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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

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 or made by calling [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

* * *

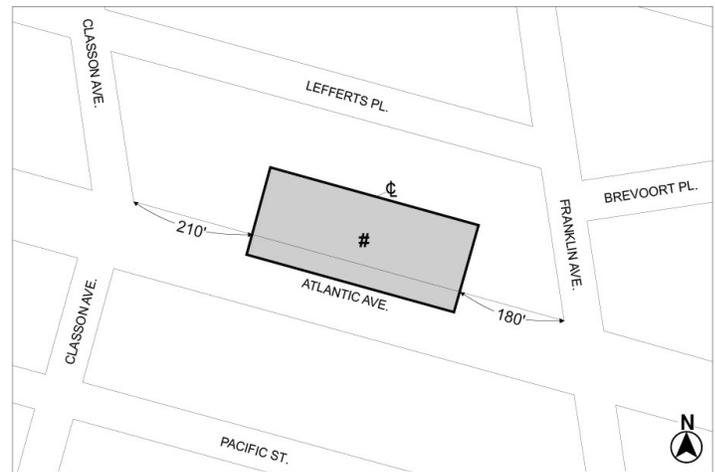
BROOKLYN

* * *

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.

No. 4

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, 31st 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

* * *

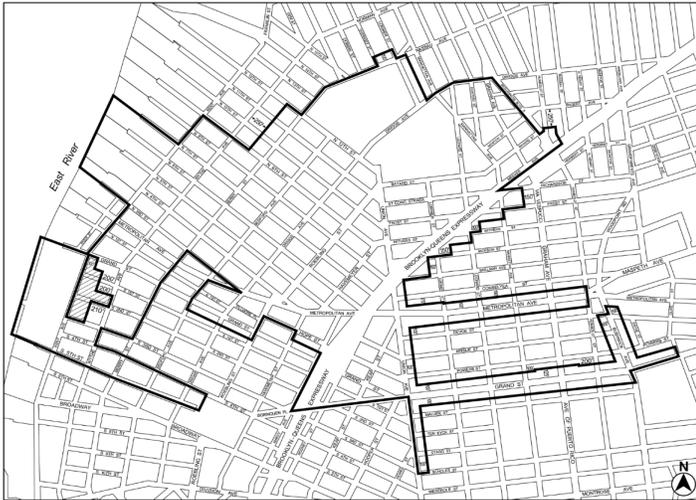
BROOKLYN

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).

* * *

Brooklyn	#Enclosed Sidewalk Café#	#Unenclosed Sidewalk Café#
* * *	* * *	* * *
#Bay Ridge District#	Yes	Yes
#Brooklyn Navy Yard District#	Yes	Yes
#Coney Island District#	Yes	No
* * *	* * *	* * *

**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#.

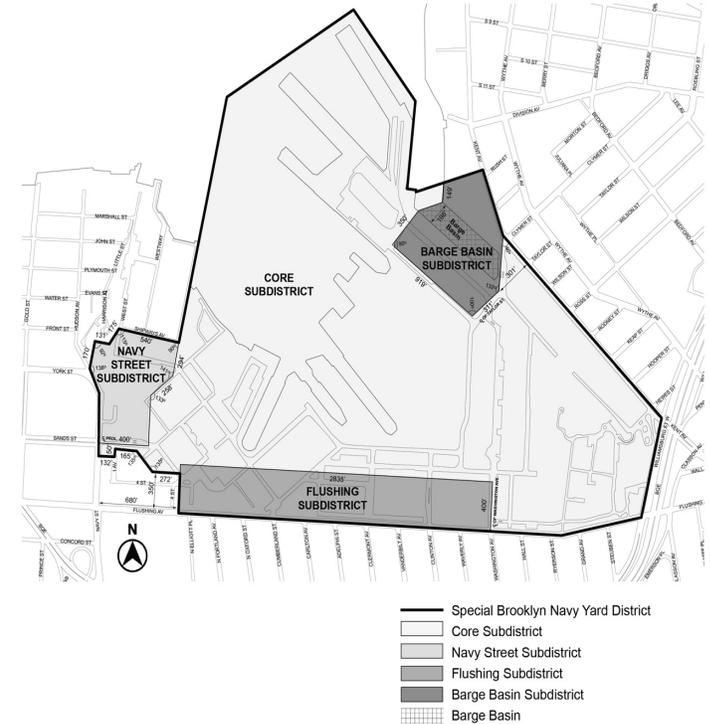
**144-56
Transportation Management Planning**

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.

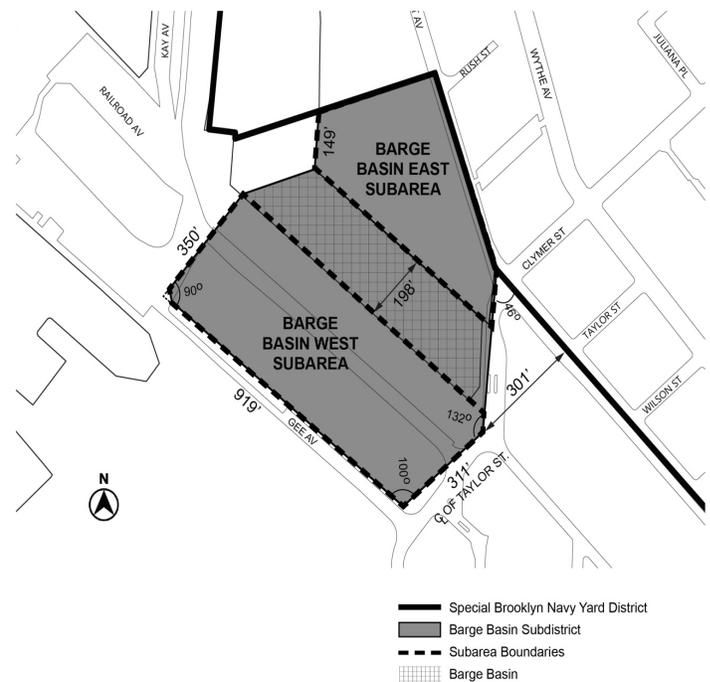
Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be subject to the requirements of Section 44-21 (General Provisions).

**APPENDIX A
Special Brooklyn Navy Yard District Plan**

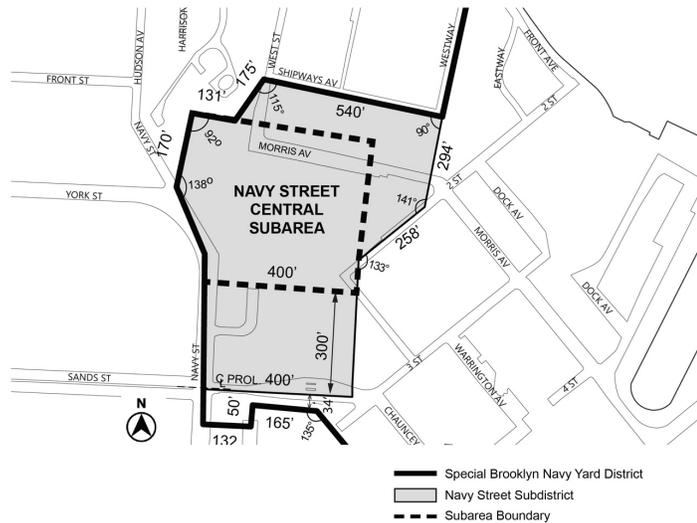
Map 1 - Special Brooklyn Navy Yard District and Subdistricts



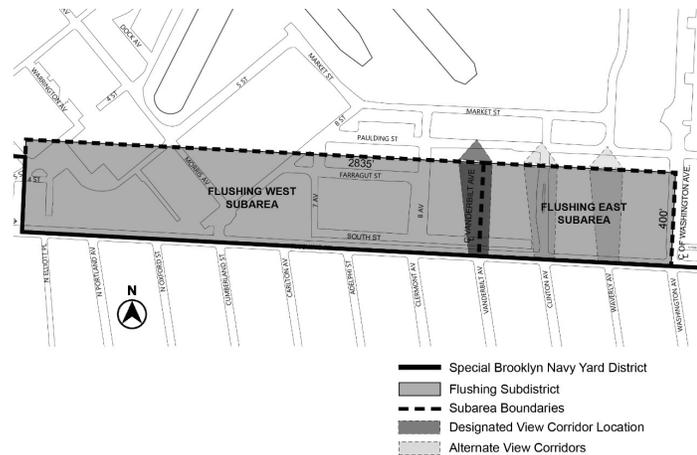
Map 2 - Barge Basin Subareas and Public Access Areas



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 **N 210463(A) 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 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).

* * *

Brooklyn	#Enclosed Sidewalk Café#	#Unenclosed Sidewalk Café#
* * *	* * *	* * *
#Bay Ridge District#	Yes	Yes
#Brooklyn Navy Yard District#	Yes	Yes
#Coney Island District#	Yes	No
* * *	* * *	* * *

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:

(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:

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, 31st 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, 31st 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).

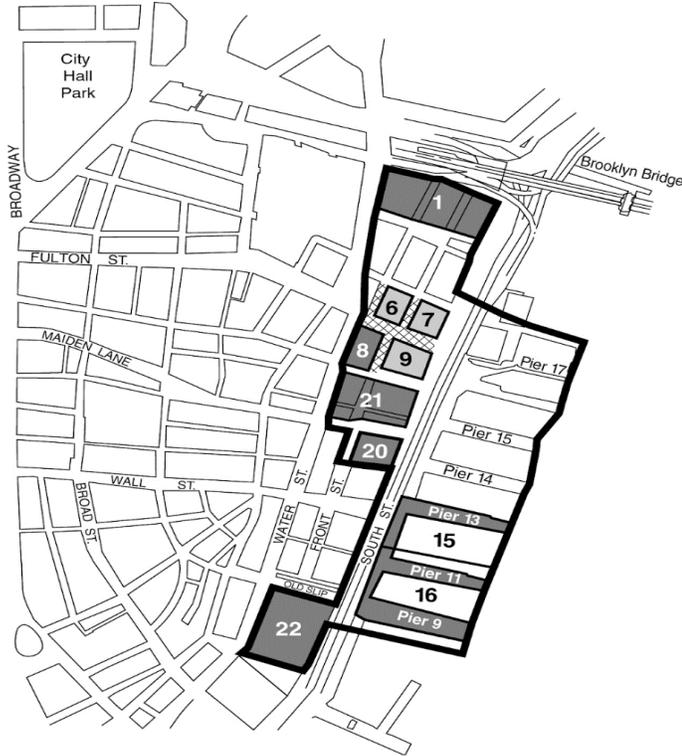
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**Appendix A
Lower Manhattan District Plan Maps**

* * *

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, 31st 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, 31st 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, 31st 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, 31st 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 19th 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, 31st Floor, New York, NY 10271.

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



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, Watts 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

CD 2 N 210423 ZRM IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special 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).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
-----------	--------------------------	----------------------------

* * *

Manhattanville Mixed-Use District	No ³	Yes
SoHo-NoHo Mixed Use District	No	Yes ⁶
Transit Land Use District	Yes	Yes

* * *

⁶ #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 #buildings#.

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

District	Minimum base height (in feet)	Maximum base height (in feet)	Maximum #building# height (in feet)
M1-5 / R7X	60	105	145
M1-5 / R9X	85	145	205
M1-6 / R10	125	155	275

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.

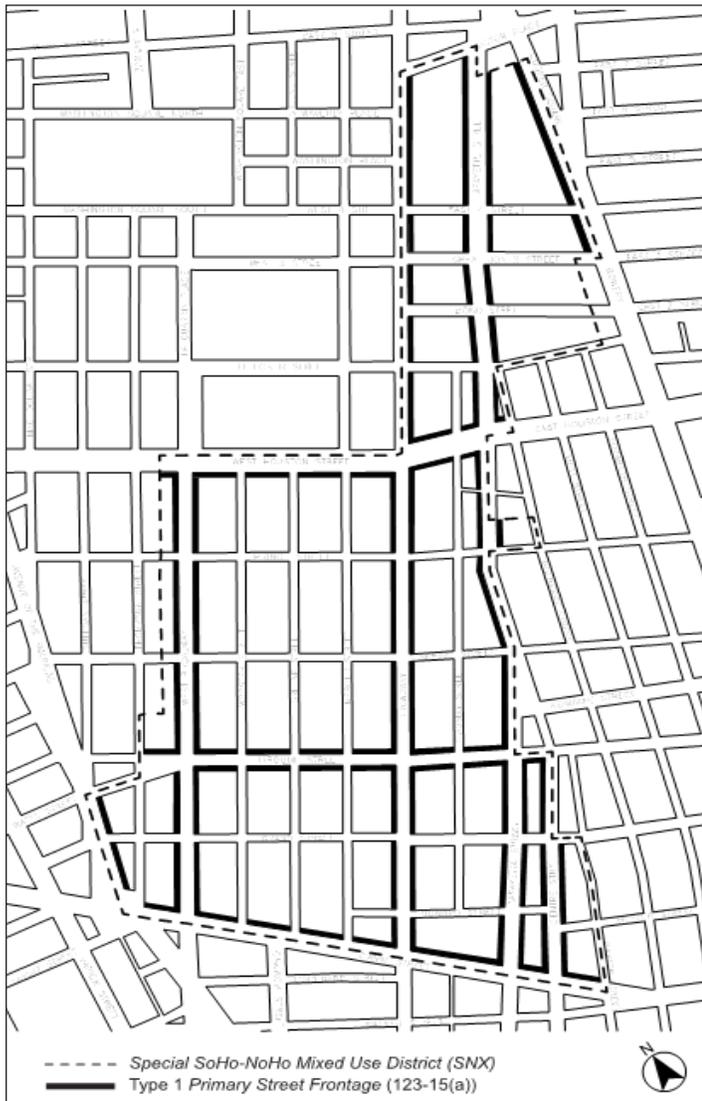
(d) Distance between #buildings#

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 (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP059M.

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



a19-s2

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 01 - Wednesday, September 1, 2021, at 6:30 P.M., Land Use Committee held Public Hearing, at MS 126 (aka John Ericsson JHS), 424 Leonard Street, Brooklyn, NY 11222.

1 WYTHE AVENUE IBIA SPECIAL PERMIT (C 210272 ZSK).

IN THE MATTER OF an application submitted by One Wythe LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a Special permit, pursuant to Section 74-96* of the Zoning Resolution to allow an increase in the maximum permitted floor area ratio in accordance with Section 74-963 (Permitted floor area increase) and, in conjunction therewith, to waive the off-street parking requirements of Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES), and to modify the quantity and size of the loading berth requirements of Section 44-50 (GENERAL PURPOSES), in connection with a proposed 8-story commercial and industrial building within an Industrial Business Incentive Area specified on the maps in Section 74-968 (Maps of Industrial Business Incentive Areas), on property, located at 1 Wythe Avenue (Block 2641, Lots 1, 3 and 4), in a M1-2 District. Borough of Brooklyn, Community District 1.

(*Note: Section 74-96 is proposed to be changed under a concurrent related application [N 210273 ZRK] for a zoning text change.)

Accessibility questions: Community Board #1, (718) 389-0009, bk01@cb.nyc.gov, by: Thursday, August 26, 2021, 2:00 P.M.



a24-s1

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 01 - Wednesday, September 1, 2021, at 6:30 P.M., Land Use Committee held Public Hearing, at MS 126 (aka John Ericsson JHS), 424 Leonard Street, Brooklyn, NY 11222.

RIVER RING (220062 ZMK, N 220063 ZRK, 220064 ZSK, 220070 ZSK, N 220065 ZAK, N 220068 ZAK, N 220069 ZAK, 220061 MLK, 210425 MMK) - This is an application by River Street Partners LLC (the "Applicant") for the following actions (the "Actions") with respect, to the property, located on Brooklyn Block 2355, Lots 1 and 20, Block 2356, Lot 1, Block 2361, Lots 1, 20 and 21, Block 2362, Lots 1 and

3, Block 2376, Lot 50, and demapped portions of North 1st Street and Metropolitan Avenue (the "Project Area"):

1) A zoning text amendment to a) establish the portion of the Project Area, to the west of River Street as an Mandatory Inclusionary Housing ("MIH") area; b) amend Zoning Resolution Section 74-742 to allow a large scale general development ("LSGD") that does not meet the ownership requirements of Section 74-742, when the site of such LSGD includes the Proposed Development (as defined below) and where the areas in which the State or City have certain property interests; and c) amend Zoning Resolution 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 area (the "Text Amendment");

2) A zoning map amendment to rezone the Project Area from an M3-1 zoning district to C6-2 and M1-4 zoning districts (the "Map Amendment");

3) A zoning special permit, pursuant to Zoning Resolution Sections 74-743(a)(2) and 74-743(a)(13), as modified under the 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 and 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 bulk regulations (the "LSGD Special Permit");

4) A zoning special permit, pursuant to Zoning Resolution Section 74-533 to reduce the required accessory residential off-street parking spaces in a Transit Zone (the "Parking Special Permit");

5) Zoning authorizations to:

- modify the Zoning Resolution's requirements for location, area and minimum dimensions of waterfront public access areas, pursuant to Zoning Resolution Section 62-822(a);
- modify requirements within waterfront public access areas, pursuant to Zoning Resolution Section 62-822(b); and
- allow for phased development of waterfront public access areas, pursuant to Zoning Resolution Section 62-822(c) (collectively, the "Waterfront Authorizations");

6) A zoning certification, pursuant to Zoning Resolution Section 62-811 with respect to compliance with waterfront public access area and visual corridor requirements, as modified by Waterfront Authorizations (the "Waterfront Certification"); and

7) A landfill action to add approximately 6,319 square feet of landfill as part of the waterfront public open space plan (the "Landfill Action"). Concurrent with these Actions, a related application for a City Map change has been filed under Application No. 210425 MMK to demap, discontinue, close, and dispose of a portion of Metropolitan Avenue, to the west of River Street and a portion of North 1st Street west of River Street (the "Demapping Action"). In addition, with respect to each of the special permits and authorizations, 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.

The Actions will together facilitate the development of two (2) mixed-use buildings including a total of approximately 1,158,800 square feet of floor area (the "Proposed Development") on Block 2355, Lots 1 and 20, Block 2361, Lots 1, 20 and 21 and Block 2376, Lot 50 (the "Development Site"). The Development Site is approximately 399,780 square feet in area and is, bounded by River Street, to the east, North 3rd Street, to the north, the East River, to the west and Grand Ferry Park and North 1st Street, to the south. The Proposed Development would include approximately 1,049,800 square feet of residential use (approximately 1,050 dwelling units, of which approximately 263 units (25%) will be affordable), a 30,000 square foot community center, 79,000 square feet of commercial space, including local retail, approximately 250 accessory parking spaces and approximately 2.9 acres of new public open space (plus approximately 2.32 acres of accessible in-river space and 0.86 acres of intertidal area.1 In addition, to the Proposed Development, the Map Amendment will rezone two (2) non-applicant owned blocks (Blocks 2356 and 2362), to the east of the Development Site (from M3-1 to M1-4).

The Project Area occupies the portions of Brooklyn Blocks 2355 and 2361 west of River Street, Block 2356, Lot 1, Block 2362, Lots 1 and 3, and Block 2376, Lot 50; and is generally, bounded by River Street, to the east, North 3rd Street, to the north, the East River, to the west and property owned by the New York Power Authority ("NYPA"), to the south. The Project Area is located within Brooklyn Community District 1 and an M3-1 zoning district.

The Project Area is approximately 441,660 square feet in area and is comprised of the Development Site and two (2) non-applicant owned parcels (Block 2362, Lots 1 and 3; and Block 2356, Lot 1). The Development Site is unimproved and includes upland portions and seaward portions containing existing in-water structures. As part of the Demapping Action, the Development Site will also include an approximately 23,116 square foot area of Metropolitan Avenue and an approximately 3,374 square foot area of North 1st Street that are proposed to be demapped. The remainder of the Project Area is comprised of: (i) a recently constructed six-story, commercial building with office space, destination retail and approximately 176 accessory, attended parking spaces (Block 2356, Lot 1); (ii) a vacant lot owned by Con Edison (Block 2362, Lot 3); and (iii) a vacant lot that appears to be undergoing environmental remediation (Block 2362, Lot 1).

The Project Area historically contained warehousing, storage and other industrial uses reflective of its M3-1 manufacturing zoning. The Project Area's location along the East River, moreover, enabled ships and other vessels to dock and unload various materials that would be stored along the waterfront. The Project Area's existing in-water structures remain as vestiges of the piers, platforms, catwalks, docks and caissons that once accommodated these industrial uses, including the Development Site's prior use as a Con Edison fuel oil storage complex (the Development Site's use until its decommissioning in 2012). The Williamsburg neighborhood surrounding the Project Area has evolved over time from predominately manufacturing uses to mixed residential, commercial and light-manufacturing uses. Recent rezonings, including the 2005 Greenpoint-Williamsburg neighborhood rezoning (C 050111 (A) ZMK; C 040415 MMK; C 040416 MMK; C 040417 MMK and C 040418 MMK) directly, to the north and east of the Project Area and the 2010 Domino Rezoning (C 100185 ZMK), as amended in 2014 (C 140132 ZSK), directly, to the south of the Project Area (which rezoned that site from manufacturing to commercial/residential zoning districts) helped spur these changes in the surrounding neighborhood and reflect changes in land use policy that have advanced the area's recent evolution.

