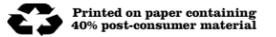




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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, June 23, 2009:

AMETHYST HOUSE, INC.

STATEN ISLAND CB - 2 20095653 HHR
 Application submitted by the New York Health and Hospitals Corporation pursuant to §7385(6) of its Enabling Act requesting the approval of the lease of a parcel of land located on the campus of Sea View Hospital Rehabilitation Center and Home to Amethyst House, Inc. to facilitate the development and operation of a community residential facility.

HOWLAND HOOK MARINE TERMINAL

STATEN ISLAND CB - 1 20095663 PNR
 Application pursuant to Section 1301(2)(f) of the New York City Charter concerning the proposed lease amendment for the Howland Hook Marine Terminal between the Department of Small Business Services and the Port Authority of New York and New Jersey.

j16-23

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York, New York 10007, commencing at 9:30 A.M. on Tuesday, June 23, 2009:

CORD MEYER-FOREST HILLS REZONING

QUEENS CB - 6 C 090283 ZMQ
 Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a; by changing from an R1-2 District to an R1-2A District property bounded by a line midway between 66th Avenue and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, and 108th Street, as shown on a diagram (for illustrative purposes only) dated March 2, 2009.

LOWER CONCOURSE REZONING

BRONX CB - 1 C 090303 ZMX
 Application submitted by the Department of City Planning

pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

1. changing from an M2-1 District to an R7-2 District property bounded by a line 190 feet southerly of a park and its easterly prolongation, Major Deegan Expressway, Park Avenue and its northeasterly and southwesterly prolongations, and a U.S. Pierhead and Bulkhead Line;
2. changing from an M1-2 District to a C4-4 District property bounded by East 149th Street, Morris Avenue, East 144th Street, Canal Place, East 146th Street, Park Avenue, East 144th Street, and the easterly street line of former Anthony J. Griffin Place and its northerly and southerly prolongations;
3. changing from an M2-1 District to a C4-4 District property bounded by:
 - a. East 149th Street, Major Deegan Boulevard, the northerly boundary of a park and its easterly and westerly prolongations, and a U.S. Pierhead and Bulkhead Line; and
 - b. the southerly boundary line of a park and its easterly and westerly prolongations, Major Deegan Expressway, a line 190 feet southerly of a park and its easterly prolongation, and a U.S. Pierhead and Bulkhead Line;
4. changing from an M1-2 District to a C6-2A District property bounded by East 144th Street, Grand Concourse, a line 120 feet southerly of East 144th Street, a line 100 feet easterly of Grand Concourse, the easterly prolongation of the southerly street line of East 140th Street, the westerly boundary line of the Metro North Rail Road (Harlem Division) right-of-way, East 138th Street, Major Deegan Boulevard, a line 100 feet northerly of East 138th Street, and Walton Avenue;
5. changing from an M2-1 District to a C6-2A District property bounded by a line 100 feet northerly of East 138th Street, Major Deegan Boulevard, East 138th Street, and Major Deegan Expressway;
6. changing from an M1-2 District to an M1-4 District property bounded by:
 - a. a line 75 feet southwesterly of East 138th Street, a line 100 feet northwesterly of Third Avenue, East 136th Street, and Rider Avenue; and
 - b. East 138th Street, Park Avenue and its southwesterly centerline prolongation, and an easterly service road of the Major Deegan Expressway;
7. changing from an M2-1 District to an M1-4 District property bounded by a line 75 feet southwesterly of East 138th Street, Rider Avenue and its southwesterly centerline prolongation, East 135th Street, the northeasterly centerline prolongation of Park Avenue, Major Deegan Expressway, East 138th Street, an easterly service road of the Major Deegan Expressway, Park Avenue and its southwesterly centerline prolongation, a line 300 feet southwesterly of East 138th Street, and Canal Place;
8. changing from an M1-2 District to an M1-4/R6A District property bounded by:
 - a. East 146th Street, Canal Place, East 144th Street, Rider Avenue, a line 275 feet

- northerly of East 141st Street, Canal Place, East 144th Street, and Park Avenue; and
- b. a line 200 feet southerly of East 144th Street, Walton Avenue, a line 100 feet northerly of East 138th Street, Major Deegan Boulevard, and Gerard Avenue and its southerly centerline prolongation;
9. changing from an M2-1 District to an M1-4/R6A District property bounded by the westerly centerline prolongation of East 140th Street, Major Deegan Boulevard, a line 100 feet northerly of East 138th Street, and Major Deegan Expressway;
10. changing from an R6 District to an M1-4/R7A District property bounded by East 142nd Street, Morris Avenue, East 140th Street, and Rider Avenue;
11. changing from an M1-2 District to an M1-4/R7A District property bounded by:
 - a. East 144th Street, Morris Avenue, East 142nd Street, and Rider Avenue;
 - b. East 140th Street, Morris Avenue, a line 100 feet northeasterly of East 138th Street, and Rider Avenue; and
 - c. a line 75 feet southwesterly of 138th Street, Lincoln Avenue, Major Deegan Expressway, Rider Avenue and its southwesterly centerline prolongation, East 136th Street, and a line 100 feet northwesterly of Third Avenue;
12. changing from an M1-2 District to an M1-4/R7X District property bounded by Park Avenue, a line 150 feet northeasterly of East 138th Street, Canal Place, a line 100 feet northeasterly of East 138th Street, Morris Avenue, Third Avenue, Lincoln Avenue, a line 75 feet southwesterly of East 138th Street, Rider Avenue, and East 138th Street;
13. changing from an M2-1 District to an M1-4/R7X District property bounded by Park Avenue, East 138th Street, Rider Avenue, a line 75 feet southwesterly of East 138th Street, Canal Place, and a line 300 feet southwesterly of East 138th Street;
14. changing from a C4-4 District to an M1-4/R8A District property bounded by East 149th Street, Walton Avenue, a line midway between East 144th Street and East 146th Street, and Gerard Avenue;
15. changing from an M1-2 District to and M1-4/R8A District property bounded by East 149th Street, Gerard Avenue, a line midway between East 144th Street and East 146th Street, Walton Avenue, a line 200 feet southerly of East 144th Street, Gerard Avenue and its southerly centerline prolongation, and Major Deegan Boulevard;
16. changing from an M2-1 District to an M1-4/R8A District property bounded by Major Deegan Boulevard, the westerly centerline prolongation of East 140th Street, and Major Deegan Expressway;
17. establishing within a proposed R7-2 District a C2-4 District bounded by a line 190 feet southerly of a park, Major Deegan Expressway, Park Avenue and its southwesterly and northeasterly centerline prolongations, and a U.S. Pierhead and Bulkhead Line;
18. establishing a Special Harlem River Waterfront District (HRW) bounded by East 149th Street, Major Deegan Expressway, Park Avenue and its southwesterly and northeasterly centerline prolongations, and a U.S. Pierhead and Bulkhead Line;
19. establishing a Special Mixed Use District (MX-13) bounded by:
 - a. East 149th Street, Walton Avenue, a line 100 feet northerly of East 138th Street, Major Deegan Expressway, Major Deegan Boulevard, the easterly centerline prolongation of East 149th Street, and the southerly centerline prolongation of River Avenue; and
 - b. East 146th Street, Canal Place, East 144th Street, Morris Avenue, Third Avenue, Lincoln Avenue, Major Deegan

Expressway, Rider Avenue and its southwesterly centerline prolongation, East 136th Street, a line 100 feet northwesterly of Third Avenue, a line 75 feet southwesterly of East 138th Street, Canal Place, a line 300 feet southwesterly of East 138th Street, Park Avenue, East 138th Street, Park Avenue, a line 150 feet northeasterly of East 138th Street, Canal Place, a line 100 feet northeasterly of East 138th Street, Rider Avenue, a line 275 feet northerly of East 141st Street, Canal Place, East 144th Street, and Park Avenue;

as shown on a diagram (for illustrative purposes only), dated February 2, 2009, modified by the City Planning Commission on May 20, 2009, and which includes CEQR Designation E-227.

**LOWER CONCOURSE REZONING
BRONX CB - 1 C 090166 MMX**
Application, submitted by the Department of City Planning and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a waterfront Park in an area bounded by Major Deegan Boulevard, the Harlem River, and the extensions of East 144th Street and East 146th Street;
- and any acquisition or disposition of real property related thereto,

in accordance with Map No. 13124 dated January 29, 2009 and signed by the Borough President.

**LOWER CONCOURSE REZONING
BRONX CB - 1 N 090302 ZRX**
Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article VIII, Chapter 7 establishing the Special Harlem River Waterfront District; and Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-13) and amending related sections of the Zoning Resolution.

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

**Article I
General Provisions**

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

**11-12
Establishment of Districts**

Establishment of the Special Grand Concourse Preservation District

Establishment of the Special Harlem River Waterfront District

In order to carry out the special purposes of this Resolution as set forth in Article VIII Chapter 7, the #Special Harlem River Waterfront District# is hereby established.

**Chapter 2
Construction of Language and Definitions**

**12-10
DEFINITIONS**

Special Harlem River Waterfront District

The "Special Harlem River Waterfront District" is a Special Purpose District designated by the letter "HRW" in which special regulations set forth in Article VIII Chapter 7 apply. The #Special Harlem River Waterfront District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

**Article II
Residence District Regulations**

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

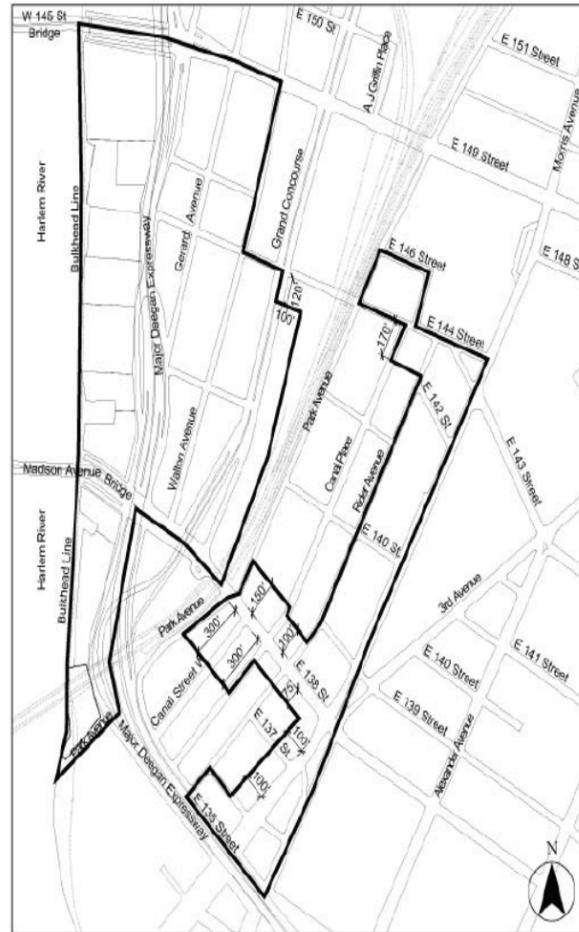
**23-144
In designated areas where the Inclusionary Housing Program is applicable**
In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
Community District 1, Bronx	R6AR7-2 R7AR7XR8A
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

**23-90
INCLUSIONARY HOUSING**

**23-922
Inclusionary housing designated areas**
The Inclusionary Housing Program shall apply in the following areas:

(17) In Community District 1, in the Borough of the Bronx, in the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 17:



Map 17. Portion of Community District 1, Bronx

**Article IV
Manufacturing District Regulations**

**Chapter 2
Use Regulations**

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

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

M1 M2 M3

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

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

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

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

**62-90
WATERFRONT ACCESS PLANS**

**62-92
Borough of The Bronx**
The following Waterfront Access Plans are hereby established within the Borough of the Bronx. 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:

BX-1: Harlem River, in the #Special Harlem River Waterfront District#, as set forth in Section 87-60 (Harlem River Waterfront Access Plan).

Note: All text in Article VIII, Chapter 7 is new; it is not underlined.

**Article VIII
Special Purpose Districts**

**Chapter 7
Special Harlem River Waterfront District**

**87-00
GENERAL PURPOSES**
The "Special Harlem River Waterfront District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) maintain and reestablish physical and visual public access to and along the waterfront;
- (b) create a lively and attractive built environment that will provide amenities and services for the use

- and enjoyment of area residents, workers and visitors;
- (c) promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
- (d) encourage well-designed new development that complements the built character of the neighborhood;
- (e) take advantage of the Harlem River waterfront and provide an open space network comprised of parks, public open space and public access areas;
- (f) provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus to encourage more attractive and economic building forms; and
- (g) promote the most desirable use of land and building development in accordance with the District Plan for the Harlem River waterfront.

**87-01
Definitions
Parcel 1 Building Line**
The "Parcel 1 Building Line" shall be:

- (a) in the event that the portion of the Major Deegan Expressway traversing Parcel 1 has been widened after (effective date of amendment), a line 22 feet west of and parallel to the as-built western edge of such expressway structure; or
- (b) in the event that the portion of the Major Deegan Expressway traversing Parcel 1 has not been widened after (effective date of amendment), a line connecting the points described below.
 - (1) a point located on the southern #street line# of East 149th Street that is 47 feet west of its intersection with Exterior Street; and
 - (2) a point on the southern boundary of Parcel 1 that is 107 feet west of its intersection with Exterior Street.

**87-02
General Provisions**
In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Harlem River Waterfront District#, the regulations of the #Special Harlem River Waterfront District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Harlem River Waterfront District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

**87-03
District Plan and Maps**
The regulations of this Chapter are designed to implement the #Special Harlem River Waterfront District# Plan as set forth in the Appendix to this Chapter. The plan area has been divided into parcels consisting of tax blocks and lots as established on (effective date of amendment), as follows:

Parcel 1:	Block 2349, Lot 112
Parcel 2:	Block 2349, Lot 100
Parcel 3:	Block 2349, Lots 46, 47 & 146
Parcel 4:	Block 2349, Lot 38
Parcel 5:	Block 2349, Lots 15 & 20
Parcel 6:	Block 2349, Lots 3 & 4
Parcel 7:	Block 2323, Lot 43
Parcel 8:	Block 2323, Lot 28
Parcel 9:	Block 2323, Lots 5, 13 & 18

The District Plan includes the following maps:

Map 1	#Special Harlem River Waterfront District# and Parcels
Map 2	Waterfront Access Plan: Public Access Elements

**87-04
Applicability of Article I, Chapter 1**
Within the #Special Harlem River Waterfront District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

**87-05
Applicability of Article VI, Chapter 2**
Parcels 1, 2, 3 and 4, as shown on Map 1 (Special Harlem River District and Parcels) shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after (effective date of amendment).

**87-06
Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets**
In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all #use# and #bulk#

regulations of this Zoning Resolution.

**87-10
SPECIAL USE REGULATIONS**

The #use# regulations of the underlying districts are modified in Sections 87-11 through 87-24, inclusive.

As used in this Section, "ground floor level" shall mean the finished floor level within five feet of an adjacent public sidewalk or any other publicly accessible open area.

**87-11
Vehicle Storage Establishments**

Commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps as listed in Use Group 16C shall be a permitted #use# on Parcel 5, provided that:

- (a) such #use# is the primary #use# on the parcel;
- (b) no more than 10,000 square feet of #floor area# shall be provided on Parcel 5, and
- (c) a #shore public walkway# is provided as set forth in paragraph (a) of Section 87-61 (Public Access Provisions by Parcel).

The streetscape provisions of Section 87-13, the maximum width of establishment provisions of Section 87-23 and the special height and setback regulations of Section 87-30, inclusive, shall not apply to such #use#.

**87-12
Location of Commercial Space**

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential use#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

**87-13
Streetscape Regulations**

(a) Ground floor #use#

All #uses# shall have a depth of at least 25 feet from #building walls# facing a #shore public walkway#, #park# or #upland connection#. Lobbies and entrances may not occupy more than 20 feet or 25 percent of such #building wall# width, whichever is less. The level of the finished ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent public sidewalk or other publicly accessible open area.

For #buildings# on Parcels 1 through 6 that face a #shore public walkway#, #park# or #upland connection#, not less than 20 percent of the ground floor level #floor area# of such portions of #buildings#, to a depth of 25 feet shall consist of #uses# from Use Groups 6A, 6C, 6F, 8A, 8B and 10A, as set forth in Article III, Chapter 2.

(b) Transparency

Any #building wall# containing ground floor level #commercial# and #community facility uses# that faces a #shore public walkway#, #park# or #upland connection# shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #building wall#, measured to a height of ten feet above the level of the adjoining public sidewalk or other publicly accessible open area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #building wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

(c) Security Gates

All security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or publicly accessible open area, except that this provision shall not apply to entrances or exits to parking garages.

**87-14
Location of Underground Uses**

Notwithstanding the provisions of Section 62-332 (Rear yards and waterfront yards), underground #uses#, such as parking garages, shall not be allowed in #waterfront yards#.

**87-20
SPECIAL FLOOR AREA REGULATIONS**

The #Special Harlem River Waterfront District# shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special District.

**87-21
Special Residential Floor Area Regulations**

The base #floor area ratio# for any #zoning lot# containing #residences# shall be 3.0. Such base #floor area ratio# may be increased to a maximum of 4.0 through the provision of #lower income housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (b) of Section 23-942 (In Inclusionary Housing designated areas) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

**87-22
Special Retail Floor Area Requirement**

For each square foot of #commercial floor area# in a #building# from the #uses# listed in paragraph (a) of this Section, an equal or greater amount of #residential#, #community facility# or #commercial floor area# from #uses# listed in paragraph (b) of this Section shall be provided.

(a) Use Groups 6A and 6C, except for:

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour, and

Docks for water taxis with vessel capacity limited to 99 passengers, and

Docks or mooring facilities for non-commercial pleasure boats;

The following from Use Group 10:

Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment

Department stores

Dry goods or fabric stores, with no limitation on #floor area# per establishment

The following from Use Group 12:

Billiard parlor or pool halls

Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment

Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing

The following retail establishments:

Antique stores

Art gallery, commercial

Book stores

Candy or ice cream stores

Cigar and tobacco stores

Delicatessen stores

Drug stores

Gift shops

Jewelry or art metal craft shops

Music stores

Photographic equipment stores

Record stores

Stationery stores

Toy stores

(b) All #residential uses# in Use Groups 1 and 2

All #community facility uses# from Use Group 3, 4A, and 4B, except cemeteries

All #commercial uses# from Use Groups 5A, 6B and 8A

However, the City Planning Commission may authorize a modification or waiver of this provision upon finding that such #building# includes:

- (1) a superior site plan that enables safe and efficient pedestrian connectivity to and between establishments and publicly accessible open areas;
- (2) a superior parking and circulation plan that reduces conflicts between pedestrian and vehicular traffic, minimizes open parking lots, and limits conflicts between curb cuts;
- (3) a design that enhances and is integrated with publicly accessible open areas including provision of a public entrance fronting on a #waterfront public access area#;
- (4) a variety of retail establishments; and
- (5) #uses# that do not unduly affect the #residential uses# in the nearby area or conflict with future land use and #development# of adjacent areas.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on publicly accessible open areas.

**87-23
Maximum Width of Establishments**

On Parcels 5 and 6, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway# or #upland connection#, shall be limited to 60 feet for each #street wall# facing such #shore public walkway# or #upland connection#.

**87-24
Location of Building Entrances**

On Parcels 1, 2, 3 and 4, the main front entrance of at least one #building#, as the term "main front entrance" is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), shall be located facing the #shore public walkway#. Such main front entrance of a #building# shall be:

- (a) on Parcel 1, located no less than 120 feet from 149th Street;
- (b) on Parcel 2, located no less than 95 feet from a #park#; and
- (c) on Parcels 3 and 4, located no less than 45 feet from an #upland connection#.

**87-30
SPECIAL HEIGHT AND SETBACK REGULATIONS**

The underlying height and setback regulations shall not apply. In lieu thereof, the special height and setback regulations of this Section 87-30, inclusive, shall apply. For the purposes of applying such regulations:

(a) a #shore public walkway#, #park#, #upland

connection# or fire apparatus access road, as required by the New York City Fire Code, shall be considered a #street# and its boundary shall be considered a #street line#. However, the following shall not be considered #streets# for the purposes of applying the #street wall# location provisions of paragraph (a) of Section 87-32:

- (1) Exterior street, and
- (2) That portion of any other #street#, #park#, #upland connection# or fire apparatus access road that is located east of the #Parcel 1 Building Line#.

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

**87-31
Permitted Obstructions**

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
- (b) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

**87-32
Street Wall Location and Building Base**

(a) #Street wall# location

The #street wall# of the #development# or #enlargement# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except that:

- (1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances; and
- (2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (3) for #buildings# that are required to locate at least one main front entrance facing a #shore public walkway#, pursuant to Section 87-24 (Location of Building Entrances), no portion of the #street wall# containing such entrance shall be closer to the #shore public walkway# than the main front entrance; and
- (4) no portion of a #building# facing a #shore public walkway#, except on Parcel 1, shall exceed a width of 300 feet.

However, on Parcel 1, in order to accommodate a sewer easement located within an area bounded by the eastern boundary of the #shore public walkway#, East 149th Street, a line 120 feet south of and parallel to East 149th Street and a line 120 feet east of and parallel to the #shore public walkway#, no #street wall# shall be required along that portion of East 149th Street and any fire apparatus access road within such easement area. Such area not #developed# as a fire apparatus access road and open to the sky shall be at least 35 percent planted and shall not be used for parking or loading. Furthermore, in the event such area contains a driveway, it shall be screened from the #shore public walkway# and East 149th Street, except for curb cuts and pedestrian paths, with densely planted evergreen shrubs maintained at a height of three feet.

(b) Minimum and Maximum Base Heights

The #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of six #stories# or 60 feet, or the height of the #building#, whichever is less, and a maximum base height of eight #stories# or 85 feet, whichever is less, before a setback is required. However, on Parcels 5 and 6, for #street walls# facing a #shore public walkway#, the minimum base height shall be 20 feet and the maximum base height shall be four #stories# or 40 feet, whichever is less, before a setback is required. Any portion of a #building# or other structure# that does not exceed such maximum base heights shall hereinafter be referred to as a "building base".

All portions of #buildings# that exceed the maximum base heights set forth in this paragraph, (b), shall be set back from the #street wall# of the #building# at least ten feet along a #shore public walkway#, #park# and Exterior Street, and at least 15 feet along an #upland connection#.

For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, except on Parcels 5, 6, 7 and 9, not more than 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of six #stories# or 60 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of eight #stories# or 85 feet, whichever is less.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in subparagraph (a)(1) of this Section.

(c) Transition heights

All #street walls#, except on Parcels 5 and 6, may

rise to a maximum transition height of 115 feet, provided that, except on Parcel 7, not more than 60 percent of the #aggregate width of street walls# facing a #shore public walkway# exceeds a height of 85 feet. On Parcels 5 and 6, a #street wall# may rise to a maximum transition height of 85 feet, without limitation.

All portions of #buildings# that exceed the transition heights set forth in this paragraph, (c), shall comply with the tower provisions of Section 87-33.

87-33 Towers

All #stories# of a #development# or #enlargement# located partially or wholly above the applicable transition height set forth in paragraph (c) of Section 87-32 shall be considered a "tower" and shall comply with the provisions of this Section. For #zoning lots# with less than 130,000 square feet of #lot area#, only one tower shall be permitted. For #zoning lots# with 130,000 square feet of #lot area# or more, not more than two towers shall be permitted.

(a) Maximum tower height

For #zoning lots# with 100,000 square feet of #lot area# or less, the maximum height of a #building# shall be 300 feet. The maximum height of #buildings# on #zoning lots# with more than 100,000 square feet of #lot area# shall be 400 feet; however, for #zoning lots# with two towers, such maximum #building# height of 400 feet shall apply to not more than one tower, a maximum #building# height of 260 feet shall apply to the second tower, and there shall be a height differential of at least 40 feet between both towers.

(b) Location rules for #zoning lots# adjacent to #parks#

Where a tower is provided on a #zoning lot# adjacent to a #park#, such tower or portion thereof shall be located within 85 feet of such #park#, and if two towers are provided on such #zoning lot#, the second tower or portion thereof shall be located either within 120 feet of East 149th Street or within 45 feet of an #upland connection#. Where two towers are provided on a #zoning lot# adjacent to a #park#, the shorter of the towers shall be located nearer the #park#.

(c) Maximum tower size

The outermost walls of each #story# located entirely above the applicable transition height shall be inscribed within a rectangle. The maximum length of any side of such rectangle shall be 135 feet. Each #story# of a tower located entirely above the applicable transition height shall not exceed a gross area of 8,800 square feet.

(d) Tower top articulation

All #buildings# that exceed a height of 200 feet shall provide articulation in accordance with at least one of following provisions:

(1) Setbacks on each tower face

- (i) For #buildings# less than 260 feet in height, the highest three #stories#, or as many #stories# as are located entirely above a height of 200 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.

- (ii) For #buildings# 260 feet or more in height, the highest four #stories#, or as many #stories# as are located entirely above a height of 260 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.

Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this subparagraph (1), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(2) Three setbacks facing Harlem River

The upper #stories# of a tower shall provide setbacks with a minimum depth of 15 feet measured from the west facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 230 feet, whichever is less. The lowest level at which such setbacks may be provided is 230 feet, and the highest #story# shall be located entirely within the eastern half of the tower.

87-40 SPECIAL REQUIREMENTS FOR CERTAIN ROADS AND SIDEWALKS

87-41 Fire Apparatus Access Roads

Where a fire apparatus access road is provided as required by the New York City Fire Code, such road shall comply with the following requirements.

- (a) The width of a paved road bed shall be 34 feet, constructed to minimum Department of Transportation standards for public #streets#, including curbs and curb drops.
- (b) Curbs shall be provided along each side of the entire length of such road.
- (c) A minimum 13 foot paved sidewalk shall be provided adjacent to and along the entire length of the required curb.
- (d) For the purposes of making the #street# tree requirements of Section 26-41 applicable to fire apparatus access roads, a fire apparatus access road shall be considered a #street#.
- (e) All such roads shall be constructed with lighting, signage, materials and crosswalks to minimum Department of Transportation standards for public #streets#.

87-42 Sidewalks

In the event that Parcel 1 is #developed# with #mixed-use buildings#, sidewalks shall be provided on Parcel 1 as follows:

- (a) Sidewalks with a depth of at least 15 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire Exterior Street and 149th Street frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 15 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 15 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement.
- (b) A 22 foot wide walkway shall extend east of and along the #Parcel 1 Building Line#, linking East 149th Street and a #park#, or fire apparatus access road if such road is #developed# adjacent to the #park#. In the event that a parking lot is #developed# east of such walkway, the easternmost seven feet of such walkway shall be densely planted with evergreen shrubs maintained at a maximum height of three feet above the adjoining walkway. Such walkway and planting strip may be interrupted to allow vehicular or pedestrian access.
- (b) Any driveway located east of the #Parcel 1 Building Line# that extends along a sewer easement and intersects Exterior Street shall have curbs and sidewalks with a minimum width of 13 feet along each curb, which may be interrupted to allow for vehicular access to a parking lot.

