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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - QUEENS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Remote Public Hearing will be held by the Borough President of Queens, Donovan Richards on **Thursday, July 1, 2021**, starting at 9:30 A.M., via a live stream available on the Office of the Queens Borough President web page at: www.queensbp.org. The following items will be heard:



CD Q14 - ULURP #180395 ZMQ - IN THE MATTER OF an application submitted by RBB II LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 30a and 30b:

1. eliminating from an existing R5D District a C2-3 District bounded by Rockaway Freeway, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street; and
2. changing from an R5D District to a M1-3 District property bounded by Rockaway Freeway, the centerline of a Railroad Right-Of-Way, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street;

Borough of Queens, Community District 14, as shown in a diagram (for illustrative purposes only), dated April 5, 2021, and subject to the conditions of CEQR Declaration E-299.

CD Q08 - ULURP #210192 ZMQ - IN THE MATTER OF an application submitted by 18517 Hillside LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 15b:

1. changing from an R3X District to an R7A District property bounded by a line 140 feet northerly of Hillside Avenue, a line 100 feet westerly of Chelsea Street, a line 100 feet northerly of Hillside Avenue, and Dalny Road;
2. changing from an R6A District to an R7A District property bounded by a line 100 feet northerly of Hillside Avenue, Chelsea Street, Hillside Avenue, and Dalny Road;
3. establishing within a proposed R7A District a C2-4 District bounded by a line 140 feet northerly of Hillside Avenue, a line 100 feet westerly of Chelsea Street, a line 100 feet northerly of Hillside Avenue, and Dalny Road; and
4. establishing a Special Downtown Jamaica District (DJ) bounded by a line 140 feet northerly of Hillside Avenue, a line 100 feet westerly of Chelsea Street, a line 100 feet northerly of Hillside Avenue, and Dalny Road;

Borough of Queens, Community District 8, as shown on a diagram (for illustrative purposes only), dated May 3, 2021, and subject to the

conditions of CEQR Declaration E-591. (Related ULURP #N210193 ZRQ).

C08 – ULURP #N210193 ZRQ – IN THE MATTER OF an application submitted by submitted by 18517 Hillside LLC, pursuant to Section 201 of the New York City Charter, for an amendment to Appendix F of the NYC Zoning Resolution to map and establish the area to be rezoned as a Mandatory Inclusionary Housing Area (Related ULURP #210192 ZMQ).

CD Q01 – ULURP #210459 ZSQ – IN THE MATTER OF an application submitted by WF Industrial IV LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 62-837 of the Zoning Resolution to modify the height and setback, maximum width of walls facing shoreline and the ground floor streetscape requirements of Section 62-341 (Development on Land and Platforms), in connection with the construction of an approximately 495,000 square-foot motion picture studio, on property, located at 1 Steinway Place, a.k.a. 36-01 19th Avenue (Block 814, Lots 1 and 10), in an M3-1 District, Borough of Queens, Community District 1. (Related: N210457 ZAQ, N210458 ZAQ, N210460 ZAQ, N210461 LDQ).

CW – ULURP #N220380 ZRY – IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Sections 197-d and 201 of the New York City Charter, for a zoning text amendment to update the existing FRESH Program expanding coverage as well as zoning text clarifications, that would improve food choices and nutrition in underserved areas of New York City.

CW – ULURP #N210382 ZRY - IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Sections 197-d and 201 of the New York City Charter, for a zoning text amendment to modify regulations related to gyms, spas, and licensed massage therapy, and other health and fitness facilities defined as “Physical Culture or Health Establishments.” The text amendment would remove the requirement for these facilities to receive a special permit from the Board of Standards and Appeals.

CW – ULURP #N210406 ZRY – IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Sections 197-d and 201 of the New York City Charter, for a zoning text amendment to establish a City Planning Commission special permit (“CPC special permit”), for new and enlarged transient hotels (Use Group 5), and motels, tourist cabins and boatels (Use Group 7).

Those who wish to testify may register for speaking time by visiting www.queensbp.org/landuse, and submitting their contact information. Each registrant will receive a confirmation email with instructions on how to participate in the live public hearing. Speaking time can also be arranged by calling (718) 286-3000, between 9:00 A.M. to 5:00 P.M., prior to the date of the hearing.

Written testimony is welcome from those unable to testify live. All written testimony must be received by 5:00 P.M., on Thursday, July 1, 2021, and may be submitted by email, to planning@queensbp.org, or by conventional mail sent to the Office of the Queens Borough President, at 120-55 Queens Boulevard - Room 226, Kew Gardens, NY 11424.

j25-jy1

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

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

The public hearing will be held on Wednesday, July 14, 2021, starting at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Masks are required to be worn to enter the building and during the hearing.

The meeting will be live streamed through Department of City Planning’s (DCP’s) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287258/1>

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

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

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

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

Written comments will also be accepted until 11:59 P.M., one week before the date of vote. Such written testimony may be submitted at the hearing or through the CPC Comments form that is accessible through the above webpage.

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

**CITYWIDE
No. 1**

CITYWIDE HOTELS TEXT AMENDMENT

CITYWIDE N 210406 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, to modify Article III, Chapter 2 (Use Regulations), Article IV, Chapter 2 (Use Regulations) and related Sections, to create a special permit for new hotels, motels, tourist cabins and boatels in Commercial Districts and in M1 Districts paired with Residence Districts.

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

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

**32-00
GENERAL PROVISIONS**

* * *

**32-02
Special Provisions for Hotels**

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of this Section. For the purposes of this Section, #transient hotels# shall include #motels#, #tourist cabins# and #boatels#.

In all Districts, #transient hotels# shall be permitted only as set forth in this Section.

- (a) Applicability
A special permit for #transient hotels#, by the City Planning Commission, pursuant to Section 74-802 (Transient hotels within Commercial Districts) shall be applicable to:
 - (1) the #development# of a #transient hotel#;
 - (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or
 - (3) an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption], that increases the #floor area# of such #use# by 20 percent or more.
- (b) Exclusions
Notwithstanding the above, the provisions of this Section shall not apply to the following:
 - (1) a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose;
 - (2) where an application for a project containing a #transient hotel# has been filed at the Board of Standards and Appeals before [date of adoption] and such application has been approved after January 1, 2018, provided that:
 - (i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and

(ii) in the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction); or

(3) where an application for a project containing a #transient hotel# has been certified by the City Planning Commission before [date of adoption] and has been approved by the Commission after January 1, 2018, provided that:

(i) such #transient hotel# was considered in such application, as evidenced by its description or assessment at a specified location in a land use application or in environmental review documents; and

(ii) in the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332. For such applications where a special permit for a #transient hotel# has been certified by the Commission pursuant to a #Special Purpose District#, such application may continue pursuant to the regulations and term of years proposed or in effect at the time such special permit was certified by the Commission.

(c) Existing hotels

(1) Any #transient hotel# existing on [date of adoption] shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use# other than a #transient hotel#, or may be utilized for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-802 or other applicable section of this Resolution.

(2) The provisions of paragraph (c)(1) of this Section shall be modified up to [six years after date of adoption] to allow a #transient hotel# existing on [date of adoption] to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between [date of adoption] and [six years after date of adoption].

(3) In the event a casualty damages or destroys a #transient hotel# that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

(d) Vesting regulations

The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, the following provisions shall apply.

(1) If, on or before [date of referral], an application for a #development#, #enlargement# or #conversion# to a #transient hotel# has been filed with the Department of Buildings, and if, on or before [date of adoption], the Department of Buildings has approved an application for a foundation, a new #building# or an alteration based on a complete zoning analysis showing zoning compliance for such #transient hotel#, such application may be continued, and construction may be started or continued. The application may be revised and retain vested status, provided that the #floor area# for the #transient hotel# is not increased beyond the amount approved.

(2) However, in the case of an application for a #development#, #enlargement# or #conversion# to a #transient hotel# that has been filed with the Department of Buildings prior to January 1, 2018 and has not received a permit contingent on zoning approval on or before [date of adoption], the provisions of paragraph (d)(1) of this Section shall not apply. In lieu thereof, the provisions of this paragraph shall apply. For such applications, if, on or before [date of adoption] a permit contingent on zoning approval was lawfully issued by the Department of Buildings, such construction may be started or continued.

In the event that a temporary or final certificate of occupancy has not been issued by [six years after date of adoption], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction).

* * *

32-10 USES PERMITTED AS-OF-RIGHT

* * *

32-14 Use Group 5

C1* C2** C4 C5 C6 C8

Use Group 5 consists of hotels used primarily for transient occupancy.

A. Transient Accommodations

#Hotels, transient#*** [PRC-H]

B. #Accessory Uses#

* In a C1-1, C1-2, C1-3 or C1-4 District, a #transient hotel# shall not be permitted

** In a C2-1, C2-2, C2-3 or C2-4 District, each #transient hotel# shall be located on a #zoning lot# in whole or in part within a 1,000-foot radius of the entrance or exit of a limited-access expressway, freeway, parkway, or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#

*** Subject to the provisions of Section 32-02 (Special Provisions for Hotels)

* * *

32-16 Use Group 7

C2 C6* C8

Use Group 7 consists primarily of home maintenance or repair services which:

- (1) fulfill recurrent needs of residents in nearby areas;
(2) have a relatively small service area and are, therefore, widely distributed throughout the City; and
(3) are incompatible in primary retail districts since they break the continuity of retail frontage.

A. Transient Accommodations

#Motels#, #tourist cabins# or #boatels#** [PRC-H]

In C2 Districts, each #motel# or #tourist cabin# shall be located on a #zoning lot# in whole or in part within a 1,000 foot radius of the entrance or exit of a limited-access expressway, freeway, parkway or highway, all of which prohibit direct vehicular access to abutting land and provide complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent #street#

* * *

E. #Accessory Uses#

* In a C6-1A District, #uses# in Use Group 7 are not permitted

** Subject to the provisions of Section 32-02 (Special Provisions for Hotels)

* * *

32-30 USES PERMITTED BY SPECIAL PERMIT

32-31 By the Board of Standards and Appeals

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

C4-1 Amusement arcades [PRC-E]

C2 C4 C6 C7 #Automotive service stations#, open or enclosed, with sites of not less than 7,500 square feet per establishment, and provided that facilities for lubrication, minor repairs, or washing are permitted only if located within a #completely enclosed building#

C3 #Boatels# [PRC-H]

C1 C2 C3 Camps, overnight or outdoor day [PRC-H]

* * *

ARTICLE IV MANUFACTURING DISTRICT REGULATIONS

Chapter 2 Use Regulations

* * *

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

**42-11
Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B
M1**

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-13, 32-14, 32-15, 32-16, 32-18, 32-21. Use Group 4A shall be limited to all health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), and houses of worship. Such #uses# are not subject to the special permit provisions of Sections 42-32 and 74-921.

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatsels#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts) or, where applicable, Section 32-02 (Special Provisions for Hotels). For the purposes of this Section, inclusive, #transient hotels# shall include #motels#, #tourist cabins# and #boatsels#.

**42-111
Special provisions for hotels in M1 Districts**

In M1 Districts, #transient hotels# shall be permitted only as set forth in this Section. The City Planning Commission may permit #transient hotels# in an M1 District pursuant to a special permit set forth in another Section of this Resolution, or pursuant to Section 74-803 (Transient hotels within M1 Districts), as applicable.

(a) **Applicability**

Such special permit for #transient hotels# pursuant to Section 74-803 shall be applicable to:

- (1) #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of December 20, 2018, did not contain such #use#; or
- (3) #enlargement# or #extension# of a #transient hotel# that existed prior to December 20, 2018, that increases the #floor area# of such #use# by 20 percent or more.

(b) **Exclusions**

The provisions of this Section shall not apply to the following:

- (1) A special permit shall not be required for a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.
- (i) In addition, a special permit pursuant to the provisions of Section 74-803 shall not be required for #developments#, #enlargements#, #extensions# or changes of #use# of #transient hotels# in:
 - (i)(2) a #transient hotel# located within John F. Kennedy International Airport and LaGuardia Airport, which shall include property under the jurisdiction of the Port Authority of New York and New Jersey for airport use;
 - (ii)(3) a #transient hotel# in an M1-6D District, a #Special Mixed Use District# or any other #Special Purpose District# where any M1 District is paired with a #Residence District#, all of which shall instead be subject to the provisions of Section 32-02 (Special Provisions for Hotels); or
 - (iii) an M1 District where another special permit in this Resolution permitting such #use# is applicable, subject to approval by the City Planning Commission, including, but not limited to, a special permit for a #transient hotel# applicable within a Special Purpose District or in a Historic District designated by the Landmarks Preservation Commission.
- (4)(2) A special permit pursuant to the provisions of Section 74-803 shall also not be required in an M1-2 District for a change of #use# to a #transient hotel# that occupies no more than 30 percent of the #floor area# on the #zoning lot# and where such #zoning lot# contains a minimum #lot area# of 100,000 square feet, comprises an entire #block#, and contains #buildings# with a minimum total of 500,000 square feet of #floor area# on December 20, 2018.