Accessibility questions: CB#1 Brooklyn, (718) 389-0009, bk01@cb.nyc.gov, by: Wednesday, September 1, 2021, 2:00 P.M.

 a25-s1

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

CORRECTED NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee public meeting previously scheduled for Wednesday, September 8, 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, is **Cancelled**.

a23-s7

OFFICE OF LABOR RELATIONS

■ MEETING

The New York City Deferred Compensation Board, will hold its next meeting on Wednesday, September 1, 2021, from 10:00 A.M. to 12:00 P.M. The meeting will be held remotely via conference call. Please visit the below link to access the audio recording of the Board meeting, or to access archived Board meeting audio/videos: <https://www1.nyc.gov/site/olr/deferred/dcp-board-webcasts.page>.

a25-s1

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held remotely, commencing on Wednesday, September 15, 2021, at 2:00 P.M., via the WebEx platform and in person, on the following petitions for revocable consent.

WebEx:
Meeting Number (access code): 182 803 2720
Meeting Password: 7eSMUDSMd42

#1 IN THE MATTER OF a proposed revocable consent authorizing Beth Israel Medical Center, to continue to maintain and use the vaults under the south sidewalk of East 17th Street east of Nathan D. Perlman Place, and under the east sidewalk of Nathan D. Perlman Place south of East 17th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1712**

- For the period July 1, 2019 to June 30, 2020 - \$28,470
- For the period July 1, 2020 to June 30, 2021 - \$28,904
- For the period July 1, 2021 to June 30, 2022 - \$29,338
- For the period July 1, 2022 to June 30, 2023 - \$29,772
- For the period July 1, 2023 to June 30, 2024 - \$30,206
- For the period July 1, 2024 to June 30, 2025 - \$30,640
- For the period July 1, 2025 to June 30, 2026 - \$31,074
- For the period July 1, 2026 to June 30, 2027 - \$31,508
- For the period July 1, 2027 to June 30, 2028 - \$31,942
- For the period July 1, 2028 to June 30, 2029 - \$32,376

with the maintenance of a security deposit in the sum of \$32,400 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing Diann Umadevi Beharry and Devindra Narine, to construct, maintain and use a walled-in area with gates and planters on the west sidewalk of 130th Street, between Old South Road and 150th Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the Approval by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2549**

From the date of the final approval by the Mayor to June 30, 2031 - \$100/per annum.

with the maintenance of a security deposit in the sum of \$15,450 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing Hudson Transmission Partners LLC, to continue to maintain and use a 345kw cable system under and across Pier 94, under, across and along West 52nd Street, and under and along Twelfth Avenue, to Consolidated Edison Company of New York, Inc.'s 49th Street Substation, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2021 to June 30, 2031 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2146**

- For the period July 1, 2021 to June 30, 2022 - \$111,639
- For the period July 1, 2022 to June 30, 2023 - \$113,427
- For the period July 1, 2023 to June 30, 2024 - \$115,215
- For the period July 1, 2024 to June 30, 2025 - \$117,003
- For the period July 1, 2025 to June 30, 2026 - \$118,791
- For the period July 1, 2026 to June 30, 2027 - \$120,579
- For the period July 1, 2027 to June 30, 2028 - \$122,367
- For the period July 1, 2028 to June 30, 2029 - \$124,155
- For the period July 1, 2029 to June 30, 2030 - \$125,943
- For the period July 1, 2030 to June 30, 2031 - \$127,731

with the maintenance of a security deposit in the sum of \$127,700 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing Iris Foundation, to continue to maintain and use a conduit under and along West 86th Street, between Central Park West and Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1733**

- For the period July 1, 2020 to June 30, 2021 - \$9,129
- For the period July 1, 2021 to June 30, 2022 - \$9,274
- For the period July 1, 2022 to June 30, 2023 - \$9,418
- For the period July 1, 2023 to June 30, 2024 - \$9,563
- For the period July 1, 2024 to June 30, 2025 - \$9,708
- For the period July 1, 2025 to June 30, 2026 - \$9,853
- For the period July 1, 2026 to June 30, 2027 - \$9,998
- For the period July 1, 2027 to June 30, 2028 - \$10,143

For the period July 1, 2028 to June 30, 2029 - \$10,287
 For the period July 1, 2029 to June 30, 2030 - \$10,432

with the maintenance of a security deposit in the sum of \$10,400 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Katz-Auerbacher Corp., to construct, maintain and use a ramp on the west sidewalk of Hudson Street, between Horatio Street and Gansevoort Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2542**

From the date of the final approval by the Mayor to June 30, 2031 - \$25/per annum.

With the maintenance of a security deposit in the sum of \$3,700 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Packer Brown LLC, to construct, maintain and use a fenced-in area, including steps, planters and trash enclosure on the north sidewalk of West 11th Street, between West 4th Street and Bleecker Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2541**

From the date of the final approval by the Mayor to June 30, 2031 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing St. George Theater Restoration, Inc., to construct, maintain and use an accessibility ramp with steps and a drainage channel on the north sidewalk of Hyatt Street east of St. Marks Place, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2547**

From the Approval Date by the Mayor to June 30, 2022 - \$1,525/per annum

For the period July 1, 2022 to June 30, 2023 - \$1,549
 For the period July 1, 2023 to June 30, 2024 - \$1,573
 For the period July 1, 2024 to June 30, 2025 - \$1,597
 For the period July 1, 2025 to June 30, 2026 - \$1,621
 For the period July 1, 2026 to June 30, 2027 - \$1,645
 For the period July 1, 2027 to June 30, 2028 - \$1,669
 For the period July 1, 2028 to June 30, 2029 - \$1,693
 For the period July 1, 2029 to June 30, 2030 - \$1,717
 For the period July 1, 2030 to June 30, 2031 - \$1,741
 For the period July 1, 2031 to June 30, 2032 - \$1,765

with the maintenance of a security deposit in the sum of \$175,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing The Lincoln Square Condominium, to continue to maintain and use tree pit receptacles, together with electrical conduits, in the north sidewalk of West 67th Street, in the south sidewalk of West 68th Street, between Broadway and Columbus Avenue, and in the west sidewalk of Columbus Avenue, between West 67th and West 68th Streets, and an overhead building projection on the west side of Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1565**

For the period July 1, 2021 to June 30, 2022 - \$17,356
 For the period July 1, 2022 to June 30, 2023 - \$17,661
 For the period July 1, 2023 to June 30, 2024 - \$17,966
 For the period July 1, 2024 to June 30, 2025 - \$18,271
 For the period July 1, 2025 to June 30, 2026 - \$18,576

For the period July 1, 2026 to June 30, 2027 - \$18,881
 For the period July 1, 2027 to June 30, 2028 - \$19,186
 For the period July 1, 2028 to June 30, 2029 - \$19,491
 For the period July 1, 2029 to June 30, 2030 - \$19,796
 For the period July 1, 2030 to June 30, 2031 - \$20,101

with the maintenance of a security deposit in the sum of \$20,100 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing 20-30 Hudson Yards Condominium, acting by and through The Board of Managers of the 20-30 Hudson Yards Condominium, has petitioned for consent to construct, maintain and use 133 security bollards in front of 500 West 33rd Street, along West 33rd Street and along 10th Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2467**

There shall be no compensation required for this consent, in accordance with Title 34 Section 7-04(a)(33) of the Rules of the City of New York.

with the maintenance of a security deposit in the sum of \$83,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing 125 Broad Condominium, to continue to maintain and use a conduit and pipes under and across Broad Street, north of South Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 981**

For the period July 1, 2020 to June 30, 2021 - \$18,335
 For the period July 1, 2021 to June 30, 2022 - \$18,631
 For the period July 1, 2022 to June 30, 2023 - \$18,927
 For the period July 1, 2023 to June 30, 2024 - \$19,223
 For the period July 1, 2024 to June 30, 2025 - \$19,519
 For the period July 1, 2025 to June 30, 2026 - \$19,815
 For the period July 1, 2026 to June 30, 2027 - \$20,111
 For the period July 1, 2027 to June 30, 2028 - \$20,407
 For the period July 1, 2028 to June 30, 2029 - \$20,703
 For the period July 1, 2029 to June 30, 2030 - \$20,999

with the maintenance of a security deposit in the sum of \$20,100 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing 1301 Properties Owner LP, RXR 1285 Owner LLC, RXR 1285 Owner II LLC and C&K 1285 Owner LLC, continue to maintain and use a pedestrian tunnel under and across West 52nd Street, west of Avenue of the Americas, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 18, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 883B**

For the period July 1, 2018 to June 30, 2019 - \$213,840
 For the period July 1, 2019 to June 30, 2020 - \$217,259
 For the period July 1, 2020 to June 30, 2021 - \$220,678
 For the period July 1, 2021 to June 30, 2022 - \$224,097
 For the period July 1, 2022 to June 30, 2023 - \$227,516
 For the period July 1, 2023 to June 30, 2024 - \$230,935
 For the period July 1, 2024 to June 30, 2025 - \$234,354
 For the period July 1, 2025 to June 30, 2026 - \$237,773
 For the period July 1, 2026 to June 30, 2027 - \$241,192
 For the period July 1, 2027 to June 30, 2028 - \$244,611

with the maintenance of a security deposit in the sum of \$244,700 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing Levanic, Inc., to construct, maintain and use steps with railing on the south sidewalk of 3rd Street, west of 3rd Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2550**

From the Approval Date by the Mayor to June 30, 2022 - \$3,000/per annum
 For the period July 1, 2022 to June 30, 2023 - \$3,049
 For the period July 1, 2023 to June 30, 2024 - \$3,098
 For the period July 1, 2024 to June 30, 2025 - \$3,147
 For the period July 1, 2025 to June 30, 2026 - \$3,196
 For the period July 1, 2026 to June 30, 2027 - \$3,245
 For the period July 1, 2027 to June 30, 2028 - \$3,294
 For the period July 1, 2028 to June 30, 2029 - \$3,343
 For the period July 1, 2029 to June 30, 2030 - \$3,392
 For the period July 1, 2030 to June 30, 2031 - \$3,441
 For the period July 1, 2031 to June 30, 2032 - \$3,490

with the maintenance of a security deposit in the sum of \$25,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing One Vanderbilt Owner LLC, to construct, maintain and use 162 security bollards along the south sidewalk of East 43rd Street, the east sidewalk of Madison Avenue, and the north sidewalk of East 42nd Street, in front of 10 Vanderbilt Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2517**

There shall be no compensation required for this Consent, in accordance with Title 34 Section 7-04(a)(33) of the Rules of the City of New York.

with the maintenance of a security deposit in the sum of \$143,000' and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#14 IN THE MATTER OF a proposed modification to a revocable consent authorizing 33 Ninth Retail Owner LLC, to construct, maintain and use an ADA lift and metal stairs and platforms on the north sidewalk of West 13th Street, west of Ninth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 1954**

For the period July 1, 2021 to June 30, 2022 - \$7,248/per annum (prorated from the date of Approval by the Mayor)
 For the period July 1, 2022 to June 30, 2023 - \$7,366
 For the period July 1, 2023 to June 30, 2024 - \$7,484
 For the period July 1, 2024 to June 30, 2025 - \$7,602
 For the period July 1, 2025 to June 30, 2026 - \$7,720
 For the period July 1, 2026 to June 30, 2027 - \$7,838
 For the period July 1, 2027 to June 30, 2028 - \$7,956

with the maintenance of a security deposit in the sum of \$7,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#15 IN THE MATTER OF a proposed revocable consent authorizing New York University, to construct, maintain and use light poles and underground conduit on the south sidewalk of Bleeker Street, between LaGuardia Place and Mercer Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable, to the City according, to the following schedule: **R.P. # 2535**

From the Approval Date by the Mayor to June 30, 2021 - \$1,654/per annum
 For the period July 1, 2021 to June 30, 2022 - \$1,674
 For the period July 1, 2022 to June 30, 2023 - \$1,693
 For the period July 1, 2023 to June 30, 2024 - \$1,712
 For the period July 1, 2024 to June 30, 2025 - \$1,731
 For the period July 1, 2025 to June 30, 2026 - \$1,750
 For the period July 1, 2026 to June 30, 2027 - \$1,769
 For the period July 1, 2027 to June 30, 2028 - \$1,788
 For the period July 1, 2028 to June 30, 2029 - \$1,807
 For the period July 1, 2029 to June 30, 2030 - \$1,826
 For the period July 1, 2030 to June 30, 2031 - \$1,845

with the maintenance of a security deposit in the sum of \$6,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One

Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

a25-s15

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

SALE

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

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

Vehicles can be viewed in person, at:
 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

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

ADMINISTRATIVE TRIALS AND HEARINGS

OATH INFORMATION TECHNOLOGY

■ INTENT TO AWARD

Services (other than human services)

82022Y0009-COURTSMART DIGITAL RECORDING SYSTEMS SUPPORT SERVICES - Request for Information - PIN# 82022Y0009 - Due 9-16-21 at 12:00 P.M.

OATH, is procuring proprietary CourtSmart Digital Systems, Inc Software License and Maintenance. Any vendor who is qualified to provide this Software License and Maintenance under this procurement in the future, should submit a response through PASSPort. Proposed vendor is CourtSmart Digital Systems, Inc. To respond in PASSPort, please complete the acknowledgement tab and submit a response in the Manage Responses Tab. If you have questions about the details of the RFx, please submit through the discussion with Buyer Tab. If you have questions about functionality of PASSPort, please contact help@mocs.nyc.gov.

a26-s2

DESIGN AND CONSTRUCTION

■ AWARD

Construction/Construction Services

***PQL (EMERGENCY WATER MAIN): CITYWIDE EMERGENCY RECONSTRUCTION OF WATER MAINS** - Competitive Sealed Bids/Pre-Qualified List - PIN# 85021B140 - AMT: \$13,000,000.00 - TO: Inter Contracting Corporation, 35 Colonial Place, Mount Vernon, NY 10550.

☛ a27

SER200236: EXTENSION OF STORM SEWER, REPLACEMENT OF SANITARY SEWER AND WATER MAIN AND APPURTENANCES IN NORTH AVENUE BET LIVERMORE AVE & NEAL DOW AVE, ETC-BOROUGH OF STATEN ISLAND - Competitive Sealed Bids - PIN# 85020B0061 - AMT: \$5,760,000.00 - TO: Difazio Industries LLC d/b/a Difazio Industries, 38 Kinsey Place, Staten Island, NY 10303.

☛ a27

PV490-C-ROOF REPLACEMENT AT THE SNUG HARBOR CULTURAL CENTER BUILDING C- BOROUGH OF STATEN ISLAND - Competitive Sealed Bids - PIN# 85020B0074 - AMT: \$1,952,000.00 - TO: Sea Breeze General Construction Inc., 24-30 47 Street, Astoria, NY 11103.

☛ a27

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

HEALTH AND MENTAL HYGIENE

INTENT TO AWARD

Goods

PURCHASE OF THE SOLE SOURCE ASSAY KITS, REAGENTS, EQUIPMENT, INSTRUMENTS AND OTHER SUPPLIES FOR CLINICAL AND ENVIRONMENTAL PUBLIC HEALTH LABORATORY TESTING. - Request for Information - PIN# 81622Y0101 - Due 9-17-21 at 12:00 A.M.

Pursuant to Procurement Policy Board Rule Section 3-05, Department of Health and Mental Hygiene intends to enter into a sole source agreement with Illumina, Inc. for the purchase of the sole source assay kits, reagents, equipment, instruments and other supplies for clinical and environmental public health laboratory testing.

DOHMH, has made the determination that Illumina Inc. is a sole supplier, as they are the manufacturer of the sole source testing instruments and kits, which included but not limited to MiSeq, Nextera, NextSeq and IDT, that are required to procure this Sole Source contract.

Any firm which believes is qualified to provide such products are welcome to submit an expression of interest. All related inquiries should be sent via the Discussion Forum in PASSPort or to Min Feng (Jason) Wang, at mwang3@health.nyc.gov, no later than September 17, 2021, by 12:00 P.M.

a27-s2

HUMAN RESOURCES ADMINISTRATION

AWARD

Human Services/Client Services

SANCTUARY FOR FAMILIES, INC. RENEWAL: ROSA PARK PLACE - Renewal - PIN# 06917N8271KXLR001 - AMT: \$2,837,590.06 - TO: Sanctuary for Families Inc., P.O. Box 1406, Wall Street Station, New York, NY 10268-1406.

Renewal of a 20 bed Emergency Shelter, for survivors of Domestic Violence - Rosa Parks Place.

a27

LEGAL SERVICES TO ADULTS AND CHILDREN - Line Item Appropriation or Discretionary Funds - PIN# 06921L0341001 - AMT: \$125,000.00 - TO: Kind Inc., 252 West 37th Street, New York, NY 10018.

Contract Term from 7/1/2020 to 6/30/2021.

a27

MANAGEMENT AND BUDGET

INTENT TO AWARD

Services (other than human services)

00222M0001-NYSID GRANT - Required/Authorized Source - PIN# 00222M0001

Required method with a Preferred Source vendor, to digitize OMB's personnel files. Cost is determined by the number of scanned images.

a27-s2

00222Y0059-MARSH SOLE SOURCE - Request for Information - PIN# 00222Y0059 - Due 9-13-21 at 2:00 P.M.

The New York City ("NYC" or the "City") Mayor's Office of Management and Budget, intends to enter into sole source negotiations with Marsh USA Inc. ("Marsh") to procure and provide excess insurance for on-call emergency contract vendors ("Emergency Vendors").

with multiple underwriters. Any entity with the experience and expertise in immediately providing such coverage with a new set of underwriters, is invited to express its interest and submit qualifications on the Procurement and Sourcing Solutions Portal ("PASSPort").

If you have questions, please email Contracts@omb.nyc.gov, with the subject line "Excess Insurance - Expression of Interest" no later than 2:00 P.M. EDT, on September 6, 2021. Please upload your expression of interest and submission of qualifications on PASSPort before 2:00 P.M., EDT, on September 13, 2021, to the RFx EPIN: 00222Y0059.

a27-s3

OFFICE OF THE MAYOR

AWARD

Goods

INC ALIAS/DBA: IVALUA INC RENEWAL #1 - Renewal - PIN# 00219X8005KXLR001 - AMT: \$10,736,522.60 - TO: Ivalua Inc, 805 Veterans Boulevard, Suite 203, Redwood City, CA 94063.

E-Sourcing and Procurement Solution

a27

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

Goods and Services

REQUEST FOR PROPOSALS FOR THE RENOVATION, OPERATION, AND MAINTENANCE OF A RESTAURANT, SNACK BAR, AND BOAT RENTAL AT THE BOATHOUSE AT CLOVE LAKES PARK, STATEN ISLAND - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#R5-SB,BR,R-2021 - Due 10-4-21 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice a significant Request for Proposals ("RFP") for the Renovation, Operation, and Maintenance of a restaurant, snack bar, and boat rental at the Boathouse at Clove Lakes Park, Staten Island. There will be a recommended remote proposer meeting on Tuesday, September 14, 2021, at 2:00 P.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote proposer meeting.

The Cisco WebEx link for the remote proposer meeting is as follows:

<https://nycparks.webex.com/nycparks/j.php?MTID=m969bd05f121400a83482d06646a4cc52>

Meeting number: 179 179 3821

Password: CloveLakes22

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

+1-646-992-2010 United States Toll (New York City)

+1-408-418-9388 United States Toll

Access code: 179 179 3821

Subject to availability and by appointment only, we may set up a meeting at the proposed concession site, (Block #319 & Lot #1) ("Licensed Premises"), 1150 Clove Lake Road, Clove Lakes Park, Staten Island. All proposals submitted in response to this RFP must be submitted no later than Monday, October 4, 2021 at 3:00 P.M. Hard copies of the RFP can be obtained at no cost, commencing Wednesday, August 25, 2021 through Monday, October 4, 2021, by contacting Phylicia Murray, Project Manager, at (212) 360-3407, or at Phylicia.Murray@parks.nyc.gov.

The RFP is also available for download, on Wednesday, August 25, 2021 through Monday, October 4, 2021, on Parks' website. To download the RFP visit, <http://www.nyc.gov/parks/businessopportunities> and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description. For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact Phylicia Murray, Project Manager, at (212) 360-3407 or, at Phylicia.Murray@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 5th Avenue, New York, NY 10065. Phylicia Murray (212) 360-3407; phylicia.murray@parks.nyc.gov

a25-s8

POLICE DEPARTMENT

MANAGEMENT AND BUDGET

■ INTENT TO AWARD

Goods

05622Y0037-TESLA MODEL 3 - Request for Information - PIN#05622Y0037 - Due 9-13-21 at 2:00 P.M.

