC.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. Development facilitated by the Proposed Actions would not alter the relationship of any identified historic architectural resources to the streetscape, as all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. The Proposed Development would not eliminate or screen public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of surrounding historic architectural resources would be obstructed by the Proposed Development. Rather, the Proposed Actions would create new public views of the southern and western facades of the Austin, Nichols & Co. Warehouse when looking north and northeast from the publicly accessible waterfront open spaces in the Project Area.

The Proposed Actions would not result in development that would diminish the qualities that make the NYCL-eligible and S/NR-listed Austin, Nichols & Co. Warehouse, the S/NR-eligible Metropolitan Avenue Warehouse, the S/NR-eligible Rokeach & Sons Warehouse, or the S/NR-eligible Grand Street Historic District historically and architecturally significant. As such, the Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

#### Construction-Related Impacts

As the Project Area is located within 90 feet of the S/NR-listed and NYCL-eligible Austin, Nichols & Co. Warehouse, construction of the Proposed Development would be subject to the New York City Department of Buildings (DOB)'s Technical Policy & Procedure Notice (TPPN) #10/88. Under the TPPN, a construction protection plan would be provided to the LPC for review and approval prior to any work in the Project Area. The construction protection plan would take into account the guidance provided in the *CEQR Technical Manual*, Chapter 9, Section 523, "Construction Protection Plan." As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

#### Shadows Impacts

The Proposed Actions would not generate incremental shadows on sunlight-sensitive features of surrounding historic resources. Therefore, the Proposed Actions would not result in any significant adverse shadows impacts on historic resources.

### URBAN DESIGN AND VISUAL RESOURCES

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to urban design or visual resources. The Proposed Actions would facilitate development that is not currently permitted as-of-right in the Project Area, which would create a notable change in the urban design character of the area. Compared to the future without the Proposed Actions, the visual appearance, and thus the pedestrian experience of the Project Area, would change considerably. However, this change would not constitute a significant adverse urban design impact as it would not alter the arrangement, appearance, or functionality of the Project Area, thus not negatively affecting a pedestrian's experience. The Proposed Development would consist of two towers (49 stories/560 feet and 64 stories/710 feet in height) comprising approximately 1.12 million gsf of residential space, 50,000 gsf of community facility space, 83,000 gsf of commercial space, and up to approximately 250 accessory attended parking spaces, with the ground floor of each tower providing entrance lobbies to the various components as well as local retail uses that would enliven the adjacent street frontages. The Proposed Development would reactivate this portion of the East River waterfront, with physical and visual connections to 2.9 acres of newly developed, publicly accessible waterfront open space, including intertidal and in-water secondary contact recreation and aquatic, upland, and wetland vegetative communities that would promote fish and wildlife habitat development.

The Proposed Actions would revitalize the Proposed Development Site, a currently inaccessible portion of the East River waterfront that would largely continue to be publicly inaccessible, absent the Proposed Actions. With connections to the North 5<sup>th</sup> Street Pier and Park to the north and Grand Ferry Park to the south, the proposed waterfront open space in the Project Area would result in a continuous link of open spaces along the East River waterfront from Bushwick Inlet Park to Domino Park, enhancing the pedestrian experience of the East River waterfront. It would also provide additional views of significant visual resources such as the Manhattan skyline to the west, and the Williamsburg Bridge to the south. Streets within and adjacent to the

Project Area include the westernmost portions of Metropolitan Avenue, North 1<sup>st</sup> Street, and North 3<sup>rd</sup> Street, as well as River Street and Kent Avenue between North 1<sup>st</sup> and North 3<sup>rd</sup> streets. The portions of Metropolitan Avenue and North 1<sup>st</sup> Street within the Project Area do not currently carry pedestrian or vehicular traffic, as they are blocked off by a tall, chain-link fence that surrounds the Proposed Development Site, making them inaccessible to the public. The Proposed Actions would demap Metropolitan Avenue and a portion of North 1<sup>st</sup> Street west of River Street, creating a pedestrian-only walkway to connect the upland community with the newly developed waterfront open space. Moreover, the waterfront open space of the Proposed Development would introduce a greater breadth of recreational activities not currently available to study area residents, including, but not limited to, a public beach, nature trails and educational habitat preservation programming, manmade freshwater wetlands, breakwaters to protect the cove and the habitats created, new walkways above open water that would connect the breakwaters, a ramped boat launch, and waterfront stepped seating. Per NYS Department of Health regulations, swimming will be prohibited, and the beach design includes layers of river stone, rip rap and armoring at the perimeter of the sandy region to avoid scouring and indicate the edge of the beach access area. Through the development of this open space, the Proposed Actions would result in a vibrant and walkable East River waterfront in the vicinity of the Project Area, expanding public access and enhancing the pedestrian experience as compared to No-Action conditions, where the waterfront of the Project Area would continue to be inaccessible to the public.

The Proposed Development would activate the streetscape adjacent to the Proposed Development Site by adding ground-floor commercial and community facility space as well as significant amounts of open space areas, as opposed to No-Action conditions where the Proposed Development Site would be occupied entirely by building footprints, and parking garages and loading berths would occupy most of the buildings' ground floor frontages. Moreover, the adjacent sidewalks would be planted with street trees under With-Action conditions. As such, the Proposed Development would activate the streetscape around the Proposed Development Site, further enhancing the pedestrian experience along North 1<sup>st</sup> Street, River Street, Metropolitan Avenue, and North 3<sup>rd</sup> Street, as well as along the waterfront corridor.

Although the 49- and 64-story towers on the Proposed Development Site, at 560 feet and 710 feet tall, respectively, would be denser and taller than the as-of-right No-Action buildings on the site, the additional density and height in the Project Area would not result in significant adverse urban design impacts. The secondary study area is a dense urban environment with multiple existing high-rise buildings along the East River waterfront, including the 40-story building at 2 North 6<sup>th</sup> Street (11.4 floor area ratio [FAR]), the 30-story building at 164 Kent Avenue (8.25 FAR), the 41-story building at 1 North 4<sup>th</sup> Place (7.3 FAR), and the 42-story building just south of the Project Area at 10 Grand Street (effective FAR of 7.8 for the overall Domino Sugar Refinery redevelopment). The proposed towers on the Proposed Development Site would be in keeping with the heights and densities of these nearby waterfront developments, while allowing for a greater portion of the Proposed Development Site to be transformed into publicly accessible open space.

Additionally, the Proposed Development would not obstruct any significant view corridors in the primary or secondary study areas, or otherwise adversely alter the context of surrounding visual resources. Although the Proposed Development would alter the backdrops of some historic architectural resources in the surrounding area, such as the S/NR-listed and NYCL-eligible Austin, Nichols & Co. Warehouse when looking south on North 4<sup>th</sup> Place and southwest on Kent Avenue; the S/NR-listed Metropolitan Avenue Warehouse when looking west along Metropolitan Avenue; and when looking north in the S/NR-listed Grand Street Historic District. These changes would not be significant or adverse, as the study area is a dense urban environment with multiple high-rise buildings that currently form the setting and context of these historic resources.

As the proposed and projected With-Action buildings in the Project Area would be constructed on existing blocks, the current viewsheds of the East River and Manhattan skyline when looking west along east-west streets in the secondary study area, such as Metropolitan Avenue, would not be obstructed. However, as under No-Action conditions, views south, west, and north of the East River, Williamsburg Bridge, and Manhattan skyline from North 1<sup>st</sup>, River, and North 3<sup>rd</sup> streets would be obstructed by the Proposed Development. However, through the introduction of publicly accessible waterfront open space, the Proposed Development would create new, expansive, and uninterrupted views of these resources. Although views of some visual resources would be obstructed from certain vantage points, more proximate views of these significant visual resources would remain on public streets and sidewalks in the vicinity of these resources under With-Action conditions, and the proposed waterfront open space in the Project Area would provide additional publicly accessible views of these visual resources, which are currently not available from the Project Area and would not be available under the No-Action condition. These new vantage points would enhance the pedestrian experience in the Project Area, creating new and expansive

viewsheds of surrounding visual resources.

As the Proposed Actions are area-specific, no significant adverse impacts to urban design or visual resources in the ¼-mile secondary study area are expected. The proposed waterfront open space is expected to be a significant new visual resource visible from public vantage points in the secondary study area, such as when looking south from the 5<sup>th</sup> Street Park and Pier or when looking north from Grand Ferry Park. The Proposed Development would also be visible when looking east across the East River from public vantage points in Manhattan. As such, the Proposed Development facilitated by the Proposed Actions is expected to improve the pedestrian experience in the secondary study area, through the creation of a new visual resource in the Project Area and the enhancement of the East River waterfront, a significant natural resource in the primary and secondary study areas.

The results of the wind study found that no regions exceeding wind safety criteria to the general or frail members of the public were found within the vicinity of the Proposed Development, and determined that the Proposed Development would satisfy respective comfort criteria. As such, outdoor trafficable areas within and around the Proposed Development would be suitable for their intended uses.

## NATURAL RESOURCES

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to natural resources. The Proposed Development would not result in significant adverse impacts on terrestrial resources, wetlands, or threatened and endangered species. Although the RWCDs for the Proposed Actions includes a non-Applicant-owned Projected Development Site, that site is located upland and does not front the East River, nor does it contain any natural resources. As such, the natural resources assessment focuses exclusively on the Applicant's Proposed Development. The upland portions of the Proposed Development Site are in a highly urbanized area where vegetation and wildlife are limited and the biodiversity is low. The Proposed Development, in conjunction with upland residential development, would create a total of 264,777 square feet (sf) of waterfront public space, which would include a protected cove for water-dependent recreation and the creation of new or enhanced habitats (approximately 101,099 sf).

At the waterfront, the Proposed Development would expand public access along the East River north of Domino Park and Grand Ferry Park. The project would include a new shore public walkway between Grand Ferry Park and North 3rd Street, about 900 linear feet, and would include two new access points from River Street to the new shore public walkway (at North 1<sup>st</sup> Street and Metropolitan Avenue). The redevelopment of the property would create a new waterfront public space on former industrial properties. In addition to the newly created public space, the Proposed Development would provide a stable and resilient waterfront, and would create aquatic, upland, and wetland vegetative communities that would promote fish and wildlife habitat development.

Waterward, the Proposed Development would redevelop and reshape the existing shoreline to provide a protected cove for in-water secondary-contact recreation and creation of new habitat. All existing in-water structures except for three of the existing caissons would be demolished. Proposed in-water and shoreline improvements would reshape the shoreline to create a protected cove (via in-water excavation and backfill) and new shoreline protection measures (e.g., bulkhead, revetment) including breakwaters in consideration of navigational interests. These improvements would protect the cove and the habitats created inside the breakwaters, including upland vegetative habitats (e.g., reefs, salt marsh, coastal scrub shrubs, tide pools, and tidal shallows). The improvements also include new walkways above open water that would connect the breakwaters.

The proposed breakwaters and groin would shape the cove and provide additional shoreline protection while creating new habitats for native plant and animal species. The breakwaters consist of pile-supported platforms backfilled with clean soil to create berms on top. Groins are thin soil berms jutting out from the shoreline (i.e., a small peninsula). The berms on the breakwaters and berms would be protected from erosion with ecological armoring (mixtures of EConcrete panels, block, and tidepools with riprap stone) that dissipates wave energy from passing vessels and from wind-driven waves during storms. These breakwaters and groin would result in disturbance within open water and littoral zones of the East River; however, the Proposed Development would create new water habitats consisting of littoral zone and manmade reefs. The proposed habitat creation in the littoral zone would be approximately four times the area of disturbance in this area, and would offset the effects of the proposed in-water disturbance and result in an overall enhancement to the aquatic habitat and shoreline conditions.