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

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

(d) **Existing hotels**

- (1) Any #transient hotel# existing prior to December 20, 2018, within an M1 District shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building# or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be utilized #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-803 or other applicable section of this Resolution.
- (2) The provisions of paragraph (d)(1) of this Section shall be modified up to [six years after date of adoption] to allow a #transient hotel# existing on [date of adoption] to be restored to such #use# regardless of more than two years of discontinuance of the #use#, and regardless of any change of #use# between [date of adoption] and [six years after date of adoption].
- (3) ~~In addition, in the event a casualty damages or destroys a #transient hotel# within an M1 District that was in such #use# as of December 20, 2018, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).~~

(e) **Vesting**

The provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction shall apply. As an alternative, if on or before April 23, 2018, a building permit for a #development#, #enlargement# or #conversion# to a #transient hotel#, or a partial permit for a #development# of a #transient hotel# was lawfully issued by the Department of Buildings, such construction may be started or continued. In the event that construction has not been completed and a certificate of occupancy including a temporary certificate of occupancy, has not been issued by December 20, 2021, the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction). Any special permit approved by the City Council for a #transient hotel# prior to December 20, 2018, shall be permitted and this Section shall not apply to such #transient hotel#, subject to the provisions of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution).

* * *

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

* * *

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

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

* * *

M1 M2 M3

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

M1

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatsels#, as listed in Section 32-16 (Use Group 7A), pursuant to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts)

M1 M2 M3

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

* * *

**42-40
SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES**

* * *

**42-48
Supplemental Use Regulations in M1-6 Districts**

* * *

**42-483
Commercial uses**

The #commercial use# regulations applicable in M1 Districts shall apply in M1-6D Districts, except that:

- (a) #Transient hotels# shall be allowed, except that #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 42-481 (Residential use), shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the area in which such #transient hotel# is located, as set forth in this paragraph, (a), or where such residential development goal has not been met, by special permit pursuant to Section 74-802 (In M1-6D Districts). The residential development goal shall be met when at least 865 #dwelling units#, permitted pursuant to the provisions of Section 42-481, on #zoning lots# located within an area bounded by West 28th Street, West 30th Street, a line 100 feet west of Seventh Avenue, and a line 100 feet east of Eighth Avenue, have received temporary or final certificates of occupancy subsequent to September 21, 2011.
(b)(a) Food stores, including supermarkets, grocery stores and delicatessen stores, shall not be limited as to size of establishment.
(c)(b) On #narrow streets#, ground floor #commercial uses# shall be subject to special streetscape provisions, as set forth in Section 42-485.
(d)(c) All #uses# listed in Use Group 10 shall be permitted without limitation, except as provided for in paragraph (e)(b) of this Section.

ARTICLE VII ADMINISTRATION

Chapter 3 Special Permits by the Board of Standards and Appeals

73-25 Boatels

In C3 Districts, the Board of Standards and Appeals may permit #boatels# provided that the following findings are made:

- (a) that such #use# is so located as not to impair the essential character or the future use or development of the nearby-residential neighborhood; and
(b) that any restaurant permitted in connection with such #use# satisfies the conditions for issuance of special permits to eating or drinking places, as set forth in Section 73-24.

The Board may modify the regulations relating to #signs# in C3 Districts to permit a maximum total #surface area# of 50 square feet of non-#illuminated# or #illuminated# non-#flashing signs# on each of not more than three #street# or water frontages.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area, including requirements with respect to the location of #illuminated signs#, the shielding of floodlights or adequate screening.

73-26 73-25 Children's Amusement Parks

73-27 73-26 Funeral Establishments

73-28 73-27 Newspaper Publishing

73-29 73-28 Utilization of Explosives in Manufacturing Processes

Chapter 4 Special Permits by the City Planning Commission

74-80 TRANSIENT HOTELS

74-802 In M1-6D Districts

In M1-6D Districts, in areas that have not met the residential development goal set forth in paragraph (a) of Section 42-483 (Commercial uses), the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with Section 42-481 (Residential

use), provided the Commission finds that:

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

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

Transient hotels within Commercial Districts

In C1 Districts, except C1-1, C1-2, C1-3 and C1-4 Districts, in C2 Districts, except C2-1, C2-2, C2-3 and C2-4 Districts where #transient hotels# are not permitted pursuant to Section 32-14 (Use Group 5), in C4, C5, C6 and C8 Districts, in M1 Districts paired with a #Residence District#, and in M1-6D Districts, #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that such #use# will not impair the future use or development of the surrounding area. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

74-803 Transient hotels within M1 Districts

In M1 Districts, pursuant to Section 42-111 (Special provisions for hotels in M1 Districts), #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that:

- (a) the site plan incorporates elements that address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building# and to service areas for refuse and laundry, and the #building's# orientation and landscaping;
(b) the site plan demonstrates that the proposed #street wall# location and the design and landscaping of any area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations will result in a site design that does not impair the character of the existing streetscape;
(c) such #use# will not cause undue vehicular or pedestrian congestion on local #streets# or unduly inhibit vehicular or pedestrian movement or loading operations; and
(d) such #use# will not impair the essential character including, but not limited to, existing industrial businesses, or future use or development of the surrounding area.

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

ARTICLE VIII SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Midtown District

81-60 SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT

81-62 Special Use Provisions

81-621 Special provisions for transient hotels

Within the East Midtown Subdistrict, as shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, the #development# of a #building# containing a #transient hotel#, as listed in Use Group 5, or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed by special permit of the City Planning Commission pursuant to the provisions of this Section. In addition, in Subareas other than the Vanderbilt Corridor, as shown on Map 2 (Special East Midtown District and Subareas), the #enlargement# of a #building# containing a #transient hotel# shall only be allowed by special permit of the City Planning Commission pursuant to the provisions of this Section.

However, in the event a casualty damages or destroys a #building# within the East Midtown Subdistrict that was used as a #transient hotel# as of May 27, 2015, in the Vanderbilt Corridor Subarea or on August 9, 2017, in other Subareas, such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building#, less the #floor area# of any other #buildings# on the #zoning lot# does not exceed the applicable basic maximum #floor area ratio# for the #zoning lot# set forth in Section 81-60, inclusive. #Transient hotels# existing on May 27, 2015 within the Vanderbilt Corridor Subarea or on August 9, 2017, in other Subareas, shall be considered conforming #uses#.

To permit such a #transient hotel#, the Commission shall find that such #transient hotel# will:

- (a) be appropriate to the needs of businesses in the vicinity of the East Midtown area; and
- (b) provide on-site amenities and services that will support the area's role as an office district. Such business-oriented amenities and services shall be proportionate to the scale of the #transient hotel# being proposed, and shall include, but shall not be limited to, conference and meeting facilities, and telecommunication services.

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

However, after August 9, 2017, #development# of a #building# containing a #transient hotel# shall be permitted under the regulations which were in effect prior to August 9, 2017, if a new building application for such #development# was filed at the Department of Buildings after June 9, 2016, and a partial permit for such application was issued by the Department of Buildings on or prior to July 20, 2017, and a temporary certificate of occupancy for the entire #building# has been granted prior to January 31, 2020. In the event that such temporary certificate of occupancy has not been granted prior to such date, and an application is filed prior to such date, pursuant to this Section, with the Board of Standards and Appeals, the Board may permit the new building permit to be renewed for a term of one year upon the following findings:

- (1) that the applicant has been prevented from completing such construction by hardship or circumstances beyond the applicant's control;
- (2) that the applicant has not recovered all or substantially all of the financial expenditures incurred in construction, nor is the applicant able to recover substantially all of the financial expenditures incurred through development that conforms and complies with any applicable amendment to this Resolution; and
- (3) that there are no considerations of public safety, health and welfare that have become apparent since the issuance of the permit that indicate an overriding benefit to the public in enforcement of the special permit provisions of this Section. In the event that the Board permits the renewal, the temporary certificate of occupancy shall be obtained by no later than January 31, 2021.

81-622-

81-621

Location of uses in mixed buildings

* * *

81-70

SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

* * *

81-72

Use Regulations Modified

* * *

81-722

Use Group T

The following #uses# are subject to the limitations on location and #floor area# of the underlying zoning district:

* * *

#Use#

Hotels, where permitted, pursuant to Section 32-02 (Special Provisions for Hotels) - lobby space limited to 20 percent of total #zoning lot# frontage on #wide streets#

* * *

Chapter 3

Special Limited Commercial District

* * *

83-03

Use Group "LC"

Use Group "LC" comprises #residential uses# listed in Use Groups 1 and 2, and a group of specially related #uses# selected from Use Groups 3, 4, 5, 6, 8 and 9 to provide for the special needs, comfort, convenience, enjoyment, education and recreation of the residents of the surrounding communities and of the many visitors who are attracted to its activities.

* * *

H. Transient Accommodations

#Hotels, transient#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

* * *

Chapter 4

Special Battery Park District

* * *

84-10

ZONE A GENERAL DISTRICT REGULATIONS

* * *

84-12

Use Regulations

In the areas indicated as permitted #commercial# locations in Appendices 2.3 and 3.3, the #use# regulations applying in a C2 District shall apply, except as provided in Sections 84-031 (Special permit uses), 84-032 (Uses not permitted), 84-121 (Uses along Esplanade) and this Section.

In the case of a #mixed building# containing #residential# and #commercial uses#, #residential uses# are permitted on the same #story# as a #commercial use#, provided no access exists between such #uses# at any level containing #residences# and provided any #commercial uses# are not located over any #residences#.

However, such #commercial use# may be located over #residences# by authorization of the City Planning Commission upon finding that sufficient separation of #residences# from #commercial uses# exists within the #building#.

Notwithstanding any other provisions of this Resolution, the permitted #uses# listed in Use Groups 6, 7, 8, 9 or 14 and the additional #uses# permitted hereunder shall be limited, per establishment, to 10,000 square feet of #floor area# of any #story# and shall not be located above the first #story# ceiling, except that:

- (a) in any #building# containing an #arcade# required in Section 84-134 (Mandatory arcades), any permitted #use# may be located above the first #story# ceiling and below the second #story# ceiling; and
- (b) supermarkets are permitted with no limitation on #floor area#. Notwithstanding any other provisions of this Resolution, the #zoning lot# south of First Place and east of Battery Place may contain #residential uses#, #transient hotel uses# where permitted pursuant to Section 32-02 (Special Provisions for Hotels), or both #residential# and hotel #uses#.

In the case of hotel #uses# on this #zoning lot#:

- (1) a #physical culture or health establishment# may be permitted; and
- (2) an eating and drinking establishment, as permitted in Section 32-15 (Use Group 6), and a #physical culture and health establishment# or a non-#residential accessory use#, may be located above a #story# containing #residential uses#.

* * *

Chapter 8

Special Hudson Square District

* * *

88-10

SUPPLEMENTAL USE REGULATIONS

* * *

88-13

Commercial Use

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) food stores, including supermarkets, grocery stores or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, and Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131;
- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be subject to the provisions of Section 32-02 (Special Provisions for Hotels); and allowed, except that:
 - (1) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal has been met for the #Special Hudson Square District# as set forth in this paragraph (e) (1); or, where such residential development goal has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels). The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11, within the #Special Hudson Square District#, have received temporary or final certificates of occupancy subsequent to March 20, 2013; and
 - (2) a change of #use# within a #qualifying building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132; and
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

* * *

88-132

Special permit for large transient hotels

- (a) ~~Developments# or enlargements# In the #Special Hudson-Square District#, prior to the residential development goal set forth in paragraph (e) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, provided the Commission finds that:

 - (1) ~~sufficient development sites are available in the area to meet the residential development goal; or~~
 - (2) ~~a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.~~~~
- (b) ~~Changes of #use# In the #Special Hudson-Square District#, the City Planning Commission may permit the change of #use# of #floor area# within #qualifying buildings# to a Use Group 5-#transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such-#transient hotel# is:

 - (1) ~~preserved for Use Group 6B office #use# within a-#qualifying building# located within the #Special Hudson-Square District#; or~~
 - (2) ~~created for Use Group 6B office #use# within a #building-developed# after March 20, 2013, or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson-Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.~~~~

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area. A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a #qualifying building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.

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

* * *

ARTICLE IX SPECIAL PURPOSE DISTRICTS

* * *

Chapter 4 Special Sheepshead Bay District

* * *

94-06 Special Use Regulations

* * *

94-061 Permitted residential, community facility and commercial uses

- A. #Residential# and #community facility uses#
 - #Uses# listed in Use Groups 1, 2, 3 and 4 shall be allowed anywhere within the Special District, except as set forth in Section 94-065 (Restriction on ground floor use).
- B. #Commercial uses#
 - In Areas A, B, C, D and E, as indicated in Appendix A (Special Sheepshead Bay District Map) of this Chapter, only those #commercial uses# listed in Section 94-062 (Use Group SB), those #uses# listed in Section 62-211 (Water-Dependent (WD) uses) from Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 9 and 14, and those #uses# permitted pursuant to Section 94-063 (Uses permitted by special permit), shall be allowed. In addition, in Area B, a food store, as listed in Section 32-15 (Use Group 6), shall also be allowed on a #zoning lot# existing on May 27, 2015, for a period of 10 years from such date. Such food store shall be limited to one such establishment per #zoning lot# and shall be limited to 15,000 square feet of #floor area# utilized for the sale of food and non-food grocery products, and further such establishment shall be limited to an additional 6,500 square feet of #floor area# for #accessory# office and storage space. There shall be no limitation on the amount of #floor area# utilized for eating or drinking places

as listed in Use Group SB, pursuant to Section 94-062.

In Area F, only #commercial uses# listed in Use Group 6 and those listed in Section 62-211 from Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 9 and 14 shall be allowed within the underlying #Commercial Districts#.