All sidewalks and sidewalk widenings shall be constructed or improved to Department of Transportation standards, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

87-50 SPECIAL PARKING REGULATIONS

The following provisions shall apply to all parking facilities:

Use of parking facilities

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

(b) Off-site parking

The off-site parking location provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required off-#street# parking spaces may be provided on a #zoning lot# other than the same #zoning lot# to which such spaces are #accessory#, provided the lot to be used for parking is within the #Special Harlem River Waterfront District#.

(c) Location requirements for parking facilities

No parking facility, open or enclosed, shall front upon or be visible from

- (1) a #shore public walkway#, except as provided for in paragraph (e) for Parcel 5;
- (2) any #upland connection# or #park#, or portion thereof, that is located west of the #Parcel 1 Building Line#.

(d) Design requirements for enclosed off-street parking facilities

All enclosed off-street parking facilities shall be located either entirely below the level of any #street# or publicly accessible open area upon which such facility fronts, or when located above grade, in compliance with the following provisions:

- (1) The provisions of this subparagraph (1) shall apply to facilities facing a #shore public walkway, #upland connection#, #park#, or northern #street line# of 138th Street.
- Such facilities shall be located at every level above-grade, behind #commercial#, #community facility# or #residential floor area# with a minimum depth of 25 feet as measured any #building wall# facing a #shore public walkway#, or facing that portion of an #upland connection# or #park# located west of the #Parcel 1 Building Line# so that no portion of such parking facility is visible from the #shore public walkway#, #upland connection# or #park#. All such parking facilities shall be exempt from the definition of #floor area#.

On Parcel 6, the ground floor of a #building# within 60 feet of the intersection of Exterior Street and East 138th Street shall be occupied to a depth

of 25 feet with #commercial#, #community facility# or #residential floor area# so that no portion of a parking facility is visible from such portion of Exterior Street or East 138th Street.

- (2) The provisions of this subparagraph (2) shall apply to facilities not facing a #shore public walkway#, or that portion of an #upland connection# or #park# located west of the #Parcel 1 Building Line#, or northern #street line# of East 138th Street.

Such facilities shall be designed so that:

- (i) any non-horizontal parking desk structures are not visible from the exterior of the #building# in elevation view;
- (ii) opaque materials are located on the exterior #building wall# between the bottom of the floor of each parking desk and no less than three feet above such deck; and
- (iii) a total of at least 50 percent of such exterior #building wall# with adjacent parking spaces consists of opaque materials which may include permitted #signs#, graphic or sculptural art, or living plant material.

(e) Open parking lots

The requirements of Section 37-90 (PARKING LOTS) and screening requirements for open parking lots of Article VI Chapter 2 (Special Regulations Applying in the Waterfront Area) are modified as set forth in this paragraph (e).

For the purposes of applying the requirements of Section 37-90 (PARKING LOTS), a fire apparatus access road shall be considered a #street#.

On Parcel 1, for parking lots or portions thereof located east of the #Parcel 1 Building Line#, no landscaping shall be required. Such parking lots shall be screened from #streets# and any other publicly accessible areas by ornamental fencing, excluding chain link fencing, with a surface area at least 50 percent open and not more than four feet in height. However, along that portion of Exterior Street located between East 149th Street and a sewer easement, a seven foot wide strip, densely planted with evergreen shrubs maintained at a height of three feet shall be provided.

On Parcel 5, if a commercial or public utility vehicle storage #use#, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel, the screening requirements applicable to open parking lots set forth in Article VI, Chapter 2 shall not apply. In lieu thereof, such open parking lot shall be screened from the adjacent #shore public walkway# and #upland connection# with a wall or fence, other than a chain link fence, not more than 50 percent opaque, and at least five feet in height, but not more than six feet in height.

(f) Roof parking

Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

87-51 Curb Cut Restrictions

On Parcels 1, 2, 3 and 4, no curb cuts shall be provided facing a #shore public walkway# and, further, on Parcel 2, no curb cuts shall be provided facing a #park#.

87-60 HARLEM RIVER WATERFRONT ACCESS PLAN
Map 2 (Waterfront Access Plan: Public Access Elements) in the Appendix to this Chapter shows the boundaries of the area comprising the Harlem River Waterfront Access Plan and the location of certain features mandated or permitted by the Plan.

87-61 Special Public Access Provisions
The provisions of 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) shall apply as follows:

- (a) Shore public walkways
- (1) The #shore public walkway# shall be constructed at an elevation of two feet above the highest level of the Oak Point Rail Link, except that:
- (i) on Parcels 6 and 7, no such elevation requirement shall apply.
- (ii) on Parcel 5, if commercial or public utility vehicle storage, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the #zoning lots#, such elevation requirement shall not apply. However, if commercial or public utility vehicle storage, as listed in Use Group 16C, is not #developed# or #enlarged# as the primary #use# on the #zoning lots#, such elevation requirement shall only apply along the westernmost section of the #shore public walkway# to a depth of 40 feet.
- (iii) on all #zoning lots#, a #shore public walkway# shall be

required to meet the grade of an existing adjacent #street#, which may include deviating from such elevation requirement where necessary.

- (2) A dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification extend into a designated #shore public walkway# as set forth in Section 87-73 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).
(3) In the event that a portion of a #waterfront zoning lot# is within 40 feet of the #shoreline#, yet does not abut the #shoreline# because of an intervening #zoning lot#, a #shore public walkway# shall be provided on such upland portion.
(4) On Parcel 5, if a commercial or public utility vehicle storage #use# is #developed# or #enlarged# as the primary #use# on the parcel, the #shore public walkway# requirements set forth in Section 62-62 shall apply except that:
(i) the required width of the #shore public walkway# may be reduced to a minimum of 20 feet along the northern edge of the inlet and may be reduced to a minimum of 30 feet along the eastern edge of the inlet.
(ii) the circulation path required in paragraph (a)(1) of Section 62-62 shall be modified to a minimum width of 10 feet along the northern and eastern edge of the inlet.
(iii) the screening provisions of paragraph (c)(2) of Section 62-62 shall not apply.
(iv) in the event that the #upland connection# on Parcel 6 has not been #developed#, a ten foot wide pedestrian walkway between the #shore public walkway# and Exterior Street shall be provided on Parcel 5 adjacent to such #upland connection# location.

(b) Upland connections
#Upland connections# shall be located on Parcels 3, 4 and 6, as designated on Map 2 in the Appendix to this Chapter.

The provisions of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) are modified as follows:

- (1) Parcel 3 may provide the #upland connection# at either of the two optional locations indicated on Map 2 in the Appendix to this Chapter.
(2) The required width for an #upland connection# on Parcel 6, as indicated on Map 2, is reduced to 12 feet. Such #upland connection# shall be subject only to the applicable pedestrian path provisions.
(c) Supplemental public access areas
#Supplemental public access areas# pursuant to this Plan shall be provided on Parcels 1 and 2, as indicated on Map 2 in the Appendix to this Chapter, however, the requirement may be waived by certification by the Chairperson of the City Planning Commission as set forth in Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement).
(d) Visual Corridors
#Visual corridors# shall be located within Parcels 1 and 4, and the #park#, as indicated on Map 2 in the Appendix to this Chapter.

87-62 Certification to Waive Supplemental Public Access Area Requirement

For Parcels 1 and 2, the requirement to provide a designated #supplemental public access area#, as indicated on Map 2 in the Appendix to this Chapter, may be waived by the Chairperson of the City Planning Commission upon finding that:

- (a) the site plan includes a vehicular connection through the #zoning lot# pursuant to the design guidelines set forth in Section 87-41 (Fire Apparatus Access Roads); and
(b) a declaration of restrictions has been provided pursuant to Section 87-64 (Declaration of Restrictions); and
(c) the design meets all applicable connection requirements set forth in Section 87-66 (Connection with adjacent zoning lots); and

- (d) such a vehicular connection either:
(1) on Parcel 1, provides access between East 149th Street and Exterior Street, serving all #buildings# along the #shore public walkway# and #park#; or
(2) on Parcel 2, provides a bidirectional connection between Exterior Street at its intersection with East 144th Street and the southernmost #lot line# of the #development#.

87-63 Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways

On Parcels 2, 3 and 4, a dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification, extend into the designated #shore public walkway#, provided that:

- (a) a declaration of restrictions has been provided pursuant to Section 87-64; and
(b) a fire apparatus access road abutting the shared #zoning lot line# between the #development# seeking certification under this section and Parcels 2, 3 or 4 does not exist; and
(c) the fire apparatus access road serves as a segment of a bidirectional loop road along the #shore public walkway#, providing a connection to Exterior Street at the northeast corner of Parcel 2 and a connection to Exterior Street at the southeast corner of Parcel 4.

Such turnaround shall have a diameter of 70 feet and be located at the end of the fire apparatus access road, abutting the adjacent #lot line#. At no point may the turnaround extend into the #shore public walkway# for a distance greater than 23 feet. Sidewalks shall not be required adjacent to the turnaround. The portion of the turnaround that lies within a #shore public walkway# shall remain clear of obstacles, shall be composed of permeable materials, and shall meet all applicable requirements set forth in the New York City Fire Code Section 503.1.1 (Fire apparatus access roads). In addition, the roadbed material of a fire apparatus access road leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be raised to be flush of the level of adjoining sidewalks.

87-64 Declaration of Restrictions

For any fire apparatus access road proposed for certification pursuant to Sections 87-62 or 87-63, a declaration of restrictions shall be provided to guarantee the construction, improvement, operation, maintenance and repair of such road, to guarantee that such road remains open, unobstructed and accessible to all members of the public, except as necessary to avoid public dedication, and to ensure compliance with all applicable provisions. Such declaration of restrictions shall be prepared in a form acceptable to the Department of City Planning, shall be filed and duly recorded in the Borough Office of the Register of the City of New York and indexed against the property. Filing and recording of the declaration of restrictions shall be a precondition for the Chairperson's certification under Section 87-62 and 87-63, where applicable.

For certifications proposed pursuant to Section 87-63, at the time a declaration of restrictions has been provided by the adjacent #development#, pursuant to this section, permitting vehicular connection between #zoning lots#, the #zoning lot# containing a previously constructed fire apparatus access turnaround shall be responsible for the following actions on the portion of the connection on such #zoning lot#:

- (a) deconstructing the fire apparatus access road turnaround; and
(b) re-landscaping the area that had extended into the #shore public walkway#, so as to create the conditions of the immediately surrounding #shore public walkway#, which may include any combination of tree planting, laying sod, removing pavers, or any other required landscaping action; and
(c) extending all required sidewalks that had remained short of the #lot line# to the shared #lot line# to connect to the required adjacent sidewalks and enable pedestrian movement across #developments#; and
(d) complying with all applicable waterfront rules, street regulations and the New York City Fire Code.

87-65 Applicability of Waterfront Regulations

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all waterfront regulations of the Zoning Resolution.

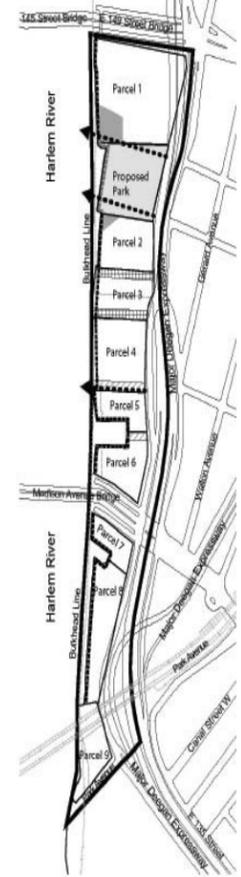
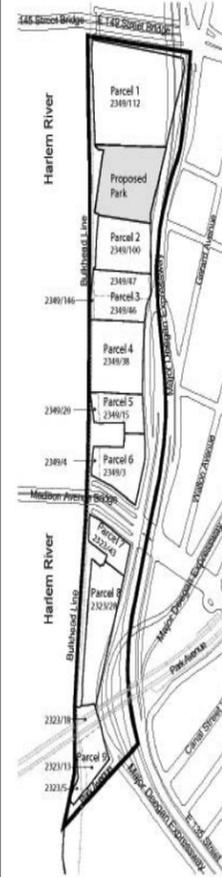
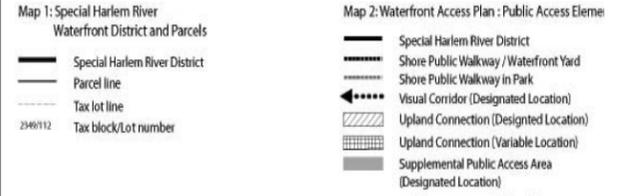
87-66 Connection with Adjacent Zoning Lots

The following provisions apply to #developments# pursuing certification pursuant to either Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement) or Section 87-63 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).

On each of Parcels 2, 3 and 4, and only among Parcels 2, 3 and 4, a #development# shall provide a connection for bidirectional vehicular travel at an adjacent #zoning lot line# if such adjacent #zoning lot# has previously constructed a connection that terminates at the shared #lot line#. Any connection of fire apparatus access roads across a shared #zoning lot line# must meet the grade of and maintain the street width of the existing adjacent private street. In addition to such physical shared #lot line# connection, a private road declaration shall be provided pursuant to the provisions of Section 87-74 of this Chapter. A connection need not be opened unless and until such declaration of restrictions, in accordance with 87-74, has been recorded against the adjacent #zoning lot#.

When no connection for vehicular travel terminating at the opposite side of a shared #zoning lot line# exists, one may, by certification pursuant to Section 87-63, construct a dead-end fire apparatus access road turnaround that may extend into the designated #shore public walkway#. Such certification is also contingent upon providing a declaration of restrictions, in accordance with Section 87-64.

APPENDIX



Note: Only underlined text is new in the following Section.

Article XII - Special Purpose Districts

Chapter 3 Special Mixed Use District

123-66 Height and Setback Regulations

123-662 All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations

TABLE B

In addition, in #Special Mixed-Use District# 13 in the Borough of The Bronx, 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 for the applicable district as set forth in Table B above, or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# may be located beyond eight feet of the #street line#. Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph.

123-90 SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

- #Special Mixed Use District# - 13: (effective date) Lower Concourse, Bronx
The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

CANARSIE REZONING

BROOKLYNCB - 18 C 090313 ZMK
Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17d, 23a, 23c and 23d:

- 1. eliminating from an existing R4 District a C1-1 District bounded by Avenue L, East 95th Street, a line 200 feet southeasterly of Avenue L, and East 93rd Street;
2. eliminating from an existing R4 District a C1-2 District bounded by:
a. a line 200 feet southeasterly of Farragut Road, Rockaway Parkway, Glenwood Road, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 150 feet southeasterly of Flatlands Avenue, and East 96th Street,
b. a line 150 feet northwesterly of Flatlands Avenue, East 89th Street, Flatlands Avenue, and a line midway between East 88th Street and East 89th Street;
c. a line 150 feet northwesterly of Avenue L, East 95th Street, Avenue L, East 93rd

- Street, a line 150 feet southeasterly of Avenue L, and East 91st Street;
- d. Avenue N, Rockaway Parkway, Seaview Avenue, and a line midway between East 96th Street and Rockaway Parkway;
3. eliminating from an existing R5 District a C1-2 District bounded by:
- a. Ralph Avenue, East 79th Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly East 78th Street, a line perpendicular to the northeasterly street line of East 78th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 78th Street and the easterly street line of Ralph Avenue, and East 78th Street;
- b. Ralph Avenue, East 77th Street, a line 150 feet southeasterly of Ralph Avenue, East 76th Street, and Glenwood Road,
- c. East 88th Street, a line 150 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, and Flatlands Avenue;
- d. a line 150 feet northwesterly of Glenwood Road, East 105th Street, Glenwood Road, and East 103rd Street;
- e. a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwestly of Rockaway Parkway, St. Jude Place, Seaview Avenue, and Rockaway Parkway;
- f. Schenck Street, Rockaway Parkway, a line 100 feet southeasterly of Schenck Street, and a line 215 feet southwestly of Rockaway Parkway;
4. eliminating from an existing R4 District a C 2-1 District bounded by a line 150 feet northwesterly of Avenue L, Rockaway Parkway, a line 320 feet southeasterly of Avenue L, East 96th Street, a line 150 feet southeasterly of Avenue L, and East 95th Street;
5. eliminating from an existing R5 District a C2-1 District bounded by:
- a. Avenue M, East 98th Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway; and
- b. Flatlands Avenue, a line 325 feet northeasterly of 108th Street, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwestly prolongation of a U.S. Pierhead and Bulkhead Line, and East 108th Street;
6. eliminating from an existing R4 District a C2-2 District bounded by:
- a. Foster Avenue, East 98th Street, a line 150 feet southeasterly of Foster Avenue, and Rockaway Avenue;
- b. a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street and its southeasterly prolongation, Glenwood Road, Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, a line midway between East 96th Street and Rockaway Parkway, a line 150 feet northwesterly of Farragut Road, and Rockaway Parkway;
- c. Conklin Avenue, a line midway between East 92nd Street and East 93rd Street, a line 150 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line 150 feet southwestly of East 92nd Street;
7. eliminating from an existing R5 District a C2-2 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 83rd Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and the northwesterly centerline prolongation of East 77th Street; and
- b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96th Street;
8. changing from an R5 District to an R3-1 District property bounded by a line 100 feet southeasterly of Avenue L, East 105th Street, a line 100 feet northwesterly of Avenue M, and a line midway between East 100th Street and East 101st Street;
9. changing from an R5 District to an R3X District property bounded by a line 100 feet southeasterly of Avenue L, a line midway between East 100th Street and East 101st Street, a line 100 feet northwesterly of Avenue M, East 105th Street, Avenue L, a line 100 feet northeasterly of East 105th Street, a line midway between Avenue L and Flatlands 5th Street, East 108th Street, the northeasterly centerline prolongation of Flatlands 6th Street, a line 150 feet northeasterly of East 108th Street, the northeasterly centerline prolongation of Avenue M, East 108th Street, Seaview Avenue, a line midway between East 104th Street and East 105th Street, Avenue N, East 105th Street, a line 175 feet southeasterly of Avenue M, a line midway between East 102nd Street and East 103rd Street, a line 100 feet northwesterly of Avenue N, East 102nd Street, Avenue N, a line midway between East 101st Street and East 102nd Street, a line 175 feet northwesterly of Avenue N, a line midway between East 100th Street and East 101st Street, a line 100 feet southeasterly of Avenue M, and East 99th Street;
10. changing from an R5 District to an R4 District property bounded by:
- a. Glenwood Road, East 103rd Street, Flatlands Avenue, East 102nd Street, a line 100 feet southeasterly of Flatlands Avenue, East 101st Street, Avenue K, East 102nd Street, Avenue L, East 104th Street, Avenue K, East 103rd Street, Avenue J, East 104th Street, Flatlands 1st Street and its southwestly centerline prolongation, a line 100 feet northeasterly of East 105th Street, Flatlands 3rd Street, East 105th Street, a line 100 feet southeasterly of Avenue L, East 99th Street, a line 100 feet northwesterly of Avenue L, a line midway between East 98th Street and East 99th Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 400 feet southeasterly of Avenue J, a line 100 feet southwestly of East 98th Street, a line 200 feet northwesterly of Avenue J, East 98th Street, a line 375 feet southeasterly of Flatlands Avenue, East 99th Street, Flatlands Avenue, and a line midway between East 101st Street and East 102nd Street; and
- b. Avenue M, East 99th Street, a line 100 feet southeasterly of Avenue M, a line midway between East 100th Street and East 101st Street, a line 175 feet northwesterly of Avenue N, a line midway between East 101st Street and East 102nd Street, Avenue N, East 101st Street, Seaview Avenue, East 98th Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 98th Street and East 99th Street;
11. changing from an R4 District to an R4-1 District property bounded by:
- a. Krier Place, East 92nd Street, a line 100 feet southeasterly of Foster Avenue, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Farragut Road, East 92nd Street, Farragut Road, East 93rd Street, a line 250 feet southeasterly of Farragut Road, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, a line 175 feet southeasterly of Foster Avenue and its southwestly prolongation, and a line 100 feet northeasterly of Remsen Avenue;
- b. Foster Avenue, a line midway between East 95th Street and East 96th Street, a line 275 feet southeasterly of Foster Avenue, East 96th Street, a line 175 feet southeasterly of Foster Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 100 feet northwesterly of Flatlands Avenue, East 96th Street, a line 100 feet southeasterly of Flatlands Avenue, Rockaway Parkway, a line 225 feet southeasterly of Avenue K, East 95th Street, Avenue K, East 94th Street, a line 100 feet northwesterly of Avenue L, East 91st Street, a line perpendicular to the southwestly street line of East 91st Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwestly street line of East 91st Street and the southeasterly street line of Avenue K, Remsen Avenue, a line 100 feet northwesterly of Avenue J, a line midway between East 88th Street and East 89th Street, Flatlands Avenue, East 91st Street, a line 100 feet southeasterly of Flatlands Avenue, East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 94th Street and East 95th Street;
- c. Foster Avenue, East 99th Street, a line 200 feet southeasterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street, a line 200 feet southeasterly of Foster Avenue, East 98th Street;
- d. Glenwood Road, East 100th Street, a line 75 feet northwesterly of Flatlands Avenue, East 99th Street, Flatlands Avenue, Rockaway Parkway, Conklin Avenue, and a line midway between Rockaway Parkway and East 98th Street;
- e. a line 100 feet southeasterly of Avenue L, Remsen Avenue, a line 100 feet southeasterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue M, and East 89th Street;
- f. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, Seaview Avenue, a line midway between East 95th Street and East 96th Street, a line 250 feet northwesterly of Seaview Avenue, East 95th Street, Avenue N, a line midway between East 92nd Street and East 93rd Street and its northwesterly prolongation, a line 100 feet northwesterly of Seaview Avenue, East 92nd Street, Seaview Avenue, Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, a line midway between East 89th Street and Remsen Avenue, a line 150 feet southeasterly of Avenue N, Remsen Avenue, Avenue N, and East 91st Street;
12. changing from an R5 District to an R4-1 District property bounded by:
- a. a line 100 feet southeasterly of Foster Avenue, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Glenwood Road, East 86th Street, a line 100 feet southeasterly of Farragut Road, and East 88th Street;
- b. a line 100 feet southeasterly of Flatlands Avenue, East 88th Street, Flatlands Avenue, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue J, and East 86th Street;
- c. a line 100 feet northwesterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue M, East 88th Street, Avenue N, and East 87th Street;
- d. Flatlands Avenue, East 99th Street, a line 375 feet southeasterly of Flatlands Avenue, and East 98th Street;
- e. a line 100 feet southeasterly of Avenue L, East 99th Street, Avenue M, a line midway between East 98th Street and East 99th Street, a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, Rockaway Parkway, Avenue M, and a line midway between Rockaway Parkway and East 98th Street;
- f. a line 175 feet southeasterly of Avenue M, East 105th Street, Avenue N, a line midway between East 104th Street and East 105th Street, Seaview Avenue, East 103rd Street, a line 100 feet northwesterly of Avenue N, and a line midway between East 102nd Street and East 103rd Street;
- g. Flatlands 4th Street, East 108th Street, a line midway between Avenue L and Flatlands 5th Street, a line 100 feet northeasterly of East 105th Street, a line midway between Flatlands 4th Street and Avenue L, and a line 250 feet northeasterly of East 105th Street;
- h. East 108th Street, the northeasterly centerline prolongation of Avenue M, a line 100 feet northeasterly of East 108th Street, a line midway between the northeasterly centerline prolongation of Avenue M and Flatlands 7th Street and its northeasterly prolongation, a U.S. Pierhead and Bulkhead Line, and Flatlands 9th Street and its northeasterly centerline prolongation;
13. changing from a C8-1 District to an R4-1 District property bounded by:
- a. Farragut Road, a line midway between East 99th Street and East 100th Street, a line 200 feet southeasterly of Farragut Road, and East 99th Street;
- b. a line 50 feet northwesterly of Glenwood Road, a line 80 feet northeasterly of East 99th Street, Glenwood Road, and a line midway between Rockaway Parkway and East 98th Street;
14. changing from an R4 District to an R4A District property bounded by:
- a. a line 330 feet northwesterly of Foster Avenue, East 94th Street, Foster Avenue, a line midway between East 94th Street and East 95th Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 92nd Street and East 93rd Street, a line 250 feet southeasterly of Farragut Road, East 93rd Street, Farragut Road, East 92nd Street, a line 100 feet northwesterly of Farragut Road, a line midway between East 92nd Street and East 93rd Street, a line 100 feet southeasterly of Foster Avenue, East 92nd Street, Foster Avenue, and East 93rd Street;
- b. a line perpendicular to the southwestly street line of East 91st Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwestly street line of East 91st Street and the southeasterly street line of Avenue K, East 91st Street, a line 100 feet southeasterly of Avenue L, East 89th Street, a line 100 feet northwesterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue K, and Remsen Avenue;
- c. Avenue K, East 95th Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 100 feet northwesterly of Avenue L, and East 94th Street;
15. changing from an R5 District to an R4A District property bounded by:
- a. a line 100 feet southeasterly of Avenue K, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue M, East 87th Street, a line 175 feet northwesterly of Avenue M, a line midway between East 86th Street and East 87th Street, a line 100 feet southeasterly of Avenue L, East 87th Street, Avenue L a line midway between East 86th Street and East 87th Street, a line 275 feet northwesterly of Avenue L, and East 87th Street;
- b. a line 225 feet southeasterly of Avenue K, a line midway between East 98th Street and East 99th Street, a line 100 feet northwesterly of Avenue L, East 99th Street, a line 100 feet southeasterly of Avenue L, a line midway between Rockaway Parkway and East 98th Street, Avenue M, and Rockaway Parkway;
16. changing from an R4 District to an R5 District property bounded by:

- a. Avenue N, Remsen Avenue, a line 150 feet southeasterly of Avenue N, a line midway between East 89th Street and Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, Remsen Avenue, Seaview Avenue, and a line midway between East 88th Street and East 89th Street, and
 - b. Avenue N, East 95th Street, a line 250 feet northwesterly of Seaview Avenue, a line midway between East 95th Street and East 96th Street, Seaview Avenue, East 92nd Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 92nd Street and East 93rd Street and its northwesterly prolongation;
17. changing from a C3 District to an R5 District property bounded by the southwesterly centerline prolongation of Paerdegat 12th Street, Paerdegat Avenue North, a northwesterly boundary line of Canarsie Beach Park, and a U.S. Pierhead and Bulkhead Line;
18. changing from an R4 District to an R5B District property bounded by :
- a. a line 100 feet northwesterly of Foster Avenue, East 93rd Street, Foster Avenue, and East 92nd Street;
 - b. a line 100 feet northwesterly of Foster Avenue, East 96th Street, Foster Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 175 feet southeasterly of Foster Avenue, East 96th Street, a line 275 feet southeasterly of Foster Avenue, a line midway between East 95th Street and East 96th Street, Foster Avenue, and East 94th Street; and
 - c. a line 100 feet northwesterly of Avenue J, Remsen Avenue, a line 100 feet southeasterly of Avenue K, a line midway between East 88th Street and East 89th Street, Avenue K, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Church Lane and its southwesterly centerline prolongation, and a line midway between East 88th Street and East 89th Street;
19. changing from an R5 District to an R5B District property bounded by:
- a. a line 200 feet southeasterly of Foster Avenue, East 85th Street, a line 100 feet southeasterly of Foster Avenue, East 88th Street, a line 100 feet southeasterly of Farragut Road, East 86th Street, a line 100 feet southeasterly of Glenwood Road, East 85th Street, a line 100 feet northwesterly of Flatlands Avenue, a line 100 feet southwesterly of East 78th Street, Flatlands Avenue, the southeasterly centerline prolongation of East 77th Street, Glenwood Road, Ralph Avenue, East 79th Street, Glenwood Road, East 80th Street, Farragut Road, and East 81st Street;
 - b. a line 100 feet southeasterly of Flatlands Avenue, East 81st Street, Flatlands Avenue, East 84th Street, a line 100 feet southeasterly of Flatlands Avenue, East 85th Street, Flatlands Avenue, East 86th Street, a line 100 feet northwesterly of Avenue J, a line midway between East 88th Street and East 89th Street, Church Lane and its southwesterly centerline prolongation, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Avenue K, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue K, East 87th Street, a line 275 feet northwesterly of Avenue L, a line midway between East 86th Street and East 87th Street, Avenue L, East 85th Street, Avenue M, East 82nd Street, Avenue K, a line midway between East 81st Street and East 82nd Street, Avenue J, East 80th Street, a line midway between Paerdegat 2nd Street and Paerdegat 3rd Street, a line perpendicular to the northwesterly street line of Paerdegat 2nd Street distant 250 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 80th Street and the northwesterly street line of Paerdegat 2nd Street, a line midway between Paerdegat 1st Street and Paerdegat 2nd Street, Paerdegat Avenue, and East 76th Street;
 - c. a line 100 feet southeasterly of Flatlands Avenue, East 103rd Street, Flatlands Avenue, East 104th Street, a line 100 feet southeasterly of Flatlands Avenue, East 106th Street, Flatlands Avenue, East 107th Street, Avenue J, East 108th Street, Flatlands 1st Street and its southwesterly centerline prolongation, East 104th Street, Avenue J, East 103rd Street, Avenue K, East 104th Street, Avenue L, East 102nd Street, Avenue K, and East 101st Street;
 - d. a line 100 feet northwesterly of Avenue N, East 103rd Street, Seaview Avenue, East 101st Street, Avenue N, and East 102nd Street;
20. changing from an R4 District to an R5D District property bounded by:
- a. Foster Avenue, East 98th Street, a line 200 feet southeasterly of Foster Avenue, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96th Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 96th Street and Rockaway Parkway;
 - b. a line 100 feet northwesterly of Flatlands Avenue, East 93rd Street, a line 100 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line midway between East 88th Street and East 89th Street; and
 - c. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 91st Street;
21. changing from an R5 District to an R5D District property bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, Flatlands Avenue, East 88th Street, a line 100 feet southeasterly of Flatlands Avenue, East 86th Street, Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Flatlands Avenue, East 84th Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78th Street;
 - b. Flatlands Avenue, East 98th Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
 - c. Flatlands Avenue, East 103rd Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102nd Street;
 - d. Flatlands Avenue, East 106th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104th Street;
 - e. Flatlands Avenue, a line 325 feet northeasterly of East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108th Street;
22. establishing within a proposed R4-1 District a C1-3 District bounded by:
- a. Avenue N, Rockaway Parkway, a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, and a line midway between East 96th Street and Rockaway Parkway;
 - b. Glenwood Road, a line midway between East 96th Street and Rockaway Parkway, a line 100 feet southeasterly of Glenwood Road, and East 96th Street; and
 - c. a line 100 feet southeasterly of Avenue L, a line midway between East 93rd Street and East 94th Street, a line 150 feet southeasterly of Avenue L, and East 93rd Street;
23. establishing within an existing R5 District a C1-3 District bounded by:
- a. Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, and St. Jude Place; and
 - b. a line 100 feet northwesterly of Glenwood Road, East 105th Street, Glenwood Road, and East 103rd Street;
24. establishing within a proposed R5B District a C1-3 District bounded by:
- a. Ralph Avenue, East 79th Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly of East 78th Street, a line perpendicular to the northeasterly street line of East 78th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the easterly street line of Ralph Avenue and the northeasterly street line of East 78th Street, and East 78th Street; and
 - b. Ralph Avenue, East 77th Street, a line 150 feet easterly of Ralph Avenue, East 76th Street, and Glenwood Road; and
25. establishing within a proposed R5D District a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 89th Street, Flatlands Avenue, and East 88th Street;
 - b. Glenwood Road, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96th Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, and Rockaway Parkway; and
 - c. a line 100 feet northwesterly of Avenue L, East 95th Street, a line 100 feet southeasterly of Avenue L, and East 91st Street;
26. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. Avenue M, East 98th Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway;
 - b. a line 50 feet northwesterly of Glenwood Road, a line 200 feet northeasterly of Rockaway Parkway, Glenwood Road, and a line 100 feet northeasterly of Rockaway Parkway;
- c. Conklin Avenue, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street; and
 - d. a line 100 feet southeasterly of Avenue L, Rockaway Parkway, a line 220 feet southeasterly of Avenue L, and East 96th Street;
27. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet northwesterly of Avenue L, East 96th Street, a line 100 feet northwesterly of Avenue L, and East 95th Street;
28. establishing within an existing R5 District a C2-3 District bounded by:
- a. Flatlands Avenue, East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, East 108th Street, a line 400 feet southeasterly of Flatlands Avenue, and East 107th Street; and
 - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96th Street;
29. establishing within a proposed R5D District a C2-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 88th Street, a line 100 feet southeasterly of Flatlands Avenue, East 86th Street, Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Flatlands Avenue, East 84th Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and a line 100 feet southwesterly of East 75th Street;
 - b. a line 100 feet northwesterly of Flatlands Avenue, a line 125 feet northeasterly of Remsen Avenue, Flatlands Avenue, and East 89th Street,
 - c. a line 100 feet northwesterly of Flatlands Avenue, East 93rd Street, a line 100 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street;
 - d. Foster Avenue, East 98th Street, a line 200 feet southeasterly of Foster Avenue, and Rockaway Avenue;
 - e. a line midway between East 96th Street and Rockaway Parkway, a line 225 feet northwesterly of Farragut Road, Rockaway Parkway, a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street and its southeasterly prolongation, and Glenwood Road;
 - f. Flatlands Avenue, East 98th Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
 - g. a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 94th Street;
 - h. Flatlands Avenue, East 103rd Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102nd Street;
 - i. Flatlands Avenue, East 106th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104th Street; and
 - j. Flatlands Avenue, a line 325 feet northeasterly of East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108th Street;
- as shown on a diagram (for illustrative purposes only) dated February 17, 2009 and which includes CEQR Designation E-230.
- BATTERY PARK CITY SITE 3**
- MANHATTAN CB - 1 N 090306 ZRM**
- Application submitted by the Battery Park City Authority pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 4 (Special Battery Park City District) relating to paragraph (e) of Section 84-144 (Location of Curb Cuts) on the east side of Battery Place between Second Place and Third Place.
- Chapter 84**
Special Battery Park City District
- 84-144**
Location of curb cuts
- Curb cuts are permitted only in the areas or locations indicated in Appendices 2.6 and 3.5. The aggregate width of all curb cuts provided for any #development# shall not exceed 20 feet, except that:
- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;
 - (b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;
 - (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut to the #accessory# off-street parking facility;

- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet;
- (e) for each #zoning lot# located on the east side of Battery Place;
 - (1) between First Place and Third Second Place, the aggregate width of all curb cuts shall not exceed 40 feet;
 - (2) between Second Place and Third Place, the aggregate width of all curb cuts shall not exceed 50 feet; and
- (f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.

SPECIAL LONG ISLAND CITY DISTRICT TEXT AMENDMENT

QUEENS CB - 2 N 090304 ZRQ
Application submitted by the New York City Department of City Planning pursuant to Section 200 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify certain provisions concerning the Queens Plaza, Court Square, and Hunters Point subdistricts of the Special Long Island City Mixed Use District.

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

Article III - Commercial District Regulations

* * *

**Chapter 7
Special Urban Design Regulations**

* * *

**37-40
OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR**

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Long Island City Mixed Use District# as described in Section 117-44, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances* shall be provided in accordance with the provisions of this Section.

* * *

Article XI - Special Purpose Districts

**Chapter 7
Special Long Island City Mixed Use District**

* * *

**117-10
HUNTERS POINT SUBDISTRICT**

* * *

**117-23
Street Wall Location in Certain Designated Districts
R6B M1-4/R6A M1-4/R6B M1-4/R7A M1-4/R7X M1-5/R8A**

In the districts indicated, the #street wall# of any #development# or #enlargement# containing #residences# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. However, the #street wall# of a #building# need not be located further from a #street line# than 15 feet. On #corner lots#, the #street wall# along one #street line# need not be located further from the #street line# than five feet. Recesses, not to exceed three feet in depth from the #street line# or eight feet in depth where ramps for the physically handicapped are required, shall be permitted on the ground floor where required to provide access to the #building#.

Existing #buildings# may be vertically enlarged by up to one #story# or 15 feet without regard to the #street wall# location provisions of this Section.

* * *

**117-40
COURT SQUARE SUBDISTRICT**

* * *

**117-401
General provisions**

The regulations governing #developments#, #enlargements#, #extensions# or changes of #use# within the Court Square Subdistrict of the #Special Long Island City Mixed Use District# are contained within Sections 117-40 through 117-45, inclusive. These regulations supplement the provisions of Sections 117-01 through 117-03, inclusive, of the #Special Long Island City Mixed Use District# and supersede the underlying districts.

Mandatory ~~pedestrian circulation~~ and subway improvements are those elements of the Subdistrict Plan which shall be built by the developer of the #zoning lot# to which they apply.

For the purposes of the mandatory ~~pedestrian circulation~~ and subway improvements in the Subdistrict, the #floor area# of the #development# or #enlargement# shall be the total amount of #floor area# resulting from #developments# or #enlargements# after August 14, 1986.

For the purposes of the mandatory ~~pedestrian circulation~~ and subway improvements in the Subdistrict, any tract of land consisting of two or more contiguous lots of record under single ownership or control as of March 1, 1986, shall be considered a single #zoning lot#.

**117-41
Court Square Subdistrict Plan**

The Subdistrict Plan for the Court Square Subdistrict specifies the location of Blocks 1, 2 and 3 and identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix B of this Chapter, which consists of the Subdistrict Plan Map and the Description of Improvements, and is incorporated into the provisions of this Chapter.

**117-42
Special Bulk and Use Regulations in the Court Square Subdistrict**

#Developments# or #enlargements# containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

Other #developments# or #enlargements# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an M1-4/R6B designated district pursuant to the regulations of Article XII, Chapter 3 (Special Mixed Use District), as modified by Sections 117-00 through 117-22, inclusive.

**117-421
Special bulk regulations**

(a) #Developments# or #enlargements# that meet the minimum #floor area# and #zoning lot# standards of Section 117-44 and provide mandatory subway improvements as required by Section 117-44, may #develop# to a #floor area ratio# of 15.0. #Developments# or #enlargements# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratio# of the designated district for the applicable #use#.

(b) The following provisions shall not apply within the Court Square Subdistrict:

Section 33-13 (Floor Area Bonus for a Public Plaza)

Section 33-14 (Floor Area Bonus for Arcades)

Section 33-26 (Minimum Required Rear Yards)

Section 34-223 (Floor area bonus for a public plaza)

Section 34-224 (Floor area bonus for an arcade)

Section 34-23 (Modification of Yard Regulations)

(c) The height and setback regulations of the underlying C5-3 District shall apply, except that:

(1) no #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road, and

(2) on Blocks 1 and 3, the #street wall# of a #building# or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet and a maximum height of 85 feet before setback. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above the level of the second #story#, up to 30 percent of the #aggregate width of #street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above a height of 85 feet, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#. The provisions of this paragraph (c)(2), shall not apply to #enlargements# on #zoning lots# existing on (the effective date of amendment), where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.

* * *

**117-423
Sidewalk widening**

For any #development# or #enlargement# on Block 3 with a building wall facing 45th Road, a sidewalk widening of five feet shall be provided on 45th Road between 23rd Street and Jackson Avenue. Such sidewalk widening shall be a continuous, paved open area along the #front lot line# of the #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. Such sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least eight feet above #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of six inches. No #street# trees, vehicle storage, parking or trash storage is permitted on such sidewalk widening.

* * *

**117-43
Mandatory Circulation Improvement**

All #developments# or #enlargements# on #zoning lots# of at least 15,000 square feet that contain at least 50,000 square feet of #floor area# or on #zoning lots# of any size providing at least 200,000 square feet of #floor area# shall provide a minimum amount of pedestrian circulation space at the rate provided in the following table:

#Lot Area#	Minimum Area of Pedestrian Circulation Space
15,000 to 40,000 sq. ft.	1 sq. ft. per 350 sq. ft. of #floor area#
Above 40,000 sq. ft.	1 sq. ft. per 300 sq. ft. of #floor area#

The pedestrian circulation space provided shall be one or more of the following types: building entrance recess area, corner circulation space, sidewalk widening or subway stair relocation.

Such pedestrian circulation space shall meet the requirements set forth in Section 117-431 (Design standards for pedestrian circulation spaces). No sidewalk widenings or corner circulation spaces shall be permitted along 23rd Street within the Court Square Subdistrict.

**117-431
Design standards for pedestrian circulation spaces**

(a) **Sidewalk widening**
A sidewalk widening is a continuous, paved open area along the #front lot line# of a #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. A sidewalk widening shall meet the following requirements:

(1) **Dimensions**
A sidewalk widening shall have a width no less than 6 feet nor greater than 10 feet measured perpendicular to the #street line#, and shall be contiguous along its entire length to a sidewalk.

(2) **Permitted interruptions**
Only under the following conditions shall any interruptions of the continuity of a qualifying sidewalk widening be permitted.

(i) A sidewalk widening may be overlapped by a corner circulation space or a building entrance recess area that permits uninterrupted pedestrian flow.

(ii) An off street subway entrance may interrupt a sidewalk widening, provided such an entrance is located at a #side lot line# or is located at the intersection of two #street lines#.

(iii) A sidewalk widening may be overlapped by the queuing space of a relocated subway entrance, provided that the queuing space for the entrance leaves a 5-foot uninterrupted width of sidewalk widening along the entire length of the queuing space.

(iv) A sidewalk widening may be interrupted by a driveway that is located at a #side lot line#. The area occupied by the driveway, up to the width of the sidewalk widening, may be counted towards meeting the pedestrian circulation space requirement, provided that there shall be no change of grade within the area of the sidewalk widening.

(3) **Permitted obstructions**
A sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least 8 feet above the #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of 6 inches.

(4) **Specific prohibitions**
No #street# trees are permitted on a sidewalk widening. No vehicle storage, parking or trash storage is permitted on a sidewalk widening. Gratings may not occupy more than 50 percent of the sidewalk widening area nor be wider than one half the width of the sidewalk widening.

(5) **Special design treatment**
When one end of the sidewalk widening abuts an existing #building# on the #zoning lot# or an existing #building# on the #side lot line# of the adjacent #zoning lot#, design treatment of the termination of the sidewalk widening is required to design treatment, hereinafter called the transition area, shall not extend more than 10 feet along the sidewalk widening from its termination.

The transition area shall be landscaped and the paved portion shall have a curved or diagonal edge effecting a gradual reduction of its width over the length of the transition area to no width at the point of the sidewalk widening termination. The unpaved portion of such landscaped treatment shall not exceed 50 percent of the transition area and shall be considered a permitted obstruction.

(b) **Corner circulation space**
A corner circulation space is a small open space on the #zoning lot# of a #development# or #enlargement#, adjoining the intersection of two #streets#, at the same elevation as the adjoining sidewalk or sidewalk widening and directly accessible to the public at all times. A corner circulation space shall meet the following requirements:

(1) **Dimensions**
A corner circulation space shall have a minimum area of 200 square feet, a minimum depth of 15 feet measured along a line bisecting the angle of intersecting #street lines#, and shall extend along both #street lines# for at least 15 feet but not more than 40 feet from the intersection of the two #street lines#.

(2) **Obstructions**
A corner circulation space shall be clear of

all obstructions, including, without limitation, door swings, building columns, #street# trees, planters, vehicle storage, parking or trash storage. No gratings except for drainage are permitted.

(3) Building entrances

Entrances to ground level #uses# are permitted from a corner circulation space. An entrance to a building lobby is permitted from a corner circulation space, provided that the entrance is at no point within 20 feet of the intersection of the two #street lines# which bound the corner circulation space.

(4) Permitted overlap

A corner circulation space may overlap with a sidewalk widening.

(e) Building entrance recess area

A building entrance recess area is a space which adjoins and is open to a sidewalk or sidewalk widening for its entire length and provides unobstructed access to the building's lobby entrance. A building entrance recess area shall meet the following requirements.

(1) Dimensions

A building entrance recess area shall have a minimum length of 15 feet and a maximum length of 40 feet measured parallel to the #street line#. It shall have a maximum depth of 15 feet measured from the #street line#, and if it adjoins a sidewalk widening shall have a minimum depth of 10 feet measured from the #street line#.

(2) Obstructions

A building entrance recess area shall either be completely open to the sky or completely under an overhanging portion of the #building# with a minimum clear height of 15 feet. It shall be free of obstructions except for building columns, between any two of which there shall be a clear space of at least 15 feet measured parallel to the #street line#. Between a building column and a wall of the #building# there shall be a clear path at least 5 feet in width.

(3) Permitted overlap

A building entrance recess area may overlap with a sidewalk widening or a corner circulation space.

117-44 Mandatory Subway Improvements

#Developments# or #enlargements# containing at least 70,000 square feet of total #floor area# on #zoning lots# of at least 10,000 square feet shall provide mandatory subway improvements as described in Appendix B of this Chapter

Subway improvements are required for qualifying #developments# or #enlargements# as follows:

(a) #Zoning lots# with at least 5,000 square feet of #lot area# #Developments# or #enlargements# on #zoning lots# with 5,000 square feet or more of #lot area#, which front on a sidewalk containing a sidewalk entrance(s) to the E and V subway lines, shall relocate the stairway or entrance(s) to such subway onto the #zoning lot# in accordance with the provisions of Section 37-40 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-44, the additional standards for location, design and hours of public accessibility contained in Section 37-41 may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

(b) #Zoning lots# with at least 10,000 square feet of #lot area# #Developments# or #enlargements# on Blocks 1, 2 or 3, identified in Appendix B (Court Square Subdistrict Plan Map and Description of Improvements) of this Chapter, containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet of #lot area# shall provide mandatory subway improvements as described in paragraph (a) for Block 1, paragraph (b) for Block 2 and paragraph (c)(1) for Block 3 in Appendix B.

In addition, on #Block # 3, any #development# or #enlargement# containing at least 300,000 square feet of total #floor area# or any #development# or #enlargement# on a #zoning lot# of at least 30,000 square feet of #lot area# shall provide all the mandatory subway improvements for the #block #, as described in paragraphs (c)(1) and (c)(2) for Block 3).

117-441 Standards and procedures for mandatory subway improvements

* * *

(b) Procedure

(1) Pre-application

* * *

(6) Where a #development# or #enlargement# is located on a #zoning lot# which fronts on a sidewalk containing a sidewalk entrance or entrances into a subway and such #zoning lot# contains 5,000-

square feet or more of #lot area#, such #development# or #enlargement# shall relocate the stairway entrance or entrances to the subway onto the #zoning lot# in accordance with the provisions of Section 37-03 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-034 (Waiver of requirements), the additional standards contained in Section 37-031 (Standards for location, design and hours of public accessibility) may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

* * *

117-50 QUEENS PLAZA SUBDISTRICT

* * *

117-531 Street wall location

* * *

(g) For any #development# or #enlargement# on a #zoning lot# located on Jackson Avenue between 42nd Road and Queens Plaza South, the #street wall# fronting on Jackson Avenue may be set back ten five feet from the #street line# only upon certification of the Chairperson of the City Planning Commission to the Department of Buildings that the Jackson Avenue sidewalk adjacent to the #zoning lot# will be landscaped in accordance with a plan acceptable to the Department of Transportation and the Chairperson. Such plan shall include five planting beds that shall contain a mixture of deciduous and evergreen shrubs, ground covers and flowers. Such planting beds shall be installed and maintained by the owner of the #development# or #enlargement#. The #street wall# of any subsequent #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

* * *

Appendix B Court Square Subdistrict Plan Map and Description of Improvements

* * *

Description of Improvements This Appendix describes the mandatory lot improvements that are designated on the District Plan Map in Appendix B for the Court Square Subdistrict. This Descriptions refers to the text for requirements and standards for the following improvements.

(a) # Block #1

(1) A subway improvement, to consist of a connection between the G and 7 lines and maintenance of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine which are to be installed by the developer of #Block #-2. The developer shall notify the Chairperson of the City Planning Commission upon both application for and issuance of a first building permit for the #development# on this #block#.

(b) # Block #2

(1) A subway improvement, to consist of a connection between the E/F and G lines, preparation of preliminary plans for a G/7 connection and installation of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine upon receipt of a written request by the Chairperson of the City Planning Commission, which shall occur only after the issuance of a first building permit for the #development# on #Block #-1.

(c) #Block #3

(1) A subway improvement, to consist of construction of a building entrance within the #lot line# at the northwestern corner of the #block#, a direct link to the 7 platform and construction of a new mezzanine area; and/or The first #development# to meet the criteria for a subway improvement shall construct new entrances at the intersection of 44th Drive and 23rd Street for the Number 7 45th Road/Courthouse Square station, in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

(2) A subway improvement, to consist of a substantial physical improvement to the G platform and mezzanine areas, including reconfiguration of control areas as necessary and acoustical upgrading. For subsequent #developments#, a subway improvement to the north end of the Number 7 45th Road/Courthouse Square station shall be required. Such improvement shall be determined in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

* * *

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York, New York 10007, commencing at 11:00 A.M. on Tuesday, June 23, 2009:

P.S. 133-BROOKLYN

BROOKLYN CB - 6 20095371 SCK Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 900-seat primary school facility, known as P.S. 133-Brooklyn, to be located at 375 Butler Street (Block 940, Lots 1, 16, 65), serving Community School District Nos. 13 and 15.

JAMAICA HIGH SCHOOL

QUEENS CB - 8 20095459 HKQ (N 090369 HKQ) Designation (List No. 411, LP- 2316) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of Jamaica High School located at 167-01 Gothic Drive (Block

9858, Lot 100), as an historic landmark.

RUTAN-JOURNEY HOUSE STATENISLAND CB - 3 20095460 HKR (N 090370 HKR)

Designation (List No. 411, LP- 2211) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Rutan-Journey House located at 7647 Amboy Road (Block 8050, Lot 13), as an historic landmark.

NEW YORK BOTANICAL GARDEN MUSEUM BRONX CB - 6, 7, 12 20095461 HKX (N 090371 HKX)

Designation (List No. 411, LP- 2311) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of New York Botanical Garden Museum (now Library) Building, Fountain of Life, and Tulip Tree Allee, Watson Drive and Garden Way, New York Botanical Garden, Bronx Park Tax Map (Block 3272, Lot 1 in part), as an historic landmark.

NEW YORK PUBLIC LIBRARY- WOODSTOCKBRANCH BRONX CB - 1 20095554 HKX (N 090392 HKX)

Designation (List No. 412, LP- 2322) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of New York Public Library, Woodstock Branch, located at 761 East 160th Street (Block 2567, Lot 30), as an historic landmark.

NEW YORK PUBLIC LIBRARY- HUNTS POINT BRANCH BRONX CB - 2 20095555 HKM (N 090393 HKX)

Designation (List No. 412, LP- 2323) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of New York Public Library, Hunts Point Branch, located at 871-877 Southern Boulevard (aka 860 Tiffany Street), (Block 2722, Lot 63), as an historic landmark.

PROPOSED INT. No. 542-A

To amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to issue notice to the department of buildings when a property has been calendared for designation as a landmark, requiring the department of buildings to issue notice to the landmarks preservation commission when permit applications for buildings that have been calendared for designation as a landmark are received, and revoking permits previously issued by the department of buildings when a property is designated as a landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York, New York 10007, commencing at 1:00 P.M. on Tuesday, June 23, 2009:

UHAB

MANHATTAN CB - 3 20095673 HAM

Application submitted by the New York City Department of Housing Preservation and Development for Council approval, pursuant to Section 577 of the Private Housing Finance Law, for a modification to a previously approved Urban Development Action Area Project and related tax exemption for property located at 21 Avenue C, Borough of Manhattan, Council District no. 2.

UHAB

MANHATTAN CB - 3 20095674 HAM

Application submitted by the New York City Department of Housing Preservation and Development for Council approval, pursuant to Section 577 of the Private Housing Finance Law, for a modification to a previously approved Urban Development Action Area Project and related tax exemption for property located at 209 East 7th Street, Borough of Manhattan, Council District no. 2.

Proposal subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

- 1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law.

Table with columns: NO., ADDRESS, BLOCK/LOT, BORO, COMMUNITY PROGRAM, BOARD. Contains listing for 20095675 HAK with addresses from 330 Ashford Street to 315 Jerome Street.

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, July 1, 2009, commencing at 10:00 a.m.

BOROUGH OF THE BRONX Nos. 1 & 2 161 STREET REZONING No. 1

CD 4 N 090364 ZRY IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying regulations establishing two new zoning districts: C6-3D and R9D and modifying related regulations.

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

Article 1 General Provisions

Chapter 1 Title, Establishment of Controls and Interpretation of Regulations

11-12 Establishment of Districts

Table with 2 columns: District Code (R9, R9-1, R9A, R9D, R9X, C6-3, C6-3A, C6-3D, C6-3X) and District Name (General Residence District, General Central Commercial District)

ARTICLE II RESIDENCE DISTRICT REGULATIONS Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

23-011 Quality Housing Program (a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #development# or #enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program).

23-144 In designated areas where the Inclusionary Housing Program is applicable In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Table with 2 columns: Community District and Zoning District. Lists various community districts and their corresponding zoning districts.

23-145 For residential buildings developed or enlarged pursuant to the Quality Housing Program R6 R7 R8 R9 R10 In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for any #residential building# on a #zoning lot developed# or #enlarged# pursuant to the Quality Housing Program shall be as set forth in the following table and the maximums for #developments#, or #enlargements# where permitted, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#, shall be as designated by the same district with an asterisk. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

Table with 4 columns: District, #Corner Lot, #Interior Lot# or #Through Lot#, Maximum #Floor Area Ratio#. Includes sub-table for Maximum #Lot Coverage#.