During construction, the East River would be protected by using best management practices consistent with New York State Department of Environmental Conservation's (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater

Discharges from Construction Activity. Best management practices may include turbidity curtains, air curtains, use of environmental buckets, and/or long reach excavators to keep equipment out of the water. Excavated soils would be stockpiled in containment areas lined with plastic; decanted water would be collected and either disposed offsite, or treated (if needed) and discharged to the East River. The project would be subject to the requirements of the NYSDEC and/or the United States Army Corps of Engineers (USACE) permitting processes. The purpose of the permit process (including issuance of specific conditions) is to ensure the no significant adverse impacts are imposed by the project on natural resources, including, the East River. Therefore, no further assessment is required.

#### HAZARDOUS MATERIALS

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to hazardous materials. A hazardous materials (E) designation (E-636) would be placed on the lots comprising the Proposed Development Site (i.e., Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; and Block 2376, Lot 50 to ensure the Proposed Actions would not result in any significant adverse impacts related to hazardous materials.

A Phase I Environmental Site Assessment (ESA) was prepared in September 2019 by NOVA Consulting in order to evaluate potential contamination of the Applicant's Proposed Development Site. As described in that report, the Proposed Development Site was historically utilized as a No. 6 fuel oil storage complex for Con Edison's North First Street Terminal (NFST) from the 1960s until decommissioned in 2012. Two of the three former NFST parcels comprising the Proposed Development Site (central and northern parcels, aka Parcel II and Parcel I, or Complex A and Complex B) were occupied by large fuel oil aboveground storage tanks (ASTs) that were removed in 2012. The former facility was a New York State Department of Environmental Conservation (NYSDEC) Major Oil Storage Facility (MOSF) (MOSF ID No. 2-1480). Subsurface investigations were conducted on behalf of Con Edison from 1999 through 2012 in order to assess potential impact from the oil storage. These activities included soil and groundwater assessments and remedial excavation of one area of petroleum-contaminated soil. The New York State Department of Environmental Conservation (NYSDEC) approved the work conducted for the MOSF assessment and issued a letter on July 24, 2012 indicating that no further action (NFA) was required specifically in relation to the former MOSF.

Based on review of available historical information, the Phase I ESA concluded that soil and groundwater contamination is present at the Proposed Development Site above cleanup levels for residential uses and poses a potential vapor intrusion concern for the Proposed Development Site. The Phase I ESA indicated that while the soil contamination currently exceeds unrestricted use criteria, the implementation of engineering and institutional controls will ensure the Property meets the applicable standards for residential development. Previous assessments, such as the 2017 HDR Supplemental Remedial Investigation Report, identified SVOC contamination at concentrations typical of historic fill, and concluded that these concentrations were not likely from prior MOSF activities. In the southeast corner of Parcel II, the reports do identify a few soil and groundwater samples with VOC concentrations exceeding the relevant restricted residential use standards, but finds that those are associated with the off-site migration from the Fyn Paint's Brownfield Cleanup Program site (not from MOSF use) and are being addressed through that program.

In addition, as some of the volatile organic compound (VOC) concentrations in soil vapor exceed the US Environmental Protection Agency (USEPA) Vapor Intrusion Screening Levels (VISLs), there is the potential for a vapor intrusion risk to future site buildings. Therefore, the Phase I ESA recommended that the vapor intrusion pathway should be evaluated prior to construction, as well as the feasibility of installing a vapor intrusion mitigation barrier as part of the proposed future residential development. Any environmental cleanup at the Property will be performed under regulatory oversight.

Additionally, as part of the planned site redevelopment activities, NOVA Consulting recommend that a Health and Safety Plan, a Community Air Monitoring Plan (CAMP), and a Soil Management Plan be provided during development to address the handling and offsite disposal of the contaminated soil and water during construction.

As such, to reduce the potential for any significant adverse impacts associated with new construction resulting from the Proposed Actions, institutional and engineering controls (including vapor mitigation measures) will be required for the Applicant's Proposed Development Site, as recommended in the Phase I ESA. To ensure that these investigations are undertaken, a hazardous materials (E) designation (E-636) would be placed on the lots comprising the Proposed Development Site (i.e., Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; and Block 2376, Lot 50).

By placing an (E) designation on the lots comprising the Proposed Development Site, the potential for a significant adverse impact to

human health and the environment resulting from the Proposed Actions would be avoided. The New York City Office of Environmental Remediation (OER) would provide the regulatory oversight of any future supplemental sampling that may be warranted; including environmental scope, investigation, and potential remedial action during this process. Building permits are not issued by the NYC Department of Buildings (DOB) without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

The (E) designation would require that the Applicant conduct any required supplemental subsurface investigations and have an approved Remedial Action Plan (RAP), where appropriate, under the review and approval of OER. The RAP provided to OER to satisfy the (E) designation would also include a mandatory Construction Health and Safety Plan (CHASP). The inclusion of the institutional and engineering control measures described above, which involve the mapping of (E) designation (E-636) on the Proposed Development Site, the Proposed Actions would not result in any significant adverse impacts related to hazardous materials.

The reasonable worst-case development scenario (RWCDs) for the Proposed Actions includes a non-Applicant-owned Projected Development Site. The Projected Development Site was accepted into the New York State Department of Environmental Conservation (NYSDEC) Voluntary Cleanup Program and Brownfield Cleanup Program (BCP), and all cleanup and remedial activities have been completed (V00380, BCP site C224154). Remedial action has successfully achieved a Track 4 restricted residential cleanup. Therefore, no significant adverse impacts related to hazardous materials would result from construction activities on the Projected Development Site as a result of the Proposed Actions.

#### WATER AND SEWER INFRASTRUCTURE

A preliminary assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to water and sewer infrastructure.

##### Water Supply

The Proposed Actions would generate an incremental water demand of approximately 213,115 gpd (including water related to sanitary and domestic uses) compared with the No-Action condition. While this would represent an increase in demand on the New York City water supply system, it does not meet the *CEQR Technical Manual* threshold requiring a detailed analysis. Therefore, an analysis of water supply is not warranted as it is expected that there would be adequate water service to meet the incremental water demand from the Proposed Actions and there would be no significant adverse impacts on the City's water supply.

##### Wastewater and Stormwater Conveyance and Treatment

Based on preliminary assessment, it was determined that the Proposed Actions would not result in significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure. The Proposed Actions are expected to generate approximately 311,986 gallons per day (gpd) of sanitary sewage, an increase of approximately 257,815 gpd compared to No-Action conditions. This incremental increase in sewage generation is approximately 0.08 percent of the average daily flow at the Newtown Creek Water Pollution Control Plant (WPCP) and would not result in an exceedance of the plant's permitted capacity of 310 million gallons per day (mgd). Therefore, the Proposed Actions would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

The total With-Action volume to the combined sewer system from the Applicant's Proposed Development (only sanitary) could be between 0.05 and 0.25 mg. Compared to No-Action conditions, this would represent an increase in combined sewer flows of up to 0.04 mg. Stormwater runoff from the Applicant's Proposed Development Site would be reduced compared to No-Action conditions, and would be discharged via private stormwater outfalls and would not increase combined sewer overflows (CSO). With-Action stormwater runoff from the Proposed Development Site would be treated on-site using treatment methods per DEP-approved Best Management Practices (BMPs) and discharged via private outfalls into the East River after being treated, unlike under existing conditions, where stormwater runoff from the Proposed Development Site is untreated.

The non-applicant-owned Projected Development Site would increase flows to the combined sewer system (stormwater + sanitary) by up to 0.01 mg compared to existing conditions.

Overall, the Proposed Actions would not result in significant adverse impacts on the City's wastewater treatment or stormwater conveyance infrastructure.

##### Water Quality Assessment

Under the With-Action condition, two private stormwater outfalls to the East River would be constructed in conjunction with the Proposed Development. All stormwater runoff from the Proposed Development

Site would be captured, and would not drain into the DEP sewer system. Compared to the No-Action condition, the stormwater discharge in the With-Action condition would have a negative increment of 0.41 mgd, and the sanitary flow would result in an increment of 0.26 mgd. Therefore, the impacts to the DEP sewer system under the With-Action condition would have a net decrease of 0.15 mgd compared to the No-Action condition. In addition to a lower total volume of storm and sanitary flows to the DEP sewer system, the With-Action condition would eliminate the approximately 0.27 mgd of untreated stormwater that currently discharges into the East River from the Proposed Development Site, and instead would capture and treat the runoff per NYSDEC standards prior to discharge into the East River.

In addition, the Proposed Development would enhance and create habitat that would permanently improve the water quality of the East. Although principles of island biogeography and landscape ecology indicate that larger, rounder habitat patches have greater ecological integrity, resilience, and robustness, these disciplines also provide that smaller patches placed closely together ameliorate the ecological constraints of fragmentation and spatial isolation. This is the paradigm changing assumption that is driving the ecological restoration movement – at least as far as habitat improvements are concerned. In many contexts where opportunities for large wetland restoration projects are limited it is endeavored to maximize restoration of the sites available, small as they may be, understanding that each increment will contribute to a cumulative improvement in habitat and ecological function. The intent of the proposed habitat and other functional improvements proposed as part of the Proposed Development reside in the cumulative added value relative to past and future East River improvements including Brooklyn Bridge Park, Bushwick Inlet, East River State Park, Randalls Island, Domino Park, Hunters Point Park, among others.

The Proposed Development would create new habitat areas including areas of salt marsh, tide pools, coastal scrub shrub, shoreline shallows, and new littoral zone.

The Proposed Development includes a robust program of habitat enhancements and restoration that will serve the community and the City as an ecological and experiential amenity that is integral to the overall design. All of the elements of the proposed habitat mosaic work in unison to transform and restore the shoreline of the Proposed Development Site. In an otherwise homogenous hard shoreline of linear reaches of rip rap, bulkhead, and sheet pile, hard bottom substrate, and unremitting current; it is expected that more varied, involuted shoreline, a sand, gravel, and cobble bottom substrate, more complex hard vertical structure for epibenthic encrusting organisms and a quiescent water column would result in a much more varied and complex trophic structure ultimately benefitting fin fish possibly including sturgeon and likely striped bass.

The existing combined sewer outfall along Metropolitan Avenue would be relocated to North 3<sup>rd</sup> Street, outside of the protected cove, and would continue to discharge into the East River in a manner similar to existing conditions. Stormwater treated by hydrodynamic separators would be directed into the freshwater wetland, and eventually filtered into the East River.

Wetland restoration in New York City has been an ongoing activity for the past three decades and the chief proponents, including NYC DEP, NYC Parks, NYS DEC, US Army Corps of Engineers, NOAA, and the US National Parks Service have been explicit about the water quality benefits of existing and restored salt marshes. The proposed salt marsh within the inter-tidal zone would provide a habitat and food source for ribbed mussels within decomposed salt marsh codgrass. As filter feeders, ribbed mussels would improve both water quality and nutrient cycling in the local estuarine habitats. The improvements to water quality would improve biodiversity within the Proposed Development Site and support sub-tidal restoration efforts through the implementation of oyster cages. A pilot program would also be implemented for eel grass plantings within the protected cove. If eel grass is not sustainable at this location, the Proposed Development would still result in the net benefit provided by the new shoreline shallows habitat. The greater context for the restoration zone is the US Army Corps Comprehensive Restoration Program Target Ecosystem Characteristic (TEC) Shoreline Shallows.