In Area G, only #commercial uses# listed in Use Groups 6, 7, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), 8 and 9 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts#.

In Area H, except for #uses# permitted pursuant to Section 94-063, #commercial uses# shall be limited to those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 and the following #uses#:

* * *

#Hotels, transient#, #motels# or #boatels#, where permitted, pursuant to Section 32-02 (Special Provisions for Hotels)

Jewelry or art metal craft shops

#Motels# or #boatels#

* * *

Chapter 6 Special Clinton District

* * *

96-30 OTHER AREAS

* * *

96-34 Special Regulations in Northern Subarea C1

Within Northern Subarea C1, Special Use Regulations Areas C1-1 and C1-2, as shown on the map in Appendix A of this Chapter, are subject to the special #use# regulations of this Section. In addition, the special Inclusionary Housing regulations set forth in this Section shall apply in Area C1-1.

- (a) Inclusionary Housing Program
 - The boundaries of the #Inclusionary Housing designated area# within the #Special Clinton District# are shown on Map 2 in Manhattan Community District 4, in APPENDIX F of this Resolution. Such area 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, inclusive, applicable as modified within the Special District. Within such #Inclusionary Housing designated area# the following special regulations shall apply. The #residential floor area# of the #zoning lot# may be increased by 1.25 square feet for each square foot of #low income floor area# provided, or by 0.625 square feet for each one square foot of #middle income floor area# provided, up to the maximum #floor area# set forth in Section 23-154 (Inclusionary Housing). However, the amount of #low income floor area# plus half the amount of #middle income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area# on the #compensated zoning lot#, provided that no more than 8,000 square feet of #middle income floor area# may be included within this calculation.

- (b) Special #use# regulations
 - (1) In Special Use Regulations Areas C1-1 and C1-2, the following #uses# shall be permitted below the level of the lowest floor occupied by #dwelling units#:
 - (i)(1) automobile showrooms or sales with preparation of automobiles for delivery; and
 - (ii)(2) automobile repairs.
 - (2) #Transient hotels# shall not be permitted within the portion of Area C1-1 that is located between Eleventh Avenue and a line 250 feet west of Eleventh Avenue, and in the portion located between West 57th Street and a line 100 feet south of West 57th Street, except by special permit of the City Planning Commission, pursuant to the provisions of this paragraph (b)(2)-

The Commission may permit #transient hotels#, resulting from a #development#, #enlargement#, #extension# or change of #use#, provided that the Commission shall find that such #transient hotel# is so located as not to impair the essential character of, or the future use or development of the surrounding area. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

Chapter 7 Special 125th Street District

* * *

97-14 Transient Hotels Within the Park Avenue Hub Subdistrict

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the #development# or #enlargement# of

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

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

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,865 #dwelling units# within the combined areas of the #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, have received temporary or final certificates of occupancy subsequent to November 30, 2017.

* * *

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

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

- (a) Maximum #floor area ratio# The maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# contains #residential floor area#, such #zoning lot# shall satisfy the provisions of either:
 - (1) a minimum non-#residential floor area ratio# of 2.0 shall be provided on such #zoning lot#. Such #floor area# shall not include any #floor area# containing a #transient hotel# pursuant to the provisions of Section 97-14 (Transient Hotels Within the Park Avenue Hub Subdistrict); or

* * *

**Chapter 9
Special Madison Avenue Preservation District**

* * *

**99-03
Special Use Regulations**

* * *

**99-031
Use Group MP**

Use Group MP comprises a group of #commercial# establishments selected to promote and strengthen the existing #commercial# character of the Special District. The #commercial uses# listed in Table A of this Section are permitted in any portion of the Special District located within a C1 District. The #commercial uses# listed in Tables A and B of this Section are permitted in any portion of the Special District located within a C5 District.

Table A

- A. Transient Accommodations
 - #Hotels, transient#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

* * *

**ARTICLE XI
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Tribeca Mixed Use District**

* * *

**111-10
SPECIAL USE REGULATIONS**

* * *

**111-13
Additional Use Regulations**

* * *

- (d) Areas A4, A5, A6 and A7
 - #Transient hotels# shall be allowed, except that #developments#, #enlargements#, #extensions# or changes of #use# that result in a #transient hotel# with greater than 100 sleeping units shall only

be allowed pursuant to Section 111-31 (Special Permit for Large Transient Hotels). However, any #transient hotel# that received a special permit pursuant to Section 74-711, granted prior to October 13, 2010, may continue under the terms of such approval.

- (e)(d) Environmental conditions for Area A2

* * *

**111-31
Special Permit for Large Transient Hotels**

In Areas A4 through A7, the City Planning Commission may permit #transient hotels# that are comprised of more than 100 sleeping units, provided the Commission shall find that such #transient hotel#, resulting from a #development#, #enlargement#, #extension# or change of #use#, is so located as not to impair the essential residential character of, or the future use or development of, the surrounding area. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**111-32
Special Permit for Certain Large Commercial Establishments**

* * *

**ARTICLE XII
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Garment Center District**

* * *

**121-10
SPECIAL USE REGULATIONS**

* * *

**121-11
Transient Hotels and Offices**

In the #Special Garment Center District#, #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission pursuant to Section 121-70 (Special Permit for Transient Hotels). However, a special permit shall not be required for a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.

Furthermore, for For a #building# subject to the provisions of Section 121-60 (ANTI-HARASSMENT AND DEMOLITION REGULATIONS IN SUBDISTRICT A-2) and for which #HPD# issued a #certification of no harassment# that was in effect on June 11, 2018, a special permit pursuant to Section 74-802 (Transient hotels within Commercial Districts) shall not be required where such #building# is #enlarged# and a portion of which is subsequently converted to #residences# pursuant to Article I, Chapter 5 (Residential Conversions Within Existing Buildings), provided all new #transient hotel# rooms shall be located in the #enlarged# portion of such #building#, and except for #transient hotel# lobbies and #accessory uses# located below the floor level of the second #story#, the non-#enlarged# portion of such #building# shall contain only permanently affordable #residences# pursuant to a #regulatory agreement# enforceable by #HPD#. Any #transient hotel# existing prior to December 20, 2018, within the #Special Garment Center District#, shall be considered a conforming #use#. Any #enlargement# or #extension# of such existing conforming #use# shall not require a special permit. In the event a casualty damages or destroys a #building# within the #Special Garment Center District# that was used as a #transient hotel# as of December 20, 2018, such #building# may be reconstructed and continue as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the #floor area# permitted pursuant to the provisions of Section 121-31 (Maximum Permitted Floor Area Within Subdistrict A-1) or Section 121-41 (Maximum Permitted Floor Area Within Subdistrict A-2), as applicable. In Subdistrict A-2, any #development# or #enlargement# that includes offices, as listed in Section 32-15 (Use Group 6B) #developed# or #enlarged# after January 19, 2005, shall be permitted only pursuant to Section 93-13 (Special Office Use Regulations).

* * *

**121-70
SPECIAL PERMIT FOR TRANSIENT HOTELS**

In the #Special Garment Center District#, the City Planning Commission may permit a #transient hotel# as listed in Use Group 5, including #motels#, #tourist cabins# or #boatels# as listed in Use Group 7, that is not otherwise permitted pursuant to Section 121-10 (SPECIAL USE REGULATIONS), provided that:

- (a) the location of such proposed #transient hotel# within the Special District will not impair the achievement of a diverse and harmonious mix of #commercial#, #manufacturing# and #community facility uses# within Subdistrict A-1 and of #residential#, #commercial#, #manufacturing# and #community facility uses# in Subdistrict A-2, consistent with the applicable

- district regulations;
 - (b) the site plan for such #transient hotel# demonstrates that the design is appropriate, does not impair the character of the area and incorporates elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the orientation of the #building# and landscaping;
 - (c) such #transient hotel use# will not cause undue vehicular or pedestrian congestion on local #streets#; and
 - (d) such #transient hotel use# is consistent with the planning objectives of the Special District.
- The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

**ARTICLE XIII
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Coney Island District**

* * *

**131-10
SPECIAL USE REGULATIONS**

* * *

**131-11
Use Group 5**

For the purposes of this Chapter, the definition of #transient hotel# shall be modified to allow only such hotels used exclusively for transient occupancy. Such #transient hotels# used exclusively for transient occupancy shall be permitted only in specified locations as set forth in this Chapter, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

* * *

**131-13
Special Use Regulations in Subdistricts**

* * *

**131-131
Coney East Subdistrict**

The #use# regulations of the underlying C7 District are modified as set forth in this Section. The provisions of Section 32-02 (Special Provisions for Hotels) are modified to apply in a C7 District. The locations of the mandatory ground floor #use# regulations of paragraphs (b), (c), (d) and (f) of this Section are shown on the #streets#, or portions of #streets#, specified on Map 2 in the Appendix to this Chapter. #Transient hotels# and Use Groups A, B and C, as set forth in Sections 131-11 through 131-123, inclusive, and #public parking garages#, shall be the only #uses# allowed in the Coney East Subdistrict, and shall comply with the following regulations:

* * *

- (e) #Transient hotels#
 - (1) Where permitted pursuant to Section 32-02, #Transient-transient hotels# shall be permitted only on #blocks# with Surf Avenue frontage, except that no #transient hotels# shall be permitted on that portion of the #block# bounded by West 15th and West 16th Streets south of the prolongation of the centerline of Bowery.
 - (2) #Transient hotel use# shall not be permitted within 50 feet of Bowery on the ground floor level of a #building#, except that where a #zoning lot# has frontage only on Bowery, a #transient hotel# lobby may occupy up to 30 feet of such frontage.
 - (3) For #transient hotels# located on #zoning lots# with at least 20,000 square feet of #lot area#, an amount of #floor area# or #lot area# of Use Group A1 #uses# equal to at least 20 percent of the total #floor area# permitted on such #zoning lot# shall be provided either onsite or anywhere within the Coney East Subdistrict.
 - (4) The #street wall# of the ground floor level of a #transient hotel# shall be occupied by active #accessory uses# including, but not limited to, lobbies, retail establishments, eating and drinking establishments and amusements.
 - (5) #Accessory# retail establishments within a #transient hotel# shall be limited to 2,500 square feet of #floor area#.

* * *

**131-132
Coney North and Coney West Subdistricts**

In the Coney North and Coney West Subdistricts, #uses# allowed by the underlying district regulations shall apply, except as modified in this Section for #uses# fronting upon #streets# specified on Map 2 (Mandatory Ground Floor Use Requirements) in the Appendix to this Chapter. For the purposes of this Section, the "building line" shown on Parcel F on Map 2 shall be considered a #street line# of Ocean Way or

Parachute Way, as applicable. Furthermore, an open or enclosed ice skating rink shall be a permitted #use# anywhere within Parcel F in the Coney West Subdistrict.

- (a) Mandatory ground floor level #uses# along certain #streets#

Any #use# listed in Use Groups A, B and C, as set forth in Section 131-12, inclusive, not otherwise allowed by the underlying district regulations, shall be permitted within 70 feet of Riegelmann Boardwalk and within 100 feet of all other designated #streets#, as shown on Map 2.

 - (1) Riegelmann Boardwalk

Only #uses# listed in Use Groups A, B and C and, where permitted pursuant to Section 32-02 (Special Provisions for Hotels), #transient hotels# located above the ground floor level are permitted within 70 feet of Riegelmann Boardwalk, except that a #transient hotel# lobby may occupy up to 30 feet of such ground floor frontage along Riegelmann Boardwalk. Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage for each establishment. All other establishments shall be limited to 60 feet of #street# frontage, except that for any establishment on a corner, one #street# frontage may extend up to 100 feet. All ground floor #uses# within #buildings# shall have a depth of at least 15 feet measured from the #street wall# of the #building#. However, such minimum depth requirement may be reduced where necessary in order to accommodate vertical circulation cores or structural columns associated with upper #stories# of the #building#.

- (2) #Streets# other than Riegelmann Boardwalk

At least 20 percent of the frontage of a #building# or of an open #use#, on a #street# specified on Map 2, shall be allocated exclusively to #uses# listed in Use Groups A, B or C. The remaining frontage of such #building# or open #use#, on a specified #street#, shall be allocated to #commercial uses# permitted by the underlying district regulations or, where permitted pursuant to Section 32-02, a #transient hotel#. In addition, a #residential# lobby may occupy up to 40 feet of frontage along a specified #street# frontage.

There shall be at least four separate ground floor or open #commercial# establishments fronting upon each #block# fronting on Surf Avenue.

All ground floor #commercial uses# within #buildings# shall have a depth of at least 50 feet measured from the #street wall# of the #building#. Such minimum 50 foot depth requirement may be reduced where necessary in order to accommodate a #residential# lobby, vertical circulation cores or structural columns associated with upper #stories# of the #building#.

- (b) Prohibited ground floor level #uses# along #streets# other than Riegelmann Boardwalk

No #use# listed in this paragraph, (b), shall be permitted within 50 feet of a #street# specified on Map 2. Lobbies or entryways to non-ground floor level #uses# are permitted, provided the length of #street# frontage occupied by such lobbies or entryways does not exceed, in total, 60 feet.

* * *

From Use Group 5A:

All #uses#, except that #transient hotels# shall be permitted within 200 feet of Surf Avenue between Stillwell Avenue and West 16th Street, where permitted pursuant to Section 32-02.

