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THE CITY RECORD

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Commissioner, Department of Citywide Administrative Services

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - MANHATTAN

PUBLIC HEARINGS

CORRECTED NOTICE

The July Meeting of the Manhattan Borough Board, Public Hearing, and Vote on 343 Madison Avenue/MTA HQ (an application by BP 343 Madison Associates LLC in partnership with the MTA, for two Vanderbilt Corridor special permits (ZR 81-633 and 81-634) to facilitate the redevelopment of the site with a maximum 30.0 FAR



commercial building located, at 341-347 Madison Avenue, in the East Midtown neighborhood of Manhattan Community District 5), Citywide Hotels Text Amendment (a Zoning Text Amendment to analyze and understand the potential impact of a citywide City Planning Commission (CPC) Hotel Special Permit in NYC), Health and Fitness Citywide Text Amendment (a proposal to amend the Zoning Resolution to modify regulations related to gyms, spas, licensed massage therapy, and other health and fitness facilities defined as "Physical Culture or Health Establishments." The proposed text amendment will remove the requirement for such facilities to receive a special permit by the Board of Standards and Appeals (ZR 73-36)), and FRESH Update (A citywide text amendment to expand the FRESH program to other underserved neighborhoods of the Bronx, Brooklyn, Queens and Staten Island. In addition, the proposal will modify rules for certification of a FRESH food store) will be held on Thursday, July 15th, 2021, at 8:30 A.M., at 1 Centre Street, 19th Floor South, New York, NY 10007.

Accessibility questions: Brian Lafferty, (212) 669-4564, blafferty@manhattanbp.nyc.gov, by: Wednesday, July 14, 2021, 4:00 P.M.



jy8-15

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 Thursday, July 29, 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-special-public-meeting/295196/1.

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. Such written testimony may be submitted, at the hearing, or through the CPC Comments form that is accessible through the above webpage.

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

**BOROUGH OF MANHATTAN
Nos. 1, 2 & 3
NEW YORK BLOOD CENTER
No. 1**

CD 8 C 210351 ZMM

IN THE MATTER OF an application submitted by New York Blood Center, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 8c:

- 1. changing from an R8B District to a C2-7 District property, bounded by East 67th Street, a line 325 feet easterly of Second Avenue, East 66th Street and a line 100 feet easterly of Second Avenue; and
- 2. changing from a C1-9 District to a C2-8 District property, bounded by East 67th Street, a line 100 feet easterly of Second Avenue, East 66th Street, Second Avenue, East 66th Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only), dated April 19, 2021, and subject to the conditions of CEQR Declaration E-612.

No. 2

CD 8 N 210352 ZRM

IN THE MATTER OF an application submitted by New York Blood Center, Inc., 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 VII, Chapter 4, for the purpose of allowing scientific research and development facilities in C2-7 Districts and allowing related use and bulk modifications, 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 2
Use Regulations**

* * *

**32-30
USES PERMITTED BY SPECIAL PERMIT**

**32-32
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, or as otherwise indicated in this Section.

* * *

C1 C2 C3 C4 C5 C6 C7 C8

Railroad passenger stations

C2-7 C6

Research and development facility, scientific, in C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts

C1 C2 C3 C4 C5 C6 C7 C8

Seaplane bases

* * *

**ARTICLE VII
Administration**

* * *

**Chapter 4
Special Permits by the City Planning Commission**

**74-40
USE PERMITS**

* * *

**74-48
Scientific Research and Development Facility**

In C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts, the City Planning Commission may permit a scientific research and development facility containing as a #commercial use#, where such facility contains laboratories for medical, biotechnological, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and may modify height and setback regulations for the facility. Such facility shall conform to the performance standards applicable to M1 Districts and occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#. No #residential use# is to be located anywhere on a #zoning lot# containing such a facility, in conjunction with such facility, may allow the modifications set forth in paragraph (a) of this Section. For a special permit to be granted, applications shall comply with conditions in paragraph (b) and the findings of paragraph (c) of this Section. Additional requirements are set forth in paragraph (d).

a. Additional modifications

For such scientific research and development facility, the Commission may modify the following:

- 1. height and setback regulations; and
- 2. where such facility is located within C2-7 Districts:
 - i. #sign# regulations;
 - ii. #floor area ratio# regulations, up to the maximum #floor area ratio# permitted for #community facility uses# for the District; and
 - iii. #vard# regulations.

b. Conditions

As a condition for granting a special permit, such facility shall:

- 1. conform to the performance standards applicable to M1 Districts;
- 2. occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#; and
- 3. occupy a #zoning lot# containing no #residential use#.

c. Findings

As a condition for granting a special permit, the Commission shall find that the scientific research and development facility:

- (a)(1) will not unduly affect the essential character or impair the future use and development of the surrounding area;
- (b)(2) will be located so as to draw a minimum of vehicular traffic to and through local #streets#;
- (c)(3) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage; and
- (d)(4) that the modification of such height and setback to any applicable #bulk# regulations will not unduly obstruct the access of light and air to adjoining properties or public #streets#.
 - 5. with regard to #sign# modifications:
 - i. a signage plan has been submitted showing the location, size, height, and illumination of all #signs# on the #zoning lot#;

- ii. the modifications are consistent with the amount and location of commercial life sciences laboratories that the Commission finds appropriate on the #zoning lot#; and
- iii. #illuminated signs#, if provided:
 - a. utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby residences; and
 - b. do not alter the essential character of the adjacent area.
- d. Additional requirements
 - 1. To minimize traffic congestion in the area, the Commission shall require the provision of off-street loading berths conforming to the requirements set forth in Section 36-62 (Required Accessory Off-street Loading Berths) for #commercial uses#.
 - 2. The Commission may also require the provision of #accessory# off-street parking facilities to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use#. The size and location of such parking, bicycle parking, and loading facilities shall comply with the applicable provisions of Section 36-00, inclusive.
 - 3. All applications for the grant of a special permit, pursuant to this Section shall be referred to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility. If the report is received within 45 days from the date of referral, the Commission shall, in its determination, give due consideration to the report and its recommendations. If such agency does not report within 45 days, the Commission may make a final determination without reference thereto.

In order to promote and protect the public health, safety and general welfare, the City Planning Commission may impose additional conditions and safeguards and more restrictive performance standards where necessary.

* * *

No. 3

CD 8 **C 210353 ZSM**
IN THE MATTER OF an application submitted by New York Blood Center, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-48* of the Zoning Resolution as follows:

- 1. to allow a scientific research and development facility as a commercial use;
- 2. to allow the floor area ratio regulations, up to the maximum floor area ratio permitted for community facility uses for the District, to apply to the scientific research and development facility use;
- 3. to modify the height and setback regulations of Section 33-432 (In other Commercial Districts), and the required yard equivalents regulations of Section 33-283 (Required rear yard equivalents); and,
- 4. to modify the signage regulations of Section 32-641 (Total surface area of signs), Section 32-642 (Non-illuminated signs), Section 32-643 (Illuminated non-flashing signs), Section 32-655 (Permitted Projections or Height of Signs), and Section 32-67 (Special Provisions Applying Along District Boundaries);

to facilitate a proposed 16-story building on property, located at 310 East 67th Street (Block 1441, Lot 40), in a C2-7** District.

* Note: A zoning text amendment is proposed to Section 74-48 under a concurrent related application for a Zoning Text change (N 210352 ZRM).

** Note: This site is proposed to be rezoned by changing an R8B District to a C2-7 District under a concurrent related application for a Zoning Map change (C 210351 ZMM).

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

NOTICE

On Thursday, July 29, 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 New York Blood Center (the Applicant). The Applicant is requesting a rezoning and other discretionary actions from the CPC to facilitate the construction of the Proposed Project, an approximately 596,200 gross-square-foot (gsf) state-of-the-

art laboratory building with related offices on the site of the Applicant's existing building at 310 East 67th Street, Block 1441 Lot 40 (the "Development Site"). The Development Site is located on the Upper East Side in Manhattan Community District 8. Block 1441 is bounded by East 66th and East 67th Streets and First and Second Avenues. The Development Site is part of a larger Rezoning Area, which also includes Block 1441, Lots 1001-1202, and Block 1421, p/o Lot 21. To facilitate the Proposed Project the Applicant is requesting several actions from the New York CPC: a zoning map amendment to rezone the Development Site from R8B to C2-7; designation of the Development Site for Mandatory Inclusionary Housing (MIH); and to rezone the remainder of the Rezoning Area (Block 1441, Lots 1001-1202 and the eastern 100 feet of Block 1421, p/o Lot 21) from C1-9 to C2-8. The Applicant is also requesting a zoning text amendment to Section 74-48 of the Zoning Resolution; and a special permit, pursuant to the amended Section 74-48 to modify various sections of the Zoning Resolution, as detailed below. In addition, the Applicant may seek a revocable consent from the New York City Department of Transportation (DOT) to allow a Marquee projection over the building's entrance in accordance with the NYC Building Code.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 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. 21DCP080M.

BOROUGH OF BROOKLYN
Nos. 4-7
960 FRANKLIN AVENUE REZONING
No. 4

CD 9 **C 200184 ZMK**
IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

- 1. changing from an R6A District to an R9D District property, bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue; and
- 2. establishing within the proposed R9D District a C2-4 District bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, and a line 100 feet northwesterly of Franklin Avenue;

as shown on a diagram (for illustrative purposes only) dated February 1, 2021, and subject to the conditions of CEQR Declaration E-586.

No. 5

CD 9 **N 200185 ZRK**
IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

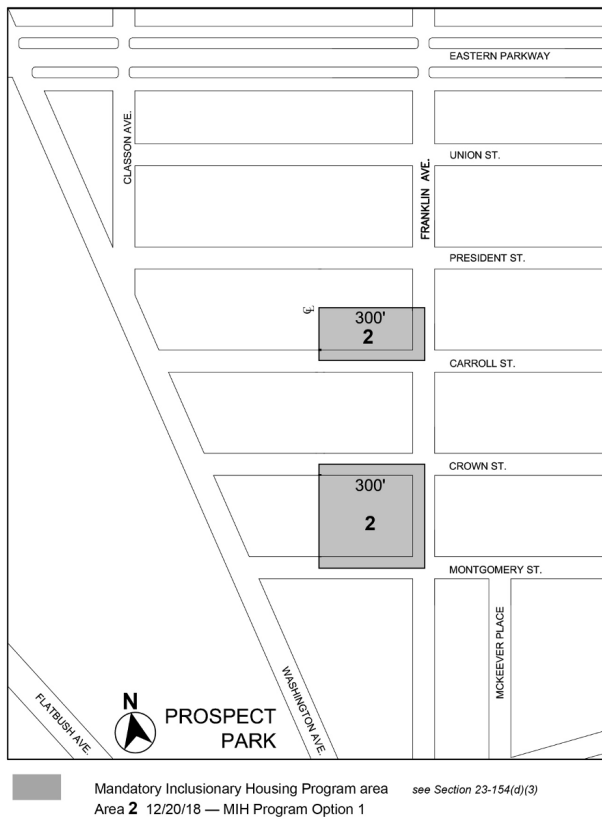
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Brooklyn Community District 9

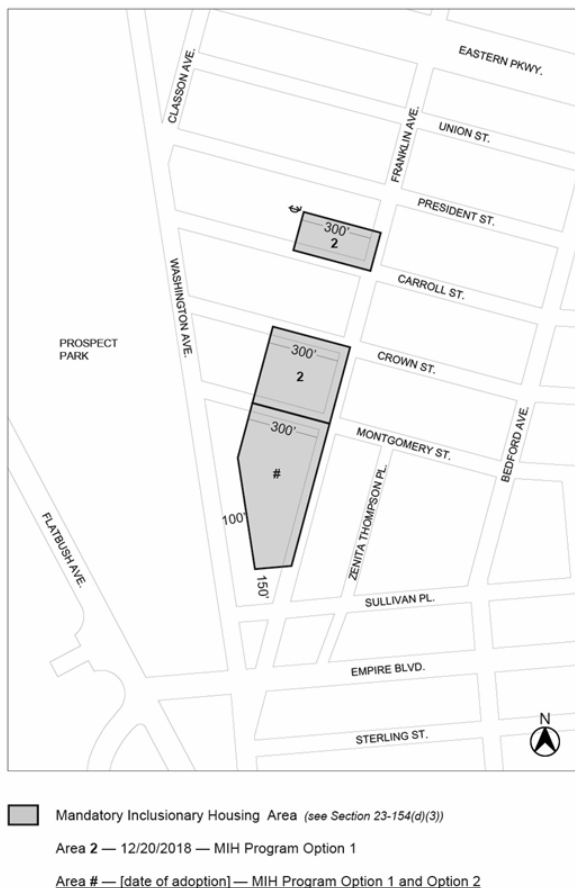
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Map 2 - [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Portion of Community District 9, Brooklyn

* * *

No. 6

CD 9 C 200186 ZSK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit, pursuant to Sections 74-743 of the Zoning Resolution to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations), and the tower coverage requirements of Section 23-663 (Tower Regulations in R9D and R10X Districts), in connection with a proposed mixed-use development, within a large-scale general development, on property, generally bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan

Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue (Block 1192, Lots 41, 46, 63, & 66), in R9D* and R9D/C2-4* Districts.

* Note: This site is proposed to be rezoned by changing an existing R6A District to R9D and R9D/C2-4 Districts under a concurrent related application for a Zoning Map change (C 200184 ZMK).

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

No. 7

CD 9 C 200187 ZSK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Sections 74-533 of the Zoning Resolution to reduce from 40 percent to 16 percent, the required number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, on property generally bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue (Block 1192, Lots 41, 46, 63, & 66), in R9D* and R9D/C2-4* Districts.

* Note: This site is proposed to be rezoned by changing an existing R6A District to an R9 and R9/C2-4 District under a concurrent related application for a Zoning Map change (C 200184 ZMK).

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

NOTICE

On Thursday, July 29, 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 Franklin Ave. Acquisition LLC (the Applicant). The Applicant is requesting several discretionary actions that would facilitate the development of two mixed-use buildings comprising approximately 1,369,314 gross square feet (gsf) (1,151,671 (zsf) mixed-use commercial/residential development on the block bound by Montgomery Street, Franklin Avenue, Sullivan Place, and Washington Avenue, on the eastern side of the Franklin Avenue subway shuttle right-of-way, in the Crown Heights neighborhood of Brooklyn Community District (CD) 9. The site is comprised of Brooklyn Block 1192, Lots 41, 46, 63 and 66 (the "Development Site"), while the Affected Area also includes Lot 40 and parts of Lot 1 (a portion of the MTA's Franklin Avenue subway shuttle right-of-way), Lot 77 and Lot 85 (the "Affected Area"). To facilitate the Proposed Project, the Applicant is requesting several actions from the CPC including: a zoning map amendment to rezone the Affected Area from R6A to R9D and R9D/C2-4 (within 100 feet of Franklin Avenue), a text amendment to designate the Affected Area as a Mandatory Inclusionary Housing (MIH) area, as well as a Large Scale General Development (LSGD) special permit, and special permit to waive parking.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 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. 19DCP095K.

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



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, July 28, 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/287259/1>.

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

877 853 5247 US Toll-free

888 788 0099 US Toll-free

253 215 8782 US Toll Number

213 338 8477 US Toll Number

Meeting ID: **618 237 7396**

[Press # to skip the Participation ID]

Password: 1

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

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

BOROUGH OF BROOKLYN
Nos. 1 & 2
270 NOSTRAND AVENUE REZONING
No. 1

CD 3 **C 210151 ZMK**
IN THE MATTER OF an application submitted by BRP East Brooklyn Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a:

- changing from an R7A District to an R8A District property bounded by Dekalb Avenue, Nostrand Avenue, Kosciuszko Street, and a line 240 feet westerly of Nostrand Avenue; and
- establishing within the proposed R8A District a C2-4 District bounded by Dekalb Avenue, Nostrand Avenue, Kosciuszko Street, a line 100 feet westerly of Nostrand Avenue, a line

midway between Dekalb Avenue and Kosciuszko Street, and a line 240 feet westerly of Nostrand Avenue;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-606.

No. 2

CD 3 **N 210152 ZRK**

IN THE MATTER OF an application submitted by BRP East Brooklyn Development LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

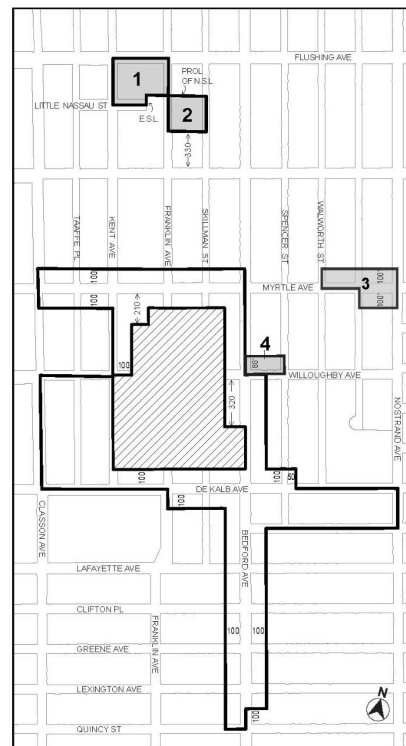
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Brooklyn Community District 3

* * *

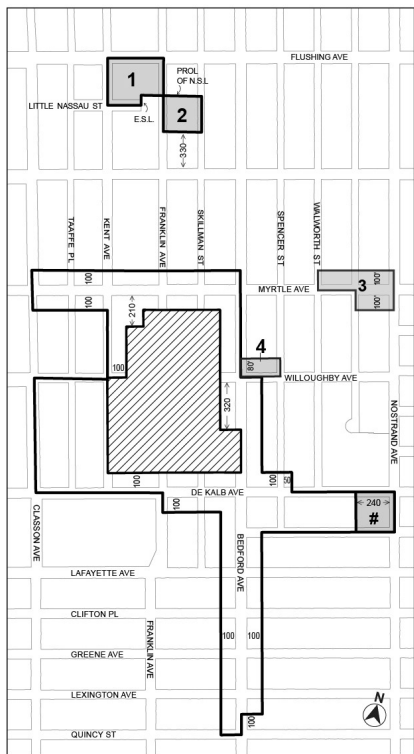
Map 3 – [date of adoption]

[EXISTING MAP]



- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Program Area. see Section 23-154(d) (3)
 - Area 1 – 5/10/17 MIH Program Option 1, Option 2 and Workforce Option
 - Area 2 – 5/10/17 MIH Program Option 1 and Option 2
 - Area 3 – 11/30/17 MIH Program Option 1
 - Area 4 – 2/13/19 MIH Program Option 1 and Option 2
- Excluded Area

[PROPOSED MAP]



- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
 - Area 1 – 5/10/17 MIH Program Option 1, Option 2 and Workforce Option
 - Area 2 – 5/10/17 MIH Program Option 1 and Option 2
 - Area 3 – 11/30/17 MIH Program Option 1
 - Area 4 – 2/13/19 MIH Program Option 1 and Option 2
 - Area # - [date of adoption] MIH Program Option 2 and Workforce Option
- Excluded Area

Portion of Community District 3, Brooklyn

* * *

Nos. 3 & 4
1776 48TH STREET REZONING
No. 3

CD 12 **C 200296 ZMK**
IN THE MATTER OF an application submitted by Mr. Yitzchok Stern pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c:

1. changing from an R5 District to an R6B District property bounded by 48th Street, 18th Avenue, 49th Street and a line 100 northwesterly of 18th Avenue; and
2. establishing within the proposed R6B District a C2-4 District bounded by 48th Street, 18th Avenue, 49th Street and a line 35 feet northwesterly of 18th Avenue;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-609.

No. 4

CD 12 **N 200297 ZRK**
IN THE MATTER OF an application submitted by Mr. Yitzchok Stern, 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

* * *

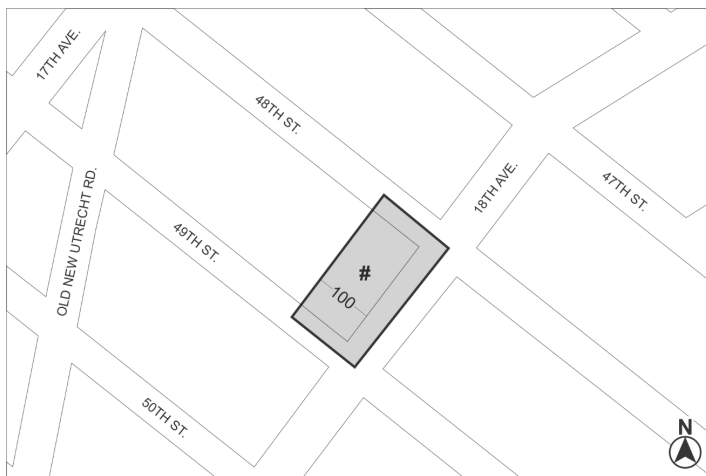
BROOKLYN

* * *

Brooklyn Community District 12

* * *

Map 4 – [date of adoption]



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 12, Brooklyn

* * *

Nos. 5-10
GOWANUS NEIGHBORHOOD PLAN
No. 5

CDs 2 & 6 **C 210177 ZMK**
IN THE MATTER OF an application submitted by the 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. 16c and 16d:

1. eliminating from within an existing R8A District a C2-4 District bounded by:
 - a. Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue; and
 - b. a line 210 feet northeasterly of 5th Street, a line 100 feet southeasterly of 4th Avenue, 7th Street, 4th Avenue, 9th Street, a line 100 feet southeasterly of 4th Avenue, 13th Street, 4th Avenue, 14th Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, and 4th Avenue;
2. eliminating a Special Enhanced Commercial District (EC-1) bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue;
3. changing from an R6B District to an R6A District property bounded by Carroll Street, Bond Street, 1st Street, and a line 350 feet southeasterly of Hoyt Street;
4. changing from an R6 District to an R6B District property bounded by Warren Street, Nevins Street, a line midway between Warren Street and Baltic Street, and a line 100 feet southeasterly of Bond Street;
5. changing from an R8A District to a C4-4D District property bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue;
6. changing from an C8-2 District to a C4-4D District property bounded by 3rd Street, 4th Avenue, 6th Street, and a line 100 feet northwesterly of 4th Avenue;
7. changing from an M1-2 District to a C4-4D District property bounded by Douglass Street, 4th Avenue, 1st Street, a line 100 feet northwesterly of 4th Avenue;
8. changing from an C8-2 District to an M1-4 District property bounded by 3rd Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 100 feet

- southeasterly of 3rd Avenue, 7th Street, 3rd Avenue, a line 305 feet southwesterly of 3rd Street, and a line 285 feet southeasterly of 3rd Avenue;
9. changing from an M1-1 District to an M1-4 District property bounded by:
 - a. a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 5th Street, and a line perpendicular to the northeasterly street line of 5th Street distant 390 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street; and
 - b. 3rd Street, Bond Street, 4th Street, and Hoyt Street;
 10. changing from an M1-2 District to an M1-4 District property bounded by:
 - a. a line midway between Baltic Street and Butler Street, Nevins Street, Butler Street and a line 360 feet northwesterly of Nevins Street;
 - b. a line midway between Baltic Street and Butler Street, a line 100 feet northwesterly of 4th Avenue, a line midway between Sackett Street and Union Street, a line 100 feet southeasterly of 3rd Avenue, Degraw Street, a line 200 feet southeasterly of 3rd Avenue, Douglass Street, and a line 100 feet southeasterly of 3rd Avenue; and
 - c. a line midway between Union Street and President Street, a line 180 feet northwesterly of 4th Avenue, President Street, a line 250 feet northwesterly of 4th Avenue, Carroll Street, and a line 100 feet southeasterly of 3rd Avenue;
 11. changing from an M2-1 District to an M1-4 District property bounded by 3rd Street, a line 270 feet southeasterly of Bond Street, the centerline of the Gowanus Canal, and Bond Street and its southwesterly centerline prolongation;
 12. changing from an M3-1 District to an M1-4 District property bounded by 4th Street, Bond Street and its southwesterly centerline prolongation, the centerline of the Gowanus Canal, a line 160 feet northwesterly of Bond Street and its southwesterly prolongation, a line 120 feet southwesterly of 4th Street, Hoyt Street, 5th Street, and a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street;
 13. changing from an R6 District to an M1-4/R6A District property bounded by Warren Street, a line 100 feet southeasterly of Bond Street, Baltic Street and Bond Street;
 14. changing from an M1-1 District to an M1-4/R6A District property bounded by a line midway between 3rd Street and 4th Street, Hoyt Street, 4th Street, and a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street;
 15. changing from an M1-2 District to a M1-4/R6A District property bounded by:
 - a. a line midway between Warren Street and Baltic Street, a line 100 feet northwesterly of Nevins Street, a line midway between Baltic Street and Butler Street, a line 100 feet southeasterly of Bond Street, Douglass Street, Bond Street, Baltic Street, and a line 100 feet southeasterly of Bond Street;
 - b. a line midway between Baltic Street and Butler Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Butler Street and Douglass Street, a line 100 feet southeasterly of Nevins Street, Butler Street, a line 325 feet northwesterly of 3rd Avenue;
 - c. Baltic Street, a line 100 feet northwesterly of 4th Avenue, a line midway between Baltic Street and Butler Street, and a line 100 feet southeasterly of 3rd Avenue;
 - d. a line midway between Degraw Street and Sackett Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Sackett Street and Union Street, a line 100 feet southeasterly of Nevins Street, a line midway between Union Street and President Street, a line 190 feet northwesterly of 3rd Avenue, President Street, a line 100 feet southeasterly of Nevins Street, Carroll Street, Nevins Street, Sackett Street, and a line 100 feet southeasterly of Nevins Street; and
 - e. Union Street, a line 270 feet southeasterly of 3rd Avenue, a line midway between Union Street and President Street, and a line 170 feet northwesterly of 3rd Avenue;
 16. changing from an M2-1 District to an M1-4/R6A District property bounded by a line midway between Butler Street and Douglass Street, a line 200 feet southeasterly of Bond Street, Douglass Street, and a line 100 feet southeasterly of Bond Street;
 17. changing from an C8-2 District to an M1-4/R6B District property bounded by a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, 7th Street, and a line 100 feet southeasterly of 3rd Avenue;
 18. changing from an M1-1 District to an M1-4/R6B District property bounded by a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 390 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 5th Street, and Smith Street;
 19. changing from an M1-2 District to an M1-4/R6B District property bounded by:
 - a. a line midway between Baltic Street and Butler Street, a line 360 feet northwesterly of Nevins Street, Butler Street, and a line 100 feet southeasterly of Bond Street; and
 - b. a line midway between Union Street and President Street, a line 100 feet southeasterly of 3rd Avenue, Carroll Street, a line 250 feet northwesterly of 4th Avenue, President Street, a line 100 feet northwesterly of 4th Avenue, 1st Street, 3rd Avenue, Carroll Street, a line 100 feet southeasterly of Nevins Street, President Street, and a line 190 feet northwesterly of 3rd Avenue;
 20. changing from an M2-1 District to an M1-4/R6B District property bounded by:
 - a. Butler Street, a line 200 feet southeasterly of Bond Street, a line midway between Butler Street and Douglass Street, and a line 100 feet southeasterly of Bond Street; and
 - b. Carroll Street, 3rd Avenue, a line perpendicular to the northwesterly street line of 3rd Avenue distant 160 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 3rd Avenue and the southwesterly street line of Carroll Street, a line 100 feet northwesterly of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, and a line perpendicular to the southwesterly street line of Carroll Street distant 425 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Carroll Street and the northwesterly street line of 3rd Avenue;
 21. changing from an M2-1 District to an M1-4/R7-2 District property bounded by:
 - a. Douglass Street and its southeasterly centerline prolongation, the centerline of the Gowanus Canal, Degraw Street and its northwesterly centerline prolongation, Nevins Street, Carroll Street, a line perpendicular to the southwesterly street line of Carroll Street distant 425 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Carroll Street and the northwesterly street line of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, the centerline of the Gowanus Canal, Carroll Street and its southeasterly centerline prolongation, and Bond Street; and
 - b. 2nd Street, a line 210 feet northwesterly of 3rd Avenue, 3rd Street and its northwesterly centerline prolongation, the centerline of the Gowanus Canal, a line 270 feet southeasterly of Bond Street and its southwesterly prolongation, 3rd Street, and Bond Street;
 22. changing from an M3-1 District to an M1-4/R7-2 District property bounded by 5th Street, Hoyt Street, a line 120 feet southwesterly of 4th Street, a line 160 feet northwesterly of Bond Street and its southwesterly prolongation, the centerline of the Gowanus Canal, Huntington Street and its southeasterly prolongation, and Smith Street;
 23. changing from an M1-2 District to an M1-4/R7A District property bounded by Sackett Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between Sackett Street and Union Street, a line 100 feet northwesterly of 4th Avenue, President Street, a line 180 feet northwesterly of 4th Avenue, a line midway between Union Street and President Street, a line 270 feet southeasterly of 3rd Avenue, Union Street, a line 170 feet northwesterly of 3rd Avenue, a line midway between Union Street and President Street, a line 100 feet southeasterly of Nevins

- Street, a line midway between Sackett Street and Union Street, and a line 100 feet northwesterly of 3rd Avenue;
- 24. changing from an R6 District to an M1-4/R7X District property bounded by a line midway between Warren Street and Baltic Street, Nevins Street, Baltic Street, and a line 75 feet northwesterly of Nevins Street;
- 25. changing from an C8-2 District to an M1-4/R7X District property bounded 3rd Street, a line 285 feet southeasterly of 3rd Avenue, a line 305 feet southwesterly of 3rd Street, and 3rd Avenue;
- 26. changing from an M1-2 District to an M1-4/R7X District property bounded by:
 - a. a line midway between Warren Street and Baltic Street, a line 75 feet northwesterly of Nevins Street, Baltic Street, Nevins Street, a line midway between Baltic Street and Butler Street, and a line 100 feet northwesterly of Nevins Street;
 - b. Baltic Street, a line 100 feet southeasterly of 3rd Avenue, Douglass Street, a line 200 feet southeasterly of 3rd Avenue, Degraw Street, a line 100 feet southeasterly of 3rd Avenue, Sackett Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Degraw Street and Sackett Street, a line 100 feet southeasterly of Nevins Street, Sackett Street, Nevins Street, Butler Street, a line 100 feet southeasterly of Nevins Street, a line midway between Butler Street and Douglass Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Baltic Street and Butler Street, and a line 325 feet northwesterly of 3rd Avenue;
- 27. changing from an M2-1 District to an M1-4/R7X District property bounded by a line perpendicular to the northwesterly street line of 3rd Avenue distant 160 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 3rd Avenue and the southwesterly street line of Carroll Street, 3rd Avenue, 3rd Street, a line 210 feet northwesterly of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, and a line 100 feet northwesterly of 3rd Avenue, and
- 28. establishing a Special Gowanus Mixed Use District (G) bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, 7th Street, 3rd Avenue, 3rd Street and its northwesterly centerline prolongation, the centerline of the Gowanus Canal, Huntington Street and its southeasterly centerline prolongation, Smith Street, a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 4th Street, a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street, a line midway between 3rd Street and 4th Street, Hoyt Street, 3rd Street, Bond Street, Warren Street, a line 100 feet southeasterly of Bond Street, a line midway between Warren Street and Baltic Street, Nevins Street, Butler Street, a line 325 feet northwesterly of 3rd Avenue, Baltic Street, and a line 100 feet northwesterly of 4th Avenue; and excluding the areas bounded by:
 - i. Butler Street, Nevins Street, Degraw Street and its northwesterly centerline prolongation, the center line of the Gowanus Canal, Douglass Street and its southeasterly centerline prolongation, and a line 200 feet southeasterly of Bond Street; and
 - ii. 1st Street, 4th Avenue, 3rd Street, and 3rd Avenue;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-601.

No. 6 **N 210178 ZRK**
CD 2 & 6
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 Gowanus Mixed Use District (Article XIII, Chapter 9) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections.

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

[NOTE: Cross-references to certain Sections and Section titles may reflect the proposed text amendments Zoning for Coastal Resiliency (ULURP No. N 210095 ZRY), which has been recently adopted by City Council, and Elevate Transit – Zoning for Accessibility (ULURP No. N 210270 ZRY), which is currently in public review.]

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 Governors Island District

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

Establishment of the Special Gowanus Mixed Use District

In order to carry out the special purposes of this Resolution, as set forth in Article XIII, Chapter 9, the #Special Gowanus Mixed Use District# is hereby established.

Establishment of the Special Grand Concourse Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XII, Chapter 2, the #Special Grand Concourse Preservation District# is hereby established.

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
DEFINITIONS

* * *

Special Governors Island District

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

Special Gowanus Mixed Use District [date of adoption]

The “Special Gowanus Mixed Use District” is a Special Purpose District designated by the letter “G” in which special regulations set forth in Article XIII, Chapter 9, apply.