Pursuant to Section 3-05 of the NYC Procurement Policy Board Rules, it is the intent of the New York City Police Department ("NYPD"), to enter into do sole source negotiations with Tesla Inc. ("Tesla") with the

expectation that Tesla will be awarded a five-year requirements contract with the NYPD for the provision of new Tesla Model 3 all wheel drive vehicles. It is anticipated that these vehicles will be used primarily within the NYPD's Highway Patrol Units. The Tesla Model 3 has various essential performance features that make it the optimal electric vehicle for NYPD Highway Patrol operations. It is the NYPD's belief that the Model 3 is provided exclusively by Tesla. Any vendor besides Tesla that believes it can provide the Tesla Model 3 vehicle is invited to do so. To respond in PASSPort, please complete the Acknowledgment tab and submit a response in the Manage Responses tab. If you have questions about the details of the RfX, please submit through the Discussion with Buyer tab. If you have questions about the functionality of PASSPort, please contact, help@mocs.nyc.gov.

a25-s1

YOUTH AND COMMUNITY DEVELOPMENT

■ AWARD

Services (other than human services)

INFORMATION TECHNOLOGY MICROSOFT PREMIER SERVICES - Intergovernmental Purchase - PIN# 26021O0001001 - AMT: \$216,830.00 - TO: Microsoft Corporation, 1 Microsoft Way, Redmond, WA 98052.

Information Technology Microsoft Premier Services

a27

AGENCY RULES

ENVIRONMENTAL PROTECTION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Environmental Protection is proposing to promulgate a rule to amend the Noise Code Penalty Schedule, codified in Chapter 47 of Title 15 of the Rules of the City of New York, to add penalties for excessive noise from motor vehicles.

When and where is the hearing? DEP will hold a public hearing on the proposed rule online. The public hearing will take place at 11 am on September 29, 2021. To participate in the public hearing, please follow these instructions:

Microsoft Teams meeting
Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

347-921-5612

Phone Conference ID: 983 71595#

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

- **Website.** You can submit comments to the DEP through the NYC rules web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@dep.nyc.gov.
- **Mail.** You can mail written comments to the DEP Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax written comments to the DEP Bureau of Legal Affairs, at 718-595-6543.

By speaking at the hearing. Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling 718-595-6531. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by September 29, 2021.

What if I need assistance to participate in the hearing? You must tell DEP's Bureau of Legal Affairs if you need a reasonable

accommodation because of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 718-595-6531, or by email at nycrules@dep.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by September 22, 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, a transcript of the hearing and copies of the written comments will be available to the public at the Department's Bureau of Legal Affairs at the physical address given above or upon request by email nycrules@dep.nyc.gov.

What authorizes the DEP to make this rule? Section 1043 of the New York City Charter and sections 24-204, 24-236 and 24-257 of the Administrative Code of the City of New York authorize DEP to make this proposed rule. This proposed rule was included in DEP's regulatory agenda for this fiscal year.

Where can I find DEP's rules? DEP's rules are in Title 15 of the Rules of the City of New York.

What rules govern the rulemaking process? DEP must meet the requirements of Section 1043(c) of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rules

Chapter 47 of Title 15 of the Rules of the City of New York sets forth the penalties which may be imposed for violations of the Noise Control Code. This proposed rule would amend Subdivision b of Section 47-02 of Title 15 of the Rules of the City of New York to add penalties for violations of subdivision (e) of section 24-236 of the Administrative Code of the City of New York, which prohibits persons from causing or permitting the total sound from a motor vehicle operating on any public right-of-way from exceeding the sound levels set forth in section 386 of the New York State Vehicle and Traffic Law and the rules adopted pursuant to such section. This provision is proposed to be added to the Noise Code penalty schedule, as it was unintentionally omitted from such penalty schedule. This proposed rule change would help the City enforce the Noise Control Code and mitigate disruptive noise.

The proposed penalties are within the ranges established in the Noise Control Code, codified in section 24-257 of the Administrative Code of the City of New York.

New material is underlined.

Section 1. Subdivision (b) of Section 47-02 of Title 15 of the Rules of the City of New York is amended by adding a new entry to the Noise Code Penalty Schedule immediately following the entry for section 24-236(d) to read as follows:

Section of Law	Violation Description	Compliance	Offense	Penalty	Default Penalty	Stipulation	
24-236(e)	<u>Causing or permitting the total sound from a motor vehicle operating on a public right-of-way to exceed limits set forth in section 386 of the New York State Vehicle and Traffic Law and any applicable rules</u>	<u>Stop causing or permitting the total sound of a motor vehicle to exceed the limits set forth in section 386 of the New York State Vehicle and Traffic Law forthwith</u>	1st		220	525	Y
			2nd		440	1050	N
			3rd		880	1575	N

**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: Amendment of Noise Code Penalty Schedule
REFERENCE NUMBER: 2021 RG 065

RULEMAKING AGENCY: Department of Environmental Protection

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 17, 2021

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

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

RULE TITLE: Amendment of Noise Code Penalty Schedule

REFERENCE NUMBER: DEP-85

RULEMAKING AGENCY: Department of Environmental Protection

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 rule violations arise from completed events, the consequences of which are immediate, which makes a cure period impracticable under the circumstances.

/s/ Francisco Navarro
Mayor's Office of Operations

August 17, 2021
Date

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HEALTH AND MENTAL HYGIENE

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The NYC Department of Health and Mental Hygiene ("Department") is proposing rules governing the addition of individuals to the current waiting list for full-term mobile food vending permits as required by section 33 of Local Law 18 of 2021.

When and where is the hearing? The New York City Department of Health and Mental Hygiene will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 AM to 12:00 PM on Monday, September 27, 2021. The hearing will be conducted by video conference accessible via internet or telephone:

- **Internet.** To participate in the public hearing, enter to register at this Webex URL: <https://nycdohmh.webex.com/nycdohmh/j.php?MTID=m221f24d86b2957939d0842b33ecb0a96>

If prompted to provide an event number or password, please enter the following:

Event number: **179 097 1549**, Password: **Health** (432584 from phones)

- **Phone:** For access, dial: **(408) 418-9388**; then please enter the following
Access code: **179 097 1549**

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

- **Website:** You can submit comments to the Department through the NYC Rules website at <http://rules.cityofnewyork.us>.

- **Email:** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail:** You can mail written comments to: New York City Department of Health and Mental Hygiene Gotham Center, 42-09 28th Street, 14th Floor, CN30 Long Island City, NY 11101-4132
- **Fax:** You can fax written comments to the Department at 347-396-6087.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at 347-396-6078 or by emailing at resolutioncomments@health.nyc.gov before the hearing begins at 10AM on September 27, 2021. While you will be given the opportunity during the hearing to indicate that you would like to comment, we prefer that you sign-up in advance. You can speak for up to three minutes.

Is there a deadline to submit written comments? Written comments must be received on or before 5:00 p.m. on September 27, 2021.

What if I need assistance to participate in the hearing? You must tell the Department's Office of General Counsel if you need a reasonable accommodation of a disability at the hearing, including whether you need a sign language interpreter. You can tell us by e-mail or by mail at the addresses given above. You may also tell us by telephone at 347-396-6078. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by September 13, 2021.

Can I review the comments made regarding the proposed rules? You may review the online comments made on the proposed rules at <https://rules.cityofnewyork.us/proposed-rules/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time after the hearing by the Department's Office of General Counsel.

What authorizes the Department to make this rule? Section 389(b) of the New York City Charter ("Charter") provides that "heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law." Section 1043(a) of the Charter similarly provides that each "agency is empowered to adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law." Section 33 of Local Law 18 of 2021 requires the Department to open the waiting list for full-term permits operated pursuant to subparagraph (e) of paragraph 2 of subdivision b of section 17-307 of the administrative code of the city of New York as soon as practicable, but no later than six months prior to the first issuance of supervisory licenses pursuant to subparagraph (b) of paragraph 5 of subdivision b of section 17-307 of the administrative code of the city of New York.

Where can I find the Department's rules and the Health Code? The Department's rules and the Health Code are located in Title 24 of the Rules of the City of New York.

What laws govern the rulemaking process? The Department must satisfy the requirements of Section 1043 of the Charter when adding or amending rules. This notice is made according to the requirements of Section 1043(b) of the Charter.

Statement of Basis and Purpose of Proposed Rule

Introduction

Local Law 18 of 2021 ("Local Law 18") expands mobile food vending. It requires the issuance of up to 445 food vending permits each year for 10 years beginning on July 1, 2022. It also creates a new "supervisory license" and mandates that food vending carts and trucks ("vending units") that are newly permitted as of July 1, 2022 operate only when the person vending has a supervisory license.

Local Law 18 sets out a system to prioritize recipients of 445 supervisory licenses each year. That system incorporates the Department's current mobile food vending full term permit waiting list and requires the Department to add to that list those who have "held a food vendor license continuously" since March 1, 2017 by January 1, 2022.

These proposed rules would govern the expansion of the current mobile food vending full-term permit waiting list as required by Local Law 18. The Department plans to propose additional rules in separate rulemakings that will govern other aspects of supervisory license issuance and to implement other parts of Local Law 18.

Defining Who May Be Added to the Waiting List

The waiting list for full-term permits is currently closed. Local Law 18 requires that the waiting list be opened to add "persons who have held a food vendor license continuously since on or before March 1, 2017". The mechanics of the Department's operations are structured

such that in rare cases, a license renewal may be granted after the validity of the license for which the licensee timely applied for renewal has technically expired. The Department is thus proposing that a person be added to the waiting list (described hereinafter as "continuously licensed") if, as of March 1, 2017 and February 28, 2021 — the Local Law 18 enactment date — the licensee either held a food vendor license or had timely filed a pending renewal application for such license and had otherwise fulfilled all requirements to renew. This definition would achieve what the Department believes is the legislative intent for inclusion on the waiting list and avoid excluding people who technically may not have "held a food vendor license" on one of the relevant dates but had completed their part in the process to renew it. Furthermore, because a person may hold only one full-term permit, vendors who already hold a valid full-term mobile food vending permit as of January 1, 2022 will not be among the continuously licensed vendors added to the waiting list.

Continuously licensed vendors will be added to the current waiting list in ascending order of their license numbers. The Department determined that this mechanism best reflects the order in which the vendors applied for their licenses. The Department will not contact continuously licensed vendors before placing them on the waiting list. Doing so would be highly impractical in light of the volume of continuously licensed vendors with whom communication would be required and given the time allotted to the Department to implement by Local Law 18. However, these continuously licensed vendors once added will be able to determine their place on the waiting list and may notify the Department if they would like to be removed.

Other Agency Rules Are Inapplicable

Three chapters in Title 24 of the Rules of the City of New York contain rules governing waiting lists for mobile food vending permits. Chapter 20 governs the waiting list for permits for veterans or disabled persons. Chapter 26 governs the waiting list for fresh fruits and vegetables permits. The waiting list expansion contemplated by these proposed rules do not pertain to either of these types of waiting lists. Chapter 19 relates to waiting lists for full-term and temporary mobile food vending permits. However, only a subset of the waiting lists governed by Chapter 19—full-term permits not designated for use in specific boroughs—is affected by this rulemaking. The Department determined that placing rules to govern this limited process in a new chapter 19A is the clearest approach to notify this regulated community which rules apply to them.

Statutory Authority

Section 33 of Local Law 18 requires the Department to open the current permit waiting list to add continuously licensed vendors notwithstanding the 2,500-position cap on the waiting list for full-term permits under section 19-07 in Chapter 19 of Title 24 of the Rules of the City of New York. These proposed rules were not included in the Department's regulatory agenda as they respond to legislation that post-dated such agenda.

The proposed rules are as follows.

Deleted material appears in [brackets]. New material is underlined. The terms "shall" and "must" may be used interchangeably and denote mandatory requirements unless the context clearly indicates otherwise.

Chapter 19A

§ 19A-01. Definitions.

(a) Words and terms used in this Chapter have the meanings specified in Section 17-306 of the Administrative Code.

(b) "Chapter 19" means Chapter 19 of Title 24 of the Rules of the City of New York.

(c) "Continuously Licensed Vendors" means persons who the Department determines do not hold a valid full-term mobile food vending permit as of January 1, 2022 and who: (i) held a valid food vendor license on or before March 1, 2017 and which license was still valid on February 28, 2021; or (ii) held a valid food vendor license before March 1, 2017 and whose renewal application for that license was pending as of March 1, 2017 and the vendor had otherwise fulfilled all requirements to renew the license, and which license was still valid on February 28, 2021.

(d) "Local Law 18" means Local Law 18 of 2021 enacted by the New York City Council on February 28, 2021.

(e) "Waiting List" means the list that was established and maintained by the Department pursuant to Chapter 19 to identify persons who are waiting to apply for a full-term mobile food vending permit.

§ 19A-02. Applicability.

Unless otherwise expressly provided or required by law, this Chapter solely applies to the implementation of section 33 of Local Law 18. No provision in Chapters 19, 20 or 26 of this title, and no provisions in other rules, shall apply to the opening of the Waiting List or addition of

Continuously Licensed Vendors to the Waiting List as provided in this Chapter.

§ 19A-03. Opening of the Waiting List.

On or before January 1, 2022, the Department shall open the Waiting List for the purpose of adding persons who the Department determines are Continuously Licensed Vendors under section 33 of Local Law 18.

§ 19A-04. Addition of Continuously Licensed Vendors to the Waiting List

On or before January 1, 2022, the Department shall automatically add to the Waiting List all Continuously Licensed Vendors, Request by or consent from Continuously Licensed Vendors to be added to the Waiting List shall not be required. Continuously Licensed Vendors shall be added to the Waiting List starting at the end of such list in numerical order of their license numbers starting with the lowest number. A person who is not added to the Waiting List may not appeal such exclusion.

§ 19A-05. Notice of Addition to the Waiting List

The Department shall notify Continuously Licensed Vendors that they have been added to the Waiting List pursuant to section 33 of Local Law 18. Notification shall be by any lawful means, including but not limited to, mailing or posting information on the Department's website or through another electronic medium in accordance with applicable laws or regulations.

§ 19A-06. Number of Positions on the Waiting List

Notwithstanding anything to the contrary in Chapter 19, after adding Continuously Licensed Vendors to the Waiting List, the number of positions on the Waiting List shall not be limited and may exceed 2,500.

§ 19A-07. Responsibility of Those on the Waiting List to Notify the Department of Change of Address

The names of Continuously Licensed Vendors added to the Waiting List pursuant to this Chapter shall be entered on the list based on their address of record as known to the Department through mobile food vendor license records. It shall be the responsibility of each such person to provide written notification to the Department of any change of address. The failure to provide change of address information may result in the loss of a person's Waiting List position. Any person who fails to provide the Department with a change of address within ten days of such change and consequently does not respond to a notice from the Department mailed to their address of record as known to the Department through mobile food vendor license records shall be deemed to have abandoned their place on the Waiting List.

§ 19A-08. Multiple Positions on the Waiting List Prohibited.

A person may not hold more than one place on the Waiting List.

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: Amendment of Food Vendor Licensing Rules

REFERENCE NUMBER: 2021 RG 032

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: July 23, 2021

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

CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Food Vendor Licensing Rules

REFERENCE NUMBER: DOHMH-115

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

July 27, 2021
Date

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SPECIAL MATERIALS

CITY PLANNING

■ NOTICE

NOTICE OF COMPLETION OF
THE FINAL ENVIRONMENTAL IMPACT STATEMENT

River North (formerly Liberty Towers)

Project Identification

CEQR No. 20DCP140R
ULURP Nos. N210281 LDR, C210289
ZMR, N210290 ZRR, C210291 ZSR
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
120 Broadway, 31st 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 Final Environmental Impact Statement (FEIS) has been prepared for the action described below. The proposal involves an action by the City Planning Commission and Council of the City of New York. Copies of the FEIS are available for public inspection at the office of the undersigned as well as online at the Department of City Planning website: www.nyc.gov/planning. A public hearing on the Draft Environmental Impact Statement (DEIS) for the proposal was held on July 14, 2021, at the City Planning Commission Hearing Room, Lower Level, 120 Broadway, New York, NY 10271, accessible in person and remotely in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Written comments from the public were requested and received by the Lead Agency through July 26, 2021. The FEIS addresses all substantive comments made on the DEIS during the public hearing and subsequent comment period.

A. PROJECT IDENTIFICATION

Introduction

The Applicant, Richmond SI Owner LLC, seeks approval of a series of discretionary land use actions including a zoning map amendment, zoning text amendments, and a special permit (the "Proposed Actions") from the City Planning Commission (CPC) that would facilitate the development of a mixed use project comprising residential and commercial uses, open space, and accessory parking (the "Proposed Development") in the St. George neighborhood of Staten Island,

Community District 1.

The Proposed Actions would facilitate the development of 919,442 gross square feet (gsf) of floor area within four buildings across two development sites. The Applicant's site ("Projected Development Site 1") would be developed with three buildings totaling 801,594 gsf. The Applicant also would develop an approximately 7,790 square foot (sf) privately owned public passive open space next to the intersection of Stuyvesant Place and Hamilton Avenue, and a 5,700 sf active open space that will serve as a partial open space mitigation. An additional site that is not controlled or under ownership of the Applicant ("Projected Development Site 2") is projected to be developed as a result of the Proposed Actions. The Proposed Actions are subject to City Environmental Quality Review (CEQR). The New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), is the lead agency for the environmental review.

Background and Existing Conditions

Project Area

The "Project Area" is bound by Richmond Terrace to the north and east, Hamilton Avenue to the south, a distance of 185 feet west of Stuyvesant Place and Richmond Terrace to the south and west, and Nicholas Street to the west. The Project Area contains Block 12, Lots 1 and 15, Block 13 Lots 60, 68, 71, 73, 82, 92, and 100, and portions of Block 13 Lots 8, 116, and 119. The Block 13 portion of the Project Area is in the Special Hillside Preservation District, and the Block 12 portion is outside any special purpose districts. An R6 district is mapped across the Project Area with a C2-2 commercial overlay district within 100 feet of Richmond Terrace and Stuyvesant Place. Block 12 is also zoned R6 with a C2-2 overlay. The Project Area includes two projected development sites.

Development Sites

The Reasonable Worst Case Development Scenario (RWCDs) for this project established that there would be two "projected development sites" as a result of the Proposed Actions. Projected Development Site 1 is owned by the Applicant and comprises two zoning lots under ownership of the Applicant: Site A and Site B. Site A comprises Block 13, Lot 100, and has 39,771 square feet (sf) of lot area. It is a vacant corner lot and has street frontage along Stuyvesant Place to the east and along Hamilton Avenue to the south. Site B comprises Block 13, Lots 82 and 92, and has 49,530 sf of lot area. It is an irregular interior lot with street frontage only along Richmond Terrace. Site B is vacant except for scattered vegetation and remnants of building foundations on Lot 82. Site A has an average percent of slope of 13 percent and is a "Tier II" site in the Special Hillside Preservation District. Site B has an average percent of slope of 9 percent and is a "Tier I" site.

Sites A and B are bisected by Block 13, Lot 8 (the "Castleton lot"), a 209,088-sf irregular lot with frontage along Stuyvesant Place, St. Marks Place, and Nicholas Street. The Castleton lot contains the Castleton Park Apartments, which comprise two multi-family residential height factor buildings, an accessory parking garage, and private recreation areas. The portion of the Castleton lot nearest Stuyvesant Place is a panhandle shape that separates the Site A and Site B portions of Projected Development Site 1 ("Tentative Lot 95"). Independent of the Proposed Actions, the Applicant will acquire the panhandle portion of the Castleton lot, the area within 185 feet of Stuyvesant Place (9,428 sf). The acquisition would also allow Projected Development Site 1 to be one zoning lot in the With-Action Condition (but not the No-Action Condition because the open space is required to meet the height factor requirements of R6 on the Castleton lot).

Street widening is mapped along the Stuyvesant Place frontage of Site A and the approximately 50-foot frontage of the Castleton Lot along Stuyvesant Place. The area mapped for street widening includes 185.2 sf of the Castleton Lot, and 1,474.45 sf of Lot 100.

Projected Development Site 2 is to the west of Site B and comprises Block 13, Lots 68, 71, 73. Lot 68 is vacant, and Lots 71 and 73 are each listed for sale and are each developed with one two-family house. Projected Development Site 2 is not under control of the Applicant.

The projected development sites generally slope up from lower elevations along Richmond Terrace frontage to higher elevations to the west. The entirety of both projected development sites are in the Special Hillside Preservation District.

Other Lots

Lot 60 is developed with a 58,795 gsf multi-family residential building, "The View," which has 40 dwelling units (DUs) and ground floor retail. Along Hamilton Avenue, Lots 116 and 119 are partially within the Project Area; Lot 116 is vacant and Lot 119 contains a two-family detached house.