* * *

**Chapter 4
Special Governors Island District**

[NOTE: Modifications to this chapter are based on zoning changes proposed pursuant to the current Governors Island Text Amendment N 210126 ZRM]

* * *

**134-10
SPECIAL USE REGULATIONS**

**134-11
Permitted Uses**

* * *

**134-111
Permitted uses in subdistricts**

In the Northern Subdistrict and the Southern Subdistrict, the following #uses# shall be permitted, except as otherwise specified in Section 134-112 (Permitted uses in the Open Space Subarea). In addition, in the Northern Subdistrict, the provisions of Section 134-14 (Certification for Large Commercial Establishments) shall apply to any #commercial use# exceeding 7,500 square feet of #floor area#.

From Use Groups 1 through 4, as set forth in Sections 22-11 through 22-14:

All #uses#.

From Use Group 5, as set forth in Section 32-14:

All #uses#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

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

All #uses#, except automobile supply stores, drive-in banks, carpet, rug, linoleum or other floor covering stores, furniture stores, loan offices, medical or orthopedic appliance stores, paint stores, sewing machine stores or typewriter stores.

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

All #uses# in Use Group 7A, where permitted pursuant to Section 32-02 (Special Provisions for Hotels).

From Use Group 7B: bicycle rental or repair shops, sailmaking establishments, and sign painting shops, limited to 2,500 square feet of #floor area# per establishment.

* * *

134-112 Permitted uses in the Open Space Subarea

In the Open Space Subarea of the Southern Subdistrict, the following #uses# shall be permitted.

* * *

(b) On any pier in the Open Space Subarea, #uses# shall be limited to the following:

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

Clubs, limited to non-profit private beach clubs and non-profit private boat clubs.

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

Docks for water taxis, with a vessel capacity of up to 99 passengers.

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

#Boatels#, where permitted pursuant to Section 32-02 (Special Provisions for Hotels)

* * *

Chapter 8 Special East Harlem Corridors District

* * *

138-10 SPECIAL USE REGULATIONS

* * *

138-12 Transient Hotels C1-5 C2-5 C4-6 C6-4 M1-6/R9 M1-6/R10

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

(a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or

(b) where such residential development goal, has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:

(1) sufficient sites are available in the area to meet the #residential development# goal; or

(2) a harmonious mix of #residential# and non-#residential-uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,865-#dwelling units# within the combined areas of the #Special East Harlem Corridors District#, and the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of Article IX, Chapter 7 (Special 125th Street District), have received temporary or final certificates of occupancy subsequent to November 30, 2017.

138-13 Physical Culture or Health Establishments

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

138-14 138-13 Public Parking Garages

* * *

ARTICLE XIV SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Jerome Corridor District

* * *

141-10 SPECIAL USE REGULATIONS

* * *

141-11 Special Permit for Transient Hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4 Districts;

(a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the #residential development# goal, as set forth in this Section, has been met; or

(b) by special permit by the City Planning Commission where such #residential development# goal, has not been met. To permit such a #transient hotel#, the Commission shall find that:

(1) sufficient sites are available in the area to meet the #residential development# goal; or

(2) a harmonious mix of #residential# and non-#residential-uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

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

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,006-#dwelling units# within the #Special Jerome Corridor District# have received temporary or final certificates of occupancy subsequent to March 22, 2018.

141-12 Physical Culture or Health Establishments

#Physical culture or health establishments# shall be permitted as-of-right in C2 and C4 Districts. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

141-13 141-12 Modification of Supplemental Use Provisions

* * *

Chapter 2 Special Inwood District

* * *

142-10 SPECIAL USE REGULATIONS

* * *

142-11 Permitted Uses

* * *

142-111 Special provisions for transient hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4, C6 or M1 Districts:

(a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the residential development goal, as set forth in this Section, has been met, or

(b) where such residential development goal has not been met, by special permit by the City Planning Commission. To permit such a #transient hotel#, the Commission shall find that:

(1) sufficient sites are available in the area to meet the residential development goal; or

(2) a harmonious mix of #residential# and non-#residential-uses# has been established in the area, and the #transient-

hotel# is consistent with the character of the surrounding area:

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

For the purpose of applying the provisions of this Section, the residential development goal shall be met when at least 3,860-#dwelling units# within the #Special Inwood District# have received temporary or final certificates of occupancy subsequent to August 8, 2018.

142-112 Regulations for manufacturing uses in Subareas B2 and B3

* * *

NOTICE

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of City Planning (DCP). The Proposed Action is a zoning text amendment to require a CPC special permit for new and enlarged transient hotels (Use Group 5) and motels, tourist cabins, and boatels (Use Group 7). The new CPC special permit would replace existing special permits for hotels in Special Purpose Districts. These include the Inwood, Jerome Avenue, East Harlem, Midtown, Garment Center, Hudson Square, 125th Street, Clinton, and Tribeca Special Purpose Districts. It would also require a CPC special permit citywide for new hotels and enlargements in C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts. This is the "Area of Applicability" for the Proposed Action. The proposed text amendment would retain existing findings and regulations for hotels in M1 districts where a special permit was adopted in December 2018. The Proposed Action would also retain provisions adopted in the 2018 text amendment to exempt hotels in M1 districts operated for a public purpose. The proposed zoning text amendment would affect every community district within the City, since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial (C) districts or mixed-use (MX) districts. In addition, since changes to discontinuance provisions described below may apply to existing commercial hotels that are closed on the date of enactment and could apply in all districts citywide, the action has the potential to affect all community districts.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

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

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP111Y.

BOROUGH OF BROOKLYN Nos. 2 & 3 2840 KNAPP STREET REZONING No. 2

CD 15 C 200203 ZMK IN THE MATTER OF an application submitted by Lipkaw Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, changing from an R5 to an R6 District property bounded by the Shore Parkway (northerly portion), Knapp Street, a line 250 feet northerly of Emmons Avenue, and Brigham Street and its northerly centerline prolongation, as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration of E-611.

No. 3

CD 15 N 200204 ZRK IN THE MATTER OF an application submitted by Lipkaw Realty, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory

Inclusionary Housing Areas

* * *

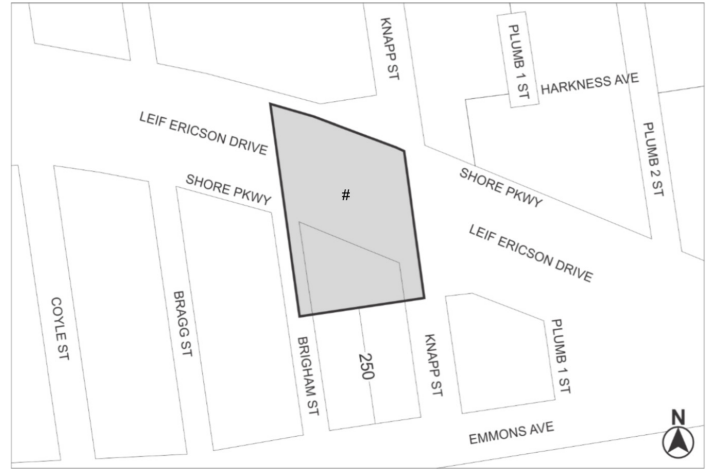
BROOKLYN

* * *

Brooklyn Community District 15

* * *

Map 2 [date of adoption]



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

Portion of Community District 15, Brooklyn

* * *

Nos. 4 & 5 307 KENT AVENUE REZONING No. 4

CD 1 C 200306 ZMK IN THE MATTER OF an application submitted by 307 Kent Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

- 1. changing from an M3-1 District to an M1-5 District property bounded by South 2nd Street, a line 300 feet northwesterly of Wythe Avenue, South 3rd Street, and Kent Avenue;
2. changing from an M3-1 District to an M1-4/R6A District property bounded by South 2nd Street, a line 210 feet northwesterly of Wythe Avenue, South 3rd Street, and a line 300 feet northwesterly of Wythe Street; and
3. establishing a Special Mixed Use District (MX-8) bounded by South 2nd Street, a line 210 feet northwesterly of Wythe Avenue, South 3rd Street, and a line 300 feet westerly of Wythe Street;
4. as shown on a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-592.

No. 5

CD 1 N 200307 ZRK IN THE MATTER OF an application submitted by Soma 142, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area.

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

APPENDIX F INCLUSIONARY HOUSING DESIGNATED AREAS AND MANDATORY INCLUSIONARY HOUSING AREAS

Brooklyn

Brooklyn Community District 1

* * *

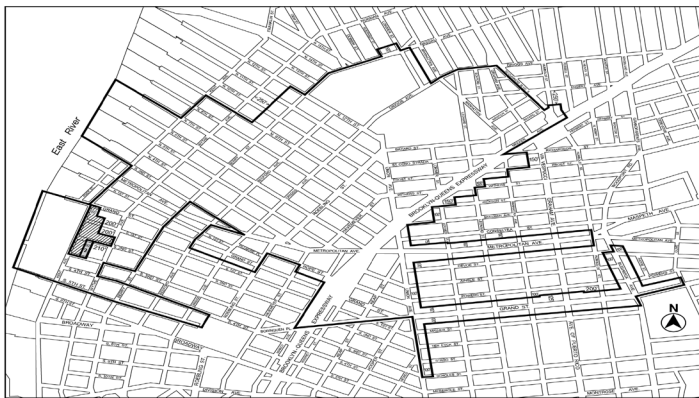
Map 2 - [Date of Adoption]

[Existing Map]



□ Inclusionary Housing designated area
▨ Excluded Area

[Proposed Map]



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

NOTICE

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission, accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by 307 Kent Associates. The Proposed Actions include a zoning map amendment to rezone the western portion of Block 2415, including Block 2415, Lots 1, 6, 10, 7501, 7502, and a portion of (p/o) Lots 16 and 38 (the Rezoning Area), from M3-1 to M1-5 and MX-8 (M1-4/R6A), as well as a text amendment to Appendix F of the Zoning Resolution to remove a portion of the Rezoning Area from the "Excluded Area" shown on the applicable map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable. The Proposed Actions would facilitate a proposal by the applicant to construct a mixed-use office, community facility, and retail building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1, Projected Development Site 1), a site controlled by the applicant in the Williamsburg neighborhood of Brooklyn, Community District 1.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

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

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20DCP100K.

**No. 6
101 VARICK AVENUE**

CD 1 C 210329 PCK
IN THE MATTER OF an application submitted by the New York City Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of a property, located at 101 Varick Avenue (Block 2974, Lot 113) for use as a DOT operations and warehouse facility.

**BOROUGH OF MANHATTAN
No. 7**

**RESTORING THE GEORGE CITY MAP AMENDMENT
CD 12 C 180024 MMM**

IN THE MATTER OF an application submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of West 178th Street and West 180th Street between Haven Avenue and Cabrini Boulevard;
- the elimination, discontinuance and closing of West 179th Street between the westerly end of West 179th Street and Cabrini Boulevard;
- the elimination, discontinuance and closing of Haven Avenue between West 177th Street and West 178th Street;
- the elimination, discontinuance and closing of Haven Avenue between West 179th Street and West 180th Street;
- the elimination, discontinuance and closing of West 177th Street at its intersection with Haven Avenue;
- the widening of a portion of Haven Avenue south of West 181st Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Acc Nos. 30259 and 3026.

**Nos. 8 & 9
629-639 WEST 142ND STREET REZONING
No. 8**

CD 9 C 210261 ZMM

IN THE MATTER OF an application submitted by Soma 142, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, by changing from an existing R6A District to an R9A District property bounded by a line midway between West 142nd Street and West 143rd Street and its westerly prolongation, a line 365 feet westerly of Broadway, West 142nd Street and its westerly prolongation, and the easterly boundary line of Riverside Park, as shown on a diagram (for illustrative purposes only) dated March 15, 2021, and subject to the conditions of CEQR Declaration E-607.

No. 9

CD 9 N 210262 ZRM

IN THE MATTER OF an application submitted by Soma 142, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area.

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

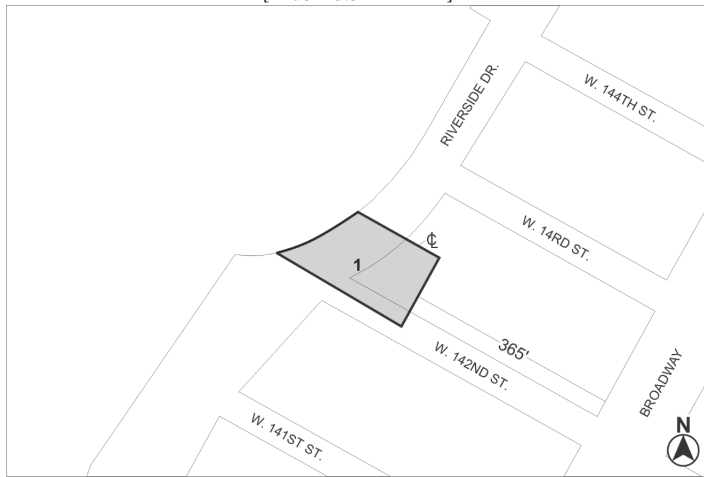
APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

	* * *
Manhattan	* * *
Manhattan Community District 9	* * *

Map 4 – [date of adoption]

[PROPOSED MAP]



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

Portion of Community District 9, Manhattan
 * * *

**No. 10
 THE WINDERMERE**

CD 4 **C 210202 ZSM**

IN THE MATTER OF an application submitted by Windermere Properties LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-711 of the Zoning Resolution to modify:

1. the use regulations of:
 - a. Section 22-10 (Uses Permitted As-of Right) to allow the conversion of residential floor area to commercial floor area; and
 - b. Section 32-421 (Limitation on Floors Occupied by Commercial Uses) to allow commercial use in Use Group 6 uses to be located above the first story of a building occupied by residential use on its upper stories; and
2. the bulk regulations of:
 - a. Sections 35-32 (Open Space Ratio for Residential Portions of Buildings) and 23-15 (Open Space and Floor Area Regulations in R6 through R10 Districts) to reduce the required amount of open space;
 - b. Section 33-43 (Maximum Height of Walls and Required Setbacks) to allow the building to penetrate the permitted height and setback requirements;
 - c. Section 23-86 (Minimum Distance between Legally Required Windows and Walls or Lot Lines) to reduce the minimum required distance between legally required windows and walls; and
 - d. Section 23-87 (Permitted Obstructions in Courts) to allow portions of the building to be located within the inner court;

in connection with the proposed conversion, alteration and enlargement of an existing 8-story building, on property, located at 400-406 West 57th Street (Block 1066, Lot 32), in C1-8 and R8/C1-5 Districts, within the Special Clinton District.