Special Grand Concourse Preservation District

The “Special Grand Concourse Preservation District” is a Special Purpose District designated by the letter “C” in which special regulations set forth in Article XII, Chapter 2, apply.

* * *

Waterfront area

The “waterfront area” is the geographical area comprising all #blocks# between the pierhead line and a line 800 feet landward from the #shoreline#. Where such line intersects a #block#, the entire #block# shall be included and the #waterfront area# boundary shall coincide with the centerline of the landward boundary #street# or other #block# boundary. Notwithstanding the above, any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not #abut# a waterfront public park, shall not be included in the #waterfront area#.

[The struckout provisions of this paragraph have been moved to 139-021]

* * *

For the purposes of this definition, only #blocks# along waterways that have a minimum width of 100 feet between opposite #shores#, with no portion downstream less than 100 feet in width, shall be included within the #waterfront area#. However, #blocks# bounding the Gowanus Canal north of Hamilton Avenue, as shown on the City Map,

Dutch Kills and the portion of the Bronx River located south of the prolongation of East 172nd Street, shall be included within the #waterfront area#.

* * *

Chapter 4 Sidewalk Cafe 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 Cafe#, #Unenclosed Sidewalk Cafe#. Rows include Brooklyn, Bay Ridge District, Coney Island District, etc.

1 #Sidewalk cafes# are not allowed on Ocean Parkway

* * *

ARTICLE II RESIDENCE DISTRICT REGULATIONS

Chapter 3 Residential Bulk Regulations in Residence Districts

23-00 APPLICABILITY AND GENERAL PURPOSES

23-01 Applicability of This Chapter

* * *

23-011 Quality Housing Program

* * *

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

* * *

(2) Special Purpose Districts

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

- #Special 125th Street District#; #Special Downtown Brooklyn District#; #Special Downtown Far Rock away District#; #Special Downtown Jamaica District#; #Special East Harlem Corridors District#; #Special Flushing Waterfront District#; #Special Gowanus Mixed Use District#;

#Special Grand Concourse Preservation District#;

* * *

ARTICLE VI SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2 Special Regulations Applying in the Waterfront Area

* * *

62-10 GENERAL PROVISIONS

62-11 Definitions

* * *

Waterfront block or waterfront zoning lot

A "waterfront block" or "waterfront zoning lot" is a #block# or #zoning lot# in the #waterfront area# having a boundary at grade coincident with or seaward of the #shoreline#. For the purposes of this Chapter:

- (a) a #block# within the #waterfront area# shall include the land within a #street# that is not improved or open to the public, and such #street# shall not form the boundary of a #block#; (b) a #block# within the #waterfront area# that #abuts# a #public park# along the waterfront shall be deemed to be part of a #waterfront block#; and (c) a #zoning lot# shall include the land within any #street# that is not improved or open to the public and which is in the same ownership as that of any contiguous land.

[NOTE: The provisions of this paragraph have been moved to Section 139-021]

However, any #block# or #zoning lot# in the #waterfront area# having a boundary within or coincident with the boundaries of the Gowanus Canal, as shown on the City Map, shall be a #waterfront block# or #waterfront zoning lot#, respectively.

Any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not #abut# a #public park# along the waterfront, shall be deemed outside of the #waterfront block#.

* * *

62-13 Applicability of District Regulations

* * *

The regulations of this Chapter shall apply in the following Special Purpose Districts except as specifically modified within the Special Purpose District provisions:

- #Special Flushing Waterfront District# #Special Gowanus Mixed Use District# #Special Inwood District# #Special St. George District#.

* * *

62-90 WATERFRONT ACCESS PLANS

* * *

62-93 Borough of Brooklyn

The following Waterfront Access Plans are hereby established within the Borough of Brooklyn. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

- BK-1: Greenpoint-Williamsburg, as set forth in Section 62-931 BK-2: Gowanus Canal, in the #Special Gowanus Mixed Use District#, as set forth in Section 139-50 (GOWANUS CANAL WATERFRONT ACCESS PLAN).

* * *

ARTICLE XIII SPECIAL PURPOSE DISTRICTS

Chapter 2 Special Enhanced Commercial District

* * *

132-11 Special Enhanced Commercial Districts Specified

The #Special Enhanced Commercial District# is mapped in the following areas:

- (a) #Special Enhanced Commercial District# 1
The #Special Enhanced Commercial District# 1 (EC-1) is established on November 29, 2011, on the following #designated commercial streets# as indicated on #zoning maps# 16c and 16d:
(1) Fourth Avenue, in the Borough of Brooklyn, generally between 24th Street and 15th Street and Pacific Street and Atlantic Avenue.
- (b) #Special Enhanced Commercial District# 2

* * *

**ARTICLE XIII
SPECIAL PURPOSE DISTRICTS**

**Chapter 9
Special Gowanus Mixed Use District**

**139-00
GENERAL PURPOSES**

The “Special Gowanus Mixed Use District” established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Gowanus neighborhood and the greater community. These general goals include, among others, the following specific purposes:

- (a) to recognize and enhance the vitality and character of an existing mixed use neighborhood;
- (b) to encourage stability and growth in the Gowanus neighborhood by permitting compatible light manufacturing and residential uses to coexist;
- (c) to encourage investment in a mixed use neighborhood by permitting the expansion and new development of a wide variety of uses in a manner that ensures the health and safety of residents and employees;
- (d) to improve the physical appearance of the streetscape by providing and coordinating harmonious open space, sidewalk amenities and landscaping within a consistent urban design;
- (e) to promote and enhance visual and physical access to and around the Gowanus Canal;
- (f) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (g) to expand local employment opportunities and to promote the opportunity for workers to live in the vicinity of their work; and
- (h) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect the City’s tax revenues.

**139-01
Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Sections 12-10 (DEFINITIONS), 37-311 (Definitions), and 62-11 (Definitions). The definition of #development# shall be as set forth in Section 12-10, except where otherwise specified.

Gowanus mix uses

“Gowanus mix uses” are #community facility#, #commercial#, and #manufacturing uses# set forth in Section 139-12 (Gowanus Mix Uses).

Gowanus retail and entertainment uses

“Gowanus retail and entertainment uses” are #community facility# and #commercial uses# set forth in Section 139-13 (Gowanus Retail and Entertainment Uses).

Mixed use district

In the #Special Gowanus Mixed Use District#, a “mixed use district” shall be any M1 District paired with a #Residence District#, as indicated on the #zoning maps#. For the purposes of applying provisions of districts adjacent to a #mixed use district#, a #mixed use district# shall be considered a #Manufacturing District#.

Select community facility uses

For the purposes of this Chapter, the following #community facility uses# shall also be considered “select community facility uses”:

#Schools#;

Houses of worship, rectories or parish houses;

Health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health; and

Non-profit, voluntary, or proprietary hospitals.

**139-02
General Provisions**

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Gowanus Mixed Use District#, the regulations of this Chapter shall apply within the #Special Gowanus Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as modified, supplemented or superseded 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.

**139-021
Applicability of regulations to the Gowanus Canal**

[NOTE: Some of these provisions have been relocated here from Sections 12-10 and 62-11]

In the #Special Gowanus Mixed Use District#, all #blocks# bounding the Gowanus Canal shall be considered #waterfront blocks# within the #waterfront area#, and the provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), as modified by the provisions of this Chapter, shall apply.

All #zoning lots# having a boundary within or coincident with the boundaries of the Gowanus Canal, shall be considered #waterfront zoning lots#. All portions of such a #zoning lot# shall be included as part of the #upland lot# and deemed to be #lot area#, regardless of the location of the #shoreline#.

For the purposes of this Chapter, the boundaries of the Gowanus Canal shall be as shown on the City Map, and shall include the First Street Basin.

**139-022
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 (INCLUSIONARY HOUSING), #Mandatory Inclusionary Housing areas# within the #Special Gowanus Mixed Use District# are shown on the maps in APPENDIX F (Inclusionary Housing Areas and Mandatory Inclusionary Housing Areas) of this Resolution. Such provisions are modified by the provisions of this Chapter.

**139-023
Applicability of the Quality Housing Program**

In the #Special Gowanus Mixed Use District#, all #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 (The Quality Housing Program) shall apply. Such #buildings# shall be considered #Quality Housing buildings#.

**139-024
Applicability of Article VI, Chapter 4**

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 Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

**135-025
Applicability of Article VI, Chapter 6**

For #transit-adjacent 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 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control.

**139-026
Applicability of Article XII, Chapter 3**

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

Notwithstanding the provisions of Section 123-10, 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.

**139-03
District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Gowanus Mixed Use District# Plan. The district plan includes the following maps in the Appendices to this Chapter:

Appendix A – Special Gowanus Mixed Use District

Map 1	Subdistricts
Map 2	Subareas
Map 3	Ground Floor Use Requirements
Map 4	Sidewalk Widening Lines

Appendix B – Special Gowanus Canal Waterfront Access Plan

<u>Map 1</u>	<u>Parcel Designation</u>
<u>Map 2</u>	<u>Public Access Elements</u>
<u>Map 3</u>	<u>Designated Visual Corridors</u>

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.

139-04 Subdistricts

In order to carry out the purposes and provisions of this Chapter, five subdistricts are established within the #Special Gowanus Mixed Use District#. In addition, subareas are established within Subdistricts B and D.

Subdistrict A – Fourth Avenue Subdistrict

Subdistrict B – Upland Blocks Subdistrict
Subarea B1
Subarea B2

Subdistrict C – North Canal Corridor Subdistrict

Subdistrict D – South Canal Corridor Subdistrict
Subarea D1
Subarea D2
Subarea D3
Subarea D4
Subarea D5
Subarea D6

Subdistrict E – First Street Subdistrict

The boundaries of the subdistricts are shown on Map 1 and the boundaries of the subareas are shown on Map 2 in Appendix A of this Chapter.

139-10 SPECIAL USE REGULATIONS

In Subdistricts A, B, C, and D the underlying #use# regulations shall be modified by the provisions of this Section, inclusive. In Subdistrict E, the underlying district regulations shall apply.

139-11 Permitted Uses

In all #Manufacturing Districts# and #Mixed Use Districts#, in addition to the #uses# specified in Article IV, Chapter 2 and Article XII, Chapter 3, respectively, the following #uses# shall also be permitted:

- (a) all #uses# listed in Use Group 3, as set forth in Section 22-13;
- (b) all #uses# listed in Use Group 4, as set forth in Section 22-14;
- (c) food stores, including supermarkets, grocery stores or delicatessen stores, as specified in Section 32-15 (Use Group 6), without limitation as to #floor area# per establishment;
- (d) all uses in Use Group 10A, as specified in Section 32-19;
- (e) all uses in Use Group 17B, as specified in Section 42-14; and
- (f) the manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), without limitation on size. Where provided, the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply to such #use#.

139-12 Gowanus Mix Uses

For the purposes of applying the special #bulk# regulations of Section 139-212 (Gowanus mix), the following #community facility#, #commercial#, and #manufacturing uses# shall also be considered #Gowanus mix uses#:

From Use Group 3, as set forth in Section 22-13:

#schools#, colleges or universities, libraries, museums, and non-commercial art galleries, as listed in Use Group 3A;

From Use Group 4, as set forth in Section 22-14:

all #uses# in Use Group 4A, except ambulatory diagnostic and treatment health care facilities;

agriculture, including greenhouses, nurseries, and truck gardens as listed in use Group 4B;

From Use Group 6, as set forth in Section 32-15:

custom tailoring, as listed in Use Group 6A;

From Use Group 7, as set forth in Section 32-16:

all #uses# in Use Group 7B;

electric vehicle charging stations and automotive battery swapping facilities as listed in Use Group 7D;

From Use Group 8: as set forth in Section 32-17:

all #uses# listed in Use Group 8B;

From Use Group 9, as set forth in Section 32-18:

blueprinting; business schools or colleges; costume rental; medical or dental laboratories; instrument repair; printing establishments; studios, art, music, dancing or theatrical; trade schools for adults; and umbrella repair shops as listed in Use Group 9A;

photographic printing or developing as listed in Use Group 9B;

From Use Group 10, as set forth in Section 32-19:

photographic or motion picture production studios; radio or television studios;

From Use Group 11, as set forth in Section 32-20:

all #uses# listed in Use Groups 11A;

From Use Group 12, as set forth in Section 32-21:

commercial art galleries, jewelry and art metal craft shops, as listed in Use Group 12B;

From Use Group 14, as set forth in Section 32-23:

bicycle rental or repair, and boat storage, repair, and painting, as listed in Use Group 14A;

From Use Group 16, as set forth in Section 32-25:

blacksmith shops; carpentry or custom woodworking; custom furniture making; building contractor supply stores; fuel, ice, oil, coal, wood sales; household and office equipment or machinery repair shops; machinery rental or sales establishments; mirror silvering or glass cutting shops; and tool, die, and pattern making shops as listed in Use Group 16A;

From Use Group 17, as set forth in Section 42-14:

food product manufacturing, as listed in Use Group 17B; and

From Use Group 18, as set forth in Section 42-15:

breweries and alcoholic beverage manufacturing.

139-13 Gowanus Retail and Entertainment Uses

For the purposes of applying the basic #floor area ratio# regulations of Section 139-21, the following #community facility# and #commercial# #uses# shall also be considered #Gowanus retail and entertainment uses#:

From Use Group 3, as set forth in Section 22-13:

non-commercial art galleries;

From Use Group 6, as set forth in Section 32-15:

all #uses# listed in Use Group 6A, 6C, and 6E;

From Use Group 8, as set forth in Section 32-17:

all #uses# listed in Use Group 8A;

From Use Group 10, as set forth in Section 32-19:

all #uses# listed in Use Group 10A;

From Use Group 12, as set forth in Section 32-21:

all #uses# listed in Use Groups 12A and 12B;

From Use Group 13, as set forth in Section 32-22:

all #uses# in Use Group 13A and 13B;

From Use Group 14, as set forth in Section 32-23:

bicycle sales; candy or ice cream stores; and non-commercial clubs without restrictions on activities or facilities except for any activity or #use# listed within the definitions of #adult physical culture establishments# in Section 12-10 (DEFINITIONS).

139-14 Supplementary Use Regulations

139-141 Location of commercial uses in mixed buildings

(a) Commercial Districts

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

(b) Mixed Use Districts

In #Mixed Use Districts#, the provisions of paragraph (c)(2) of Section 123-31 (Provisions Regulating Location of Uses in Mixed Use Buildings) shall be modified to allow #commercial# and #manufacturing uses# to be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from such #uses# exists within the #building#.

139-142**Enclosure of uses**

In #Manufacturing Districts#, the underlying regulations of Section 42-40 (SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES) shall apply, except that all storage of materials or products shall be located within #completely enclosed buildings# regardless of distance from a #Residence District#.

139-15**Special Sign Regulations**

In the #Special Gowanus Mixed Use District#, the underlying #sign# regulations shall apply, except that:

- (a) in #Manufacturing Districts#, the #sign# regulations of a C6-1 District, as set forth in Section 32-60, shall apply;
- (b) any #accessory signs# that are provided adjacent to a #shore public walkway# shall be governed by the provisions of Section 139-55 (Special Signage Regulations).

139-16**Physical Culture Establishments**

In all districts, #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#.

139-17**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.

139-20**SPECIAL BULK REGULATIONS**

In Subdistricts A, B, C and D, the #bulk# regulations of the applicable underlying districts shall be modified by the provisions of this Section, inclusive. In Subdistrict E, the underlying regulations shall apply.

In Subdistrict A, the provisions of Section 34-112 (Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts) and paragraph (b) of Section 35-23 (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5, or C6 Districts) shall be modified so that, in C4-4D Districts, the applicable #Residence District# shall be an R9A District, as modified by the provisions of this Chapter.

139-21**Floor Area Regulations**

Basic #floor area# regulations are established in Section 139-211. Such regulations may be modified by the provisions of this Section, inclusive.

The basic maximum #floor area ratios# may be increased for certain #zoning lots# pursuant to Sections 139-212 (Gowanus mix) and 139-213 (Special floor area provisions for transit improvements).

Special regulations for #community facility floor area# on #zoning lots# containing #schools# are set forth in Section 139-214 (Special provisions for zoning lots containing schools).

Special regulations for certain #zoning lots# are set forth in Section 139-215 (Special floor area provisions for zoning lots containing comfort stations) and 139-216 (Special provisions for street improvements).

For the purposes of applying the provisions of Section 64-322, #primary street frontages# shall be the locations designated on Map 3 in the Appendix to this Chapter.

139-211**Basic floor area regulations**

The maximum #floor area# regulations for each district in the #Special Gowanus Mixed Use District# shall be as set forth in the table in this Section.

Row A establishes the maximum #residential floor area ratio# for #MIH sites# where either #affordable floor area# is provided in accordance with the provisions of paragraphs (d)(3)(i) through (d)(3)(iv) or paragraph (d)(5) of Section 23-154 (Inclusionary Housing), or where a contribution to the #affordable housing fund# is made in accordance with paragraph (d)(3)(v) of such Section. For #zoning lots# subject to the provisions of paragraph (d)(4) of Section 23-154, the maximum #floor area ratio# shall be as set forth in Section 23-153 (For Quality Housing buildings).

Row B establishes a maximum #floor area ratio# for #community facility uses#, other than #select community facility uses#. Row C sets forth the maximum #floor area ratio# for #select community facility uses# only. In addition, special regulations for #schools# are set forth in Section 139-213.

Row D establishes a maximum #floor area ratio# for #Gowanus retail and entertainment uses# only.

Row E establishes a maximum #floor area ratio# for all #commercial uses#, inclusive of #Gowanus retail and entertainment uses#.

Row F sets forth the maximum #floor area ratio# for #manufacturing# uses.

Row G establishes the maximum #floor area ratio# permitted on the #zoning lot#.

MAXIMUM FLOOR AREA RATIO

	C4-4D	M1-4		M1-4 / R6B	M1-4 / R6A	M1-4 / R7A	M1-4 / R7-2	M1-4 / R7X	
		Subarea B1	Subarea B2						
A	Maximum #FAR# for #residential uses# for #MIH Sites#	8.5	-	-	2.2	3.6	4.6	4.4	5.6
B	Maximum #FAR# for #community facility uses#	6.5	4.0	3.0	2.0	3.0	4.0	4.0	5.0
C	Maximum #FAR# for #select community facility uses#	6.5	4.8	4.8	2.0	3.0	4.0	4.0	5.0
D	Maximum #FAR# for #Gowanus retail and entertainment uses#	3.4	2.0	2.0	2.0	2.0	2.0	2.0	2.0
E	Maximum #FAR# for #commercial uses#	3.4	4.0	3.0	2.0	3.0	3.0	3.0	4.0
F	Maximum #FAR# for #manufacturing uses#	-	4.0	3.0	2.0	3.0	3.0	3.0	4.0
G	Maximum #FAR#	8.5	4.8	4.8	2.2	3.6	4.6	4.4	5.6

**139-212
Gowanus mix**

In M1 Districts paired with R7-2 or R7X Districts, the provisions of this Section may be utilized to increase the maximum #floor area ratio# set forth Section 139-211 (Basic floor area regulations).

PERMITTED INCREASE IN FLOOR AREA RATIO

	M1-4 / R7X	M1-4 / R7-2	
A	Increase pursuant to paragraph (a)	0.2	0.3
B	Increase pursuant to paragraph (b)	0.2	0.3
C	Combined increase when utilizing paragraphs (a) and (b)	0.4	0.6

- (a) Inclusion of non-residential uses
For #zoning lots# with #buildings# containing both #residential uses# and any non-#residential use#, the maximum #floor area ratio# may be increased by the amount listed in Row A of the table in this Section.
- (b) Inclusion of #Gowanus mix uses#
For #zoning lots# with #buildings# containing both #residential uses# and #Gowanus mix uses#, the maximum #floor area ratio# may be increased by the amount listed in Row B of the table in this Section.

The provisions of both paragraphs (a) and (b) of this Section may be utilized, as applicable, so that the total maximum #floor area ratio# of the #zoning lot# is increased by the total amount listed in Row C of the table in this Section.

The amount of #floor area# allocated to such a #use# must be equal to or greater than the amount of #floor area# by which the maximum #floor area ratio# is being increased, and #floor area# provided to satisfy the requirements of one paragraph of this Section may not be utilized to satisfy the requirements of the other. However, #Gowanus mix uses# in excess of the #floor area ratio# listed in Row A may be used to satisfy the requirements of paragraph (a) above.

In addition, #floor area# provided to satisfy the requirements of Section 139-41 (Ground Floor Level Requirements) may not be utilized to satisfy the requirements of this Section.

**139-213
Special floor area provisions for transit improvements**

In #Commercial Districts#, the #floor area ratios# set forth in Section 139-211 (Basic floor area regulations) may be increased by up to 20 percent, pursuant to the provisions of Section 139-46 (Certification for transit improvements). Where the #residential floor area ratio# is increased, such additional #floor area# shall be exempt from the requirements of paragraph (d) of Section 23-154.

**139-214
Special floor area provisions for zoning lots containing schools**

The provisions of this Section shall apply to #zoning lots# with a #lot area# greater than 30,000 square feet, and which contain #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

On such #zoning lots#, up to 60,000 square feet of floor space within such #school# or, in Subarea D4 up to 100,000 square feet of floor space within such #school#, shall be exempt from the definition of #floor area#.

**139-215
Special floor area provisions for zoning lots containing comfort stations**

For #zoning lots# containing a comfort station provided in accordance with the provisions of paragraph (c)(2) of Section 139-51 (Area-Wide Modifications), an area equal to 200 percent of the floor space within such comfort station may be exempted from the definition of #floor area#.

**139-216
Special floor area provisions for street improvements**

In Subareas D4, D5, and D6, for #zoning lots# containing mapped #streets#, where such mapped #streets# will be improved and opened to the public, the provisions of this Section may apply.

- (a) Street area
The #lot area# of a #zoning lot# adjacent to newly-improved #street# may be considered to be increased by an amount equal to the area contained within the bed of such #street#, as measured from the centerline of such #street# to the #street line# adjoining the #zoning lot#.
- (b) Transfer of #floor area#
#Residential floor area# may be transferred from a granting site to a receiving site located directly across the newly-improved #street#, and may exceed the maximum #floor area ratio# permitted on the receiving site, provided that:
 - (1) the owners of the granting site and the receiving site shall jointly notify the Department of City Planning, in writing, of their intent to transfer #residential floor area#. Such notification shall include a site plan showing the conditions

and #floor area# calculations for the granting site and the receiving site, before and after the transfer;

- (2) no building permit shall be issued by the Department of Buildings for a #building# on a receiving site containing any such transferred #residential floor area# until the Chairperson of the City Planning Commission has certified to the Department of Buildings that plans submitted to the Department of City Planning comply with the requirements of this Section; and
- (3) no certificate of occupancy shall be issued by the Department of Buildings for any portion of a #building# utilizing the transferred #residential floor area# until the Chairperson of the City Planning Commission certifies to the Department of Buildings that such #building# has been constructed in accordance with the plan certified by the Chairperson pursuant to paragraph (b)(2) of this Section.

Notices of restrictions shall be filed by the owners of the granting site and the receiving site in the Office of the Register of the City of New York, indexed against the granting site and the receiving site(s), certified copies of which shall be submitted to the Department of City Planning. Notice by the Department of City Planning of its receipt of certified copies thereof shall be a condition to issuance of a building permit for a #building# on the receiving site containing any such transferred #residential floor area#.

The transfer of #residential floor area#, once completed, shall irrevocably reduce the maximum #residential floor area# permitted on the granting site. Any #building# on a receiving site that uses the #residential floor area# so transferred shall comply with all other applicable #bulk# regulations of this Chapter.

**139-22
Special Yard Regulations**

The underlying #yard# and #rear yard equivalent# regulations shall apply, as modified by the provisions of this Section, inclusive.

**139-221
Permitted obstructions in required yards**

In all #Commercial#, #Manufacturing#, and #Mixed Use Districts#, the permitted obstruction provisions of paragraph (b)(3) of Section 33-23 and paragraph (b)(1) of Section 43-23 shall be modified such that, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use# (except any #building# portion containing rooms used for living or sleeping purposes) 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#.

**139-222
Rear yards and rear yard equivalents**

In all #Manufacturing Districts#, the provisions of 43-26 (Minimum Required Rear Yards) and 43-261 (Beyond one hundred feet of a street line) shall not apply. In lieu thereof, a #rear yard# shall be provided at the minimum depth set forth in the table below for the applicable height above the #base plane#, at every #rear lot line# on any #zoning lot#.

REQUIRED DEPTH OF REAR YARD

Height above #base plane#	Required depth
Below 65 feet	10
Above 65 feet and below 125 feet	15
Above 125 feet	20

In addition, in all #Manufacturing# and #Mixed Use Districts#, the provisions of Section 43-28 (Special Provisions for Through Lots) shall be modified such that no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

**139-223
Required yards along district boundaries**

In #Manufacturing# and #Mixed Use Districts#, the provisions of Section 43-304 (Required front yards along district boundary located in a street) shall not apply.

In #Commercial#, #Manufacturing#, and #Mixed Use Districts#, the underlying yard requirements applying along district boundaries of Sections 33-292 (Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots), 33-293 (Required yards along district boundary coincident with side lot line of zoning lot in a Commercial District), 43-302 (Required yards along district boundary coincident with rear lot lines of two adjoining zoning lots) and 43-303 (Required yards along district boundary coincident with side lot line of

zoning lot in a Manufacturing District), shall be superceded by the provisions of this Section as follows:

- (a) When #side# or #rear lot lines# coincide with a #side lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than #curb level#, and at least eight feet in depth, shall be provided; and
- (b) Where #side# or #rear lot lines# coincide with the #rear lot line# of a #zoning lot# in an adjoining #Residence District#, an open area not higher than 30 feet above #base plane# and at least 20 feet in depth, shall be provided.

**139-224
Waterfront yards**

The provisions of Section 62-33 (Special Yard Regulations on Waterfront Blocks) shall be modified such that a #waterfront yard# shall be provided in accordance with the provisions of Section 62-332 (Rear yards and waterfront yards) on all #waterfront zoning lots#, as that term is defined in Section 62-11, regardless of #use#.

The depth of the #waterfront yard# shall be measured from the #zoning lot line# adjoining the Gowanus Canal, or where the provisions of paragraph (f) of Section 139-51 (Area-Wide Modifications) are utilized, from the bulkhead. The depth of the #waterfront yard# may be reduced as set forth in Section 62-332.

**139-23
Special Height and Setback Regulations**

The height and setback regulations of the applicable underlying districts are modified as follows:

- (a) In #Commercial Districts#, the height and setback regulations of Section 35-60 (MODIFICATION OF HEIGHT AND SETBACK REGULATIONS) shall apply to all #buildings#, as modified by the provisions of this Section, inclusive.
- (b) In #Mixed Use Districts#, the height and setback regulations of Section 123-60 (SPECIAL BULK REGULATIONS) shall apply, as modified by the provisions of this Section, inclusive.
- (c) In #Manufacturing Districts#, the underlying height and setback regulations of Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks), and 43-45 (Tower Regulations) shall not apply. In lieu thereof, minimum and maximum base heights and maximum heights for #buildings or other structures# shall be as set forth in this Section, inclusive. The other underlying regulations of Article IV, Chapter 3 (Bulk Regulations) shall apply, as modified by the provisions of this Section, inclusive.
- (d) The special #bulk# regulations applicable in the #waterfront area# of Section 62-30 (SPECIAL BULK REGULATIONS) shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall control.

The height of all #buildings or other structures# shall be measured from the #base plane#.

**139-231
General provisions**

For the purposes of applying the applicable #bulk# regulations, the boundaries of #waterfront public access areas#, as well as #lot lines# abutting #public parks#, shall be considered #narrow street lines#.

Where a continuous sidewalk widening is provided along the entire frontage of a #zoning lot#, the interior boundary of such widening shall be considered a #street line# for the purpose of applying the height and setback regulations of this Chapter, except that where a sidewalk widening is provided pursuant to Section 139-43 (Sidewalk Widening Requirements), any setback required by this Section may be reduced by one foot for each foot by which the sidewalk is widened, provided that no setback shall be less than seven feet in depth.

Where a provision of this Chapter allows a modification to the maximum #building# height, and multiple modifications apply to a #building#, such modifications shall be applied cumulatively.

**139-232
Permitted obstructions**

In all districts, the underlying permitted obstruction regulations shall be modified by this Section.

- (a) Solar energy systems
The underlying permitted obstruction regulations shall be modified to permit solar energy systems as a permitted obstruction up to a #lot coverage# of 100 percent of the #lot coverage# of the roof.
- (b) Balconies
Unenclosed balconies complying with the provisions of Section 23-132 (Balconies in R6 through R10 Districts) may encroach into any required open area on the #zoning lot#. However,

balconies that encroach into #waterfront public access areas# shall be regulated by the provisions of paragraph (a)(1) Section 139-51 (Area-Wide Modifications).

(c) Dormers

Above the maximum base height, dormers shall be permitted to encroach into a required setback area, except setback areas adjoining tower portions of #buildings# and setback areas facing #waterfront public access areas#, provided that:

- (1) The aggregate width of all dormers does not exceed 50 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height;
- (2) The aggregate width of all dormers with a depth exceeding seven feet does not exceed 30 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.

**139-233
Special height and setback regulations in Subdistrict A**

In Subdistrict A, the underlying district regulations shall be modified by the provisions of this Section.

(a) Street wall location

The #street wall# location requirements of paragraph (b) of Section 35-651 (Street wall location) shall apply to all #buildings#.

(b) Base heights and setback requirements

The maximum height of #buildings or other structures# shall be as set forth in Sections 35-652 (Maximum height of buildings and setback regulations) or 35-654 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), as applicable.

In addition, for all #non-residential buildings#, the provisions of paragraph (b)(1) of Section 35-652 shall be modified such that the minimum and maximum base height, maximum #building# height, and maximum number of #stories# for #Quality Housing buildings# with #qualifying ground floors# shall be as set forth in paragraph (b) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors).

**139-234
Special height and setback regulations in Subdistrict B**

In Subdistrict B, the underlying district regulations shall be modified by the provisions of this Section.

(a) Street wall location

In #Manufacturing Districts#, 30 percent of the #street wall# shall be located within eight feet of the #street line# and shall extend to at least the minimum #base height# specified in paragraph (b) of this Section, or the height of the #building#, whichever is lower.

In #Mixed Use Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum #base height# specified in paragraph (b) of this Section or the height of the #building#, whichever is lower. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an outer court.

(b) Minimum and maximum base heights

In all districts, #street walls# shall rise without setback to a minimum base height set forth in this paragraph (b) or the height of the #building#, whichever is less, and may rise to a maximum base height as set forth in this paragraph (b). In #Manufacturing Districts#, minimum and maximum base heights and maximum heights of #buildings or other structures# shall be as set forth in Table 1 below. In #Mixed Use Districts#, such regulations shall be as set forth in Table 2.

**Table 1
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT, AND
MAXIMUM BUILDING HEIGHT – FOR M1-4 DISTRICTS
(in feet)**

	Minimum base height	Maximum base height	Maximum #building# height
in Subarea B1	15	95	115
in Subarea B2	15	65	85

**Table 2
MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT, AND
MAXIMUM BUILDING HEIGHT – FOR MIXED USE DISTRICTS
(in feet)**

	Minimum base height	Maximum base height	Maximum #building# height
M1-4/R6B	30	45	55
M1-4/R6A	40	65	85
M1-4/R7A	40	75	95
M1-4/R7X	60	105	145

However, for #zoning lots# with a #lot area# greater than or equal to 20,000 square feet, and located in a #Manufacturing District#, a #building# containing non-residential uses# may exceed the maximum #building# heights established in Table 1 and 2, as applicable, by 30 feet.

(c) Setback requirements

At a height not lower than the minimum base height or higher than the maximum base height, a setback shall be provided which complies with the requirements of paragraph (c) of Section 23-662.

**139-235
Special height and setback regulations in Subdistrict C**

(a) Street wall location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in paragraph (b) of this Section, or the height of the #building#, whichever is lower. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an outer court. However, no #street wall# location requirement shall apply to the #street walls# facing a #shore public walkway#.

(b) Minimum and maximum base heights

Except as otherwise specified in this paragraph (b), #street walls# shall rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, and may rise to a maximum base height as set forth in this paragraph (b). However, no minimum base height shall be required for #street walls# facing a #shore public walkway#.

- (1) Along Bond Street, the minimum base height shall be 30 feet, and the maximum base height shall be 55 feet. No portion of a #building# located within 65 feet of Bond Street may rise above a height of 65 feet.
- (2) Along Union Street, between Nevins Street and the Gowanus Canal, the maximum base height shall be 85 feet.
- (3) Along Degraw Street, between Nevins Street and the Gowanus Canal, the maximum base height shall be 85 feet.
- (4) Along all other #streets#, as well as along the Gowanus Canal, the maximum base height shall be 65 feet.