Block 12 contains two commercial buildings totaling 17,500 gsf and accessory parking areas that are accessed from Richmond Terrace and Stuyvesant Place. The eastern building contains office space, while the western building is used as an eating and drinking establishment. The site slopes from its lower elevations along Richmond Terrace to its highest elevations along Stuyvesant Place. The change in elevation

allows a rooftop parking area to be accessed from Stuyvesant Place.

Neighborhood Context

Residential uses are located to the south and west of the Project Area in R3A, R4, and C4-2 districts. These residential uses are primarily one- and two-family detached residences constructed largely between 1900 and 1930. Multi-family elevator buildings and multi-family walk-up buildings are present in the Study Area and are primarily along Richmond Terrace, Hamilton Avenue, Nicholas Street, and St. Marks Place. Several multi-family buildings exist in the Study Area's R3A district, a district that permits only one- and two-family detached or zero lot line (semidetached) housing types and community facility uses.

In the far west of the Study Area is Curtis High School, a large high school with 2,586 enrolled students. Commercial uses are along Richmond Terrace in the Study Area and consist of local retail and office space. Several institutional uses, including the New York City Police Department 120th Precinct, the Staten Island Family Court, and the Staten Island Museum, are in the south of the Study Area. To the north of the Project Area and across Richmond Terrace is the site of the dormant NY Wheel project. The site has an operating multi-level parking facility; other commercial components are not complete and not actively under construction. To the north of the NY Wheel site is the St. George Waterfront Esplanade, City-owned waterfront open space. In the very east of the Study Area is the Richmond County Bank Ballpark. Just beyond the ballpark and outside the Study Area is the recently completed Empire Outlets, an outlet mall with several privately-owned publicly accessible open spaces, underground parking, and a hotel.

The Project Area is approximately one-quarter mile northwest of the St. George Terminal, which is Staten Island's main transportation hub. Connections are available at the terminal between the Staten Island Ferry, the Staten Island Railroad, and MTA Bus routes. Along Richmond Terrace, the Study Area is served by the S44 and S94 bus lines with service between St. George and the Staten Island Mall and the S40 and S90 bus lines with service between St. George and Goethals Road North. Beginning August 23, 2021, the area will be served by an expansion of the fast ferry network with a new ferry landing at Wall Street, approximately 1,000 feet east of the Project Area.

Within the Study Area, there are R3A, R4, C4-2, and M1-1 zoning districts. The R3A zoning district is to the northwest and southwest of the Project Area. In the west of the Study Area is an R4 zoning district between St. Marks Place and Hamilton Avenue. A C4-2 commercial zoning district is to the south of the Project Area and an M1-1 zoning district is to the east of the Project Area, across Richmond Terrace along the waterfront.

The Special St. George District is located to the south and east of the Project Area, while the Special Hillside Preservation District is mapped to the north and west (and across the Block 13 portion of the Project Area).

Special St. George District

The Special St. George District is mapped conterminously with the C4-2 and M1-1 zoning districts within the Study Area. The goals of the Special St. George District are:

1. To build upon St. George's existing strengths as a civic center, neighborhood transit hub by providing rules that will bolster a thriving, pedestrian-friendly business and residence district;
2. To establish zoning regulations that facilitate the continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
3. To require a tall, slender building form that capitalizes on St. George's hillside topography and maintains waterfront vistas;
4. To encourage the reuse and reinvestment of vacant office buildings;
5. To accommodate an appropriate level of off-street parking while reducing its visual impact; and
6. To promote the most desirable use of land and building development in accordance with the District Plan for St. George and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

The portion of the Special St. George District within the Study Area west of Richmond Terrace is the Upland Subdistrict. Developments in the Upland Subdistrict must abide by special height and setback requirements that supersede those of the underlying C4-2 zoning district. New developments in the Upland Subdistrict are limited to a height of 200 feet, and special tower rules are designed to facilitate slender towers and allow for views towards Upper Bay as well as the Brooklyn and Manhattan skylines.

East of Richmond Terrace in the Study Area is the North Waterfront Subdistrict, which was created as part of the St. George Waterfront

Redevelopment Project (New York Wheel and Empire Outlets, CEQR No. 13SBS001R). The subdistrict established required view corridors and a new CPC special permit available for developments that meet certain conditions. The required view corridors are outside of the Study Area along the prolongations of St. Peter's Place, Wall Street, and the sightline between Borough Hall and Lower Manhattan across the Empire Outlets site and Upper Bay.

The Special St. George District modifies underlying parking and bulk requirements in C4-2 districts. Within these districts, accessory parking is required at a rate of one space per DU; for income-restricted, accessory parking is required at a rate of 0.25 spaces per DU. For most commercial uses, the parking regulations of the C4-3 district apply. Special bulk provisions allow up to 3.4 floor area ratio (FAR) within the Upland Subdistrict for zoning lots greater than 10,000 sf, and up to 2.2 for zoning lots with less than 10,000 sf of lot area.

Special Hillside Preservation District

The Special Hillside Preservation District is generally mapped west of Richmond Terrace in the north of the Study Area, and north of Hamilton Avenue and west of St. Marks Place in the south of the Study Area.

In the Special Hillside Preservation District, new developments on Tier II sites within R1-R4 districts are permitted up to a height of 36 feet (plus permitted obstructions). In R6 districts, building heights on Tier II sites are permitted up to 70 feet (plus permitted obstructions). The special district has provisions to minimize the effects of new development on natural features such as steep slope, trees, and rock outcroppings. Preservation requirements are generally stricter on Tier II sites (sites where the average percent slope is greater than 10 percent).

B. PROPOSED ACTIONS

To facilitate the proposed three buildings on Projected Development Site 1 (the Applicant's site), the Applicant seeks a zoning map amendment, zoning text amendments, and a CPC special permit. Specially, the Applicant proposes the following discretionary land use actions (the "Proposed Actions"):

1. A zoning map amendment to:
 - change an area bounded by Nicholas Street, Richmond Terrace, Stuyvesant Place, Hamilton Avenue and a line 185 feet from and parallel to Richmond Terrace and Stuyvesant Place between Hamilton Avenue and Nicholas Street from an R6 district with a C2-2 commercial overlay at a depth 100 feet located within the Special Hillside Preservation District ("SHPD") to an R7-3 district with a C2-4 commercial overlay at a depth of 185 feet within the Special St. George District ("SSGD"); and
 - change an area bounded by Richmond Terrace, Hamilton Avenue and Stuyvesant Place from an R6 district with a C2-2 commercial overlay to an R6 district with a C2-4 commercial overlay within the SSGD.
2. A series of zoning text amendments to the New York City Zoning Resolution (ZR), Article II including to:
 - ZR Section 21-15 to allow an R7-3 district to be mapped in the SSGD; and
 - ZR Section 23-011(c) to allow optional quality housing regulations to apply to the SSGD.
3. A series of zoning text amendments to ZR Article XII, Chapter 8 (Special St. George District) to:
 - ZR Section 128-00 (General Purposes) to include an additional goal to foster economic diversity by supporting a broad range of housing including affordable housing with the SSGD.
 - ZR Section 128-03 (District Plans and Maps) to include the Project Area within the Upland Subdistrict.
 - ZR Section 128-056 to clarify that the optional Quality Housing Program would be applicable in the R7-3 district.
 - ZR Section 128-21 (Maximum Floor Area Ratio) to establish the maximum floor area ratio of 6.0 within R7-3 Districts under the MIH program.
 - ZR Section 128-22 (Maximum Lot Coverage) to establish lot coverage of 70 percent for interior lots and 100 percent for corner lots for residential buildings in R7-3 districts.
 - ZR Section 128-30 (Height and Setback Regulations) to clarify that R7-3 is subject to regulations under this Section.
 - ZR Section 128-31 (Street Wall Location) to clarify that street wall location requirements are inapplicable in the R7-3 district.
 - ZR Section 128-33 (Maximum Base Height) to establish a

maximum street wall height of 75 feet in an R7-3 district.

- ZR Section 128-34 (Maximum Building Height) to establish a maximum building height of 185 feet or 18 stories within an R7-3 district.
 - ZR Section 128-51 (Required Off-street Parking and Loading) to make the underlying R7-3 and R6 parking and loading regulations applicable to such districts within the SSGD. R7-3 regulations would be governed by R7-2 district regulations.
 - ZR Section 128-60 (Special Approvals) to create a new special permit (ZR 128-62) to allow bulk and mandatory improvements modifications for R7-3 districts within the Upland Subdistrict.
 - Proposed ZR Section 128-62 (Special Permit for Buildings in R7-3 Districts within the Upland Subdistrict) to facilitate the Proposed Project and allow modification to bulk and mandatory improvements regulations.
4. A zoning text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area. As part of this application, both Option 1 and Option 2 are proposed to apply within the MIH area;
 5. A CPC Special Permit pursuant to ZR Section 128-62 (Special Permit for Developments in R7-3 Districts within the Upland Subdistrict) modifying the following sections:
 - ZR Section 128-33 (Maximum Base Height) and ZR Section 128-34 (Maximum Building Height) to establish the height and setback regulations for R7-3 districts, which would require setbacks of 10 feet from a wide street and 15 feet from a narrow street above a maximum base height of 75 feet, and limits the overall height of the building to 185 feet or 18 stories, whichever is less.
 - ZR Section 128-31 (Rooftop Regulations) to allow the bulkheads and other equipment at the top of Building 2 to exceed 20 percent up to 38 percent of the building lot coverage in order to allow more flexibility including screening and articulation at the top of buildings.
 - ZR Section 23-47 (Minimum Required Rear Yard) to allow a waiver to the underlying rear yard requirement for a small portion where Building 1 encroaches into the rear yard required beyond a hundred feet from Hamilton Avenue varying from 9.13 feet to 10.38 feet in an area approximately 95 square feet as a result of the irregularity of the side lot and rear lot lines of the Development Site.
 - ZR Section 128-42 (Planting Areas) to facilitate the inclusion and location of the proposed publicly accessible passive open space at the corner of Stuyvesant Place and Hamilton Avenue and the proposed 5,700-sf active open space, as well as areas where the sidewalk would be widened beyond the sidewalk widening line. The publicly accessible open space would have landscaping, as well as paved areas for seating and circulation.
- The special permit is only proposed for Projected Development Site 1, the Applicant-owned development site. In conjunction with the proposed approvals, the Proposed Actions would also require recordation of an (E) designation (E-614) and Restrictive Declaration. The Restrictive Declaration would require that the proposed project is developed in substantial conformance with the approved special permit, and would establish any environmental mitigation conditions as necessary, as identified through the environmental review for the project. It is anticipated that Project Components Related to the Environment (PCREs) and environmental mitigations related to open space and construction will be incorporated into the Restrictive Declaration. The (E) designation related to hazardous materials, air quality and noise, would be recorded to commit future development of the rezoning area in accordance with any necessary conditions identified through the environmental review, as described below.
- The Proposed Actions are classified as Unlisted, as defined under 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended, and are subject to environmental review in accordance with City Environmental Quality Review (CEQR) guidelines.

C. PURPOSE AND NEED

The Project Area serves as the northern gateway to St. George along Richmond Terrace and has the potential to serve as a northern extension of Downtown Staten Island. Currently, Sites A and B are within the Special Hillside Preservation District, which limits the development potential of these sites. As a result, Sites A and B have remained vacant for many years. At the same time, the natural slope – a significant feature in the Special Hillside Preservation District – within the Project Area and on Block 13 has been compromised by development such as the Castleton Park Apartments to the west. Other

previous developments that have been demolished within the Project Area have also modified the hillside.

The Project Area within the Special Hillides Preservation District is atypical because:

- The Special Hillides Preservations District is predominately comprised of lower density (R1-R4) residential districts, districts that permit one- and two-family residences. The Project Area is in an R6 district, a medium density district that permits taller multi-family residential buildings;
- The hillside within the Project Area has been compromised by historical and surrounding development including the parking garage of the Castleton Park Apartments, and previous development that was demolished in the late 1970s; foundations still remain on Site B;
- The Project Area is at the very edge of the Special Hillides Preservation District; and
- The Project Area is across Richmond Terrace and Hamilton Avenue from the Special St. George District, a special district that encourages denser urban development and is largely within a C4-2 commercial zoning district (which has an R6 equivalent).

The boundaries of the proposed R7-3/C2-4 district were developed: 1) to account for the irregular lot depths along Richmond Terrace and Stuyvesant Place and allow Projected Development Site 1 to develop in a rational manner wholly in one zoning district; 2) to generally align with the prolongation of Carroll Place's northern street line on the eastern side of Nicholas Street, and generally align with the prolongation of Academy Place's eastern street line on the northern side of Hamilton Avenue; 3) to facilitate the subdivision of Tentative Lot 95 from the Castleton lot in compliance with the proposed zoning and to incorporate the tentative lot into Projected Development Site 1, thereby allowing distribution of floor area and placement of buildings across a larger zoning lot; and 4) to provide a continuous R7-3/C2-4 zoning district along Richmond Terrace and Stuyvesant Place on Block 13.

The expansion of the Special St. George District is proposed: 1) to recognize the site's adjacency to the Special St. George District and its location and orientation along Richmond Terrace, a major corridor to the St. George neighborhood; 2) to acknowledge the site's proximity to Staten Island's primary transit hub and St. George's urbanized context and its potential to support the goals of the Special St. George District; 3) to include the proposed R7-3/C2-4 district so that the proposed special permit to waive bulk regulations would be available through the special district that would allow a superior site plan on Projected Development Site 1; and 4) to map Block 12 within the Special St. George District because the parcel is currently surrounded by – but outside of – any special district, and its inclusion within the rezoning area would rationalize the proposed Special St. George District boundaries along Richmond Terrace and Stuyvesant Place.

Development under the Proposed Actions would respond to the site's location as a gateway to Downtown Staten Island and St. George, and would capitalize on the Project Area's proximity to mass transportation. Similar to other recent development along Richmond Terrace and Bay Street – such as the Empire Outlets and Lighthouse Point – the Proposed Project would provide housing, including affordable options, active retail, and two privately owned, publicly accessible open spaces. The proposed zoning map and text amendments – along with the special permit that would be created through the proposed text amendments – would allow the building location and massing to respond to the surrounding urban context. Overall, the Proposed Actions are consistent with public policies such as OneNYC, Housing New York, and North Shore 2030 and would accomplish multiple land use goals for the neighborhood, borough and the City.

D. PROPOSED DEVELOPMENT

The Applicant proposes to develop three “quality housing” buildings (the “Proposed Development”) across Projected Development Site 1 (Block 13, Lots 82, 92, 100, and Tentative Lot 95 - the portion of Lot 8 within 185 feet of Stuyvesant Place). The Proposed Development would have approximately 750 residential units, at least 30 percent of which would be permanently affordable (approximately 225 affordable units). Each building would contain retail uses below the second floor. Floor area by use is shown in Table 1.

Table 1: Proposed Development - Floor Area by Use

Building	GSF by Use				Program		
	Residential	Retail	Parking	Total	Bldg Height (ft)*	DU	Parking Spaces
Bldg 1	311,291	9,697	66,349	387,337	293	327	
Bldg 2	235,327	1,715	0	237,042	265	295	341
Bldg 3	133,997	7,468	35,750	177,215	152	128	

TOTAL	680,615	18,880	102,099	801,594	Up to 293	750	341
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* The building height includes 20-foot bulkheads on each building.

Independent of the Proposed Actions, the Applicant will acquire a part of Lot 8 – Tentative Lot 95. With the Proposed Actions, subdivision of the Castleton lot would allow Tentative Lot 95 (9,428 sf) to be incorporated with Sites A and B to form Projected Development Site 1 under the proposed zoning.

Building 1 on Site A would be the largest of the proposed three buildings. At the ground floor, the building would be set back from its Stuyvesant Place and Hamilton Avenue frontages, and a 7,790 sf privately owned, publicly accessible open space would be provided within these front setbacks. The commitment for this on-site passive open space would be a project component related to the environment (PCRE), and would be memorialized in a restrictive declaration tied to the Applicant's site. Within the building, retail would be present along the building's Hamilton Avenue and Stuyvesant Place façades.

Pedestrian access would be available from Stuyvesant Place to the residential lobby. Vehicular access and egress would be available to the accessory parking on the second and third floors via a curb cut to Hamilton Avenue. A second curb cut along Stuyvesant Place would provide vehicular access to accessory parking in the building's cellar; there would be no internal vehicular access between the parking facility in the cellar and the parking facility on the second and third floors. Residential units would be on the 4th through 26th floors. The building's three-story podium would rise to a height of 38 feet before a setback on both the Stuyvesant Place and Hamilton Avenue frontages. There would be setbacks on the building's Hamilton Avenue facade above floors 8 (22-foot setback), 13 (22-foot setback), and 18 (22-foot setback), and 23 (24-foot setback). Above the podium at the Stuyvesant Place frontage, the building would rise without a setback to the 21st floor. The building would have 26 stories, and, including a 20-foot bulkhead, the building would rise to a height of 293 feet. The Applicant would widen Stuyvesant Place where street widening is mapped on Projected Development Site 1 through the Department of Building (DOB) Builders Pavement Plan (BPP) process. The sidewalk along Projected Development Site 1's frontage along Hamilton Avenue would be widened to 12 feet, per the requirements of the Special St. George District.

Building 2 would be second largest building on Projected Development Site 1 and would be sited to the north of Building 1. The building would be built within 10 feet of the street line at the ground floor, and would rise five stories (51 feet above the base plane) before a setback up to 13 feet from Richmond Terrace. The Richmond Terrace frontage would then rise to the 20th story before an additional 12-foot setback along Richmond Terrace. The building would have 25 stories plus a bulkhead. Including the bulkhead, the building would rise to a height of 265 feet. There would be no accessory parking within Building 2. The ground floor would contain a 1,715 gsf retail space and a residential lobby, both of which would be accessed from Richmond Terrace.

Building 3 would be the smallest of the proposed buildings on Projected Development Site 1. At the ground floor, the building would contain retail uses, a residential lobby, and accessory parking circulation spaces, all of which would be accessed from Richmond Terrace. Accessory parking spaces would be on the second and third floors. The ground through third floors would comprise the building's podium, which would rise to a height of 47 feet above the base plane. Above the third floor, the building would be set back at least 10 feet from Richmond Terrace. The building would then rise to the 11th floor, or a height of 132 feet; including a 20-foot bulkhead, the building would be 152 feet tall.

Between buildings 2 and 3, a 5,700-sf privately owned, publicly accessible open space would be developed to partially mitigate the significant adverse active open space impact. This active open space would include an approximately 1,275-sf turf space, a walking loop, and adult fitness equipment.

The Applicant does not propose development on Projected Development Site 2, which the Applicant does not control.

E. ANALYSIS FRAMEWORK

The 2020 CEQR Technical Manual serves as guidance on the methodologies and impact criteria to evaluate the potential environmental effects of the Proposed Actions.

Analysis (Build) Year

The analysis year established for this project is 2025, the year when new development generated by the Proposed Actions would be complete and fully occupied. The analysis year assumes the Proposed Actions would be adopted in 2021, and construction would commence soon after and last approximately three years.

Reasonable Worst Case Development Scenario (RWCDS)

Identification of Development Sites

In addition to the Applicant's site (Projected Development Site 1), there would be one projected development site that is not Applicant-

controlled, Projected Development Site 2. Because the Proposed Actions would significantly increase the permissible FAR with the mandatory provision of affordable housing on these sites, and remove provisions of the Special Hillside Preservation District, the Proposed Actions could facilitate new development on Projected Development Site 2. The RWCDS memorandum for this project assumed Projected Development Site 2 would be developed as a mixed use building with an FAR of 6.0 (the maximum FAR that would be permitted) in the With-Action Condition). Being a site not controlled by the Applicant, the With-Action Condition established in the RWCDS for Projected Development Site 2 does not reflect the Applicant's proposed plans.

No-Action Condition

In the No-Action Condition, the Site A portion of Projected Development Site 1 would remain vacant because provisions of the Special Hillside Preservation District that protect steep slope and steep slope buffers make development of this site difficult to develop as-of-right. The street widening line is only on Site A. Because there would be no development on Site A in the No-Action Condition, no street widening would occur and Stuyvesant Place would remain as existing conditions.

The Site B portion of Projected Development Site 1 would be developed with a 143,030 gsf building comprising 167 market rate DUs (128,169 gsf), 8,240 gsf of retail space, and 12,125 gsf of accessory parking (29 spaces). Of the 131 required parking spaces, 103 would be provided off-site and within 600 feet of Site B. The building would be developed pursuant to R6 height factor regulations. The building base would rise five floors to a height of 60 feet along the Richmond Terrace frontage before a 15-foot setback. The building would then rise six stories before a second setback at the 12th floor. The building would have a roof height of 136 feet. Including a 30-foot-tall bulkhead, the building would be 166 feet tall.