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

**BOROUGH OF QUEENS
 No. 11
 LEFRAK CITY SENIOR CENTER**

CD 4 **C 210337 PCQ**

IN THE MATTER OF an application submitted by the Department for the Aging and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located a 96-05 Horace Harding Expressway (Block 1918, p/o Lot 114) for use as a neighborhood senior center.

**No. 12
 106-02 ROCKAWAY BEACH BOULEVARD REZONING
 CD 14** **C 180395 ZMQ**

IN THE MATTER OF an application submitted by RBB II LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30a and 30b:

1. eliminating from an existing R5D District a C2-3 District bounded by Rockaway Freeway, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street; and
2. changing from an R5D District to a M1-3 District property bounded by Rockaway Freeway, the centerline of a Railroad Right-Of-Way, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street;

as shown in a diagram (for illustrative purposes only) dated April 5, 2021, and subject to the conditions of CEQR Declaration E-215.

**BOROUGH OF STATEN ISLAND
 Nos. 13, 14 & 15
 RIVER NORTH (LIBERTY TOWERS)**

No. 13
CD 1 **C 210289 ZMR**

IN THE MATTER OF an application submitted by Richmond SI Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. eliminating from an existing R6 District a C2-2 District bounded by Richmond Terrace, Hamilton Avenue, a line 100 feet westerly of Stuyvesant Place, a line 100 feet southwesterly of Richmond Terrace, and Nicholas Street;
2. eliminating a Special Hillside Preservation District (HS) bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;
3. changing from an R6 District to an R7-3 District property bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;
4. establishing within an existing R6 District a C2-4 District bounded by Richmond Terrace, Hamilton Avenue, and Stuyvesant Place;
5. establishing within a proposed R7-3 District a C2-4 District bounded by Richmond Terrace, Stuyvesant Place, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street; and
6. establishing a Special St. George District (SG) bounded by Richmond Terrace, Hamilton Avenue, a line 185 feet westerly of Stuyvesant Place, a line 185 feet southwesterly of Richmond Terrace, and Nicholas Street;

as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-614.

No. 14
CD 1 **C 210291 ZSR**

IN THE MATTER OF an application submitted by Richmond SI Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 128-62* of the Zoning Resolution as follows:

1. to modify the rear yard requirements of Section 23-47 (Minimum Required rear yard);
2. to modify the permitted obstruction requirements of Section 128-31 (Rooftop Regulations) and Section 33-42 (Permitted Obstructions);
3. to modify the height and setback requirements of Section 128-33* (Maximum Base Height) and Section 128-34* (Maximum Building Height); and
4. to modify the planting requirements of Section 128-42 (Planting Areas);

in connection with a proposed mixed-use development, on property located at 24 Stuyvesant Place (Block 13, Lots 82, 92, 100 and p/o Lot 8), in an R7-3/C2-4** District, within the Special St. George District (SG)**.

* Note: Sections 128-33, 128-34 & 128-62 are proposed to be change under a concurrent related application for a Zoning Text change (N 210290 ZRR).

** Note: This site is proposed to be rezoned by changing R6(HS) & R6/C2-2(HS) Districts to an R7-3/C2-4(SG) District under a concurrent related application for a Zoning Map change (C 210289 ZMR).

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

No. 15

CD 1

N 210290 ZRR

IN THE MATTER OF an application submitted by Richmond SI Owner, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII, Chapter 8 (Special St. George District) and related Sections, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

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

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

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

* * *

ARTICLE II RESIDENCE DISTRICT REGULATIONS

Chapter 1 Statement of Legislative Intent

* * *

21-10 PURPOSES OF SPECIFIC RESIDENCE DISTRICTS

* * *

21-15 R3-2, R4, R4B, R5, R6, R7, R8, R9 and R10 — General Residence Districts

These districts are designed to provide for all types of residential buildings, in order to permit a broad range of housing types, with appropriate standards for each district on density, open space, and spacing of buildings. However, R4B Districts are limited to single- or two-family dwellings, and zero lot line buildings are not permitted in R3-2, R4 (except R4-1 and R4B), and R5 (except R5B) Districts. The various districts are mapped in relation to a desirable future residential density pattern, with emphasis on accessibility to transportation facilities and to various community facilities, and upon the character of existing development. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment.

R7-3 and R9-1 Districts may be mapped only as specified in this paragraph. Such districts may be mapped within the waterfront area and in the #Special Mixed Use Districts#. In addition, R7-3 Districts may be mapped in the #Special Long Island City Mixed Use District# and #Special St. George District#, and R9-1 Districts may be mapped in #Mandatory Inclusionary Housing areas#.

* * *

Chapter 3 Residential Bulk Regulations in Residence Districts

23-00 APPLICABILITY AND GENERAL PURPOSES

23-01 Applicability of This Chapter

* * *

23-011 Quality Housing Program

* * *

R6 R7 R8 R9 R10

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

- (1) Article VII, Chapter 8 (Special Regulations applying to Large Scale Residential Developments) ,except that they may be permitted as an alternative to apply within #Large Scale Residential Developments# located:
(i) in C2-5 Districts mapped within R9-1 Districts in Community District 3 in the Borough of Manhattan.

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

* * *

Special Ocean Parkway District;

Special St. George District;

Special Transit Land Use District; or

Special Tribeca Mixed Use District.

* * *

ARTICLE XII SPECIAL PURPOSE DISTRICTS

Chapter 8 Special St. George District

128-00 GENERAL PURPOSES

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

- (a) to build upon St. George's existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian-friendly business and residence district;
(b) to establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
(c) to require a tall, slender building form that capitalizes on St. George's hillside topography and maintains waterfront vistas;
(d) to encourage the reuse and reinvestment of vacant office buildings;
(e) to accommodate an appropriate level of off-street parking while reducing its visual impact; and
(f) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes; and
(g) to promote the most desirable use of land and building development in accordance with the District Plan for St. George and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

128-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

Commercial street

A "commercial street" shall be a #street#, or portion thereof, where special regulations pertaining to ground floor #uses# on #commercial streets#, pursuant to Section 128-11, apply to #zoning lots# fronting upon such #streets#. #Commercial streets# are designated on Map 2 in the Appendix to this Chapter.

* * *

128-056 Applicability of the Quality Housing Program

In C4-2 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 (Quality Housing Program) shall not apply. In lieu thereof, the #bulk# regulations of this Chapter shall apply. However, where any of the Quality Housing Program elements set forth Article II, Chapter 8 (Quality Housing Program) are provided, the associated #floor area# exemption shall apply.

In C2-4 Districts mapped within R6 Districts, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to Section 23-011 shall apply.

In R7-3 Districts, the Quality Housing Program shall apply. For the purposes of applying such regulations, #buildings# constructed pursuant to the #bulk# regulations of this Chapter shall be considered #Quality Housing buildings#, and any #building# containing #residences# shall also comply with the requirements of Article II, Chapter 8.

For the purposes of applying the Quality Housing Program elements set forth in Article II, Chapter 8 to C2-4 Districts mapped within R6 Districts and to R7-3 Districts, the elements set forth in Sections 28-23 (Planting Areas) and 28-40 (Parking for Quality Housing) shall be superseded by the planting and parking location provisions of this Chapter.

* * *

128-20 FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS

128-21 Maximum Floor Area Ratio

In C4-2 Districts within the Upland Subdistrict, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply,

except that for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

In R7-3 Districts, the maximum #floor area ratio# for any #use# within a #Mandatory Inclusionary Housing area# shall be 6.0.

**128-22
Maximum Lot Coverage**

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building#, or portion thereof, shall be 70 percent for an #interior# or #through lot# and 100 percent for a #corner lot#.

* * *

**128-30
HEIGHT AND SETBACK REGULATIONS**

The provisions of this Section, inclusive, shall apply to all #buildings or other structures# within the Upland Subdistrict, except in C2-4 Districts mapped within R6 Districts, where the underlying height and setback regulations shall apply.

In C1-2 Districts mapped within R3-2 Districts, all #buildings or other structures# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 128-32 (Street Wall Location) shall apply.

The underlying height and setback regulations of C4-2 Districts within the Upland Subdistrict shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply. In R7-3 Districts, all #buildings or other structures# shall comply with the height and setback regulations of this Section, inclusive.

In the South and North Waterfront Subdistricts, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except that:

- (a) in the South Waterfront Subdistrict, rooftop regulations shall be as modified in Section 128-31 (Rooftop Regulations); and
- (b) in the North Waterfront Subdistrict, #developments#, #enlargements#, alterations and changes of #use# permitted pursuant to Section 128-61 (Special Permit for North Waterfront Sites) shall instead be subject to the Proposed Plans, as set forth in Section 128-61, as approved pursuant to such special permit.

All heights shall be measured from the #base plane#, except that wherever a minimum or maximum base height is specified for #zoning lots# with multiple #street frontages#, such heights shall be determined separately for each #street# frontage, with each height measured from the final grade of the sidewalk fronting such #street wall#.

* * *

**128-32
Street Wall Location**

The following #street wall# regulations shall apply in C1-2 Districts mapped within R3-2 Districts and in C4-2 Districts within the Upland Subdistrict. In R7-3 Districts, no #street wall# location provisions shall apply.

- (a) #Street walls# along #commercial streets#

* * *

**128-33
Maximum Base Height**

In C4-2 Districts within the Upland Subdistrict, the The maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter. Where a maximum base height of 65 feet applies as shown on Map 3, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35. When a #building# fronts on two intersecting #streets# for which different maximum base heights apply, the higher base height may wrap around to the #street# with the lower base height for a distance of up to 100 feet.

In R7-3 Districts, the maximum base height shall be 75 feet.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, all AH portions of #buildings or other structures# above such maximum base heights shall provide a setback at least 10 feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#.

In C4-2 Districts within the Upland Subdistrict and in R7-3 Districts, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, on any #zoning lot# that includes a tower #developed# or #enlarged# pursuant to Section 128-35, dormers shall

not be permitted.

**128-34
Maximum Building Height**

In C4-2 Districts within the Upland Subdistrict, for #buildings# that are not #developed# or #enlarged# pursuant to the tower provisions of Section 128-35 (Towers), the maximum height of a #building or other structure# and the maximum number of #stories#, as applicable, shall be as set forth in Section 23-662 (Maximum height of buildings and setback regulations) for a residential equivalent of an R6 District. Separate maximum #building# heights are set forth within such Section for #developments# or #enlargements# with #qualifying ground floors# and for those with #non-qualifying ground floors#. However, on Bay Street where there is a maximum base height of 85 feet, the maximum height of a #building or other structure# also shall be 85 feet.

In C4-2 Districts within the Upland Subdistrict for #buildings# that are #developed# or #enlarged# pursuant to the tower provisions of Section 128-35, the maximum height of the tower portion of a #building# shall be 200 feet, and the height of all other portions of the #building# shall not exceed the applicable maximum base height. Where a maximum base height of 65 feet applies as shown on Map 3 in the Appendix to this Chapter, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 128-35.

In R7-3 Districts, the maximum height of a #building or other structure# shall be 185 feet or 18 #stories#, whichever is lower. The tower provisions of Section 128-35 shall not apply.

* * *

**128-50
PARKING REGULATIONS**

* * *

**128-51
Required Off-street Parking and Loading**

In the #Special St. George District#, the following parking and loading regulations shall apply:

- (a) In C4-2 Districts, the following special regulations shall apply:

(a)(1) #Residential uses#

One off-street parking space shall be provided for each #dwelling unit# created after October 23, 2008, including any #dwelling units# within #buildings# converted, pursuant to Article I, Chapter 5 (Residential Conversion Within Existing Buildings), except that the provisions of Section 25-25 (Modification of Requirements for Income-restricted Housing Units, Affordable Independent Residences for Seniors or Other Government-assisted Dwelling Units) shall apply to #income-restricted housing units#. However, where the total number of required spaces is five or fewer or, for #conversions#, where the total number of required spaces is 20 or fewer, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after October 28, 2008. The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to #conversions# where more than 20 parking spaces are required.

(b)(2) #Commercial# #uses#

For #commercial# #uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area# and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.

(c)(3) #Community facility use#

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

- (b) In R7-3 Districts, the parking and loading regulations of an R7-2 District shall apply, except as modified by Sections 128-52 (Special Floor Area Regulations) through 128-56 (Curb Cuts on Commercial Streets).