23-532 Required rear yard equivalents

However, in #lower density growth management areas# and in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, on any #through lot# at least 180 feet in maximum depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

23-621 Permitted obstructions in certain districts R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(c) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the permitted obstructions set forth in Section 23-62 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height.

23-633 Street wall location and height and setback regulations in certain districts R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

In the districts indicated, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply, except as otherwise set forth for #buildings# in R9D and R10X Districts.

(a) #Street wall# location R6A R7A R7D R7X R9D (1) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program on #wide streets# in R6 or R7 Districts without a letter suffix, the #street wall# of any #development# or #enlargement# shall be located no closer to the #street line# than the closest #street wall# of an existing #building# to such #street line#, located on the same #block#, and within 150 feet of such #development# or #enlargement#. However, a #street wall# need not be located further from the #street line# than 15 feet. On #corner lots#, these #street wall# location provisions shall apply along only one #street line#.

(b) Setback regulations R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in the table in this Section. Such setbacks shall be provided in accordance with the following regulations:

(1) At a height not lower than the minimum base height or higher than the maximum base height specified in the table in this Section, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. (2) On #narrow streets#, where a #street wall# is required to be located further than 10 feet from a #street line# in accordance with paragraph (a) of this Section, the depth of the required setback above the minimum base height may be reduced one foot for every foot that the #street wall# is required to be located beyond 10 feet of the #street line#, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height. (3) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it, in plan, would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of Section 23-621 may penetrate a required setback area. (4) In R9D Districts, for #developments# or #enlargements# that front upon an elevated rail line, at a height between grade level and 25 feet, a setback with a depth of at least 20 feet shall be provided from the #street line# fronting on such elevated rail line. The depth of such setback may be reduced by one foot for every foot that the depth of the #zoning lot#, measured perpendicular to the elevated rail line, is less than 110 feet, but in no event shall a setback less than 10 feet in depth be provided.

(c) Maximum building height No #building or other structure# shall exceed the maximum building height specified in the table in this Section, except as otherwise provided below: R9D R10X

In the districts indicated, any #building# or #buildings# or portions thereof which in the

aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# (or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in Section 23-651), above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Dormers permitted within a required setback area pursuant to Section 23-621 (Permitted obstructions in certain districts) shall not be included in tower coverage. Such tower or towers may exceed a height limit of 85 feet above the #base plane# provided:

- (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#; the base of such tower complies with the #street wall# location provisions of paragraph (a) of this Section and the setback provisions of paragraph (b) of this Section; and (2) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower.

Dormers permitted within a required setback area pursuant to Section 23-621 (Permitted obstructions in certain districts) shall not be included in tower coverage.

- (4) In R9D Districts, the highest four #stories#, or as many #stories# as are located entirely above a height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, (c)(4), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap. (5) In R9D Districts, for towers fronting on elevated rail lines, the outermost walls of each #story# located entirely above a height of 85 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to such elevated rail line shall be 125 feet, or 75 percent of the frontage of the #zoning lot# along such elevated rail line, whichever is less.

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(d) Additional regulations In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the following additional regulations shall apply:

(5) In R9D Districts, where a #building# on an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT

Table with 4 columns: District, Minimum Base Height, Maximum Base Height, Maximum Building Height. Lists various districts and their corresponding height requirements.

[del]1 Refers to that portion of a district which is within 100 feet of a #wide street#.

[del]2 Refers to that portion of a district on a #narrow street# except within a distance of 100 feet from its intersection with a #wide street#.

[del]3 Core refers to #Manhattan Core#.

****[del]4#Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (c) of this Section.

5 For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.

23-663 Required rear setbacks for tall buildings in other districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X (b) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the applicable maximum base height specified in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall be nearer to a #rear yard line# than 10 feet.

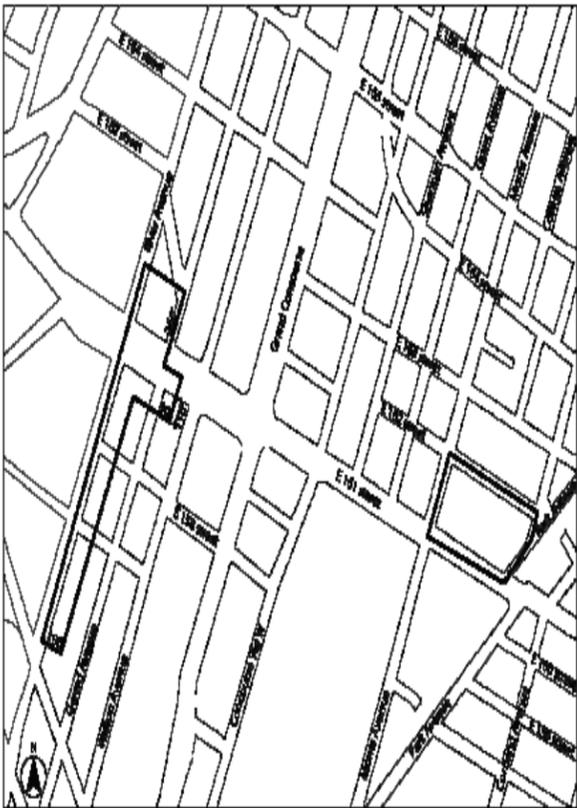
In the case of a #through lot# on which a #rear yard equivalent# is provided as set forth in paragraph (a) of Section 23-533, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. If a #rear yard equivalent# is provided as set forth in paragraph (b) of Section 23-533, the requirements of this Section shall not apply.

23-90 INCLUSIONARY HOUSING

23-92 Applicability

23-922 Inclusionary Housing designated areas The Inclusionary Housing Program shall apply in the following areas:

(YY) In Community District 4, in the Borough of the Bronx, in the R8A and R9D Districts within the areas shown on the following Map XX:



23-942 In Inclusionary Housing designated areas

The provisions of this Section shall apply in the #Inclusionary Housing designated areas# set forth in Section 23-922, except within Waterfront Access Plan BK-1 and in R7-3 Districts within Community District 1, Borough of Brooklyn.

(a) Maximum #floor area ratio# The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table. However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

Table with 3 columns: District, Base #floor area ratio#, Maximum #floor area ratio#. Rows include R6*, R6**, R6A, R6B, R7A, R7D, R7X, R8, R9, R9A, R9D, R10.

Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

24-011 Quality Housing Program In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #residential# portion

of a #building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In R5D Districts, certain provisions of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

24-11 Maximum Floor Area Ratio and Percentage of Lot Coverage

In R9A, R9D, R9X, R10A and R10X Districts, the bonus provisions of Sections 24-14 (Floor Area Bonus for a Public Plaza) and 24-15 (Floor Area Bonus for Arcades) shall not apply and the maximum #floor area ratio# shall not exceed that set forth in the following table:

Table with 5 columns: #Floor Area Ratio#, #Corner Lot#, Interior Lot# or #Through Lot#, District, #Lot coverage# (percent of #lot area#). Rows list various floor area ratios and their corresponding districts.

24-111 Maximum floor area ratio for certain community facility uses

R3 R4 R5 R6 R7 R8 R9 (b) In the districts indicated, for any #zoning lot# containing nursing homes, health-related facilities or domiciliary care facilities for adults, each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the #floor area ratio# as set forth in the following table, except where the permissible #floor area ratio# is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

The provisions of paragraph (b) of this Section are not applicable in R8B Districts in Community Board 8 in the Borough of Manhattan.

Table with 2 columns: District, Maximum #Floor Area Ratio# Permitted. Lists districts R3 through R9X and their corresponding maximum floor area ratios.

24-164 Location of open space for residential portion

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X (b) In the districts indicated, and for #buildings# in which the #residential# portion is #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of Section 28-30 (RECREATION SPACE AND PLANTING AREAS) shall apply.

24-351 Special provisions applying along district boundaries R6 R7 R8 R9 R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4 or R5 District coincides with a #side lot line# of a #zoning lot#, a #side yard# at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall apply to any portion of a #building# located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the #building# that contains such portion is:

24-381 Excepted through lots

R5D R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X (b) In the districts indicated, and in other R6,

R7, R8, R9 and R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

24-382 Required rear yard equivalents

However, in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and in other R6 through R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, on any #through lot# at least 180 feet in depth from #street to street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

24-522 Front setbacks in districts where front yards are not required

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X (b) In the districts indicated, for any #development# or #enlargement#, the provisions of this Section, Section 24-53 (Alternate Front Setbacks) and Section 24-54 (Tower Regulations) shall not apply. In lieu thereof, the provisions of Section 23-60 (HEIGHT AND SETBACK REGULATIONS) shall apply.

24-552 Required rear setbacks for tall buildings

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X (b) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the maximum base height specified in the table in Section 23-633 shall be nearer to a #rear yard line# than 10 feet.

Chapter 8 The Quality Housing Program

28-01 Applicability of this Chapter The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#. In R5D Districts, only the requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-33 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply.

ARTICLE III COMMERCIAL DISTRICT REGULATIONS Chapter 2 Use Regulations

32-656 Height of signs above roof C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 In the districts indicated, no #sign# displayed from the wall of a #building# or other structure# shall extend above the parapet wall or roof of such #building# or other structure#, except that a vertical #sign#, the horizontal width of which, parallel to the wall, does not exceed 28 inches, may extend no higher than 15 feet above the roof level.

32-434 Ground floor use in C4-5D and C6-3D Districts and in Certain C2 Districts

C4-5D C6-3D In all C4-5D Districts the districts indicated and in C2 Districts mapped within R7D or R9D Districts, #uses# on the ground floor or within five feet of #curb level# shall be limited to non-#residential uses# which shall extend along the entire width of the #building#, and lobbies, entrances to subway stations and #accessory# parking spaces, provided such lobbies and entrances do not occupy, in total, more than 25 percent of the #street wall# width of the #building# or more than 20 linear feet of #street wall# frontage on a #wide street# or 30 linear feet on a #narrow street#, whichever is less. Such non-#residential uses# shall have a minimum depth of 30 feet from the #street wall# of the #building#. In C6-3D Districts, a vertical circulation core shall be permitted within such minimum 30 foot depth.

Enclosed parking spaces, or parking spaces within a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building#. However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage and, if such #building# fronts on both a #wide street# and a #narrow street#, such loading berth shall be located only on a #narrow street#.

In C6-3D Districts, each ground floor level #street wall# of a #commercial# or #community facility use# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials. However, where the #street wall# or portion thereof fronts an elevated rail line or is located within 50 feet of a #street wall# that fronts an elevated rail line, the glazing requirement of the area of the ground floor level #street wall# may be reduced from 70 percent to 50 percent, and not less than 35 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 15 percent of such area may be glazed with translucent materials. Furthermore, all security gates installed after (date of enactment), that are swung, drawn or lowered to secure commercial or community facility premises shall,

when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#, except that this provision shall not apply to entrances or exits to parking garages.

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

33-12 Maximum Floor Area Ratio

In addition, the following limitations on maximum permitted #floor area# shall apply: C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A

(a) In contextual Commercial Districts In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9D, R9X, R10A or R10X Districts, no #floor area# bonuses are permitted.

33-121 In districts with bulk governed by Residence District bulk regulations

In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

MAXIMUM FLOOR AREA RATIO

Table with 4 columns: District, For #Commercial Buildings#, For #Community Buildings#, For #Buildings# Used for Both #Commercial# and #Community Facility Uses#

33-122 Commercial buildings in all other Commercial Districts

In the districts indicated, the maximum #floor area ratio# for a #commercial building# shall not exceed the #floor area ratio# set forth in the following table:

Table with 2 columns: Districts, Maximum #Floor Area Ratio#

33-123 Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

In the districts indicated, the maximum #floor area ratio# for a #community facility building#, or for a #building# used for both #commercial# and #community facility uses#, shall not exceed the #floor area ratio# set forth in the following table:

Table with 2 columns: Districts, Maximum #Floor Area Ratio#

33-283 Required rear yard equivalents

In the districts indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

(a) an open area with a minimum depth of 40 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts. In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or

* * *

33-294 Other special provisions along certain district boundaries

C1-6A C1-7A C1-8A C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X In the districts indicated, and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, the #development# or #enlargement# of a #building#, or portions thereof, within 25 feet of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts).

33-431 In C1 or C2 Districts with bulk governed by surrounding Residence District

(b) In the districts indicated, when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R10A or R10X Districts, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

33-432 In other Commercial Districts

(b) In the districts indicated, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

33-492 Height limitations for narrow buildings or enlargements

In the districts indicated, and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts, if the width of the #street wall# of a new #building# or the #enlarged# portion of an existing #building# is 45 feet or less, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

Chapter 4 Bulk Regulations for Residential Buildings in Commercial Districts

34-011 Quality Housing Program

In C1 and C2 Districts mapped within #Residence Districts# with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, #residential buildings# shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

34-112 Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

In the districts indicated, the applicable #bulk# regulations are the #bulk# regulations for the #Residence Districts# set forth in the following table:

Table with 2 columns: Districts, Applicable #Residence District#

Chapter 5 Bulk Regulations for Mixed Buildings in Commercial Districts

35-011 Quality Housing Program

In C1 and C2 Districts mapped within R6 through R10 Districts with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, any #residential# portion of a #mixed building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In C1 and C2 Districts mapped within R5D Districts, #mixed buildings# shall comply with certain regulations of Article II, Chapter 8, as set forth in Section 28-01 (Applicability of this Chapter).

35-23 Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts

(b) In the districts indicated, the #bulk# regulations for #residential# portions of #mixed buildings# are the #bulk# regulations for the #Residence Districts# set forth in the following table. However, the height and setback regulations of Sections 23-60 through 23-65, inclusive, shall not apply. In lieu thereof, Section 35-24 shall apply to such #mixed building#.

Table with 2 columns: Applicable #Residence District#, District

35-24 Special Street Wall Location and Height and Setback Regulations in Certain Districts

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings# or other structures# shall be measured from the #base plane#.

(a) Permitted obstructions In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the permitted obstructions set forth in Section 33-42 shall apply to any #building# or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback area. Such dormer may exceed a maximum base height specified for such district provided that, on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

(b) #Street wall# location C1-7A C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-4D C4-5D In the districts indicated, and in C1 or C2 Districts when mapped within R7D, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other C1 or C2 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following #street wall# location provisions shall apply along #wide streets#, and along #narrow streets# within 50 feet of their intersection with a #wide street#:

- (i) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts or the height of the #building#, whichever is less. To allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

In C1 or C2 Districts when mapped within R9D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#. However, where one such #street line# fronts an elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.

- (ii) Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

Above a height of 12 feet above the #base plane#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in paragraph (b)(2)(i) of this Section.

- (iii) For #developments# that occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

The preceding #street wall# provisions shall not apply along #narrow streets# beyond 50 feet of their intersection with a #wide street#, nor along any #street frontage# of a #zoning lot# occupied by existing #buildings#. C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

- (3) In the districts indicated, and in other C4, C5 or C6 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the #street wall# location requirements shall be as set forth in paragraph (b)(2), inclusive, of this Section, except that a #street wall# with a minimum height of 12 feet shall be required on a #narrow street line# beyond 50 feet of its intersection with a #wide street#, and shall extend along such entire #narrow street# frontage of the #zoning lot#.

In C6-4X Districts, #public plazas# are only permitted to front upon a #narrow street line# beyond 50 feet of its intersection with a #wide street line#.

In C6-3D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#.

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(c) Setback regulations In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, all #developments# or #enlargements# shall comply with the following provisions:

(1) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section for #buildings# in contextual districts, and Table B for #buildings# in non-contextual districts, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.

(2) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it in plan would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of paragraph (a) of this Section may penetrate a required setback area.

(3) In C6-3D Districts, for #developments# or #enlargements# that front upon an elevated rail line, at a height not lower than 15 feet or higher than 25 feet, a setback with a depth of at least 20 feet shall be provided from any #street wall# fronting on such elevated rail line, except that such dimensions may include the depth of any permitted recesses in the #street wall# and the depth of such setback may be reduced by one foot for every foot that the depth of the #zoning lot#, measured perpendicular to the elevated rail line, is less than 110 feet, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.

(i) The setback provisions of paragraph (c) of this Section are optional for such #developments# or #enlargements# where a building wall is within the area bounded by two intersecting #street lines# and lines parallel to and 70 feet from such #street lines#.

(ii) Where such #development# or #enlargement# is adjacent to a #public park#, such setback may be provided at grade for all portions of #buildings# outside of the area bounded by two intersecting #street lines# and lines parallel to and 70 feet from such #street lines#, provided that any area unoccupied by a #building# shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

(d) Maximum building height No #building# or other structure# shall exceed the maximum building height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts, except as provided in this paragraph, (d), inclusive:

C6-3D C6-4X In the districts indicated, any #building# or #buildings#, or portions thereof, which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# (or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in Section 33-454) above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Dormers permitted within a required setback area pursuant to paragraph (a) of this Section shall not be included in tower #lot coverage#. Such tower or towers may exceed a height limit of 85 feet above the #base plane#, provided:

- (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street#, and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
(2) the base of such tower complies with the #street wall# location provisions of paragraph (b) of this Section, and the setback provisions of paragraph (c) of this Section; and
(3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower.
(4) In C6-3D Districts, the highest four #stories#, or as many #stories# as are located entirely above a

height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(5) In C6-3D Districts, for towers fronting on elevated rail lines, the outermost walls of each #story# located entirely above a height of 85 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to such elevated rail line shall be 125 feet, or 75 percent of the frontage of the #zoning lot# along such elevated rail line, whichever is less.

Dormers permitted within a required setback area pursuant to paragraph (a) of this Section shall not be included in tower #lot coverage#.

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(e) Additional regulations In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following additional provisions shall apply to all #developments# or #enlargements#:

(5) In C6-3D Districts, where a #building# on an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

TABLE A HEIGHT AND SETBACK FOR BUILDINGS IN CONTEXTUAL DISTRICTS

Table with 4 columns: District, Minimum Base Height, Maximum Base Height, Maximum Building Height. Rows include districts like C1 or C2 mapped in R6B, C1-6A C2-6A C4-4A C4-5A, etc.

* Refers to that portion of a district which is within 100 feet of a #wide street#
** Refers to that portion of a district on a #narrow street#, except within a distance of 100 feet from its intersection with a #wide street#
*** #Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (d) of this Section
**** For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.

35-31 Maximum Floor Area Ratio for Mixed Buildings C1 C2 C3 C4 C5 C6

In all districts, except as set forth in Section 35-311, the provisions of this Section shall apply to any #zoning lot# containing a #mixed building#.

The maximum #floor area ratio# permitted for a #commercial# or #community facility use# shall be as set forth in Article III, Chapter 3, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#. However, in C4-7 Districts within Community District 7 in the Borough of Manhattan, such maximum #residential floor area ratio# may be increased pursuant to the provisions of Section 23-90 (INCLUSIONARY HOUSING).

In the designated areas set forth in Section 23-922 (#Inclusionary Housing designated areas#), except within

Waterfront Access Plan BK-1, and in Community District 1, Brooklyn, in R6 Districts without a letter suffix, the maximum #floor area ratio# permitted for #zoning lots# containing #residential# and #commercial# or #community facility uses# shall be the base #floor area ratio# set forth in Section 23-942 for the applicable district. However, in #Inclusionary Housing designated areas# mapped within C4-7, C5-4, C6-3D and C6-4 districts, the maximum base #floor area ratio# for #zoning lots# containing #residential# and #commercial# or #community facility uses# shall be either the base #floor area ratio# set forth in Section 23-942 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, or the maximum #floor area ratio# for #commercial uses# in such district, whichever is lesser.

Such The maximum base #floor area ratio# in #Inclusionary Housing designated areas# may be increased to the maximum #floor area ratio# set forth in such Section 23-942 only through the provision of #lower income housing# pursuant to Section 23-90 (INCLUSIONARY HOUSING).

A non-#residential use# occupying a portion of a #building# that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations on maximum #floor area ratio# shall not apply to such change of #use#.

Article III Chapter 6 Accessory Off-Street Parking and Loading Regulations

36-52 Size and Location of Spaces

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A C6-4X

(b) Location of parking spaces in certain districts In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#.

Article III Chapter 7 Special Urban Design Regulations

37-38 Sidewalk Widening in Certain Districts C6-3D

In the district indicated, and in C1 or C2 districts mapped within an R9D district, for #developments# or #enlargements# on #zoning lots# fronting upon #wide streets#, or fronting upon #narrow streets# that include an elevated rail line, sidewalks, with a minimum depth of 20 feet measured perpendicular to the curb of the #street#, shall be provided along such entire #street# frontages of the #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 20 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 20 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times. In addition, the provisions of paragraph (f) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), subparagraphs (2) through (5) shall apply.

37-40 OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances* shall be provided in accordance with the provisions of this Section.

A relocated subway stair or a subway stair that has been renovated in accordance with the provisions of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE) may be counted as pedestrian circulation space pursuant to Section 37-50.

Table with 2 columns: Station, Line. Rows include 8th Street (BMT-Broadway), 23rd Street (BMT-Broadway), 23rd Street (IRT-Lexington Ave.), 28th Street (IRT-Lexington Ave.), 33rd Street (IRT-Lexington Ave.), 34th Street (IND-8th Avenue), 59th Street (IRT-Lexington Ave.), Lexington Avenue-60th St. (BMT-Broadway), 161st Street (IND-6th Avenue).

* Provision of a new subway entrance or entrances pursuant to the requirements of this Section may also require satisfaction of additional obligations under the Americans with Disabilities Act of 1990 (ADA), including the ADA Accessibility Guidelines. The New York City Transit Authority should be consulted with regard to any such obligations.

CD 4 No. 2 C 090365 ZMX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City charter for an amendment of the Zoning Map, Section Nos.3b and 6a:

- 1. eliminating from within an existing R7-1 District a C1-4 District bounded by Morris Avenue a line 100 feet northeasterly of East 161st Street, a line 100 feet southeasterly of Morris Avenue, and East 161st Street;

2. eliminating from within an existing R8 District a C1-4 District bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 100 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, and a line 150 feet northeasterly of East 158th Street;
3. changing from an R7-1 District to an R8A District property bounded by East 162nd Street and its southeasterly prolongation, Park Avenue, East 161st Street, and Morris Avenue;
4. changing from an R8 District to a C6-2 District property bounded by East 161st Street, Concourse Village West, a line 50 feet northeasterly of East 159th Street, and a line 100 feet northwesterly of Concourse Village West;
5. changing from a C4-6 District to a C6-2 District property bounded by a line 140 feet northeasterly of East 161st Street, Sheridan Avenue, East 161st Street, and a line 100 feet northwesterly of Sheridan Avenue;
6. changing from a C8-3 District to a C6-2 District property bounded by East 161st Street, Concourse Village East, a line 150 feet southwesterly of East 161st Street, and Concourse Village West;
7. changing from an R8 District to a C6-3D* District property bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 110 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, and a line 150 feet northeasterly of East 158th Street
8. changing from a C8-3 District to a C6-3D* District property bounded by River Avenue, a line 150 feet northeasterly of East 158th Street, a line midway between River Avenue and Gerard Avenue, and a line perpendicular to the southeasterly street line of River Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of River Avenue and the northeasterly street line of East 153rd Street; and
9. establishing within the proposed R8A district a C2-4 District bounded by East 162nd Street, a line 100 feet southeasterly of Morris Avenue, a line midway between East 161st Street and East 162nd Street, a line 100 feet northwesterly of Park Avenue, a line 100 feet northeasterly of East 161st Street, a line perpendicular to the northeasterly street line of East 161st Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 161st Street and the northwesterly street line of Park Avenue, East 161st Street, and Morris Avenue;

as shown on a diagram (for illustrative purposes only) dated March 30, 2009 and subject to the conditions of CEQR Declaration E-225.

* Note: A C6-3D District is proposed to be created under a related application N 090364 ZRY for an amendment of the Zoning Resolution.

NOTICE

On Wednesday, July 1, 2009, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning applications for amendments to the Zoning Map and, the Zoning Resolution, related to the 161st Street rezoning proposal.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP024X.

Nos. 3 & 4

SOCIAL SECURITY ADMINISTRATION PARKING

No. 3

CD 6 C 090342 ZMX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, by:

1. eliminating within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Southern Boulevard, a line 70 feet southwesterly of East 176th Street, and a line 80 feet southeasterly of Trafalgar Place; and
2. establishing within an existing R7-1 District a C1-4 District bounded by:
 - a. Trafalgar Place, East 176th Street, a line 100 feet northwesterly of Southern Boulevard, and a line 70 feet southwesterly of East 176th Street; and
 - b. a line 80 feet southeasterly of Trafalgar Place, a line 100 feet northwesterly of Southern Boulevard, and East 175th Street;

as shown on a diagram (for illustrative purposes only) dated April 20, 2009.

No. 4

CD 6 N 090343 HAX

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 906 and 916 East 176th Street (Block 2958, p/o Lots 106 and 109) and 907 East 175th Street (Block 2958, Lot 120) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area;

to facilitate accessory parking.