Independent of the Proposed Actions, the Applicant would acquire Tentative Lot 95 (the area within 185 feet of Stuyvesant Place). This tentative lot would not be incorporated into Sites A and B because it is needed for the Castleton lot's required open space ratio, and a non-compliance would occur if subdivided from this zoning lot under existing zoning.

At Projected Development Site 2, the two existing two-family houses would remain as existing conditions. Lot 68 would remain vacant.

With-Action Condition

The RWCDS With-Action Condition differs from the Proposed Development. In the With-Action Condition, the Proposed Actions would be adopted, and the Applicant would acquire Tentative Lot 95 (similar to the No-Action Condition) to enable Projected Development Site 1 to be one zoning lot. The RWCDS for this project established that the Proposed Actions would facilitate development on two projected development sites.

The RWCDS differs from the Proposed Development because the RWCDS established that Projected Development Site 1 would be developed with up to 797 DUs (687,794 gsf, or a "DU factor" of 863 residential gsf per DU) and up to 23,145 gsf of retail, which is 47 DUs and 4,265 gsf of retail greater than the Proposed Development. The With-Action building envelope also differs from the Proposed Development. In the RWCDS, the roof height of each building would be the same as the Proposed Development, but the bulkhead of each building on Projected Development Site 1 would be 5 feet taller. The street widening line would not affect the floor area of the building, which would be determined by the property line, per Buildings Bulletin 2014-011 issued by the NYC Department of Buildings.¹ The buildings would be sited outside the street widening line, and the depth of the required setbacks would be measured from the mapped street line. The proposed special permit, which requests waivers to the underlying height and setback regulations, would address setback requirements based on the street widening line. The With-Action Condition also assumes that Projected Development Site 2, which is not under control of the Applicant, would be developed pursuant to the proposed zoning.

At this time, the Applicant intends to propose MIH Option 2, which would require a minimum of 30% of residential units be permanently affordable at a weighted average of 80% of the AMI. The floor area by use and by building for the With-Action is summarized in Table 2.

Table 2: With-Action Condition - Floor Area by Use by Building

Site/ Building	GSF by Use				Program		
	Residential	Retail	Parking	Total	Bldg Height (ft)*	DU	Parking Spaces
Site 1							
Bldg 1	325,310	11,888	66,349	403,547	298	348	
Bldg 2	235,457	2,102	0	237,559	270	313	366
Bldg 3	127,027	9,155	35,750	171,932	157	136	
Site 2	0	0	0	0	0	0	0
Bldg 4	100,019	4,929	12,900	117,848	205	100	43
TOTAL	787,813	28,074	114,999	930,886	Up to 298	897	409

* The building height includes 25-foot bulkheads on each building on Projected Development Site 1, and a 20-foot-tall bulkhead on Building 4.

Projected Development Site 1

In the With-Action Condition, the RWCDS established that Building 1 would be a 26-story, 403,547 gsf building comprising 325,310 gsf of residential space (348 DU, or a DU factor of 935 residential sf per DU), 11,888 gsf of retail space, and 66,349 gsf of accessory parking (assuming 200 sf per parking space, up to 332 spaces). The building would have a three-story podium with a base height of 38 feet. The tower portion would rise to a roof height of 273 feet. Including a 25-foot bulkhead, Building 1 would rise to a height of 298 feet. The massing would incorporate a series of setbacks to "step down" to Hamilton Avenue from taller components further west along Stuyvesant Place. At the ground level, a 7,790 sf privately owned, publicly accessible open space would be developed adjacent to the intersection between Stuyvesant Place and Hamilton Avenue. The commitment for this on-site passive open space would be a PCRE, and would be memorialized in a restrictive declaration tied to the Applicant's site and included in the Special Permit drawings. Building 1 would contain 105 affordable units, of which 70 would be reserved for households earning up to 80% of the AMI.

Building 2 would be sited 60 feet to the north of Building 1, and would be a 25-story, 237,559 gsf building comprising 2,102 gsf of retail space and 235,457 gsf of residential space (313 DUs, or a DU factor of 759 residential gsf per DU). There would be no accessory parking within Building 2. The building would have a podium height of 75 feet before a 12.5-foot setback along the Richmond Terrace frontage. The building would then rise to a height of 200 feet to the 20th floor before a 7-foot setback from Richmond Terrace. Above this setback and at a height of 200 feet, the building would rise to a height of 245 feet. Including a 25-foot bulkhead, Building 2 would rise to a height of up to 270 feet. Of the 313 DU in Building 2, 94 would be affordable units, of which 63 would be reserved for households earning up to 80% of the AMI. A 5,700-sf privately owned, publicly accessible active open space would be provided as a partial open space mitigation between buildings 2 and 3. This proposed active open space would contain a turf, a walking loop, and adult fitness equipment.

Building 3 would be sited on the northwestern portion of Projected Development Site 1. Building 3 would be an 11-story, 171,932 gsf building comprising 9,155 gsf of retail space, 127,027 gsf of residential space (136 DUs, or a DU factor of 935 residential gsf per DU), and 35,750 gsf of accessory parking (assuming 200 sf per space, up to 179 spaces). At the Richmond Terrace frontage, the building would rise to a podium height of 75 feet before a 14-foot setback. The building would then rise to a roof height of 132 feet. Including a 25-foot bulkhead, Building 3 would rise to a height of 157 feet. Of the 136 DU in Building 3, 41 would be permanently affordable units, of which 27 would be reserved for households earning up to 80% of the AMI.

Projected Development Site 2

Projected Development Site 2 is not controlled by the Applicant. Lots 68 and 71 are listed for sale, and Lot 73 is owned by a known developer. The Proposed Actions have the potential to facilitate development on Projected Development Site 2 by introducing an additional 3.0 permissible FAR and removing the site from the Special Hillside Preservation District. To present a conservative analysis, the With-Action Condition assumes Projected Development Site 2 would be developed with the maximum permissible FAR of 6.0, and to the maximum height permitted by the Proposed Actions.

The RWCDS established that the building on Projected Development Site 2 ("Building 4") would have a 65-foot-tall podium along the entirety of the Richmond Terrace frontage. Above the podium, the tower component would be set back from the side lot lines and 15 feet from Richmond Terrace before rising to the 18th floor and to a roof height of 185 feet. The building would be 205 feet tall including a 20-foot-tall bulkhead. The 117,848 gsf building would contain 4,929 gsf of retail, 100,019 gsf of residential space (100 DUs, or a DU factor of 1,000 residential gsf per DU), and 12,900 sf of accessory parking (43 spaces). Of the 100 DUs, 30 would be permanently affordable units, of which 20 would be reserved for households earning up to 80 percent the AMI.

Increment

Compared to the No-Action Condition, the With-Action Condition would result in larger building envelopes and an increment of 782,352 gsf. The increment established in the RWCDS is shown in Table 3.

Table 3: Project Increment by Use

Condition	DU	Parking Spaces	Residential gsf	Retail gsf	Parking gsf	Total gsf
No-Action	171	58	128,169	8,240	12,125	148,534
With-Action	897	409	787,813	28,074	114,999	930,886
Increment	726	351	659,644	19,834	102,874	782,352

F. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

Land Use, Zoning, and Public Policy

The Proposed Actions would not result in significant adverse land use, zoning, or public policy impacts. The Proposed Actions would not adversely affect surrounding land uses, or generate new land uses that would be incompatible with existing land uses, zoning, or public policies in the Study Area. In addition, the Proposed Actions would create land uses or structures that would neither be incompatible with the underlying zoning, nor conflict with public policies applicable to the Study Area.

Collectively, the Proposed Actions would facilitate additional residential, commercial, and accessory parking floor area in the Project Area over the No-Action Condition. The Proposed Actions would allow the Applicant's Site, Projected Development Site 1, to transform a vacant site in Downtown Staten Island into a mixed-use development. The Proposed Actions have the potential to displace two two-family residences on Projected Development Site 2. The proposed uses are already found within the Study Area and would not result in a significant adverse land use or zoning impact.

The Proposed Actions also do not have the potential to conflict with public policies, and would support the goals of OneNYC 2050, Housing New York 2.0, North Shore 2030, North Shore Bus Rapid Transit, or FRESH. The Project Area is wholly outside of the New York City Coastal Zone Boundary and outside the 100-year and 500-year flood zones delineated by the Federal Emergency Management Agency. The Proposed Actions would not conflict with applicable public policy and would not result in a significant adverse public policy impact.

Socioeconomic Conditions

The Proposed Actions would not result in a significant adverse socioeconomic conditions impact. Pursuant to *CEQR Technical Manual* guidance, preliminary assessments were conducted for direct residential displacement, direct business displacement, indirect residential displacement, indirect business displacement, and adverse effects on specific industries. A preliminary assessment of the five areas of consideration was conducted to determine whether detailed analyses were necessary, in conformance with *CEQR Technical Manual* guidance. The preliminary assessment ruled out that the Proposed Actions would result in significant adverse impacts related to direct residential displacement, direct business displacement, indirect business displacement, and adverse effects on specific industries.

However, the preliminary assessment found significant adverse impacts could not be ruled out as a result of indirect residential displacement. Therefore, a detailed assessment of indirect residential displacement was conducted and framed in the context of existing conditions and evaluations of the No-Action and With-Action conditions in the 2025 Build Year, including any population and employment changes anticipated to take place within that timeframe.

Direct Residential Displacement

The Proposed Actions would not result in significant adverse impacts due to direct residential displacement. As described in the *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood.

The Proposed Actions have the potential to directly displace 10 residents on Projected Development Site 2. Following an initial review of the Proposed Actions and anticipated direct residential displacement, a preliminary analysis was not warranted.

Business Displacement (Direct and Indirect)

The Proposed Actions would not result in either a direct or indirect displacement of existing businesses. According to the *CEQR Technical Manual*, projects resulting in an increase of more than 200,000 gsf of commercial space have the potential to result in indirect business displacements due to increased rents. The RWCDS established for this project determined the Proposed Actions would facilitate an increment of 19,834 gsf of commercial space. Further assessment is not warranted.

Adverse Effects on Specific Industries

The Proposed Actions would not result in significant adverse impacts on specific industries. The *CEQR Technical Manual* requires a preliminary assessment of adverse industry effects if the actions involve a regulatory change that can affect businesses and the socioeconomic conditions within a neighborhood. The Proposed Actions are site-specific and would not result in the direct displacement of any businesses. Additionally, the Proposed Actions would not significantly affect business conditions in any specific industry or any category of businesses, nor would it indirectly reduce employment or impair the economic viability of specific industry or category of business.

Indirect Residential Displacement

The *CEQR Technical Manual* calls for a detailed assessment of indirect residential displacement if the preliminary assessment shows that the project would introduce a population with higher average incomes compared to the average incomes of the existing population and would increase the Study Area population by more than 10 percent, both of which applies to the Proposed Actions.

The *CEQR Technical Manual* indicates a significant adverse socioeconomic conditions impact may occur in the area of indirect residential displacement if the detailed assessment identifies a vulnerable population potentially subject to indirect displacement that exceeds five percent of the study area's population. Per CEQR assessment methods, the detailed indirect residential displacement assessment indicates up to 12.8 percent of the Study Area's population is potentially vulnerable to indirect displacement (1,684 people). However, the Proposed Actions would not result in a significant adverse impact because:

- The Proposed Actions would generate approximately 179 income-restricted DUs reserved for low-income households. These project-generated affordable DUs would house approximately 449 low-income residents, a number which represents more than 26 percent of the Study Area's population potentially vulnerable to indirect residential displacement;
- The Proposed Actions would expand the Study Area's permanently rent-protected housing supply by approximately 270 DUs, which is more than 10 percent of the Study Area's existing protected housing supply. These 270 DUs would provide permanent rent-protected housing for approximately 678 residents;
- While the Proposed Actions would decrease the share of protected rental housing in the Study Area, more than 60 percent of the Study Area's rental housing supply would continue to be protected in the With-Action Condition;
- Recent trends in the Study Area and PUMA show that the median and mean household income has not shown any statistically significant change since 2010. Additionally, median rents have shown little change, and there has not been a readily observable trend toward increasing rents; and
- Being on a peninsula near the northeastern edge of Staten Island, the area within 0.5-miles of the Project Area is approximately 50 percent waterbodies. The Study Area established by CEQR methodologies therefore reflects a population density and population less than other inland areas of the St. George neighborhood, and inflates the socioeconomic effects of the Proposed Actions.

Therefore, based on the detailed assessment of indirect residential displacement, the Proposed Actions would not have a significant adverse socioeconomic conditions impact in the area of indirect residential displacement.

Community Facilities and Services

The Proposed Actions would not result in a significant adverse impact to community facilities and services. A preliminary analysis of publicly-funded child care, public high schools, and health care and fire/police protection were not warranted for the Proposed Actions. With the Proposed Actions, the public schools utilization rate would operate at less than 100 percent, and the utilization rate would not increase by more than five percent for either elementary or intermediate public schools and significant adverse impacts would occur.

A detailed analysis was completed for publicly-funded libraries because the population introduced by the Proposed Actions would result in an increase of more than five percent (7.42 percent) compared to the No-Action Condition. However, because of the increasing demand for online access to electronic research and resources, the interlibrary loan system, the changing role of libraries, and technology advancements such as the SimplyE mobile app, the Proposed Actions would not result in a significant adverse libraries impact. Therefore, the Proposed Actions would not result in significant adverse community facilities and services impacts.

Public Schools

According to *CEQR Technical Manual* guidelines, a significant adverse impact may result if a proposed action would result in (i) a utilization

rate equal to or greater than 100 percent, and (ii) an increase in the collective utilization rate of equal to or greater than 5 percentage points between the No-Action and With-Action conditions. The Proposed Actions would not result in a significant adverse impact to public schools. The Project Area is in Community School District (CSD) 31, Sub-district 4. The Proposed Actions would introduce approximately 305 total students, including approximately 180 elementary school students, 59 intermediate school students, and 66 high school students over the No-Action Condition. In the With-Action Condition, the elementary school utilization rate would increase from 78 percent in the No-Action Condition to 80 percent in the With-Action Condition (a 1.65-percentage-point increase), with a surplus of 2,206 elementary school seats. The intermediate school utilization rate would increase from 70 percent in the No-Action Condition to 71 percent in the With-Action Condition (a 1.06 percentage-point increase), with a surplus of 1,639 intermediate school seats.

Therefore, the Proposed Actions would not result in a significant adverse impact to elementary schools in CSD 31, Sub-district 4. In the With-Action Condition, both elementary and intermediate schools would continue to operate under capacity (less than 100 percent utilization rate). Therefore, the Proposed Actions would not result in a significant adverse public schools impact.

Child Care Centers

The Proposed Actions would not result in a significant adverse impact to publicly funded childcare centers. In the With-Action Condition, approximately 179 new low- to moderate-income units would be developed by 2025. Based on the childcare multipliers provided in the *CEQR Technical Manual*, the Proposed Actions would generate approximately 16 children under the age of six who could be eligible for publicly funded childcare programs. Per the *CEQR Technical Manual*, only projects that would generate 20 or more children under the age of six who could be eligible for publicly-funded daycare warrant a detailed publicly-funded daycare analysis. Therefore, the Proposed Actions would not result in significant adverse indirect impacts to publicly-funded childcare services.

Libraries

The Proposed Actions would not result in significant adverse impacts to public libraries. There is one NYPL branch located within a 0.75-mile radius of the Project Area: the St. George Library Center. The Proposed Actions would introduce an estimated 1,822 additional residents to the library’s catchment area over the No-Action Condition. The Proposed Actions would result in an increase in the catchment area population of greater than 5 percent, which may result in a noticeable change in the delivery of library services. However, the increasing demand for online access to electronic research and resources, the SimplyE mobile app, and the interlibrary loan system would make space available for increased patron capacity and programs to serve the future population. Therefore, the Proposed Actions would not result in significant adverse impacts to public libraries.

Open Space

The Proposed Actions would result in a significant adverse impact to active open space resources. According to the *CEQR Technical Manual*, a proposed action may result in a significant adverse impact on open space resources under the following circumstances: (i) there would be a direct displacement/alteration of existing open space within the study area that has a significant adverse effect on existing user population (direct impact); or (ii) the proposed project would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbate a deficiency in open space (indirect impact). Based on the preliminary screening assessment, the Proposed Actions would not displace or alter an existing open space; therefore, the Proposed Actions would not result in any direct impact on open space and a detailed assessment of direct open space impacts is not warranted.

An indirect assessment is warranted if a project would generate more than 200 residents or 500 employees, according to the *CEQR Technical Manual*. Because the Proposed Actions would introduce an additional 1,822 residents and 95 employees, a detailed assessment of indirect effects to open space was conducted for the residential population. An assessment was not warranted for the non-residential population. To assess the indirect impacts of the Proposed Actions within the Study Area (0.50-mile), a detailed assessment was conducted pursuant to *CEQR Technical Manual* guidance.

According to *CEQR Technical Manual* guidance, a decrease in the open space ratio (OSR) of 5 percent or more is generally considered significant. An open space impact assessment also considers qualitative factors. According to CEQR guidance, in areas that are extremely lacking in open space, a decrease in the OSR of one percent or greater may result in significant adverse impacts. Based on the No-Action active OSR, the Study Area is extremely lacking in active open space, therefore a decrease in the active OSR of one percent or greater may result in significant adverse impacts. However, passive open space is not extremely lacking, therefore a decrease in the passive OSR of five percent or greater may result in significant adverse impacts.

The detailed analysis determined that the Proposed Actions would decrease the active, passive, and total OSRs in the Study Area by more than 10 percent. In the With-Action Condition, the total open space ratio within the 0.50-mile Study Area would decrease by 11.15 percent to 1.12 acres per 1,000 residents. The passive open space ratio would decrease from 0.88 to 0.79 acres per 1,000 residents, a decrease of 10.75 percent. The active open space ratio would decrease from 0.37 to 0.33 acres per 1,000 residents, a reduction of 12.10 percent (see Table 3).

Table 4: Percent Change in Open Space Ratio

Residential Population	Type	Acreage	OSR ¹	OSR Planning Goal
No-Action Condition				
13,232	Active	4.94	0.37	2.0
	Passive	11.67	0.88	0.5
	Total	16.61	1.26	2.5
With-Action Condition				
15,054	Active	4.94	0.33	2.0
	Passive	11.85	0.79	0.5
	Total	16.79	1.12	2.5
Increment				
1,822	Active	0.00	-0.04	
	Passive	0.18	-0.09	
	Total	0.18	-0.14	
Percent Change				
	Active (%)	0.00	-12.10	
	Passive (%)	1.54	-10.75	
	Total (%)	1.08	-11.15	

¹ Open Space Ratio = Acres of Open Space/ residential population * 1,000. Note: Numbers may not add due to rounding

The reduction in passive open space would be partially offset by the proposed 0.18-acre privately-owned, publicly accessible passive open space on Projected Development Site 1, which would include passive recreational facilities such as benches, lighting, and paved areas, and would be maintained by the applicant. This commitment for an on-site passive open space would be a PCRE, and would be memorialized in a restrictive declaration tied to the Applicant’s site. The With-Action passive space OSR of 0.79 would be more than 150% the City’s planning goal of 0.5 acres of passive space per 1,000 residents, and therefore the Proposed Actions would not result in a significant adverse passive open space impact.

In the No-Action and With-Action conditions, the Open Space Study Area would be extremely lacking active open space, as the Study Area’s No-Action OSR of 0.37 would be well below the City’s planning goal of 2.0 acres of active open space per 1,000 residents. Relative to the No-Action Condition, the With-Action Condition’s active OSR would be further reduced from 0.37 to 0.33 acres per 1,000 residents. Therefore, the Proposed Actions would result in a significant adverse indirect impact in the area of active open space because the Proposed Actions would decrease the active open space ratio by more than one percent in an area currently below the City’s median community district OSR of 1.5 acres per 1,000 residents. To partially mitigate the active open space impact, the Applicant would provide a 5,700-sf active open space between buildings 2 and 3 as described in the Mitigation section below.

Shadows

The Proposed Actions would not result in a significant adverse shadows impact. The Proposed Actions have the potential to cast shadow on historic, open space, and natural resources based on the Tier 1 through Tier 3 screenings. However, a detailed assessment was warranted only for the St. George Waterfront Esplanade because a Tier 3 screening was unable to rule out significant adverse shadows impacts to other sunlight-sensitive resources. The St. George Waterfront Esplanade has seating areas near the waterfront with sweeping views across Upper Bay.

Overall, the Proposed Actions have the potential to cast incremental shadow on the St. George Waterfront Esplanade on the December 21 and March 21 analysis days. The detailed assessment shows that incremental shadow would be cast throughout the December analysis day on sunlight-sensitive resources. Because incremental shadow would move throughout the day and other, similar sunlit bench seating would continue to be available in areas of the St. George Waterfront

Esplanade throughout the day, there would not be a significant adverse shadow impact on the December analysis day, the analysis day representative of cold weather conditions when demand for open spaces is lower. On the March analysis day, incremental shadow would be cast on the Postcards memorial for approximately 30 minutes toward the end of the analysis day. The memorial, which does not have any sunlight-dependent features, would continue to receive direct sunlight for the remainder of the analysis period (more than 90% of the analysis period).