(c) Setback requirements

At a height not lower than the minimum base height or higher than the maximum base height, a setback with a minimum depth of 15 feet shall be provided. Such setback shall also comply with the requirements of paragraph (c) of Section 23-662.

(d) Tower regulations

(1) Tower location

Any portion of a #building# located above a height of 85 feet shall be considered a "tower". No portion of a tower may be located:

- (i) within 30 feet of the #street line# of Nevins Street;
- (ii) within 65 feet of Bond Street; or
- (iii) within 30 feet of a #waterfront yard#. However, for #zoning lots# located south of Carroll Street, no portion of a tower shall be permitted within 10 feet of the #waterfront yard# adjoining the First Street Basin.

(2) Tower width

The #street wall# of any tower facing a #shore public walkway# shall not exceed 100 feet in width. Where

multiple towers are provided, the combined #street wall# width of all such towers shall not exceed 130 feet.

However, for #zoning lots# located south of Carroll Street, the combined #street wall# width of all towers located west of the required #visual corridor# shall not exceed 150 feet.

(3) Tower coverage

Above a height of 175 feet, any tower shall set back such that it occupies a #lot coverage# no greater than 80 percent of the #story# located immediately below.

(4) Tower height

The maximum height of a tower shall be 225 feet.

(5) Regulations for multiple towers

Wherever two towers are provided on the same #zoning lot#, there shall be a difference in height between such towers of at least 50 feet. The taller of the two towers shall be located north of the mid-#block# line of the #block#.

However, for #zoning lots# located south of Carroll Street, the taller of the two towers shall be located west of the required #visual corridor#. The shorter of the two towers shall be located east of the required #visual corridor#, and no less than 65 feet from Carroll Street.

139-236

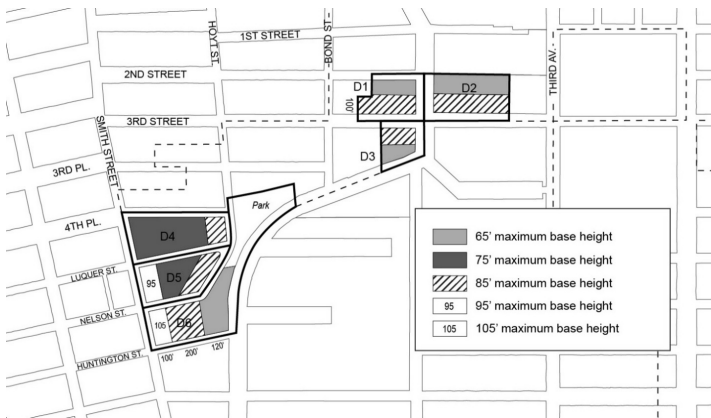
Special height and setback regulations in Subdistrict D

(a) Street wall location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and extend to at least the minimum #base height# specified in paragraph (b) of this Section, or the height of the #building#, whichever is lower. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an outer court. However, no #street wall# location requirement shall apply to the #street walls# facing a #shore public walkway#.

(b) Minimum and maximum base heights

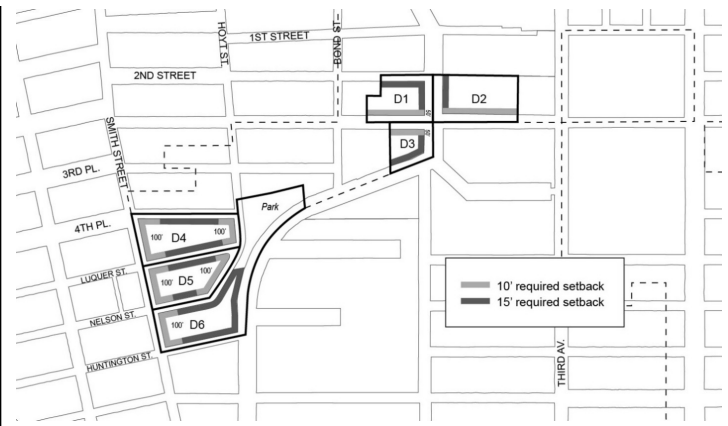
For #zoning lots# in Subareas D1 through D6, #street walls# shall rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, and may rise to a maximum base height as set forth in the map in this paragraph (b). However, this requirement shall not apply to the #aggregate width of street walls# facing a #shore public walkway#.



(c) Setback requirements

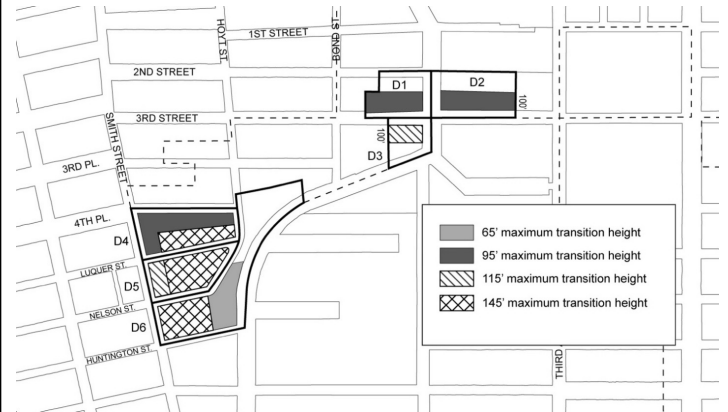
At a height not lower than the minimum base height or higher than the maximum base height, setbacks shall be provided with a minimum depth as set forth in the map in this paragraph (c).

Such setbacks shall also comply with the provisions of paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations).



(d) Transition heights

Any portion of a #building# located above the setback required by paragraph (c) of this Section shall be permitted to rise to a maximum "transition height" as set forth in this paragraph (d). Any portion of a #building# located above the maximum transition height shall be considered a "tower" and shall comply with the provisions of paragraph (e) of this Section. Except as otherwise set forth in the map in this paragraph (d), such maximum transition height shall be 85 feet.



(e) Tower regulations

(1) Tower location

Any portion of a #building# located above the maximum transition height set forth in paragraph (d) shall be considered a "tower". No portion of a tower may be located:

- (i) in Subarea D4, within 150 feet of Smith Street or within 150 feet of Hoyt Street;
- (ii) in Subarea D5, within 80 feet of Smith Street or within 200 feet of Smith Street north of the mid-#block# line; or
- (iii) within 30 feet of a #waterfront yard#.

(2) Tower width

The #street wall# of any tower facing a #shore public walkway# shall not exceed 100 feet in width. Where multiple towers are provided, the combined #street wall# width of all such towers shall not exceed 130 feet.

However, in Subarea D4, where multiple towers are provided, the combined #street wall# width of all such towers shall not exceed 170 feet.

(3) Tower coverage

In Subareas D1, D2, and D3, above a height of 175 feet, any tower shall set back such that it occupies a #lot coverage# no greater than 80 percent of the #story# located immediately below.

In Subareas D5 and D6, the portion of any tower containing the top four #stories# of such tower shall set back such that it occupies a #lot coverage# no greater than 80 percent of the #story# located immediately below.

(4) Tower height

Except as otherwise specified in this paragraph (e)(4), the maximum height of a tower shall be 225 feet.

- (i) In Subarea D4, towers shall be permitted to rise to a height of 285 feet.
- (ii) In Subarea D5, towers shall be permitted to rise to a height of 245 feet.
- (iii) In Subarea D6, towers shall be permitted to rise to a height of 305 feet.

(5) Regulations for multiple towers

- (i) In Subareas D1 and D2, no more than two towers shall be permitted on a #zoning lot#.
- (ii) In Subareas D4 and D5, no more than two towers shall be permitted in each subarea.
- (iii) In Subareas D3 and D6, no more than one tower shall be permitted in the subarea.
- (iv) Wherever two towers are provided on the same #zoning lot#, there shall be a difference in height between such towers of at least 50 feet.

In addition, in Subarea D1, the taller of the two towers shall be located within 100 feet of Third Street.

139-237**Special street wall articulation requirements**

In all subdistricts, for #street walls# with widths exceeding 200 feet, a minimum of 20 percent and no more than 50 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such recess or projection shall be considered a permitted obstruction into a required setback, and the depth of such recess or projection shall not exceed three feet.

In addition, in Subdistrict D, the underlying dormer provisions of paragraph (c) of Section 23-621 shall be modified for portions of #buildings# facing Third Street, so that above the maximum base height, dormers shall be permitted only within 75 feet of the intersection of two #streets#.

139-238**Special height regulations for zoning lots containing schools**

In Subdistrict C, and in Subareas D1, D2, and D3, for #zoning lots# containing #schools# regulated by Section 139-213 (Special provisions for zoning lots containing schools), the maximum tower height specified by the regulations in this Section, inclusive, may be increased as-of-right by 40 feet. This allowance may be further modified by the provisions of Section 139-47 (Authorization for sites containing schools).

139-30**SPECIAL PARKING REGULATIONS**

In Subdistricts A, B, C, and D, the underlying parking and loading regulations shall be modified by the provisions of this Section. On #waterfront blocks#, the provisions of Section 62-40 shall not apply. In Subdistrict E, the underlying regulations shall apply.

139-31**Special Accessory Off-Street Parking Regulations****139-311****Reduction of parking requirements for residences**

In all districts, for the purposes of applying the provisions of Sections 36-33 and 123-72, the provisions of Section 25-23 shall be modified to require that #accessory# off-street parking spaces be provided for at least 20 percent of #residences# on a #zoning lot#.

For the purposes of applying waivers, the provisions of of Section 25-26 shall be modified so that the maximum number of #accessory# off-street parking spaces for which requirements are waived is 20 spaces.

Notwithstanding the above, in Subarea D4, and in Subarea D5 north of the mid-#block# line, no #accessory# off-street parking spaces for #residences# shall be required.

139-312**Elimination of parking requirements for non-residential uses**

In all districts, no #accessory# off-street parking spaces shall be required for #manufacturing#, #commercial#, or #community facility uses#.

139-313**Off-site parking facilities**

For #residences# in #Commercial# and #Mixed Use Districts#, the provisions of Sections 25-51 and 36-42 (Off-site Spaces for Residences) shall be modified to allow the #zoning lot# containing required

#accessory# off-street parking spaces for #residences# to be located in any zoning district, as well as anywhere within the #Special Gowanus Mixed Use District#.

139-314**Joint facilities**

For #residences# in #Commercial# and #Mixed Use Districts#, the provisions of Sections 25-541 and 36-441 (Joint facilities) shall not apply. In lieu thereof, the provisions of this Section shall apply.

Required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that the number of spaces in such joint facilities shall be not less than that required for the combined number of #dwelling units# in such #buildings# or #zoning lots#, and provided that the design and layout of such joint facilities meets the standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

139-315**Use of parking facilities for car sharing vehicles**

The underlying regulations regarding the occupation of #accessory# or required off-street parking spaces by #car sharing vehicles# shall be modified so that, in all districts, the number of spaces occupied by #car sharing vehicles# shall not exceed 20 percent of all spaces in a #group parking facility#.

139-316**Use of parking facilities for public parking**

All #accessory# off-street parking spaces may be made available for public use. However, parking spaces #accessory# to #residences# shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request is made to the landlord.

139-32**Special Permitted Off-Street Parking Regulations**

For portions of an #automated parking facility#, as that term is defined in Section 13-02, each tray upon which a vehicle is stored shall be considered one parking space, regardless of its size. In addition, at a height in excess of 23 feet above #curb level# each parking tray shall be considered #floor area# in an amount of 153 square feet or the size of such lifted tray, whichever is greater.

139-33**Special Loading Regulations**

In all districts, the loading regulations of an M1-5 District shall apply, and shall be further modified as follows:

- (a) the requirements of Section 44-50 (GENERAL PURPOSES), inclusive, shall not apply to changes of #uses#;
- (b) the provisions of Section 44-53 (Special Provisions for a Single Zoning Lot With Uses Subject to Different Loading Requirements), and Sections 36-64 and 44-54 (Wholesale, Manufacturing, or Storage Uses Combined With Other Uses), shall not apply; and
- (c) the minimum length requirements for loading berths #accessory# to #commercial uses#, other than funeral establishments, set forth in Section 44-581 (Size of required loading berths) shall be increased to 37 feet.

139-34**Special Curb Cut Regulations**

For #zoning lots# existing on or after [date of adoption], with frontage along both a #primary street frontage# and a #secondary street frontage#, as set forth in Section 139-41 (Ground Floor Level Requirements), curb cuts accessing off-street parking spaces and loading berths shall not be permitted along the #primary street frontage#. In addition, no curb cut shall be permitted within 40 feet of a #waterfront public access area#.

Curb cuts prohibited by this Section may be authorized by the City Planning Commission provided the Commission finds that a curb cut at such a location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
- (c) will not adversely affect pedestrian movement;
- (d) will not interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities; and
- (e) will not be inconsistent with the character of the existing streetscape.

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

139-40
DISTRICT PLAN ELEMENTS

In all Subdistricts, the provisions of this Section shall apply to all #zoning lots#, as specified below.

139-41
Ground Floor Level Requirements

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, the portion of a #ground floor level street# frontage considered a #primary street frontage# shall be as shown on Map 3 (Ground Floor Use Requirements) in Appendix A of this Chapter. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#.

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

- (a) Along #primary street frontages#
- (1) Type 1 #primary street frontages#

For #buildings#, or portions thereof, with Type 1 #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 #Gowanus retail and entertainment 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). Group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

- (2) Type 2 #primary street frontages#

For #buildings#, or portions thereof, with Type 2 #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32, 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. Group parking facilities located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35. #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34.

- (b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35. Entrances and exits to accessory parking facilities shall be subject to the provisions of paragraph (b) of Section 37-33.

- (c) For blank walls

In all districts, 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 of Section 37-36 (Special Requirements for Blank Walls).

139-42
Street Tree Requirements

In all districts, all #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting).

In addition, for #zoning lots# with over 100 feet of street frontage, wherever two required #street# tree pits will be separated by less than 25 feet, such tree pits shall be combined and designed as a single continuous tree pit.

139-43

Sidewalk Widening Requirements

For #developments# along the portions of #streets# designated on Map 4 (Sidewalk Widening Lines) in Appendix A of this Chapter, a sidewalk widening shall be required, providing a total sidewalk width of:

- (a) 17 feet along Third Avenue;
- (b) 15 feet along Nevins Street; and
- (c) 13 feet along Fifth Street.

The total sidewalk width shall be measured perpendicular from the #street line#. Such sidewalk shall be improved to Department of

Transportation standards and shall be provided at the same level as the adjoining public sidewalk and be accessible to the public at all times.

Awnings and canopies shall be considered permitted obstructions within a sidewalk widening provided that no structural posts or supports may be located within any portion of the sidewalk or such widening.

139-44
Bridge Connection Requirements

For all #zoning lots# abutting bridge structures supporting #streets# which cross the Gowanus Canal at Union Street, Carroll Street, and Third Street, and are subject to #waterfront public access area# requirements, such #waterfront public access area# shall be designed to provide pedestrian connection to the #street# adjacent to the terminus of the bridge structure.

The requirements of this Section may be waived where the New York City Department of Transportation determines that such a pedestrian connection to the #street# would result in a hazard to traffic safety.

139-45
Waterfront Public Access Area Requirements

For all #waterfront zoning lots#, the exemptions from #waterfront public access area# requirements listed in paragraph (a) of Section 62-52 shall not apply.

- (a) Reduced requirement for certain manufacturing uses

For #zoning lots# with #developments#, #enlargements#, or #conversions# comprised of #predominantly# Use Group 18 #uses#, as listed in Section 42-15, the reduced design requirements of Section 62-58 (Requirements for Water-Dependent Uses and Other Developments) shall apply to #waterfront public access areas#.

- (b) Authorization for incompatible uses

For #zoning lots# comprised #predominantly# of Use Group 16, 17, or 18 #uses#, the City Planning Commission may authorize the waiver of #waterfront public access area# requirements, provided the Commission finds that:

- (1) such #uses# produce objectionable effects on its surroundings such that the #uses# are incompatible with a waterfront public access requirement; or
- (2) such #uses# have demonstrable operational requirements which would be incompatible with waterfront public access requirements; and
- (3) such waiver is the least necessary to accommodate the proposed #uses#.

Such waivers shall be in effect for as long as the proposed #use# remains on the #zoning lot#. Upon #development# of the #zoning lot# following cessation of the #use# for a period of more than two years, full compliance with #waterfront public access area# requirements, as may be modified by future approvals, is required.

139-46
Transit Improvements

[Note: the provisions of Section 139-461 will be removed upon adoption of similar provisions in Elevate Transit – Zoning for Accessibility.]

139-461
Certification for transit easements

For all #developments#, or #enlargements# involving ground floor level construction, on a #zoning lot# with a #lot area# of 5,000 square feet or greater and wholly or partially located within 50 feet of a subway station, a transit easement volume may be needed on such #zoning lot# for public access between the #street# and the adjacent above- or below-grade subway station, pursuant to paragraph (a) of this Section.

- (a) Transit easement volume certification

Prior to filing any application with the Department of Buildings for an excavation permit, foundation permit, new building permit or alteration permit for a #development# or #enlargement#, the owner of the #zoning lot# shall file an application with the Metropolitan Transportation Authority (MTA) and the Chairperson of the City Planning Commission requesting a certification as to whether or not a transit easement volume is needed on the #zoning lot#.

Within 60 days of receipt of such application, the MTA and the Chairperson shall jointly certify whether or not a transit easement volume is needed on the #zoning lot#. Failure to certify within the 60-day period will release the owner from any obligation to provide a transit easement volume on such #zoning lot#.

When the MTA and the Chairperson indicate that a transit easement volume is needed, the MTA shall, in consultation with

the owner of the #zoning lot# and the Chairperson, determine the location and appropriate type of transit easement and reasonable dimensions for such transit easement volume, as well as the mechanism for and the terms of the eventual conveyance.

The owner shall submit a site plan showing a proposed location of such transit easement volume that would provide access between the #street# and the adjacent subway station and be compatible with the proposed #development# or #enlargement# on the #zoning lot# for joint approval and final certification by the MTA and the Chairperson. The MTA and the Chairperson shall comment on such site plan within 45 days of its receipt and may, within such 45-day period or following its expiration, permit the granting of an excavation permit while the location and size of the transit easement volume is being finalized. Upon joint approval of a site plan by the MTA and the Chairperson, copies of such certification shall be forwarded by the Chairperson to the Department of Buildings.

Legally enforceable instruments, running with the land, creating a transit easement volume, and setting forth the obligations of either the MTA or the owner and developer, their successors and assigns, to design and construct the improvement, as well as other basic terms of the easement shall be executed and recorded in a form acceptable to the MTA and the Chairperson. The execution and recording of such instruments shall be a precondition to the issuance of any foundation permit, new building permit, or alteration permit by the Department of Buildings allowing such #development# or #enlargement#.

(b) Construction and maintenance

Where a transit easement volume is needed pursuant to this Section, transit access improvements within such volume shall be constructed and maintained either by the MTA or the owner of the #zoning lot# with the #development# or #enlargement#.

- (1) Where such mass transit improvement is constructed and maintained by the owner of the #development# or #enlargement#
 - (i) a transit access improvement shall be provided in accordance with standards set forth by the MTA;
 - (ii) such improvement shall be accessible to the public at all times, except as otherwise approved by the MTA;
 - (iii) such improvement shall include #signs# to announce accessibility to the public. Such #signs# shall be exempt from the maximum #surface area# of non-illuminated signs# permitted by Section 32-642 (Non-illuminated signs); and
 - (iv) no temporary certificate of occupancy shall be granted by the Department of Buildings for the #building# until the Chairperson of the City Planning Commission, acting in consultation with the MTA, has certified that the improvement is substantially complete and usable by the public.
- (2) Where such mass transit improvement is constructed and maintained by the MTA:
 - (i) Where the construction of the improvement is not contemporaneous with the construction of the #development# or #enlargement#, any underground walls constructed along the #front lot line# adjacent to a below-grade subway station shall include a knockout panel, not less than 12 feet wide, below #curb level# down to the bottom of the easement. The actual location and size of such knockout panel shall be determined through consultation with the MTA.
 - (ii) Temporary construction access shall be granted to the MTA on portions of the #zoning lot# outside of the transit easement volume, as necessary, to enable construction within and connection to the transit easement volume.
 - (iii) In the event that the MTA has approved of obstructions associated with the #development# or #enlargement# within the transit easement volume, such as building columns or footings, such construction and maintenance shall exclude any such obstructions within the transit easement volume.

(c) Additional modifications

Where a transit easement volume is needed pursuant to paragraph (a) of this Section, the Chairperson of the City Planning Commission shall certify the following modifications in conjunction with such transit easement volume certification:

- (1) the edge of the transit easement volume facing the #street# shall be considered a #street wall# for the purposes of applying the #street wall# location provisions set forth in

Section 139-23 (Special Height and Setback Regulations), inclusive, irrespective of whether such volume is incorporated into a #building#;

- (2) for #zoning lots# adjacent to a below-grade subway station, the maximum height for the #building# set forth in Section 139-23, inclusive, shall be increased by 10 feet;
 - (3) the floor space contained within any transit easement volume needed pursuant to this Section shall be excluded from the definition of #floor area#; and
 - (4) the street frontage of such transit easement volume shall be excluded for the purpose of applying the provisions of Section 139-41 (Ground Floor Level Requirements).
- (d) Temporary use

Any easement volume needed on a #zoning lot# pursuant to paragraph (a) of this Section may be temporarily used for any permitted #commercial# or #community facility uses# until such time as needed by the MTA for transit access improvements. The floor space allocated to such temporary #uses# within the transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating #accessory# off-street parking, bicycle parking, or loading berths.

Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #building# or portion of the #zoning lot# within which the easement volume is located prior to the time at which public #use# of the easement area is needed, except as otherwise specified by the MTA. A minimum notice of six months shall be given, in writing, by the MTA to the owner of the #building# or portion of the #zoning lot# to vacate the easement volume.

(e) Termination of an easement volume

In the event that the MTA and the City Planning Commission jointly notify the Department of Buildings and the owner in writing that a transit easement volume is not needed on a #zoning lot# in its final construction plans, the restrictions imposed on such #zoning lot# by the provisions of this Section shall lapse, following receipt of notification thereof by the owner, and the owner shall have the right to record an instrument reciting the consent of the MTA to the extinguishment of the easement volume.

On any #zoning lot# which has been #developed# or #enlarged# in accordance with the provisions of this Section and on which termination of transit easement has been certified, pursuant to this paragraph, any floor space in a previously needed transit easement volume shall continue to be exempt from the definition of #floor area# and shall not be included for the purpose of calculating requirements for #accessory# off-street parking, bicycle parking or loading berths. However, where such previously needed volume is located within a #building#, the ground floor space shall be subject to the provisions of Section 139-41 (Ground Floor Level Requirements).

139-462

Certification for transit improvements

In #Commercial Districts# with a residential equivalent of an R9 District, for #developments# on #zoning lots# that are located within 500 feet of the Union Street subway station, the Chairperson of the City Planning Commission may, by certification to the Commissioner of Buildings, allow a #development# to:

- (1) receive a #floor area# bonus not to exceed 20 percent of the maximum #floor area ratio# permitted by Section 139-211 (Basic floor area regulations); and
- (2) further modify additional height permitted pursuant to paragraph (c)(2) of Section 139-461, provided the total combined modification does not exceed 30 feet;

where a major improvement to the Union Street subway station consisting of one new off-street station entrance with an accessible route for persons with physical disabilities between two levels servicing the southbound platform is provided.

Prior to issuing such a certification, the Chairperson shall be provided with a letter and legal instrument as set forth in paragraph (e) of Section 139-463. The #development# shall also be subject to the recordation and completion procedures set forth in paragraph (f) of Section 139-463.

[Note: the provisions of Section 139-463 will be removed upon adoption of similar provisions in Elevate Transit – Zoning for Accessibility.]

139-463

Authorization for transit improvements

In #Commercial Districts# with a residential equivalent of an R9 District, for all #developments# or #enlargements# on a #zoning lot# that is wholly or partially located within 500 feet of a subway station, the City Planning Commission may authorize a #floor area# bonus not to exceed 20 percent of the basic maximum floor area ratio permitted by Section 139-21 (Floor Area Regulations), and may modify the maximum #building height# permitted by Section 139-23 (Special Height and Setback Regulations), provided the modification does not exceed 30 feet, and street wall location requirements of Section 139-23 (Special Height and Setback Regulations) and the street wall continuity provisions of Section 139-41 (Ground Floor Level Requirements) where major improvements to adjacent subway stations are provided in accordance with the provisions of this Section.

The selection of subway station improvements shall be on a case-by-case basis and shall be subject to the approval of the Metropolitan Transportation Authority (MTA), and the City Planning Commission. All such improvements shall comply with all applicable design standards of the current station planning guidelines of MTA.

(a) **Pre-application requirements**

Prior to submitting an application for an authorization pursuant to this Section, the applicant shall submit a schematic or concept plan for the proposed improvement to the MTA and the Chairperson of the City Planning Commission.

(b) **Requirements for application**

An application for an authorization pursuant to this Section shall include a letter from MTA to the City Planning Commission containing conceptual approval of the improvement and a statement of any special considerations regarding MTA's future operation of the improvement. The applicant shall submit all information and justification sufficient to enable the City Planning Commission to:

- (1) evaluate the benefits to the City;
- (2) determine the appropriate amount of bonus #floor area#; and
- (3) where applicable, assess the advantages and disadvantages of waiving or modifying #street wall# continuity requirements.

(c) **Conditions**

- (1) The additional #floor area# authorized shall not exceed 20 percent of the basic maximum #floor area ratio# established in Row G of the table in Section 139-211 (Basic floor area regulations).
- (2) The amount of modification to the maximum #building height# established in Section 139-23 (Special Height and Setback Regulations) shall not exceed 20 percent of the maximum #building height#.

(d) **Findings**

- (1) In determining the amount of #floor area# bonus, the City Planning Commission shall consider the degree to which:
 - (i) the general accessibility and security of the subway station will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators; and
 - (ii) significant improvements to the station's environment by increasing direct daylight access, or improvements to noise control, air quality, lighting or rider orientation and satisfactory integration of the #street# level entryway into the #development# or #enlargement# will occur.
- (2) In determining #bulk# modifications, the City Planning Commission shall find that such modifications would not unduly obstruct the light and air of neighboring properties.
- (3) In determining modifications to ground floor level requirements, the City Planning Commission shall find that the provisions of a subway improvement cannot be accommodated without modification to these requirements.
- (4) In determining modifications to #street wall# provisions, the Commission shall find that the modification will permit the proposed design to provide for access of daylight and air to the subway platform, mezzanine or concourse and that the advantages of such access outweigh the disadvantages incurred by the interruption of #street wall# and retail continuity.

(e) **Procedural requirements**

Prior to the granting of an authorization, the City Planning Commission shall be provided with the following:

- (1) a letter from MTA stating that the drawings and other documents submitted by the applicant have been determined by MTA to be of sufficient scope and detail to fix and describe the size and character of the subway improvement as to architectural, structural, mechanical and electrical systems, materials, relationship to existing site conditions and such other conditions as may be appropriate, and that the construction of the subway improvement in accordance with such submission is feasible; and
- (2) a legally enforceable instrument, acceptable to the Department of City Planning, running with the land and signed by the applicant and all parties in interest, other than parties in interest who have waived and subordinated their interests, containing complete drawings of the improvement and setting forth the obligations of owner and developer, their successors and assigns, to construct and provide capital maintenance for the improvement, establish a construction schedule and provide a performance bond for completion of the improvement.

(f) **Recordation and completion procedures**

Any instrument creating a transit easement on the #zoning lot# pursuant to paragraph (e)(2) of Section 139-462 shall be recorded against the #zoning lot# receiving the #floor area# bonus in the Office of the Register of the City of New York and a certified copy of the instrument shall be submitted to the City Planning Commission and MTA. The applicant shall not apply for nor accept a temporary certificate of occupancy for the bonus #floor area#, and the Department of Buildings shall not issue such a temporary certificate of occupancy, until MTA has determined that the bonused subway improvement is substantially complete which shall, for this purpose, mean open to and usable by the public.

The applicant shall not apply for or accept a permanent certificate of occupancy for the #development# or #enlargement#, nor shall the Department of Buildings issue such permanent certificate of occupancy, until the bonused subway improvement has been completed in accordance with the approved plans and such completion has been certified by MTA.

The Commission may prescribe additional appropriate conditions and safeguards to enhance the character of the surrounding area.

139-47

Authorization for sites containing schools

For #zoning lots# containing #schools# regulated by the provisions of Section 139-214 (Special provisions for zoning lots containing schools), the City Planning Commission may authorize the modification of any #bulk# regulation, including the amount of floor space exempted from the definition of #floor area# by Section 139-214, in order to better accommodate a #school# upon such #zoning lot#.

(a) **Conditions**

- (1) No modification to the maximum #building# height shall exceed 30 feet; and
- (2) No modification to the amount of floor space exempted from the definition of #floor area# shall exceed an additional 60,000 square feet of floor space.

(b) **Findings**

In determining such modifications, the Commission shall find:

- (1) such modification is the least modification required to achieve the purpose for which it is granted;
- (2) the proposed modification does not impair the essential character of the surrounding area; and
- (3) the proposed modification will not have adverse effects upon light, air, and privacy of adjacent properties and of any existing #buildings# on the #zoning lot#.

Applications for authorizations shall be referred to the affected Community Board for a period of at least 30 days for comment. The Commission shall grant in whole or in part or deny the application within 60 days of the completion of the Community Board review period.

139-48

Authorization for Large Mixed-use Sites

In Subdistrict B, for #developments# on #zoning lots# located in a #Mixed-Use District#, on a #zoning lot# greater than 40,000 square feet in #lot area#, the City Planning Commission may authorize the modification of the regulations set forth in paragraph (a) of this Section to facilitate a #development# that will result in a mix of #predominantly# non-#residential uses# on the #zoning lot#, provided that the findings set forth in paragraph (b) of this Section are met.

(a) **Modifications**

The Commission may modify the following regulations:

- (1) the #use# regulations of this Chapter, limited to ground floor #use# regulations and supplemental #use# regulations;
 - (2) the #bulk# regulations of this Chapter, except #floor area ratio# regulations, provided that any modifications to height and setback regulations do not exceed the heights permitted in an M1-4 District as set forth in Section 43-43; and
 - (3) the parking regulations related to the number of required #accessory# off-street parking spaces and the location and spacing of curb cuts.
- (b) **Findings**
- In order to grant such authorization, the Commission shall find that:
- (1) where modifying #bulk# regulations, such modifications shall result in a superior configuration of non-#residential uses# within the #building# than would be feasible by applying the #Special Gowanus Mixed Use District# regulations;
 - (3) where modifying ground floor #use# regulations, the advantages of an off-street loading and access outweigh the disadvantages incurred by the interruption of retail continuity; and
 - (4) where modifying supplemental #use# and parking regulations, that such modifications would present a limited interruption and would not create serious vehicular traffic congestion that would adversely affect the surrounding area.

Upon completion of the #development#, the #zoning lot# shall remain occupied by #predominantly# non-#residential use#. Such requirements shall be reflected in a notice of restrictions recorded against all tax lots comprising such #zoning lot#, and a copy of such notice shall be provided to the Department of Buildings.

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

**139-50
GOWANUS CANAL WATERFRONT ACCESS PLAN**

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

The boundaries of the area comprising the Gowanus Canal Waterfront Access Plan, and the location of certain features mandated or permitted by the Plan, are shown on the maps in Appendix B of this Chapter.

The waterfront access plan has been divided into Parcels as shown on Map 1 of Appendix B of this Chapter, consisting of tax #blocks# and lots existing on [date of referral], as follows:

- Parcel 1: Block 417, Lots 1, 10, 14, 21
- Parcel 2: Block 424, Lots 1, 20
- Parcel 3: Block 431, Lots 1, 2, 5, 6, 7, 12, 17, 43
- Parcel 4: Block 425, Lot 1
Block 432, Lots 15, 25, 7501
- Parcel 5: Block 439, Lot 1
- Parcel 6: Block 438, Lots 1, 2, 3, 7
Block 445, Lots 1, 7, 8, 11, 20, 50
- Parcel 7: Block 452, Lots 1, 5, 19
Block 458, Lot 1
- Parcel 8a: Block 453, Lots 1, 21
- Parcel 8b: Block 453, Lot 26
- Parcel 8c: Block 453, Lots 30, 31, 32, 33, 35, 36, 38, 39, 41, 42, 43, 44, 44, 45, 46, 48, 49, 50, 51
- Parcel 8d: Block 453, Lot 54
- Parcel 9: Block 967, Lot 1
- Parcel 10: Block 967, Lot 24
- Parcel 11: Block 972, Lots 1, 43, 58
- Parcel 12: Block 462, Lots 1, 3, 4, 5, 6, 8, 9, 12, 14, 42, 44, 50, 51
- Parcel 13: Block 466, Lot 19
- Parcel 14a: Block 466, Lots 17, 60
- Parcel 14b: Block 466, Lot 1
- Parcel 14c: Block 466, Lot 46
- Parcel 15a: Block 471, Lot 125
- Parcel 15b: Block 471, Lot 104, 110, 114, 116
- Parcel 16: Block 471, Lots 1, 100
- Parcel 17: Block 471, Lot 200

For the purposes of this Section, inclusive, the definition of #development# shall be as set forth in Section 62-11 (Definitions).