- (c) In C2-4 Districts mapped within R6 Districts, the underlying regulations shall apply, except as modified by Sections 128-52 through 128-56.

* * *

**128-60
SPECIAL APPROVALS**

The special permit for North Waterfront sites set forth in Section

128-61 is established in order to guide and encourage appropriate use and development in a unique location within the Special St. George District that serves as a gateway between Staten Island and Manhattan for both visitors and daily commuters. Redevelopment of the North Waterfront sites pursuant to this special permit provides an appropriate means to address the special characteristics of these sites, while accommodating their continuing transportation function, as part of their transformation into a regional destination that will contribute to the revitalization of the Special St. George District and surrounding area.

The special permit for buildings in R7-3 Districts set forth in Section 128-62 is established to allow modification of bulk regulations and mandatory improvements, except floor area ratio provisions, in order to encourage better site planning, and streetscapes that are consistent with the goals of the Special District.

* * *

**128-62
Special Permit for Buildings in R7-3 Districts**

For any zoning lot in an R7-3 District, the City Planning Commission may permit modification of bulk regulations, except floor area ratio provisions, and modification of mandatory improvements, provided the Commission shall find that such modifications:

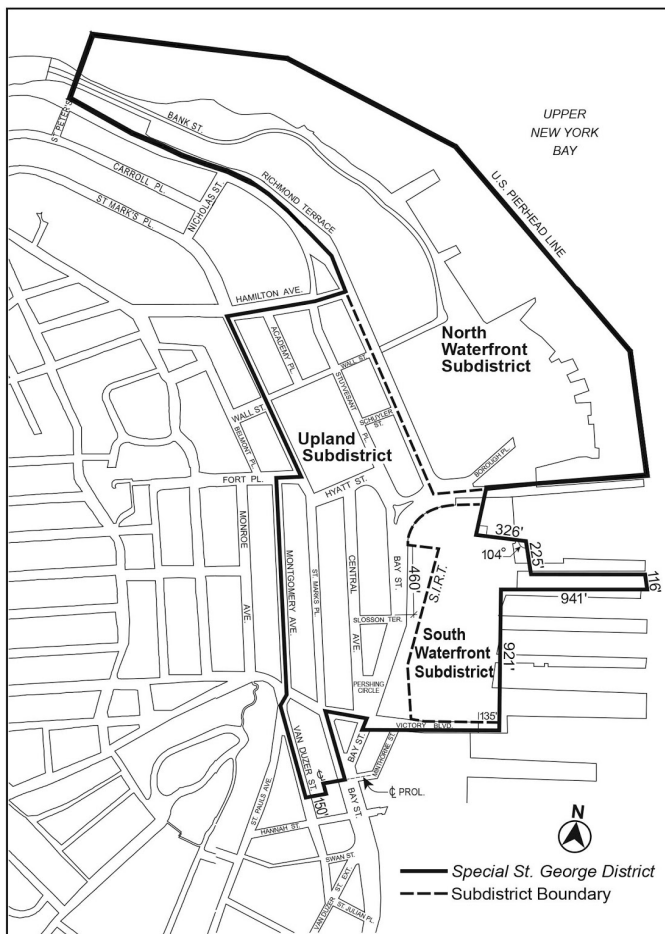
- (a) will aid in achieving the general purposes and intent of the Special District;
- (b) will enhance the distribution of bulk on the zoning lot;
- (c) will not unduly obstruct access to light and air from surrounding streets and properties; and
- (d) will result in a better site plan and urban design relationship with adjacent streets, open areas, and the surrounding neighborhood.

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

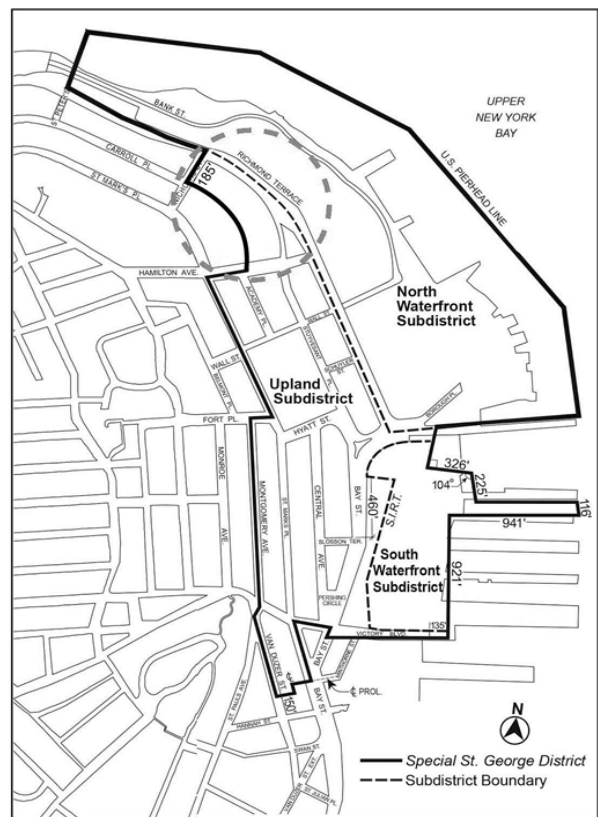
Appendix – Special St. George District Plan

Map 1 – Special St. George District and Subdistricts [date of adoption]

[EXISTING MAP]

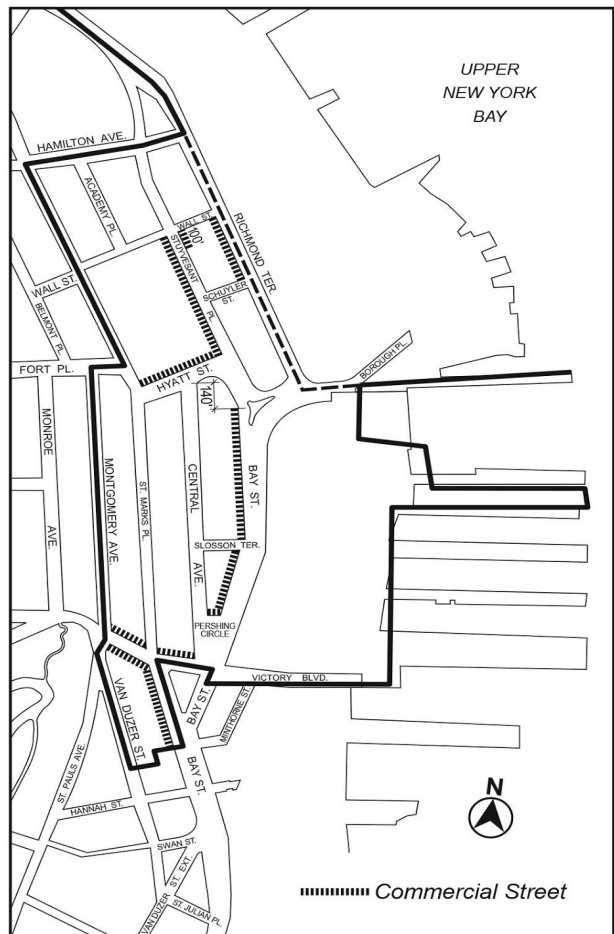


[PROPOSED MAP]

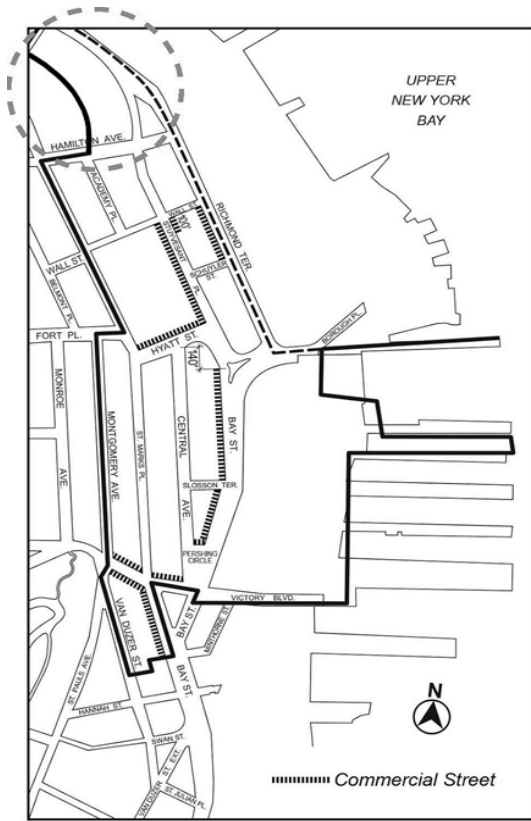


Map 2 – Commercial Streets [date of adoption]

[EXISTING MAP]

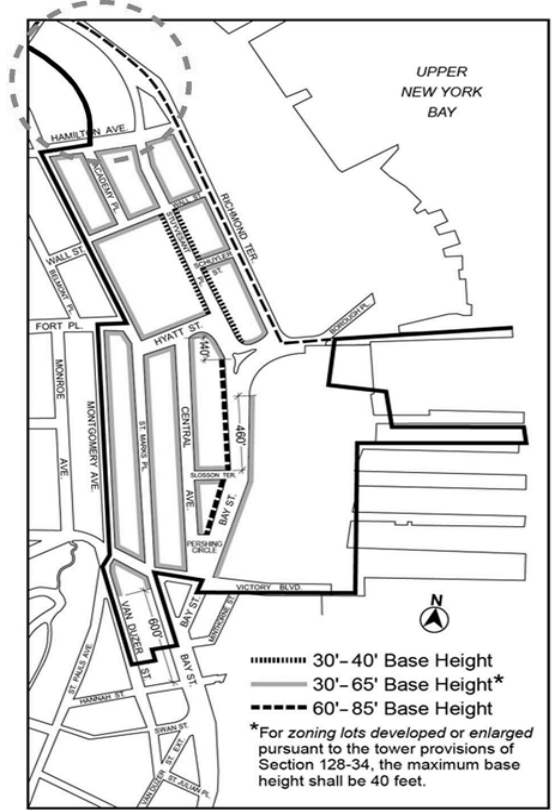


[PROPOSED MAP]



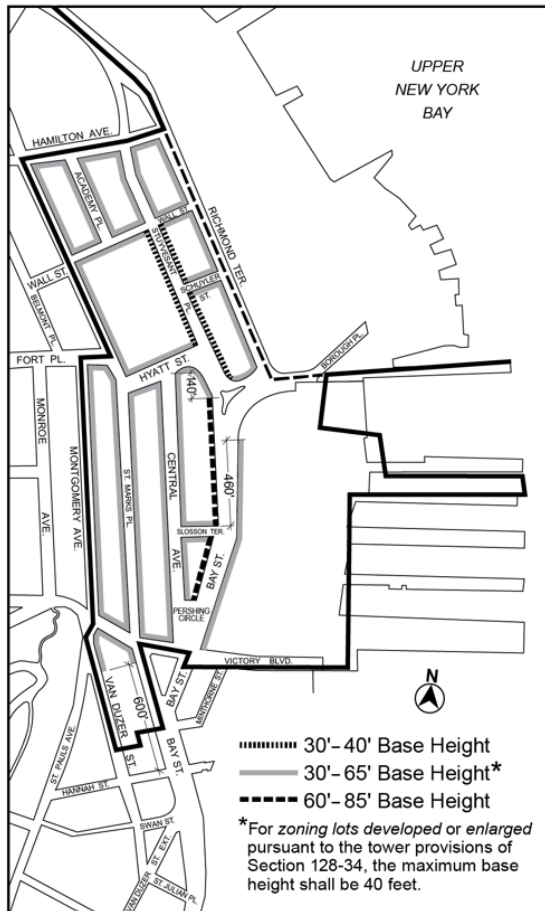
Map 3 - Minimum and Maximum Base Heights [date of adoption]

[PROPOSED MAP]

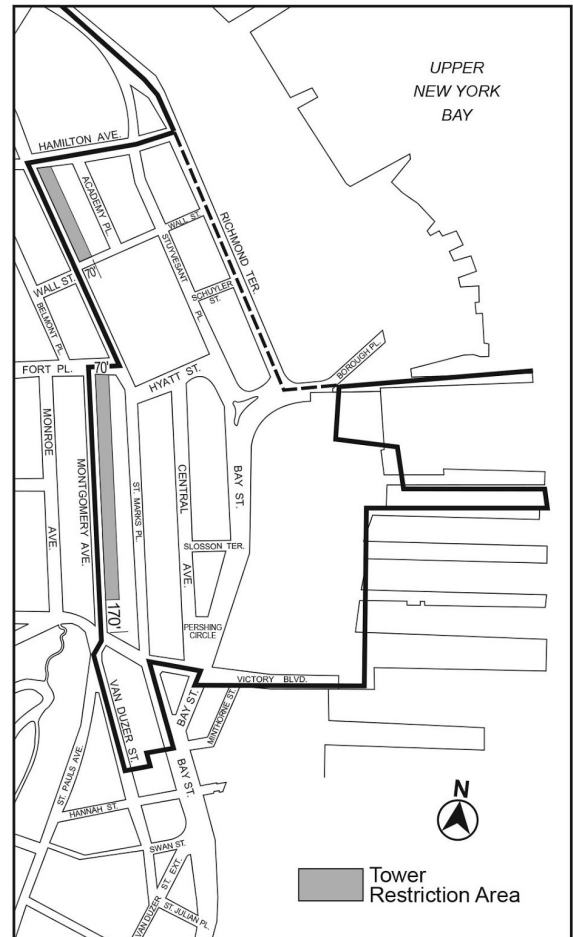


Map 4 - Tower Restriction Areas [date of adoption]