The East River's water quality would be protected from construction activities by protection measures that follow an approved Stormwater Pollution Protection Plan (SWPPP).

## TRANSPORTATION

Pursuant to *CEQR Technical Manual* guidance, the Proposed Actions are unlikely to result in significant adverse impacts to traffic and parking, and bus transit services, and detailed analyses of these modes are not warranted for the Proposed Actions. Detailed analyses of potential impacts on subway transit services and pedestrian conditions were conducted, and determined that the Proposed Actions have the potential to result in significant adverse impacts related to pedestrian conditions and with respect street user safety. Potential measures to mitigate these impacts are discussed in the "Mitigation" section below and will be further explored and finalized in coordination with New

York City Department of Transportation between the Draft and Final EIS.

## Traffic

Based on *CEQR Technical Manual* guidelines, a quantified traffic analysis is typically required if a proposed action would result in 50 or more additional vehicle trip ends in a peak hour at one or more intersections. Under the Proposed Actions there would be net increases of 33 and three trips in the weekday AM and Saturday peak hours, respectively, and net decreases of 29 and eight vehicle trips in the weekday midday and PM peak hours, respectively. Therefore, significant adverse traffic impacts are not expected to occur under the Proposed Actions, and a detailed traffic analysis is not warranted based on *CEQR Technical Manual* guidance.

## Transit

### Subway

#### Subway Stations

The Proposed Actions would generate a net increment of approximately 567 and 531 new subway trips during the weekday AM and PM commuter peak hours, respectively. The analysis of subway station conditions focuses on New York City Transit's Bedford Avenue (L) station as incremental demand from the Proposed Actions would exceed the 200-trips/hour *CEQR Technical Manual* analysis threshold at this station in both peak hours. Trips en route to and from the Proposed Development would utilize the station's West Mezzanine where New York City Transit (NYCT) has recently implemented capacity improvements including additional street and platform stairs and an expanded fare array. Based on *CEQR Technical Manual* impact criteria, no stair or fare array at the Bedford Avenue (L) station would be significantly adversely impacted as a result of the Proposed Actions.

#### Subway Line Haul

The analysis of subway line haul conditions focuses on L train service on the Canarsie Line where incremental demand generated by the Proposed Actions is expected to exceed the 200 trips/hour *CEQR Technical Manual* analysis threshold in both the AM and PM commuter peak hours. As incremental demand on the J, M and Z trains operating on the Broadway and Myrtle Avenue lines would total fewer than 200 peak hour trips, these services are not expected to be impacted by the Proposed Actions and no further analysis is warranted. The peak direction of travel on the Canarsie Line is typically Manhattan-bound (northbound) in the AM and Brooklyn-bound (southbound) in the PM. In the future with the Proposed Actions, peak direction L trains are expected to be operating over capacity in the AM peak hour with a volume-to-capacity (v/c) ratio of 1.04 (compared to a No-Action v/c ratio of 1.02). In the PM peak hour they would be operating at capacity with a v/c ratio of 1.00 (compared to a No-Action v/c ratio of 0.98).

*CEQR Technical Manual* criteria specify that any increases in subway line haul load levels that remain within practical capacity limits are generally not considered significant. However, significant adverse subway line haul impacts can occur if a proposed action is expected to generate an incremental increase averaging five or more riders per subway car on lines projected to carry loads exceeding guideline capacity. Under the Proposed Actions, peak direction L trains would experience an average of no more than 2.82 additional passengers per car at their maximum load point in either period. Therefore, L train service would not be considered significantly adversely impacted by the Proposed Actions under *CEQR Technical Manual* impact criteria.

### Bus

The Proposed Actions are expected to result in a net increase of three trips by transit bus in the weekday AM peak hour and a net decrease of 17 trips in the PM peak hour when compared to the No-Action condition. Therefore, significant adverse impacts to transit bus service are not expected to occur under the Proposed Actions, and a detailed analysis of bus conditions is not warranted based on *CEQR Technical Manual* guidance.

## Pedestrians

The Proposed Actions would generate an incremental demand of approximately 817, 296, 737 and 632 total pedestrian trips (including walk-only trips and pedestrians walking to and from the subway, bus and ferry stops, and off-site parking) in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. These trips are expected to be most concentrated along pedestrian elements (sidewalks, corner areas and crosswalks) in the immediate proximity of the Project Area, along the Metropolitan Avenue corridor, and along Bedford Avenue in proximity to the Bedford Avenue subway station entrances at North 7<sup>th</sup> Street. Twenty-six pedestrian elements (eight sidewalks, 13 corner areas and five crosswalks) at these locations where incremental trips would potentially exceed the 200 trips/hour *CEQR Technical Manual* analysis threshold in one or more peak periods were selected for analysis. The pedestrian analysis focuses on the weekday AM and PM peak hours, and Saturday peak hour, which are the periods when the greatest amount of incremental pedestrian

demand would be generated by the Proposed Actions' RWCDs. In the Future with the Proposed Actions, all analyzed sidewalks and corner areas would continue to operate at acceptable levels of service in all analyzed peak hours; however, five analyzed crosswalks would be considered significantly adversely impacted in one or more peak hours as a result of the Proposed Actions. Potential measures to mitigate these crosswalk impacts are discussed in the "Mitigation" section

### Street User Safety

The *Vision Zero Brooklyn Pedestrian Safety Action Plan* was released on February 19, 2015 and updated in 2019. The plan identifies Bedford Avenue as a Priority Corridor (added in 2019). No Priority Intersections or Priority Areas were identified in proximity to the Project Area and the neighborhood of the Project Area is not included within a designated Senior Pedestrian Focus Area.

Crash data for intersections in the pedestrian study area were obtained from the New York City Department of Transportation for the three-year reporting period between January 1, 2016, and December 31, 2018 (the most recent period for which data were available for all locations). The data quantify the total number of crashes as well as the total number of crashes involving injuries to pedestrians or bicyclists. During the three-year reporting period, 26 crashes including eight pedestrian/bicyclist-related injury crashes occurred at these intersections. None of these crashes involved fatalities.

According to the 2020 *CEQR Technical Manual*, a high crash location is one where there were 43 or more reportable and non-reportable crashes or five or more pedestrian/bicyclist-related crashes in any consecutive 12 months within the most recent three-year period for which data are available. Based on these criteria, no intersections in the pedestrian study area are classified as high crash locations.

Currently, the only crosswalk on River Street in proximity to the Project Area is located at North 3rd Street. It is therefore likely that some pedestrians en route to and from the Proposed Development Site would choose to cross River Street at a more proximate location where a crosswalk is not present, such as at Metropolitan Avenue or North 1st Street. This would result in a significant pedestrian safety impact. As discussed in the "Mitigation" section below this potential impact is expected to be fully mitigated by the installation of a new pedestrian crossing at one or both of these locations.

### Parking

Parking demand generated by the Proposed Actions' RWCDs would total approximately 270 spaces in the weekday midday, would peak at 389 spaces during the 8 PM to 9 PM period, and would total approximately 388 spaces overnight. The RWCDs includes 250 of on-site accessory parking spaces in a below-grade parking facility. This on-site capacity would be sufficient to accommodate approximately 64 percent of the parking demand during the peak 8 PM to 9 PM period as well as the peak overnight period for residential parking demand. The remaining demand (approximately 139 autos) would need to be accommodated in nearby off-street public parking facilities or on-street. Based on *CEQR Technical Manual* guidance, this projected shortfall of approximately 139 spaces of on-site parking capacity under the Proposed Actions would not constitute a significant adverse parking impact.

### AIR QUALITY

Detailed analyses were conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not have a significant adverse impact on related to air quality.

### NYPA Analysis

NYPA stack emissions would not cause exceedances against *National Ambient Air Quality Standards (NAAQS)*. Therefore, emissions from the NYPA power plant stack would not significantly impact the Proposed Development or development at the Projected Development Site.

### Project-on-Project (HVAC) Analysis

Emissions from the HVAC system of the shorter North Tower on the Applicant's Proposed Development Site would not significantly impact the taller South Tower. Based on results of the project-on-project HVAC analysis, the exhaust stacks on the roof of the North Tower can be located anywhere on the North Tower roof. In addition, emissions from the Projected Development's HVAC system would not significantly impact either the Applicant's Proposed Development or nearby existing land uses. In order to avoid any potential significant adverse air quality impacts, an (E) designation (E-636) would be placed on the Applicant's Proposed Development Site that would require the use of natural gas for the HVAC system, restrict the heating plant's capacity, and limit NOx emissions from both the co-generation units and boilers for the North Tower. Similarly, in order to avoid any potential significant adverse air quality impacts, an (E) designation would also be placed on the Projected Development Site that would require the use of natural gas for the HVAC system.

### HVAC Project-on-Existing Analysis

As the towers comprising the Proposed Development would be taller than any nearby buildings, the HVAC emissions of these towers would not significantly impact nearby existing land uses. In addition, HVAC emissions from the Projected Development would not significantly impact existing taller buildings located within 400 feet of the Projected Development Site.

### Garage Analysis

Emissions from vehicles using the Proposed Development's garage – together with on-street mobile source emissions -- would not result in any significant adverse air quality impact. The maximum estimated CO impacts would be less than the *CEQR* de minimis criteria; the 24-hour PM<sub>2.5</sub> impacts would be less than the significant impact criteria; and the maximum estimated total 8-hour CO and 24-hour total PM<sub>2.5</sub> concentrations would be less than the applicable NAAQS.

### Air Toxics Analysis

There are no existing nearby (i.e., within 400 of the Project Area) industrial sources that could significantly impact the development that would occur as a result of the Proposed Actions. As such, there would be no significant adverse air quality impacts on the Proposed Development or Projected Development Site from existing industrial uses.

### GREEN HOUSE GAS EMISSIONS AND CLIMATE CHANGE

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in significant adverse impacts related to greenhouse gases as they would be consistent with the City's GHG emissions reduction goals, as defined in the *CEQR Technical Manual*. Furthermore, the Proposed Actions would be consistent with policies regarding adaptation to climate change as identified in OneNYC.

### Greenhouse Gas Emissions

It is estimated that the RWCDs for the Proposed Actions would result in approximately 6,734 total metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) annual emissions from building operations and approximately 3,512 metric tons of CO<sub>2</sub>e emissions from mobile sources annually, for an annual total of approximately 10,246 metric tons of CO<sub>2</sub>e emissions. This represents approximately 0.02 percent of the City's overall 2017 GHG emissions of approximately 50.7 million metric tons. It should also be noted that the estimated GHG emissions for the Proposed Actions conservatively do not account for any energy efficiency measures that may be implemented by the Applicant at the Proposed Development or by any developer who may redevelop the non-Applicant-owned Projected Development Site. The Proposed and Projected Developments would comply with the stringent 2020 New York City Energy Conservation Construction Code, which includes the additional measures from the New York State Energy Research and Development Authority (NYSERDA) NYStretch Energy Code-2020. The Applicant is currently evaluating the specific energy efficiency measures and design elements that may be implemented as part of the Proposed Development.