**139-51
Area-Wide Modifications**

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall be modified in the area comprising the

Gowanus Canal Waterfront Access Plan by the provisions of this Section.

- (a) **All #waterfront public access areas#**
 - (1) **Balconies**
Balconies complying with the provisions of Section 23-132 (Balconies in R6 through R10 Districts) shall be permitted obstructions in #waterfront public access areas#, provided the depth of obstruction is limited to four feet, and provided they are located at or above the floor level of the third #story# above grade of the #building#.
 - (2) **Sun control devices**
Awnings and other sun control devices shall be permitted obstructions in #waterfront public access areas#. However, when located at a level higher than the first #story#, excluding a #basement#, all such devices:
 - (i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
 - (ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project.
 - (3) **Kiosks**
Where a #supplemental public access area# exceeds 15,000 square feet, a kiosk shall be a permitted obstruction in such #supplemental public access area# with an area up to 400 square feet, including roofed areas.
- (b) **#Shore public walkways#**
 - (1) **Width of circulation paths**
#Shore public walkways# shall provide a required circulation path with a minimum clear width of 10 feet. Secondary paths, where provided, shall have a minimum clear width of at least 4.5 feet.
 - (2) **Level of circulation paths**
At least 80 percent of a required circulation path shall be located at a level no less than six feet above the #shoreline#. However, up to 40 percent of such required circulation path may be provided below such level when providing access to a "get-down" located no more than two feet above the level of the #shoreline#.
 - (3) **Access to circulation paths**
The provisions of paragraph (a)(1) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) shall apply, except that where a #shore public walkway# is on a #zoning lot# that is adjacent to a #zoning lot# which has not been improved with a #shore public walkway#, the portion of the circulation path that terminates at the common #zoning lot line# may be located within 40 feet of the shoreline.
In addition, for #zoning lots# adjoining #streets# containing bridge structures, the required connection of circulation paths to such a #street# may be waived by certification by the Department of Transportation, pursuant to Section 139-44 (Bridge Connection Requirements).
 - (4) **Grading**
The provisions of paragraph (d)(2) of Section 62-61 (General Provisions Applying to Waterfront Public Access Areas) shall be modified so that within five feet of the edge of any planting area, the grade level of such planting area shall be no more than 36 inches higher or lower than the adjoining level of the pedestrian circulation path.
- (c) **#Supplemental public access areas#**
 - (1) **Lawns**
The provisions of paragraph (c)(1) of Section 62-62 shall be modified such that a lawn shall only be required where a #supplemental public access area# is greater than 15,000 square feet. The Commission may authorize use of artificial turf within a lawn pursuant to Section 62-822 (Modification of waterfront public access area and visual corridor requirements).
Where required, a lawn may be substituted for a publicly accessible field of equivalent size, which may be unplanted, and shall be suitable for active recreational use.
 - (2) **Comfort stations**
Where a publicly-accessible comfort station is provided as part of a #development#, the amount of #supplemental

public access area# may be reduced by an amount equal to the size of the comfort station, provided that:

- (i) the comfort station has an entrance fronting upon a #waterfront public access area#; and
- (ii) a restrictive declaration, acceptable to the Department of City Planning and Department of Parks and Recreation, shall be executed and recorded, binding the owners, successors and assigns to provide and maintain such comfort station for the life of the #development#.

(d) Screening

Wherever a screening buffer is required to be provided, the minimum width of such buffer shall be four feet.

In addition to the waiver allowances of paragraph (c)(2)(iii) of Section 62-62, no screening buffer shall be required along the upland boundary, or portion thereof, which is adjacent to an unenclosed seating area #accessory# to a #Gowanus retail and entertainment use#. Where a screening buffer is so waived, design features shall be utilized to demarcate the #shore public walkway# or #supplemental public access area# from the non-publicly accessible area, which may include, but shall not be limited to, railings, fences, planting boxes, and distinct paving materials.

(e) #Street# treatment

For #streets#, or portions thereof, located within the Gowanus Canal Waterfront Access Plan, the portion of the #street# that is adjacent to a #shore public walkway# shall be improved as upland access, for a depth equivalent to the adjacent #shore public walkway#. This upland access area shall be designed to include, at a minimum, the following design elements:

- (1) a foot path with a minimum clear width of ten feet, providing a connection to both the sidewalk located in the #street# as well as to the adjacent #zoning lot#;
- (2) eight linear feet of seating complying with Section 62-652 (Seating) for every 30 feet of #shoreline# upon which the #street# fronts; and
- (3) planted areas, containing planting or trees complying with Section 62-655 (Planting and trees) and occupying no less than 25 percent of the continuation area.

The provisions of this paragraph (e) shall not apply to portions of #streets# which will be improved pursuant to a site plan approved prior to [date of adoption].

(f) Bulkheads

Wherever the United States Environmental Protection Agency requires the installation of a bulkhead in a location seaward of the #zoning lot line#, the area located between the #lot line# and bulkhead may be utilized for the purposes of satisfying the #waterfront public access area# requirements of the #zoning lot#. Where the provisions of this paragraph (f) are utilized, the location of the bulkhead shall be considered the #shoreline# for the purposes of providing the required #waterfront public access areas#.

**139-52
Special Public Access Provisions**

The provisions of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map 1 in Appendix B of this Chapter.

**139-521
Parcels 4, 5, 13, 14 and 15**

On Parcels 4, 5, 13, 14 and 15, where a #shore public walkway# is required, such #shore public walkway# shall have a minimum width of 30 feet. The required minimum depth of a #waterfront yard# shall be 30 feet.

**139-522
Parcel 8**

On Parcels 8a, 8b, and 8d, where a #shore public walkway# is required, such #shore public walkway# shall have a minimum width of 20 feet. The required minimum depth of a #waterfront yard# shall be 30 feet, except that for #waterfront yards# adjoining the First Street Basin, the minimum depth shall be 20 feet. An area equal to at least 25 percent of the area of the #shore public walkway# shall be planted, and one linear foot of seating shall be provided for every 125 feet of frontage along the Gowanus Canal.

**139-523
Parcel 12**

On Parcel 12, where a #supplemental public access area# adjoining an #upland connection# or #street# is provided, such #supplemental public access area# shall be permitted to be provided with a maximum width to depth ratio of 3:1, and the longest side shall be permitted to adjoin the #street#.

**139-524
Parcel 14**

On Parcel 14a, a #supplemental public access area# shall be provided along the entire length of the #lot line# adjoining Parcel 13, connecting the #street# to the #shore public walkway#, and shall comply with the design reference standards applicable to a Type 1 #upland connection# set forth in Section 62-64 (Design Requirements for Upland Connections). Such #supplemental public access area# may coincide with a #visual corridor# required pursuant to Section 139-53 (Special Visual Corridor Provisions).

**139-525
Parcel 17**

On Parcel 17, the total #lot area# utilized in the calculation of required #supplemental public access area# shall include all #zoning lot# portions located within Parcel 17, including portions of a #zoning lot# located within a #street#.

**139-53
Special Visual Corridor Provisions**

The provisions of Sections 62-512 (Dimension of visual corridors) and 64-82 (Modification of Waterfront Regulations Relating to Level of Yards, Visual Corridors and the Ground Floor) shall be modified by the provisions of this Section.

The lowest level of a #visual corridor# shall be determined by establishing a plane connecting the two points along the #street lines# from which the #visual corridor# emanates at an elevation five feet above #curb level# with the two points where the prolonged #street lines# intersect the #shoreline#, stabilized natural shore, bulkhead, upland edge of a #waterfront yard# raised pursuant to the provisions of paragraph (a) of Section 62-512, or the #base plane# of a #pier# or #platform#, whichever intersection occurs first. Such plane shall then continue horizontally seaward from the line of intersection. #Visual corridors# that are not prolongations of mapped #streets# shall be determined by establishing a plane connecting an elevation five feet above #curb level# at the two points along the #lot line# from which the #visual corridor# emanates with the two points of intersection at the #shoreline#, stabilized natural shore, bulkhead, upland edge of a #waterfront yard# raised pursuant to the provisions of paragraph (a) of Section 62-512, or the #base plane# of a #pier# or #platform#, whichever intersection occurs first.

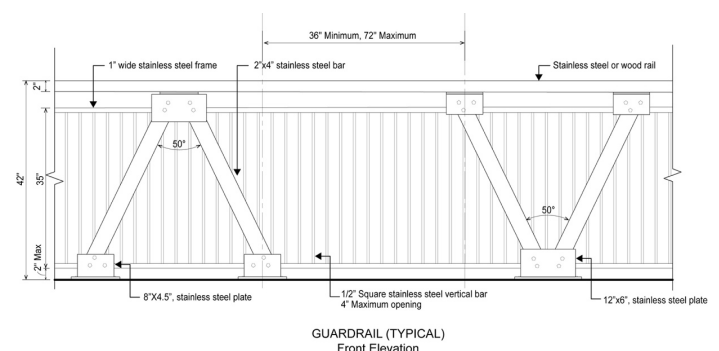
**139-54
Special Design Standards**

The design requirements of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified by the provisions of this Section, inclusive.

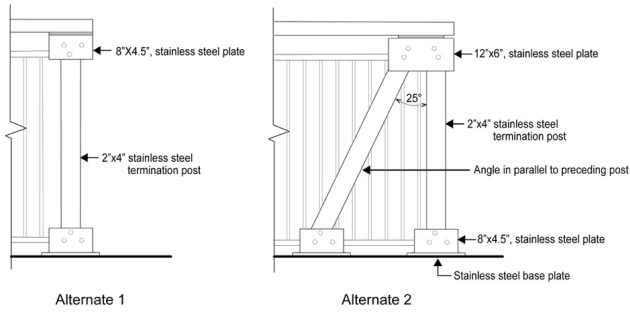
**139-541
Special design standards for guardrails**

In addition to the provisions of paragraph (a) of Section 62-651 (Guardrails, gates and other protective barriers), guardrails shall comply with the illustrations provided in either paragraph (a) or (b) of this Section, or shall be of a comparable design which is the minimum modification needed. Where modification is sought, it shall be deemed suitable by the Chair of the City Planning Commission in consultation with the NYC Department of Parks and Recreation (DPR).

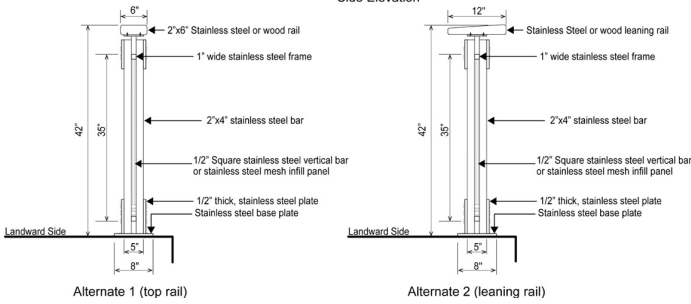
(a) Option 1: vertical bar guardrail



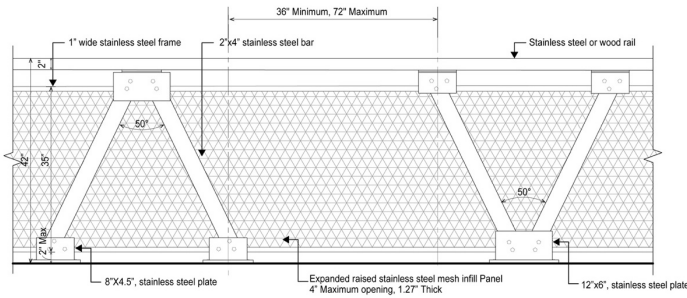
GUARDRAIL TERMINATION
Front Elevation



GUARDRAIL (TYPICAL)
Side Elevation

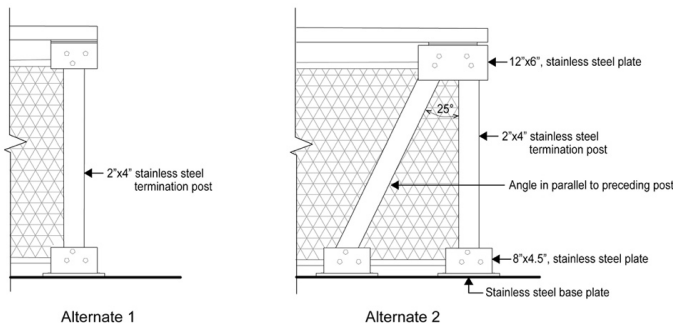


(b) Option 2: mesh guardrail

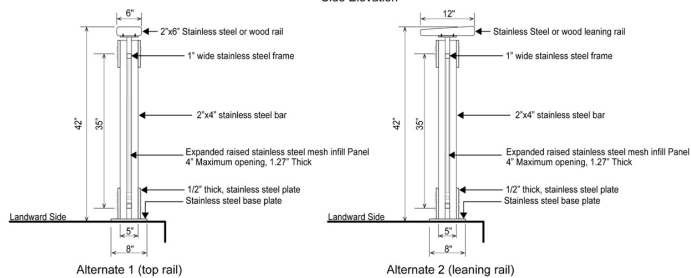


GUARDRAIL (TYPICAL)
Front Elevation

GUARDRAIL TERMINATION
Front Elevation



GUARDRAIL (TYPICAL)
Side Elevation



All guardrail components and hardware shall be in unpainted stainless steel and shall conform to any additional standards set forth by DPR.

139-542
Special design standards for seating

The design requirements of paragraph (b) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas) and the design reference standards of 62-652 (Seating) shall be modified as follows:

(a) Design feature seating

Planter ledges, seating walls, and seating steps may be provided, and shall be limited to 50 percent of the required seating. Walls and planter ledges shall be flat and smooth with at least one inch radius rounded edges.

(b) Seating depth

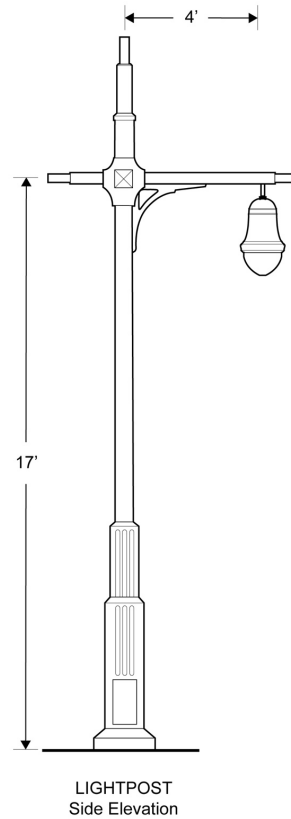
For all waterfront public access areas, the minimum seat depth requirement of paragraph (b) of Section 62-652 shall be modified to 16 inches.

139-543
Special design standards for lighting

The lighting requirements of 62-653 (Lighting) shall be modified such that an average maintained level of illumination not less than 0.5 horizontal foot candle (lumens per foot) shall be provided throughout all walkable areas, and the average illumination to minimum foot candle uniformity ratio shall be no greater than 6:1 within any waterfront public access area.

In addition, fixtures providing the required lighting along any public access area shall comply with the lightpost illustration in this Section, or shall be of a comparable design which is the minimum modification needed. Where modification is sought, it shall be deemed suitable by the Chair of the City Planning Commission in consultation with the by the New York City Department of Transportation (DOT).

Fixtures providing supplemental lighting beyond the requirements of this Section need not comply with this illustration.



The lightpost shall conform to the street lighting standard drawings for a 17 foot "TBTA" short pole with "Tear Drop Luminaire" set forth by the DOT.

139-544
Special design standards for planting

The design requirements of paragraph (c)(1) of Section 62-62(c)(1) (Design Requirements for Shore Public Walkways and Supplemental

Public Access Areas) and the design reference standards of Section 62-655 (Planting and trees) shall be modified as follows:

(a) Reduction in planting requirement

An area equal to at least 35 percent of the area of the #shore public walkway# and #supplemental public access area# shall be planted. Such planting area may be reduced to 30 percent if an amenity is provided in accordance with the following tables:

TABLE 1

Amenity	Reduction per feature (in square feet)
Picnic tables	22 square feet
Historic interpretation elements	20 square feet
Public art pieces	100 square feet
Fountains and water features	150 square feet

TABLE 2

Amenity	Ratio of reduction to size of feature (in square feet)
Active recreation courts	1:1
Tot-lots and playgrounds	1:1
Dog runs	1:1
Boat or kayak launches	1:1.5
Interactive water features	1:1.5

(b) Shade tree substitution

Where shade trees are required, no more than one required shade tree may be substituted by a shading element covering at least 450 square feet, when viewed in plan.

139-545 Special design standards for paving

The design reference standards of Section 62-656 (Paving) shall be modified as follows:

(a) #Upland connections#

Paving for driveways and pedestrian paths located within Type 2 #upland connections# shall be subject to the "shared street" standards of the New York City Department of Transportation for roadbeds and sidewalks.

In addition, where a Type 2 #upland connection# is provided with a vehicular turnaround, the paved area of the vehicular turnaround shall be designed with at least two different paving materials, or a single material with at least two different unit paver or slab sizes.

(b) Dimensional requirements

The maximum sizes for unit pavers or concrete slabs shall not apply.

139-55 Special Signage Regulations

Any #accessory sign# that is provided adjacent to any #waterfront public access area# shall be limited to a single non-illuminated #sign#, indicating only the name or address of the #building# or commercial establishment to which it is #accessory#, not exceeding 16 inches in height.

Map 1: Subdistricts



Map 2: Subareas



APPENDIX A

Special Gowanus Mixed Use District Plan

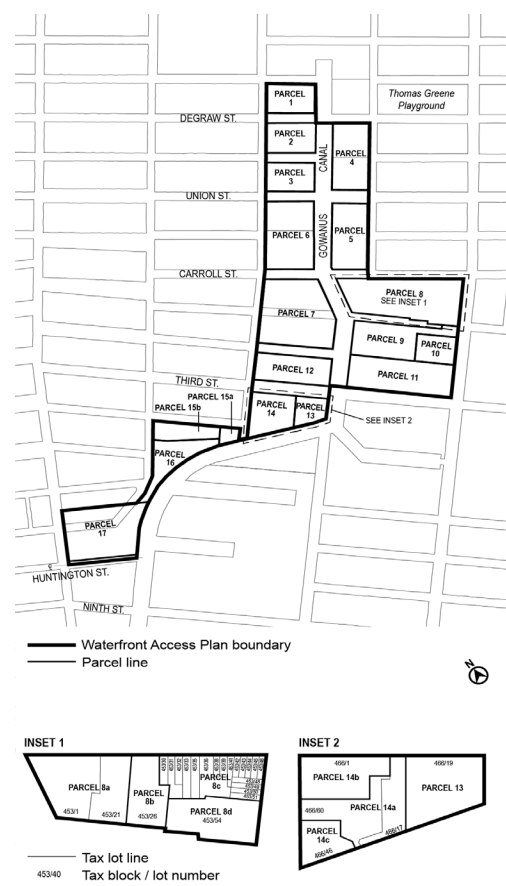
Map 3: Ground Floor Use Requirements



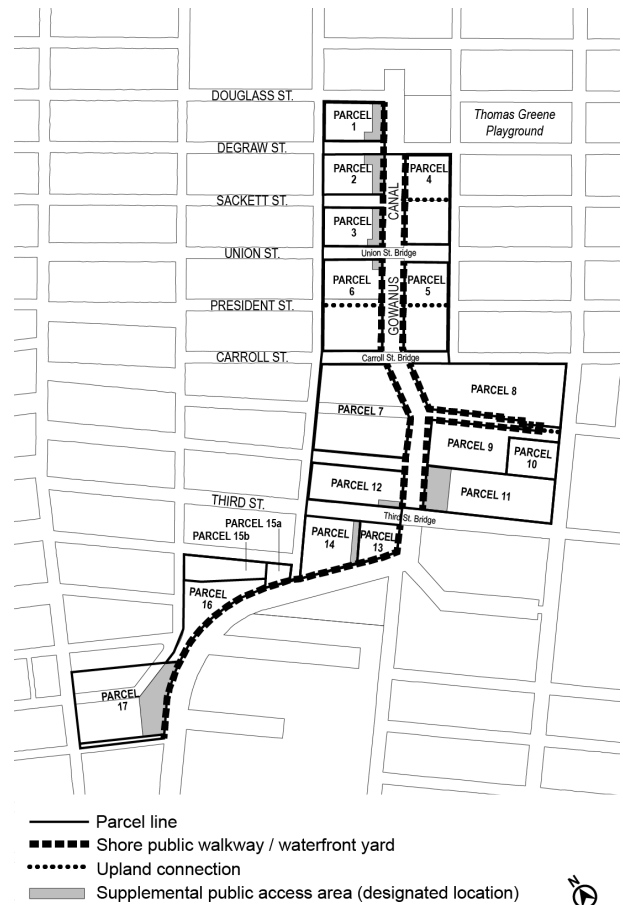
Map 4: Sidewalk Widening Lines



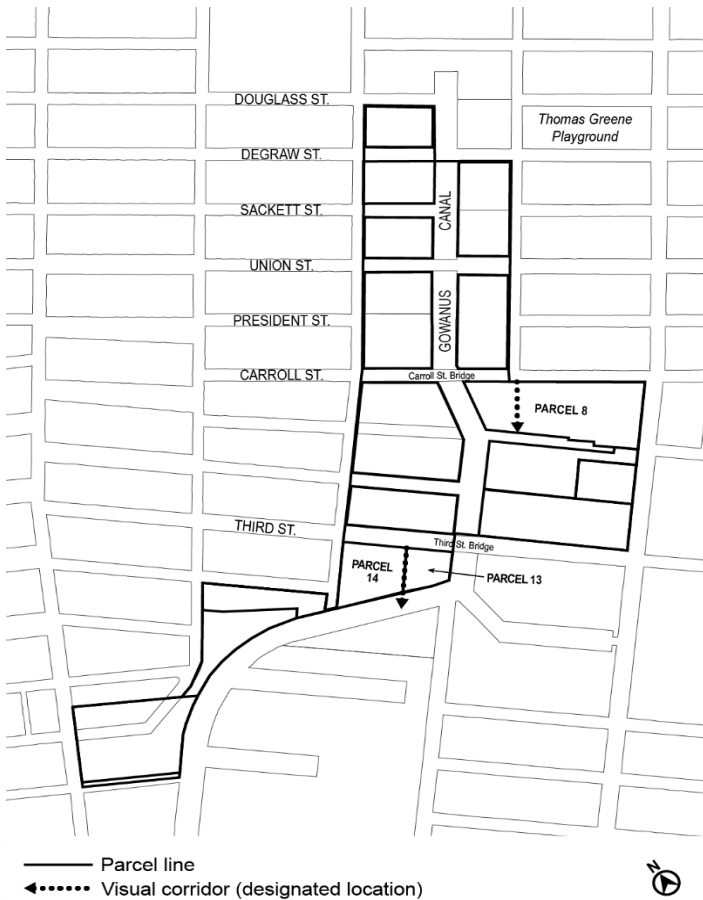
Map 1: Parcel Designation



Map 2: Public Access Elements



Map 3: Designated Visual Corridors



APPENDIX F

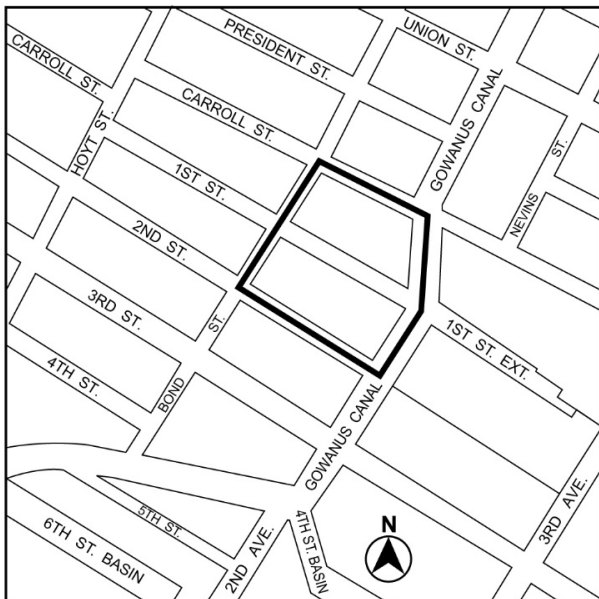
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

BROOKLYN

Brooklyn Community District 6

Map 1 - (3/11/09) [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



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

Portion of Community District 6, Brooklyn

* * *

No. 7

CD 6 C 210179 MMK
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- 1) the establishment of Hoyt Street between 5th Street and Nelson Street;
- 2) the establishment of Luquer Street and Nelson Street between Smith Street and the Gowanus Canal;
- 3) the elimination, of a 7th Street between Smith Street and The Gowanus Canal;
- 4) the elimination of Public Place;
- 5) the establishment of legal grades;
- 6) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2754 dated December 7, 2020 and signed by the Borough President.

No. 8

CD 6 C 210180 MMK
IN THE MATTER OF an application submitted by the New York City Department of City Planning and the New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- 1) the establishment of Park within the area bounded by Huntington Street, Smith Street, Nelson Street, Hoyt Street, 4th Street, Bond Street and The Gowanus Canal;
- 2) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2755 and X-2756 dated December 7, 2020 and signed by the Borough President

No. 9

CD 6 C 210053 PPK
IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property, located at 276 4th Avenue (Block 456, Lot 29), pursuant to zoning.

No. 10

CD 6 C 210052 HAK
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) as an Urban Development Action Area; and
 - b. Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate an affordable mixed-use development with approximately 950 units.

NOTICE

On Wednesday, July 28, 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), together with the Department of Housing Preservation and Development, the Department of Parks and Recreation, and the Department of Citywide Administrative Services is proposing a series of land use actions—including zoning map amendments, zoning text amendments, City Map amendments, and disposition of City-owned property (collectively, the “Proposed Actions”)—to implement land use and zoning recommendations in the Gowanus Rezoning and Related Actions. The area subject to the Proposed Actions (the “Project Area”) is generally bounded by Bond, Hoyt, and Smith Streets to the west; 3rd and 4th Avenues to the east; Huntington, 3rd, 7th, and 15th Streets to the south; and Warren, Baltic, and Pacific Streets to the north. The Proposed Actions would affect an approximately 81-block area of the Gowanus neighborhood of Brooklyn, Community Districts 2 and 6. Overall, the Proposed Actions are expected to result in a net increase of approximately 8,500 dwelling units (DU), 735,000 square feet (sf) of commercial space, 251,000 sf of community facility space, and approximately six acres of new open space, including over an acre of newly mapped parkland. The Proposed Actions would result in net decreases of approximately 132,000 sf of warehouse space, 125,000 sf of self-storage space, and 60,000 sf of other industrial space. On privately owned sites, the Proposed Actions could result in a net increase of approximately 7,500 DUs, including approximately 2,000 permanently affordable DUs for lower-income New Yorkers in accordance with the Mandatory Inclusionary Housing Program (MIH). On City-owned sites, the Proposed Actions would result in approximately 1,000 affordable DUs, designated to serve a wide range of incomes.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 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. 19DCP157K.

BOROUGH OF QUEENS
Nos. 11 & 12
62-04 ROOSEVELT AVENUE REZONING

No. 11

CD 2 C 200070 ZMQ
IN THE MATTER OF an application submitted by Woodside 63 Management, LLC and Mare Nostrum Elements, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9d:

- 1. eliminating from an existing R6 District a C1-4 District bounded by Roosevelt Avenue, 63rd Street, a line 100 feet southerly of Roosevelt Avenue, and the northwesterly prolongation of the southwesterly street line of Trimble Road; and
- 2. changing from an existing R6 to a C4-4 District property bounded by Roosevelt Avenue, 63rd Street and its southerly prolongation, and the northwesterly prolongation of the southwesterly street line of Trimble Road;

as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration of E-603.

No. 12

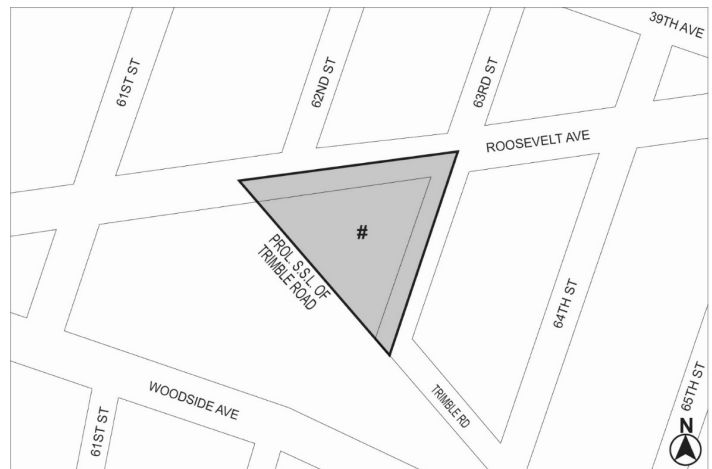
CD 2 N 200069 ZRQ
IN THE MATTER OF an application submitted by Woodside 63 Management, LLC and Mare Nostrum Elements, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory 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

QUEENS * * *
 Queens Community District 2 * * *

Map 5 – [date of adoption]



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

Portion of Community District 2, Queens
 * * *

No. 13
48-18 VAN DAM TEAMSTERS REZONING

CD 2 C 190260 ZMQ
IN THE MATTER OF an application submitted by 48-18 Van Dam Property Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, by changing from an M2-1 District to an M1-5 District property bounded by 48th Avenue, Van Dam Street, Hunters Point Avenue, and 31st Place, as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-608.

BOROUGH OF MANHATTAN
Nos. 14, 15 & 16
495 ELEVENTH AVENUE
No. 14

CD 4 **C 210324 ZMM**

IN THE MATTER OF an application submitted by 495 11 Avenue Owner Realty LLC and New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. changing from an M1-5 District to a C6-4 District bounded by West 40th Street, Eleventh Avenue, West 39th Street, and a line 125 feet westerly of Eleventh Avenue, and
2. establishing a Special Hudson Yard District bounded by West 40th Street, Eleventh Avenue, West 39th Street, and a line 125 feet westerly of Eleventh Avenue.

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-610.

No. 15 **N 210325 ZRM**

IN THE MATTER OF an application submitted by 495 11 Avenue Owner Realty LLC and the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article IX, Chapter 3 for the purpose establishing a new Subdistrict G within the Special Hudson Yards District, 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 IX
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Hudson Yards District (HY)

* * *

93-04
Subdistricts and Subareas

In order to carry out the provisions of this Chapter, six subdistricts are established, as follows:

- Large-Scale Plan Subdistrict A
- Farley Corridor Subdistrict B
- 34th Street Corridor Subdistrict C
- Hell's Kitchen Subdistrict D
- South of Port Authority Subdistrict E
- Western Rail Yard Subdistrict F
- Eleventh Avenue Subdistrict G

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Hudson Yards District#. Within certain subdistricts, subareas are established, as follows:

Within the Large-Scale Plan Subdistrict A:

- Eastern Rail Yard Subarea A1
- Four Corners Subarea A2
- Subarea A3
- Subarea A4
- Subarea A5

Within Farley Corridor Subdistrict B:

- Western Blocks Subarea B1
- Central Blocks Subarea B2
- Farley Post Office Subarea B3
- Pennsylvania Station Subarea B4

Within Hell's Kitchen Subdistrict D:

- Subarea D1
- Subarea D2
- Subarea D3
- Subarea D4
- Subarea D5

Within these subareas, certain special regulations apply which do not apply within the remainder of the subdistrict.

The subdistricts and subareas are outlined on Map 1 (Special Hudson Yards District, Subdistricts and Subareas) in Appendix A of this Chapter. Additional requirements for specific subdistricts, or portions thereof, are outlined in Appendix B of this Chapter.

* * *

93-052
Applicability of Article I, Chapter 3

#Public parking lots# authorized prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit has been granted prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Article I, Chapter 3, in their entirety shall be applied to Subdistricts F and G.