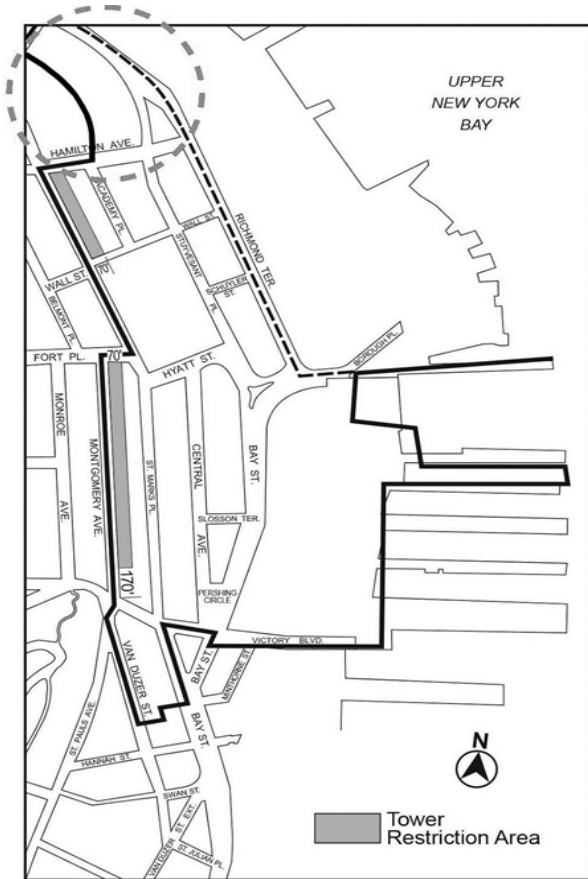
[EXISTING MAP]



[EXISTING MAP]

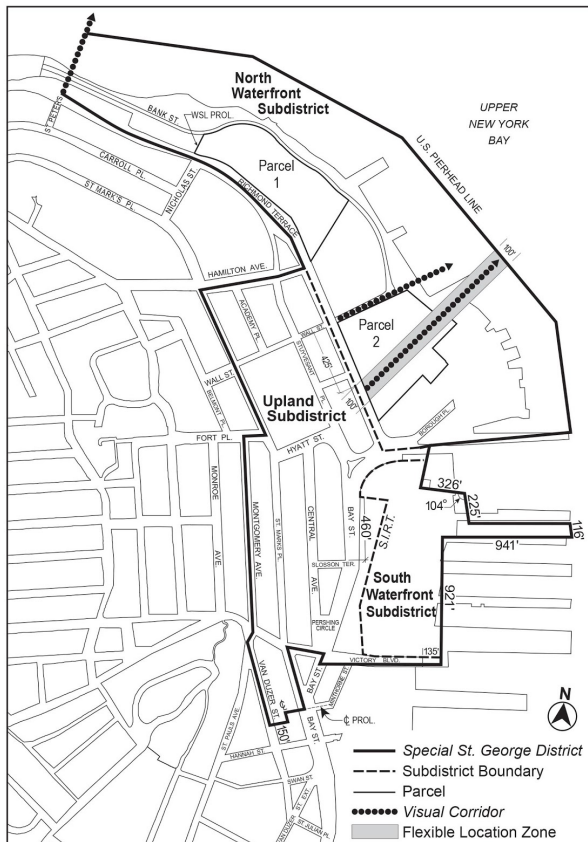


[PROPOSED MAP]

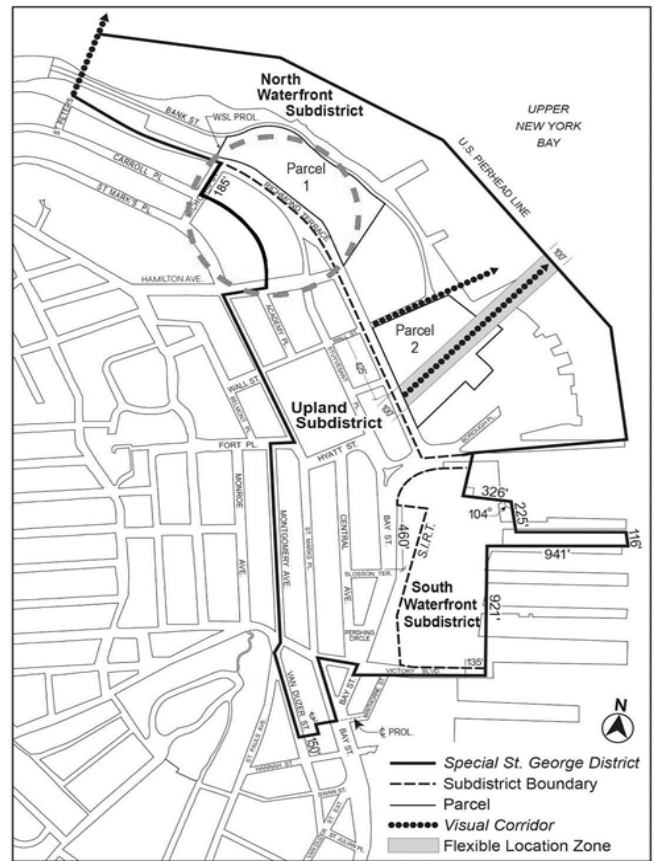


Map 5 – Visual Corridors and Parcels [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

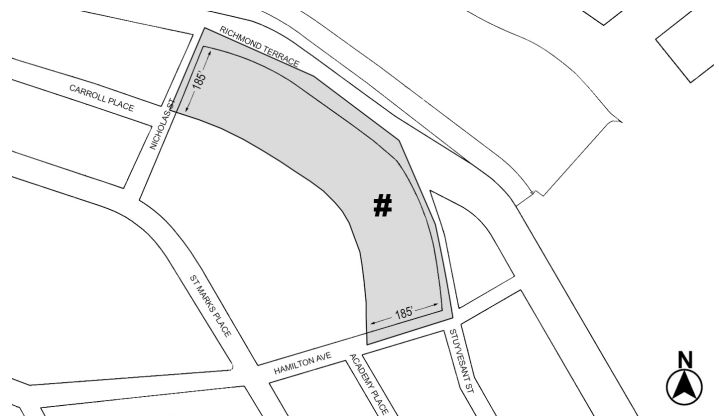
STATEN ISLAND

Staten Island Community District 1

* * *

Map 3 – [date of adoption]

[PROPOSED MAP]



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

* * *

NOTICE

On Wednesday, July 14, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing

to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Richmond SI Owner LLC ("The Applicant"). The Applicant seeks approval of a series of discretionary land use actions including a zoning map amendment, zoning text amendments, and a special permit (the "Proposed Actions") from the City Planning Commission (CPC) that would facilitate the development of a mixed use project comprising residential and commercial uses, open space, and accessory parking (the "Proposed Development") in the St. George neighborhood of Staten Island, Community District 1. The Project Area includes two vacant development sites and an underdeveloped site near the St. George Waterfront and the Staten Island Ferry Terminal. The Proposed Actions would facilitate the development of 919,442 gross square feet (gsf) of floor area within four buildings across two development sites. The Applicant's site would be developed with three buildings totaling 801,594 gsf (see architectural drawings in Appendix A). The Applicant also would develop an approximately 7,790 square foot (sf) privately owned public space next to the intersection of Stuyvesant Place and Hamilton Avenue. An additional site that is not controlled or under ownership of the Applicant ("Projected Development Site 2") is projected to be developed as a result of the Proposed Actions.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, July 26, 2021.

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

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20DCP140R.

Nos. 16 & 17
252 VICTORY BOULEVARD
No. 16

CD 1 C 210361 ZMR
IN THE MATTER OF an application submitted by Victory Boulevard Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

- changing from an R3-2 District to an R6B District property bounded by the northwesterly centerline prolongation of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;
- changing from an R3X District to an R6B District property bounded by the northwesterly prolongation of a line 100 feet southwesterly of Avon Place, the northeasterly prolongation of the northwesterly streetline of Rosewood Place, the northwesterly centerline prolongation of Bayview Place, and a line midway between Victory Boulevard and Rosewood Place and its northeasterly prolongation;
- establishing within an existing R3-2 District a C1-3 District bounded by the northwesterly centerline prolongation of Bayview Place, a line midway between Victory Boulevard and Rosewood Place, a line 400 feet northeasterly of Cebra Avenue, and Victory Boulevard; and
- establishing within the proposed R6B District a C1-3 District bounded by northwesterly centerline prolongation of Avon Place, a line 75 feet southeasterly of Victory Boulevard, the northwesterly centerline prolongation of Bayview Place, and Victory Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-615.

CD 1 N 210362 ZRR
IN THE MATTER OF an application submitted by Victory Boulevard Realty, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

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

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

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

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

STATEN ISLAND

Staten Island Community District 1

Map 2 – [date of adoption]

[EXISTING]



[PROPOSED]



Portion of Community District 1, Staten Island

* * *

**BOROUGH OF THE BRONX
No. 18
2100 BARTOW AVENUE**

N 210435 PXX

CD 10
IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 2100 Bartow Avenue (Block 5141, Lot 810) (Administration For Children's Services office).

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



j29-jy14

HOUSING AUTHORITY

■ MEETING

CORRECTED NOTICE

The Board Meeting of the New York City Housing Authority, scheduled for Wednesday, June 30, 2021, at 10:00 A.M., will be streamed live on NYCHA's YouTube Channel, <http://nyc.gov/nycha> and NYCHA's Website, nyc.gov/boardmeetings, or can be accessed via Zoom by calling (646) 558-8656 using Webinar ID: 822 7060 5738 and Passcode: 3881717485.

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

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

Copies of the Calendar are available on this web page, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are available on this web page, no earlier than 3:00 P.M., on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here on this web page and via social media to the extent practicable at a reasonable time before the meeting.

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Corporate Secretary by phone, at (212) 306-6088, or by email, at corporate.secretary@nycha.nyc.gov, no later than Wednesday, June 16, 2021, at 5:00 P.M.

For additional information regarding the Board Meeting, please contact by phone, at (212) 306-6088, or by email, at corporate.secretary@nycha.nyc.gov.

j9-30

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, July 13, 2021, the Landmarks Preservation Commission (LPC or agency) will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any

person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Anthony Fabre, Director of Community and Intergovernmental Affairs, at anfahre@lpc.nyc.gov, at least five (5) business days before the hearing or meeting. Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.

**122 Gates Avenue - Clinton Hill Historic District
LPC-21-09251 - Block 1981 - Lot 35 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse, designed by Effingham Nichols & John W. Gregory and built c. 1863. Application is to construct a rear yard addition.

**347 President Street - Carroll Gardens Historic District
LPC-21-05095 - Block 436 - Lot 46 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

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

**267 Cumberland Street - Fort Greene Historic District
LPC-21-06055 - Block 2102 - Lot 2 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

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

**174 Bergen Street - Boerum Hill Historic District
LPC-21-03796 - Block 386 - Lot 26 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS**

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

**29 Center Drive - Douglaston Historic District
LPC-21-00717 - Block 8064 - Lot 76 - Zoning: R1-2
CERTIFICATE OF APPROPRIATENESS**

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

**100 Prospect Avenue - Douglaston Historic District
LPC-21-04351 - Block 8095 - Lot 42 - Zoning: R1-2
CERTIFICATE OF APPROPRIATENESS**

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

**145 Hudson Street - Tribeca West Historic District
LPC-21-06618 - Block 214 - Lot 7502 - Zoning: C6-2A
CERTIFICATE OF APPROPRIATENESS**

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

**53 West 9th Street - Greenwich Village Historic District
LPC-21-07882 - Block 573 - Lot 71 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS**

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

**408-410 Broadway - SoHo-Cast Iron Historic District
LPC-21-08147 - Block 196 - Lot 5 - Zoning: M1-5
CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building, designed by Henry Engelbert and built c. 1866-1868. Application is to modify openings, replace infill and install signage.

**547 West 26th Street - West Chelsea Historic District
LPC-21-08999 - Block 698 - Lot 10 - Zoning: M1-5
CERTIFICATE OF APPROPRIATENESS**

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

**30 Rockefeller Plaza - Individual and Interior Landmark
LPC-21-09092 - Block 1265 - Lot 7501 - Zoning: C5-2.5, C5-3
CERTIFICATE OF APPROPRIATENESS**

An office building and designated lobby, designed by the Associated Architects and featuring artwork by Jose Maria Sert and Frank Brangwyn, and constructed in 1931-33 as part of an Art Deco style office, commercial and entertainment complex. Application is to modify openings, extend walls, and replace light fixtures within the interior lobby, install storefront infill at the ground floor, and install attractions and accretions at the rooftop observation terraces.