BOROUGH OF BROOKLYN

Nos. 5 & 6

SUNSET PARK REZONING

No. 5

CD 7 C 090386 ZMK

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16b, 16d, 22a & 22c:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. a line 150 feet northwesterly of Fourth Avenue, 41st Street, Fourth Avenue, a line midway between 39th Street and 40th Street, a line 150 feet southeasterly of Fourth Avenue, and 42nd Street;
 - b. a line 150 feet northwesterly of Fourth Avenue, 44th Street, a line 150 feet southeasterly of Fourth Avenue, a line midway between 45th Street and 46th Street, Fourth Avenue, and 45th Street;
 - c. a line 150 feet northwesterly of Fourth Avenue, 47th Street, Fourth Avenue, 46th Street, a line 150 feet southeasterly of Fourth Avenue, 61st Street, a line 150 feet northwesterly of Fourth Avenue, 58th Street, Fourth Avenue, and 57th Street;
 - d. a line 150 feet northwesterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 150 feet southeasterly of Fifth Avenue, and 41st Street;
 - e. a line 150 feet northwesterly of Fifth Avenue, 43rd Street, Fifth Avenue, 44th Street, a line 150 feet southeasterly of Fifth Avenue and 50th Street;
 - f. a line 150 feet northwesterly of Fifth Avenue, 56th Street, a line 150 feet southeasterly of Fifth Avenue, 59th Street, Fifth Avenue, and 60th Street;
 - g. a line 150 feet northwesterly of Sixth Avenue, a line midway between 48th Street and Sunset Terrace, a line 150 feet southeasterly of Sixth Avenue, a line midway between 54th Street and 55th Street, Sixth Avenue, a line midway between 52nd Street and 53rd Street, a line 150 feet northwesterly of Sixth Avenue, 51st Street, Sixth Avenue, and 50th Street;
 - h. a line 150 feet northwesterly of Sixth Avenue, 56th Street, a line 150 feet southeasterly of Sixth Avenue, and a line midway between 58th Street and 59th Street;
 - i. a line 150 feet northwesterly of Seventh Avenue, 58th Street, a line 150 feet southeasterly of Seventh Avenue, a line midway between 60th Street and 61st Street, Seventh Avenue, and a line midway between 61st Street and 62nd Street; and
 - j. a line 150 feet northwesterly of Eighth Avenue, a line midway between 39th Street and 40th Street/ Finlandia Street, a line 150 feet southeasterly of Eighth Avenue, and a line midway between 60th Street and 61st Street;
2. eliminating from within an existing R6 District a C2-3 District bounded by: Fourth Avenue, 30th Street, a line 150 feet Southeasterly of Fourth Avenue, and 34th Street;
 - a. a line 150 feet northwesterly of Fourth Avenue, 61st Street, a line 150 feet southeasterly of Fourth Avenue, the northeasterly service road of the Gowanus Expressway, Fourth Avenue, 64th Street, a southeasterly boundary line of a Park and its southwesterly prolongation, and a northeasterly boundary line of a Park; and
 - b. a line 150 feet northwesterly of Fifth Avenue, 60th Street, a line 150 feet southeasterly of Fifth Avenue, a line midway between 62nd Street and 63rd Street, a line 100 feet southeasterly of Fifth Avenue, and 63rd Street;
3. changing from an R6 District to an R4-1 District property bounded by Gowanus Expressway, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Fourth Avenue, and a line midway between 62nd Street and 63rd Street;
4. changing from an R6 District to an R4A District property bounded by the northwesterly street line of Second Avenue, a line midway between 61st Street and 62nd Street and its northwesterly prolongation, a line 380 feet southeasterly of Second Avenue, 62nd Street, a north westerly service road of the Gowanus Expressway, and a line midway between 62nd Street and 63rd Street and its northwesterly prolongation;
5. changing from an R6 District to an R6A District property bounded by:
 - a. Gowanus Expressway, a line midway between 57th Street and 58th Street, a line 100 feet northwesterly of Fourth Avenue, and 60th Street;
 - b. a line 100 feet northwesterly of Gowanus Expressway, 61st Street, a line 100 feet northwesterly of Fourth Avenue, a line midway between 61st Street and 62nd Street, Gowanus Expressway, a line midway between 62nd and 63rd Street, a line 100 feet northwesterly of Fourth Avenue, Gowanus Expressway, 64th Street, Third Avenue (Northwesterly portion), a north westerly service road of the Gowanus Expressway, and 62nd Street;
 - c. a line 100 feet southeasterly of Fourth Avenue, a line midway between 60th Street and 61st Street, a line 100 feet

- d. a line 100 feet northwesterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet southeasterly of Fifth Avenue, the northeasterly, northwesterly and southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Fifth Avenue, and 47th Street;
 - e. a line 505 feet northwesterly of Sixth Avenue and its southwesterly prolongation, 40th Street, a line 155 feet northwesterly of Sixth Avenue and its southwesterly prolongation, and the northeasterly boundary line of Sunset Park; and
 - f. a line 100 feet northwesterly of Sixth Avenue and its northeasterly prolongation, the southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Sixth Avenue and its northeasterly prolongation, the northeasterly, northwesterly and southwesterly boundary line of Rainbow Park, a line 100 feet southeasterly of Sixth Avenue, and 61st Street;
6. changing from an R6 District to an R6B District property bounded by:
 - a. a line 100 feet southeasterly of Fourth Avenue, a line midway between 28th Street and 29th Street, Fifth Avenue, 35th Street, a line 200 feet northwesterly of Fifth Avenue, a line midway between 37th Street and 38th Street, a line 100 feet southeasterly of Fourth Avenue, 36th Street, Fourth Avenue, and 34th Street;
 - b. Gowanus Expressway, a line midway between 39th Street and 40th Street, a line 100 feet northwesterly of Fourth Avenue, and a line midway between 57th Street and 58th Street;
 - c. the northwesterly street line of Second Avenue, a line midway between 60th Street and 61st Street and its northwesterly prolongation, a line 350 feet southeasterly of Second Avenue, a line midway between 59th Street and 60th Street, a line 100 feet northwesterly of Third Avenue, 60th Street, a line 100 feet northwesterly of Fourth Avenue, 61st Street, a line 100 feet northwesterly of Third Avenue, 62nd Street, a line 380 feet southeasterly of Second Avenue, and a line midway between 61st Street and 62nd Street and its northwesterly prolongation;
 - d. a line 100 feet southeasterly of Fourth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet northwesterly of Fifth Avenue, 50th Street, a line 150 feet northwesterly of Fifth Avenue, 56th Street, a line 100 feet northwesterly of Fifth Avenue, and a line midway between 60th Street and 61st Street;
 - e. a line 100 feet southeasterly of Fourth Avenue, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Fifth Avenue, 64th Street, Fifth Avenue, and the northeasterly service road of Gowanus Expressway;
 - f. a line 100 feet southeasterly of Fifth Avenue, a line midway between 39th Street and 40th Street, a line 100 feet northwesterly of Seventh Avenue, the northeasterly boundary line of Sunset Park, a line 155 feet northwesterly of Sixth Avenue and its southwesterly prolongation, 40th Street, a line 505 feet northwesterly of Sixth Avenue and its southwesterly prolongation, and the northeasterly boundary line of Sunset Park;
 - g. a line 100 feet southeasterly of Fifth Avenue, the southwesterly boundary line of Sunset Park, a line 100 feet northwesterly of Sixth Avenue and its northeasterly prolongation, 61st Street, a line 100 feet southeasterly of Sixth Avenue, the southwesterly, northwesterly and northeasterly boundary line of Rainbow Park, a line 100 feet southeasterly of Sixth Avenue and its northeasterly prolongation, the southwesterly boundary line of Sunset Park and its southeasterly prolongation, Seventh Avenue, a line midway between 44th Street and 45th Street, a line 100 feet northwesterly of Seventh Avenue, a line midway between 61st Street and 62nd Street, a line 100 feet northwesterly of Sixth Avenue, a line midway between 62nd Street and 63rd Street, a line 100 feet southeasterly of Fifth Avenue, 56th Street, a line 150 feet southeasterly of Fifth Avenue, and 50th Street; and
 - h. a line 100 feet southeasterly of Seventh Avenue, a line midway between 39th Street and 40th Street/ Finlandia Street, a line 100 feet northwesterly of Eighth Avenue, a line midway between 60th Street and 61st Street, a line 100 feet southeasterly of Seventh Avenue, a line midway between 40th Street/ Finlandia Street and 41st Street, a line 325 feet southeasterly of Seventh Avenue, and 40th Street/ Finlandia Street;
 7. changing from a C4-3 District to an R6B District property bounded by:
 - a. a line 150 feet northwesterly of Fifth

LABOR RELATIONS

NOTICE

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Thursday, June 18th, 2009 from 10:00 A.M. to 1:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

j16-18

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, June 23, 2009, at 9:00 A.M.**, the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks, Landmark Sites and Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEMS TO BE HEARD

PUBLIC HEARING ITEM NO. 1
LP-2339 **PROPOSED PERRY AVENUE HISTORIC DISTRICT**, Borough of the Bronx.
Boundary Description
The (proposed) Perry Avenue Historic District consists of the property bounded by a line beginning at the intersection of the northwestern curblin of Perry Avenue with a line extending southeasterly from the northeastern property line of 2987 Perry Avenue, northwesterly along said property line to the northwestern property line of 2987 Perry Avenue, southwesterly along said property line and the property lines of 2985 through 2971 Perry Avenue to the southwestern property line of 2971 Perry Avenue, southeasterly along said property line to the northwestern curblin of Perry Avenue, northeasterly along said curblin to the point of the beginning.

PUBLIC HEARING ITEM NO. 2
LP-2341 **LYDIA ANN BELL and J. WILLIAM AHLES HOUSE**, 39-24 to 39-26 213th Street, Queens.
Landmark Site: Borough of Queens Tax Map Block 6236, Lot 18

PUBLIC HEARING ITEM NO. 3
LP-2357 **138 SECOND AVENUE HOUSE**, 138 Second Avenue, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 450, Lot 5

PUBLIC HEARING ITEM NO. 4
LP-2345 **145 EIGHTH AVENUE HOUSE**, 145 Eighth Avenue, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 741, Lot 31

PUBLIC HEARING ITEM NO. 5
LP-2346 **147 EIGHTH AVENUE HOUSE**, 147 Eighth Avenue, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 741, Lot 32

PUBLIC HEARING ITEM NO. 6
LP-2350 **143 ALLEN STREET HOUSE**, 143 Allen Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 415, Lot 23

PUBLIC HEARING ITEM NO. 7
LP-2344 **57 SULLIVAN STREET HOUSE**, 57 Sullivan Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 489, Lot 2

PUBLIC HEARING ITEM NO. 8
LP-2347 **177 WEST BROADWAY HOUSE**, 177 West Broadway, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 176, Lot 16

PUBLIC HEARING ITEM NO. 9
LP-2342 **PARAMOUNT HOTEL** 235-245 West 46th Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 1018, Lot 6

PUBLIC HEARING ITEM NO. 10
LP-2359 **SIRE BUILDING**, 211 West 58th Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 1030, Lot 25

PUBLIC HEARING ITEM NO. 11
LP-2356 **HEBREW ACTORS' UNION**, 31 East 7th Street, Manhattan
Landmark Site: Borough of Manhattan Tax Map Block 463, Lot 42

PUBLIC HEARING ITEM NO. 12
LP-2543 **311 BROADWAY BUILDING**, 311 Broadway, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 151, Lot 31

PUBLIC HEARING ITEM NO. 13
LP-2354 **(Former) GERMANIA FIRE INSURANCE COMPANY BUILDING**, 357 Bowery, Manhattan
Landmark Site: Borough of Manhattan Tax Map Block 459

PUBLIC HEARING ITEM NO. 14
LP-2353 **97 BOWERY BUILDING**, 97 Bowery, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 304, Lot 2

PUBLIC HEARING ITEM NO. 15
LP-2351 **(Former) RIDLEY & SONS DEPARTMENT**

STORE, 315 Grand Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 308, Lot 14

PUBLIC HEARING ITEM NO. 16
LP-2352 **(Former) RIDLEY & SONS DEPARTMENT STORE**, 321 Grand Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 308, Lot 15

PUBLIC HEARING ITEM NO. 17
LP-2363 **(Former) JARMULOWSKY BANK**, 54 Canal Street aka 54-58 Canal Street; 5-9 Orchard Street, Manhattan
Landmark Site: Borough of Manhattan Tax Map Block 294, Lot 8

PUBLIC HEARING ITEM NO. 18
LP-2340 **46 WEST 55TH STREET HOUSE**, 46 West 55th Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 1270, Lot 60

j10-23

MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

Please be advised that the Procurement Policy Board Chair's Briefing will be held on Tuesday, June 23, 2009 at 10:00 AM at 253 Broadway, 9th Floor Conference Room.

j18

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Thursday, June 18, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 9:30 A.M. on the following:

PUBLIC HEARING conducted by the Mayor's Office of Contract Services on the draft annual Human Services Plan (HS Plan) for fiscal year 2010. Pursuant to §2-04(c) of the Procurement Policy Board Rules, City agencies that contract for human services are required to publish a plan describing their proposed procurement actions with regard to their human service contracts, including all existing and anticipated contracts for the covered planning period of October 1, 2009 through September 30, 2010.

Posting of the final HS plans will occur by September 30, 2009.

Interested parties can access draft copies of Human Services Plans (by agency) at <http://www.nyc.gov/html/moc/home.html>. Printed copies of the Human Services Plans are also available for public inspection at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York, NY 10007, between the hours of 9:30 A.M. and 5:00 P.M., Monday through Friday, exclusive of holidays, from June 8, 2009 to June 18, 2009.

j8-18

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, June 24, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor, New York, NY 10013, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 801 Amsterdam LLC to maintain and use a sidewalk vault under and along east sidewalk of Amsterdam Avenue, south of West 100th Street, in the Borough of Manhattan. For the first year of the consent, the annual period commencing on the date of the final approval of this consent by the Mayor (the "Approval Date") and terminating on June 30, 2010:

- \$40,794/annum
For the period July 1, 2010 to June 30, 2011 - \$42,018
For the period July 1, 2011 to June 30, 2012 - \$43,242
For the period July 1, 2012 to June 30, 2013 - \$44,466
For the period July 1, 2013 to June 30, 2014 - \$45,690
For the period July 1, 2014 to June 30, 2015 - \$46,914
For the period July 1, 2015 to June 30, 2016 - \$48,138
For the period July 1, 2016 to June 30, 2017 - \$49,362
For the period July 1, 2017 to June 30, 2018 - \$50,586
For the period July 1, 2018 to June 30, 2019 - \$51,810
For the period July 1, 2019 to June 30, 2020 - \$53,034

the maintenance of a security deposit in the sum of \$53,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#2 In the matter of a proposed revocable consent authorizing 454 Equities LLC to construct, maintain and use planted areas on the north sidewalk of West 119th Street, east of Manhattan Avenue; on the east sidewalk of Manhattan Avenue, between West 119th Street and West 120th Street; and on the south sidewalk of 120th Street, east of Manhattan Avenue, all in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2019 - \$1,053/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop, fenced-in area and an overhead cornice on the east sidewalk of Henry Street, between Congress Street and Amity Street, at 357 Henry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor and provides,

among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop, fenced-in area and an overhead cornice on the east sidewalk of Henry Street, between Congress Street and Amity Street, at 359 Henry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop, fenced-in area and an overhead cornice on the east sidewalk of Henry Street, between Congress Street and Amity Street, at 361 Henry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing 110 Amity Street Equities LLC to construct, maintain and use a stoop and fenced-in area on the south sidewalk of Amity Street, between Henry Street and Clinton Street, at 120 Amity Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$4,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing Amalgamated Housing Corporation to maintain and use conduits under and across Gale Place, Orloff Avenue, Gouverneur Avenue, Hillman Avenue and Saxon Avenue, south of Van Cortland Park South, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$18,109
For the period July 1, 2010 to June 30, 2011 - \$18,636
For the period July 1, 2011 to June 30, 2012 - \$19,163
For the period July 1, 2012 to June 30, 2013 - \$19,690
For the period July 1, 2013 to June 30, 2014 - \$20,217
For the period July 1, 2014 to June 30, 2015 - \$20,744
For the period July 1, 2015 to June 30, 2016 - \$21,271
For the period July 1, 2016 to June 30, 2017 - \$21,798
For the period July 1, 2017 to June 30, 2018 - \$22,325
For the period July 1, 2018 to June 30, 2019 - \$22,852

the maintenance of a security deposit in the sum of \$22,900, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

j4-24

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M., on Wednesday, July 8, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor, New York, NY 10013, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing Rodney Miller, Sr. to construct, maintain and use steps and planted area on the north sidewalk of East 92nd Street, west of Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2020 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing Lucille Lortel Theatre Foundation, Inc. to maintain and use name plates and bollards on the north sidewalk of Christopher Street, east of Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2009 to June 30, 2019 - \$7,350/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing New York University to construct, maintain and use a conduit under, across and along East 13th Street, west of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to The following schedule:

For the period July 1, 2009 to June 30, 2010 - \$8,870
 For the period July 1, 2010 to June 30, 2011 - \$9,136
 For the period July 1, 2011 to June 30, 2012 - \$9,402
 For the period July 1, 2012 to June 30, 2013 - \$9,668
 For the period July 1, 2013 to June 30, 2014 - \$9,934
 For the period July 1, 2014 to June 30, 2015 - \$10,200
 For the period July 1, 2015 to June 30, 2016 - \$10,466
 For the period July 1, 2016 to June 30, 2017 - \$10,732
 For the period July 1, 2017 to June 30, 2018 - \$10,998
 For the period July 1, 2018 to June 30, 2019 - \$11,264

the maintenance of a security deposit in the sum of \$12,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing New York University to maintain and use a conduit under and across a public walkway, between West 3rd Street and West 4th Street, east of LaGuardia Place, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$1,775
 For the period July 1, 2010 to June 30, 2011 - \$1,827
 For the period July 1, 2011 to June 30, 2012 - \$1,879
 For the period July 1, 2012 to June 30, 2013 - \$1,931
 For the period July 1, 2013 to June 30, 2014 - \$1,983
 For the period July 1, 2014 to June 30, 2015 - \$2,035
 For the period July 1, 2015 to June 30, 2016 - \$2,087
 For the period July 1, 2016 to June 30, 2017 - \$2,139
 For the period July 1, 2017 to June 30, 2018 - \$2,191
 For the period July 1, 2018 to June 30, 2019 - \$2,243

the maintenance of a security deposit in the sum of \$12,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing 200 Park LP to construct, maintain and use bollards on the sidewalks adjacent to Viaduct East and Viaduct West, south of 45th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor. There shall be no compensation required for this revocable consent. the maintenance of a security deposit in the sum of \$15,000, and the filing of an insurance policy for property damage and/or bodily injury, including death, shall be not less than \$10,000,000 combined single limit per occurrence and a minimum \$20,000,000 aggregate.

#6 In the matter of a proposed revocable consent authorizing Goldman Sachs Headquarters LLC to maintain and use bollards on Murray Street, between West Street and Vesey Street; and on Vesey Street between West Street and Murray Street, in front of 200 West Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor. There shall be no compensation required for this revocable consent.

the maintenance of a security deposit in the sum of \$30,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing Metropolitan Transportation Authority to maintain and use bollards on 8th Avenue between 31st and 33rd Streets, and 7th Avenue and 34th Street, in front of Penn Station, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor. There shall be no compensation required for this revocable consent.

There is no maintenance of a security deposit required, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#8 In the matter of a proposed revocable consent authorizing JP Morgan Chase Bank, N.A. to maintain and use a bridge over and across Duffield Street, south of Myrtle Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$25,093
 For the period July 1, 2010 to June 30, 2011 - \$25,824
 For the period July 1, 2011 to June 30, 2012 - \$26,555
 For the period July 1, 2012 to June 30, 2013 - \$27,286
 For the period July 1, 2013 to June 30, 2014 - \$28,017
 For the period July 1, 2014 to June 30, 2015 - \$28,748
 For the period July 1, 2015 to June 30, 2016 - \$29,479
 For the period July 1, 2016 to June 30, 2017 - \$30,210
 For the period July 1, 2017 to June 30, 2018 - \$30,941
 For the period July 1, 2018 to June 30, 2019 - \$31,672

the maintenance of a security deposit in the sum of \$31,700, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#9 In the matter of a proposed revocable consent authorizing JP Morgan Chase Bank, N.A. to maintain and use a tunnel under and across Duffield Street, south of Myrtle Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$25,517
 For the period July 1, 2010 to June 30, 2011 - \$26,260
 For the period July 1, 2011 to June 30, 2012 - \$27,003
 For the period July 1, 2012 to June 30, 2013 - \$27,746
 For the period July 1, 2013 to June 30, 2014 - \$28,489
 For the period July 1, 2014 to June 30, 2015 - \$29,232
 For the period July 1, 2015 to June 30, 2016 - \$29,975
 For the period July 1, 2016 to June 30, 2017 - \$30,718
 For the period July 1, 2017 to June 30, 2018 - \$31,461
 For the period July 1, 2018 to June 30, 2019 - \$32,204

the maintenance of a security deposit in the sum of \$32,200, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

j17-jy8

COURT NOTICES

SUPREME COURT

■ NOTICE

**BRONX COUNTY
 IA PART 6
 AMENDED NOTICE OF PETITION
 INDEX NUMBER 251034/09**

In the matter of the application of the City of New York relative to acquiring title in fee simple absolute to certain real property where not hereto acquired for the same purpose, required as a site for the **PUBLIC SAFETY ANSWER CENTER 2 ("PSAC 2") AND PART OF MARCONI STREET** located in the area generally bounded by the Bronx and Pelham Parkway to the North; East Tremont Avenue to the South; Williamsbridge Road to the West; and, the Hutchinson River Parkway to the East, in the Borough of Bronx, City and State of New York.

PLEASE TAKE NOTICE that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Bronx County, IA Part 6, for certain relief.

The application will be made at the following time and place: At 851 Grand Concourse, in the Borough of Bronx, City and State of New York, on June 22, 2009 at 2:00 P.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- (1) authorizing the City to file an acquisition map in the Office of the City Register;
- (2) directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- (3) providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- (4) providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for a public safety answer center 2 ("PSAC 2") and part of Marconi Street, in the Borough of Bronx City and State of New York.

The description of the real property to be acquired is as follows:¹

Block 4226, Lot 75, part of Lots 40 and 55

Beginning at a point of tangency at the southerly end of a circular curve connecting the westerly line of the said Hutchinson River Parkway Extension with the southerly line of the said Bronx and Pelham Parkway;

Running thence S 21°32'12.4" W and along the said westerly line of Hutchinson River Parkway Extension, for 487.35 feet to a point;

Thence N 56°48'39" W and across tax lots 40 and 55 in the Bronx tax block 4226, for 723.02 feet to a point on the most southeasterly line of tax lot 1 (lands now or formerly of Amtrak Railroad) in the Bronx tax block 4226;

Thence N 33°11'19" E and along the said the most southeasterly line of tax lot 1 in the Bronx tax block 4226, for 14.35 feet to a point;

Thence S 56°48'41" E and along the said the most southeasterly line of tax lot 1 in the Bronx tax block 4226, for 2.00 feet to a point on the spiral railroad curve as such curve and its parameters is presented on a certain map "Boundary Survey & Subdivision of a Portion of The Bronx Psychiatric Center" prepared by Carman-Dunne P.C., dated May 10, 2000 and last revised July 5, 2001;

Thence northeastwardly, along the said the most southeasterly line of tax lot 1 in the Bronx tax block 4226, which is the spiral railroad curve deflecting to the right whose arc is subtended by a chord length of 559.36 feet with bearing N 48°40'07" E, said spiral curve being further defined by the following 24 courses describing chord bearings and chord distances starting at the point of curvature: Thence, S 23°07'56" E and along the said the most southeasterly line of tax lot 1 in the Bronx tax block 4226, for 17.15 feet to a point;

Thence, N 66°55'34" E and along the said the most southeasterly line of tax lot 1 in the Bronx tax block 4226, for 110.04 feet to a point on the said southerly line of Bronx and Pelham Parkway;

Thence S 78°09'16.3" E and along the said southerly line of Bronx and Pelham Parkway, for 66.65 feet to a point of curvature;

	COURSE	BEARING	DISTANCE
a.	A-1	N 33°23'49" E	24.91'
b.	1-2	N 33°37'48" E	24.94'
c.	2-3	N 34°11'23" E	24.86'
d.	3-4	N 35°00'11" E	24.96'
e.	4-5	N 36°20'43" E	24.94'
f.	5-6	N 37°53'34" E	25.11'
g.	6-7	N 39°41'20" E	24.96'

h.	7-8	N 41°44'34" E	24.95'
i.	8-9	N 43°50'31" E	25.25'
j.	9-10	N 45°39'53" E	24.95'
k.	10-11	N 47°41'52" E	24.96'
l.	11-C	N 49°59'49" E	12.46'
m.	C-12	N 49°59'49" E	12.60'
n.	12-13	N 51°25'22" E	24.99'
o.	13-14	N 53°31'48" E	25.02'
p.	14-15	N 54°29'36" E	24.95'
q.	15-16	N 55°52'35" E	25.04'
r.	16-17	N 57°17'53" E	24.96'
s.	17-18	N 59°02'19" E	25.04'
t.	18-19	N 60°22'19" E	25.03'
u.	19-20	N 61°44'28" E	24.88'
v.	20-21	N 62°33'43" E	24.95'
w.	21-22	N 62°57'38" E	24.94'
x.	22-B	N 64°34'49" E	19.11'

¹ This petition is being amended to reflect that the City is seeking to acquire the property in fee simple absolute.

Thence eastwardly, southeastwardly and southwardly along the circular curve connecting the westerly line of the said Hutchinson River Parkway Extension with the southerly line of the said Bronx and Pelham Parkway which is an arc of a circle deflecting to the right, with a radius of 250.00 feet and a central angle of 99° 41' 28.2", for 434.98 feet back to the point of beginning.

This parcel consists of tax lot 75 and parts of tax lots 40 and 55 in the Bronx tax block 4226 as shown on the "tax map" of the City of New York, Borough of the Bronx, as said "tax map" existed on April 10, 2007, and comprises an area of 381,045 square feet or 8.74759 acres.

Block 4226 part of Lot 40

Commencing at the intersection of the northerly line of the said Waters Place and the easterly line of the said Eastchester Road; running thence southeastwardly and along the said northerly line of Waters Place as it bends and turns, for 414.63 feet to a point on the dividing line between tax lots 30 and 11 in the Bronx tax block 4226, thence northeastwardly the following three courses and distances along the said dividing line between tax lots 30 and 11 and along the dividing line between tax lots 30 and 1 in the Bronx tax block 4226: N 16°49'21" E for a distance of 1680.44 feet to a point of tangency;

Continuing along an arc of a circle with radius 994.65 feet and length of 435.11 feet whose arc is subtended by a chord distance 431.65 feet which bears N 29°21'16" E to a point;

N 33°11'19" E for a distance of 115.89 feet to a point of beginning. Said point being where the dividing line between tax lots 30 and 40 in the Bronx tax block 4226 intersects the dividing line between tax lots 30 and 1 and the dividing line between tax lots 40 and 1 in the Bronx tax block 4226;

Running thence N 33°11'19" E and along the most easterly line of tax lot 1 in the Bronx tax block 4226, for 1122.98 feet to a point;

Thence S 56°48'39" E and through the tax lot 40 in the Bronx tax block 4226, for 118.00 feet to a point;

Thence S 33°11'19" W and through the tax lot 40 in the Bronx tax block 4226, for 120.00' feet to a point;

Thence N 56°48'39" W and through the tax lot 40 in the Bronx tax block 4226, for 67.99' feet to a point;

Thence S 33°11'19" W and through the tax lot 40 in the Bronx tax block 4226, for 495.12' feet to a point;

Thence, N 57°16'15" W and through the tax lot 40 in the Bronx tax block 4226, for 15.01 feet to a point;

Thence S 33°11'19" W and through the tax lot 40 in the Bronx tax block 4226, for 473.65 feet to a point;

Thence S 56°34'55" E and through the tax lot 40 in the Bronx tax block 4226, for 30.78 feet to a point on a northwesterly line of tax lot 55 in the Bronx tax block 4226;

Thence, S 33°25'05" W and along the said northwesterly line of tax lot 55 in the Bronx tax block 4226, for 33.97 feet to a point where it intersects with the said dividing line between tax lots 30 and 40 in the Bronx tax block 4226;

Thence, N 56°48'41" W and along the said dividing line between tax lots 30 and 40 in the Bronx tax block 4226, for 65.64 feet back to the point of beginning.

This parcel consists of part of tax lot 40 in the Bronx tax block 4226 as shown on the "tax map" of the City of New York, Borough of the Bronx, as said "tax map" existed on April 10, 2007, and comprises an area of 57,743 square feet or 1.32560 acres.