The following provisions of Article I, Chapter 3, governing #automated parking facilities#, as defined in Section 13-02, automobile rental establishments, commercial vehicle parking, and off-street loading berths shall apply to Subdistricts A, B, C, D and E, as applicable:

- (a) for #automated parking facilities#, the provisions of Section 13-101 (Calculating parking spaces in automated parking facilities), paragraph (b) of Section 13-25 (Reservoir Spaces), and paragraph (b) of Section 13-27 (Minimum and Maximum Size of Parking Facilities);
- (b) for automobile rental establishments, the provisions of Section 13-15 (Permitted Parking for automobile Rental Establishments), paragraph (b) of Section 13-221 (Enclosure and screening requirements), Section 13-241 (Location of curb cuts), paragraph (b) of Section 13-242 (Maximum width of curb cuts), paragraph (c) of Section 13-25, and paragraph (c) of Section 13-27;
- (c) for commercial vehicle parking, the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles); and
- (d) for off-street loading berths, the provisions of Section 13-30, inclusive.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80, inclusive.

* * *

93-10
USE REGULATIONS

The #use# regulations of the underlying districts are modified as set forth in this Section, inclusive.

The only permitted change of #use# for the #High Line# shall be to provide publicly accessible open space in accordance with the provisions of Sections 93-71 (Public Access Areas in the Eastern Rail Yard Subarea A1) and 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

* * *

93-13
Special Office Commercial Use Regulations

93-131
Certification for office use

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

* * *

93-132
Authorization for office use

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistricts F and G.

Where the amount of Use Group 6B office #floor area# in a #development# or #enlargement# will result in over 25 million square feet of such #use developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area#, and such #development# or #enlargement# utilizes increased #floor area# pursuant to Sections 23-154 (Inclusionary Housing), 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Theater Use), such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission that:

- (a) such #development# or #enlargement# will not require any significant additions to the supporting services of the neighborhood or that provisions for adequate supporting services have been made;
- (b) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby or provisions have been made to handle such traffic; and
- (c) such #development# or #enlargement# is consistent with the goals of the applicable special district.

**93-133
Vehicle storage establishments**

Within Subdistrict G, Use Group 16C commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps shall be permitted as-of-right. The #floor area# of a #building# shall not include floor space used for public utility vehicle storage provided in any #story# located not more than 56 feet above #curb level#.

* * *

**93-14
Ground Floor Level Requirements**

The following provisions relating to retail continuity and transparency requirements shall apply to all subdistricts in the #Special Hudson Yards District#, except that the provisions of this Section shall not apply in Subdistrict G and along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

* * *

**93-19
Physical Culture or Health Establishments**

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

**93-20
FLOOR AREA REGULATIONS**

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

* * *

**93-22
Floor Area Regulations in Subdistricts B, C, D, E, and F and G**

* * *

(b) Subdistrict F

In Subdistrict F, the #floor area ratio# provisions of Section 93-225 (Floor area regulations in Subdistrict F) shall apply.

(c) Subdistrict G

In Subdistrict G, the #floor area ratio# provisions of Section 93-226 (Floor area regulations in Subdistrict G) shall apply.

* * *

**93-226
Floor area regulations in Subdistrict G**

In Subdistrict G, the basic maximum permitted #floor area ratio# for #residential#, #community facility#, and #commercial# #uses# on a #zoning lot# shall be as follows:

- (a) the maximum #floor area ratio# for #residential uses# shall be 12.0, pursuant to Section 23-154 (Inclusionary Housing);
- (b) the maximum #floor area ratio# for #community facility uses# shall be 12.0;
- (c) the maximum #floor area ratio# for #commercial# #uses# shall be 12.0; and
- (d) the total maximum #floor area ratio# shall be 24.0.

* * *

**93-40
HEIGHT AND SETBACK REGULATIONS**

In the #Special Hudson Yards District#, height and setback regulations shall be as set forth in this Section, inclusive.

**93-41
Rooftop Regulations**

(a) Subdistricts A, B, C, D, and E and G

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within Subdistricts A through E and G, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

(b) Subdistrict F

In Subdistrict F, the provisions of paragraph (f) of Section 33-42 shall apply, except that for towers above a height of 350 feet, rooftop

mechanical structures shall comply with the tower top articulation provisions set forth in Section 93-569.

**93-42
Height and Setback in Subdistricts A, B, C, D, E, and F and G**

In Subareas D4 and D5 of the Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply as set forth in Section 93-542, as modified by Section 93-41 (Rooftop Regulations).

In Subdistricts A, B and C, Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 and paragraphs (a) through (d) of this Section shall apply. These regulations are further modified in certain locations as set forth in Section 93-50 (SPECIAL HEIGHT, AND SETBACK AND YARD REGULATIONS). The height of all #buildings or other structures# shall be measured from #curb level#.

In Subdistrict F, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

In Subdistrict G, the underlying height and setback regulations and paragraphs (b) through (d) of this Section shall not apply. In lieu thereof, Section 93-57 (Special Height and Setback Regulations in Subdistrict G) shall apply.

* * *

**93-50
SPECIAL HEIGHT, AND SETBACK AND YARD REGULATIONS**

In Subdistricts A, B and C, and Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the height and setback regulations set forth in paragraphs (a) through (d) of Section 93-42 (Height and Setback in Subdistricts A, B, C, D, E, and F and G) shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations, and minimum and maximum base heights, as shown on Map 3 (Mandatory Street Wall Requirements) of Appendix A of this Chapter. Such modifications also include depths of required setbacks, maximum length of #building# walls for towers, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

* * *

In Subdistrict F, the provisions of Section 93-41 (Rooftop Regulations) and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

In Subdistrict G, the provisions of Sections 93-57 (Special Height and Setback Regulations in Subdistrict G) and 93-58 (Special Permit for Modification of Height and Setback Regulations) shall apply.

* * *

**93-57
Special Height and Setback Regulations in Subdistrict G**

(a) Required setbacks

The required minimum setback for portions of #buildings or other structures# that exceed the maximum base height specified in paragraph (a) of Section 93-42 shall be 10 feet from a #wide street# and 15 feet from a #narrow street#. However, the required minimum setback along West 39th Street shall be five feet.

(b) Tower #lot coverage#

The portion of any #building# or #buildings# located above a height of 150 feet shall be considered a "tower."

- (1) Towers shall occupy a minimum of 20 percent of the #lot area# of the #zoning lot#, except that this requirement shall not apply to the highest 40 feet of such tower or towers.
- (2) Towers containing #residences# shall occupy a maximum of 40 percent of the #lot area#.
- (3) The aggregate #lot area# of all towers, including #residential# and non-#residential# towers, shall not exceed 65 percent of the #lot area#.

**93-578
Special Permit for Modification of Height and Setback Regulations**

Within the #Special Hudson Yards District#, except within C1-7A Districts or C2-5 Districts mapped within R8A Districts, for #developments# or #enlargements# on #zoning lots# with at least 20,000 square feet of #lot area# or #developments# or #enlargements# on any size #zoning lot# that occupy the entire #block# front along a #wide street#, the City Planning Commission may modify the regulations set forth in Sections 93-40 (HEIGHT AND SETBACK REGULATIONS), inclusive, and 93-50 (SPECIAL HEIGHT, SETBACK AND YARD REGULATIONS), inclusive, provided the Commission finds that:

(a) such modifications will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;

(b) where the #development# or #enlargement# is subject to the requirements of Sections 93-60 (MANDATORY IMPROVEMENTS), inclusive, or 93-70 (PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES), inclusive, such modifications will not impair the quality of such public access areas on the #zoning lot#;

(c) such modifications are consistent with the goal of the special district to provide flexibility of architectural design and encourage more attractive building forms; and

(d) such modifications will result in a #development# or #enlargement# that enhances the streetscape and will be compatible with development in the surrounding area.

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

93-59

Special Yard Regulations in Subdistrict G

No rear yard equivalent shall be required in Subdistrict G.

93-60

MANDATORY IMPROVEMENTS

* * *

93-63

Pedestrian Circulation Space

In C2-8 and C6-4 Districts, except within Subdistrict G, all #developments# or #enlargements# on #zoning lots# of 5,000 square feet or larger with more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-50. In addition, for #developments# or #enlargements# that provide subway entranceways constructed after December 21, 2005, one and one-half times the area of such entranceway accessible to the public at #street# level may qualify as pedestrian circulation space, up to a maximum amount of 3,000 square feet.

* * *

93-80

OFF-STREET PARKING REGULATIONS

In Subdistricts A, B, C, D and E, the regulations governing permitted #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall not apply, except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistricts F and G, the regulations of Article I, Chapter 3, shall apply.

* * *

APPENDIX A

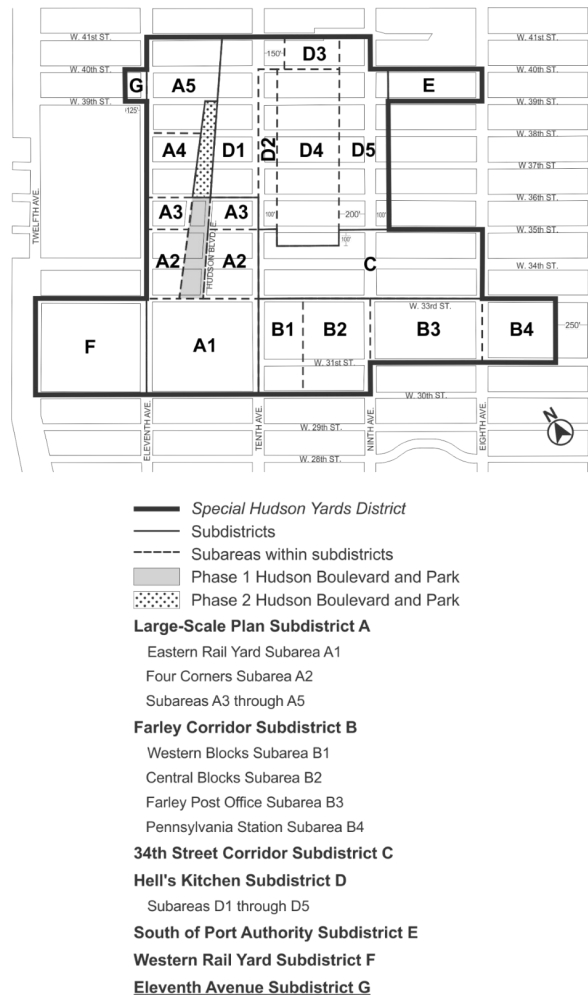
Special Hudson Yards District

Map 1 – Special Hudson Yards District, Subdistricts and Subareas

[EXISTING MAP]

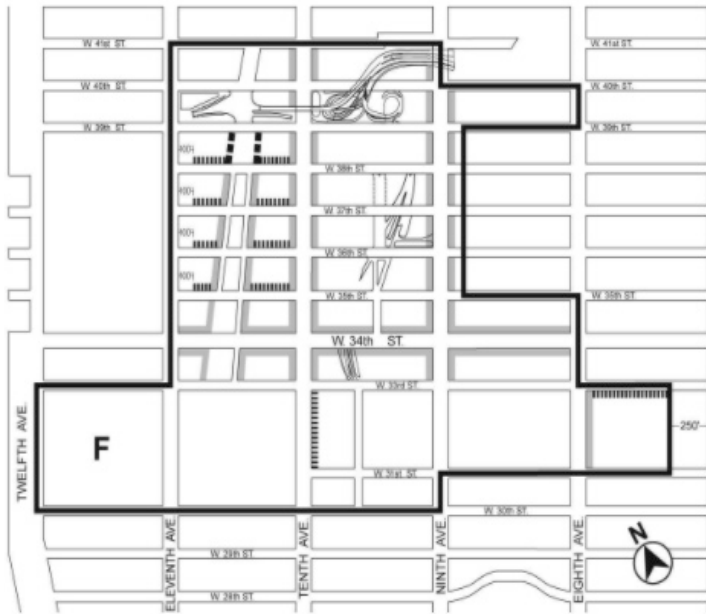


[PROPOSED MAP]



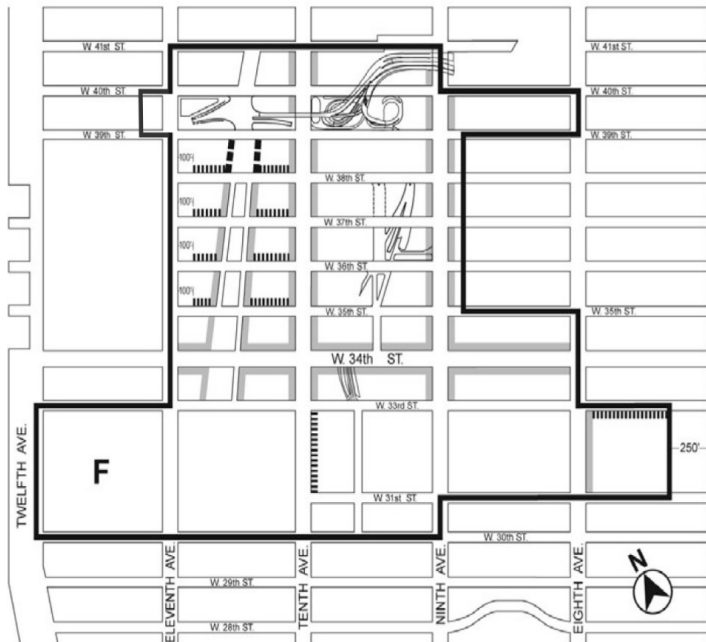
Map 2 – Mandatory Ground Floor Retail

[EXISTING MAP]



- Special Hudson Yards District
- 100% Retail and Glazing Requirement
- |||||** 50% Retail and Glazing Requirement
-** Glazing Requirement Only
- F** Subdistrict F (See Map 9 for Mandatory Ground Floor requirements)

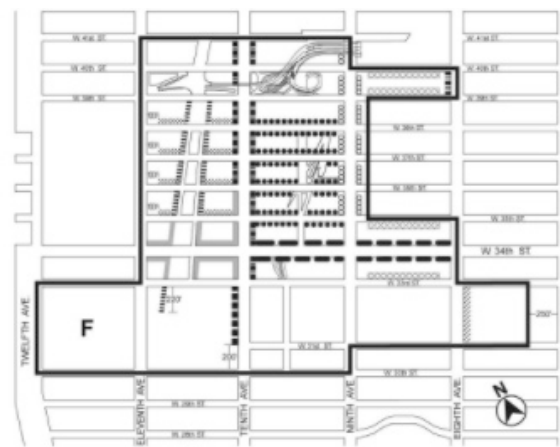
[PROPOSED MAP]



- Special Hudson Yards District
- 100% Retail and Glazing Requirement
- |||||** 50% Retail and Glazing Requirement
-** Glazing Requirement Only
- F** Subdistrict F (See Map 9 for Mandatory Ground Floor requirements)

Map 3 – Mandatory Street Wall Requirements

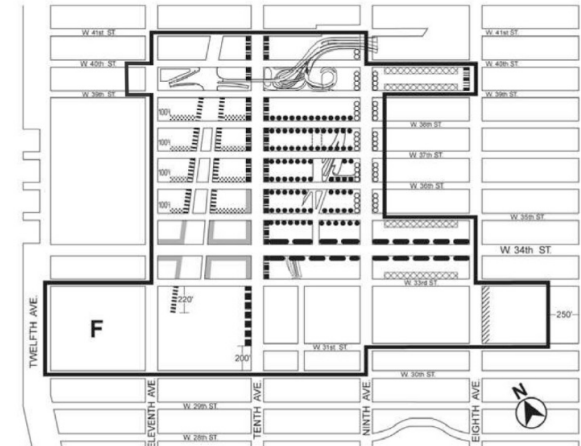
[EXISTING MAP]



Special Hudson Yards District

	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
	60'	85'	100%
.....	60'	85'	None
	60'	120'	50%
	80'	90'	100%
	90'	120'	70%
.....	60'	150'	70%
.....	90'	120'	100%
.....	90'	150'	100%
.....	90'	150'	70%
.....	90'	150'	35%
.....	120'	150'	100%

[PROPOSED MAP]



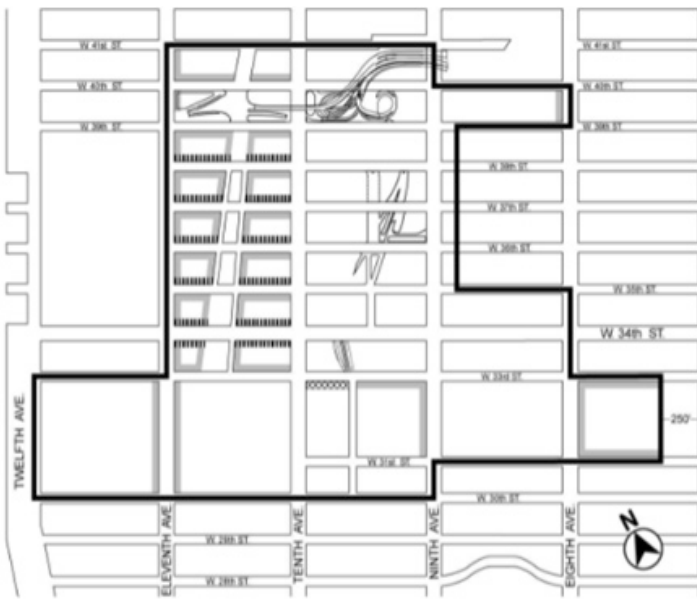
Special Hudson Yards District

	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
	60'	85'	100%
.....	60'	85'	None
	60'	120'	50%
	80'	90'	100%
	90'	120'	70%
.....	60'	150'	70%
.....	90'	120'	100%
.....	90'	150'	100%
.....	90'	150'	70%
.....	90'	150'	35%
.....	120'	150'	100%

F Subdistrict F (See Map 10 for Street Wall requirements)

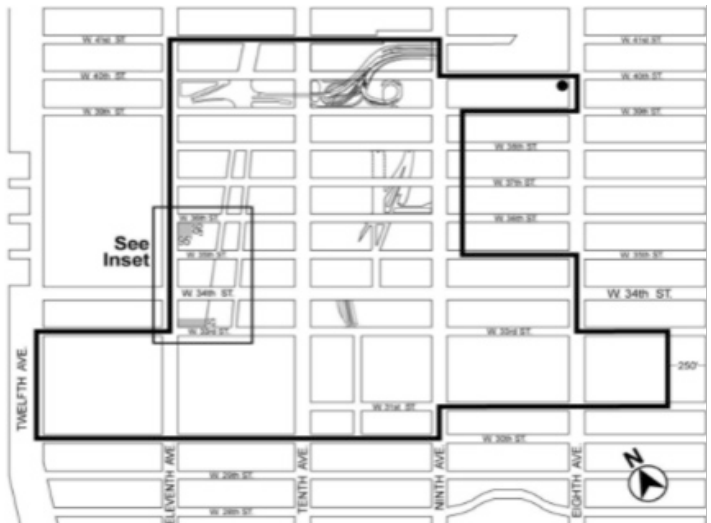
Map 4 – Mandatory Sidewalk Widening

[EXISTING MAP]

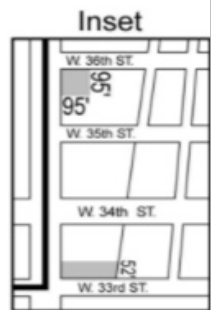


- Special Hudson Yards District
- ||||| 10' Sidewalk widening
- 5' Sidewalk widening
- ||||| 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

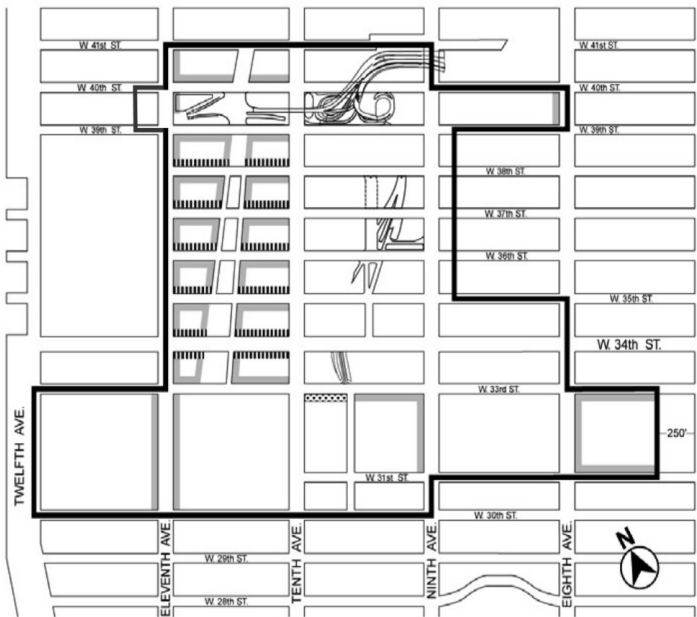
[EXISTING MAP]



- Special Hudson Yards District
- Transit Facility
- Subway Entrance

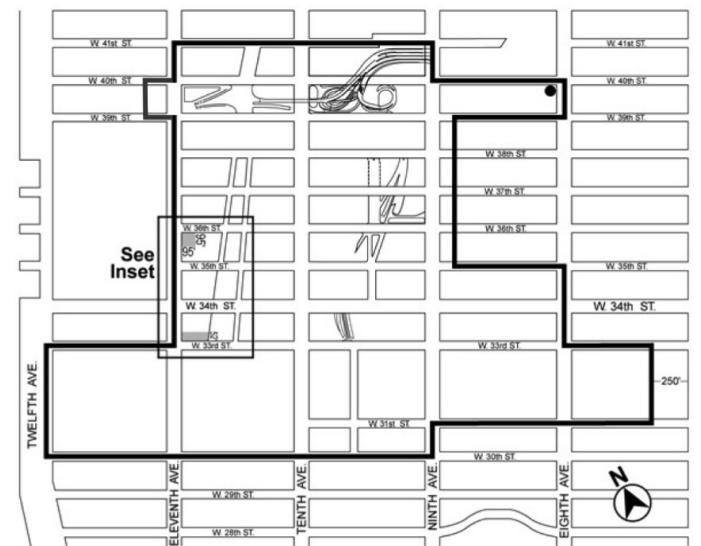


[PROPOSED MAP]

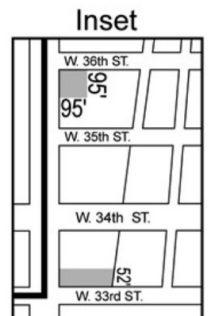


- Special Hudson Yards District
- ||||| 10' Sidewalk widening
- 5' Sidewalk widening
- ||||| 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

[PROPOSED MAP]



- Special Hudson Yards District
- Transit Facility
- Subway Entrance



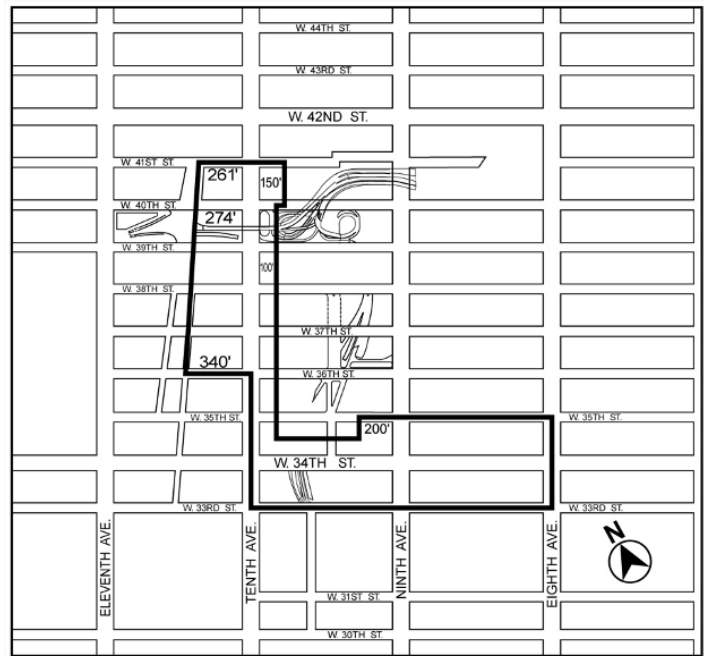
Map 5 – Transit Facilities

Map 6 – Sites Where Special Parking Regulations Apply

[EXISTING MAP]



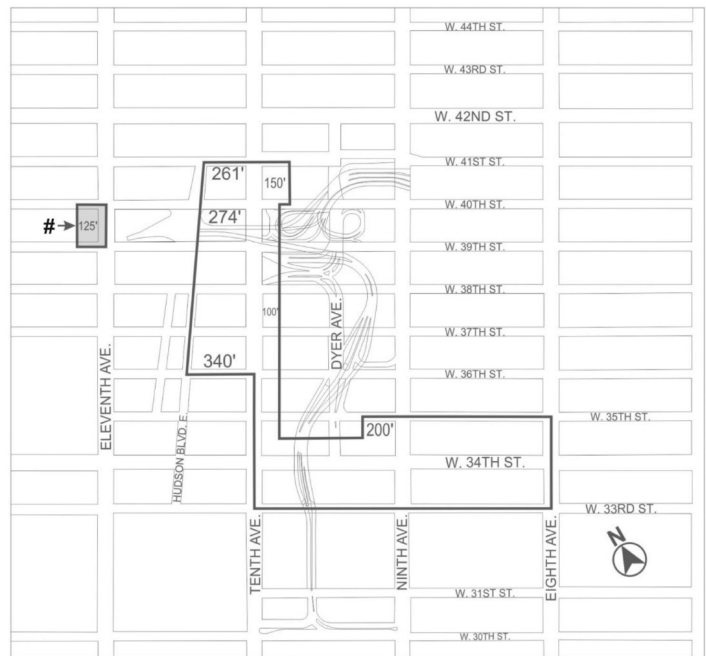
[EXISTING MAP]



[PROPOSED MAP]



[PROPOSED MAP]



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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

* * *

Manhattan Community District 4

* * *

Map 4 – (12/21/09) [date of adoption]

Portion of Community District 4, Manhattan

* * *

No. 16

CD 4 **C 210326 PCM**
IN THE MATTER OF an application submitted by New York City Police Department (NYPD) and the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for a site selection and acquisition of property located at 495 Eleventh Avenue (Block 685, Lot 38) for use as an NYPD vehicle storage facility.

NOTICE

On Wednesday, July 28, 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 495 11 Avenue Owner Realty LLC and the New York City Economic Development Corporation (NYCEDC) (The "Applicant"). The Applicant is seeking a series of discretionary approvals, including a zoning map and zoning text amendments to rezone the Project Site, to establish a new subdistrict to the Special Hudson Yards District (SHYD), to designate the site as a Mandatory Inclusionary Housing ("MIH") area, and to facilitate the redevelopment of a site located at 495 Eleventh Avenue (Block 685, Lot 38) in Manhattan Community District (CD) 4. The NYC Police Department (NYPD) is the applicant and the NYC Department of Citywide Administrative Services (DCAS) is the Co-applicant for the acquisition and site selection actions to facilitate the siting of an NYPD Strategic Response Group (SRG) and Manhattan South Operations Unit parking facility within this proposed development. These discretionary actions are collectively referred to as the "Proposed Actions." Specifically, the redevelopment would result in an up to approximately 703,529 gross square feet (gsf) (581,601 zoning square feet (zsf)), mixed-use development comprised of residential dwelling units (DUs), community facility space comprised of supportive housing DUs, commercial office and retail supermarket spaces, a hotel, a restaurant, amenities, and vehicle and equipment storage. The New York City Office of the Deputy Mayor for Housing and Economic Development (ODMHED) is the lead agency for this environmental review.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, August 9, 2021.

For instructions on how to submit comments and participate in the remote hearing, 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. 18DME001M.

No. 17
DORRANCE BROOKS SQUARE STREET HISTORIC DISTRICT
CD 10 N 210498 HKM

IN THE MATTER OF a communication dated June 25, 2021, from the Executive Director of the Landmarks Preservation Commission regarding the Dorrance Brooks Square Street Historic District designation, designated by the Landmarks Preservation Commission on June 15, 2021 (Designation List No. 524). The Dorrance Brooks Square Historic District consists of approximately 325 buildings within two sections on either side of Fredrick Douglass Boulevard, generally bounded by St. Nicholas Avenue to the west, West 140th Street to the north, West 136th Street to the south, and Adam Clayton Powell Boulevard to the east.

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



jy14-28

BOARD OF EDUCATION RETIREMENT SYSTEM

■ MEETING

The Board of Education Retirement System Board of Trustees Meeting will be held on Thursday, July 22, 2021 from 4:00 - 6:00 P.M. via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

jy14-22

EMPLOYEES' RETIREMENT SYSTEM

■ MEETING

Please be advised that the next COVSF Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Monday, July 19, 2021, at 2:00 P.M. To be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor, Boardroom, Brooklyn, NY 11201-3751.

The meeting will be held at 335 Adams Street, 22rd Floor, Board Room and you can still view the meeting online, at www.nycers.org/meeting-webcasts.

jy12-16

Corrected Notice

Please be advised that the next Common Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System is Wednesday, July 21, 2021, at 9:00 A.M.

The meeting will be held in person at 335 Adams Street, 22nd Floor, Board Room, Brooklyn, NY 11201. However, you can still view only the public session online, at <https://comptroller.nyc.gov/services/financialmatters/pension/common-investment-meeting/>.

jy14-20

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee, will hold a public meeting on Thursday, July 22, 2021, at 2:30 P.M., at the Thomas Jefferson recreation center which is located at 2180 1st Avenue, New York, NY 10029.

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

jy2-22

OFFICE OF LABOR RELATIONS

■ MEETING

The New York City Deferred Compensation Board, will hold its next Deferred Compensation Board Hardship meeting on Thursday, July 15, 2021, at 3:00 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>.

jy8-15

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, July 20, 2021, at 9:30 A.M., a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. **Finally, please be aware:** COVID-19 safety protocols are in effect at the location; all members of the public and applicants and their teams must wear a proper face covering.

34-27 84th Street - Jackson Heights Historic District
LPC-21-04911 - Block 1445 - Lot 56 - Zoning: R5
CERTIFICATE OF APPROPRIATENESS

An Anglo-American Garden House style semi-detached house, designed by Robert Tappan and built in 1927. Application is to install a storm door with security grille.

237 Beverly Road - Douglaston Historic District
LPC-21-07505 - Block 8033 - Lot 53 - Zoning: R1-2
CERTIFICATE OF APPROPRIATENESS

An Arts & Crafts style house, designed by Frederick J. Schroeter, Jr. and built in 1924. Application is to enclose a porch, replace windows, and construct dormers and additions.

356 Hollywood Avenue - Douglaston Hill Historic District

LPC-20-08873 - Block 8049 - Lot 25 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

A free-standing English Cottage style house, designed by Philip Resnyk and built in 1930. Application is to legalize the replacement of windows, alterations to planters and installation of steps in non-compliance or without Landmarks Preservation Commission permit(s).

49-51 Chambers Street - African Burial Ground & The Commons Historic District

LPC-21-10492 - Block 153 - Lot 7501 - Zoning: C6-4

MISCELLANEOUS - AMENDMENT

A Beaux-Arts style skyscraper and interior banking hall, designed by Raymond F. Almirall and built in 1909-12. Application is to amend a proposal approved at the Public Meeting of July 21, 2020 for alterations to the banking hall, to include the installation of partitions, desk and cabinetry.

36 Walker Street - Tribeca East Historic District

LPC-21-01775 - Block 194 - Lot 14 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

An Italianate style store and loft building, built in 1859-60. Application is to construct bulkheads and a pergola, remove steps, replace storefront infill, and install a cornice.

140 West Broadway (aka 140-142 West Broadway and 82 Thomas Street) - Tribeca West Historic District

LPC-21-04082 - Block 144 - Lot 26 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

An Italianate/ Neo-Grec style store and loft building, designed by Carl Pfeiffer and built in 1866. Application is to remove and relocate vault lights and replace the sidewalk and loading dock.

38-44 Laight Street - Tribeca North Historic District

LPC-21-09458 - Block 220 - Lot 7503, 36 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style warehouse building, designed by Clinton & Russell and built in 1896. Application is to replace the sidewalk.

15 Greenwich Avenue - Greenwich Village Historic District

LPC-21-05550 - Block 610 - Lot 56 - Zoning: C1-6

CERTIFICATE OF APPROPRIATENESS

A one-story taxpayer constructed in 1937 and designed by Charles Kreyborg. Application is to demolish the building and construct a new building.

43 West 74th Street - Upper West Side/Central Park West Historic District

LPC-21-07897 - Block 1127 - Lot 11 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse, designed by Max Hensel and built in 1889-90. Application is to demolish a rear extension and reconstruct the rear extension facade.

390 Park Avenue - Individual Landmark

LPC-21-10428 - Block 1289 - Lot 36 - Zoning: C5-3

CERTIFICATE OF APPROPRIATENESS

An International Style office building, designed by Gordon Bunshaft of Skidmore, Owings, & Merrill, and built in 1950-52. Application is to replace plaza paving and terrace pavers, modify walls at the plaza and 3rd Floor terrace, and install signage and railings.