The Proposed Actions would also advance New York City's GHG reduction goals by virtue of their nature and location. The Proposed Actions would facilitate development of a higher-density mixed-use residential, commercial, and community facility development and a smaller mixed-use non-residential building in an area with existing urban infrastructure, including roadways, transit, sewer infrastructure, and water mains, thereby minimizing the need for extensive infrastructure development. By redeveloping sites that are located in an area supported by many transit options, including bus and subway service, NYC East River Ferry, and CitiBike stations, the Proposed Actions would support transit-oriented development in New York City. Therefore, the Proposed Actions would be consistent with the City's applicable emissions reduction goals of transit-oriented development and construction of new resource- and energy-efficient buildings.

### Resilience to Climate Change

As the Proposed Development Site is located within a 100-year floodplain, the Applicant's Proposed Development has been designed to incorporate flood mitigation measures with wet and dry floodproofing strategies. Entrances to the buildings, parking garage, and loading areas would utilize either wet or dry floodproofing measures in compliance with "Appendix G" of the New York City Building Code, ASCE 24, and FEMA guidelines. The residential uses at the ground floor of the proposed buildings would be raised out of the flood zone to an elevation of approximately 12.1 feet above sea level, in compliance with ASCE 24 Table 6-1. The non-residential uses at the ground floor of the buildings would utilize dry floodproofing measures in compliance with ASCE 24. In areas utilizing the wet floodproofing method, mechanical equipment, electrical rooms, gas meter, water meter and pump rooms would be located above the DFE (design flood elevation) in compliance with ASCE 24-14 Table 7-1. In the areas utilizing dry floodproofing measures, utility lines or systems will be protected by the dry floodproofing.

The flood mitigation measures incorporated into the design of the Proposed Development would also help to protect against rising sea levels. The Proposed Development would be designed and constructed in accordance with all applicable City and State flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 (“Coastal Zones and Water-Sensitive Inland Zones”). The Proposed Development would also significantly improve flood resiliency, with the incorporation of two breakwaters and groin as part of the proposed waterfront open space. The breakwaters and groin would reduce the energy of crashing waves on the shoreline, making flood waves break away from the shoreline of the Development Site. This would reduce wave heights inside the protected area along the shoreline and reduce the potential for shoreline erosion, while also providing a partially enclosed, protected aquatic habitat. These proposed features would further protect the public waterfront open space and upland residential buildings comprising the Proposed Development. As such, the Proposed Development would be consistent with New York City policies regarding adaptation to climate change.

The non-Applicant-owned Projected Development Site is not located within the currently applicable 100-year and 500-year floodplains. However, portions of the site are expected to fall within the projected 500-year floodplain by the 2020s and 2050s. As the Projected Development Site is located more than 350 feet east of the waterfront, it is unlikely to be affected by tidal flooding and is less susceptible to climate change. The Projected Development is expected to be constructed to meet the codes and any related resiliency requirements in effect at the time of construction.

### NOISE

An analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to noise. The increased traffic volumes generated by the Proposed Actions would not result in significant adverse noise impacts as the relative increases in noise levels, compared to No-Action conditions, would fall well below the applicable *CEQR Technical Manual* significant adverse impact threshold (3.0 dBA).

Based on the calculated With-Action  $L_{10}$  noise levels, the projected peak period  $L_{10}$  noise values at Receptor Locations 1 through 4 would range from a minimum of 58.1 dBA to a maximum of 66.3 dBA and would remain below the 70 dBA CEQR threshold. Thus, no special noise attenuation measures beyond standard construction practices would be required for the proposed residential, community facility, or commercial office uses on any of the Proposed Development’s frontages in order to achieve interior noise levels of 45 dBA or lower for residential and community facility uses or 50 dBA or lower for commercial office uses, as is consistent with *CEQR Technical Manual* guidance. However, as maximum With-Action noise levels at Receptor Location 5 would be 73.9 dBA, special attenuation measures beyond standard construction practices would be required for the Projected Development Site’s future community facility uses on the eastern (Kent Avenue), southern (North 1<sup>st</sup> Street), and northern (facing Metropolitan Avenue) frontages of the Development Site in order to achieve the required interior noise level of 45 dBA or lower for community facility uses. In order to satisfy CEQR interior noise level requirements and ensure acceptable interior noise levels for community facility uses, a minimum composite window/wall attenuation rating of 31 dBA for all facades fronting and within 50 feet of Kent Avenue would be required.

The composite window/wall noise attenuations described above would be required through the assignment of an (E) Designation (E-636). With implementation of the attenuation levels outlined above, the Projected Development Site would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to noise attenuation.

### PUBLIC HEALTH

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to public health. The Proposed Actions are not expected to result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: operational air quality, construction-related air quality, operational noise, water quality, or hazardous materials. The Proposed Actions would result in temporary, unmitigated significant adverse construction-related noise impacts. However, during construction associated with the Proposed Actions, none of the nearby receptors would experience prolonged exposure to noise levels above 85 dB(A) or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels. As such, the Proposed Actions are not anticipated to cause excessively high chronic noise exposure and, therefore, are not expected to result in a significant adverse public health impact related to noise.

### NEIGHBORHOOD CHARACTER

A preliminary assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the

Proposed Actions would not result in significant adverse impacts related to neighborhood character. The Project Area is located in Williamsburg, Brooklyn, an established residential neighborhood defined by its location along the East River waterfront, which is lined with publicly accessible open spaces, providing a plethora of public views of the East River, the Manhattan skyline, and the Williamsburg Bridge. The study area is also characterized by a variety of residential and mixed residential/commercial building types, ranging from low-rise, 19<sup>th</sup> century rowhouses along Grand Street, to recently developed mid-rise apartment buildings, to renovated former industrial warehouses, to high-rise, high-density residential towers along the East River waterfront. Most of these structures are built-out to the lot lines and contain lower-level commercial spaces, creating active, continuous street-walls throughout the majority of the study area. The neighborhood surrounding the Project Area is known for its creative and lively atmosphere, vibrant social scene, culinary venues, and trendy boutique retail, as well as its accessibility to Manhattan.

The Proposed Actions would revitalize the Project Area, a currently inaccessible portion of the East River waterfront that would largely continue to be publicly inaccessible absent the Proposed Actions. The Proposed Actions would facilitate the redevelopment of the Project Area with mixed-use buildings and innovative waterfront public spaces. The Proposed Development would consist of two mixed residential, commercial, and community facility towers. Approximately 2.9 acres of new waterfront public space will be created as part of the Proposed Development, establishing a continuous link of public waterfront open spaces on the East River running from Bushwick Inlet Park to the north to Domino Park to the south. In addition to the newly created public open space, the Proposed Development would establish a stable and resilient waterfront, and would create aquatic, upland, and wetland vegetative communities that would promote fish and wildlife habitat development in the East River. The Proposed Actions would thereby improve the character of the East River waterfront, a defining feature of the ¼-mile study area, and create additional public views of significant visual resources such as the East River, Manhattan skyline, and Williamsburg Bridge. The Proposed Actions, which would rezone the Proposed Development Site from M3-1 to C6-2 and rezone the two blocks to the east from M3-1 to M1-4, would also eliminate the possibility of future heavy industrial uses in a neighborhood with an increasingly residential and mixed-use character, and provide a transition/buffer zone between the Proposed Development Site and the mixed-use district mapped to the east.

The Proposed Actions would facilitate the development of two mixed-use towers with 937 market-rate DUs and 313 affordable DUs, as well as local retail, office, and community facility uses in an area with a strong demand for these uses. Based on the increasingly residential character of the surrounding study area, the Proposed Development would constitute a substantial improvement with respect to land uses as compared to a No-Action development of commercial and light industrial uses, which wouldn’t provide community facility space, affordable housing, or public open space and waterfront access to the surrounding neighborhood. Furthermore, the permanently affordable housing added by the Proposed Actions pursuant to the Mandatory Inclusionary Housing (MIH) program would help to maintain a more diverse demographic composition within the study area than would otherwise exist. The Proposed Actions would also facilitate the development of lower-level commercial and community facility space in the Project Area, as opposed to the parking garages and loading berths that would comprise a majority of the buildings’ streetscape under No-Action conditions. These proposed With-Action ground-floor commercial and community facility uses would extend the active streetscapes of the surrounding neighborhood into the Project Area.

As described elsewhere in this EIS, the Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; or noise. Although the Proposed Action would result in significant impacts to crosswalks and pedestrian safety, those impacts would be fully mitigated, and would therefore not adversely affect neighborhood character. Moreover, the Proposed Actions’ combined effects in all technical areas that contribute to neighborhood character would not result in any significant adverse impacts on neighborhood character.

### CONSTRUCTION

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential construction period impacts related to air quality and noise conditions were conducted, and determined that the Proposed Actions would not result in construction period impacts related to air quality, but could result in potentially significant temporary adverse impacts related to construction noise. Potential measures to mitigate these impacts are discussed in the “Mitigation” section below. Preliminary assessments were conducted for other technical areas pursuant to *CEQR Technical Manual guidance*, and determined that the Proposed Actions would not result in construction period impacts related to transportation, land use and neighborhood character, socioeconomic conditions, community facilities, open space, historic and cultural resources, natural resources, or hazardous materials. As discussed

in the EAS and Draft Scope of Work documents, the Projected Development Site identified in the RWCDs would be redeveloped under both No-Action and With-Action conditions, and the Proposed Actions would not affect the construction schedule of that site (anticipated to be approximately 10 months). Therefore, construction analysis of the Projected Development Site is not warranted.

### **Applicant's Proposed Development**

#### *Transportation*

##### Traffic

Average daily on-site construction workers and trucks were forecast for new construction anticipated on the Development Site under both the No-Action and With-Action condition. The No-Action construction worker and truck estimates were then subtracted from the With-Action estimates to determine the net incremental demand attributable to construction associated with the Proposed Actions. Peak construction traffic related to trucks and worker autos is expected to peak in the third quarter of 2026, with an estimated 267 workers and 34 trucks per day. These represent peak days of work, and many days during the construction period would have fewer construction workers and trucks on-site.

A forecast of incremental hourly construction worker auto and construction truck trips during the 2026(Q3) peak quarter for construction traffic showed that construction-related traffic is expected to peak during the 6-7 AM and 3-4 PM periods. During the 6-7 AM peak hour there would be a total of 152 passenger car equivalent (PCE) vehicle trips, including 131 inbound trips and 21 outbound trips. During the 3-4 PM peak hour there would be a total of 117 PCE trips, including six inbound trips and 113 outbound trips.

Incremental trips by construction trucks and construction worker autos were assigned to the street network in proximity to the Development Site to assess the potential for significant adverse traffic impacts during the 6-7 AM and 3-4 PM construction peak hours. Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. Incremental vehicle trips generated by construction of the Proposed Development would not total 50 or more at any intersection in either of the 6-7 AM or 3-4 PM construction peak hours. In addition, there would be fewer than 50 incremental vehicle trips/hour in all other periods. Therefore, construction of the Proposed Development is not expected to result in significant adverse traffic impacts in any peak hour during the 2026(Q3) peak quarter for construction traffic.