The above-described property shall be acquired subject to encroachments, if any, of structures, improvements and appurtenances standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same, as long as such encroachments shall stand.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: June 2, 2009 New York, New York
 MICHAEL A. CARDOZO,
 Corporation Counsel of the City of New York
 100 Church Street, Room 5-198
 New York, New York 10007
 Tel. (212) 788-0718

SEE MAPS ON BACK PAGES

j5-18

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001-Z and 01001-A

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, July 08, 2009 (SALE NUMBER 01001-A). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 AM until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: The auction scheduled for Wednesday, June 24, 2009 (SALE NUMBER 09001-Z) has been cancelled.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets). A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions> Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

■ SALE BY SEALED BID

SALE OF: 1 LOT OF COPIER MACHINES, USED.

S.P.#: 09024 DUE: June 25, 2009

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.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

j12-25

POLICE

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

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

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

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

in the individual agency listings below reflect that commitment to excellence."

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

LEASING, SEDANS, VARIOUS – (RE-AD) – Competitive Sealed Bids – PIN# 8570901184 – DUE 07-09-09 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (718) 669-8610.

j18

LEVELER, DOCK – Competitive Sealed Bids – PIN# 8570901207 – DUE 07-14-09 AT 10:30 A.M.
● PALLETS, WOODEN – Competitive Sealed Bids – PIN# 857900415 – DUE 07-09-09 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (212) 669-8610.

j18

■ AWARDS

Goods

HYDRANT, FIRE – Competitive Sealed Bids – PIN# 857900553 – AMT: \$6,228,570.00 – TO: Sigma Corporation, 700 Goldman Drive, P.O. Box 300, Cream Ridge, NJ 08514.

j18

DESIGN & CONSTRUCTION

■ SOLICITATIONS

Construction / Construction Services

RESIDENT ENGINEERING INSPECTION SERVICES AND MINOR DESIGN SERVICES – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502009HW0053-55P – DUE 07-16-09 AT 4:00 P.M. – HWP2009Q, HWP2009MX, HWP2009K for Complex Pedestrian Ramps, Boroughs of Queens, Brooklyn, Manhattan and The Bronx. All qualified and interested firms are advised to download the Request for Proposals at <http://ddcftp.nyc.gov/rfpweb/> from June 19, 2009 or contact the person listed for this RFP. The contract resulting from this Request for Proposal will be subjected to Local Law 129 of 2005, Minority Owned and Women Owned Business Enterprise (M/WBE) program. The submission date is indicated above.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Design and Construction
30-30 Thomson Avenue, 4th Floor, L.I.C., NY 11101.
Carlo Di Fava (718) 391-1541, difava@ddc.nyc.gov

j18

FINANCIAL INFORMATION SERVICES AGENCY

CONTRACTS UNIT

■ INTENT TO AWARD

Services (Other Than Human Services)

SOFTWARE MAINTENANCE AGREEMENT – Sole Source – Available only from a single source - PIN# 12710EX00040 – DUE 06-22-09 AT 10:00 A.M. – Software Maintenance Agreement with Levi, Ray and Shoup, Inc., 2401 W. Monroe St., Springfield, IL 62704. Software is proprietary to the vendor. Any other vendor that can provide this software maintenance is encouraged to reply to this notice on intent to award.

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.
Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001-2603.
Robert Aboulafia (212) 857-1516, raboulafia@fisa.nyc.gov

j15-19

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

■ INTENT TO AWARD

Goods & Services

SCRUB-DISPENSING SYSTEM – Sole Source – Available only from a single source - PIN# 029-0067 – DUE 06-30-09

AT 11:00 A.M. – The Office of Health and Hospitals Corporation ("HHC"), in accordance with Section 3-05 of the Procurement Policy Board Rules, intends to enter into agreement with KLS Martin, 11239-1 St. Johns Industrial Parkway South, Jacksonville, FL 32246, to provide goods and services, including Craniofacial Implants and Instruments. The term of the contract will be for three years.

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

Health and Hospitals Corporation, 346 Broadway, Room 516 New York, NY 10013. Naima Richardson (212) 442-0328
Naima.Richardson@nychhc.org

j18-24

HEALTH AND MENTAL HYGIENE

■ SOLICITATIONS

Human / Client Service

OPEN AIRWAYS FOR SCHOOLS TRAINING – Negotiated Acquisition – PIN# 10CR007600R0X00 – DUE 06-29-09 AT 4:00 P.M. – The Department, Division of Health Promotion and Disease Prevention (HPDP), Bureau of Chronic Disease and Control - The Asthma Initiative Program, is seeking one qualified vendor to coordinate training and provide technical assistance to support the implementation of the Open Airways Program which targets elementary schools in all five boroughs of New York City, however, there is special emphasis on training school nurses and health educators working in the Department's District Public Health Office (DPHO) neighborhoods; East and Central Harlem, South Bronx, and Central Brooklyn. The term of this contract will be from July 1, 2009 - June 30, 2012, with an option to renew for an additional three years, depending upon need, contractor performance, and the availability of funds. Any questions regarding the NA must be addressed to the Contracting Officer below.

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

Health and Mental Hygiene, 2 Lafayette Street, 20th Fl. New York, NY 10007. Melissa Cesar (212) 442-0018,
mcesar@health.nyc.gov

j12-18

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Human / Client Service

INFANT MORTALITY REDUCTION INITIATIVE – BP/City Council Discretionary – PIN# 09FN047601R0X00 – AMT: \$248,700.00 – TO: Queens Comprehensive Perinatal Council, Inc., 106-46 Guy R., Brewer Blvd., Jamaica, NY 11433.

j18

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human / Client Service

TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

Department of Homeless Services, 33 Beaver Street, 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888,
mzmoira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

NEW GREEN ROOFING SYSTEM OVER COMMUNITY CENTER WITH PARAPET AND BRICKWORK REPAIRS AT CORSI HOUSES – Competitive Sealed Bids – PIN# ST9004577 – DUE 07-08-09 AT 10:30 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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

Housing Authority, 90 Church Street, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121
gloria.guillo@nycha.nyc.gov

j18-24

ROOFING REPLACEMENT, MASONRY AND RELATED WORK AT VAN DYKE HOUSES II – Competitive Sealed Bids – PIN# RF9005275 – DUE 06-25-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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

Housing Authority, 90 Church Street, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121
gloria.guillo@nycha.nyc.gov

j12-18

ROOFING REPLACEMENT AND ASBESTOS ABATEMENT AT FREDERICK SAMUELS HOUSES – Competitive Sealed Bids – PIN# RF7007752 – DUE 07-07-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 90 Church Street, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO (212) 306-3121 gloria.guillo@nycha.nyc.gov

j17-23

REPLACEMENT OF VACUUM PUMPS ZONE VALVE STATIONS AT VLADECK I & II – Competitive Sealed Bids – PIN# ME9002814 – DUE 07-08-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 90 Church Street, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121 gloria.guillo@nycha.nyc.gov

j18-24

PURCHASING DIVISION

■ SOLICITATIONS

Goods

SAFETY ITEMS – Competitive Sealed Bids – RFQ #6871 LD – DUE 07-07-09 AT 10:45 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:
http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Linda Darnell (718) 707-5438.

j18

HOUSING PRESERVATION & DEVELOPMENT

■ SOLICITATIONS

Construction / Construction Services

ROOFING AND ASSOCIATED WORK INCLUDING ASBESTOS ABATEMENT AT 512 EAST 163RD STREET, BRONX, NY – Competitive Sealed Bids – PIN# CM500E937098R – DUE 07-13-09 AT 11:00 A.M. – This solicitation is subject to City of New York Local Law 129 of 2005. Minority Owned and Women-Owned Business Enterprises (M/WBE) are encouraged to bid and subcontracting is subject to M/WBE participation goals. Non-refundable bid documents cost \$40.00. Payable by money order, bank check or certified check made payable to Melcara Corp. Site walk-through 06/26/09 at 9:00 A.M., mandatory for all bidders. Call (212) 387-0016 for information. Bids due 07/13/09 by 11:00 A.M. at 100 Gold Street, Rm. 6F3, NYC.

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.
Melcara Corporation, 420 Lexington Avenue, Suite 414 New York, NY 10170. Peter Clements (212) 861-8025 peterc@prcny.com.

j18

ROOFING AND ASSOCIATED YORK INCLUDING ASBESTOS AND ABATEMENT AT 1512 LELAND AVENUE, BRONX – Competitive Sealed Bids – PIN# CM500E935384R – DUE 07-13-09 AT 11:00 A.M. – This solicitation is subject to City of New York Local Law 129 of 2005. Minority owned and Women-owned Business Enterprises (M/WBEs) are encouraged to bid and subcontracting is subject to M/WBE participation goals. Non-refundable bid documents cost \$40.00. Payable by money order, bank check or certified check made payable to Melcara Corp. Site walk-through 06/26/09 at 10:30 A.M., mandatory for all bidders. Call (212) 387-0016, for information. Bids due 07/13/09 by 11:00 A.M. at 100 Gold Street, Rm. 6F3, NYC.

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.
Melcara Corporation, 420 Lexington Avenue, Suite 414 New York, NY 10170. Peter Clements (212) 861-8025 peterc@prcny.com

j18

ROOFING AND ASSOCIATED WORK INCLUDING ASBESTOS AND ABATEMENT AT 1516 LELAND AVENUE, BRONX – Competitive Sealed Bids – PIN# CM500E937455R – DUE 07-13-09 AT 11:00 A.M. – This solicitation is subject to City of New York Local Law 129 of 2005. Minority owned and Women-owned Business Enterprises (M/WBEs) are encouraged to bid and subcontracting is subject to M/WBE participation goals. Non-refundable bid documents cost \$40.00. Payable by money order, bank check or certified check made payable to Melcara Corp. Site walk-through 06/26/09 at 10:30 A.M., mandatory for all bidders. Call (212) 387-0016, for information. Bids due 07/13/09 by 11:00 A.M. at 100 Gold Street, Rm. 6F3, NYC.

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.
Melcara Corporation, 420 Lexington Avenue, Suite 414 New York, NY 10170. Peter Clements (212) 861-8025 peterc@prcny.com

j18

ROOFING AND ASSOCIATED WORK INCLUDING ASBESTOS AND ABATEMENT AT 2145 AMSTERDAM AVENUE, NEW YORK – Competitive Sealed Bids – PIN# CM500E937751 – DUE 07-13-09 AT 11:00 A.M. – This solicitation is subject to City of New York Local Law 129 of 2005. Minority owned and Women-owned Business Enterprises (M/WBEs) are encouraged to bid and subcontracting is subject to M/WBE participation goals. Non-refundable bid documents cost \$40.00. Payable by money order, bank check or certified check made payable to Melcara Corp. Site walk-through 06/26/09 at 12:30 P.M., mandatory for all bidders. Call (212) 387-0016, for information. Bids due 07/13/09 by 11:00 A.M. at 100 Gold Street, Rm. 6F3, NYC.

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.
Melcara Corporation, 420 Lexington Avenue, Suite 414 New York, NY 10170. Peter Clements (212) 861-8025 peterc@prcny.com

j18

HUMAN RESOURCES ADMINISTRATION

■ AWARDS

Human / Client Service

OUTREACH TO VICTIMS OF DV AND GLTG – BP/City Council Discretionary – NYC Gay and Lesbian Anti-Violence Project 240 West 35th Street, Suite 200, NYC, NY 10001 PIN#: 0699H070014 Contract Term : 07/01/08-06/30/09 Contract Amount: \$215,000.00

Lesbian and Gay Community Service Center, Inc. 208 West 13th Street, NYC, NY 10011 PIN#: 06909H070201 Contract Term: 07/01/08-06/30/09 Contract Amount: \$225,000.00

Central Jewish Council Inc. 127 Rutledge Street, Brooklyn, NY 11211 PIN#: 06908H066922 Contract Term: 07/01/07-06/30/08 Contract Amount: \$40,000.00

j18

FOOD PANTRY DISTRIBUTION – BP/City Council Discretionary – PIN# 06909H070013 – AMT: \$500,000.00 – TO: Food Bank for New York City, Food for Survival, 355 Food Center Drive, Bronx, NY 10474. Contract Term: 07/01/08-06/30/09.

j18

PARKS AND RECREATION

CONTRACT ADMINISTRATION

■ AWARDS

Construction / Construction Services

RECONSTRUCTION OF THE SKATING RINK SERVICE BUILDING – Competitive Sealed Bids – PIN# 8462009X034C04 – AMT: \$1,098,350.00 – TO: Sandhu Contracting Inc., 18-07 38th St., Astoria, NY 11105. Located between Jerome and River Avenues, North of East 164th Street in John Mullaly Park, The Bronx, known as Contract #X034-207M.

● **HVAC WORK IN CONNECTION WITH RECONSTRUCTION OF THE SKATING RINK SERVICE BUILDING** – Competitive Sealed Bids – PIN# 8462009X034C03 – AMT: \$268,569.60 – TO: Med-Con Associates Inc., 37-22 55th Street Woodside, NY 11377. - Located between Jerome and River Avenues, North of 164th Street in John Mullaly Park, The Bronx, known as Contract X034-507M.

● **HVAC WORK IN CONNECTION WITH RECONSTRUCTION OF THE COMFORT STATION IN DEVOE PARK** – Competitive Sealed Bids – PIN# 8462008X013C04 – AMT: \$87,000.00 – TO: ACS System Assoc., Inc., 160 Lincoln Ave., Mount Vernon, NY 10550. - Located between University and Sedwick Avenues, West of Fordham Road and Father Zeiger Place, The Bronx, known as Contract X013-406M.

j18

TRANSPORTATION

BRIDGES

■ SOLICITATIONS

Construction / Construction Services

INDEPENDENT MONITORING OF LEAD PAINT REMOVAL – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 84109MBBR388 – DUE 07-14-09 AT 2:00 P.M. – Request for Proposals will be available between the hours of 9:00 A.M. - 3:00 P.M. Entrance is located on the south side facing the Vietnam Veterans Memorial.

Request for Proposals will be available on 06/18/2009. The proposed Engineering Services is necessary for Independent Monitoring of Lead Paint Removal and Environmental Remediation Operations at various Bridges, Citywide. The pre-proposal conference will be held on June 30, 2009 at 2:00 P.M. at 55 Water Street, Ground Floor Bid Room.

This RFP is available on NYCDOT website at https://a841-dotwebpcard01.nyc.gov/RFP/html/asp/rfp.asp. A deposit of \$50.00 in the form of a certified check or money order made payable to New York City Department of Transportation is required to obtain bid/contract documents. NO CASH ACCEPTED. Refund will be made only for contract bid/proposal documents that are returned in its original condition within 10 days after the Bid Opening. Due to increased building security bidders should ensure that proper photo identification is available upon request. Please ensure that your company's address, telephone and fax numbers are submitted by your company (or messenger service) when picking up contract documents. For additional information, please contact Dr. Paul-Michael Kazas at (212) 839-6314.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Transportation, Office of Agency Chief Contracting Officer, Contract Unit, 55 Water Street, Ground Floor, NY, NY 10041. Bid Window (212) 839-9435.

j18

AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT RELATING TO IMPACT RESISTANT STAIR AND ELEVATOR SHAFT ENCLOSURES

Notice is hereby given pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter, and in accordance with Section 1043 of the Charter, that the Department of Buildings proposes to amend Section 403-01 of Chapter 400 of Title 1 of the Official Compilation of the Rules of the City of New York.

A public hearing on the proposed rule amendment will be held at the Executive Offices of the Department of Buildings, 280 Broadway, 6th Floor Training Room, New York, New York, on July 23, 2009 at 3:00 P.M. Written comments regarding the proposed rule may be submitted to Phyllis Arnold, Deputy Commissioner, New York City Department of Buildings, 280 Broadway, 7th Floor, New York, New York 10007, on or before July 23, 2009.

Written comments and an audio tape of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at the Office of the Commissioner, Executive Offices, Department of Buildings, 280 Broadway, 7th Floor, New York, New York 10007.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Phyllis Arnold at the foregoing address by July 2, 2009.

This rule was not included in the agency's most recent regulatory agenda.

Matter underlined is new.

It is proposed to amend Clause (A) of Subparagraph (i) of Paragraph (1) of Subdivision (d) of Section 403-01 of Chapter 400 of Title 1 of the Rules of the City of New York to read as follows:

(A) Materials. Impact resistant wall board sheathed on the impact face of the stair or elevator enclosure wall assembly shall be tested by an approved testing agency. The impact face shall be considered the outer surface of the stair or elevator enclosure, on all occupied sides of the building, and shall be comprised of two (2) layers of wall boards. The wall board used as the base layer on the impact face of the enclosure shall be listed by an approved agency to ASTM C1629-06, *Standard Classification for Abuse-Resistant Nondecorated Interior Gypsum Panel Products and Fiber-Reinforced Cement Panels, Hard Body* Impact Classification Level 2, and the wall board used as the finish layer shall be a minimum ? inch (16 mm) gypsum wall board (see Figure 1).

STATEMENT OF BASIS AND PURPOSE

The foregoing rule amendment is proposed pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter.

This rule established technical standards for the installation of impact resistant stair and elevator shaft enclosures.

This amendment makes an administrative correction to the rule by further specifying the testing criteria of national reference standard ASTM C1629-06 that an approved testing agency must conform to when testing/listing wall boards.

j18

CAMPAIGN FINANCE BOARD

■ NOTICE

Notice of Opportunity to Comment on Proposed Amendments to Campaign Finance Board Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapter 46 of the New York City Charter (including, but not limited to, Sections 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including, but not limited to, Section 3-708(8) of the New York City Administrative Code), the Board hereby proposes amendments to the Campaign Finance Board Rules. Underscoring denotes proposed additions; ~~strikethrough~~ denotes proposed deletions.

I. Explanation, Basis, and Purpose

The Campaign Finance Board Rules are codified in Chapter 52 of the Rules Compilation of the City of New York. The subject matter of this rulemaking was described in the Board's regulatory agenda for fiscal year 2010, published in The City Record on April 8, 2009. If adopted following the opportunity for public comment, the proposed amendments would take effect thirty days after final publication in The City Record.

Documents Submitted to and Issued by the Board (Rule 1-09)

The Act sets deadlines by which the Board must provide campaigns with their draft audit report and final audit report. The Act also requires the Board to notify a campaign of the commencement of a tolling period to the audit deadlines when it submits a late or insufficient response to a request for information. The Campaign Finance Board Rules currently do not set forth the date documents sent by the Board are considered issued or provided. Thus, the proposed amendments and additions to Rule 1-09 set the postmark date or e-mail transmission date as the date when an outgoing document is to be considered issued or provided by the Board.

Public Access to Information (Rule 6-01)

The proposed amendments to Rule 6-01 would conform the Rules to recent amendments to the New York State Freedom of Information Law ("FOIL") (Public Officers Law §§ 84 et seq.).

Board Determinations (Rule 7-02)

Local Laws Nos. 34 and 67 of 2007 provided that for elections after January 1, 2008, candidates have the option to have penalty matters and repayment obligations considered by adjudication under the City Administrative Procedure Act ("CAPA"). As a result, candidates may either appear before the Board for a hearing that is similar to the Board's prior practice or may appear before an administrative law judge for a formal hearing at the Office of Administrative Trials and Hearings ("OATH") or elsewhere. The Board has separately asked OATH to adopt proposed rules of procedure specific to hearings at OATH that involve the Board ("OATH Rules").

The Board proposes to amend Rule 7-02(c) and (f) to conform them to the OATH Rules. Proposed amendments to Rule 7-02(c) would allow the Board to issue documents to a campaign in writing by any medium, and make minor clarifying changes in the rule. Proposed amendments to Rule 7-02(f) would permit the Board to send notices to campaigns by first-class mail or e-mail; set forth what materials may be included in a candidate's response to the Board's notice of proposed penalties and public funds payments; permit Board staff and the campaign to submit written comments to the Board regarding the administrative law judge's report and recommendation before the Board makes its final determination; and provide that the Board issue its written determination within 30 days of the conclusion of the written comments period.

These proposed amendments closely reflect the proposed rules of procedure specific to hearings at OATH that involve the Board and will allow the Board to effectuate the OATH Rules so as to comply with CAPA.

II. Opportunity to Comment

Written comments regarding the proposed rules must be submitted to the General Counsel of the Campaign Finance Board, 40 Rector Street, 7th Floor, New York, on or before July 20, 2009. A public hearing will be held on July 20, 2009 at the offices of the Board beginning at 10 a.m. Persons wishing to testify are requested to notify the General Counsel of the Board at the foregoing address. Written comments and a transcript of the hearing will be available for public inspection, within a reasonable time after receipt, at the offices of the Board on weekdays between the hours of 9:00 a.m. and 5:00 p.m.

III. Proposed Rules Documents Submitted to and Issued by the Board (Rule 1-09)

Campaign Finance Board Rule 1-09 would be amended as follows:

Rule 1-09 Documents Submitted to and Issued by the Board

(d) **Date issued or provided.** Documents sent by mail, including any report or notice, shall be considered issued or provided by the Board on the date the document is postmarked. Documents sent by a common carrier shall be considered issued or provided by the Board on the date that the documents were received by the common carrier. Documents sent by electronic mail to an e-mail address provided to the Board shall be considered issued or provided upon transmission, unless the Board is informed that the transmission did not reach the intended recipient.

Public Access to Information (Rule 6-01)

Campaign Finance Board Rule would be amended as follows:

Chapter 6 Public Access to Information Rule 6-01 Generally.

(c) **Requests for access.** Board staff may require a written request for access to records, but oral requests may be accepted when records are readily available. A response shall be given regarding any written request reasonably describing records sought within 5 business days of receipt of the request. A request shall reasonably describe the [record(s)] records sought. Whenever possible, a requester shall supply information regarding dates, file designations, or other information that may describe the records sought and enable the efficient location of the records. If the records access officer does not grant or deny access to records sought within 5 business days of receipt of a written request, he or she shall furnish a written acknowledgment of receipt of the request and a statement of the approximate date on which the request will be granted or denied. ~~If access to records is neither granted nor denied within 10 business days after the date of acknowledgment of receipt of a request, the failure to respond to the request may be construed as a denial of access that may be appealed. If circumstances prevent disclosure to the requester within 20 business days from the date of the acknowledgment of the receipt of the request, the Board shall state in writing the reason for the inability to grant the request within 20 business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted.~~

(e) **Fees.** The Board may charge 25 cents per page for photocopies not exceeding 8 1/2 inches by 14 inches or the actual cost of reproducing any other record. ~~The fees for larger photocopies and for such records as the Board may make available in an electronic medium shall be determined according to cost. In determining the actual cost, the Board may include: (i) an amount equal to the hourly salary attributed to the lowest paid Board employee who has the necessary skill required to prepare a copy of the requested record, except that no fee shall be charged for staff time if less than two hours is needed to prepare a copy of the requested record; (ii) the actual cost of storage devices or media provided to the requester in complying with the request; and (iii) the actual cost to the Board of engaging an outside professional service to prepare a copy of a record, where the Board's information technology equipment is inadequate to prepare a copy.~~

Board Determinations (Rule 7-02)

Campaign Finance Board Rule 7-02(c) and (f) would be amended as follows:

Rule 7-02 Board Determinations.

(c) Notice and opportunity to contest.

(1) If the Board has reason to believe that a violation of a law or rule over which the Board has jurisdiction has occurred, and/or that a participant must repay public funds to the Board, the Board shall notify the candidate and treasurer in writing, ~~whether via the postal system, electronic mail, or facsimile,~~ of the alleged violation and proposed civil penalty and/or of the amount of the alleged public funds repayment obligation. Such notice shall;

- (i) set forth in detail the legal basis for the Board's reason to believe there is a violation of a law or rule over which the Board has jurisdiction and/or a repayment obligation; ~~and;~~
- (ii) ~~shall~~ notify the candidate and treasurer of the opportunity to submit information and documentation for the Board's consideration within a reasonable time period to be specified in such notice; and
- (iii) ~~shall~~ notify the candidate and treasurer of the opportunity to appear before the Board or its designee at a hearing to contest the alleged violation and proposed civil penalty and/or the alleged public funds repayment obligation.

(2) Unless specifically notified to the contrary by the Board, the opportunity to submit information and documentation described in the notice shall be the only such opportunity, and any information and documentation that is not timely received by the Board may, at the Board's sole discretion, be disregarded.

(3) The notice shall inform the candidate and treasurer that hearings are conducted in accordance with the requirements for adjudications contained in section 1046 of the Charter unless such procedures are waived by the candidate or principal committee.

(4) Following this opportunity to submit information and documentation, consideration of any information and documentation submitted, and consideration of any appearance before the Board or its designee, the Board may determine the amount of civil penalties for any violations it determines to have occurred and/or the amount of public funds repayment obligation, and shall provide notice setting forth in detail the legal basis of the Board's determination. If these amounts, as determined by the Board, are not paid by the payment deadline set forth in the notice, they may be sought through appropriate enforcement action or, in the case of civil penalties, by deduction from any public funds otherwise due for any election.

(f) Adjudications in accordance with section 1046 of the Charter.

(1) Adjudications pursuant to this rule shall be conducted by one or more hearing officers. The Board, at its sole discretion, may designate one or more members of the Board and/or an administrative law judge to act as hearing officers. One or more members of the Board's staff may provide legal and procedural advice to the hearing officer and to the Board, subject to the direction of the hearing officer(s).

(2) The Board shall ~~commence an adjudication pursuant to this rule by serving a mail the candidate and treasurer a notice of hearing,~~ containing a statement of the nature of the proceeding ~~and the time and place it will be held,~~ the legal authority and jurisdiction under which the hearing is to be held, and a short and plain statement of the matters to be adjudicated, including reference to the particular sections of the Charter, Act, and these Rules involved.

(3) The Board shall provide written notice of the time and place of the hearing to the candidate and treasurer.

(4) The candidate and treasurer must provide to the hearing officer(s) and Board staff a substantive written response to the notice stating the defense to the notice; at least two weeks prior to the date of the hearing. ~~The written response to the notice may include affidavits or affirmations, documentary exhibits, or other evidentiary material in rebuttal of the notice, and may also be accompanied by a memorandum of law.~~

(5) The names and contact information of all persons wishing to present testimony on the law or the facts at the hearing, including any witnesses to be examined, must be provided to the hearing officer(s) and Board staff at least five business days prior to the date of the hearing.

(6) The hearing officer(s) shall administer oaths, subpoena and examine witnesses, receive written and oral testimony, rule on the admissibility of evidence, and decide all other aspects of the conduct of the hearing. Findings of fact shall be based exclusively on the record of the proceeding as a whole. The hearing officer(s) shall make findings of fact and conclusions of law and shall forward a recommended final determination to the Board along with the record of the adjudication upon which the recommended determination is based. The Board may adopt, reject or modify any recommended determination.

(7) The candidate and treasurer shall be afforded due process of law, including the opportunity to be represented by counsel, to request that a subpoena be issued, to call witnesses, to cross-examine opposing witnesses and to present oral and written arguments on the law and facts. All witnesses shall testify under oath. Adherence to formal rules of evidence is not required.