While incremental shadow would shade some bench seating areas, sunlit bench seating would continue to be available in the immediate area along the St. George Waterfront Esplanade during all times of incremental shadow. The Proposed Actions therefore do not have the potential to result in a significant adverse shadows impact.

Historical and Cultural Resources

The Proposed Actions would not result in a significant adverse historic and cultural resources impact. A preliminary assessment of archaeological and architectural resources was conducted in coordination with the NYC Landmarks Preservation Commission (LPC), which determined that there are five historic resources located within 400 feet of the Project Area and that the Proposed Actions have the potential to result in incremental in-ground disturbance. Therefore, a preliminary analysis of the potential indirect impacts of the Proposed Actions on architectural resources was conducted, as well as a comprehensive review of effects on potential archaeological resources. Direct effects on architectural resources were not evaluated because there are no eligible or designated historic resources on the projected development sites within the Project Area. Based on the preliminary analysis of indirect impacts, the Proposed Actions would not result in a significant adverse impact to architectural resources.

Archaeological Resources

LPC reviewed the projected development sites within the Project Area. In a comment letter dated September 10, 2019 (Appendix F of the EAS), LPC determined that the Project Area is not archeologically sensitive and contains no archaeological historic resources.

Architectural Resources

Direct (Physical) Impacts

Because there are no eligible or designated historic resources on the development sites, there are no potential significant adverse direct impacts related to historic resources.

Indirect (Contextual) Impacts

There are five historic resources located within 400 feet of the Project Area. Although development resulting from the Proposed Actions could alter the setting or visual context of several of these historic resources, none of the alterations to the historical settings or visual context would result in significant adverse impacts. The Proposed Actions would not alter the relationship of any identified historic resources to the streetscape, since all streets in the Study Area would remain open and each resource's relationship with the street would remain unchanged in the With-Action Condition. The Proposed Actions would not eliminate or substantially obstruct important public views of architectural resources, as all significant elements of these resources would remain visible from public streets and view corridors. In addition, the Proposed Actions would not introduce any incompatible visual, audible, or atmospheric elements in the area of historic resources in the With-Action Condition. Therefore, the Proposed Actions would not result in any significant adverse indirect or contextual impacts to historic architectural resources.

Urban Design and Visual Resources

The Proposed Actions would not result in a significant adverse urban design and visual resources impact. In the With-Action Condition, Building 1 would be developed on Lot 100 as a 298-foot-tall (273 feet plus a 25-foot bulkhead) mixed-use building. A privately owned, publicly accessible open space would be also developed on Lot 100, adjacent to Building 1. Building 2 would be developed on Lot 92 as a 270-foot-tall building (245 feet plus a 25-foot bulkhead). Building 3 would be developed on Lot 82 as a 157-foot-tall building (132 feet plus a 25-foot bulkhead). Accessory parking would be provided in the podiums of Buildings 1 and 3. Projected Development Site 2 is not controlled by the Applicant but it could reasonably be developed with a 205-foot-tall (185 feet plus a 20-foot bulkhead) building that would be sited at the street line. Accessory parking in Building 2 would be provided on the second floor and would be accessed by a ramp from Richmond Terrace. All parking at the projected development sites would be provided within buildings. Active uses would be developed at the ground levels within all new buildings in the Rezoning Area.

The massings of the buildings on Projected Development Site 1 have been designed to "step up" from shorter buildings farther north along Richmond Terrace. Building 3 would be the shortest building on Projected Development Site 1. Building 1 – the building closest to the St. George civic core – would be the tallest building in the Study Area with a height of 298 feet. The elevation of the bulkhead would be 28

feet taller than the bulkhead of the south tower of the Castleton Park Apartments. Building 1 would incorporate a series of "step-downs" near Hamilton Avenue from its highest points to match the existing front yard setbacks and street wall height along the north side of Hamilton Avenue.

Views would continue to be available in the With-Action Condition along the upland streets, such as Hamilton Avenue and Nicholas Street, towards the Upper Bay and the Manhattan, Brooklyn, and New Jersey skylines. Views would also continue to be available to these visual resources from other locations in the Study Area such as the St. George Waterfront Esplanade and the North Shore Esplanade.

Typical of new development in urban areas, development in the With-Action Condition has the potential to affect the viewing context of nearby historic visual resources, such as Staten Island Family Courthouse and Curtis High School, by introducing new buildings that can be seen while viewing these resources. Close-range views of these resources themselves would not be affected and would continue to be available for public enjoyment from the surrounding street network.

Overall, the Proposed Actions would facilitate tall, slender towers on underdeveloped sites, consistent with the design objectives of the Special St. George District. The proposed 29-foot setback of Building 1 would be similar to other front setbacks along the north side of Hamilton Avenue, and would allow the existing visual corridor along Hamilton Avenue to continue. A new privately-owned, publicly accessible open space would be developed at the northwest corner of intersection of Stuyvesant Place and Hamilton Avenue. The buildings in the With-Action Condition would activate Richmond Terrace, Hamilton Avenue, and Stuyvesant Place with active ground floor uses. Project-generated development would provide articulation and visual interest to the St. George skyline. Accordingly, the Proposed Actions would not result in a significant adverse urban design and visual resources impact.

Hazardous Materials

The Proposed Actions would not result in a significant adverse hazardous materials impact. Known or potential hazardous material conditions resulting from previous and existing uses in and near the Project Area were assessed through historic Phase I Environmental Site Assessments (ESAs) and a Phase II Environmental Site Investigation.

The hazardous materials assessment identified various semi-volatile organic compounds (SVOCs), metals, and various pesticides in exceedance of applicable standards, consistent with the presence of historic fill material. In addition, two polyfluoroalkyl substances (PFAS) analytes, perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA), were detected in exceedance of applicable standards. Soil vapor sampling indicated the presence of the chlorinated solvent tetrachloroethene (PCE) at low concentrations in six of nine soil vapor samples, and the chlorinated solvent 1,1,1-trichloroethane (1,1,1-TCA) at low concentrations in one soil vapor sample. Several petroleum-related VOCs, including benzene, toluene, ethylbenzene, xylenes, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene were also detected in soil vapor samples across the site, with the highest concentrations occurring in samples collected from the northern portion of the site. Groundwater was not encountered as part of the Phase II Environmental Site Investigation.

Projected Development Site 1, the Applicant's site, was accepted into the Brownfield Cleanup Program (BCP) on June 15, 2021 (DEC Site No: C243045). The BCP provides remedial oversight by the New York State Department of Environmental Conservation (DEC) through a Brownfield Cleanup Agreement (BCA) between the Applicant and DEC that was executed on July 22, 2021 (see Appendix D). The BCA will require that remedial actions performed in conjunction with the Proposed Project would be subject to approval and oversight by DEC. With the regulatory oversight provided by the BCA, no significant adverse hazardous materials impacts would occur at Projected Development Site 1.

To preclude the potential for adverse impacts associated with new construction resulting from the Proposed Actions, an (E)-Designation for hazardous materials would be placed on Projected Development Sites 1 and 2. The (E)-Designation would require approval by the New York City Office of Environmental Remediation (OER) prior to the issuance of new permits from the NYC Buildings Department (DOB) that would entail soil disturbance. The requirements of the (E)-Designation must be satisfied in coordination with OER before each development site can be redeveloped and occupied. With Projected Development Site 1 enrolled in the BCP and the proposed (E)-Designation (E-614) in place for the two development sites, the Proposed Actions would not result in significant adverse hazardous materials impacts.

Water & Sewer Infrastructure

The Proposed Actions would not result in a significant adverse water and sewer infrastructure impact. The Proposed Actions would result in incremental residential and commercial floor area over the No-Action Condition. The With-Action Condition would not generate demand for

more than 1 million gallons per day (mgd) of water and therefore a water supply analysis is not warranted.

In the With-Action Condition, wastewater generated at the development sites would continue to be treated by the Port Richmond Wastewater Treatment Plant (WWTP). Based on the water usage and sewage generation rates shown on Table 13-2 of the *CEQR Technical Manual*, development in the With-Action Condition would generate approximately 231,885 gpd of wastewater, which is a net increase of approximately 186,986 over the No-Action Condition. This 186,986 gpd of incremental wastewater represents an increase of 0.19 mgd to the Port Richmond WWTP wastewater capacity. The Port Richmond WWTP has an excess capacity of approximately 35.27 mgd and can accommodate the incremental flows without exceeding the WWTP's design capacity.

The Proposed Project is within a combined sewer overflow drainage area, where all stormwater runoff is discharged directly to the Port Richmond WWTP drainage area. In the With-Action Condition, compliance with stormwater detention requirements per Chapter 31 of Title 15 of the Rules of the City of New York preclude the potential for significant adverse impacts to New York City stormwater infrastructure or treatment facilities. The Proposed Actions would also not result in significant adverse impacts on the City's wastewater infrastructure or treatment facilities. Accordingly, the Proposed Actions would not result in a significant adverse water and infrastructure impact, and no further analysis is warranted.

Transportation

The Proposed Actions would result in a significant adverse transportation impact in the area of traffic. Five intersections (comprising ten intersection approaches/lane groups) in the study area would potentially experience significant adverse traffic impacts in at least one peak hour. There would be no significant adverse transportation impacts in the areas of transit, pedestrians, or vehicular safety. Further, the Proposed Actions would not result in a parking shortfall.

Traffic

The Proposed Actions would generate approximately 190, 199, 190 and 213 net incremental vehicle trips during the weekday AM, midday, PM and Saturday midday peak hours, respectively. Traffic conditions were evaluated for these four peak hours at thirteen intersections in the general vicinity of the Project Site, where the net incremental increase in vehicle trips due to the Proposed Actions would exceed the CEQR threshold for conducting detailed traffic analysis. The capacity analyses indicate that eight intersection approaches/lane groups in the study area would experience potentially significant adverse traffic impacts in at least one peak hour as a result of the Proposed Actions, and are summarized as follows:

- The westbound left-turn of Richmond Terrace at Jersey Street during the weekday AM peak hour.
- The westbound through-right movement of Richmond Terrace at Jersey Street during the weekday AM, midday, PM and Saturday midday peak hours.
- The eastbound approach of Richmond Terrace at Westervelt Avenue during the weekday AM and Saturday midday peak hours.
- The westbound approach of the Empire Mall Driveway at Richmond Terrace during the weekday AM, midday, PM and Saturday midday peak hours.
- The northbound right-turn of Richmond Terrace at Wall Street/Empire Mall Driveway during the weekday midday, PM and Saturday midday peak hours.
- The northbound left-turn of Bay Street at Victory Boulevard during the weekday midday and PM peak hours.
- The northbound through-right movement of Bay Street at Victory Boulevard during the weekday midday and Saturday midday peak hours.
- The southbound left-through movement of Bay Street at Victory Boulevard during the weekday midday and Saturday midday peak hours.

Possible mitigation measures are summarized below under "Mitigation."

Transit

The Project Area is well-served by 22 New York City Transit (NYCT)/MTA bus lines, as well as the Staten Island Railway (SIR) and the Staten Island Ferry which can be accessed at the St. George Terminal approximately 0.5 miles from the Project Site. However, the net incremental subway/rail and bus trips generated by the Proposed Actions, respectively, are below the CEQR threshold for conducting detailed analyses of transit conditions. Therefore, the Proposed Actions would not result in a significant adverse transit impact.

Pedestrians

The Proposed Actions would generate approximately 110, 555, 268 and 311 net incremental walk-only trips; and approximately 626, 1,052, 780 and 884 net incremental person trips during the weekday AM, midday, PM and Saturday midday peak hours, respectively. Pedestrian conditions were evaluated for these four peak hours at four pedestrian elements in the vicinity of the Project Site, where the net incremental increase in pedestrian trips due to the Proposed Actions would exceed the CEQR threshold for conducting detailed analysis. The capacity analyses indicate that each of these pedestrian elements would operate at acceptable service conditions in the With-Action Condition, and therefore, the Proposed Actions would not result in a significant adverse pedestrian impact.

Parking

The parking analysis evaluates the off-street public parking supply and utilization at the five public parking facilities within a ¼-mile radius of the Project Site. In the With-Action Condition, 409 parking spaces would be provided on the development sites and the Proposed Actions would generate a peak parking demand during the overnight period of approximately 475 spaces for both the typical weekday and Saturday conditions. This demand would result in a peak parking shortfall of approximately 66 spaces during the overnight period; however, this demand would be accommodated at the public parking facilities within ¼-mile of the Project Site. Therefore, the parking demand generated by the Proposed Actions would not result in a parking shortfall in the study area.

Vehicular and Pedestrian Safety

Crash data for the study area intersections were obtained from the New York State Department of Transportation (NYSDOT) for the three-year period from January 1, 2016 to December 31, 2018. Based on this information, none of the study area intersections are identified as high-crash locations within any consecutive 12-month period of the most recent three-year period. Therefore, the Proposed Actions would not adversely affect the vehicle and pedestrian safety conditions in the study area.

Air Quality

The Proposed Actions would not result in a significant adverse air quality impact. For the Proposed Actions, a preliminary screening in the areas of HVAC, industrial source, and large or major sources was warranted. For mobile sources, detailed analysis was able to rule out significant adverse air quality impacts from project-generated traffic and parking structures.

Stationary Sources

The Proposed Actions would facilitate the development of four buildings of varied heights across two development sites. Because of the varied heights, there is no potential for impacts from cumulative emissions from the buildings, as emissions would be released at various elevations. There are no large or major emissions sources within 1,000 feet of the Project Area, and therefore detailed large or major source industrial emissions analysis was not warranted.

A review of New York City Department of Environmental Protection (DEP) Clean Air Tracking System (CATS) database within 400 feet of the Project Area found 14 boiler permits that do not warrant further analysis. The review found one permit (GA000495) for a gas station at 78 Richmond Terrace (Block 9, Lot 28) that expired in 2001; this site is improved with the NYPD 120th Precinct and has no potential for the gas station use to be reestablished. Accordingly, the Proposed Actions do not have the potential to result in a significant adverse industrial source air quality impact.

The air quality nomograph screenings show that with natural gas as a fuel source, Building 2's HVAC emissions would not have the potential to result in a significant adverse air quality impact on Building 1. Proposed (E)-Designation E-614 would require Building 2 to use natural gas as a fuel source. With the use of natural gas as a fuel source, emissions from Building 3 do not have the potential to result in significant adverse air quality impacts; however, if fuel oil #2 is used as a fuel source, the (E)-Designation would require the emissions point to be at least 125 feet from the nearest receptor of similar or greater height to preclude a significant adverse air quality impact. Building 4 on Projected Development Site 2 passed the nomograph screening in both the natural gas and fuel oil #2 scenarios, and no air quality (E)-Designation is warranted for this site.

Therefore, to preclude the potential for project-on-project or project-on-existing air quality impacts from stationary sources, an (E)-Designation for air quality would be assigned to Projected Development Site 1 (Block 13, Lots 82, 92, and 100) for air quality. With implementation of the proposed (E)-Designation, the Proposed Actions do not have the potential to result in significant adverse stationary air quality impacts.

Mobile Sources

The Proposed Actions would not generate 170 or more incremental passenger car equivalent trips during any peak hour at any intersection. An intersection assessment was warranted for particulate

matter (PM) because the Proposed Actions would generate more than 12 heavy duty vehicle-equivalents on at least one paved road with fewer than 5,000 average daily traffic trips. An analysis of vehicular roadway emissions at the intersection of St. Marks Place and Hamilton Avenue was performed to represent worst-case conditions. The assessment analyzed pollutants PM10 and PM2.5 using the methodology set forth in the CEQR Technical Manual. The resulting PM10 and PM2.5 concentrations would not exceed the NAAQS and de minimis thresholds. Therefore, the Proposed Actions would not result in a significant adverse air quality impact in the area of mobile source emissions.

Additionally, an analysis of the emissions from the garage within Building 3 was performed to represent worst-case conditions of mobile sources in project-generated parking facilities and calculate pollutant levels in the surrounding area per the methodology set forth in the CEQR Technical Manual. Concentrations of CO, PM10, and PM2.5 due to project-generated mobile sources in the proposed garage facilities would not result in exceedances of NAAQS or CEQR de minimis criteria. Therefore, mobile source emissions from project-generated parking garages would not result in a significant adverse air quality impact.

Greenhouse Gas Emissions and Climate Change

The Proposed Actions would not result in a significant adverse greenhouse gas emissions and climate change impact. The RWCD established for the Proposed Actions would generate approximately 3,802 total metric tons carbon dioxide equivalent (CO_{2e}) of annual emissions from building operations, and 10,479 metric tons of CO_{2e} emissions from mobile sources annually, for an annual total of approximately 14,281 metric tons of CO_{2e} emissions. This represents a worst-case scenario, and would be less than 0.028 percent of the City's overall 2017 (the latest data available) GHG emissions of approximately 51.0 million metric tons.

Construction-generated GHG emissions were not modeled explicitly for this project, but are estimated to be equivalent to approximately five to ten years of operational emissions, including both direct energy and emissions embedded in materials (extraction, production, and transport). For this project, the estimated construction-generated GHG emissions would equate to between 71,405 and 142,810 metric tons of CO_{2e} over the course of construction.

The Proposed Actions would advance New York City's GHG reduction goals because the Project Area is in a downtown urban area with access to a variety of transit options and within walking distance of ferry, bus, and rail connections at St. George Terminal. Development facilitated by the Proposed Actions would be required to comply with local laws intended to reduce the GHG emissions such as Local Law 22 of 2008 (known as the New York City Climate Protection Act), Local Law 66 of 2014 ("80 x 50"), and Local Law 97 of 2019. The new buildings would be subject to the New York City Energy Conservation Code (NYCECC), which was updated in 2020 to be one of the highest energy efficient standards nationwide for sustainability and efficiency. The NYCECC governs performance requirements for heating, ventilation, air conditioning systems, and exterior building envelope; the proposed buildings would be constructed in compliance with this code. The Proposed Actions would therefore comply with the City's emissions reduction goals of transit-oriented development and the construction of new resource- and energy-efficient buildings.

The Project Area is entirely outside the existing and projected future 100- and 500-year flood zones, and therefore is not susceptible to storm surge and coastal flooding. The Proposed Actions would be consistent with the New York City policies regarding adaptation to climate change because the Project Area is in an area of minimal flood risk.

Noise

The Proposed Actions would not result in a significant adverse noise impact. The Project Area is proximate to the Richmond County Bank Ballpark, mechanical equipment on the roof of the Castleton Park Apartments parking garage, and other ambient noise sources in the area such as traffic along Richmond Terrace and Stuyvesant Place. The Proposed Actions are not projected to increase mobile source noise levels by more than 2.9 dBA. The proposed (E)-Designation (E-614) would be established for Projected Development Site 1 and Projected Development Site 2 to require the developers of the development sites to coordinate with the NYC Mayor's Office of Environmental Remediation to incorporate the minimum noise attenuation specifications.

The design of and specification for building mechanical systems, such as heating, ventilation, and air conditioning (HVAC), would meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Mechanical Code), ensuring that the equipment does not result in any significant increase in ambient noise levels.

Public Health

The Proposed Actions would not result in a significant adverse public health impact and would not result in an unmitigated significant

adverse impact in any of the technical areas that contribute to public health. The *CEQR Technical Manual's* goal with respect to public health is "to determine whether adverse impacts on public health may occur as a result of a proposed project and, if so, to identify measures to mitigate such effects."

According to the *CEQR Technical Manual*, where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If an unmitigated significant adverse impact is identified in one of these analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As described in the relevant analyses of the FEIS, the Proposed Actions would not result in unmitigated significant adverse impacts in the CEQR technical areas of air quality, water and sewer infrastructure, hazardous materials, or noise. During construction, air quality emissions and noise would not rise to levels that would create a public health impact. Therefore, the Proposed Actions would not result in a significant adverse public health impact.

Neighborhood Character

The Proposed Actions would not result in significant adverse impacts to neighborhood character. The Proposed Actions would not result in significant adverse impacts in many of the technical areas that contribute to a neighborhood's character, including land use, zoning, and public policy, socioeconomic conditions, shadows, urban design and visual resources, historic and cultural resources, or noise.

The scale of significant adverse impacts to open space and transportation would not affect any defining features of neighborhood character nor would a combination of moderately adverse impacts affect the neighborhood's defining features. The Proposed Actions would introduce two new publicly-accessible private open spaces on the Applicant's site and would introduce additional pedestrian activity. This pedestrian activity would further activate the immediate area and provide opportunities for local commercial establishments to capture passing trade. Ultimately, the Proposed Project would be consistent with existing development trends and would facilitate new mixed-use development on an urban infill site. Based on the results of the preliminary assessment, there is no potential for the Proposed Actions to result in any significant adverse neighborhood character impacts.