260 West End Avenue (aka 262-270 West 72nd Street) - West End - Collegiate Historic District

LPC-21-07273 - Block 1163 - Lot 61 - Zoning: C4-6A

CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style apartment building, designed by Schwartz & Gross and built in 1924-1925. Application is to establish a Master Plan governing the future installation of windows.

724 East 18th Street - Fiske Terrace-Midwood Park Historic District

LPC-21-03784 - Block 5238 - Lot 68 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

An altered Colonial Revival style freestanding house, designed by Benjamin Driesler and built c. 1907. Application is to install solar.

jy6-19

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, July 27, 2021, at 9:30 A.M., a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting. **Finally, please be aware:** COVID-19 safety

protocols are in effect at the location; all members of the public and applicants and their teams must wear a proper face covering.

174 Bergen Street - Boerum Hill Historic District

LPC-21-03796 - Block 386 - Lot 26 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A modified Italianate style rowhouse, built in 1873-74. Application is to replace windows.

267 Cumberland Street - Fort Greene Historic District

LPC-21-06055 - Block 2102 - Lot 2 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A rowhouse, built in 1863. Application is to construct a rear yard addition.

347 President Street - Carroll Gardens Historic District

LPC-21-05095 - Block 436 - Lot 46 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, built in 1878. Application is to construct a rear yard addition.

29 Center Drive - Douglaston Historic District

LPC-21-00717 - Block 8064 - Lot 76 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

A Greek Revival/Italianate style freestanding house with attached garage, built c. 1848-1850. Application is to construct additions, modify the garage, porch, steps and retaining wall, and reconstruct a cupola.

100 Prospect Avenue - Douglaston Historic District

LPC-21-04351 - Block 8095 - Lot 42 - Zoning: R1-2

CERTIFICATE OF APPROPRIATENESS

An Arts and Craft/Shingle style house, built in 1910. Application is to construct a retaining wall and fencing, at the rear yard and widen the driveway.

145 Hudson Street - Tribeca West Historic District

LPC-21-06618 - Block 214 - Lot 7502 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

A 1920s Industrial style factory, with Art Deco style elements, designed by Renwick, Aspinwall & Guard and, built in 1929. Application is to alter the entrance.

53 West 9th Street - Greenwich Village Historic District

LPC-21-07882 - Block 573 - Lot 71 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

An Anglo-Italianate style house, with English and Italianate style elements, built in 1854. Application is to install shutters.

547 West 26th Street - West Chelsea Historic District

LPC-21-08999 - Block 698 - Lot 10 - Zoning: M1-5

CERTIFICATE OF APPROPRIATENESS

A utilitarian garage, designed by Charles H. Caldwell and, built in 1912-14. Application is to install and alter canopies and install signage.

333 Central Park West - Upper West Side/Central Park West Historic District

LPC-21-05268 - Block 1207 - Lot 29 - Zoning: R10A R7-2

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style apartment building, designed by Albert Joseph Bodker and, built in 1909-1910. Application is to install a rooftop pergola.

1083 Fifth Avenue - Expanded Carnegie Hill Historic District

LPC-21-01604 - Block 1501 - Lot 4 - Zoning: R10, P1

CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style townhouse, designed by Turner & Kilian and, built in 1901-02, with significant alterations by Ogden Codman in 1913-15. Application is to enlarge a rooftop bulkhead.

15 East 91st Street - Expanded Carnegie Hill Historic District

LPC-21-05725 - Block 1503 - Lot 14 - Zoning: R10 R8B

CERTIFICATE OF APPROPRIATENESS

A Modern style apartment building, designed by Leonard Schultze & Associates and, built in 1946-47. Application is to remove a balcony enclosure.

1047 Amsterdam Avenue - Individual Landmark

LPC-21-09853 - Block 1865 - Lot 1 - Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

An ecclesiastical complex set in landscaped grounds comprising seven religious and institutional buildings, designed in varied styles, by Ithiel Town, Heins & LaFarge, Cram, Goodhue & Ferguson, Hoyle, Doran & Berry, Cook & Welch, Ralph Adams Cram, and C. Grant LaFarge and built over the course of the 19th and 20th Century. Application is to remove a retaining wall, regrade, and install fencing and light fixtures.

120 East 106th Street - Individual Landmark

LPC-21-09366 - Block 1633 - Lot 61 - Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style church building, designed by Napoleon Le Brun & Sons and, built in 1883-1887. Application is to install a barrier-free access lift.

jy13-26

PUBLIC DESIGN COMMISSION

MEETING

Agenda

Monday, July 19, 2021

Meeting Location Notice:

To accommodate social distancing and address ongoing health concerns, members of the public will continue to be able to join PDC meetings remotely until further notice. We encourage members of the public to watch the meeting live on the Design Commission's YouTube channel, or join the meeting via Zoom, at <https://us02web.zoom.us/j/87823721619>, or by calling 1 (646) 558 8656 and using the meeting ID: 878 2372 1619.

PDC commissioners will meet on the third floor of City Hall, which will also be open to the public with limited capacity of 10 people. An overflow space will be provided within City Hall, with a limited capacity of 20 people. The entrance to City Hall, the restrooms, and the meeting rooms are wheelchair accessible.

COVID-19 protocols are in-place, including the requirement to wear a mask. Full instructions for participating in the hearing remotely can be found on our website, https://www1.nyc.gov/assets/designcommission/downloads/pdf/PDC-Virtual-Meetings_Public-Instructions-3.pdf.

Public Meeting

10:00 A.M. Consent Items

- 27829: Reconstruction of Berth 9 between Dry Docks 5 and 6, Brooklyn Navy Yard Industrial Park, Brooklyn. (Preliminary and Final) (CC 33, CB 2) BNYDC
- 27830: Rehabilitation of the façade, Building 3, 7th Floor, South Street between 7th Avenue and 8th Avenue, Brooklyn Navy Yard Industrial Park, Brooklyn. (Preliminary and Final) (CC 33, CB 2) BNYDC
- 27831: Rehabilitation of the façade, Building 5, 7th Avenue, Paulding Street, 8th Avenue, and Farragut Street, Brooklyn Navy Yard Industrial Park, Brooklyn. (Preliminary and Final) (CC 33, CB 2) BNYDC
- 27832: Installation of *Life Could be a Dream* by Jeffrey Gibson, 40th Police Precinct, 549 East 149th Street, Bronx. (Conceptual) (CC 17, CB 1) DCLA/DDC
- 27833: Installation of *The Hawk and the Heron* by Tatiana Arocha, Music Hall, Snug Harbor Cultural Center, 1000 Richmond Terrace, Staten Island. (Preliminary) (CC 49, CB 1) DCLA/DDC
- 27834: Rehabilitation of the Corona Health Center, 34-33 Junction Boulevard, Jackson Heights, Queens. (Final) (CC 21, CB 3) DDC/DOHMH
- 27835: Construction of a plaza, Osborn Street south of Belmont Avenue, Brooklyn. (Preliminary) (CC 41, CB 16) DDC/DOT
- 27836: Reconstruction of a streetscape, including an expanded median, Delancey Street from Bowery Street to Clinton Street, Manhattan. (Preliminary) (CC 1, CB 3) DDC/DOT
- 27837: Reconstruction of Tide Gate Bridge over Flushing Creek and reconstruction of a control house, Meridian Road, Avenue of Commerce, Avenue of Progress, and Avenue of Enterprise, Flushing Meadows Corona Park, Corona, Queens. (Preliminary) (CC 21, CB 7) DDC/DP
- 27838: Construction of EMS Station 17, 1257 Morris Avenue, Bronx. (Final) (CC 16, CB 4) DDC/FDNY
- 27839: Construction of an electrical addition, Primary Sludge Pumping Station, Tallman Wastewater Resource Recovery Facility, 127-01 Powell's Cove Boulevard, Queens. (Preliminary and Final) (CC 19, CB 7) DEP
- 27840: Installation of rooftop photovoltaic panels, 2630 Benson Avenue, Lafayette Educational Campus, Brooklyn. (Preliminary and Final) (CC 47, CB 13) DOE
- 27841: Installation of rooftop photovoltaic panels, 39-20 48th Avenue, P.S. 199 (Maurice A. Fitzgerald School), Sunnyside, Queens. (Preliminary and Final) (CC 26, CB 2) DOE
- 27842: Installation of rooftop photovoltaic panels, P.S. 197 (John B. Russwurm School), 2230 Fifth Avenue, Manhattan. (Preliminary and Final) (CC 9, CB 10) DOE
- 27843: Installation of rooftop photovoltaic panels, P.S. 21 (Philip H. Sheridan School), 715 East 225th Street, Bronx. (Preliminary and Final) (CC 12, CB 12) DOE

- 27844: Installation of a distinctive sidewalk, 1 Pennsylvania Plaza, Eighth Avenue, West 34th Street, Seventh Avenue, and West 33rd Street, Manhattan. (Preliminary) (CC 3, CB 5) DOT
- 27845: Construction of sidewalk extensions and pedestrian ramps, Morningside Drive between West 113th and West 114th Street, Manhattan. (Preliminary and Final) (CC 7, CB 9) DOT
- 27846: Reconstruction of Cuyler Gore Park, Green Avenue, Carlton Street, and Fulton Street, Brooklyn. (Preliminary) (CC 35, CB 2) DPR
- 27847: Reconstruction of Dyckman Rest, Highbridge Park, Nagle Avenue, Dyckman Street, and Fort George Hill, Manhattan. (Preliminary) (CC 10, CB 12) DPR
- 27848: Reconstruction of Russell Pedersen Playground 83rd Street, Colonial Road, and 85th Street, Brooklyn. (Preliminary) (CC 43, CB 10) DPR
- 27849: Reconstruction of the basketball court, Sol Bloom Playground, adjacent to P.S. 84 (The Lillian Weber School of the Arts), Columbus Avenue between West 91st Street and West 92nd Street, Manhattan. (Preliminary) (CC 6, CB 7) DPR
- 27850: Reconstruction of the playground, Captain Mario Fajardo Park, Kissena Boulevard and Booth Memorial Avenue, Flushing, Queens. (Preliminary) (CC 20, CB 7) DPR
- 27851: Reconstruction of the playground, Scarangella Park, West 13th Street, Avenue V, and Stillwell Avenue, Brooklyn. (Preliminary) (CC 47, CB 13) DPR
- 27852: Reconstruction of the Prospect Park Tennis Center, Prospect Park Parade Ground, Parkside Avenue between Coney Island Avenue and Parade Place, Brooklyn. (Preliminary) (CC 40, CB 14) DPR
- 27853: Rehabilitation of a façade and construction of a fueling station, Bronx District 12 Garage, 1635 East 233rd Street, Bronx. (Preliminary and Final) (CC 12, CB 12) DSNY
- 27854: Replacement of a foundation and façade repairs, Bronx Districts 7 & 8 Garage, 423 West 215th Street, Manhattan. (Preliminary and Final) (CC 10, CB 12) DSNY
- 27855: Installation of a rooftop condenser unit, 625 Atlantic Avenue, Brooklyn. (Preliminary and Final) (CC 35, CB 2) EDC
- 27856: Reconstruction of a plaza, 300 Cadman Plaza West (One Pierrepont Plaza), Brooklyn. (Final) (CC 33, CB 2) EDC
- 27857: Construction of rooftop terraces and planted areas at a residential building (Building 3) as part of the rehabilitation of the Bedford Union Armory, 1555 Bedford Avenue, Brooklyn. (Amended Preliminary) (CC 35, CB 9) EDC

Public Hearing

10:05 A.M.

- 27858: Construction of a parking garage and community facility as part of the Borough-Based Jails Program, Union Turnpike between 126th Street and 132nd Street, Kew Gardens, Queens. (Preliminary) (CC 29, CB 9) DDC/DOT

View the presentation: <https://www1.nyc.gov/assets/designcommission/downloads/pdf/07-19-2021-pres-DDC-p-QN-Garage.pdf>

All times are approximate and subject to change without notice.

Public Testimony:

Testimony should be limited to issues of design and aesthetic merit, as that is the Public Design Commission's purview. Members of the public are welcome to testify at public hearings and are encouraged to submit their testimony in writing in advance of the meeting date, via email to: designcommission@cityhall.nyc.gov. At the meeting, members of the public will be called to testify in the order in which they signed in and given three minutes to speak. If there are a significant number of people who wish to testify, the Commission, at its discretion, may further limit the allotted time. **Items on the consent agenda are not presented.** If you wish to testify regarding a design-related issue of a project on the consent agenda, please notify staff as soon as possible, via email, at designcommission@cityhall.nyc.gov.

Reasonable Accommodations:

If you would like to virtually attend this meeting by viewing it at the web address listed above, and request free reasonable accommodations, such as translation into a language other than English; American Sign Language Interpreting (ASL); Captioning in Real-Time (CART); or the meeting agenda in Braille, large print, or electronic format, please contact the Public Design Commission at least three business days before the meeting.

Public Design Commission
 City Hall, Third Floor
 Phone: (212) 788-3071
 Fax: (212) 788-3086
 www.nyc.gov/designcommission
 designcommission@cityhall.nyc.gov



◀ jy15

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

AGING

■ AWARD

Human Services/Client Services

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003095N002 - AMT: \$480,520.00 - TO: Kips Bay Boys and Girls, Inc., 1930 Randall Avenue, Bronx, NY 10473.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Kips Bay Boys and Girls, Inc., to provide senior services to eligible elderly residents of Bronx Community District - 09.

◀ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003187N002 - AMT: \$904,038.00 - TO: Jewish Community Council of Greater Coney Island, 3001 West 37th Street, Brooklyn, NY 11224.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jewish Community Council of Greater Coney Island Inc., to provide senior services to eligible elderly residents of Brooklyn Community District - 15.

◀ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003081N002 - AMT: \$571,285.00 - TO: Hope of Israel Senior Citizens Center, Inc., 1068 Gerard Avenue, Bronx, NY 10452.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Hope of Israel Senior Citizens Center, Inc., to provide senior services to eligible elderly residents of Bronx Community District - 04.

◀ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003185N002 - AMT: \$625,991.00 - TO: Jewish Community Council of Greater Coney Island Inc, 3001 West 37th Street, Brooklyn, NY 11224.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jewish Community Council of Greater Coney Island Inc., to provide senior services to eligible elderly residents of Brooklyn Community District - 13.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003087N002 - AMT: \$549,439.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Institute for the Puerto Rican Hispanic Elderly Inc., to provide senior services to eligible elderly residents of Bronx Community District - 09.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003089N002 - AMT: \$531,926.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with the Institute for the Puerto Rican Hispanic Elderly Inc., to provide senior services to eligible elderly residents of Bronx Community District - 01.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003085N002 - AMT: \$450,925.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with the Institute for the Puerto Rican Hispanic Elderly Inc., to provide senior services to eligible elderly residents of Bronx Community District - 03.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003083N002 - AMT: \$456,420.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with the Institute for the Puerto Rican Hispanic Elderly Inc., to provide senior services to eligible elderly residents of Bronx Community District - 09.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003210N002 - AMT: \$459,773.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with the Institute for the Puerto Rican Hispanic Elderly Inc., to provide senior services to eligible elderly residents of Manhattan Community District - 11.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003028N002 - AMT: \$922,037.00 - TO: Institute for the Puerto Rican Hispanic Elderly Inc, 300 East 175th Street, Bronx, NY 10457.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with the Institute for the Puerto Rican Hispanic Elderly Inc., to provide senior services to eligible elderly residents of Queens Community District - 04.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003030N002 - AMT: \$720,386.00 - TO: Italian Senior Citizens Inc, 83-20 Queens Boulevard, Elmhurst, NY 11373.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Italian Senior Citizens Inc., to provide senior services to eligible elderly residents of Queens Community District - 04.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003033N002 - AMT: \$483,043.00 - TO: Jacob A. Riis Neighborhood Settlement House, Inc., 10-25 41st Avenue, Long Island City, NY 11101.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jacob A Riis Neighborhood Settlement House, Inc., to provide senior services to eligible elderly residents of Queens Community District - 01.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003189N002 - AMT: \$528,890.00 - TO: Jewish Community Council of Greater Coney Island Inc, 3001 West 37th Street, Brooklyn, NY 11224.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jewish Community Council of Greater Coney Island Inc., to provide senior services to eligible elderly residents of Brooklyn Community District - 13.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003032N002 - AMT: \$433,632.00 - TO: Jamaica Service Program for Older Adults Inc, 92-47 165th Street, Jamaica, NY 11433.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jamaica Service Program for Older Adults Inc., to provide senior services to eligible elderly residents of Queens Community District - 12.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003072N002 - AMT: \$437,880.00 - TO: Jewish Community Center of Staten Island Inc, 1466 Manor Road, Staten Island, NY 10314.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jewish Community Center of Staten Island Inc., to provide senior services to eligible elderly residents of Staten Island Community District - 01.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003191N002 - AMT: \$676,315.00 - TO: Jewish Community Council of Greater Coney Island I, 3001 West 37th Street, Brooklyn, NY 11224-1479.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jewish Community Council of Greater Coney Island Inc., to provide senior services to eligible elderly residents of Brooklyn Community District - 15.

☛ jy15

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12511N0003074N002 - AMT: \$482,816.00 - TO: Jewish Community Center of Staten Island Inc, 1466 Manor Road, Staten Island, NY 10314.

The Department for the Aging has negotiated a 12 month extension, from 7/1/2021 to 6/30/2022, with Jewish Community Center of Staten Island Inc., to provide senior services to eligible elderly residents of Staten Island Community District - 03.

☛ jy15

CITYWIDE ADMINISTRATIVE SERVICES

■ AWARD

Goods

MOIA GALAXY DIGITAL SOFTWARE - Small Purchase - PIN#85621C0046001 - AMT: \$11,350.00 - TO: Galaxy Digital LLC, PO Box 1214, Asheville, NC 28802.

To procure a volunteer management software for Community Services and We Speak NYC teams.

☛ jy15

EQUIPMENT II, RENTAL OF VARIOUS FOR DOT - Competitive Sealed Bids - PIN#8572000228 - AMT: \$30,199,040.00 - TO: HERC Rentals Inc, 206 Route 109, Farmingdale, NY 11735.

☛ jy15

EQUIPMENT II, RENTAL OF VARIOUS FOR DOT - Competitive Sealed Bids - PIN#8572000228 - AMT: \$1,498,000.00 - TO: Malvese Equipment Co Inc, 1 Henrietta Street, Hicksville, NY 11801.

☛ jy15

EQUIPMENT II, RENTAL OF VARIOUS FOR DOT - Competitive Sealed Bids - PIN#8572000228 - AMT: \$4,000,000.00 - TO: Hoffman International Inc DBA Hoffman Equipment Co, 300 South Randolphville Road, Piscataway, NJ 08855-0669.

☛ jy15

Services (other than human services)

PROF. DEVEL. TRAINING-RENEWAL #1 - Renewal - PIN#85619P8204KXLR001 - AMT: \$24,980.90 - TO: Goal Imagery Institute Inc, 2928 West 5th Street, Apartment 7C, Brooklyn, NY 11224-3986.

☛ jy15

ADMINISTRATION

■ SOLICITATION

Goods

TRUCK, TOW - NYPD - Competitive Sealed Bids - PIN#85721B0139 - Due 8-17-21 at 10:30 A.M.

All bids are done on PASSPort. To review the details for this solicitation and participate, please use the following link below and use the keyword search fields to find the solicitation for TRUCK, TOW - NYPD. You can search by PIN#85721B0139 or search by keyword:

https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

If there are any issues with PASSPort, contact: help@mocs.nyc.gov.

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Evelyn Lucero (212) 386-0409; elucero@dcas.nyc.gov

☛ jy15

COMPTROLLER

ASSET MANAGEMENT

■ SOLICITATION

Goods and Services

INVESTMENT MANAGER SEARCH FOR DEVELOPED MARKETS EX USA ACTIVE EQUITY INVESTMENT MANAGEMENT SERVICES - Request for Proposals - PIN#015-218-269-00 IQ - Due 8-19-21 at 11:59 P.M.

Investment Manager Search for Developed Markets ex USA Active Equity Investment Management Services

PIN: 015-218-269-00 IQ

The Comptroller of the City of New York (the "Comptroller"), acting on behalf of the New York City Retirement Systems, and specifically the Teachers' Retirement System of the City of New York ("TRS"), the New York City Employees' Retirement System ("NYCERS"), the New York City Police Pension Fund, Subchapter Two ("Police"), the New York City Fire Pension Fund, Subchapter Two ("Fire"), and the New York City Board of Education Retirement System ("BERS") (collectively "NYCRS" or the "Systems"), is conducting this investment manager search (this "Search"), to identify and select investment management firms, or a pool of investment management firms, to create and manage one or more Developed Markets ex USA Active public equity portfolios for the System(s).

How to Participate in this Search: To be considered, investment management firms must comply with the requirements (1) – (3) listed below:

1. All firms shall carefully review the Notice of Search and the Minimum Requirements described in Section III(B) of the Investment Manager Notice of Search. Interested firms that meet the Minimum Requirements must enter their information in the following databases to be considered by each of the Investment Consultants. The Investment Consultants will review the databases and provide the Comptroller with a written report identifying the investment managers that meet the Minimum Requirements.
 - a. For Callan, Firms must submit their information directly to the Investment Consultant's database (Callan LLC). Information on requirements for entering information into these databases can be found at www.callan.com (click on "Manager Questionnaire"). In addition, for Callan, managers are requested to email, nycers@callan.com, to confirm (1) their interest in this search and (2) for what specific product(s). In the subject line please use "Developed World ex-USA Active Equity Search".
 - b. For Wilshire, Firms must submit their information directly to the Investment Consultant's database (Wilshire Compass). Information on requirements for entering information into these databases can be found at: compassportal.wilshire.com. All inquiries to Wilshire are to be sent, to investmentsearch@wilshire.com.
 - c. For Rocaton, NEPC and Segal Marco Advisors, Firms must enter their information into eVestment Alliance's database. Information on requirements for entering information into

these databases can be found, at <https://www.evestment.com> (click on "Submit My Data").

2. All firms must ensure that they completely identify their firm and product information in the aforementioned databases. Additionally, firms must ensure that the information (such as organization, product, returns, portfolio characteristics and AUM data), is current and accurate as of June 30, 2021.
3. There is no fee for entering information into the aforementioned databases. Firms are advised that information in the database may become part of any pool contract that results from this Search.

Current and accurate data must be in the aforementioned databases by the deadline stated in Section I of this Notice of Search, at which time the respective Investment Consultant shall commence its review of the database.

Consistent with the policies expressed by the City of New York, participation by minority-owned and women-owned businesses or partnering arrangements with minority-owned and women-owned investment firms, are encouraged. Additionally, participation by small and New York City-Based businesses is also encouraged.

The Notice of Search which fully describes the scope of the search, minimum requirements, how to participate and the evaluation process, will be available for download, from the Comptroller's website, www.comptroller.nyc.gov, on or about July 15, 2021. To download the Notice of Search, from the Comptroller's website, select "RFPs & Solicitations" then "Notice of Search for "Developed Markets ex USA Active Equity Investment Managers" and complete the form. Questions about the Notice of Search should be transmitted by email, to Fannie Moy, Senior Contract Analyst, at DevMarketsSearch@comptroller.nyc.gov, by July 23, 2021, by 3:00 P.M. EST.

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.

Comptroller, 1 Centre Street, 8th Floor South, New York, NY 10007. Yufen Fannie Moy (212) 669-4009; ymoy@comptroller.nyc.gov

☛ jy15-21

ENVIRONMENTAL PROTECTION

WASTEWATER TREATMENT

■ INTENT TO AWARD

Goods

82622Y0068-BWT FLYGT PUMP PARTS - Request for Information - PIN#82622Y0068 - Due 7-29-21 at 2:00 P.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with G A Fleet & Associates & Fleet Pump & Service Group, Inc., for purchase of Flygt pump parts. Any firm which believes they can also provide this services, are invited to respond to this RFI.

☛ jy15-22

HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

CAMBA RENEWAL #3 - Renewal - PIN#81620F8065KXLR002 - AMT: \$17,687,292.00 - TO: Camba Inc, 1720 Church Avenue, 2nd Floor, Brooklyn, NY 11226.

FY22 Renewal - 19AZ002309R3X00 - The vendor has provided and will continue to provide during this renewal term supportive housing services.

☛ jy15

HOMELESS SERVICES

(7330) FACILITIES, MAINTENANCE AND REPAIR

■ SOLICITATION

Services (other than human services)

07121B0001 - DHS ON CALL PLUMBING - Competitive Sealed Bids - Due 8-11-21 at 2:00 P.M.

On Call Plumbing Services, Citywide EPIN 07121B0001; PIN 21BSEDM00701, Due Date: Wednesday, August 11, 2021, at 2:00 P.M.

The New York City Department of Homeless Services (DHS), will be accepting Competitive Sealed Bids for the provision of On Call Plumbing Services, Citywide. Bidders are hereby notified that this contract is subject to Local Law 1, Minority-Owned and Women-Owned Business Enterprises (MWBE) Requirements and Prevailing Wage Rates.

This Competitive Sealed Bid ("RFx") is being released through PASSPort, New York City's online procurement portal, on Thursday, July 15, 2021. To access the solicitation, vendors should visit the PASSPort Public Portal, at https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page, and click on the "Search Funding Opportunities in PASSPort" blue box. This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 07121B0001 into the Keywords search field. Instructions for submitting responses to this RFx can be found via PASSPort. Please submit your bids by both acknowledging the receipt of the RFx in the Acknowledgement tab and completing your response in the Manage Responses tab. If you need additional assistance with PASSPort, please contact the MOCSS Service Desk, at Help@mocs.nyc.gov. Vendor resources can also be found at the link below, under the Finding and Responding to RFx heading. Link: https://www1.nyc.gov/site/mocs/systems/passport-user-materials.page.

Until further notice, the Department of Social Services (HRA/DHS), will conduct all in-person meetings (Pre-Bid conferences and bid-openings) that would normally be open to the public, via conference call and/or video-conference only, using the Cisco WebEx platform. You may participate using your computer, tablet or smartphone. You will need to download the WebEx plug-in or mobile app. If you have any questions, please email "fukip@dss.nyc.gov", with the subject line "07121B0001-On Call Plumbing Services, Citywide". Please indicate your interest by responding to the RFI EPIN: 07121B0001 in PASSPort no later than Wednesday, August 11, 2021, 2:00 P.M.

◀ jy15

HOUSING PRESERVATION AND DEVELOPMENT

EDC/HPD TECH

■ INTENT TO AWARD

Services (other than human services)

80622Y0018-SOLE SOURCE NOTICE OF INTENT- MAINTENANCE OF TAAG SOFTWARE - Request for Information - PIN#80622Y0018 - Due 7-30-21 at 12:00 A.M.

Pursuant to Section 3-05 of the City's Procurement Policy Board Rules, The New York City Department of Housing Preservation and Development (HPD), intends to enter into a Sole Source contract with Designing Success, Inc. The vendor will provide maintenance and support services to Tracking At-A-Glance® (TAAG) case management and performance tracking software, that is used by the Division of Tenant Resources to manage the goals and outcomes of participants in the Family Self Sufficiency (FSS) program.

This Sole Source procurement is being managed through PASSPort. If there are any expressions of interest, please send an email, to Agency Contact.

◀ jy15-22

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) OUTREACH, EDUCATION AND APPLICATION ASSISTANCE - KOREAN COMMUNITY SERVICES OF METROPOLITAN NEW YORK, INC. - Emergency Purchase - PIN#09621E0021001 - AMT: \$1,280,000.00 - TO: Korean Community Services of Metropolitan New York Inc, 203-05 32nd Avenue, Bayside, NY 11361.

Contract Term from 5/6/2021 to 9/30/2022.

◀ jy15

■ INTENT TO AWARD

Human Services/Client Services

NAE TO EXTEND FAMILY SHELTER SERVICES - Negotiated Acquisition - Other - PIN#07121N0014 - Due 7-16-21 at 2:00 P.M.

Contract Term 7/1/2021 - 6/30/2022. Contract Amount \$4,280,966.00

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.

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Jacques Frazier (929) 669-4460; frazierjac@dss.nyc.gov

jy9-15

NYC HEALTH + HOSPITALS

CONTRACT SERVICES

■ SOLICITATION

Construction/Construction Services

REPLACEMENT OF (5) COOLING TOWERS - MLK 1.8M 2.2M - Competitive Sealed Bids - PIN# 13202102 - Due 8-18-21 at 1:30 P.M.

Harlem Hospital Replacement of five (5) Cooling Towers, at MLK Pavilion, 506 Lenox Avenue, New York, NY. H+H will no longer issue a hard copy of Section "A" Bid Forms with the Bid Submission Envelope. After the \$30 Non-Refundable Fee is paid for the Section "A" Bid Forms, it will be emailed along with the instructions for your Bid Submission Envelope. Only Bidders on record and marked paid will be allowed to bid.

Vendors who are planning to bid are required to purchase the Bid Forms Section "A" at the Mandatory Pre-Bid Meetings, with a Company Check or Money Order (Payable to NYCHH). Bidders are encouraged to arrive at least 30 minutes before Mandatory Pre-Bid Meetings start time, to make purchases. Social distancing protocols must be observed, and limit your staff to one person at the meetings.

All Bids shall be in accordance with the terms of the NYC Health and Hospitals (HHC) Project Labor Agreement.

It's mandatory that all bidders be registered with the State of New York. Failure to do so will cause your bid to be declared non-responsive. Technical Questions must be submitted in writing by email, no later than five (5) calendar days after the Mandatory Pre-Bid Meetings, to Clifton.Mclaughlin@nychhc.org, and Janet.Ollivera@nychhc.org.

Mandatory Meetings/site tours are scheduled for Monday, July 26, 2021, at 10:30 A.M. and Tuesday, July 27, 2021, at 10:30 A.M., Kountz Pavilion, 9th Floor, Room 940, 506 Lenox Avenue, New York, NY.

Requires Trade Licenses (Where Applicable). Under Article 15A of the State of New York, the Following M/WBE Goals Apply to This Contract, MBE 20 percent and WBE 10 percent. These Goals Apply to any Bid Submitted of \$100,000 or more. Bidders not complying with these Terms will have their bids declared Non-Responsive.

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.

NYC Health + Hospitals, 55 Water Street, 25th Floor, New York, NY 10041. Clifton Mc Laughlin (212) 442-3658; Clifton.Mclaughlin@nychhc.org

◀ jy15

POLICE DEPARTMENT

■ AWARD

Goods

MAINTENANCE & SUPPORT FOR NYPD'S VISITOR PASS SYSTEMS - Renewal - PIN#05618S8212KXLR001 - AMT: \$89,968.95 - TO: Security Identification System Corp./Sisco, 3595 Fiscal Court, West Palm Beach, FL 33404.

The New York City Police Department, is requesting the continuation of maintenance, software support, and warranty only to the upgraded FAST-PASS System, located at Police Headquarter Security and Candidate Assessment Division (CAD). Such services are required so the Department can continue to maintain adequate security protocols and measures. The security systems will ensure the safety of all members of the Department employed at Police Headquarters, CAD, and visitors. The Department is now exercising its first 2-year renewal option, as set forth in the Original Agreement. The term of this Renewal Agreement will be from October 9, 2020 through October 8, 2022.

◀ jy15

TAXI AND LIMOUSINE COMMISSION

■ INTENT TO AWARD

Services (other than human services)

ADMINISTRATION OF THE NEW YORK CITY MEDALLION RELIEF PROGRAM - Negotiated Acquisition - Other - PIN# 156 22P00023 - Due 7-16-21 at 5:00 P.M.

The New York City Taxi and Limousine Commission (“TLC”), intends to enter into a Negotiated Acquisition agreement with the **New York Business Development Corporation** to manage the City’s Medallion Relief Program. The immediate issuance of relief payments is necessary to stabilize the medallion taxi industry, mitigate serious danger to this essential transportation service, and stimulate the industry’s recovery from the pandemic. Medallion owners are burdened with taxi medallion loans they are unable to pay. Market share and earnings are on a downward trend, which has given rise to an unsustainable imbalance between medallion loan payments and cash flow from the operation of a taxi medallion. Conditions have worsened during the pandemic and there was an unforeseen halt in trips in the Manhattan Central Business District and at airports, which is the core foundation of the taxicab industry. Relief is urgently needed to address the imbalance between outstanding medallion loan payments, and the actual earnings from the operation of a taxi medallion. The relief to medallion owners will help them address this imbalance by renegotiating the terms of medallion loan agreements with lenders. With financial support and free legal service from the TLC’s Owner/Driver Resource Center, medallion owners will have the tools needed to bring their medallion debt burden to a sustainable level, which in turn will put more taxis on the road to serve the public with safe and essential transportation.