(8) Testimony and argument on the law and facts shall be presented in the following order: Board staff, witnesses called by Board staff, if any, cross-examination, the candidate and/or treasurer and/or their counsel, witnesses called by the candidate and/or treasurer and/or their counsel, and cross-examination. Each party shall be afforded an opportunity to present rebuttal testimony, if deemed appropriate by the hearing officer.

(9) No ex parte communications relating to other than ministerial matters regarding a hearing shall be received by a hearing officer, including internal agency directives not published as rules.

(10) Testimony shall be transcribed and/or recorded, and a copy of the transcript and/or recording, or any part thereof, shall be made available to any party to the hearing upon request for a reasonable price.

(11) Affidavits or affirmations submitted as evidence must be signed and under penalties of perjury. Failure of the respondent to produce at a hearing any document either requested by the Board or required to be maintained by the Board pursuant to the Act and these Rules shall lead to a rebuttable presumption that the document, if produced, would have been adverse to the respondent.

(12) ~~Once the hearing officer has issued the recommended final determination, each party shall have twenty days to submit written comments to the Board. The comments should raise any objections to the recommended determination, and objections not raised in the comments will be deemed waived in any further proceedings. Comments shall be limited to the record of the adjudicatory proceeding. Comments shall be served upon all other parties, and shall be served upon the Board by the Office of the General Counsel. Upon application filed with the Office of the General Counsel, the Chair may shorten or extend the time for comments for good cause shown. No personal appearances shall be made before the Board unless the Board specifically requests that the parties appear.~~

(13) The Board shall provide a written determination within 30 days of the conclusion of the hearing if conducted by the full Board or within 30 days of the conclusion of the written comments period ~~receipt of the report of recommendations of the hearing officer~~ stating the basis for any assessed penalty or repayment obligation, including any findings of fact and conclusions of law, and shall notify the candidate of the commencement of the four-month period during which a special proceeding may be brought to challenge the Board's determination pursuant to Article 78 of the Civil Practice Law and Rules. Determinations made by the Board pursuant to this rule may not be appealed to the Board unless the Board specifically provides otherwise in its determination.

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Notice of Final Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapter 46 of the New York City Charter (including, but not limited to, Sections 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including, but not limited to, Section 3-708(8) of the New York City Administrative Code), the Board hereby adopts amendments to the Campaign Finance Board Rules. Underlining denotes additions; ~~strikeout~~ denotes deletions.

I. Explanation, Basis, and Purpose

The Campaign Finance Board Rules are codified in Chapter 52 of the Rules Compilation of the City of New York. The subject matter of this rulemaking was described in the Board's regulatory agenda for fiscal year 2009, published in *The City Record* on April 14, 2008.

The amendments effect the following specific changes and will take effect thirty days after final publication in *The City Record*:

Application of expenditure limits for expenditures related to transfers (Rules 1-08(o))

The amendments clarify that in the case of transfers from a committee that was not another principal committee, participants must allocate to transferred contributions not only expenditures incurred by the transferor committee during the covered election cycle in connection with raising or administering transferred contributions, but also any expenditures incurred by the transferor committee prior to the covered election in connection with raising the transferred contributions. The amendments also clarify that such expenditures will be applied towards the expenditure limit in effect at the time of the transfer.

Reporting of expenditures related to transfers (Rule 3-03(c))

The amendments clarify that, in the case of a transfer from a committee that was not another principal committee, the participant must report not only all expenditures made by the transferor committee during the election cycle of the covered election, but also all expenditures made by the transferor committee prior to the election cycle of the covered election in connection with raising such contributions. The amendments also clarify that expenditures incurred during the election cycle of the covered election not made in connection with raising or administering the transferred contributions need not be disclosed in disclosure statements but rather may be disclosed to the Board by providing copies of disclosure statements filed by the transferor committee with the City or State Boards of Elections or the Federal Elections Commission.

Training (Rule 2-12)

The amendments clarify that campaigns are required to attend pre-election training covering Program requirements and the use of Program software in accordance with a schedule of trainings to be issued by the Board. The amendments also provide the deadlines by which campaigns must complete post-election audit training in order to receive their final audit reports within the shorter time frames provided pursuant to section 3-710(1) of the Code.

Written petitions for review of public funds determinations (Rule 5-02(a))

The amendments clarify that a petition for review of a post-election public funds determination must be submitted within 30 days of the issuance of the final audit report.

II. Final Rules

Expenditures (Rule 1-08)

Campaign Finance Board Rule 1-08(o) is amended as follows:

(o) **Expenditure limit compliance for transfers.** In the case of a transfer of funds from a committee not otherwise involved in the covered election, other than another principal committee of the same candidate, the participant must allocate to the transferred contributions any expenditures incurred by the transferor committee during the covered election cycle in connection with raising or administering transferred contributions, and any expenditures incurred by the transferor committee prior to the covered election cycle in connection with raising the transferred contributions. In such

a case, the participant has the burden of demonstrating, for the purpose of compliance with the expenditure limits of the Act, what expenditures incurred by the transferor committee were not made in connection with raising or administering the transferred contributions. At the Board's request, the participant shall provide documentation related to any such expenditures, including copies of Federal forms or disclosure statements filed with the New York State or City Board of Elections on behalf of the transferor committee. Expenditures will be applied towards the expenditure limit in effect at the time of the transfer; provided, however, that in the case of transfers made prior to the covered election cycle, expenditures will be applied towards the expenditure limits of § 3-706(2).

Contents (Rule 3-03)

Campaign Finance Board Rule 3-03(c)(2) is amended as follows:

(c) Contributions and other receipts.

(2) **Transfers.** The candidate shall report contemporaneously the aggregate amount of each transfer and each contribution to which it is attributed. In addition, the participant shall report, in the case of a transfer from a committee not otherwise involved in the covered election, other than another principal committee of the same candidate; (i) all expenditures made by the transferor committee during the election cycle of the covered election; and (ii) all expenditures made by the transferor committee prior to the covered election cycle in connection with raising or administering such contributions. Such reporting of expenditures shall be made in the same disclosure statement as in which the transfer is reported, except that expenditures incurred during the covered election cycle for purposes other than raising or administering the transferred contributions need not be reported in disclosure statements to be filed with the Board but rather may be disclosed to the Board by providing copies of the transferor committee's New York City or New York State Boards of Elections or Federal disclosure statements. Further, the candidate shall submit contemporaneously the records required to be maintained pursuant to Rule 4-01(b)(8).

Training (Rule 2-12)

Campaign Finance Board Rule 2-12 is amended as follows:

Rule 2-12 Mandatory Training.

(a) Mandatory pre-election training.

Participating candidates, their campaign managers, treasurers or persons with significant managerial control over a campaign shall be required to attend a training provided by the Board concerning compliance with the requirements of the Program and use of the Program software. Such training shall be completed in accordance with a schedule to be published by the Board.

(b) **Optional Post-Election Training.** In order to prepare campaigns to respond effectively to issues raised in the draft audit report, the Act encourages candidates and their staffs to attend post-election audit trainings. Pursuant to § 3-710(1) of the Code, where the candidate, the campaign manager, or the treasurer has attended a post-election audit training provided by the Board, the Board will issue final audit reports within fourteen months after the deadline for submission of the final disclosure report for the covered election, in the case of city council and borough-wide races, and within sixteen months after the deadline for submission of the final disclosure report for the covered election in the case of citywide races. The deadlines for attendance at such trainings shall be:

(1) For city council and borough-wide races, the earlier of twenty days following issuance of the draft audit report or eight months after the deadline for submission of the final disclosure report for the covered election;

(2) For citywide races, the earlier of twenty days following issuance of the draft audit report or ten months after the deadline for submission of the final disclosure report for the covered election.

Audits (Rule 4-05)

Campaign Finance Board Rule 4-05(b) is amended as follows:

(b) The Board shall issue all draft and final audit reports in accordance with the deadlines provided in §3-710(1)(a) and (b) of the Code subject to any applicable exceptions to those deadlines provided in §3-710(1)(d), (e), and (f) of the Code; provided, however, that the Board shall not be required to provide the candidate a final audit report within fourteen months after the deadline for submission of the final disclosure report for the covered election for city council races and borough-wide races, or within sixteen months after the deadline for submission of the final disclosure report for the covered election for citywide races, unless the candidate or the candidate's treasurer or campaign manager completed an audit training provided by the Board prior to the candidate's applicable deadline for responding to the draft audit report provided in Rule 2-12(b).

Written Petitions for Review of Public Funds

Eligibility (Rule 5-02(a))

Campaign Finance Board Rule 5-02(a)(3) is amended as follows:

Rule 5-02 Review of Eligibility, Payment, and Repayment Determinations.

(a) Written petitions for review.

(1) After the Board provides a participant a written determination specifying the basis for payment or non-payment of public funds prior to the election, the participant may petition the Board in writing for reconsideration of such determination. Such petition must state the grounds for reconsideration and may include a request to appear before the Board concerning the subject of such petition. Before the election, the Board shall review the determination that is the subject of the petition for review within five business days of the filing of such petition. In the event the Board is unable to convene within five business days, the Board may delegate to the Chair of the Board or his or her designee authority to make a determination regarding the petition. The Board shall timely issue a written determination on the subject of the petition. If the petition is denied, the Board's notice shall inform the participant of the right to appeal the Board's determination pursuant to Article 78 of the Civil Practice Law and Rules.

(2) The participating candidate and his or her principal committee shall not include in any such petition any documentation or factual information not submitted to the Board prior to the determination under review unless the participating candidate can demonstrate good cause for the previous failure to submit such documentation or information and for any failures to communicate on a timely basis with the Board.

(3) The participating candidate may submit a

petition for review of a payment or non-payment determination after the issuance of the participant's final audit report within thirty days of issuance of the final audit report and only upon submission of information and/or documentation that was unavailable to the Board previously and is material to such determination, and a showing that the participant had good cause for the previous failure to provide such information and/or documentation.

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CONSUMER AFFAIRS

■ NOTICE

NOTICE OF ADOPTION

Notice of Adoption of an Amendment to Rule Regarding Parking Lots and Garages.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs by Section 20-104(b) of Chapter 1 and Section 20-330 of Chapter 2 of Title 20 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter that the Department promulgates and adopts an amendment to an existing rule regarding parking lots and garages.

These amendments were proposed and published on March 13, 2009. The required public hearing was held on May 1, 2009.

Material being deleted is shown below in brackets and material being added is underlined.

RULE

Section 1. Paragraph (3) of subdivision (d) of section 2-161 of Title 6 of the Rules of the City of New York is amended to read as follows:

(3) The applicant shall present for review and consideration at the time of this application for a license, or renewal thereof, the original or a true copy or copies of policies of insurance, or certificates of insurance.

Statement of Basis and Purpose: Section 20-104 (b) confers on the Commissioner the power to promulgate rules necessary to carry out his or her powers and duties relating to licensed businesses subject to his jurisdiction, and section 20-330 authorizes the Commissioner to promulgate such rules as are necessary to carry out the provisions of subchapter 17 of Chapter 2 of Title 20 of the Administrative Code of the City of New York relating to licensing of parking lots and garages. Pursuant to such law, the Commissioner promulgated section 2-161 of Title 6 of the Rules of the City of New York relating to the certification to be provided by agencies to substantiate that license applicants have complied with applicable statutory requirements. Subdivision (d) of such section requires in part that an applicant for a license and renewal submit original policies of insurance or certificates of insurance.

This requirement was promulgated when it was the practice of the insurance industry to provide policy holders clearly identifiable original insurance policies or insurance certificates that they could furnish as proof of having the required insurance coverage.

Technological changes in the printing and distribution of such documents have resulted in the insurance industry issuing such policies or certificates by e-mail or in pdf formats with printed signatures that are no longer identifiable as "original" documents. The requirement that applicants submit only original documents creates an unnecessary ambiguity about whether the documents insurers furnish as proof of insurance qualify as the certification requirements to be provided under the rule.

To eliminate this ambiguity, the Department adopts this amendment to authorize applicants to submit a true copy of the insurance policy or insurance certificate that the applicant is issued by the insurer. Since such documents issued by insurers contain the information necessary to determine whether the required coverage is in effect, the change will still enable the Department to ensure that the insurance coverage necessary to protect the public is in place while easing the burden of compliance on applicants.

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SPECIAL MATERIALS

HOUSING PRESERVATION & DEVELOPMENT

■ NOTICE

SYNOPSIS of Determination And Findings By The City Of New York Pursuant To Section 204 Of The Eminent Domain Procedure Law With Respect To Certain Property To Be Acquired In Connection With The Harlem-East Harlem Fifteenth Amended Urban Renewal Plan.

The City of New York ("City") and its Department of Housing Preservation and Development ("HPD") have considered the use of the Eminent Domain Procedure Law ("EDPL") for the acquisition of certain properties necessary for the Harlem-East Harlem Fifteenth Amended Urban Renewal Plan ("Plan").

Pursuant to EDPL §203, the City held a public hearing in relation to this proposed acquisition on April 20, 2009 in the Borough of Manhattan.

The record of the hearing was concluded on April 27, 2009.

Determination and Findings: Pursuant to EDPL §204 the City makes the following determination and findings concerning the above-described

acquisitions and the Plan:

- (1) **The Public Use, Benefit and Purpose to be served by the Acquisition:** The public use, benefit, and purpose of the Plan is to eliminate blight and redevelop the area in a comprehensive manner by maximizing appropriate land use; removing or rehabilitating substandard and unsanitary structures; removing impediments to land assemblage and orderly development; strengthening the tax base of the City by encouraging development and employment opportunities in the area; providing new housing of high quality and/or rehabilitated housing of upgraded quality; providing appropriate community facilities, parks and recreational uses, retail shopping, public parking and private parking; and, providing a stable environment within the area that will not be a blighting influence on surrounding neighborhoods.
- (2) **Location of Real Property and Reason for Selection of Location:** The properties to be acquired are shown on the Tax Map of the City for the Borough of Manhattan and comprise the following properties: Block 1790, Lots 1, 5, 101, 8, 24, 46, 28, 44, 20, and Block 1791, Lot 34. These sites will be acquired for the purposes specified in the Plan due to their inclusion in the Harlem-East Harlem Fifteenth Amended Urban Renewal Area and the Plan.
- (3) **General Effect of Real Property Acquisitions on the Environment and the Residents of the Locality:** The general effects of the property acquisitions described herein and the Plan as a whole upon the environment are beneficial in that they would result in development that will sustain and enhance the ongoing revitalization of 125th Street as a unique commercial corridor, promote local economic growth, encourage private investment and improve the quality of life for East Harlem residents.
- (4) **Conclusion:** Based upon due consideration of the record and the foregoing findings, it is determined that the City of New York should exercise its power of eminent domain to acquire the above described properties in order to promote and permit the purposes of the Plan to be achieved.

PLEASE TAKE NOTICE THAT:

Copies of the full text of Determination and Findings by the City of New York are available and can be obtained without cost, upon written request addressed to:

New York City Department of Housing Preservation and Development
Division of Planning
100 Gold Street, Rm. 9E4
New York, New York 10038
Attn.: Charles Marcus

PLEASE TAKE FURTHER NOTICE THAT:

PURSUANT TO SECTION 207 OF THE EMINENT DOMAIN PROCEDURE LAW, ANY PERSON WHO WISHES TO SEEK JUDICIAL REVIEW OF THIS DETERMINATION AND FINDINGS, OR WHO CLAIMS TO BE AGGRIEVED BY SUCH DETERMINATION AND FINDINGS AND WISHES TO CHALLENGE SAME, MUST DO SO, IF AT ALL, BY DULY COMMENCING A LEGAL PROCEEDING IN THE APPELLATE DIVISION, FIRST DEPARTMENT, NO LATER THAN THIRTY (30) DAYS AFTER THE COMPLETION OF THE PUBLICATION OF THIS DETERMINATION AND FINDINGS. SINCE PUBLICATION WILL TAKE PLACE ON JUNE 18 AND 19, 2009 ANY SUCH PROCEEDING MUST BE COMMENCED ON OR BEFORE JULY 17, 2009.

UNDER SECTIONS 207 AND 208 OF THE EMINENT DOMAIN PROCEDURE LAW, THE EXCLUSIVE VENUE FOR ANY CHALLENGE TO THIS DETERMINATION AND FINDINGS IS THE ABOVE-DESCRIBED APPELLATE DIVISION.

ANYONE WISHING TO CHALLENGE THIS DETERMINATION AND FINDINGS IS ADVISED TO CONSULT AN ATTORNEY PROMPTLY.

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PUBLIC ADMINISTRATOR OF RICHMOND COUNTY

■ NOTICE

The Public Administrator of Richmond County is inviting all interested parties, individuals and/or companies to express their interest to be notified of estate properties for sale. If you have an interest in purchasing the property of decedent's estates, you may ask to be placed on a notification roster list. Contact us by mail only. No telephone inquiries accepted. Write to: Gary D. Gotlin, Public Administrator of Richmond County, 130 Stuyvesant Place, Suite 402, S.I., N.Y. 10301.

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WATER BOARD

■ NOTICE

PUBLIC NOTICE IS HEREBY GIVEN pursuant to Section 1045-j(9-a) of the Public Authorities Law, that after public hearings were held on April 27, 28, 29 and 30, 2009, in accordance with the provisions of such law, the New York City Water Board (the "Board") has, at its meeting held on May 15, 2009, adopted a resolution approving increases in water rates and corresponding wastewater charges to users of the Water Supply and Wastewater System of the City of New York, for the fiscal year commencing July 1, 2009, from those rates currently in effect, and making certain billing policy changes and elaborations, as follows:

I. There will be a change from currently effective water and wastewater rates for services provided during the fiscal year commencing July 1, 2009.

- (1) Metered and unmetered water rates will

- increase by 12.9%.
(2) Wastewater charges will remain at 159% of water charges.
- II. There will also be changes to certain existing billing policies and new and amended regulations and charges have been adopted.**
- (1) The Frontage Transition Program for Residential Premises with Six or More Dwelling Units will be extended through the end of FY2012.
- (2) The Board's existing Regulation No. 3, Discontinuance of Water Supply and/or Sewer Service for Denial of Access, has been amended to conform to changes made last year in the Board's Regulation No. 2, Discontinuance of Water Supply and/or Sewer Service Because of Non-Payment, including among other matters, reducing the notice period from 45 days to 15 days.
- (3) A new Regulation No. 4, Theft of Services has been adopted.
- (4) New charges have been added to the Rate Schedule to be assessed on properties

- where customers fail to provide or facilitate access to their premises to enable DEP to inspect, test, repair or replace a property's connections to the water system, water meters, water consumption measurement devices and appurtenant equipment. New charges will consist of a \$250 account administration fee and water/sewer consumption charges based on an attributed consumption formula related to property class and meter size.
- (5) New charges have been added to the Rate Schedule to be assessed on properties where DEP makes a theft of services determination. New charges will consist of a \$650 account administration fee and water/sewer consumption charges based on an attributed consumption formula related to property class and meter size. The Board also approved a Grace Period Program to be applied to the implementation of the Theft of Services Account Administration Fee and Attributed Consumption Charges. This Program provides a minimum 120-day grace period from the July 1, 2009
- (6)

effective date of the FY2010 Rate Schedule wherein customers who: (i) self-report to DEP in a signed written statement a non-compliant condition at their premises in sufficient detail to enable a DEP inspector to locate and verify the condition; (ii) correct such condition within 30 days of the end of the Grace Period as established by the Executive Director; and (iii) provide or facilitate access at a time and in a manner acceptable to DEP to verify both the existence and subsequent correction of the non-compliant condition shall have Attributed Consumption Charges limited to the charge that would be applied to consumption at the 50th percentile for the applicable class of property and meter size as determined by DEP and shall have retroactive billing at such consumption level limited to a maximum of 2 years from the start of the Grace Period, July 1, 2009.

The New York City Water Board Water and Wastewater Rate Schedule, effective July 1, 2009, is available on the New York City Water Board website at www.nyc.gov/nycwaterboard.

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CHANGES IN PERSONNEL

**BUSINESS INTEGRITY COMMISSION
FOR PERIOD ENDING 05/15/09**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
WILLUMSEN-FRIED JOHN	S	31121	\$35000.0000	APPOINTED	YES	05/04/09

**DEPARTMENT OF FINANCE
FOR PERIOD ENDING 05/15/09**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
FALCONE CHRISTOP N	N	10209	\$10.2600	RESIGNED	YES	05/01/09
TITUS MELVA		10251	\$48815.0000	RETIRED	NO	04/23/09

**DEPARTMENT OF TRANSPORTATION
FOR PERIOD ENDING 05/15/09**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
AYALA RICARDO A	A	92406	\$291.8400	DECREASE	YES	03/12/09
BAILEY LINDA		10026	\$90000.0000	INCREASE	YES	04/26/09
BARTOLI JOSE L	L	20215	\$65698.0000	RETIRED	NO	05/01/09
BELLE CARL E	E	31715	\$38119.0000	APPOINTED	YES	04/26/09
BERGER DANIEL H	H	10209	\$12.8600	RESIGNED	YES	04/21/09
BOYD DIANE C	C	10252	\$35385.0000	RETIRED	YES	05/02/09
BYAS LEON		92406	\$291.8400	RETIRED	NO	04/29/09
CARESSIMO JOHN		92406	\$291.8400	RETIRED	NO	04/30/09
CRAIGWELL DIANA		10251	\$39886.0000	APPOINTED	NO	03/19/09
CRUZ RICARDO		92406	\$291.8400	DECREASE	YES	03/12/09
DIVERNIERO MICHAEL		10039	\$125000.0000	INCREASE	YES	05/03/09
DORSETT GREGORY G	G	90692	\$46028.0000	APPOINTED	YES	03/12/09
ENG EDMUND A	A	10039	\$90000.0000	APPOINTED	YES	04/26/09
FINNEGAN BRYAN H	H	91556	\$53509.0000	RESIGNED	YES	04/11/08
FRANK ZACHARY R	R	10124	\$48672.0000	RESIGNED	YES	05/05/09
KELLY THOMAS		92210	\$261.8000	APPOINTED	YES	04/19/09
LIADIS GEORGE N	N	92510	\$232.0000	APPOINTED	YES	04/19/09
LYNFATT AUGUSTUS C	C	92406	\$291.8400	DECREASE	YES	03/12/09
MATTHEWS KENNETH J	J	92510	\$232.0000	APPOINTED	YES	04/26/09
MCQUADE WILLIAM		92210	\$261.8000	APPOINTED	NO	04/26/09
OSMERS ROBERT J	J	92510	\$270.0800	RESIGNED	NO	04/29/09
SERCIA ANTHONY E	E	92406	\$291.8400	DECREASE	YES	03/12/09
THOMPSON SHANELLE		10124	\$44210.0000	APPOINTED	YES	04/26/09

**DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 05/15/09**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ABREU GLENNY		80633	\$9.2100	APPOINTED	YES	04/20/09
ACOSTA EUGENIO		91406	\$11.1100	INCREASE	YES	04/25/09
ADAMS KELLY A	A	06664	\$14.9000	APPOINTED	YES	05/01/09
ALAYON ELBA M	M	90641	\$14.0200	APPOINTED	YES	05/04/09
ALAZZANI ALEXA A	A	90641	\$14.0200	APPOINTED	YES	04/26/09
ALEXANDER DONETTE G	G	90641	\$14.0200	APPOINTED	YES	04/26/09
ANDERSON KEITH F	F	90641	\$14.0200	APPOINTED	YES	04/27/09
ARROYO POVEDA IRIS		90641	\$14.0200	APPOINTED	YES	04/14/09
BALSAMO DANIEL J	J	91644	\$49.2100	APPOINTED	YES	10/27/08
BARCLAY SHARON		90641	\$14.0200	APPOINTED	YES	04/21/09
BECKER JAMES		81106	\$18.3500	APPOINTED	YES	04/27/09
BECKLES KIAJI R	R	90641	\$14.0200	APPOINTED	YES	04/28/09
BELFON LAWRENCE		90641	\$14.0200	APPOINTED	YES	05/04/09
BENJAMIN AL		90641	\$16.1200	APPOINTED	YES	04/27/09
BOKOR DESIRE K	K	60421	\$36449.0000	RESIGNED	YES	08/21/08
BONNER LYVETTE		80633	\$9.2100	APPOINTED	YES	04/20/09
BOSA LYDIA N	N	90641	\$14.0200	APPOINTED	YES	04/26/09
BOSSIO KATHLEEN		80633	\$9.2100	APPOINTED	YES	05/01/09
BOYNTON MARK R	R	90641	\$14.0200	APPOINTED	YES	04/26/09
BRADLEY STEVEN		90641	\$14.0200	APPOINTED	YES	05/01/09
BRANA RAMON L	L	90641	\$16.1200	APPOINTED	YES	04/27/09
BRATHWAITE LYLE		90641	\$14.0200	INCREASE	YES	04/21/09
BROWN CALVIN		90641	\$14.0200	APPOINTED	YES	04/29/09
BROWN GENDETTA		80633	\$9.2100	APPOINTED	YES	04/16/09
BROWN VERTELL D	D	80633	\$9.2100	APPOINTED	YES	04/27/09
CAMPBELL JUDY		80633	\$9.2100	APPOINTED	YES	04/20/09
CAQUIAS LISSETTE L	L	80633	\$9.2100	APPOINTED	YES	05/01/09
CARTER RONALD A	A	91406	\$14.9800	APPOINTED	YES	04/05/09
CASTILLO ROBERTO		90641	\$14.0200	APPOINTED	YES	04/27/09
CATALDI AGATINO		90641	\$14.0200	APPOINTED	YES	04/26/09
CHANG EVANNY		90641	\$14.0200	APPOINTED	YES	04/27/09
CHANG HARRISON H	H	21210	\$55345.0000	INCREASE	YES	04/26/09
CHASE DESIREE		81106	\$44051.0000	INCREASE	YES	05/03/09
CHOUHDURY FAISAL H	H	83008	\$112300.0000	INCREASE	YES	04/26/09
COLANTONE ALEXANDE W	W	90641	\$14.0200	APPOINTED	YES	04/26/09
COOPER DANIEL		90641	\$14.0200	APPOINTED	YES	04/28/09
CORPORAN MARIA R	R	90641	\$14.0200	APPOINTED	YES	04/27/09
COSEY ALTAGRAC E	E	90641	\$14.0200	APPOINTED	YES	04/29/09
CRIBB LUDNER M	M	90641	\$16.1200	APPOINTED	YES	04/27/09
CRITTEN ALICIA S	S	90641	\$14.0200	APPOINTED	YES	04/27/09
CRUZ ROSA		80633	\$9.2100	APPOINTED	YES	04/27/09
CUCCINELLO NICHOLAS A	A	81106	\$38305.0000	INCREASE	YES	05/01/09