Construction

Construction of the Proposed Actions have the potential to result in significant adverse construction traffic and noise impacts. The Proposed Actions would facilitate the demolition of the existing structures in the Project Area and the development of four buildings across two development sites. Three buildings would be constructed on Projected Development Site 1 and one building would be constructed on Projected Development Site 2. Project-generated construction would be completed in two phases over an approximately 51-month period, including a six-month gap between Phase 1 and Phase 2 construction activities. Phase 1, which includes the entirety of Development Site 1, would be fully constructed 30 months after construction commences. Phase 2, which would involve construction of Projected Development Site 2, would be constructed in 15 months; including a six-month period of no construction activities between Phases 1 and 2, the cumulative construction period would be 51 months. Significant adverse construction traffic impacts would occur at seven intersection approaches/lane groups, and significant adverse construction noise impacts would occur at 20 locations.

Open Space

Construction activities would not occur on or adjacent to public open spaces, and the proposed open spaces on Projected Development Site 1 would be open towards the very end of Phase 1 and would not be available for construction during Phase 2. Phase 2 construction would occur more than 400 feet from the proposed privately accessible open space on Projected Development Site 1; therefore, there would be no significant adverse construction open space impacts.

Hazardous Materials

A detailed assessment of the potential risks related to the construction for the proposed actions with respect to any hazardous materials and mitigation measures related to the potential impacts is provided in the FEIS.

To reduce the potential for adverse impacts associated with new construction resulting from the proposed actions, further environmental investigations and remediation will be required. To ensure that these investigations are undertaken, a hazardous materials (E)-Designation would be placed on the projected development sites. The (E)-Designations would require approval by OER prior to obtaining NYC Buildings Department (DOB) permits for new development entailing soil disturbance.

With the inclusion of the measures required by the (E)-Designations, construction resulting from the Proposed Actions would not result in significant adverse impacts related to hazardous materials.

Transportation

The peak number of trips generated by construction of the Proposed Actions is expected to occur in the second quarter of 2023 (seventh quarter of construction [Q7]). During this peak quarter, project-generated construction would generate an average of approximately 462 workers and 34 truck deliveries per day. Therefore, Q7 was selected to assess the construction transportation conditions to identify any potentially significant adverse impacts to traffic, transit, pedestrians and parking in the study area.

Traffic

Construction of the Proposed Project would generate a maximum of approximately 230 and 210 Passenger Car Equivalent (PCE) vehicle trips during the weekday AM (6:00 AM – 7:00 AM) and PM (3:00 PM – 4:00 PM) construction peak hours, respectively. Traffic conditions were evaluated for these two peak hours at seven intersections in the general vicinity of the Project Site, where the net increase in vehicle trips due to construction of the Proposed Project would exceed the CEQR threshold for conducting detailed traffic analysis. The capacity analyses indicate that the following seven intersection approaches/lane groups in the study area could experience potentially significant adverse traffic impacts in at least one peak hour as a result of construction activities associated with the Proposed Project:

- The eastbound through-right movement of Richmond Terrace at Jersey Street during the weekday AM construction peak hour.
- The westbound through-right movement of Richmond Terrace at Jersey Street during the weekday PM construction peak hour.
- The eastbound approach of Richmond Terrace at Westervelt Avenue during the weekday AM construction peak hour.
- The westbound approach of the Parking Garage Driveway/ Nicholas Street at Richmond Terrace during the weekday PM construction peak hour.
- The westbound approach of the Empire Mall Driveway at Richmond Terrace during the weekday AM and PM construction peak hours.
- The northbound right-turn of Richmond Terrace at Wall Street during the weekday PM construction peak hour.
- The southbound left-through movement of Bay Street at Victory Boulevard during the weekday PM construction peak hour.

In total, construction of the Proposed Project could result in eight potentially significant adverse traffic impacts during either construction peak hour at the seven intersection approaches/lane groups in the study area. The “Mitigation” section below discusses potential measures to mitigate these potentially significant adverse traffic impacts.

Transit

The Project Area is well-served by 22 New York City Transit (NYCT)/MTA bus lines, as well as the Staten Island Railway (SIR) which can be accessed at the St. George Terminal approximately 0.5 miles from the Project Site. However, the maximum peak hour subway/rail and bus trip generation due to construction of the Proposed Project are below the CEQR threshold for conducting detailed analyses of transit conditions. Therefore, the Proposed Actions would not result in potentially significant adverse transit impacts during construction.

Pedestrians

Construction of the Proposed Actions would generate a maximum of approximately 370 construction worker trips during the weekday AM (6:00 AM – 7:00 AM) and PM (3:00 PM – 4:00 PM) construction peak hours. The net increase in pedestrian trips due to project-generated construction is expected to exceed the CEQR threshold for conducting detailed analysis during the weekday AM and PM construction peak hours at the northwest corner at the intersection of Richmond Terrace and Hamilton Avenue. However, this pedestrian element is expected to operate at acceptable conditions during construction of the Proposed Project given the similar pedestrian increments and projected future operating conditions summarized in the operational analysis (see Chapter 5, “Transportation”). Therefore, the Proposed Actions would not result in potentially significant adverse pedestrian impacts during construction.

Parking

Construction of the Proposed Project would generate a maximum parking demand of approximately 260 spaces during the weekday midday period. The operational parking analysis conducted for the Proposed Project indicates that in the No-Action Condition, off-site public parking facilities within ¼-mile of the Project Site would operate at approximately 82 percent utilization with approximately 468 available spaces during the weekday midday period. Therefore, the Proposed Actions would not result in a potential public parking shortfall in the area during construction.

Air Quality

Detailed air quality modeling was completed to assess whether the emissions during the construction stage would have the potential to result in significant adverse air quality impacts during construction. The worst-case construction-generated air effects would occur during the second quarter of Phase 1, and the worst-case annual effects would occur between the first and fourth quarters of Phase 1. Construction of Projected Development Site 2 (Phase 2), would be short-term, and would result in fewer air quality emissions than Phase 1.

Dispersion modeling analysis of construction-related air emissions from the worst-case construction period confirmed that construction under the Proposed Actions and would not result in significant adverse air quality impacts with the following emission control measures:

Ultra-low-sulfur diesel (ULSD) fuel would be used for all diesel engines;

All equipment would use Best Available Technology (BAT) to minimize particulate emissions. The BAT includes diesel particulate filters on all nonroad equipment with a capacity of 50 horsepower (hp) or less;

For construction on Building 3, diesel generators rated at less than 50 hp, would use diesel particulate filters (DPFs), either installed by the original equipment manufacturer (OEM) or retrofitted;

All non-road construction equipment with a power rating of 50 hp or greater would meet at least the Tier 3 emissions standard to the extent practicable.

Vehicle idle time would be restricted to three minutes for equipment and vehicles that do not require their engines to operate a function such as loading, unloading, or processing device (e.g., concrete mixing trucks), or as otherwise required for the proper operation of the engine.

With the implementation of these emission reduction measures, the dispersion modeling of construction-related air emissions for both on-site and off-site sources determined that the annual-average NO₂, one-hour and eight-hour CO, and 24-hour and annual PM_{2.5} concentrations would be below the corresponding NAAQS and de minimis thresholds at the sensitive receptors during peak construction. Construction-related emissions would be reduced outside of the peak construction periods, and would similarly be below the NAAQS and de minimis thresholds. Therefore, the Proposed Actions would not result in significant adverse construction impacts in the area of air quality.

Noise

Construction resulting from the Proposed Actions has the potential to result in a temporary significant adverse noise impact. The detailed analysis of construction noise found that project-generated construction has the potential to result in construction noise levels that exceed the *CEQR Technical Manual* construction noise screening threshold for an extended period of time or the construction noise impact criteria at receptors surrounding the proposed construction work areas at the following properties:

- 185 St Marks Place
- 140 Richmond Terrace
- 41 Hamilton Ave
- 47 Hamilton Ave
- 53 Hamilton Ave
- 59 Hamilton Ave
- 36 Hamilton Ave
- 60 Hamilton Ave
- Castleton Park Apartments South Playground
- 51 Stuyvesant Place
- 199 St. Marks Place

The increase in noise levels at nearby receptors would primarily be due to noise generated by on-site construction activities (rather than construction-related traffic). This noise analysis examined worst-case hourly noise levels that would result from construction in each analyzed quarter, and it represents the worst-case increase in noise levels from project-generated construction activities. Typically, the loudest hourly noise level during each quarter of construction would not persist throughout the entire quarter, and would be dependent on the specific construction equipment that would be employed for various construction tasks. Actual construction-generated noise would be of less magnitude, and therefore construction noise would be less intense than this assessment predicts.

There is no potential for project-on-project significant adverse construction impacts. Construction of Projected Development Site 2 would be complete within 5 quarters (15 months), and construction on this site would commence 6 months after construction of Projected Development Site 1 is complete. The construction noise from Projected Development Site 2 would be classified as short-term per CEQR.

Mitigation

Open Space

In the With-Action Condition, the Study Area’s active open space ratio (OSR) would result in a significant adverse open space impact to active open space. Between the No-Action and With-Action conditions, the active OSR would decrease from 0.37 to 0.33 acres per 1,000 residents,

a reduction of 12.10 percent. The Open Space Study Area is extremely lacking in active open space, and the With-Action active OSR would be well below the City's planning goal of 2.00 acres of active open space per 1,000 residents. Per the CEQR Technical Manual, in areas that are extremely lacking in open space, a decrease in the OSR as small as one percent may be significant. Because the Open Space Study Area is extremely lacking in active open space, a change in the active OSR by more than one percent was used as the threshold for the active open space analysis. In both the No-Action and With-Action conditions, the passive OSR would be more than 1.5 the city's planning goal of 0.5 acres of passive open space per 1,000 residents, and therefore a larger degree of change in the passive OSR can be tolerated within the Open Space Study Area than compared to the active OSR.

Potential mitigation measures have been explored by the Applicant in consultation with DCP- the Lead Agency - and the New York City Department of Parks and Recreation (NYC Parks). The significant adverse impact to open space could be partially mitigated by the provision of an active open space between proposed buildings 2 and 3. This space would accommodate an approximately 5,700-square-foot (sf) (0.13-acre) publicly-accessible active open space. Under the conceptual mitigation plan, this proposed new open space would contain an approximately 1,275 sf turf (for activities such as yoga), a walking loop, and adult exercise equipment. The proposed open space would also include supplemental amenities such as landscaping, seating, and a terrace.

The proposed on-site mitigation would be required to be in place and open to the public prior to the issuance of a Temporary Certificate of Occupancy (TCO) for the third and final building constructed on Projected Development Site 1 (the Applicant's site). This mitigation requirement would be memorialized through a restrictive declaration that would be tied to the Applicant's site with the adoption of the Proposed Actions. The restrictive declaration would be enforced by the NYC Department of Buildings, the agency responsible for issuing TCOs. The Proposed Actions would reduce the active OSR by more than one percent with the occupation of 225 or more project-generated dwelling units, and would reduce the passive OSR by five percent after the occupation of more than 448 project-generated dwelling units. Therefore, there may be a temporary unmitigated active open space impact that would be partially mitigated after the opening of the proposed on-site publicly accessible active open space. In addition to the on-site improvements, active park and playground improvements in the Open Space Study Area may be examined in consultation with the Department of City Planning - the Lead Agency - and the New York City Department of Parks and Recreation (NYC Parks), which would expand the partial mitigation..

The proposed active open space mitigation would generate approximately one pedestrian trip during peak hours, and would not have the potential to result in new or additional significant adverse transportation impacts.

Transportation

In the With-Action Condition, the Proposed Actions would result in significant adverse traffic impacts as detailed below. No significant adverse impacts were identified for pedestrians, transit, parking and vehicular and pedestrian safety.

Traffic

As discussed in the "Transportation" section above, the Proposed Actions would result in potentially significant adverse traffic impacts during one or more peak hours at four study area intersections. Specifically, there would be the potential for significant adverse traffic impacts at three intersections during the weekday AM peak hour, three intersections during the weekday midday peak hour, three intersections during the weekday PM peak hour and four intersections during the Saturday midday peak hour (see Table 4).

Table 4: Summary of Potentially Significant Adverse Traffic Impacts due to the Proposed Actions

ID	Intersection Name (Street Direction)	Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Midday Peak Hour
1	Richmond Terrace (EB/WB) & Jersey Street (NB/SB)	(1) WB Left-Turn	(1) WB Through/Right-Turn	(1) WB Through/Right-Turn	(1) WB Through/Right-Turn
2	Richmond Terrace (EB/WB) & Westervelt Avenue (NB)	(2) WB Through/Right-Turn			(1) EB Approach
6	Richmond Terrace (NB/SB) & Wall Street/Empire Mall Driveway (EB/WB)	(1) WB Approach	(1) WB Approach (2) NB Right-Turn	(1) WB Approach (2) NB Right-Turn	(1) WB Approach (2) NB Right-Turn
7	Victory Boulevard (EB/WB) & Bay Street (NB/SB)		(1) NB Left-Turn (2) NB Through/Right-Turn (3) SB Left-Turn/Through	(1) NB Left-Turn	(1) NB Through/Right-Turn (2) SB Left-Turn/Through

Notes:

Abbreviations: EB: Eastbound; WB: Westbound; NB: Northbound; and SB: Southbound.

¹ Table was revised for the FEIS to remove the potentially significant adverse traffic impacts at Intersection No. 11.

The significant adverse traffic impacts at eight (8) out of the twenty (20) impacted intersection approaches/lane groups (combined for all peak hours) could be mitigated with readily implementable traffic engineering measures, including the modification of traffic signal timings. At the intersection approaches/lane groups where no readily

available measures have been identified to mitigate the significant adverse traffic impacts, the impacts would remain unmitigated in the future with the Proposed Project. However, as part of the Bay Street Rezoning and Related Actions FEIS, the City committed to a Traffic Monitoring Plan, which includes the intersection of Bay Street and Victory Boulevard.

Construction

Traffic

As discussed in the "Construction" section above, construction of the Proposed Project could result in significant adverse traffic impacts during at least one of the weekday AM (6:00 AM - 7:00 AM) or PM (3:00 PM - 4:00 PM) construction peak hours at five study area intersections. Specifically, there would be the potential for significant adverse traffic impacts at three intersections during the weekday AM construction peak hour and four intersections during the weekday PM construction peak hour (see Table 5).

Table 5: Summary of Potentially Significant Adverse Traffic Impacts due to Construction

ID	Intersection Name (Street Direction)	Weekday AM Construction Peak Hour	Weekday PM Construction Peak Hour
1	Richmond Terrace (EB/WB) & Jersey Street (NB/SB)	(1) EB Through/Right-Turn	(1) WB Through/Right-Turn
2	Richmond Terrace (EB/WB) & Westervelt Avenue (NB)	(1) EB Approach	-
3	Richmond Terrace (NB/SB) & Nicholas Street/Parking Garage Driveway (EB/WB)	-	(1) WB Approach
6	Richmond Terrace (NB/SB) & Wall Street/Empire Mall Driveway (EB/WB)	(1) WB Approach	(1) WB Approach (2) NB Right-Turn
7	Victory Boulevard (EB/WB) & Bay Street (NB/SB)	-	(1) SB Left-Turn/Through

Notes:

Abbreviations: EB: Eastbound; WB: Westbound; NB: Northbound; and SB: Southbound.

The significant adverse traffic impacts at five (5) out of the eight (8) total impacted intersection approaches/lane groups (spanning the weekday AM and PM construction peak hours) could be mitigated with readily implementable traffic signal timing modifications. At the intersection approaches/lane groups where no readily available measures have been identified to mitigate the potentially significant adverse traffic impacts, the impacts would remain unmitigated in the future during construction of the Proposed Project.

Noise

As described in the "Construction" section above, the Proposed Actions have the potential to result in a temporary significant adverse construction-period noise impact because of the duration and magnitude of the projected construction-period noise levels. Significant adverse construction noise impacts were identified where project-generated construction has the potential to exceed CEQR impact criteria at up to 11 properties.

Through a restrictive declaration that would be tied to the Applicant's site, the Applicant has committed to implementing certain controls that exceed the noise control measures required by the New York City Noise Control Code. These measures include using auger drills in lieu of impact pile drivers, using ventilation fans that would not exceed a noise sound power level of 91-dBA (equivalent to the sound pressure level of 59 dBA at a distance of 50 feet), using generators with a capacity less than 25 kilovolt amperes (KVA), and constructing a 15-foot-tall construction barrier that would extend along the full perimeter of the site except along Projected Development Site 1's frontage to Richmond Terrace, where an 8-foot-tall construction barrier would be placed. However, even with these measures, elevated construction-period noise levels are predicted to occur at certain locations.

The Proposed Actions would generate temporary unmitigated significant adverse construction noise impacts at the multi-family residences at 185 St. Marks Place [Castleton Park Apartments - South Tower], 36 Hamilton Avenue, and 60 Hamilton Avenue. Project-generated construction noise would also result in unmitigated construction noise impacts at the commercial office buildings at 140 Richmond Terrace and 51 Stuyvesant Place, which is a vacant City-Owned building.

The Proposed Actions would cause a temporary significant adverse construction noise impact at northern and eastern façades of the one- and two-family residences at 41 Hamilton Avenue, 47 Hamilton Avenue, 53 Hamilton Avenue, and 59 Hamilton Avenue, and at the eastern façade of 199 St. Marks Place. At these impacted façades, the Applicant would offer to make available at no cost for the purchase and installation of one window AC per unit at residences that do not already have alternative means of ventilation. The mitigation measures would be implemented prior to the start of construction. With through-window AC units in place, the project-generated construction noise is projected to cause a temporary exceedance of the CEQR-recommended interior noise level of 45-dBA at these properties, and therefore these properties would be partially mitigated.

Lastly, Castleton Apartments South Playground is predicted to

experience a significant adverse construction noise impact. No practical and feasible mitigation measures have been identified that could be implemented at this private outdoor playground to reduce noise levels below the 55 dBA L10(1) guideline or eliminate project-generated construction noise impacts. Although the *CEQR Technical Manual's* 55 dBA L10(1) 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. Based on *CEQR Technical Manual* guidance, the Proposed Actions would result in a temporary unmitigated significant adverse impact to this private playground.

Alternatives

No-Action Alternative

In the No-Action Alternative, the Site B portion of Projected Development Site 1 would be developed with a 143,030 gsf building comprising 167 market rate DU (128,169 gsf), 8,240 gsf of retail space, and 12,125 gsf of accessory parking (29 spaces). Of the 131 required parking spaces, 103 would be provided off-site and within 600 feet of Site B. The building would be developed pursuant to R6 height factor regulations. The building base would rise five floors to a height of 60 feet along the Richmond Terrace frontage before a 15-foot setback. The building would then rise six stories before a second setback at the 12th floor. The building would have a roof height of 136 feet. Including a 30-foot-tall bulkhead, the building would be 166 feet tall.

Independent of the Proposed Actions, the Applicant would acquire Tentative Lot 95. Tentative Lot 95 could not be incorporated into Sites A (Lot 100) and B (Lots 82 and 92) because it is needed for the Castleton lot's required open space, and a zoning non-compliance would occur if the tentative lot were subdivided from the Castleton zoning lot under the existing R6 zoning. At Projected Development Site 2, the two existing two-family houses would remain as existing conditions. Lot 68 would remain vacant.

Compared to the Proposed Actions, the No-Action Alternative would contain less development and generate fewer demands for community resources such as schools, open space, transportation, and sewers. However, the No-Action Alternative would not achieve the goals and objectives as described in the "Purpose and Need" section of the Project Description, specifically in regard to increasing housing supply in the area and the provision of affordable units. Further, the No-Action Alternative has the potential to result in more hazardous materials, air quality, and noise effects than the Proposed Actions because new developments would not have the regulatory oversight provided through the City's (E)-Designation program.

No Unmitigated Significant Adverse Impacts Alternative

The Proposed Actions would result in significant adverse open space and transportation impacts. The Open Space Study Area is extremely lacking in active open space and is well below the City's planning goal of 2.0 acres of active open space per 1,000 residents. The Proposed Actions would decrease the residential active OSR by more than one percent. To reduce the residential active OSR by less than one percent to avoid a significant adverse impact to active open space, the Proposed Actions' residential component would have to be reduced by 75 percent (by 673 DU, from 897 DU to 224 DU). This reduction would substantially reduce the project so that it would no longer meet the Purpose and Need of the Proposed Actions.

Alternatively, 0.63-acres of active open space could be provided to reduce the active OSR by less than one percent. Similar to the Proposed Actions, the No-Unmitigated Significant Adverse Impact Alternative could not feasibly provide the acreage of active recreational space needed to mitigate the open space impact due to the limited availability of land and the topography of the development sites. In the No Unmitigated Significant Adverse Impacts Alternative, measures similar to the mitigations for the Proposed Actions would be necessary to avoid a significant adverse open space impact.