It is not practicable and/or advantageous to award a contract by competitive sealed bidding or competitive sealed proposals due to a compelling need for services that cannot be timely met through those procurement methods.

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.

Taxi and Limousine Commission, 33 Beaver Street, 19th Floor, New York, NY 10004. Tanesha Middleton (212) 676-1022; shellt@tlc.nyc.gov

jy12-16

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR’S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



EDUCATION

■ NOTICE

The Department of Education (“DOE”) Chancellor’s Committee on Contracts has been asked for their recommendation to award contracts to following organization(s) for the services described below. Other organizations interested in providing these services to the DOE are invited to indicate their ability to do so in writing to Alicia Saleh at 65 Court Street, Room 1201; Brooklyn, NY 11201, or by email to COCInterestedVendor@schools.nyc.gov. Responses should be received no later than 9:00 AM, July 22, 2021. Any COC recommendation will be contingent upon no expressions of interest in performing services by other parties.

Item(s) for Consideration:

- (1) Service(s): The Office of School Health (“OSH”) is requesting a contract extension with the vendors listed below to provide services as required by R0844 – Long Term Nursing for the 2020-2021 and 2021-2022 academic years.

Circumstances for use: Contract Extension
Vendor(s): Advanced Medical Staffing Corp.
dba Pro Med Staffing Resources
Comprehensive Resources, Inc.
Gotham Per Diem, Inc.
The Execu-Search Holdings, LLC.
fka The Execu-Search Group, LLC.

- (2) Service(s): The Office of the First Deputy Chancellor (“OFDC”) seeks to enter into a negotiated services agreement to provide a college preparatory program for about 1,150 students at Bard High School Early College campus locations in Manhattan and Queens.

Circumstances for use: Uniquely Qualified
Vendor(s): Bard College

- (3) Service(s): The Division of Early Childhood Education (“DECE”) is requesting a contract extension with the vendors listed below to provide Early Learn services to children in New York City.

Circumstances for use: Contract Extension
Vendor(s): 1332 Fulton Avenue Day Care Center Inc.
All My Children Day Care And Nursery School
All My Children Day Care And Nursery School
Alpha Kappa Alpha Sorority Epsilon Pi Omega Chapter
Day Care Center Inc.
B’ Above Worldwide Institute, Inc
Blanche Community Progress Day Care Center Inc
Bronxdale Tenants League Day Care Center Inc
Bushwick United Housing Development Fund Corp
Bushwick United Housing Development Fund Corp
Clifford Glover Day Care Center Inc
Friends of Crown Heights Educational Center Inc.
Highbridge Advisory Council Family Services, Inc.
L.A.B.O.R. Bathgate Community Child Care Center, Inc
La Peninsula Community Organization, Inc.
Labor and Industry for Education Inc. DBA Life-Audrey Johnson Learning Center
Lutheran Social Services of Metropolitan New York , Inc
Lutheran Social Services of Metropolitan New York , Inc
Lutheran Social Services of Metropolitan New York , Inc
North Bronx National Council of Negro Women Child Development Center, Inc
Nuestros Ninos Day Care Center, Inc.
Nuestros Ninos Day Care Center, Inc.
Omega Psi Phi Fraternity- Nu Omicron Chapter,
Day Care Center, Inc
SCO Family of Services
SCO Family of Services
Shirley Chisholm Day Care Center, Inc
Shirley Chisholm Day Care Center, Inc
Southeast Bronx Neighborhood Centers, Inc.

◀ jy15

AGENCY RULES

ENVIRONMENTAL PROTECTION

■ NOTICE

Notice of Adoption of Final Rule

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Environmental Protection (“Department” or “DEP”) by Section 1043(a) of the New York City Charter and section 24-105 of the Administrative Code of the City of New York that the Department promulgates and adopts amendments to its rules to define any motor vehicle that is an authorized emergency vehicle as defined by § 101 of the Vehicle and Traffic Law and any bus being used as a mobile cooling center to be an authorized emergency motor vehicle for purposes of the idling provision in section 24-163 of the Administrative Code.

Statement of Basis and Purpose

The rule amends Chapter 39 of Title 15 of the Rules of the City of New York to add new definitions to section 39-01 to clarify that any motor vehicle that is an authorized emergency vehicle as defined by § 101 of the Vehicle and Traffic Law and any bus being operated as a cooling center by, or pursuant to a contract with the City of New York is not subject to the restrictions on vehicle idling in section 24-163 of the Administrative Code.

Section 24-163 states that the engine of a motor vehicle may not be idled for more than three minutes (or one minute if the vehicle is adjacent to a school), subject to certain exceptions, one of which applies to any "legally authorized emergency motor vehicle." The rule provides that any motor vehicle that is an authorized emergency vehicle as defined by § 101 of the Vehicle and Traffic Law and any bus operated by, or under a contract with, the City as a mobile cooling center is a "legally authorized emergency motor vehicle" for purposes of section 24-163.

The rule also amends Chapter 39's title to provide that the chapter contains rules concerning vehicle idling in general, not just adjacent to schools.

A public hearing regarding the rule was held on June 23, 2021. No comments were received.

Sections 1043(a) and 1403(c) of the New York City Charter and section 24-105 of the Administrative Code authorize the Department to issue this rule.

New material is underlined.

[Deleted material is bracketed]

§ 1. The title of Chapter 39 of Title 15 of the Rules of the City of New York is amended to read as follows:

Chapter 39. Engine Idling [Adjacent To Any Public or Non-Public School]

§ 2. Section 39-01 of Chapter 39 of Title 15 of the Rules of the City of New York is amended to read as follows:

§ 39-01 Definitions.

Legally authorized emergency motor vehicle. For purposes of § 24-163 of the Administrative Code, the term "legally authorized emergency motor vehicle" shall mean

- (1) a motor vehicle that is an authorized emergency vehicle as defined by § 101 of the Vehicle and Traffic Law; or
(2) any bus being operated as a cooling center by, or pursuant to a contract with, the city of New York.

Marginal Street. "Marginal street" shall have the meaning set forth in §4-01 of Title 34 of the Rules for the City of New York.

Street. "Street" shall have the meaning set forth in subdivision 13 of § 1-112 of the Administrative Code of the City of New York, except that for the purposes of this rule "street" shall include "marginal streets[.]"

• jy15



HOUSING PRESERVATION AND DEVELOPMENT

NOTICE

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

Notice Date: July 13, 2021

To: Occupants, Former Occupants, and Other Interested Parties

Table with 4 columns: Property, Address, Application #, Inquiry Period. Rows include 14 Sutton Place South, Manhattan and 107 West 120th Street, Manhattan.

Table with 4 columns: Address, Date, Date, Date. Rows include 339 West 84th Street, Manhattan; 980 Prospect Avenue, Bronx; 961 Grant Avenue, Bronx.

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period.

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

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO

Fecha de notificación: July 13, 2021

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Table with 4 columns: Propiedad, Dirección, Solicitud #, Período de consulta. Rows include 14 Sutton Place South, Manhattan; 107 West 120th Street, Manhattan; 339 West 84th Street, Manhattan; 980 Prospect Avenue, Bronx; 961 Grant Avenue, Bronx.

Autoridad: SRO, Código Administrativo §27-2093

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 por carta con matasellos no mas tarde que 30 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

jy13-21

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

Notice Date: July 13, 2021

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
	676 Lorimer Street, Brooklyn	52/2021	October 4, 2004 to Present

Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90

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

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

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: July 13, 2021

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
	676 Lorimer Street, Brooklyn	52/2021	October 4, 2004 to Present

Autoridad: Greenpoint-Williamsburg Anti-Harassment Area, Código Administrativo Zoning Resolution §§23-013, 93-90

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277** o **(212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al **(212) 863-8266**.

jl13-21

OFFICE OF LABOR RELATIONS

■ NOTICE

**CORRECTION OFFICERS
2019 - 2022 AGREEMENT**

AGREEMENT made this 30th day of June, 2021, by and between the City of New York (hereinafter called the "City"), acting by the Commissioner of Labor Relations, and the Correction Officers Benevolent Association of the City of New York, Inc. (hereinafter called the "Union" or the "C.O.B.A."), for the period from March 1, 2019 to February 28, 2022.

WITNESSETH:

WHEREAS, the Correction Officers employed by the City have duly designated the Union as their exclusive bargaining representative for the purpose of collective bargaining with the City with respect to wages, hours and conditions of employment; and

WHEREAS, the Union and the City desire to cooperate in establishing conditions which will tend to secure standards and conditions of employment consistent with the dignity of Correction Officers, and to provide methods for fair and peaceful adjustment of disputes that may arise between the Union and the City; and

WHEREAS, as a result of collective bargaining the parties have reached an agreement which they desire to reduce to writing;

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE I - UNION RECOGNITION AND UNIT DESIGNATION

Section 1.

The City recognizes the Union as the sole and exclusive collective bargaining representative for the unit consisting of the employees of New York City in the title of "Correction Officer."

Section 2.

Except as otherwise provided herein, for purposes of this Contract, the terms "employee," "employees," "Correction Officer" or "Correction Officers" shall be interchangeable and shall relate solely to employees in the unit described in Section 1 of this Article.

ARTICLE II - UNION SECURITY - DUES CHECKOFF

Section 1.

All employees covered by this Agreement shall be free to become and remain members of the Union in good standing.

Section 2.

The Union shall have the exclusive right to the checkoff and transmittal of dues on behalf of each employee in the unit in accord with the Mayor's Executive Order No. 98, dated May 15, 1969 entitled "Regulations Regulating the Checkoff of Union Dues" and in accord with the Mayor's Executive Order No. 107, dated December 29, 1986, entitled "Regulations Governing Procedures for Orderly Payroll Checkoff of Union Dues" and any Executive Orders which amend or supersede said Executive Orders.

Section 3.

An employee may consent in writing to the authorization of the deduction of dues from his wages and to the designation of the Union as the recipient thereof. Such consent, if given, shall be in a proper form, in accord with Section 2 of this Article II, which bears the signature of the employee.

Section 4.

The parties agree to an agency shop to the extent permitted by applicable law, as described in a supplemental agreement hereby incorporated by reference.

ARTICLE III - HOURS AND OVERTIME

Section 1.

All ordered and/or authorized overtime in excess of forty (40) hours in any week or in excess of the hours required of an employee by reason of his regular duty chart if a week's measurement is not appropriate, whether of an emergency nature or of a non-emergency nature, shall be compensated for either by cash payment or compensatory time off, at the rate of time and one-half, at the sole option of the employee. Such cash payments or compensatory time off shall be computed on the basis of fifteen (15) minute segments.

Section 2.

In order to preserve the intent and spirit of this Section on overtime compensation, there shall be no rescheduling of days off and/or tours of duty. This restriction shall apply both to the retrospective

crediting of time off against hours already worked and to the anticipatory re-assignment of personnel to different days off and/or tours of duty.

Section 3.

Overtime shall be computed on a monthly basis and the Department shall make every reasonable effort to pay such overtime within six (6) weeks following the submission of the monthly report.

ARTICLE IV - RECALL AFTER TOUR

Any Correction Officer who is recalled to duty after having completed the employee's regular tour of duty shall receive pay pursuant to the regular overtime provisions of this Agreement, that is, in cash or compensatory time off at the sole option of the Correction Officer at the rate of time and one-half for the time actually worked. The Department will issue a directive to the heads of all commands informing them that a Correction Officer who is recalled shall be put to work.

ARTICLE V - COMPUTATION OF BENEFITS

Since the average basic forty-hour week has not been changed by this Agreement, the current standard practice for the computation of compensation for holidays, vacation days, personal leave days, annuity fund contributions and other relevant benefits, shall continue to be calculated on the basis of an eight-hour work day.

ARTICLE VI - SALARIES

Section 1. Salary Rates

During the term of this Agreement, the following basic amounts, which where specified include both salary rates and longevity adjustments, shall prevail for employees:

Grade-Service	Effective 3/1/19	Effective 3/1/20	Effective 6/1/21
First Grade			
20 Years	\$94,576**	\$96,756**	\$101,080**
15 Years	\$93,576**	\$95,756**	\$98,803**
10 Years	\$92,576*R	\$94,756*R	\$97,803*R
5-1/2 years	\$91,576*	\$93,756*	\$96,803*
5 Years	\$68,013*	\$69,604*	\$71,926*
Upon completion of 5-1/2 years of employment (Basic)	\$87,211	\$89,391	\$92,073
Upon completion of 4-1/2 years of employment	\$63,648	\$65,239	\$67,196
Upon completion of 3-1/2 years of employment	\$58,883	\$60,355	\$62,166
Upon completion of 2-1/2 years of employment	\$53,344	\$54,678	\$56,318
Upon completion of 1-1/2 years of employment	\$49,459	\$50,695	\$52,216
First 18 months of employment (Annualized)	\$45,330	\$46,463	\$47,857

Section 2.

A laid off employee who is returned to service in the employee's former title or in a comparable title from a preferred list, shall receive the basic salary rate that would have been received by the employee had the employee never been laid off, up to a maximum of two (2) years of general salary increases.

Section 3. General Wage Increase

- a. The General increases, effective as indicated, shall be:
 - i. Effective March 1, 2019, Employees shall receive a general wage increase of two and a quarter percent (2.25%).
 - ii. Effective March 1, 2020 Employees shall receive a general wage increase of two and a half percent (2.5%).
 - iii. Effective June 1, 2021, Employees shall receive a general wage increase of three percent (3%).
- b. The increases provided for in Section 3 shall be calculated as follows:
 - i. the increases in Section 3a. (i) shall be based upon the base rates (which shall include salary or incremental schedules) in effect on February 28, 2019.
 - ii. the increases in Section 3a. (ii) shall be based upon the base rates (which shall include salary or incremental schedules) n effect on February 29, 2020.
 - iii. the increases in Section 3a. (iii) shall be based upon the base rates (which shall include salary or incremental schedules) in effect on May 31, 2021.
- c. The general increase provided in this Section 3 shall be applied to the base rates and salary grades fixed for the applicable titles.

Section 4.

Paychecks shall be delivered to commands by 3:00 p.m. on the Thursday preceding payday for distribution after 3:00 p.m. on said Thursday.

Section 5. Salary Itemization

The Department shall make available in convenient places in each command the appropriate payroll work sheets for the purpose of enabling each employee to verify the salary components of the employee's paycheck. The parties will review further the feasibility of otherwise advising each employee of all payroll components along with the employee's paycheck.

ARTICLE VII - UNIFORM ALLOWANCE

In fiscal years 2019-20, 2020-21, and 2021-22, the City shall pay to each employee a uniform allowance of \$1,100.00 in accord with the existing standard procedures.

ARTICLE VIII - LONGEVITY ADJUSTMENTS

Section 1.

- a. Longevity adjustments shall be paid as follows:
 - Effective March 1, 2019, the longevity schedule shall be:
 - i. Upon the completion of five years of service, a Correction Officer First Grade shall receive a longevity adjustment of \$4,365 per annum.
 - ii. Upon completion of ten years of service, a Correction Officer First Grade shall receive a longevity adjustment of an additional \$1,000 per annum.
 - iii. Upon completion of fifteen years of service, a Correction Officer First Grade shall receive a longevity adjustment of an additional \$1,000 per annum.
 - iv. Upon completion of twenty years of service, a Correction Officer First Grade shall receive a longevity adjustment of an additional \$1,000 per annum.
- b. Effective June 1, 2021, the longevity schedule shall be increased as follows:
 - i. An additional \$365 per annum after five years of service
 - ii. An additional \$1,642 per annum after twenty years of service
 - iii. The additional amounts set forth in this subsection b shall increase with future general wage increases and be subject to the existing pensionability rules for the applicable longevity.
- c. The adjustment after the 5th and 10th years shall not be computed as salary for pension purposes until after completing 20 years of service.

The adjustment after the 15th and 20th years shall not be computed as salary for pension purposes until after completion of 25 years of service.

In the event this provision is declared invalid under the law, the parties shall reopen negotiations to resolve the issue of the increased cost of changing the effective date of the pensionability of the above adjustments. Such negotiations will be commenced forthwith. If no agreement is reached, an impasse may be declared and subsequent mediation and the impasse proceeding, if any, shall in all respects be conducted on an expedited basis.

- d. The calculation of night shift differential payments shall be based upon the same factors, amounts and methodology as previously utilized.
- e. ITHP and pension benefit calculations shall only include the amount of the longevity payment that is pensionable.

Section 2.

The longevity adjustments provided in Section 1 of this Article VIII are reflected in the table of salaries set forth in Article VI, Section 1 of this Agreement.

ARTICLE IX - PAYMENT FOR HOLIDAY WORK

Each employee shall receive eleven (11) paid holidays annually, payments for which shall be made in accord with existing procedures.

ARTICLE X - LEAVES

Section 1. Sick Leave

- (i) Each Correction Officer shall be entitled to leave with pay for the full period of any incapacity due to illness, injury or mental or physical defect which is service-connected pursuant to Section 9-117.1(a) of the Administrative Code.
- (ii) Each Correction Officer shall be entitled to leave with pay for the full period of any incapacity due to illness, injury or mental or physical defect, whether or not service-connected.

Section 2. Death-in-Family Leave

In the event of a death in a Correction Officer's immediate family and upon application and approval of the employee's commanding officer or supervisory head, a Correction Officer shall receive leave with pay not exceeding four (4) consecutive regular tours of duty. For the purposes of this Section, the phrase, "Immediate Family", shall include any of the following: (a) a spouse, (b) a natural, foster or step-parent, child, brother or sister, (c) a father-in-law or mother-in-law, or (d) any relative residing in the Correction Officer's household. The commanding officer or supervisory head granting such leave shall verify the death and relationship of the deceased. If the deceased was in the military service of the United States at the time of death, the Correction Officer requesting leave shall produce the official notice of death.

Section 3. Military Leave

In accordance with DCAS Personnel Services Bulletin 440-11R, Military Leave not exceeding a total of thirty (30) work days in one calendar year and not exceeding thirty (30) work days in any one continuous period of such absence shall be granted with pay to COBA members to satisfy military obligations.

Section 4. Special Excusals

Excused time accorded to other personnel employed by the City under circumstances such as excusals for the Dr. Martin Luther King, Jr. and the Senator Robert F. Kennedy funerals and the Moon Landing Observation Day shall be granted equally to employees covered by this Agreement. All compensating days off shall be subject to exigencies of the Department.

Section 5. Leave to Attend Hearings

Individual employee grievants shall be granted leave with pay for such time as is necessary to testify at arbitration hearings.

Leave with pay shall be granted to three (3) employees who are named grievants in a group arbitration proceeding, for such time as is necessary for them to testify at their group arbitration hearings.

Leave with pay for such time as is necessary to testify at their hearings shall be granted to employees who, after final adjudication of proceedings under Section 210 paragraph 2h of the Civil Service Law, are determined not to have been in violation of Section 210.

ARTICLE XI - VACATIONS

Section 1.

The Department shall provide the following authorized annual vacations for Correction Officers:

- a. For Correction Officers hired before January 1, 2009: 2.25 days per month (rate of 27 days per year)
- b. For Correction Officers hired on or after January 1, 2009:
 - i. During the first 5 years of service: 1.083 days per month (rate of 13 days per year (as rounded to the nearest full day))
 - ii. Following the first 5 years of service: 2.25 days per month (rate of 27 days per year)

Section 2.

Vacations shall be scheduled in accordance with existing procedures except as modified by the side letter attached to this Agreement.

Section 3.

The Department agrees to allow Correction Officers to use their accrued vacation days in the vacation year in which they are earned subject to the exigencies of the Department.

Section 4.

Correction Officers may request in writing permission to carry over into the next vacation year a maximum of 3 weeks' vacation. It is the intention of the Department of Correction to grant such requests which are reasonable. The utilization of this vacation time shall be restricted to the months of January through May and September through November. Vacations shall be scheduled to begin and/or end, connected to a pass day.

ARTICLE XII - HEALTH AND HOSPITALIZATION BENEFITS

Section 1.

The City shall continue to provide a fully paid choice of health and hospitalization insurance plans for each employee, not to exceed 100% of the full cost of HIP-HMO on a category basis. There will be an annual reopening period during the term of this Agreement for active employees to exercise their choice among medical plans.

Section 2.

Retirees shall continue to have the option of changing their previous choice of Health Plans. This option shall be:

- (a) a one time choice;
- (b) exercised only after one year of retirement; and
- (c) can be exercised at any time without regard to contract periods.

The effective date of change to a new plan shall be the first day of the month three (3) months after the month in which the application has been received by the New York City Health Insurance Program.

Effective with the reopener period for Health Insurance subsequent to July 1, 1980 and every two years thereafter, retirees shall have the option of changing their previous choice of health plans. This option shall be exercised in accordance with procedures established by the Employer. The Union will assume the responsibility of informing retirees of this option.

Section 3.

- a. Effective July 1, 1983 and thereafter, the City's cost for each employee and each retiree under age 65 coverage shall be equalized at the Community rated basic HIP/HMO plan payment rate as approved by the State Department of Insurance on a category basis of individual or family, e.g. the Blue Cross/GHI-CBP payment for family coverage shall be equal to the HIP/HMO payment for family coverage.
- b. If a replacement plan is offered to employees and retirees under age 65 which exceeds the cost of the HIP/HMO equalization provided in Section 3a, the City shall not bear the additional costs.
- c. The City (and other related Employers) shall continue to contribute on a City employee benefits program-wide basis the additional annual amount of \$30 million to maintain the health insurance stabilization reserve fund which shall be used to continue equalization and protect the integrity of health insurance benefits.

The health insurance stabilization reserve fund shall be used: to provide a sufficient reserve; to maintain to the extent possible the current level of health insurance benefits provided under the Blue Cross/GHI-CBP plan; and, if sufficient funds are available, to fund new benefits.

The health insurance stabilization reserve fund shall be credited with the dividends or reduced by the losses attributable to the Blue Cross/GHI-CBP plan.

- d. Pursuant to paragraph 7 of MLC Health Benefits Agreement, notwithstanding the above, in each of the fiscal years 2001 and 2002, the City shall not make the annual \$35 million contributions to the health insurance stabilization fund.
- e. In the event that there is a Citywide or program-wide health insurance package which exceeds the cost of the equalization and stabilization fund described above, the parties may negotiate reconfiguration of this package which in no event will provide for costs in excess of the total costs of this Agreement as set forth herein. However, it is understood that the COBA will not be treated any better or any worse than any other Union participating in the Citywide or Program-wide Health Program with regard to increased health insurance costs.

Section 4.

Where an employee is suspended without pay prior to disciplinary trial for disciplinary reasons for more than thirty (30) days, the employee shall receive full health and hospitalization benefit coverage during the period of the suspension following the first thirty (30) days. Where an employee is subsequently restored to full pay status, as of the date of suspension, the employee shall be restored to full health and hospitalization coverage for the first thirty (30) days of the suspension.

Section 5. Health Care Flexible Spending Account

- a. A flexible health care spending account shall be established after July 1993 pursuant to Section 125 of the IRS Code. Those employees eligible for New York City health plan coverage as defined on page 32, section 4(B) of the 1992 New York City Health Summary Program Description shall be eligible to participate in the account. Participating employees shall contribute at least \$260 per year up to a maximum of \$5,000 per year. Said contribution minimum and maximum levels may be modified by the MLC Health Advisory Committee based on experience of the plan. Any unfunded balance may be deducted from final salary payments due an employee.
- b. Expenses of the account shall include but not be limited to deductibles, co-insurance, co-payments, excess expenses beyond plan limits, physical exams and health related transportation costs for vision, dental, medical and prescription drug plans where the employee and dependents are covered. In no case will any of the above expenses include those non-deductible expenses defined as non-deductible in IRS Publication 502.

- c. An administrative fee of \$1.00 per week for the first year shall be charged for participation in the program. An employee's participation in the account is irrevocable during a plan year. At the close of the plan year any excess balance in an employee's account will not be refunded.

Section 6 - Health Care Savings (Citywide)

The May 5, 2014 and June 28, 2018 Letter Agreements regarding health savings and welfare fund contributions between the City of New York and the Municipal Labor Committee, attached as an Appendix, is deemed part of this Agreement.

ARTICLE XIII - SECURITY BENEFITS FUND

Section 1.

- a. Effective March 1, 2019, the City shall continue to contribute the pro-rata annual amount of \$1,780 for each active employee, and \$1,575 for each retiree for remittance to the Security Benefits Fund of the Correction Officers Benevolent Association of the City of New York pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel. Effective February 1, 2020, there shall be an increase in the City's contribution to the active and retiree welfare funds in the prorata amount of \$100.00 per annum.
- b. Effective February 1, 2020, the City shall contribute a single lump sum amount of \$6,450,000 for active employees, and \$3,000,000 for retirees (a total of \$9,450,000) for remittance to the Security Benefits Fund of the Correction Officers Benevolent Association of the City of New York pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.
- c. Effective February 8, 2022, the City shall contribute a single lump sum amount of \$2,000,000 for active employees, and \$2,000,000 for retirees (a total of \$4,000,000) for remittance to the Security Benefits Fund of the Correction Officers Benevolent Association of the City of New York pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.
- d. To the extent permitted by law, part of the amounts so contributed may be applied to maintain an appropriate legal services plan, pursuant to the terms of a supplemental agreement between the parties as approved by the Corporation Counsel.
- e. Employees who have been separated from service subsequent to December 31, 1970, and who were covered by the Fund of the Correction Officers' Benevolent Association at the time of such separation pursuant to a supplementary agreement between the City and the COBA shall continue to be so covered, subject to the provisions of Section 1(a), (b), (c) and (f) hereof. Contributions shall be made only for such time as said individuals remain primary beneficiaries of the New York City Health Insurance Program and are entitled to benefits paid for by the City through such Program.
- f. The Union agrees to provide welfare fund benefits to domestic partners of covered employees in the same manner as those benefits are provided to spouses of married covered employees.
- g. Civil Legal Representation Fund
- i. The City's will continue to contribute \$75 per annum for each active Employee to the Security Benefits Fund to maintain a civil legal representation fund pursuant to the terms of a supplemental agreement between the City and Union as approved by the Corporation Counsel. While these funds shall be administered by the applicable Security Benefits Fund, they are to be maintained in a separate account and shall not be commingled with the other monies received by the Security Benefits Fund. Only the \$75 provided above may be used for civil legal representation. No additional monies from the Security Benefits Fund may be used for civil legal representation.
- ii. The City's contributions to the Civil Legal Defense Fund shall be suspended from March 1, 2020 until the expiration of this Agreement, and be restored effective March 1, 2022.
- h. Such payments shall be made pro-rata by the City every twenty-eight (28) days.

Section 2.

Where an employee is suspended without pay for disciplinary reasons and is subsequently restored to full pay status as of the date of the suspension, the employee shall receive full Health and Security Benefits Fund coverage for the period of the suspension.

ARTICLE XIV - ANNUITY FUND

Section 1.

- a. Effective March 1, 2019, for Correction Officers *who have completed five years of service*, the City shall contribute for each

employee, on a twenty-eight (28) day cycle basis, a pro-rata daily contribution for each working day for which such employee is paid by the City which amount shall not exceed \$1,411.37. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.

- b. Effective March 1, 2019, the contribution to the annuity fund *during the first five years of service* shall not exceed \$845.00 per annum per employee. Thereafter, the City shall contribute for each employee, on a twenty-eight (28) day cycle basis, a pro-rata daily contribution for each working day for which such employee is paid by the City which amount shall not exceed \$1411.37 per annum per employee. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel. Contributions hereunder shall be remitted by the City each twenty-eight (28) days to a mutually agreed upon annuity fund pursuant to the terms of a supplemental agreement to be reached by the parties subject to the approval of the Corporation Counsel.

Section 2.

Where an employee is suspended without pay for disciplinary reasons and is subsequently restored to full pay status as of the effective date of the suspension, the employee shall receive full annuity fund coverage for the period of the suspension.

ARTICLE XV - SENIORITY

The Department recognizes the importance of seniority in filling vacancies within a command and shall make every effort to adhere to this policy, providing the senior applicant has the ability and qualifications to perform the work involved. If the senior applicant does not have the ability or qualifications required and such skills can be provided through training at the Academy, the applicant shall be given the opportunity to receive such training. While consultation on such matters is permissible, the final decision of the Department shall not be subject to the grievance procedure.

ARTICLE XVI - GENERAL

Section 1. Safety Helmets

The City agrees to furnish a safety helmet and equipment when required.

Section 2. Maintenance of Facilities

All commands and other Departmental places of assignment shall have adequate heating, hot water and sanitary facilities. The Union shall give notice to the Department of any failure to maintain these conditions. If not corrected by the Department within a reasonable time, the Union may commence a grievance at Step 2 of the grievance procedure concerning that failure.

Section 3. Semi-Private Hospital Accommodations for Line-of-Duty Injuries

The City shall prepare, submit and support legislation to provide semi-private hospital accommodations for Correction Officers injured in the line-of-duty.

Section 4. Meal Scheduling

Employees shall not be assigned meals as a matter of practice during either the first hour and one-half or last hour and one-half of their tours. In cases of emergency this practice may be altered.

Section 5. Mutual Exchange of Tours

- a. Commanding Officers shall permit members performing similar duties to exchange tours voluntarily when there is no interference with correction service and where such exchange of tours does not result in overtime for either member.
- b. All mutuals shall be between two members and completed within a two week period. "Self-mutuals" are expressly prohibited.

Section 6. Lump Sum Payments

Where an employee has an entitlement to accrued annual leave and/or compensatory time, and the City's fiscal condition requires employees who are terminated, laid off or who choose to retire in lieu of layoff to be removed from the payroll on or before a specific date, or where an employee reaches the mandatory retirement age, the Employer shall provide a monetary value of accumulated and unused annual leave and/or compensatory time allowances standing to the employee's credit in a lump sum. Such payments shall be in accordance with the provisions of Executive Order 30, dated June 24, 1975.

Where an employee has an entitlement to terminal leave and the City's fiscal situation requires that employees who are terminated, laid off or retired be removed from the payroll on or before a specific date, or where an employee reached the mandatory retirement age, the

Employer shall provide a monetary lump sum payment for terminal leave in accordance with the provisions of Executive Order 31, dated June 24, 1975.

Section 7. Interest Payments

Interest on wage increases shall accrue at the rate of three percent (3%) per annum from one hundred-twenty (120) days after execution of this Agreement or one hundred-twenty (120) days after the effective date of the increase, whichever is later, to the date of actual payment. Interest on longevity and step-up increments, differentials and holiday pay shall accrue at the rate of three percent (3%) per annum from one hundred-twenty (120) days after the execution of this Agreement, or one hundred-twenty (120) days following its earning, whichever is later, to the date of actual payment. Interest on overtime pay shall accrue at the rate of three percent (3%) per annum from one hundred-twenty (120) days following its earning or one hundred-twenty (120) days following the employee's submission of an overtime report, whichever is later. Interest accrued pursuant to this paragraph shall be payable only if the amount of interest due to an individual employee exceeds five dollars (\$5.00).

Section 8. Layoffs

Where layoffs are scheduled the following procedure shall be used:

1. Notice shall be provided to the Union not less than thirty (30) days before the effective dates of such projected layoffs.
2. Within such 30-day period designated representatives of the Employer will meet and confer with the designated representatives of the Union with the objective of considering feasible alternatives to all or part of such scheduled layoffs, including but not limited to (a) the transfer of employees to agencies with re-training, if necessary, consistent with the Civil Service Law but without regard to Civil Service title, (b) the use of Federal and State funds whenever possible to retain or re-employ employees scheduled for layoff, (c) the elimination or reduction of the amount of work contracted out to independent contractors and (d) encouragement of early retirement and the expediting of the processing of retirement applications.

When a layoff occurs, the Department will provide the Union with a list of employees who are on a preferred list with the original date of appointment utilized for the purpose of such layoff.

Section 9. Public Transportation

The City and the C.O.B.A. will use their best efforts to effect free transportation on buses and subways for Correction Officers.

Section 10. Personnel Folder

The Department will upon written request to the Chief of Administration by the individual employee, remove from the personnel folder, investigative reports which upon completion of the investigation are classified exonerated and/or unfounded.

Section 11. Disciplinary Record

The past disciplinary or work record of an employee may not be revealed during a Section 75, Civil Service Law, disciplinary proceeding until a determination as to guilt or innocence of the member has been determined.