##### *Transit*

In the 2026(Q3) peak quarter for construction-related transit trips, approximately 267 construction workers would travel to and from the Development Site each day. It is estimated that approximately 64 construction workers would travel to and from the Development Site via public transit each day, and that approximately 51 of these trips would occur in each of the 6-7 AM and 3-4 PM construction peak hours. These construction worker trips, which would occur outside of the peak periods for overall transit ridership, would be distributed among nearby subway stations (48 trips) and bus routes (3 trips). As peak transit demand from construction workers on the Development Site would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis, significant adverse impacts to subway and bus services are not expected to occur in the construction peak hour during the 2026(Q3) peak construction period.

##### *Pedestrians*

It is anticipated that there would be an incremental increase of approximately 267 construction workers traveling to and from the Development Site in the 2026(Q3) peak construction period. Construction worker pedestrian trips on sidewalks, corner areas and crosswalks (pedestrian elements) near the Development Site would include those walking to and from the subway, nearby bus stops and off-site parking, as well as workers traveling solely on foot. As the Development Site has frontages along three different streets (North 1<sup>st</sup>, North 3<sup>rd</sup> and River streets), these trips would be widely distributed among the pedestrian elements providing access to the Development Site. It is therefore unlikely that any single sidewalk, corner area or crosswalk would experience 200 or more peak-hour trips (the threshold below which significant adverse pedestrian impacts are considered unlikely to occur based on *CEQR Technical Manual* criteria). In addition, it should be noted that construction worker trips would primarily occur outside of the weekday AM and PM commuter peak periods and the weekday midday peak period when area pedestrian facilities typically experience their greatest demand. Consequently, there are no significant adverse pedestrian impacts anticipated in the 2026(Q3) peak quarter for construction worker travel demand.

##### *Parking*

The maximum incremental daily parking demand from construction workers would total approximately 138 spaces in the weekday midday. As it is assumed that there would be no on-site parking until

completion of the Proposed Development, construction workers would park on-street or in nearby off-street public parking facilities located in proximity to the Development Site during this period. For example, it is anticipated that some of the construction worker parking demand would be accommodated along the dead-end segments of North 1<sup>st</sup> Street and North 3<sup>rd</sup> Street adjacent to the Development Site. In addition, the Applicant controls an existing 725-space public parking garage at 325 Kent Avenue just to the south of the Development Site. This facility currently has substantial available capacity in the weekday midday, which the Applicant proposes to make available to construction workers.

Under *CEQR Technical Manual* guidance, the inability of the Proposed Actions or the surrounding area to accommodate future parking demands would be considered a parking shortfall, but would generally not be considered significant due to the magnitude of available alternative modes of transportation. Therefore, should any parking shortfall occur due to incremental demand from construction workers during the 2026(Q3) peak construction period, it would not be considered a significant adverse parking impact based on *CEQR Technical Manual* guidance.

##### *Air Quality*

The potential air quality impacts of the Proposed Actions were examined through a detailed analysis of the worst-case construction activities at the Development Site. For annual standards, the 12 consecutive months of construction with the highest PM<sub>2.5</sub> emissions are month 7 to month 18. During this timeframe, construction activities would include the excavation/foundations for the North Tower and South Tower, superstructure and exterior work on the North Tower, upland park and waterfront/marine structures. The single month with the highest emissions for PM<sub>2.5</sub> (month 10) was used for purposes of modeling short-term standards and this peak month includes 50 truck trips per day. Modeling of annual standards took into account the monthly variation in emissions over the year. This period has the highest potential for air quality impacts, and other construction periods would have lower impacts by comparison. The short-term and annual time periods for analysis were selected through preparation of a monthly emissions profile based on the potential construction equipment requirements for each site. Off-road equipment, on-road haul truck, and fugitive dust emissions were quantified and impacts at receptors using the U.S. Environmental Protection Agency (EPA) models and methods consistent with the *CEQR Technical Manual*. The analysis accounts for the emission control measures mandated by existing laws and regulations applicable to private developers, including the use of ultra-low sulfur diesel (ULSD), dust control measures, idling restrictions and Best Available Tailpipe Reduction Technologies.

The maximum predicted total concentrations of one- and eight-hour carbon monoxide (CO), 24-hour particulate matter with an aerodynamic diameter of less than or equal to 10 micrometers (PM<sub>10</sub>), and annual-average nitrogen dioxide (NO<sub>2</sub>) would all be below the applicable National Ambient Air Quality Standards (NAAQS).

Considering the annual average PM<sub>2.5</sub> background concentration of 7.4 µg/m<sup>3</sup>, the temporary incremental increase in annual average PM<sub>2.5</sub> concentrations would result in a total annual average PM<sub>2.5</sub> concentration well under the applicable NAAQS (12 µg/m<sup>3</sup>). The incremental increase is also under half the difference between the background concentration and NAAQS. Therefore, the Proposed Actions would not result in a significant adverse construction air quality impact.

##### *Noise*

Detailed quantitative construction noise modeling was completed for the Proposed Actions to determine typical construction noise levels for the major construction elements (towers, upland park and marine structures). A receptor network was developed for the study area around the Proposed Development Site. Sensitive receptor locations, such as residential properties and parks were selected as noise receptor sites. Multiple receptors were created along of the façade of existing buildings to capture the noise levels at different floors of the building. The noise impact criteria described in Chapter 19, Section 410 of the *CEQR Technical Manual* served as a screening-level threshold for potential construction noise impacts. If construction of a proposed project would not result in any exceedances of these criteria at a given receptor, then that receptor would not have the potential to experience a construction noise impact. However, if construction of a proposed project could result in exceedances of these noise impact criteria, then further consideration of the intensity and duration of construction noise at that receptor is warranted. The analysis also compared interior L<sub>10</sub> noise levels to the CEQR interior noise guideline of 45 dBA.

The construction noise impact analysis identified potentially significant temporary adverse impacts in the following locations, as described below. Mitigation measures considered for these impacts are further discussed in the "Mitigation" section.

- **Grand Ferry Park.** The park is in close proximity to some of the marine structures work for the waterfront park.

Construction noise levels would be 64 to 70 dBA ( $L_{eq}$ ) and are anticipated to exceed CEQR thresholds (in this case, a 5 dBA or greater increment) for the duration of construction (45 months). The maximum total noise level at the park during construction would be 70 dBA ( $L_{eq}$ ) for a period of 10 months (which includes shoreline and marine structures pile driving with direct line-of-sight to the park). However, it is important to note that for the majority of the construction (35 months), the total noise level would be less than 65 dBA ( $L_{eq}$ ); these predicted noise levels are not atypical for open space resources in New York City.

- **184 Kent Avenue.** This residential building with ground floor commercial use is located immediately north of the Development Site, across North 3<sup>rd</sup> Street. The maximum total exterior noise level would be approximately 81 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 4-6 dBA for the first 27 months of construction.
- **187 Kent Avenue.** This new residential building is located on the east side of Kent Avenue, between Metropolitan Avenue and North 3<sup>rd</sup> Street. The maximum total exterior noise level would be approximately 77 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 2 dBA for the 21 months of construction.
- **221 Kent Avenue.** This new construction residential building is located on the east side of Kent Avenue between North 1<sup>st</sup> Street and North 3<sup>rd</sup> Street. The maximum total exterior noise level would be approximately 79 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 4 to 10 dBA for the first 21 months of.
- **223 Kent Avenue.** This residential building is located at the southeast quadrant of the intersection of Kent Avenue and North 1<sup>st</sup> Street. The maximum total exterior noise level would be approximately 74 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 4 dBA for units with window AC and 19 dBA for units without window AC for the duration of construction.
- **68 North 3<sup>rd</sup> Street.** This residential building with ground floor commercial is located in the southwest quadrant of the intersection of Wythe Avenue and North 3<sup>rd</sup> Street. The maximum noise level during construction would be approximately 68 dBA ( $L_{eq}$ ). The CEQR interior  $L_{10}$  noise guideline of 45 dBA would not be exceeded for units with window AC. However, a 13 dBA exceedance over CEQR interior  $L_{10}$  guideline is anticipated for units without window AC.
- **1 North 4<sup>th</sup> Place.** This residential tower is located along the waterfront, west of North 4<sup>th</sup> Street. The maximum total exterior noise level would be approximately 79 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 3 to 8 dBA for 45 consecutive months of construction.
- **200-206 Kent Avenue.** This new commercial and office building is located on the west side of Kent Avenue at the intersection of Kent Avenue and North 3<sup>rd</sup> Street without any line of site obstruction from the project site. The maximum total exterior noise level would be approximately 83 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 8 dBA for 45 months of construction.
- **254 Kent Avenue/70 River Street.** This commercial building is located on the east side of River Street at the intersection of River Street and Kent Avenue without any line of site obstruction from the project site. The maximum total exterior noise level would be approximately 80 dBA ( $L_{eq}$ ). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA ( $L_{10}$ ) by approximately 5 dBA for 45 months of construction.

### Other Technical Areas

#### Land Use and Neighborhood Character

Construction activities would affect land use within the Development Site but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. These disruptions would be temporary in nature and would have limited effects on land uses within the surrounding area, particularly as most construction activities would take place within the Development Site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the site. Overall, while the construction at the Development Site would be evident to the local community, the temporary nature of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

#### Socioeconomic Conditions

Construction activities could temporarily affect pedestrian and

vehicular access. However, lane and/or sidewalk closures would not obstruct entrances to any existing businesses, and businesses are not expected to be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities. Overall, construction activities associated with the Proposed Development would not result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to increased tax revenues for the City and State, including those from personal income taxes.

#### Community Facilities

No community facilities would be directly affected by construction activities. The Development Site will be surrounded by construction fencing and barriers that would limit the effects of construction on any nearby community facilities. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care. Construction of the Proposed Development would not block or restrict access to any facilities in the area, and would not materially affect emergency response times. The NYPD and FDNY emergency services and response times would not be significantly affected due to the geographic distribution of the police and fire facilities and their respective coverage areas.

#### Open Space

There are no publicly accessible open spaces within the Development Site and no open space resources would be used for staging or other construction activities. Construction of the two towers comprising the Proposed Development would not occur immediately adjacent to Grand Ferry Park, however the park is adjacent to the southern limit of construction for the proposed waterfront park (which includes, demolition of existing waterfront and in-water structures and pile installation for new in-water structures). As discussed above, there would be no significant adverse air quality impacts on open spaces taking into account dust control measures and other emission reduction measures incorporated in the project. The construction noise analysis (discussed above) showed there would be a temporary potentially significant adverse noise impact to the park. The maximum total noise level at the park during construction would be 75 dBA ( $L_{eq}$ ) for a period of 5 months, and for the majority of construction the noise level at the park would be in the low to mid 60s of dBA (Leq). The predicted noise levels are not atypical for open space resources in New York City and would not result in a major change in the usability of the park. Therefore, the temporary construction noise impact would not result in a significant adverse construction-related open space impact.

#### Historic and Cultural Resources

The Development Site does not possess archaeological significance, and therefore, the Proposed Development does not have the potential to result in construction period archaeological impacts. As the Development Site is located within 90 feet of the S/NR-listed and NYCL-eligible Austin, Nichols & Co. Warehouse, construction of the Proposed Development would be subject to the New York City Department of Buildings (DOB)'s Technical Policy & Procedure Notice (TPPN) #10/88. Under the TPPN, a construction protection plan would be provided to the LPC for review and approval prior to any work in the Project Area. As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

#### Natural Resources

The implementation of erosion and sediment control measures and a Stormwater Pollution Prevention Plan (SWPPP) would minimize potential impacts on littoral zone tidal wetlands from discharge of stormwater runoff during land-disturbing activities. In addition, equipment used during construction of the proposed waterfront public space would move throughout the waterfront public space area during the construction as necessary, and any effects from their presence would be temporary. As such, the Proposed Development would not result in any significant adverse construction-related impacts on natural resources.