CUCCINELLO NICHOLAS A	A	90641	\$29272.0000	APPOINTED	YES	05/01/09
CUMMINGS TIA		90641	\$14.0200	APPOINTED	YES	04/26/09
DANIEL WAYNE C	C	80633	\$9.2100	APPOINTED	YES	04/27/09
DAVID WINSTON F	F	90641	\$14.0200	APPOINTED	YES	04/29/09
DAVILA NORMA I	I	80633	\$9.2100	APPOINTED	YES	04/22/09
DAVIS ADRIANNE		80633	\$9.2100	APPOINTED	YES	04/30/09
DAVIS AISHA N	N	80633	\$9.2100	APPOINTED	YES	04/23/09
DAVIS SHANA		80633	\$9.2100	APPOINTED	YES	04/24/09
DAVIS TERRENCE		80633	\$9.2100	APPOINTED	YES	04/20/09
DAWSON RECHELLE Y	Y	80633	\$9.2100	APPOINTED	YES	04/27/09
DE LA ROSA-DIAZ RICARDO O	O	90641	\$14.0200	APPOINTED	YES	04/13/09
DEL GROSSO EUGENE J	J	90641	\$14.0200	APPOINTED	YES	05/01/09
DELATOUR PIERRE		90641	\$16.1200	APPOINTED	YES	04/06/09
DELGADO JR ADOLPH		81106	\$44051.0000	INCREASE	YES	04/26/09
DELGADO JR ADOLPH		90641	\$34117.0000	APPOINTED	YES	04/26/09
DESPOSORIO CHRISTIA P	P	06070	\$20.9400	APPOINTED	YES	04/20/09
DESSY WENDY H	H	10026	\$79860.0000	RESIGNED	YES	03/15/09
DIAZ JONATHAN		90641	\$14.0200	APPOINTED	YES	04/27/09
DIAZ ZULEIKA		06664	\$14.9000	APPOINTED	YES	04/28/09
DIXON MARVELLE D	D	81106	\$44051.0000	INCREASE	YES	04/26/09
DIXON MARVELLE D	D	90641	\$33662.0000	APPOINTED	YES	04/26/09
DRAYTON THOMAS		81106	\$44173.0000	RETIRED	YES	05/05/09
DRAYTON THOMAS		90641	\$41463.0000	RETIRED	YES	05/05/09
DUNNELL LEROY		81111	\$61287.0000	INCREASE	YES	05/01/09
DUNNELL LEROY		90641	\$44051.0000	APPOINTED	YES	05/01/09
EDUSEI JEFFREY B	B	60421	\$36449.0000	DECREASE	YES	04/10/09
ELLIS SHAMEKA D	D	80633	\$9.2100	APPOINTED	YES	04/24/09
ESPOSITO JOHN		80633	\$8.4900	RESIGNED	YES	07/10/07
EVANS NICOLE		80633	\$9.2100	APPOINTED	YES	04/20/09
FERNANDEZ SHAKEEMA C	C	80633	\$9.2100	APPOINTED	YES	04/23/09
FISHER JON PAUL		80633	\$9.2100	APPOINTED	YES	04/20/09
FORD TERRANCE		91406	\$11.1100	INCREASE	YES	04/25/09
FOSTER JANNICA R	R	80633	\$9.2100	APPOINTED	YES	04/24/09
FRANCOIS-GORDON SHARON C	C	90641	\$14.0200	APPOINTED	YES	04/27/09
FREEMAN ESTHER M	M	80633	\$9.2100	APPOINTED	YES	04/29/09
FREIN LAWRENCE		91644	\$49.2100	APPOINTED	YES	11/16/08
FUENTES WILLIAM		90641	\$16.1200	APPOINTED	YES	04/27/09
GAINES NICHOLAS J	J	90641	\$14.0200	APPOINTED	YES	04/26/09
GIACALONE DENNIS J	J	90641	\$14.0200	APPOINTED	YES	04/26/09
GILL DANIEL		06664	\$14.9000	APPOINTED	YES	05/01/09
GILL RYLE K	K	80633	\$9.2100	APPOINTED	YES	04/27/09
GLASCO MICHAEL		81111	\$61287.0000	INCREASE	YES	05/01/09
GOMEZ DENISE A	A	90641	\$16.1200	APPOINTED	YES	03/09/09
GONZALEZ ALEX		90641	\$14.0200	APPOINTED	YES	04/27/09
GONZALEZ JAVIER		90641	\$14.0200	APPOINTED	YES	04/27/09
GOODWIN SETH D	D	81660	\$45862.0000	INCREASE	YES	05/01/09
GRANT SHONDRA L	L	80633	\$9.2100	APPOINTED	YES	04/23/09
GRAY STEVEN		92005	\$41.7100	APPOINTED	YES	05/04/09
GREENSPAN STEPHEN		81111	\$61287.0000	INCREASE	YES	04/27/09
GREENSPAN STEPHEN		81106	\$44051.0000	APPOINTED	NO	04/27/09
GUZZONE CRAIG M	M	90641	\$14.0200	APPOINTED	YES	04/20/09
HAIR BEVERLY		80633	\$9.2100	APPOINTED	YES	04/20/09
HALL BILLY W	W	90641	\$33662.0000	APPOINTED	YES	05/03/09
HALVORSEN JULIANNE		90641	\$14.0200	INCREASE	YES	04/03/09
HARRINGTON DERRICK J	J	90641	\$33662.0000	APPOINTED	YES	05/03/09
HARRIS SHAWNTEL		80633	\$9.2100	APPOINTED	YES	04/23/09
HARRIS TERRELL M	M	80633	\$9.2100	APPOINTED	YES	04/27/09
HAYES ANTWAN A	A	81106	\$38305.0000	INCREASE	YES	05/03/09
HAYES ANTWAN A	A	90641	\$29272.0000	APPOINTED	YES	05/03/09
HAYWOOD OPICI M	M	80633	\$9.2100	APPOINTED	YES	05/01/09
HENDERSON CHERIESE M	M	60422	\$50529.0000	INCREASE	YES	04/20/09
HERBERT DEITRA		80633	\$9.2100	APPOINTED	YES	04/20/09
HERRERA KAREN		90641	\$14.0200	APPOINTED	YES	04/12/09
HERRING SABRINA		80633	\$9.2100	APPOINTED	YES	04/23/09
HOLMES LISA		80633	\$9.2100	APPOINTED	YES	04/20/09
HUBERT VANBERS CARINA		50657	\$17.7500	APPOINTED	YES	05/04/09
HUNTER MICHAEL J	J	60440	\$22.8000	RESIGNED	YES	01/01/09
ISKHAKOV EDUARD K	K	90641	\$16.1200	APPOINTED	YES	04/27/09
JABOUIN VALERIE		90641	\$14.0200	APPOINTED	YES	04/27/09
JENKINS BARBARA		80633	\$9.2100	APPOINTED	YES	04/30/09
JENKINS WILLIAM H	H	80633	\$9.2100	APPOINTED	YES	04/27/09
JETER HERMAN		80633	\$8.4900	RESIGNED	YES	07/10/07
JOHNSON STEPHANI		90641	\$14.0200	APPOINTED	YES	04/28/09
JONES ELIZABET M	M	80633	\$8.4900	RESIGNED	YES	11/01/07
JONES THEODORE		90641	\$16.1200	APPOINTED	YES	04/27/09
JOSEPH BRETT W	W	10251	\$13.6100	RESIGNED	YES	05/01/09
JULIEN GUSTAVE		90641	\$14.0200	APPOINTED	YES	05/04/09
KALMAN LARRY		81111	\$69561.0000	INCREASE	NO	04/19/09
KARABINECH OLGA		21210	\$55345.0000	INCREASE	YES	04/26/09
KAWALEK TADEUSZ		90641	\$14.0200	APPOINTED	YES	04/21/09
KEITT NATHAN W	W	06070	\$18.2100	APPOINTED	YES	05/04/09
KELLY WILLIAM		80633	\$9.2100	APPOINTED	YES	04/20/09
KENNER ALEXIS		80633	\$9.2100	APPOINTED	YES	04/24/09
KLEIN WENDY		21210	\$55345.0000	INCREASE		

MANGANO	PHILIP	81106	\$44155.0000	APPOINTED	NO	05/01/09
MANISCALCO	GILDA B	13620	\$18.1900	APPOINTED	YES	04/13/09
MARQUEZ	TANNIA M	80633	\$9.2100	APPOINTED	YES	04/30/09
MARSALONA	MICHAEL	81106	\$18.3500	APPOINTED	YES	05/01/09
MAZZUCA	FRANK	81111	\$69561.0000	INCREASE	YES	05/04/09
MCLEAN	NICOLETT L	90641	\$14.0200	APPOINTED	YES	04/27/09
MCMILLON	ODYSSEY	80633	\$9.2100	APPOINTED	YES	04/20/09
MCRAE	DSHEA A	80633	\$9.2100	APPOINTED	YES	04/13/09
MEDINA	ALTAGRAC	90641	\$16.1200	APPOINTED	YES	03/09/09
MEDLOCK	MEDINA	90641	\$14.0200	APPOINTED	YES	04/27/09
MEJIA	FRANCISC D	90641	\$14.0200	APPOINTED	YES	04/28/09
MENDEZ	JENNIFER H	10250	\$13.6100	INCREASE	YES	04/15/09
MERCADO	DANIEL O	06664	\$14.9000	APPOINTED	YES	05/01/09
MERCADO	VANESSA M	06070	\$38257.0000	INCREASE	YES	05/01/09
MEROLLA	LISA	06664	\$14.9000	APPOINTED	YES	05/01/09
MILAS	NICKY	06664	\$14.9000	APPOINTED	YES	05/01/09
MILLER	DERRICK	90641	\$14.0200	APPOINTED	YES	05/01/09
MILTON	THOMAS	80633	\$9.2100	APPOINTED	YES	04/20/09
MISTRETTA	CHELSEA	06664	\$14.9000	APPOINTED	YES	05/01/09
MOORE	GLENDA C	90641	\$33662.0000	APPOINTED	YES	05/03/09
MORRIS	ADRIENNE S	80633	\$9.2100	APPOINTED	YES	04/23/09
MOSIEJ	MALGORZA	81310	\$47053.0000	APPOINTED	YES	04/26/09
MYERS	KHARY J	06664	\$14.9000	APPOINTED	YES	04/03/09
OTTO	FREDDY C	06070	\$20.9400	APPOINTED	YES	05/01/09
OUTLEY	DIALL	81106	\$44051.0000	INCREASE	YES	05/03/09
OUTLEY	DIALL	90641	\$33662.0000	APPOINTED	YES	05/03/09
OWENS	JEREMY C	81307	\$9.0000	APPOINTED	YES	04/07/09
PADGETT	STEVE	80633	\$9.2100	APPOINTED	YES	04/20/09
PENA	SHARON C	90641	\$16.1200	APPOINTED	YES	04/20/09
PHELPS	CLAUDIA	80633	\$9.2100	APPOINTED	YES	04/23/09
PHELPS	VICTORIA	80633	\$9.2100	APPOINTED	YES	04/30/09
POOLE	JUDITH	10124	\$62437.0000	RETIRED	NO	05/02/09
POUGH	DONETTE N	60422	\$43938.0000	INCREASE	YES	05/01/09
RAMDHANIE	GURUDAT	90641	\$14.0200	APPOINTED	YES	05/01/09
RAMOS	JACKELIN C	80633	\$9.2100	APPOINTED	YES	04/23/09
RAMOS	JESSICA	06664	\$14.9000	APPOINTED	YES	05/01/09
RAWLINS	FERNANDO	91406	\$14.0200	INCREASE	YES	04/27/09
RENEE	SHAKIMA M	90641	\$14.0200	APPOINTED	YES	04/28/09
RIOS	ISABELLE	90641	\$14.0200	APPOINTED	YES	04/27/09
RIPPE	MITCHELL	81111	\$61287.0000	INCREASE	YES	05/01/09
RIPPE	MITCHELL	90698	\$193.2800	APPOINTED	NO	05/01/09
RIVERA	HECTOR M	81309	\$17.5300	APPOINTED	YES	04/20/09
ROBERTS	ARTIS L	90641	\$16.1200	APPOINTED	YES	04/27/09
ROBINSON	LINDSAY A	80633	\$9.2100	APPOINTED	YES	04/20/09
ROBINSON	OLA L	80633	\$9.2100	APPOINTED	YES	04/23/09
ROBINSON	TYRONE	81111	\$61287.0000	INCREASE	YES	05/01/09
RODRIGUEZ	MANUEL A	90641	\$16.1200	APPOINTED	YES	04/27/09
RODRIGUEZ	MARIA A	06664	\$14.9000	APPOINTED	YES	05/06/09
SAINI	SUMEET	90641	\$14.0200	APPOINTED	YES	04/27/09
SALLEY	LATOYA N	80633	\$9.2100	APPOINTED	YES	04/24/09
SANABRIA	KIM M	91406	\$14.9800	RESIGNED	YES	03/04/09
SANCHEZ	JACKELIN	80633	\$9.2100	APPOINTED	YES	04/29/09
SANFORD	LISA	10250	\$13.6100	INCREASE	YES	04/27/09
SANTOS	JOCELYN A	80633	\$9.2100	APPOINTED	YES	04/20/09
SCOTT	ASIA	80633	\$9.2100	APPOINTED	YES	04/20/09
SHELTON	KATRICE J	80633	\$9.2100	APPOINTED	YES	05/01/09
SMALL	SHAVON	90641	\$14.0200	APPOINTED	YES	04/27/09
SMITH	CHARLES	90641	\$14.0200	APPOINTED	YES	04/21/09

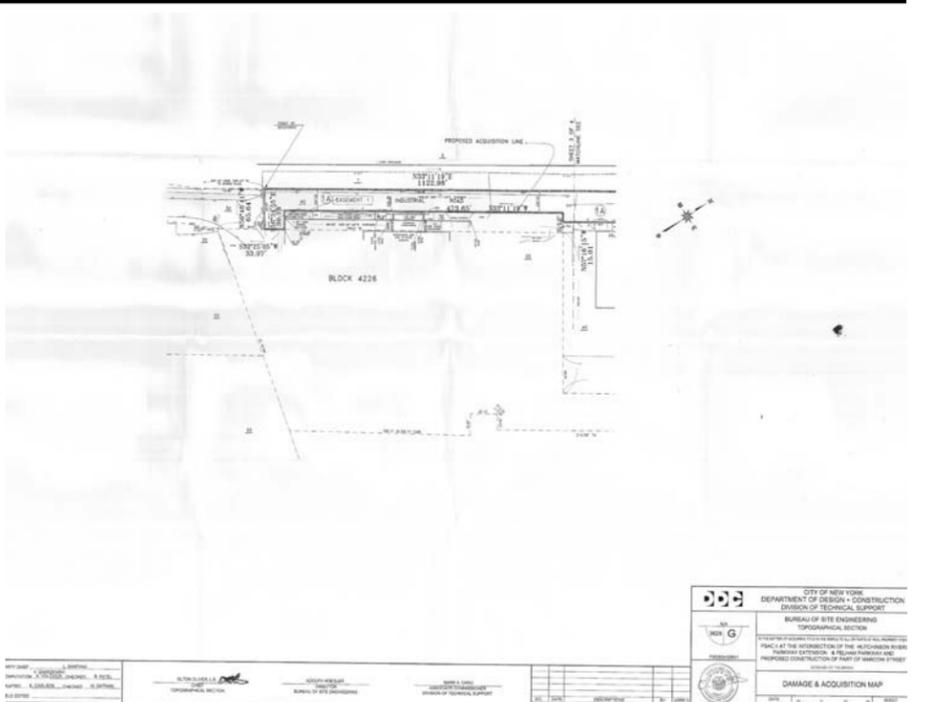
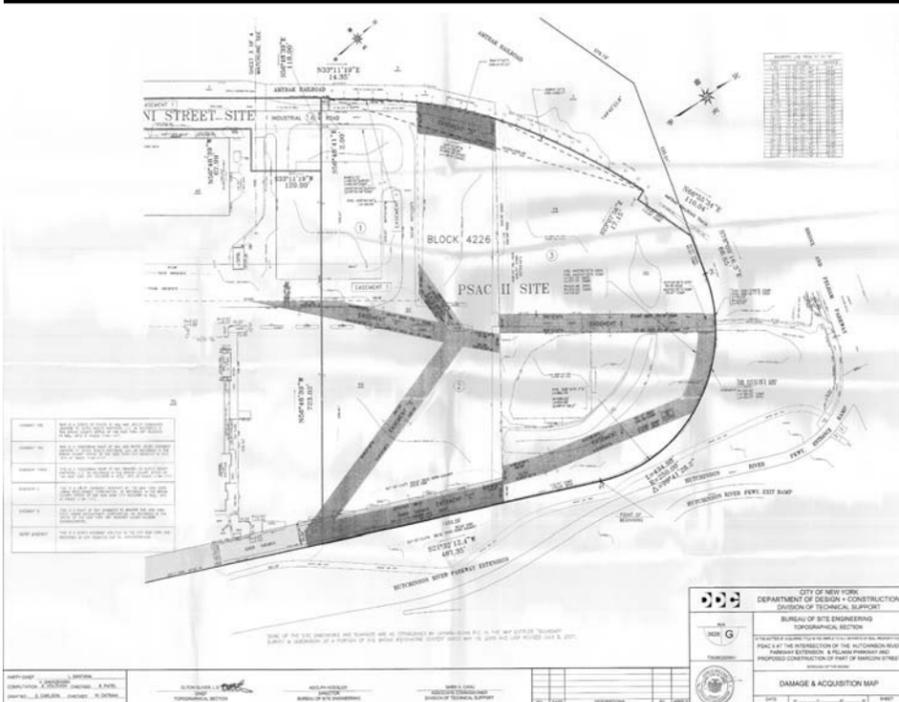
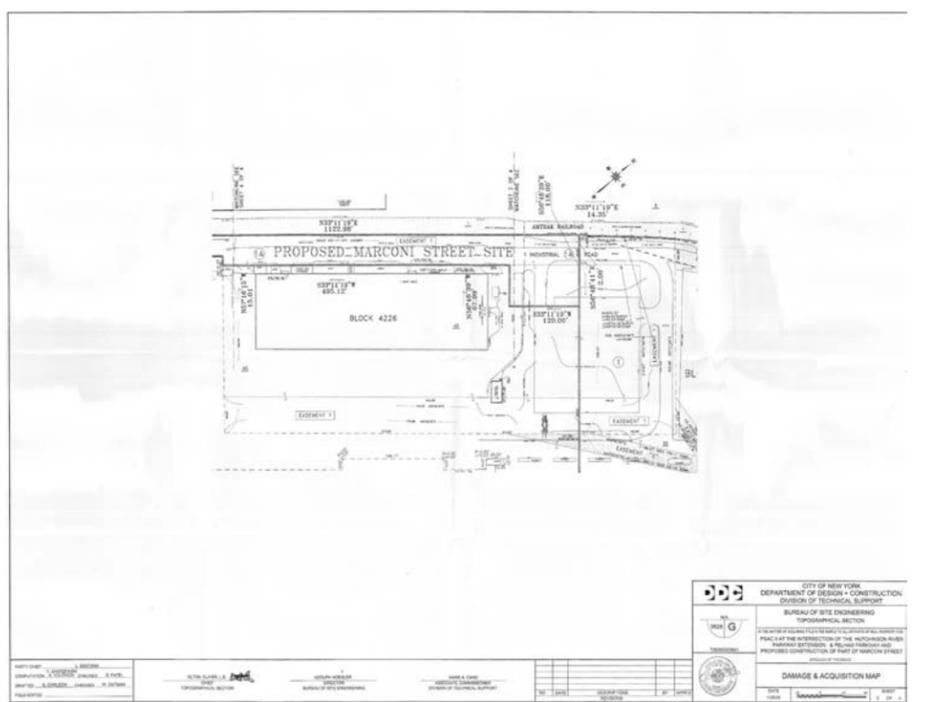
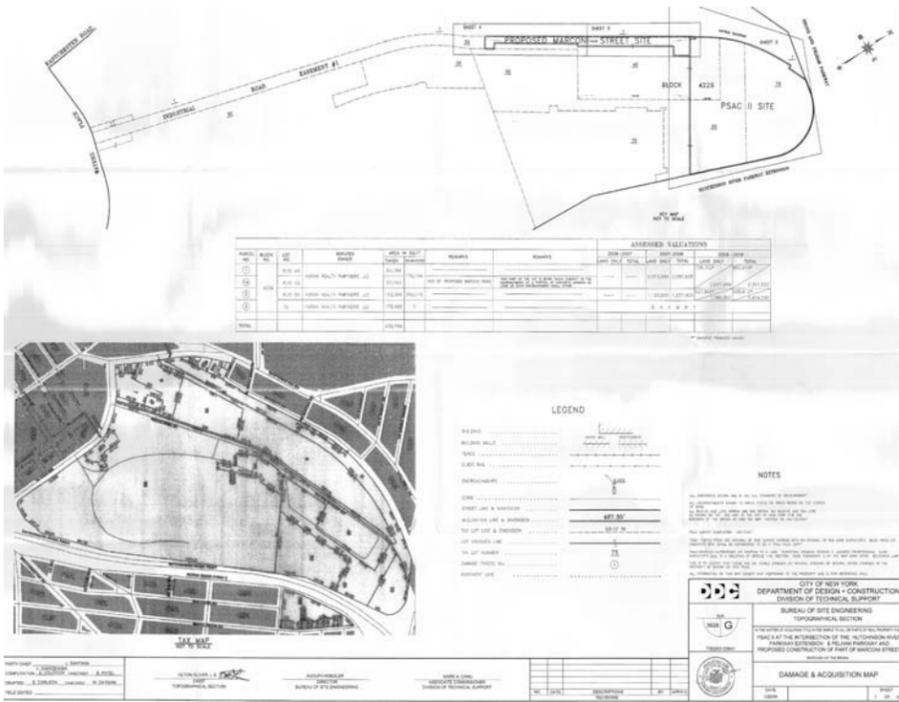
SPOONER	PRESTON	90641	\$14.0200	APPOINTED	YES	05/04/09
SQUIRES	ANGELA L	80633	\$9.2100	APPOINTED	YES	05/01/09
STEWART	KISSIE L	91406	\$11.1100	INCREASE	YES	04/18/09
SUMMERS	MARGARET	90641	\$14.0200	APPOINTED	YES	04/27/09
TAYLOR	HORTENSE A	13620	\$36748.0000	TRANSFER	NO	08/27/07
TAYLOR	JASMINE E	80633	\$9.2100	APPOINTED	YES	04/20/09
TAYLOR	MATTHEW	81106	\$18.3500	APPOINTED	YES	04/27/09
THOMANN	ERIC S	90641	\$14.0200	APPOINTED	YES	04/24/09
THOMPSON	MELBA H	80633	\$9.2100	APPOINTED	YES	04/30/09
THURMAN	DAVID	90641	\$14.0200	APPOINTED	YES	04/27/09
TOBIAS	BRIAN T	90641	\$14.0200	APPOINTED	YES	04/24/09
TOLTON	MARLENE	80633	\$9.2100	APPOINTED	YES	04/20/09
TOM	TONY	90641	\$14.0200	APPOINTED	YES	05/01/09
TONG	HSAINGTA R	90641	\$14.0200	INCREASE	YES	04/20/09
TORRES	CESAREO	81111	\$69561.0000	INCREASE	YES	04/20/09
TORRES	JAIME	90641	\$16.1200	APPOINTED	YES	05/04/09
TORRES	MIGUELA	81309	\$17.5300	APPOINTED	YES	04/27/09
TORRES	ROSA L	06664	\$14.9000	APPOINTED	YES	05/01/09
TRIFONAS	GEORGE	06664	\$14.9000	APPOINTED	YES	05/01/09
TUOMEY	CHRISTOP	06664	\$14.9000	APPOINTED	YES	05/01/09
VALENCIA	JULIO R	81106	\$44051.0000	INCREASE	YES	05/03/09
VALENCIA	JULIO R	90641	\$33662.0000	APPOINTED	YES	05/03/09
VARGAS	CARIDAD	90641	\$14.0200	APPOINTED	YES	04/29/09
VASKIS	JEROME M	90641	\$14.0200	APPOINTED	YES	04/26/09
VELAZQUEZ	ALBERT	81111	\$61287.0000	INCREASE	YES	05/01/09
VELAZQUEZ	ALBERT	81106	\$44348.0000	APPOINTED	NO	05/01/09
VEREEN	CHARLIE	90641	\$16.1200	APPOINTED	YES	04/21/09
WASHINGTON	VIVIAN	90641	\$16.1200	APPOINTED	YES	04/22/09
WASHINGTON	WILBERT	90641	\$14.0200	APPOINTED	YES	05/01/09
WATSON	TAKIYA L	91406	\$11.1100	APPOINTED	YES	04/21/09
WEBB	COREY	90641	\$14.0200	APPOINTED	YES	05/04/09
WHITE	JAMES	80633	\$9.2100	APPOINTED	YES	04/20/09
WHITE	WHITWORT A	90641	\$16.1200	APPOINTED	YES	04/27/09
WHYTE	CLAUDINE C	90641	\$16.1200	APPOINTED	YES	04/20/09
WILLIAMS	HERBERT	81106	\$44051.0000	INCREASE	YES	05/03/09
WILLIAMS	HERBERT	90641	\$33662.0000	APPOINTED	YES	05/03/09
WILLIAMS	JAMES	06664	\$14.9000	APPOINTED	YES	04/24/09
WOODBERRY	TASHA A	80633	\$9.2100	APPOINTED	YES	04/24/09
YARDE	HAZLEON W	91406	\$11.1100	APPOINTED	YES	04/15/09
YEUNG	RAYMOND	21210	\$55345.0000	INCREASE	YES	04/26/09
ZEIGLER	ZON	91406	\$14.0200	DECREASE	YES	04/27/09
ZEPHIR	JOSEPH R	90641	\$16.1200	APPOINTED	YES	04/27/09
ZIDO	STEPHEN	90641	\$14.0200	APPOINTED	YES	05/01/09

DEPT. OF DESIGN & CONSTRUCTION
FOR PERIOD ENDING 05/15/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ASBAGH	MEHRZAD	34202	\$70953.0000	INCREASE	YES	04/26/09
DREIZEN	JULIE E	82991	\$105310.0000	INCREASE	YES	04/26/09
FU	DANIEL P	13621	\$54173.0000	INCREASE	YES	04/26/09
MCENERNEY	MICHAEL J	22427	\$65978.0000	RESIGNED	YES	05/08/09
WILLIAMS	KELLY	20202	\$43349.0000	RESIGNED	YES	05/01/09
WONG	LUCY-LAI	34202	\$48227.0000	APPOINTED	YES	04/26/09

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COURT NOTICE MAPS FOR PUBLIC SAFETY ANSWER CENTER 2 ("PSAC 2") AND PART OF MARCONI STREET



READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

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

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

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

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/**only one source
- RS..... Procurement from a Required Source/ST/FED
- NA..... Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

- NA/9 New contractor needed for changed/additional work
- NA/10 Change in scope, essential to solicit one or limited number of contractors
- NA/11 Immediate successor contractor required due to termination/default

For Legal services only:

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

HOW TO READ CR PROCUREMENT NOTICES

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

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.