Section 12. Thirty-Day Suspension Review Committee

- a. There shall be a Thirty (30) Day Suspension Review Committee to review appeals of suspensions of Correction Officers suspended for a period of greater than thirty (30) days without pay for involvement in impermissible use of force or line of duty incidents. All such suspensions will be heard by the committee on a case-by-case basis.
- b. The Suspension Review Committee shall be headed by a Chairperson designated by the Commissioner, whose duty it shall be to convene the committee.
- c. The Committee will consist of five (5) voting members:
 - i. The Chairperson
 - ii. The Chief of Department or designee;
 - iii. Warden from the facility to which the suspended officer is assigned;
 - iv. Investigation Division Representative;
 - v. Union or Line Representative.
- d. The Committee shall meet on a monthly basis, or more often if necessary, to review any suspensions of greater than thirty (30) days for involvement in impermissible use of force or line of duty incidents, which have not been revoked under the existing procedures.

- e. The Committee will issue a recommendation to the Commissioner as to whether the member should be returned to regular or modified duty after serving the first thirty (30) days of the suspension.
- f. Final authority to return a suspended officer to duty will remain within the sole and exclusive discretion of the Commissioner.

Section 13. Short Sleeve Shirts

Correction Officers may wear short sleeve shirts and no ties on inside posts all year around.

Section 14. Replacement of Splashed Uniforms

DOC will establish procedures to ensure that the office of the Chief of Security will maintain new uniform shirts and pants to be made available to Correction Officers who are splashed with bodily fluids. When a Correction Officer is splashed with bodily fluids, he or she will submit a form created by DOC to the office of the Chief of Security. The Officer will then be supplied with a replacement shirt and/or pants.

Section 15. Sharing of Directives

The Department shall send the union a copy of any directive or order affecting terms and conditions of employment at least ten (10) calendar days prior to issuance, except where the Department determines emergency circumstances make such a timeframe impracticable, in which case the policy will be shared as soon as practicable prior to issuance.

Section 16. Body-Worn Cameras

Correction Officers may be required to wear and perform duties related to body-worn cameras as a term and condition of employment.

Section 17. Performance Compensation

The City acknowledges that each of the uniformed forces performs an important service that reflects the diverse missions of the City's uniformed agencies. In order to reward service of an outstanding, exceptional nature, each of the uniformed agencies will establish a performance compensation program to recognize and reward such service, tailored to the unique missions of the individual uniformed agency.

The parties agree that additional compensation may be paid to employees performing outstanding, exemplary, difficult and/or unique assignments. The City will notify and discuss with each affected union of its intent to pay such additional compensation and the individuals to be compensated.

The criteria for the granting of performance-based compensation shall be based upon outstanding performance in the work assigned, and/or performance of unique and difficult work.

The performance-based compensation payments provided for in this section shall be one-time, non-recurring cash payments subject to applicable pension law. An employee can receive no more than one payment annually.

This provision shall not affect any existing productivity programs covered in any existing collective bargaining agreements. Nor shall this provision be construed to waive any obligation of the City to negotiate over future productivity programs as required by applicable law.

ARTICLE XVII - UNION ACTIVITY

Section 1.

Time spent by Union officials and representatives in the conduct of labor relations shall be governed by the provisions of Mayor's Executive Order No. 75, as amended, dated March 22, 1973, or any other applicable Executive Order or local law, or as otherwise provided in this Agreement. No employee shall otherwise engage in Union activities during the time the employee is assigned to the employee's regular duties.

Section 2.

C.O.B.A. officers and delegates shall be recognized as representatives of the C.O.B.A. within their respective commands. For the purpose of attending the regularly scheduled monthly meeting, C.O.B.A. delegates shall be excused from duty if the meeting coincides with the delegate's scheduled tour, provided that the command has received at least seventy-two (72) hours advance notice of such request for excusal.

Section 3.

The Department of Correction will issue a memorandum to all heads of institutions instructing them to discuss labor/management problems with alternate Union delegates when a regular delegate is not available, and such alternate will be released for the regularly scheduled monthly meeting when the regular delegate is unable to attend said monthly delegate meeting because of illness which requires remaining at home or hospitalization, or absence from the New York

metropolitan area on leave or by assignment, or required court appearance.

ARTICLE XVIII - NO DISCRIMINATION

In accord with applicable law, there shall be no discrimination by the City against any Correction Officer because of Union activity.

ARTICLE XIX - BILL OF RIGHTS

The Guidelines for Interrogation of members of the Department in force at the execution date of this Agreement will not be altered during the term of this Agreement, except to reflect subsequent changes in the law or final decisions of the Supreme Court of the United States and the Court of Appeals of the State of New York regarding the procedures and conditions to be followed in the interrogation of a member of the Department. No less than two (2) weeks' written notice of such proposed alteration of the said Guidelines shall be given to the Union.

ARTICLE XX - NIGHT SHIFT DIFFERENTIAL

- a. There shall be a 10% night shift differential which shall continue to be paid to Correction Officers assigned to rotating tours of duty for all work actually performed between the hours of 4:00 p.m. and 8:00 a.m. Effective July 1, 1978 a 10% night shift differential shall continue to be paid to all other Correction Officers for work actually performed between the hours of 4:00 p.m. and 8:00 a.m., provided that more than one (1) hour is actually worked after 4:00 p.m. and before 8:00 a.m.
- b. Where overtime compensation is to be calculated for tours in the regular duty chart, the overtime calculation shall be based on the rate paid for the tour to which the overtime is attached; for tours not in the regular duty chart, the overtime calculation shall be based on that rate paid for half or more the hours of the tour to which the overtime is attached.
- c. For all Correction Officers hired after June 30, 1993:
 - 1. No night shift differential shall be paid to those employees during the first six months of service.
 - 2. Thereafter, 55% of the night shift differential as described in paragraph "a" above earned by a similarly situated Correction Officer hired prior to July 1, 1993 shall be paid until the employee reaches First Grade after five years.

ARTICLE XXI - GRIEVANCE AND ARBITRATION PROCEDURE

Section 1. Definition

For the purpose of this Agreement the term, "grievance" shall mean:

- a. a claimed violation, misinterpretation or inequitable application of the provisions of this Agreement;
- b. a claimed violation, misinterpretation or misapplication of the rules, regulations, or procedures of the agency affecting terms and conditions of employment, provided that, except as otherwise provided in this Section 1a, the term "grievance" shall not include disciplinary matters;
- c. a claimed violation, misinterpretation or misapplication of the Guidelines for Interrogation of Members of the Department referred to in Article XIX of this Agreement;
- d. a claimed improper holding of an open-competitive rather than a promotional examination;
- e. a claimed assignment of the grievant to duties substantially different from those stated in the employee's job title specification.

Section 2.

The grievance procedure, except for paragraph d. of Section 1 above, shall be as follows:

Step I The employee and/or the Union shall present the grievance verbally or in the form of a memorandum to the "Head of the Facility" not later than ninety (90) days after the date on which the grievance arose. The employee may also request an appointment to discuss the grievance. The Head of the Facility shall take any steps necessary to a proper disposition of the grievance and shall reply in writing by the end of the third work day following the date of submission.

Step II An appeal from an unsatisfactory decision at Step I shall be presented in writing to the agency head or the designated representative. The appeal must be made within five (5) working days of the receipt of the Step I decision. The agency head or the designated representative, if any, shall meet with the employee and/or the Union for review of the grievance and shall issue a decision by the end of the tenth work day following the date on which the appeal was filed.

Step III An appeal from an unsatisfactory decision at Step II shall be presented by the employee and/or the Union to the Commissioner of Labor Relations, in writing, within ten (10)

working days of the receipt of the Step II decision. Copies of such appeals shall be sent to the agency head. The Commissioner of Labor Relations, or designee, shall review all appeals from Step II decisions and shall answer such appeals within fifteen (15) working days.

Step IV An appeal from an unsatisfactory decision at Step III may be brought solely by the Union to the Office of Collective Bargaining for impartial arbitration within fifteen (15) working days of receipt of the Step III decision. In addition, the City shall have the right to bring directly to arbitration any dispute between the parties concerning any matter defined herein as a "grievance." The City shall commence such arbitration by submitting a written request therefor to the Office of Collective Bargaining. A copy of the notice requesting impartial arbitration shall be forwarded to the opposing party. The arbitration shall be conducted in accord with the Consolidated Rules of the Office of Collective Bargaining. The costs and fees of such arbitration shall be borne equally by the Union and the City. The decision or award of the arbitrator shall be final and binding in accord with applicable law and shall not add to, subtract from or modify any contract, rule, regulation, existing policy or order mentioned in Section 1 of this Article.

Section 3.

As a condition to the right of a Union to invoke impartial arbitration set forth in this Article, including the arbitration of a grievance involving a claimed improper holding of an open-competitive rather than a promotional examination, the employee or employees and the Union shall be required to file with the Director of the Office of Collective Bargaining a written waiver of the right, if any, of the employee or employees and the Union to submit the underlying dispute to any other administrative or judicial tribunal except for the purpose of enforcing the arbitrator's award.

Section 4.

Any grievance of a general nature affecting a large group of employees and which concerns the claimed misinterpretation, inequitable application, violation or failure to comply with the provisions of this Agreement shall be filed at the option of the Union at Step III of the grievance procedure, without resort to previous steps.

Section 5.

If a decision satisfactory to the Union at any level of the grievance procedure is not implemented within a reasonable time, the Union may re-institute the original grievance at Step III of the grievance procedure; or if a satisfactory Step III decision has not been so implemented, the Union may institute a grievance concerning such failure to implement at Step IV of the grievance procedure.

Section 6.

If the City exceeds any time limit prescribed at any step in the grievance procedure, the grievant and/or the Union may invoke the next step of the procedure, except, however, that only the Union may invoke impartial arbitration under Step IV.

Section 7.

The City shall notify the Union in writing of all grievances filed by employees, all grievance hearings, and all determinations. The Union shall have the right to have a representative present at any grievance hearing and shall be given forty-eight (48) hours' notice of all grievance hearings.

Section 8.

Each of the steps in the grievance procedure, as well as time limits prescribed at each step of this grievance procedure, may be waived by mutual agreement of the parties.

Section 9.

- a. Any grievance relating to a claimed improper holding of an open-competitive rather than a promotional examination shall be presented in writing by the employee or the Union representative to the Commissioner of Labor Relations not later than thirty (30) days after the notice of intention to conduct such open-competitive examination, or copy of the appointing officer's request for such open-competitive examination, as the case may be, has been posted in accordance with Section 51 of the Civil Service Law. The grievance shall be considered and passed upon within ten (10) days after its presentation. The decision shall be in writing, copies of which shall be transmitted to both parties to the grievance upon issuance.
- b. A grievance relating to the use of an open-competitive rather than a promotional examination which is unresolved by the Commissioner of Labor Relations may be brought to impartial arbitration as provided in Sections 2 and 3 above. Such a grievance shall be presented by the Union, in writing, for arbitration within fifteen (15) days of the presentation of such

grievance to the Commissioner of Labor Relations, and the arbitrator shall decide such grievance within seventy-five (75) days of its presentation to him. The party requesting such arbitration shall send a copy of such request to the other party. The costs and fees of such arbitration shall be borne equally by the Union and the City.

Section 10.

The availability of the grievance or arbitration procedure shall not justify a failure to follow orders.

Section 11.

The grievance and arbitration procedures contained in this Agreement shall be the exclusive remedy for the resolution of disputes defined as "grievance" herein. This Section shall not be construed in any manner to limit the statutory rights and obligations of the City under Article XIV of the Civil Service Law.

ARTICLE XXII - LINE-OF-DUTY DEATH BENEFIT

In the event a Correction Officer dies because of line-of-duty injury received during the actual and proper performance of Correction Officer service relating to the alleged or actual commission of an unlawful act, or directly resulting from a characteristic hazard of Correction Officer duty, through no fault of the employee's, a payment of \$25,000 shall be made from funds other than those of the Retirement System in addition to any other payment which may be made as a result of such death. Such payment shall be made to the beneficiary designated under the Retirement System or, if no beneficiary is so designated to the estate of the deceased.

ARTICLE XXIII - DEATH BENEFIT - UNUSED LEAVE AND COMPENSATORY TIME

If an employee dies while employed by the City, the employee's beneficiary designated under the Retirement System or, if no beneficiary is so designated, the deceased's estate shall receive payment in cash for the following as a death benefit:

- a. All unused accrued leave up to a maximum of 54 days' credit;
b. All unused accrued compensatory time earned subsequent to January 1, 1971 which is verifiable by official Department records up to a maximum of two hundred (200) hours.

ARTICLE XXIV - TERMINAL LEAVE LUMP SUM

The resolution of the Board of Estimate of the City of New York dated June 27, 1957, states the following:

Members of the Force shall be granted terminal leave with pay upon retirement not to exceed one month for every ten years of service, pro-rated for a fractional part thereof, provided, however, that no terminal leave shall be granted to an employee against whom departmental disciplinary charges are pending.

Such Employees as described in the Resolution above and are entitled to payment shall be entitled to voluntarily choose the option of a one-time lump sum payment as their terminal leave benefit in lieu of their current terminal leave benefit prior to retirement. Such payments shall be made as soon as practicable after retirement.

ARTICLE XXV - NO STRIKES

In accord with applicable law, neither the Union nor any employee shall induce or engage in any strikes, slowdowns, work stoppages, or mass absenteeism, or induce any mass resignation during the term of this Agreement.

ARTICLE XXVI - BULLETIN BOARDS

The Union may post notices on bulletin boards in places and locations where notices usually are posted by the Employer for employees to read. All notices shall be on Union stationery, shall be used only to notify employees of matters pertaining to Union affairs, and shall not contain any derogatory or inflammatory statements concerning the City, the Department, or personnel employed by either entity.

ARTICLE XXVII - NO WAIVER

Except as otherwise provided in this Agreement, the failure to enforce any provision of this Agreement shall not be deemed a waiver thereof. This Agreement is not intended and shall not be construed as a waiver of any right or benefit to which Correction Officers are entitled by law.

ARTICLE XXVIII - SAVINGS CLAUSE

If any provision of this Agreement is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Agreement.

ARTICLE XXIX - LABOR-MANAGEMENT COMMITTEES

Section 1.

The City and the Union, having recognized that cooperation between management and employees is indispensable to the accomplishment of sound and harmonious labor relations, shall jointly maintain and support a labor-management committee in each of the agencies having at least fifty (50) employees covered by this Agreement.

Section 2.

Each labor-management committee shall consider and recommend to the agency head changes in the working conditions of the employees within the agency who are covered by this Agreement. Matters subject to the grievance procedure shall not be appropriate items for consideration by the labor-management committee.

Section 3.

Each labor-management committee shall consist of six members who shall serve for the term of this Agreement. The Union shall designate three members and the agency head shall designate three members. Vacancies shall be filled by the appointing party for the balance of the term to be served. Each member may designate one (1) alternate. Each committee shall select a chairman from among its members at each meeting. The chairmanship of each committee shall alternate between the members designated by the agency head and the members designated by the Union. A quorum shall consist of a majority of the total membership of a committee. A committee shall make its recommendations to the agency head in writing.

At the request of either the Department of Correction or the C.O.B.A., a representative of the Office of Labor Relations will sit in on the Labor Management Committee.

Section 4.

The labor-management committee shall meet at the call of either the Union members or the City members at times mutually agreeable to both parties. At least one (1) week in advance of a meeting the party calling the meeting shall provide to the other party, a written agenda of matters to be discussed. Minutes shall be kept and copies supplied to all members of a committee.

ARTICLE XXX - FINANCIAL EMERGENCY ACT

The provisions of this Agreement are subject to applicable provisions of law including the New York State Financial Emergency Act for the City of New York, as amended.

WHEREFORE, we have hereunto set our hands and seals this 30th day of June, 2021.

CITY OF NEW YORK

CORRECTION OFFICERS BENEVOLENT ASSOCIATION OF THE CITY OF NEW YORK, INC.

BY: /s/ RENEE CAMPION Commissioner of Labor Relations

BY: /s/ BENNY BOSCIO JR. President

APPROVED AS TO FORM:

Date submitted to the FINANCIAL CONTROL BOARD

BY: /s/ ERIC EICHENHOLTZ ACTING CORPORATION COUNSEL

UNIT: CORRECTION OFFICERS

TERM: March 1, 2019 to February 28, 2022

Benny Boscio Jr. President Correction Officers' Benevolent Association 77-10 21st Avenue East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This letter serves to confirm the parties' mutual understanding that a uniform committee including representatives from both the union and DOC management will be established to review and discuss issues related to uniforms, including the allowance of cargo pants for certain assignments or other alternatives to the pants currently

permitted by DOC policy and ways to reduce the cost of purchasing uniforms.

If the above accords with your understanding, please countersign below.

Sincerely,
/s/
Renee Campion

ACCEPTED AND AGREED ON BEHALF OF COBA

BY: _____
/s/
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This letter serves to confirm the parties' agreement to a procedure to address grievances for which a Department response has not been issued within the contractual timeframes:

As soon as practicable, the Union will provide the Department with a list of grievances for which a Department level decision was not issued on or before the date of ratification and for which a departmental level decision was not issued at either Step I or Step II within the contractual timeframes. The parties will meet within thirty (30) days after receipt of the list to discuss all such grievances for which a Step II determination has not yet been issued and determine which can be resolved and which should proceed through the grievance process. The Department shall issue a Step II decision on all grievances that are not resolved at that meeting within thirty (30) days following the meeting. The goal of the parties is to resolve or adjudicate all open cases at the Department level for which the issuance of a decision currently falls outside of the current contractual timeframes.

To the extent there are grievances that remain unresolved that the Union wishes to advance, the Union shall submit a list of all such cases to the Office of Labor Relations and the parties shall schedule a full day, or however many days are necessary, to hear all such cases at Step III of the grievance procedure. Following a determination at Step III, the Union shall have the right to proceed to arbitration on any and all such cases not resolved at Step III, pursuant to the collective bargaining agreement.

If the above accords with your understanding, please countersign below.

Sincerely,
/s/
Renee Campion

ACCEPTED AND AGREED ON BEHALF OF COBA

BY: _____
/s/
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This letter serves to confirm the parties' mutual understanding concerning the issuance of "good guy letters" by the Department of Correction. The Department, in consultation with the New York City Law Department, will develop criteria for the Department to consider when deciding if a Correction Officer will be issued a "good guy letter" upon his or her retirement.

If the above accords with your understanding, please countersign below.

Sincerely,
/s/
Renee Campion

ACCEPTED AND AGREED ON BEHALF OF COBA

BY: _____
/s/
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our mutual understanding and agreement that DOC will establish a Medical Practice Review Committee, which shall include a representative from the Union, to conduct fact finding and issue recommendations for improved medical practices at the Health Management Division.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____
/s/
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our mutual understanding and agreement that the parties will convene, at the Union's request, a Labor-Management committee which shall include representative(s) from the Mayor's Office of Labor Relations to discuss any impact on C.O.B.A. members of changes in the Department's headcount.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____
/s/
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our mutual understanding and agreement that the Union and the Department shall establish a joint committee which shall meet on a regular basis to discuss and consider appropriate means of resolving health and safety issues.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This letter serves to confirm the parties' mutual understanding concerning the Rikers Island Central Arrest Unit.

- a. In order to provide a safe environment, the Department of Correction shall, in coordination with the Bronx District Attorney's Office, create a Rikers Island Central Arrest Unit in order to more effectively pursue re-arrest for aggravated harassment and assault on Correction Officers committed by inmates while incarcerated.
- b. Commanding Officers shall report, as soon as possible, to the Office of Commissioner and to the Chief of the Department that an assault upon a correction officer has been reported to him/her. The Office of the Chief of Security shall investigate and file a complete report as soon as possible to the Office of the Commissioner and to the Chief of the Department. The full report shall be signed by the correction officer to acknowledge that he/she has seen the report and he/she may append a statement to such report.
- c. The Chief of Security shall notify the correction officer of its readiness to assist the correction officer. This assistance is intended solely to apply to the criminal aspect of any case arising from such assault.
- d. The Department shall be responsible for collecting data on every Correction Officer assaulted and must upon request provide the Union with such information/data.
- e. The provisions in Operation Order 52/89 shall apply.

If the above accords with your understanding, please countersign below.

Sincerely,
/s/
Renee Campion

ACCEPTED AND AGREED ON BEHALF OF COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

The sole intent of the change in the sick leave language in Article X, Section 2 of the October 1, 1991 - March 31, 1995 Agreement was to acknowledge enactment of Section 9-117.1(a) of the New York City Administrative Code which allows Correction Officers to continue to exclude line of duty sick leave payments from gross income in accordance with Internal Revenue Code Section 104 (a)(1) and Section 1.104 (b) of the Internal Revenue Service Regulations.

Please be assured that the 1987-90 Police Agreement varied in the same manner from the 1984-87 Police Agreement as did the Correction Officers Agreement, and that there was no intent to nor does it deprive any Correction Officer of any benefit nor diminish any benefit, but rather to keep and further an existing benefit.

The sick leave provisions of Article X, Section 2 (i) and (ii) of the 2007-2009 Correction Officer Agreement have no other purpose, nor shall they have any other use, but to continue the benefit therein previously contained.

Very truly yours,
/s/
Renee Campion

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our mutual understanding and agreement that during the first five (5) years of service, Correction Officers hired after June 30, 1993 shall have the option to use up to three (3) compensatory time days per year as vacation days.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

Effective the date of approval of the 2003-2005 COBA agreement, employees who have transferred from the uniformed service of the New York City Police Department and the New York City Fire Department shall be treated in the same manner as if they had been a member of the uniformed service continuously for the purpose of calculating increments and longevity adjustments only.

Very truly yours,
/s/
Renee Campion

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our agreement to establish a labor management committee to discuss the following items:

- a. Rikers Island Security, Women's facilities
- b. evaluation of probationary Correction Officers
- c. some notice on transfers
- d. environmental issues
- e. access to personnel files
- f. parking at Borough facilities
- g. jury duty

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Dear Mr. Boscio:

Re: COBA Agreement for the period March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our mutual understanding and agreement regarding Article XII of the above Agreement. If the stabilization fund referred to in Article XII does not have sufficient monies to maintain the then current level of health insurance benefits provided under GHI-CBP/Blue Cross plan, payroll deductions in the appropriate amounts shall be taken from employees and retirees enrolled in such plan unless agreement is reached on a program wide basis to take the needed monies from the contributions to the welfare fund provided in Article XIII of the above Agreement.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF THE COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm the mutual understanding of the parties with respect to the above captioned Agreement.

The Department of Correction plans to expand the application of "unit management" on a phased-in basis.

The Department reserves its rights to staff its facilities in accordance with the needs of the Agency. To this end, "unit management" shall not impede the assignment of staff, at the discretion of management, between and/or among units in a facility under unit management. The terms of the "travel time" sideletter shall continue to apply in instances where a Correction Officer is assigned to a location outside his/her parent command, except for field assignments.

The Department of Correction will schedule vacations in the most efficient and cost-effective manner (i.e., "vacation smoothing"). Vacation picks shall be based on seniority by tour within the command to assure to the greatest extent practicable an even distribution by tour in each of the respective vacation picks, that is, no more than ten percent of the command by tour per pick.

In the event that unit management is not implemented, or discontinued at management's discretion after implementation, the vacation scheduling modifications shall nevertheless continue to apply. In such an instance, however, the parties agree to reopen the contract on a limited basis with respect to negotiations on an alternate disposition of the savings associated with this issue.

Nothing contained herein shall limit or diminish the Employer's or the Union's rights pursuant to §12-307(b) of the New York City Collective Bargaining Law, except as specifically provided herein. Notwithstanding this, the Union waives its right to raise any claims of

any nature relating to this vacation scheduling modification including, but not limited to, a claim of practical impact relating to this scheduling modification, and the Union agrees that all matters subject to bargaining have been disposed of in this Agreement. Notwithstanding this, a claimed violation, misinterpretation, or misapplication of the vacation scheduling modification may be the subject of a grievance.

The Employer and the Union agree to convene a labor-management meeting at the request of either party to meet and confer on issues that may arise from the implementation of unit management in the various facilities. The Office of Labor Relations will send a representative at the request of either party.

The Employer and the Union understand and agree that in the event that any aspect of this agreement is contingent on the amendment of Section 9-116 of the Administrative Code for the purpose of effectuating this agreement, then the Union shall cooperate and assist the Employer in its efforts to achieve the necessary amendment, if any, subject to approval by both the City and the union of the language and other terms of the said legislation.

If any part of this Agreement is found by a Court of competent jurisdiction to be invalid, then the terms of this Agreement in its entirety will immediately terminate and be given no further effect. In such event, the parties agree to negotiate immediately over substitute savings to be achieved.

If the above accords with your understanding, please execute the signature line provided below.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

This is to confirm our mutual understanding and agreement that a Labor-Management Committee will be established with the Union and the Department of Correction to discuss the subject of nutrition as it applies to the meals made available to Correction Officers.

Very truly yours,
/s/
Renee Campion

AGREED AND ACCEPTED ON BEHALF OF COBA

BY: _____/s/_____
Benny Boscio Jr.
President

Benny Boscio Jr.
President
Correction Officers' Benevolent Association
77-10 21st Avenue
East Elmhurst, NY 11370

Re: COBA Agreement for the period of March 1, 2019 to February 28, 2022

Dear Mr. Boscio:

The Department of Correction has established a category of Correction Officers designated on "special assignment."

The designation of certain Correction Officers detailed on "special assignment" in the Department of Correction shall be in the sole discretion of the Commissioner.

The number of employees eligible for such designation shall not exceed 4.92% of the budgeted positions in the bargaining unit.

APIZ	ANNETTE	F	04689	\$44.6900	APPOINTED	YES	12/01/20	466
ARAZI	CARLOS	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
AREVALO	GEORGE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
ARISA	MIGUEL		04689	\$44.6900	APPOINTED	YES	12/01/20	466
ASTORE	ROCCO	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
ASUNCION	HOSSANNA	P	04689	\$44.6900	APPOINTED	YES	12/01/20	466
AVILES	CHRISTOP	M	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BAI	HANYING		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BAISH	KATHERIN	V	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BARCLAY	CAROL		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BARNES SEABROOK	TYEIRRA	N	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BARNET	DAVID	P	04314	\$155000.0000	APPOINTED	YES	05/16/21	466
BAZILE	ROSE	M	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BELHOMME	STEPHANI		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BELLINO	NICHOLAS		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BEN TARIF	ABDEL RA	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BENITO	WILSON		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BEREKA	SOLOMON	T	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BERGMAN	MICHELLE	V	10102	\$15.6100	APPOINTED	YES	05/10/21	466
BETTAIEB	HASSEN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BIANCHINO	GIANLUCA		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BOCKINO	KATHRYN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BOLCAR	STEPHEN	C	04992	\$71608.0000	RESIGNED	YES	05/10/21	466
BOUDREAU	ANDREW		04689	\$44.6900	APPOINTED	YES	12/01/20	466
BROUGHAN	JUDITH	E	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BRUBAKER	ANDREW	R	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BUENO	CHRISTIN	M	04689	\$44.6900	APPOINTED	YES	12/01/20	466
BUJUPAJ	ABEDIN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CABRILLOS	JUSTIN	M	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CALDWELL	JAMES	R	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CALLARD	ANDREA		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CAMARA	MUSTAPHA		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CAMERON	MILO	L	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CAPO	JOHN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CASTRO NUNES FI	MIGUEL		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CHACON	JOSE	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CHANG	VICKY		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CHARLES-BARR	CLAUDETT		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CHEN	YI-CHUAN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CHIANG	LUO JEN		04689	\$44.6900	APPOINTED	YES	12/01/20	466

COMMUNITY COLLEGE (MANHATTAN)
FOR PERIOD ENDING 05/28/21

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
CHRISTIAN	JUANITIES	C	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CIPOREN	HELAINÉ	C	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CLARKE	PATRICE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
COHEN	ANDREW	E	04689	\$44.6900	APPOINTED	YES	12/01/20	466
COHEN	LOREN	J	04689	\$44.6900	APPOINTED	YES	12/01/20	466
COLTEN	BRADLEY	P	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CONOSCENTI	ROSSALIA		04689	\$44.6900	APPOINTED	YES	12/01/20	466
CONTE	ALLAIRE	R	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CONWAY	ROSALIND	D	04689	\$44.6900	APPOINTED	YES	12/01/20	466
COOK	JOANNE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
COWLEY	JEDEDIAH	H	04689	\$44.6900	APPOINTED	YES	12/01/20	466
CRUZ-FERNANDEZ	EMIL	L	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DAGOSTINO	TIMOTHY		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DAVIS	KEVIN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DE ROJAS PRATS	CHRISTIA	J	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DEMARCO	MARIANNE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DEPAOLO	PATRICK	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DHILLON	NAVDEEP	S	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DI BONAVENTURA	MARIA PI		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DIAMOND	CATHY		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DIAZ	SAMANTHA	R	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DIONISIO	JABRI	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DOLDRON	KIM		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DONOVAN	CHRISTOP	F	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DOROGAN	VITALIY		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DOTTIN	RANDALL	I	04689	\$44.6900	APPOINTED	YES	12/01/20	466
DOUGLAS	SUZANNE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
DURANT	JACLYN	K	04689	\$44.6900	APPOINTED	YES	12/01/20	466
EMANUEL	DAVID	C	04689	\$44.6900	APPOINTED	YES	12/01/20	466
ENRICO-SELVIN	ROBIN		04689	\$44.6900	APPOINTED	YES	12/01/20	466
ESPOSITO	LOUIS		04689	\$44.6900	APPOINTED	YES	12/01/20	466
ETIENNE	CASSANDR		04841	\$31946.0000	RESIGNED	NO	05/02/21	466
ETSEY	ANN	N	04689	\$44.6900	APPOINTED	YES	12/01/20	466
FAIRBANK	HOLLY	C	04689	\$44.6900	APPOINTED	YES	12/01/20	466
FALBY	CAROLINE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
FEDERICO	JENNIFER	M	04689	\$44.6900	APPOINTED	YES	12/01/20	466
FERNANDEZ ROMER	JOSE	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
FERRAILOLO	PETER	J	04689	\$44.6900	APPOINTED	YES	12/01/20	466
FIELD	LYNETTE		04689	\$44.6900	APPOINTED	YES	12/01/20	466
FILIPCZAK	MAREK		04689	\$44.6900	APPOINTED	YES	12/01/20	466
FREEMAN	MILLICEN	L	04689	\$44.6900	APPOINTED	YES	12/01/20	466
FUCALORO	THOMAS		04689	\$44.6900	APPOINTED	YES	12/01/20	466
GABAY	YORIY		04689	\$44.6900	APPOINTED	YES	12/01/20	466
GALLANTY	JULIE	A	04689	\$44.6900	APPOINTED	YES	12/01/20	466
GALLINA	EPIFANIA	R	04689	\$44.6900	APPOINTED	YES	12/01/20	466
GANEY	CATRINA		04689	\$44.6900	APPOINTED	YES	12/01/20	466
GANIS	RICHARD	S	04689	\$44.6900	APPOINTED	YES	12/01/20	466
GERACI	GIADA		04689	\$44.6900	APPOINTED	YES	12/01/20	466
GHANI	NASIM	U	04689	\$44.6900	APPOINTED	YES	12/01/20	466
GIBSON	ABEBI	S	10102	\$15.6100	APPOINTED	YES	04/01/21	466
GOLDSTEIN	JOSEPH	D	04689	\$44.6900	APPOINTED	YES	12/01/20	466

LATE NOTICE

HOUSING AUTHORITY

MEETING

The Board Meeting of the New York City Housing Authority, scheduled for Wednesday, July 28, 2021, will be streamed live, on NYCHA's YouTube Channel, <http://nyc.gov/nycha>, and NYCHA's Website, on nyc.gov/boardmeetings, or can be accessed, via Zoom, by calling (646) 558-8656 using Webinar ID: 848 6573 9121 and Passcode: 4624786748.

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

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

Copies of the Calendar are available on this web page, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are available, on this web page, no earlier than 3:00 P.M., on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here on this web page and via social media, to the extent practicable at a reasonable time before the meeting.

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Corporate Secretary, by phone, at (212) 306-6088, or by email, at corporate.secretary@nycha.nyc.gov, no later than Wednesday, July 21, 2021, at 5:00 P.M.

For additional information regarding the Board Meeting, please contact by phone, at (212) 306-6088, or by email, at corporate.secretary@nycha.nyc.gov

July 15, 2021

HOMELESS SERVICES

INTENT TO AWARD

Human Services/Client Services

07121D0001 COMMUNITIES FIRST DEMONSTRATION PROJECT - Demonstration Project - Other - PIN# 07121D0001_ - Due 7-22-21 at 2:00 P.M.

DHS, is proposing to work with the Times Square District Management Association/Center, for Court Innovation on a "Community First" pilot program. The Community First program would take a community focused approach to working with vulnerable individuals who need assistance with issues ranging from substance abuse, to the need for benefits, to mental health, to homelessness.

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.

Homeless Services, 150 Greenwich Street, 37th Floor, New York, NY 10007. Jacques Frazier (929) 221-5554; frazierjac@dss.nyc.gov

July 15, 2021

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