#### Hazardous Materials

The hazardous materials assessment identified various potential sources of subsurface contamination on, or in close proximity to, the Development Site. To reduce the potential for adverse impacts associated with new construction resulting from the Proposed Actions, a hazardous materials (E) designation would be placed on the tax lots comprising the Development Site. The (E) designation requires approval by the New York City Office of Environmental Remediation (OER) prior to obtaining NYC Buildings Department (DOB) permits for any new development entailing soil disturbance. The environmental requirements for the (E) designation also include a mandatory Construction Health and Safety Plan (CHASP), which must be approved by OER.

Adherence to these existing regulations would prevent impacts from construction activities at the Development Site.

### **Projected Development Site**

The RWCDs for the Proposed Actions includes a non-Applicant-owned Projected Development Site at 230 Kent Avenue (Block 2362, Lot 1), which is expected to be improved with a three-story, approximately 20,223 gsf mixed-use light industrial, commercial and community facility building as a result of the proposed zoning change from M3-1 to M1-4. Given the small size of the RWCDs development, both in terms of total square footage and building height, and the fact that the Projected Development Site has already been excavated in conjunction with remedial activities, construction of the Projected Development Site is expected to be completed in approximately 10 months. Given the limited construction duration and minimal construction activities associated with this Projected Development Site, its contributions to potential construction-period impacts would be negligible. As such, the analyses in the remainder of this chapter focus exclusively on the potential construction impacts associated with the Applicant's approximately 1.336 million gsf Proposed Development.

## **H. MITIGATION**

### **Transportation**

#### **Pedestrians**

Incremental demand from the Proposed Actions would significantly adversely impact five crosswalks in one or more analyzed peak hours. There would be no significant adverse impacts to analyzed sidewalks or corner areas in any period. Widening the impacted crosswalks by one to 5.5 feet would fully mitigate all of the significant impacts. Implementation of the proposed mitigation measures would be subject to review and approval by DOT. In the absence of the application of these mitigation measures, the impacts would remain unmitigated.

#### **Street User Safety**

Currently, the only crosswalk on River Street in proximity to the Project Area is located at North 3<sup>rd</sup> Street. It is therefore likely that some pedestrians traveling to and from the Proposed Development Site would choose to cross River Street at a more proximate location where a crosswalk is not present, such as at Metropolitan Avenue or North 1<sup>st</sup> Street. This could result in a potential significant pedestrian safety impact. This impact would be fully mitigated by the installation of a new pedestrian crossing at one or both of these locations. A new crossing would involve the installation of a new traffic signal, a new all-way stop control, or an Enhanced Pedestrian Crossing. Between the DEIS and FEIS, the appropriate traffic control measure to be installed will be finalized in consultation with the lead agency and DOT to facilitate the safe and efficient movement of pedestrians crossing River Street. The installation of a new pedestrian crossing on River Street at Metropolitan Avenue and/or North 1<sup>st</sup> Street would fully mitigate the Proposed Actions' potential pedestrian safety impact.

### **Construction**

#### **Noise**

As presented in the "Construction" section above, construction activities associated with the Proposed Actions have the potential to result in temporary significant adverse impacts at residential, mixed-use, commercial and open space sensitive receptors in the vicinity of the Proposed Development Site. The Applicant has committed to various noise reduction measures in accordance with the New York City Noise Code. Furthermore, a construction noise mitigation plan would be required to be prepared and approved by NYCDEP prior to construction. Additional path controls (such as portable barriers or shrouds around specific equipment) would be considered during the development of the construction noise mitigation plan. The Applicant is also committing to providing noise monitoring to ensure that violations of the NYC Noise Code do not occur at adjacent receptors.

However, for eight of the impacted sensitive receptors (five residential/mixed use, two commercial use and one open space), no feasible and practicable receptor controls to further reduce noise levels were identified, and these temporary impacts would therefore remain unmitigated. For one other impacted sensitive receptors (residential building at 68 North 3<sup>rd</sup> Street), the feasibility of providing window AC units to any apartment units currently lacking them (if any) will be explored as a potential mitigation between the publication of the DEIS and FEIS. This receptor control would reduce interior noise to less than the CEQR interior threshold for the temporary construction noise impact. Lastly, Grand Ferry Park is predicted to experience a significant adverse construction noise impact. No practical and feasible mitigation measures have been identified that could allow noise levels to stay below the 55 dBA L<sub>10(1)</sub> guideline and/or eliminate project-generated impacts during construction. It is important to note that for the majority of the construction period (35 months), the total noise level at Grand Ferry Park would be less than 65 dBA (L<sub>eq</sub>), which is not atypical for open space resources in New York City.

Additional mitigation measures will be explored further by the Applicant in consultation with the lead agency between the DEIS and

FEIS. If no additional feasible mitigation measures are found, the temporary construction noise impacts will be considered unmitigated.

## **I. ALTERNATIVES**

### **No-Action Alternative**

The No-Action Alternative examines future conditions on the Proposed and Projected Development Sites, but assumes that none of the discretionary approvals proposed as part of the Proposed Actions would be adopted. Under the No-Action Alternative by 2027, it is anticipated that as-of-right development would be constructed on the Proposed and Projected Development Sites pursuant to the existing M3-1 zoning. Under the No-Action Alternative, as-of-right development on the Proposed Development Site would consist of two buildings, with a combined total floor area of approximately 621,500 gsf, including approximately 54,500 gsf of office uses, 60,100 gsf of destination retail uses, 23,000 gsf of local retail uses, approximately 68,000 gsf of light manufacturing maker space, an approximately 102,100 gsf last-mile distribution facility (Use Group (UG) 16D), and 94,750 gsf of warehouse uses, as well as approximately 579 accessory parking spaces (202,550 gsf) and 16,500 sf of mechanical space. For the Projected Development Site, as-of-right development under the No-Action Alternative would consist of one building with approximately 13,482 gsf, including approximately 6,741 gsf of local retail and 6,741 gsf of warehouse space. The technical chapters of this EIS have described the No-Action Alternative as "the Future Without the Proposed Actions."

The significant adverse impacts related to pedestrian (crosswalk) conditions, pedestrian safety, and construction noise anticipated for the Proposed Actions may be somewhat reduced under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Actions. The benefits expected to result from the Proposed Actions – including promoting affordable and market-rate housing development through the introduction of increased residential density on the Proposed Development Site, the introduction of new community facility space, and the introduction of new publicly accessible waterfront open space – would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the Proposed Actions.

### **No Unmitigated Significant Adverse Impacts Alternative**

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Development are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. As presented in the "Mitigation" and "Unavoidable Adverse Impacts" sections, there is the potential for the Proposed Actions to result in unmitigated significant adverse impacts related to construction noise. Given the proximity of existing sensitive receptors to the Proposed Development Site, any development involving below-grade excavation and multi-year construction would likely have the potential to result in temporary unmitigated significant adverse construction noise impacts. Furthermore, the identified temporary significant adverse construction noise impacts at these nearby receptors could not be fully mitigated. Although the Applicant's commitment to provide substantial noise control measures would reduce the level of impacts, it would not fully avoid the identified significant adverse impacts. In order to avoid the occurrence of any temporary adverse construction noise impacts at these nearby sensitive receptors, no construction of structure(s) of a size sufficient to accommodate the uses planned as part of the Proposed Development could occur on the Proposed Development Site. Therefore, no reasonable alternative could be developed to completely avoid significant adverse construction noise impacts without substantially compromising the Proposed Actions' stated goals.

## **J. UNAVOIDABLE ADVERSE IMPACTS**

According to the *CEQR Technical Manual*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is infeasible. The Proposed Actions would result in significant adverse impacts with respect to transportation (pedestrians and street user safety), and construction (noise). To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation was identified to fully mitigate the significant adverse impacts to construction noise, and there are no reasonable alternatives to the Proposed Actions that would meet their purpose and need, eliminate their impacts, and not cause other or similar significant adverse impacts.

### **Construction Noise**

The Proposed Actions would have the potential to result in significant adverse construction noise impacts at several locations near the Project Area. The Applicant has committed to noise reduction measures in accordance with the New York City Noise Code, including a 8-ft plywood fence around the perimeter of the construction site, the use of equipment meeting the requirements of noise control code, limitations on engine idling, and implementation of early electrification of certain equipment such as concrete vibrators, hoists, and man lifts.

Furthermore, a construction noise mitigation plan would be required to be prepared and approved by NYCDEP prior to construction. Additional path controls (such as portable barriers or shrouds around specific equipment) would be considered during the development of the construction noise mitigation plan. The Applicant is also committing to providing noise monitoring to ensure that violations of the NYC Noise Code do not occur at adjacent receptors.

However, for eight of the impacted sensitive receptors (five residential/mixed use, two commercial use and one open space), no feasible and practicable receptor controls to further reduce noise levels were identified, and these temporary impacts would therefore remain unmitigated. For one other impacted sensitive receptor (residential building at 68 North 3<sup>rd</sup> Street), the feasibility of providing window AC units to any apartment units currently lacking them (if any) will be explored as a potential mitigation between the publication of the DEIS and FEIS. This receptor control would reduce interior noise to less than the CEQR interior threshold for the temporary construction noise impact.

Lastly, Grand Ferry Park is predicted to experience a temporary significant adverse construction noise impact. No practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels at Grand Ferry Park to stay below the 55 dBA L<sub>10(1)</sub> guideline and/or eliminate project impacts during construction. It is important to note that for the majority of the construction period (35 months), the total noise level at Grand Ferry Park would be less than 65 dBA (L<sub>eq</sub>), which is not atypical for open space resources in New York City.

It should be noted that, although the *CEQR Technical Manual* 55 dBA L<sub>10(1)</sub> guideline is a worthwhile goal for outdoor areas requiring serenity and quiet, this relatively low noise level is typically not achieved in parks and open space areas in New York City.

While the incorporation of feasible and practicable mitigation measures will continue to be explored between the DEIS and FEIS, they are not expected to completely eliminate the significant adverse construction noise impact. Therefore, construction noise is considered a temporary unavoidable significant adverse impact.

## K GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The term “growth-inducing aspects” generally refers to “secondary” impacts of a proposed action that trigger further development outside the directly affected area. The *City Environmental Quality Review (CEQR) Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

The projected increase in residential population resulting from the Proposed Development is likely to increase the demand for neighborhood services, ranging from community facilities to local retail and services. It is anticipated that the consumer needs of the new residential and worker populations would largely be satisfied by a combination of the new retail and community facility uses provided by the Proposed and Projected Developments and the existing retail and community facility uses in the surrounding area. The development facilitated by the Proposed Actions could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the Proposed Development Site and operation of the Proposed Development after its completion. However, this secondary growth is not expected to result in any significant impacts in any particular area or at any particular site.

The Proposed Actions would result in more intensive land uses on the Applicant's Proposed Development Site, and a modest increase in density on the Projected Development Site, however, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. As described in the “Land Use, Zoning, and Public Policy” section, it is unlikely that the development resulting from the Proposed Actions would alter land use patterns in the surrounding area. The Proposed Actions would not create a critical mass of uses or populations that would induce additional development. The neighborhoods surrounding the Project Area have recently undergone substantial residential growth, and many new residential projects are anticipated or currently under construction. This residential growth is anticipated to occur independent of the Proposed Actions, and the new uses introduced by the Proposed and Projected Developments would not trigger additional residential development in the surrounding area.