The proposed mitigation measures for Transportation are typical improvement measures, such as modification of traffic signal phasing and/or timing. These improvements are routinely identified by the City and considered feasible for implementation. With implementation of the recommended traffic engineering improvements, the potentially significant adverse impacts at 8 of the 20 impacted intersection approaches/lane groups (combined across all peak hours) would be fully mitigated.

To avoid a potentially significant adverse traffic impact, the Proposed Actions' residential and retail components would have to be reduced by approximately 70 percent, resulting in 269 DU and 8,422 gsf of retail. This potential reduction would substantially reduce the project's development to a point where it would no longer meet the Purpose and Need of the Proposed Actions.

Unavoidable Significant Adverse Impacts

The Proposed Actions would result in significant adverse impacts to open space, transportation, and construction. Mitigation is being considered to the extent practicable for these identified significant adverse impacts. However, in some instances no practicable mitigation would be able to fully mitigate significant adverse impacts, and no reasonable alternatives would meet the purpose and need of the project, eliminate their impacts, or not cause other or similar significant adverse impacts.

G. GROWTH INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Actions would allow more intensive land uses within the Rezoning Area, and would increase the demand for local neighborhood services such as community facilities, and local retail. The increased demand for these services would largely be satisfied by the existing commercial and community facilities in Downtown Staten Island. The Proposed Actions would also facilitate smaller local retail spaces on the development sites that would support the proposed residential uses.

The Proposed Actions would increase the zoning capacity in the area of Block 13 within 185 feet of Richmond Terrace and Stuyvesant Place, and would not increase zoning capacity outside of this area. Further, the Proposed Actions would not introduce new infrastructure (e.g., develop a sewer line in an area not currently served by sewers) or greatly increase infrastructure capacity that would induce or unlock development in secondary areas. The Proposed Actions would allow infill development on the projected development sites, which are in a well-established urban area near existing infrastructure; therefore, the Proposed Actions have minimal potential induce notable growth outside of the two projected development sites.

H. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Both natural and manufactured resources would be used in the demolition, construction, and operation of the project-generated development. These resources include time and materials used in construction; energy (gas and electricity) consumed during the construction and operation of project-generated development; and human effort (time and labor) required to design, plan, develop, construct, and operate various components of the project-generated development. These resources very likely could not be reused and are thus considered permanently committed to future development resulting from the Proposed Actions.

In the With-Action Condition, the Applicant would develop a privately-owned publicly accessible active public space between buildings 2 and 3, and a privately-owned publicly-accessible passive open space at the intersection of Hamilton Avenue and Stuyvesant Place, next to the base of Building 1. During construction, some existing overgrowth vegetation would be permanently removed and replaced with native species in targeted areas throughout the site.

The Proposed Actions would facilitate development on two development sites, and would therefore create a long-term commitment of land resources. This commitment of land would render the proliferation of other land uses on the development sites highly unlikely. The Proposed Actions would not allow uses not already permitted under existing zoning; therefore, the proposed land uses would be compatible with the surrounding area. Targeted infill development would be similar to other recent and ongoing land use and development trends in Downtown Staten Island, typified by developments such as Lighthouse Point. Funds and human efforts committed to the planning, design, construction, and operation of project-generated development would not be available for other projects.

Per the *CEQR Technical Manual*, in considering the trade-offs of the project, short-term losses are weighed against the long-term benefits of the Proposed Actions. The Proposed Actions would respond to multiple land use goals and objectives outlined in public policies such as OneNYC, Housing New York, and North Shore 2030. The Proposed Actions would facilitate housing (including affordable options) collocated with local retail and accessory parking. A portion of privately owned land would be dedicated to a publicly accessible open space, introducing a new community amenity. Losses of vegetative overgrowth on the development sites would allow mixed-use, infill development proximate to transit that would be compatible with the goals of public policies, other nearby infill developments and land uses in Downtown Staten Island.

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8812
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 8/23/2021
4087216	1.3	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0862 GAL.	2.2016 GAL.
4087216	2.3	#2DULS	PICK-UP	SPRAGUE	-.0862 GAL.	2.0969 GAL.
4087216	3.3	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0862 GAL.	2.3999 GAL.
4087216	4.3	#2DULS	PICK-UP	SPRAGUE	-.0862 GAL.	2.2951 GAL.
4087216	5.3	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0858 GAL.	2.5194 GAL.
4087216	6.3	#1DULS	PICK-UP	SPRAGUE	-.0858 GAL.	2.4146 GAL.
4087216	7.3	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0862 GAL.	2.2294 GAL.
4087216	8.3	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0862 GAL.	2.5204 GAL.
4087216	9.3	B100	CITYWIDE BY TW	SPRAGUE	-.1081 GAL.	4.0705 GAL.
4087216	10.3	#2DULS	PICK-UP	SPRAGUE	-.0862 GAL.	2.1246 GAL.
4087216	11.3	#2DULS	PICK-UP	SPRAGUE	-.0862 GAL.	2.4156 GAL.
4087216	12.3	B100	PICK-UP	SPRAGUE	-.1082 GAL.	3.9657 GAL.
4087216	13.3	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0858 GAL.	2.5290 GAL.
4087216	14.3	B100	CITYWIDE BY TW	SPRAGUE	-.1082 GAL.	4.0794 GAL.
4087216	15.3	#1DULS	PICK-UP	SPRAGUE	-.0858 GAL.	2.4242 GAL.
4087216	16.3	B100	PICK-UP	SPRAGUE	-.1082 GAL.	3.9746 GAL.
4087216	17.3	#2DULS	BARGE MTF III & ST. WI	SPRAGUE	-.0862 GAL.	2.1622 GAL.
3687192	1.0	Jet	FLOYD BENNETT	SPRAGUE	-.0806 GAL.	2.6426 GAL.
3587289	2.0	#4B5	MANHATTAN	UNITED METRO	-.0838 GAL.	2.2783 GAL.
3587289	5.0	#4B5	BRONX	UNITED METRO	-.0838 GAL.	2.2771 GAL.
3587289	8.0	#4B5	BROOKLYN	UNITED METRO	-.0838 GAL.	2.2713 GAL.
3587289	11.0	#4B5	QUEENS	UNITED METRO	-.0838 GAL.	2.2766 GAL.
3587289	14.0	#4B5	RICHMOND	UNITED METRO	-.0838 GAL.	2.3620 GAL.
4187014	1.0	#2B5	MANHATTAN	SPRAGUE	-.0873 GAL.	2.3567 GAL.
4187014	3.0	#2B5	BRONX	SPRAGUE	-.0873 GAL.	2.3087 GAL.
4187014	5.0	#2B5	BROOKLYN	SPRAGUE	-.0873 GAL.	2.3217 GAL.
4187014	7.0	#2B5	QUEENS	SPRAGUE	-.0873 GAL.	2.3297 GAL.
4187014	9.0	#2B5	STATEN ISLAND	SPRAGUE	-.0873 GAL.	2.4087 GAL.
4187014	11.0	#2B10	CITYWIDE BY TW	SPRAGUE	-.0884 GAL.	2.4198 GAL.
4187014	12.0	#2B20	CITYWIDE BY TW	SPRAGUE	-.0906 GAL.	2.6001 GAL.
4187015	2.0(H)	#2B5	MANHATTAN, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0873 GAL.	2.1220 GAL.
4187015	4.0(I)	#2B5	BRONX, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0873 GAL.	2.1220 GAL.
4187015	6.0(L)	#2B5	BROOKLYN, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0873 GAL.	2.1220 GAL.
4187015	8.0(M)	#2B5	QUEENS, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0873 GAL.	2.1220 GAL.
4187015	10.0(N)	#2B5	STATEN ISLAND, (RACK PICK-UP)	APPROVED OIL COMPANY	-.0873 GAL.	2.1220 GAL.
4087216	#2DULSB5	95% ITEM 7.3 & 5% ITEM 9.3	CITYWIDE BY TW	SPRAGUE	-.0873 GAL.	2.3215 GAL.(a)
4087216	#2DULSB10	90% ITEM 7.3 & 10% ITEM 9.3	CITYWIDE BY TW	SPRAGUE	-.0884 GAL.	2.4135 GAL.(b)
4087216	#2DULSB20	80% ITEM 7.3 & 20% ITEM 9.3	CITYWIDE BY TW	SPRAGUE	-.0906 GAL.	2.5976 GAL.(c)
4087216	#2DULSB5	95% ITEM 10.3 & 5% ITEM 12.3	PICK-UP	SPRAGUE	-.0873 GAL.	2.2167 GAL.(d)
4087216	#2DULSB10	90% ITEM 10.3 & 10% ITEM 12.3	PICK-UP	SPRAGUE	-.0884 GAL.	2.3087 GAL.(e)
4087216	#2DULSB20	80% ITEM 10.3 & 20% ITEM 12.3	PICK-UP	SPRAGUE	-.0906 GAL.	2.4928 GAL.(f)
4087216	#1DULSB20	80% ITEM 13.3 & 20% ITEM 14.3	CITYWIDE BY TW	SPRAGUE	-.0903 GAL.	2.8390 GAL.
4087216	#1DULSB20	80% ITEM 15.3 & 20% ITEM 16.3	PICK-UP	SPRAGUE	-.0903 GAL.	2.7342 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8813
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 8/23/2021
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**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8814
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 8/23/2021
20211200451		#2B5	All Boroughs (Pickup under delivery)	APPROVED OIL	-.0873 GAL	2.5361 GAL.(J)
20211200451		#4B5	All Boroughs (Pickup under delivery)	APPROVED OIL	-.0838 GAL	2.4116 GAL.(K)

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8815
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 8/23/2021
3787120	1.0	Reg UL	CITYWIDE BY TW	GLOBAL MONTELLO	-.1313 GAL	2.3107 GAL.
3787120	2.0	Prem UL	CITYWIDE BY TW	GLOBAL MONTELLO	-.1350 GAL	2.4718 GAL.
3787120	3.0	Reg UL	PICK-UP	GLOBAL MONTELLO	-.1313 GAL	2.2457 GAL.
3787120	4.0	Prem UL	PICK-UP	GLOBAL MONTELLO	-.1350 GAL	2.4068 GAL.
3787121	5.0	E85 (Summer)	CITYWIDE BY DELIVERY	UNITED METRO	.0395 GAL	2.7312 GAL. (G)

NOTE:

1. (A), (B) and (C) Contract 4087216, item 7.3 replaced item 8.3 (Winter Version) effective April 1, 2021.
2. As of February 9, 2018, the Bio-Diesel Blender Tax Credit was retroactively reinstated for calendar year 2017. Should the tax credit be further extended, contractors will resume deducting the tax credit as a separate line item on invoices.
3. Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.
4. The National Oil Heat Research Alliance (NORA) has been extended until February 6, 2029. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. All other terms and conditions remain unchanged.
5. Contract #4087216, effective June 1, 2020, replaces former items (1.2-17.2) on Contract #3987206.
6. Due to RIN price adjustments Biomass-based Diesel (2020) is replaced by Biomass-based Diesel (2021) commencing 1/1/2021.
7. Metro Environmental Services, LLC Requirement Contract #: 20201201516/4087084 for Fuel Site Maintenance Services, Citywide has been registered and Contract is available on DCAS / OCP's "Requirements Contract" website for Citywide use as of January 27, 2020. Link to Fuel Site Maintenance Services, Citywide contract via OCP website: <https://mspwww-dcsocp.dcas.nycnet/nycprocurement/dmss/asp/RCDetails.asp?vContract=20201201516>
8. (D), (E) and (F) Contract 4087216, item 10.3 replaced item 11.3 (Winter Version) effective April 1, 2021
9. (G) Contract 3787121, item 5.0 replaced item 6.0 (Winter Blend) effective April 1, 2021.
10. NYC Agencies are reminded to fill their fuel tanks as the end of the fiscal year approaches (June 30th).
11. (J) and (K) Effective October 1, 2020 contract #20211200451 PICKUP (ALL BOROUGHES) under DELIVERY by Approved Oil.
12. (H), (I), (L), (M) and (N) Items 2.0(Manhattan), 4.0(Bronx), 6.0(Brooklyn), 8.0(Queens) and 10.0(Staten Island) are for RACK PICKUP ONLY.
13. NYC Agencies are reminded to begin preparing Purchase Orders for the New Fiscal Year (FY22) as the end of the current fiscal year approaches (June 30th) where need and encouraged to continue utilizing Direct Order system for your fuel ordering, where it's in place.

REMINDER FOR ALL AGENCIES:

All entities utilizing DCAS fuel contracts are reminded to pay their invoices **on time** to avoid interruption of service. Please send inspection copy of receiving report for all gasoline (E70, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

← a27

COMPTROLLER

■ NOTICE

AN APPLICATION was filed with the New York State Comptroller on August 23, 2021, TO EXCLUDE PURSUANT to Section 126.00 of the Local Finance Law outstanding indebtedness of \$10,824,466 contracted by the City of New York for school purposes, evidenced by bonds, in ascertaining the power of The City of New York to contract indebtedness has been transmitted to the Comptroller of the State of New York. A copy of such application is on file in the Office of the Comptroller of The City of New York, Room 200 South, Municipal Building, 1 Centre Street, Manhattan, City of New York, NY 10007.

For the payment of the debt service on such indebtedness during the fiscal year ending June 30, 2022, The City of New York has allocated the sum of \$2,500,000 of State Aid for Common Schools.

Scott M. Stringer
Comptroller

← a27

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 **9/8/2021** 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
93A, 93B, 94A, 95A, 96A, 97A, 98A, 99A, 100A, 101A	13605	ADJACENT TO LOT 27, 24, 23, 21, 19, 18, 16, 13, 11

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

a24-s7

OFFICE OF COURT ADMINISTRATION

■ NOTICE

The New York State Unified Court seeks comments to assist in the evaluation of the following Housing Court Judge candidates:

Travis Arrindell, Esq.
Shantonu Joi Basu, Esq.
Joan Burrell-Rubel, Esq.
Elizabeth Donoghue, Esq.
Tracy Erica Ferdinand, Esq.

Tashanna B. Golden, Esq.
 Leslie Anne Granger, Esq.
 Vijay Mark Kitson, Esq.
 Steven Sang Park, Esq.
 Logan Joseph Schiff, Esq.
 Omer Shahid, Esq.

Please send comments to the Hon. George J. Silver, Deputy Chief
 Administrative Judge for New York City Courts, 111 Centre Street,
 Room 1240, New York, NY 10013.

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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: MOCJ

Description of services sought: Exploratory Use of Applying Machine
 Learning to Address the Increase in Disinformation and Violence
 During and Following a Pandemic Initiative

Start date of the proposed contract: 2/1/2021

End date of the proposed contract: 1/30/2022

Method of solicitation the agency intends to utilize: Demonstration

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

◀ a27

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS
 FOR PERIOD ENDING 07/09/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
HASKINS	TYQUAN J	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HAUGHTON	BLOOMIE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HAYES	SHIRLEY	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HERNANDEZ	EVELYN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HERNANDEZ	JOANNA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HERNANDEZ	KAYLA M	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HERNANDEZ	LIDA Y	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HERNANDEZ	MILTON	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HERRING	MICHELLE R	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HEYLIGER	MARIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HILBERT	SPRING L	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HILL	NECOLE	9POLL	\$1.0000	APPOINTED	YES	06/25/21	300
HOLLETT	KAIMARA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HOLLEY	VANESSA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HOLMES	JAKQUIN R	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HOLMES SR	KEVIN C	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HONIGMAN	RACHEL B	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HORSFORD	NICHOLAS D	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HORTON	DANIEL	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HOSBANI	LILLIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HOWARD	EVELYN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HOWARD	LYNASIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HUANG	FENGCHAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HUANG	IRIS M	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
HUANG	KEVIN	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
HUANG	LIYAN	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
HUANG	SHUCONG	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HUANG	XINEN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HUANG	XUEYI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
HUSSAINI	BEEINISH	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
INGERICK	MEGHAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
INGRAVALLO	LEANNA R	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ISAYEV	GRETA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ISLAM	FARDIN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
ISLAM	FARJANA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JACKSON	CHRISTOP	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JACKSON	DONNA M	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JACOBS	SHARON D	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JAMES	ISIAH A	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JEAN	VANESSA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JEAN-CHARLES	COHEN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JENKINS	MICHAEL J	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JIANG	CHERIE W	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
JIANG	IRVING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JIN	DANDAN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JOHNSON	DARREN A	9POLL	\$1.0000	APPOINTED	YES	06/29/21	300
JOHNSON	DAVID	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JOHNSON	NIKITTA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300

JOHNSON	VICTORIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JONES	BILLIE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JORADO	JASSELIN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300

BOARD OF ELECTION POLL WORKERS
 FOR PERIOD ENDING 07/09/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
JOSEPH	GIANCARL	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
JULIEN	JANELLA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KAPLAN	NOAH	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KAYE	BAILEY I	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
KELLY	ELOISE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KENNERLY	PATRICK	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
KIM	EUN J	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KIM	THOMAS	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KING	CHARLES	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KING	DENNIS J	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KNUTT	TAMIKA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KNUTT	TERRIANN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
KONG	AARON	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
KOSOHOROVA	IRYNA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LAI	THANH	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LAMA	RINCHEN L	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LAMBERT	ATHENIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LARA	JENNIFER	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LAWRENCE	MONIQUE M	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LE GENDRE	KENDRA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEBRON	BRANDON	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LECOUNT	ROSA M	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEE	KAYLA V	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEE	ROSALIND R	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEI	BALJUN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEI	YONGWEN	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
LEMA	JENNIFER	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
LEVE	MARTHA M	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEW	SUZIE	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
LEWIS	LENTON H	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEWIS	MARILYN A	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LEWIS	NATHANIE P	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
LI	FEI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LI	HAOREN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LI	JIAJING	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
LI	KALIWEN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LI	QIAOYING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LI	XIAOYU	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LI	YANQING	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
LI SR	YANCI C	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LIANG	MINYIN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LIANG	SONYA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LIANG	YIQI	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
LIANG LI	YAYING	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LIN	JIAYI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LIN	KATRINA	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
LIN	LUO	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LIVINGSTONE	KELLY A	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LOPEZ	JENNIFER A	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LOUISGARDE	MYRLANDE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LOVELACE	CHERIKHA D	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300

BOARD OF ELECTION POLL WORKERS
 FOR PERIOD ENDING 07/09/21

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
LOVELACE	THERESA	9POLL	\$1.0000	APPOINTED	YES	06/29/21	300
LUNA	ANGELA R	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LUNA	ESTEBAN J	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LUTZ	CYNTHIA A	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
LUZINCOURT	JHONY	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MACDONALD	LIAM	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MAHMOOD	HASIB	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MALOLO	MARIA T	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MALIK	RAJA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MANN	TOI	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MANRIQUE	MICHAEL	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MARCANO	NORA L	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MARQUEZ	ALEXA	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
MARRIMON	AUDRENE	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
MARSHALL	ASHANTIA A	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MASSO	VICENTA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCALLISTER	JAHEIM	9POLL	\$1.0000	APPOINTED	YES	06/30/21	300
MCBAIN	STAR- IM	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCCLAINE	TAKIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCDONALD	DANTE E	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCDONALD	ELLEN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCEACHERN	NAKIMA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCKAY	CIARA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCKINNEYGRIFFIT	CARLA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MCLOUGHLIN	KEVIN	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MEDINA-SANTOS	BERTHA	9POLL	\$1.0000	APPOINTED	YES	06/01/21	300
MERCADO MATOS	MARGARIT	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MEYER	ELEANOR M	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MIDDLETON	CAROL V	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MIZRAHI	ISAAC	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MOFFLY	LILLY	9POLL	\$1.0000	APPOINTED	YES	07/02/21	300
MONCHER	MILCA S	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MOODY	TIGHE B	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MORALES	LISSETTE	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MOREAU	HENRIOT	9POLL	\$1.0000	APPOINTED	YES	07/01/21	300
MORRIS	KELLIANN P	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MOTHANA	ASMA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300
MUSTAFA	RABIA	9POLL	\$1.0000	APPOINTED	YES	01/01/21	300

READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these

entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding including multi-step Special Case Solicitations/Summary of Circumstances:
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition
NA/8	For ongoing construction project only: Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors
NA/11	Immediate successor contractor required due to termination/default

For Legal services only:

NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP only)
WA1	Preventing loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only) anti-apartheid preference
OLB/a	local vendor preference
OLB/b	recycled preference
OLB/c	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards, and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM
-Competitive Sealed Bids- PIN# 056020000293 -
DUE 04-21-03 AT 11:00 A.M.

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

*NYPD, Contract Administration Unit,
51 Chambers Street, Room 310, New York, NY 10007.
Manuel Cruz (646) 610-5225.*

◀m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN #056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
Use the following address unless otherwise specified or submit bid/proposal documents; etc.	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record