The Proposed Actions would not result in significant adverse impacts to indirect residential displacement or indirect business/institutional displacement in the area surrounding the Project Area. The area surrounding the Project Area is an established mixed-use area that supports a dense and diverse amount of economic activity with an emerging office market. All of the uses contemplated under the

Proposed Actions are well-established in the study area, and would not constitute new economic activities or alter existing economic patterns. While the proposed residential uses would be considerable additions to the study area, they do not represent new types of land uses and would be well served by existing businesses and community facility uses. As such, while the new residential, commercial, and community facility uses would be expected to contribute to growth in the City and State economies, they would not be expected to induce additional notable growth outside the Project Area.

While the Applicant's Proposed Development would improve existing infrastructure on and around the Proposed Development Site, including water and sewer lines, roadways, sidewalks, and open space, any proposed infrastructure improvements would be made to support the Proposed Development itself and would not induce additional growth in the surrounding area. The Applicant would be required to file a site connection proposal for approval from the NYC Department of Environmental Protection (DEP) to tie into the City's sewer system. In order to obtain a sewer connection permit from DEP, the Applicant would be required to demonstrate that the existing system could handle the increased flows due to the Proposed Development. Any analysis and improvements, if required, would be undertaken prior to construction of the Proposed Development and would be coordinated with DEP for review and approval. The configuration of any infrastructure improvements, if necessary, would be determined based on the demands created by the Proposed Development, and would not be designed to accommodate additional development elsewhere in the surrounding area. Therefore, such improvements, would not result in an expansion of infrastructure capacity in the surrounding area and would not be expected to induce growth outside of the Development Site.

Overall, the Proposed Development is not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

## L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of the development projected to occur as a result of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the Applicant's Proposed Development and non-Applicant-owned Projected Development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of the Proposed and Projected Developments. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The development as a result of the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. The land use changes that would result from the Proposed Actions may also be considered a resource lost. However, the land use changes that would occur as a result of the Proposed Actions would be part of an overall City strategy to provide affordable housing in areas well-served by public transportation. The Proposed and Projected Development Sites do not possess any natural resource of significant value, and the sites have been previously developed. It is noted that funds committed to the design, construction, and operation of the Proposed and Projected Development Sites under the Proposed Actions would not be available for other projects. However, this is not considered to be a significant adverse impact on City resources.

In addition, the public services provided in connection with the development facilitated under the Proposed Actions (e.g., police and fire protection, public education, open space, and other City resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

These commitments of materials and land resources are weighed against the benefits of the Proposed Development, which would promote new residential development with 313 units of permanently affordable housing and introduce new retail, office, and community facility space. In addition, the 6.08 total acres of open space, secondary contact accessible in-river space and intertidal area that is a prominent component of the Proposed Development include an extensive plan to restore and increase bio-diversity and habitat on the shoreline. Salt marshes, tidal pools, and coastal scrub-shrub (paired with the appropriate substrate, hydrology, and solar exposure) create a habitat mosaic that strengthens overall ecological connectivity, improves water quality, and attracts a diverse array of wildlife. This will provide a key connection with adjacent ecosystems, contributing to an archipelago of foraging and nesting grounds for aquatic and avian species. The Proposed Development would also provide new publicly accessible waterfront open areas within an existing mixed-use area, thereby supporting the needs of the community. Additionally, the non-Applicant

owned Projected Development Site is expected to be improved with a three-story mixed-use light industrial, commercial and community facility building as a result of the proposed zoning change.\*

☛ a23

**COMPTROLLER**

■ NOTICE

**NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH** cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on **8/31/2021**, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
18A, 19A, 20A, 20B, 20C, 90A, 91A, 92A	13629, 13605, 32, 31, 28	ADJACENT TO LOT 11, 9, 6,

Acquired in the proceeding entitled: **ROSEDALE AVENUE AREA STREETS – STAGE 1** subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer  
Comptroller

a17-30

**NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH** cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on **8/24/2021** to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
127A, 131A, 131B, 132A, 132B, 133A, 133B, 134A, 134B	13606, 13589, 13590	ADJACENT TO LOT 3, 41, 38, 43

Acquired in the proceeding entitled: **ROSEDALE AVENUE AREA STREETS – STAGE 1** subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer  
Comptroller

a10-23

**HOUSING PRESERVATION AND DEVELOPMENT**

■ NOTICE

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

Notice Date: August 16, 2021

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

Property:	Address	Application #	Inquiry Period
	340 West 48 <sup>th</sup> Street, Manhattan	57/2021	July 27, 2006 to Present

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

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause,

or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

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

*For the decision on the Certification of No Harassment Final Determination please visit our website, at [www.hpd.nyc.gov](http://www.hpd.nyc.gov), or call (212) 863-8266.*

**PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: August 16, 2021

Para: **Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
	340 West 48 <sup>th</sup> Street, Manhattan	57/2021	July 27, 2006 to Present

Autoridad: **Special Clinton District District, Zoning Resolution Código Administrativo §96-110**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al **(212) 863-8266**.

a16-24

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

Notice Date: August 16, 2021

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

Property:	Address	Application #	Inquiry Period
	396 West Street, Manhattan	46/2021	July 8, 2018 to Present
	235 West 131 <sup>st</sup> Street, Manhattan	56/2021	July 27, 2018 to Present
	304 West 137 <sup>th</sup> Street, Manhattan	59/2021	July 27, 2018 to Present

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

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not

limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

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

**For the decision on the Certification of No Harassment Final Determination please visit our website, at [www.hpd.nyc.gov](http://www.hpd.nyc.gov), or call (212) 863-8266.**

**PETICIÓN DE COMENTARIO  
SOBRE UNA SOLICITUD PARA UN  
CERTIFICACIÓN DE NO ACOSO**

**Fecha de notificación: August 16, 2021**

**Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

<u>Propiedad:</u>	<u>Dirección:</u>	<u>Solicitud #:</u>	<u>Período de consulta:</u>
396 West Street, Manhattan		46/2021	July 8, 2018 to Present
235 West 131 <sup>st</sup> Street, Manhattan		56/2021	July 27, 2018 to Present
304 West 137 <sup>th</sup> Street, Manhattan		59/2021	July 27, 2018 to Present

**Autoridad: SRO, Código Administrativo §27-2093**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

**Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al (212) 863-8266.**

a16-24

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

**Notice Date: August 16, 2021**

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

<u>Property:</u>	<u>Address</u>	<u>Application #</u>	<u>Inquiry Period</u>
51 Buchanan Place, Bronx		45/2021	July 2, 2016 to Present
181 Palmetto Street, Brooklyn		58/2021	July 26, 2016 to Present

**Authority: Pilot Program Administrative Code §27-2093.1, §28-505.3**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling on the Certification of No Harassment Pilot Program building list, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause,

or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, by letter postmarked not later than 45 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

**For the decision on the Certification of No Harassment Final Determination please visit our website, at [www.hpd.nyc.gov](http://www.hpd.nyc.gov), or call (212) 863-8266.**

**PETICIÓN DE COMENTARIO  
SOBRE UNA SOLICITUD PARA UN  
CERTIFICACIÓN DE NO ACOSO  
PROGRAMA PILOTO**

**Fecha de notificación: August 16, 2021**

**Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

<u>Propiedad:</u>	<u>Dirección:</u>	<u>Solicitud #:</u>	<u>Período de consulta:</u>
51 Buchanan Place, Bronx		45/2021	July 2, 2016 to Present
181 Palmetto Street, Brooklyn		58/2021	July 26, 2016 to Present

**Autoridad: PILOT, Código Administrativo §27-2093.1, §28-505.3**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038**, por carta con matasellos no mas tarde que **45 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

**Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al (212) 863-8266.**

a16-24

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

**Notice Date: August 16, 2021**

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

<u>Property:</u>	<u>Address</u>	<u>Application #</u>	<u>Inquiry Period</u>
57 Franklin Street, Brooklyn		47/2021	October 4, 2004 to Present
169 Franklin Street, Brooklyn		48/2021	October 4, 2004 to Present

**Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90**

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

legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

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

For the decision on the Certification of No Harassment Final Determination please visit our website, at www.hpd.nyc.gov, or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO

Fecha de notificación: August 16, 2021

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Table with 4 columns: Propiedad, Dirección, Solicitud #, and Período de consulta. It lists two properties at 57 Franklin Street and 169 Franklin Street in Brooklyn with their respective application numbers and periods.

Autoridad: Greenpoint-Williamsburg Anti-Harassment Area, Código Administrativo Zoning Resolution §§23-013, 93-90

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038, por carta con matasellos no mas tarde que 30 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

a16-24

MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

Notice of Intent to Issue New Solicitation(s) Not Included in FY 2022 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2022 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter 312(a):

Agency: Department of Citywide Administrative Services
Nature of services sought: Enterprise Print Management
Start date of the proposed contract: 7/1/2022
End date of the proposed contract: 6/30/2024
Method of solicitation the agency intends to utilize: Intergovernmental - GSA
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a23

Notice of Intent to Issue New Solicitations Not Included in FY 2022 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2022 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: NYC Department of Homeless Services (DHS)
Nature of services sought: Professional Administrative Temporary Personnel Services
Start date of the proposed contract: 1/1/2022
End date of the proposed contract: 12/31/ 2024
Method of solicitation the agency intends to utilize: Request for Proposal (RFP)
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a23

Notice of Intent to Issue New Solicitations Not Included in FY 2022 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2022 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: NYC Department of Human Resources Administration (HRA)
Nature of services sought: Consultant will review all Department of Social Services (DSS) applications and provide remediation to improve application security posture
Start date of the proposed contract: 12/15/21
End date of the proposed contract: 2/18/22
Method of solicitation the agency intends to utilize: Negotiated Acquisition
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a23

Notice of Intent to Extend Contract(s) Not Included in FY 2022 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2022 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: NYC Department of Human Resources Administration (HRA)
FMS Contract #: CTA1 06920167000135
Vendor: GCOM Software, LLC
Description of services: Replace or upgrade the agency's legacy databases to be in alignment with current IT policies and industry standards.
Award method of original contract: DOITT ITCS3
FMS Contract type: 10
End date of original contract: 6/30/16
Method of renewal/extension the agency intends to utilize: Negotiation Acquisition
New start date of the proposed renewed/extended contract: 7/1/2016
New end date of the proposed renewed/extended contract: 6/30/2017
Modifications sought to the nature of services performed under the contract: None
Reason(s) the agency intends to renew/extend the contract: Extended time is required to pay for the services rendered in during FY17.
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a23

CHANGES IN PERSONNEL

Table with 7 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. It lists personnel changes for the Police Department for the period ending 07/09/21, including Francis A. Brunetti and Terrence S. Burch.

NAME	LAST	FIRST	M	DOB	SALARY	ACTION	PROV	EFF DATE	AGENCY
BUTCHER	AARON	R	70210	\$45000.0000	RESIGNED	NO	06/18/21	056	
BUTLER	WILLIAM	J	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
CAIN	CELIA	M	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
CALLAN	DAVID	J	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
CANNATELLA	ANTHONY		92510	\$347.2000	RETIRED	NO	06/22/21	056	
CAPOTE	KATHERIN	L	70210	\$47000.0000	RESIGNED	NO	06/24/21	056	
CARAVATTO	FRANCIS	V	70210	\$47000.0000	RESIGNED	NO	06/18/21	056	
CAREY	CAROLINE	R	10234	\$15.0000	APPOINTED	YES	06/13/21	056	
CARRASQUILLO	LISY	M	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
CASTELLANO	ROSARIO		70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
CASTILLO	CLARIBEL		70205	\$15.4500	RESIGNED	YES	06/09/21	056	
CASTILLO JR	WILLIAM		70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
CASTRO	DANIA	A	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
CAUCHI	BRANDON	T	70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
CERDA	FRANKLIN		70235	\$109360.0000	PROMOTED	NO	06/10/21	056	
CHAMBERS	DESTINY	S	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
CHANCE	ANDREW	R	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
CHANDLER	JADA	M	10234	\$15.0000	APPOINTED	YES	06/24/21	056	
CHENG	TAK CHI	C	71651	\$46393.0000	RETIRED	NO	06/23/21	056	
CHONG	CHLOE		10234	\$15.0000	APPOINTED	YES	06/24/21	056	
CHONG	PETER		70210	\$97324.0000	RETIRED	NO	07/02/21	056	
CHOWDHURY	AKRAM	U	10042	\$69884.0000	RETIRED	NO	07/02/21	056	
CHOWDHURY	SARAH	A	10234	\$15.0000	APPOINTED	YES	06/24/21	056	
CHOWDHURY	SHORMILA		70205	\$15.4500	APPOINTED	YES	06/11/21	056	
COLBOURNE	SHONDA	C	71012	\$39329.0000	RESIGNED	YES	06/30/21	056	
COLLINS	CRYSTAL	K	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
COMPITELLO	MICHAEL	J	70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
CONCEPCION	JESSICA	M	71012	\$40636.0000	RESIGNED	NO	06/12/21	056	
CONDO	DANIEL	J	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
CONSIDINE	THOMAS	N	70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
CORDERO	CAROL	R	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
CORNIEL	ERICK	R	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
CORNISH	RHONDA	C	10144	\$41848.0000	RESIGNED	NO	06/08/21	056	
CORNWELL	TAMRA	R	60817	\$48745.0000	DISMISSED	NO	06/25/20	056	
CORTES	JASON	J	70265	\$138600.0000	PROMOTED	NO	06/28/21	056	
COSTELLO	CHRISTOP	E	70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
COUGHLIN	BRENDAN	J	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
CRICHILOW	STAR-ASI		71012	\$40636.0000	RESIGNED	NO	06/12/21	056	
D'AGOSTINO	JOSEPH	A	70210	\$59401.0000	RESIGNED	NO	06/18/21	056	
DALLEMAND	DANIEL		70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
DE LA CRUZ	MIGUEL	J	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
DE PINTO	COLLEEN	A	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
DEDAJ	VIOLETA		70205	\$15.4500	APPOINTED	YES	06/11/21	056	
DEFRANCO	MICHAEL	B	70210	\$85292.0000	RESIGNED	NO	06/25/21	056	
DESIGNES	AKAEL	P	90644	\$32260.0000	RESIGNED	YES	06/14/21	056	
DIALLO	TAYIBOU		71012	\$39329.0000	RESIGNED	YES	06/29/21	056	
DINKO	STEPHEN	C	70260	\$122892.0000	PROMOTED	NO	06/10/21	056	
DONOVAN	NEIL	P	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
DOZIER	BONNIE	V	10124	\$64972.0000	RESIGNED	NO	06/18/21	056	

POLICE DEPARTMENT  
FOR PERIOD ENDING 07/09/21

NAME	LAST	FIRST	M	DOB	SALARY	ACTION	PROV	EFF DATE	AGENCY
DUFFY	PAMELA	A	70210	\$85292.0000	RETIRED	NO	07/03/21	056	
EBRAHIM	GEORGE	E	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
ECHAVARRIA	FANNY	M	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
EDMOND	ISELAIRE		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
EDWARDS	ASHLI	C	7165A	\$46113.0000	RESIGNED	NO	10/11/18	056	
ELLIS	TRACY		7165A	\$49093.0000	RETIRED	NO	07/01/21	056	
ELSOKARY	AML		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
ESCOFFIER	AIMEE	L	70235	\$88945.0000	PROMOTED	NO	12/22/20	056	
ESTEVEZ	JAMES	A	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
ETIENNE	HENRY		70235	\$109360.0000	RETIRED	NO	06/24/21	056	
EVANS	JEFFREY	D	70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
EVANS	KHEDEEN	L	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
FAISON	JANICE	M	60817	\$50207.0000	RETIRED	NO	06/29/21	056	
FAULK	JENNIFER		71012	\$39329.0000	RESIGNED	YES	06/30/21	056	
FERGUSON	ROBERT	J	70210	\$85292.0000	RETIRED	NO	07/02/21	056	
FERNANDEZ	JOHN		70260	\$122892.0000	PROMOTED	NO	06/10/21	056	
FERRERAS FELIX	ZEBILA	A	71012	\$39329.0000	RESIGNED	YES	06/30/21	056	
FILOMENA	MICHAEL	A	70235	\$109360.0000	PROMOTED	NO	06/10/21	056	
FLORES GONZALEZ	JULIAN	E	10234	\$15.0000	APPOINTED	YES	06/20/21	056	
FOMINA	SVELTANA	D	70210	\$46000.0000	RESIGNED	NO	06/18/21	056	
FORRESTER JR	CANUTE	A	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
FRANCIS	NOYAN	S	70210	\$85292.0000	RETIRED	NO	06/24/21	056	
FRANCOIS	KERN		71651	\$42377.0000	RESIGNED	NO	06/09/21	056	
FRANKLIN	ROBIN		10147	\$57023.0000	RETIRED	NO	06/29/21	056	
FRIAS	MIGUEL		70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
FRIEDRICH	JOSHUA	E	7021A	\$97324.0000	RETIRED	NO	07/02/21	056	
FURLANI	CRAIG	M	70210	\$85292.0000	RETIRED	NO	07/02/21	056	
GABRIEL	TIAWANDA	O	71012	\$39329.0000	RESIGNED	NO	06/30/21	056	
GALLO	ALIZABET	R	70210	\$42500.0000	RESIGNED	NO	07/02/21	056	
GALLUZZO	JOSEPHIN		71651	\$46393.0000	RESIGNED	NO	06/03/21	056	
GARCIA	GILMER	E	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GARCIA	MARIS	M	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GATTO	DOMINICK	R	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GAUDIOSO	MARK	A	70265	\$171310.0000	RETIRED	NO	07/01/21	056	
GEDULIG	JESSE	A	70210	\$85292.0000	RESIGNED	NO	06/18/21	056	
GENTILE	VICKY		70205	\$15.4500	APPOINTED	YES	06/11/21	056	
GIBBS	KYLE		60817	\$34834.0000	RESIGNED	NO	06/02/21	056	
GLEAVES	TANIA	S	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
GOKUL	RASHIDA	M	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
GOLDBERG	MICHAEL	G	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GOLOD	YAN		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GOMEZ	ROSANNY	E	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GOMEZ	SACRITEC		10234	\$15.0000	APPOINTED	YES	06/20/21	056	
GOMEZ ACOSTA	ARLENY		70205	\$15.4500	APPOINTED	YES	06/11/21	056	
GOMEZ HODGE	PAMELA		10234	\$15.0000	APPOINTED	YES	06/20/21	056	
GONZALEZ	JUSTIN	J	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
GONZALEZ	LUIS	A	70210	\$85292.0000	RETIRED	NO	07/03/21	056	
GORMAN	MATTHEW	R	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	

GORMAN	SEAN	J	70210	\$46000.0000	RESIGNED	NO	06/18/21	056	
GRANACHER	WILLIAM	J	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
GRANTHAM	ERNEST		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	

POLICE DEPARTMENT  
FOR PERIOD ENDING 07/09/21

NAME	LAST	FIRST	M	DOB	SALARY	ACTION	PROV	EFF DATE	AGENCY
GREEN	CEDRIC	D	70265	\$138600.0000	PROMOTED	NO	06/28/21	056	
GREENE-JAMES	LUCILLE		10147	\$54260.0000	RETIRED	NO	06/22/21	056	
GREGG	ARLENE	T	60817	\$50207.0000	RETIRED	NO	05/10/21	056	
GREGGS	KAWAN	J	60817	\$50207.0000	RESIGNED	NO	06/19/21	056	
GREICHE	SARA	M	10234	\$15.0000	APPOINTED	YES	06/24/21	056	
GUERRERO-SCHWAR	YESENIA		70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
HABER	MARTIN	A	70210	\$85292.0000	DEMOTED	NO	01/01/19	056	
HALL	EVELYN	M	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
HALL	JAMES	W	70205	\$109360.0000	PROMOTED	NO	06/10/21	056	
HALL	SEAN	P	7021A	\$96302.0000	RESIGNED	NO	06/18/21	056	
HAND	CYNTHIA	M	70205	\$15.4500	RESIGNED	YES	06/11/21	056	
HANNAH	CAROLYN		10147	\$50956.0000	DECEASED	NO	06/21/21	056	
HARQUE	NIAZUL		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
HARRISON	KHAATIM		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
HARRYPERSAD	DIANNE	J	71651	\$46393.0000	RESIGNED	NO	06/20/21	056	
HARVEY	BRYAN	C	70210	\$85292.0000	RETIRED	NO	07/01/21	056	
HAYES	BERNARD	W	70260	\$122892.0000	PROMOTED	NO	06/10/21	056	
HAYES	MICHELLE		70205	\$15.4500	RESIGNED	YES	09/12/20	056	
HEADLEY	TREVLIN		70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
HENRIQUEZ	LISSETTE	R	70235	\$88945.0000	PROMOTED	NO	06/10/21	056	
HERNANDEZ	JOSE	L	7165A	\$46937.0000	RETIRED	NO	03/29/19	056	
HERNANDEZ RINCO	DIANA	A	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
HIGGINS	MATTHEW	R	70210	\$42500.0000	RESIGNED	NO	06/25/21	056	
HIGHLAND	CIERRA	T	10234	\$15.0000	APPOINTED	YES	06/13/21	056	
HINCKSON	LATOYA	S	10234	\$15.0000	APPOINTED	YES	06/24/21	056	
HOFFMANN	JAMES	A	70260	\$122892.0000	PROMOTED	NO	06/25/21	056	
HOLDER	MARTHA	A	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
HOLMES	DAKAYLA	M	10234	\$15.0000	APPOINTED	YES	06/13/21	056	
HOSSAIN	KHONDAKE	I	70205	\$15.4500	APPOINTED	YES	06/11/21	056	
HOSSAIN	SHAHEEN		70205	\$15.4500	APPOINTED	YES	06/11/21	056	
HUGHES	THOMAS	J	70210	\$46000.0000	RESIGNED	NO	06/18/21	056	
HURST	KYLE	A	70235	\$109360.0000	PROMOTED	NO	06/10/21	056	
IBRAHIM	KHADIJA	I	10232	\$20.5700					

# 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](http://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](http://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](http://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](http://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](http://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](http://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](http://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
	<i>For ongoing construction project only:</i>
NA/8	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
	<i>For Legal services only:</i>

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.
<i>Use the following address unless otherwise specified or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record