**333 Central Park West - Upper West Side/Central Park West Historic District
LPC-21-05268 - Block 1207 - Lot 29 - Zoning: R10A R7-2
CERTIFICATE OF APPROPRIATENESS**

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

**15 East 91st Street - Expanded Carnegie Hill Historic District
LPC-21-05725 - Block 1503 - Lot 14 - Zoning: R10 R8B
CERTIFICATE OF APPROPRIATENESS**

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

**1083 Fifth Avenue - Expanded Carnegie Hill Historic District
LPC-21-01604 - Block 1501 - Lot 4 - Zoning: R10, P1
CERTIFICATE OF APPROPRIATENESS**

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

**120 East 106th Street - Individual Landmark
LPC-21-09366 - Block 1633 - Lot 61 - Zoning: R7-2
CERTIFICATE OF APPROPRIATENESS**

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

**1047 Amsterdam Avenue - Individual Landmark
LPC-21-09853 - Block 1865 - Lot 1 - Zoning: R7-2
CERTIFICATE OF APPROPRIATENESS**

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

j29-jy13

TRANSPORTATION

■ MEETING

The Federal Highway Administration (FHWA), as Federal lead agency, the New York State Department of Transportation (NYSDOT), as joint lead agency, and the New York City Department of Transportation (NYCDOT), as project sponsor and joint lead agency, are preparing an Environmental Impact Statement (EIS) for the Shore Road Bridge over Hutchinson River Project (the Project) located in the Bronx, New York. The purpose of the Project is to address the structural deficiencies; geometric deficiencies; and operational reliability; for multi-modal users, including marine vessels, of the Shore Road Bridge over the Hutchinson River. The Shore Road Bridge, also known as Pelham Bridge, is an 865-foot-long bridge with seven spans. The main span over the navigation channel is a double-leaf movable bascule span, which is flanked by three concrete arch spans on either side. The project is located within Pelham Bay Park between the Bronx and Pelham Parkway and City Island Road along Shore Road.

We invite the public to participate in public scoping sessions that will be held virtually on August 3, 2021. This Public Scoping Meeting was originally scheduled for June 29, 2021. The Public Scoping comment period will now remain open until August 16, 2021. Comments received will be considered as part of the NEPA and CEQR processes. Please visit the project website, <https://www.ShoreRoadBridgeBx.com/> for more details.

Interpretation services or requests for special accommodations for the scoping meeting should be made by Friday, July 23, 2021, at 4:00 P.M., by calling or emailing the contact information below. For more information, locations of the Draft Scope of Work, or special accommodations, please contact the Shore Road Bridge Project Team during regular business hours (weekdays 9:00 A.M. to 5:00 P.M. EST), or leave a message at (929) 505-1002, or ShoreRoadBridgeBX@dot.nyc.gov.

Accessibility questions: Joannene Kidder, (929) 505-1002, ShoreRoadBridgeBX@dot.nyc.gov, by: Friday, July 23, 2021, 4:00 P.M.



☛ j30-jy1

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

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

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

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

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

f23-a4

OFFICE OF CITYWIDE PROCUREMENT

■ SALE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the Internet. Visit <http://www.publicsurplus.com/sms/nydcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available, at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j4-j30

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j4-d30

PROCUREMENT

“Compete To Win” More Contracts!

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

● Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR

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

Important information about the new method

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

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

Participating NYC Agencies

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

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

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

ADMINISTRATION FOR CHILDREN’S SERVICES

■ AWARD

Human Services/Client Services

TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0045001 - AMT: \$3,068,231.36 - TO: Seamen’s Society for Children and Families, 50 Bay Street, Staten Island, NY 10301.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

◀ j30

TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0043001 - AMT: \$4,675,339.64 - TO: The Children’s Village, Echo Hills, Dobbs Ferry, NY 10522.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

◀ j30

TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0052001 - AMT: \$3,169,317.20 - TO: Mercyfirst, 525 Convent Road, Syosset, NY 11791.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

◀ j30

06821P0319- MST SUBSTANCE ABUSE FAMILY ASSESSMENT PROGRAM RFP - Competitive Sealed Proposals/Pre-Qualified List - PIN# 06821P0319013 - AMT: \$1,665,000.00 - TO: The Childrens Aid Society, 117 West 124th Street, 3rd Floor, New York, NY 10027.

Special Case Determination not required because procurement is for Client/Human Services and is the preferred method under PPB Rule 3-01 (c). Judgement is required in evaluating competing proposals, and it is in the best interest of the City to require a balancing of price, quality, and other factors.

◀ j30

TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0058001 - AMT: \$6,847,048.90 - TO: Cayuga Home for Children Inc., 101 Hamilton Avenue, Auburn, NY 13021.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

◀ j30

TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0055001 - AMT: \$4,062,377.20 - TO: Good Shepherd Services, 305 Seventh Avenue, 9th Floor, New York, NY 10001-6008.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children’s Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

◀ j30

TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0047001 - AMT: \$2,071,442.76 - TO: St. Dominics Family Services, 500 Western Highway, Blauvelt, NY 10913-2022.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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SPECIALIZED FOSTER CARE: MR/DD - Negotiated Acquisition - Other - PIN# 06821N0063001 - AMT: \$421,283.13 - TO: Catholic Guardian Services, 1011 First Avenue, 10th Floor, New York, NY 10022.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0078001 - AMT: \$1,354,201.65 - TO: Ohel Children's Home and Family Services Inc., 1268 East 14th Street, Brooklyn, NY 11230.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules. The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

• j30

JCCA - RES CARE NAE - Negotiated Acquisition - Other - PIN# 06821N0018001 - AMT: \$23,053,735.95 - To: Jewish Child Care Association of New York, 120 Wall Street, 20th Floor New York, NY 10005.

This Negotiated Acquisition Extension is to extend the subject contract until 6/30/2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021 with new awards to begin on 7/1/2022.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules, ACS has decided to extend the current contract agreement with this vendor utilizing the negotiated acquisition extension procurement method to continue providing these critical and state-mandated services. ACS is planning a new RFP for these services with an anticipated release Spring 2021.

• j30

JCCA - SRC MRDD NAE - Negotiated Acquisition - Other - PIN# 06821N0011001 - AMT: \$29,576,772.46 - TO: Jewish Child Care Association of New York, 120 Wall Street, 20th Floor, New York, NY 10005.

Negotiated Acquisition Extension. This Negotiated Acquisition Extension is to extend the subject contract until 6/30/2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021 with new awards to begin on 7/1/2022.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules, ACS has decided to extend the current contract agreement with this vendor utilizing the negotiated acquisition extension procurement method to continue providing these critical and state-mandated services. ACS is planning a new RFP for these services with an anticipated release Spring 2021.

• j30

NY FOUNDLING - RES CARE NAE - Negotiated Acquisition - Other - PIN# 06821N0027001 - AMT: \$9,760,683.71 - TO: New York Foundling, 590 Avenue of the Americas, New York, NY 10011-2019.

This Negotiated Acquisition Extension is to extend the subject contract until 6/30/2022 to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules, ACS has decided to extend the current contract agreement with this vendor utilizing the negotiated acquisition extension procurement method to continue providing these critical and state-mandated services. ACS is planning a new RFP for these services with an anticipated release Spring 2021.

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TREATMENT FAMILY FOSTER CARE - Negotiated Acquisition - Other - PIN# 06821N0060001 - AMT: \$3,279,066.01 - TO: Cardinal McCloskey School & Home for Children, 115 East Stevens Avenue, Suite LL5, Valhalla, NY 10595-1286.

Negotiated Acquisition Extension (One Year Ext.). The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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SPEC. FOSTER CARE - SPECIAL MEDICAL - Negotiated Acquisition - Other - PIN# 06821N0068001 - AMT: \$2,186,589.05 - TO: Catholic Guardian Services, 1011 First Avenue, 10th Floor, New York NY 10022.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

Pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules. The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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SPECIALIZED FOSTER CARE: MR/DD - Negotiated Acquisition - Other - PIN# 06821N0062001 - AMT: \$2,669,601.49 - TO: New Alternatives for Children Inc., 37 West 26th Street, 6th Floor, New York, NY 10010.

Negotiated Acquisition Extension (One Year Ext.) The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

The Administration for Children's Services is extending this Family Foster Care contract by one year from July 1, 2021 thru June 30, 2022, to continue providing these critical mandated services to our youth while ACS completes the RFP process for new awards. The RFP is anticipated to be released spring 2021, with new awards to begin on 7/1/2022.

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06821P0319-FAMILY ASSESSMENT PROGRAM RFP -

Competitive Sealed Proposals/Pre-Qualified List - PIN# 06821P0319010 - AMT: \$4,368,000.00 - TO: The Children's Village, Echo Hills, Dobbs Ferry NY 10522.

Special Case Determination not required because procurement is for Client/Human Services and is the preferred method under PPB Rule 3-01 (c). Judgement is required in evaluating competing proposals, and it is in the best interest of the City to require a balancing of price, quality, and other factors.

• j30

Services (other than human services)

APHSA SUBSCRIPTION FOR CIR - Other - PIN# 06821U0002001 - AMT: \$101,348.20 - TO: American Public Human Services Association,

1300 17th Street N, Suite 340, Arlington, VA 22209.

Subscription to keep CIR informed of child welfare policy and news. Subscription renewal that gives the CIR access to new policy, legislation, news, and other critical child welfare policy nationwide.

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ADMINISTRATION

■ INTENT TO AWARD

Services (other than human services)

COACH BUS SERVICES - Negotiated Acquisition - Other - PIN# 06821N0041 - Due 7-12-21 at 9:00 A.M.

The Administration for Children's Services (ACS) intends to enter negotiations with Corporate Transportation Group., for the continued provision of Coach Bus Services. In accordance with Section 3-04(b)(2) (iii) of the Procurement Policy Board Rules, ACS intends to use the negotiated acquisition extension process to extend their contract for one year from July 1,2021 to June 30, 2022. This notice is for informational purposes only. Organizations interested in future solicitations for these services, are invited to do so by registering the NYC Mayor's Office of Contract Services (MOCS) PASSPort system. To register with PASSPort, please go to www.nyc.gov/PASSPort. There you will find additional guides to assist you with the registration process.

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

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Alex Linetskiy (212) 341-3488; Doron.Pinchas@acs.nyc.gov

j24-30

BOARD OF ELECTIONS

■ AWARD

Goods and Services

SUPPLEMENTAL PHONE STAFF FOR CALL CENTER - Request for Proposals - PIN# 00320211425118 - AMT: \$23,300.00 - TO: Dirad Technologies Inc., 9 Corporate Drive, Clifton Park, NY 12065.

Proposing the overflow of primary call center services using BOE's DIRAD supported call center platform.

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BROOKLYN NAVY YARD DEVELOPMENT CORP.

■ SOLICITATION

Construction / Construction Services

FACADE RENOVATION AT BUILDING 3 - Competitive Sealed Bids - PIN# 000197 - Due 7-28-21 at 11:00 A.M.

Bid documents will be available as of June 30, 2021 at Link: BNYDC website, <https://brooklynnavyyard.org/about/contract-opportunities>.

A mandatory Pre-Bid submission conference will be held at 10:00 A.M., on July 7, 2021, via Zoom. Failure to attend will result in disqualification. Anyone wishing to submit a bid must attend the meeting. All attendees must RSVP by sending an email, to dpotoma@bnyc.org

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

Brooklyn Navy Yard Development Corporation, 141 Flushing Avenue, Building 77, Suite 801, Brooklyn, NY 11205. Dominika Potoma (718) 907-5945; dpotoma@bnyc.org

☛ j30-jy6

CITYWIDE ADMINISTRATIVE SERVICES

■ AWARD

Goods

DOC - HALAL MEATS - Competitive Sealed Bids - PIN# 85721B0068001 - AMT: \$271,054.00 - TO: Romeo Foods Inc., 7801 15th Avenue, Brooklyn, NY 11228.

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MEATS AND POULTRY FOR DOC - GP - Competitive Sealed Bids - PIN# 85721B0067003 - AMT: \$658,000.00 - TO: Golden Platter Foods Inc., 37 Tompkins Point Road, Newark, NJ 07114.

☛ j30

MEATS AND POULTRY FOR DOC - GP - Competitive Sealed Bids - PIN# 85721B0067001 - AMT: \$222,940.00 - TO: Cardinal Foods LLC, 505 B Jefferson Avenue, Secaucus, NJ 07094.

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MEATS AND POULTRY FOR DOC - GP - Competitive Sealed Bids - PIN# 85721B0067002 - AMT: \$715,412.00 - TO: Romeo Foods Inc., 7801 15th Avenue, Brooklyn, NY 11228.

☛ j30

DOC - HALAL MEATS - Competitive Sealed Bids - PIN# 85721B0068003 - AMT: \$264,000.00 - TO: Golden Platter Foods Inc., 37 Tompkins Point Road, Newark, NJ 07114.

☛ j30

DOC - HALAL MEATS - Competitive Sealed Bids - PIN# 85721B0068002 - AMT: \$156,600.00 - TO: Cardinal Foods LLC, 505 B Jefferson Avenue, Secaucus, NJ 07094.

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Services (other than human services)

PROF. DEVEL. TRAINING FOR CITY EMPLOYEES-RENEWAL #1 - Renewal - PIN# 85619P8193KXLR001 - AMT: \$118,576.80 - TO: Cabral Enterprises LLC, 23 Oxford Road, New Hartford, NY 13413-2337.

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FLEET

■ INTENT TO AWARD

Services (other than human services)

85621T0286-VOLPE AGREEMENT FOR CFTP AND SFTP - Government to Government - PIN# 85621T0286 - Due 7-2-21 at 12:00 P.M.

Pursuant to Section 3-13 of the Procurement Policy Board Rules, the New York City Department of Citywide Administrative Services ("DCAS"), intends to enter into a contract with the Department of Transportation, Volpe Center, to procure via government-to-government purchase services to create a Clean Fleet Transition Plan and Safe Fleet Transition Plan in accordance with Executive order 53 NYC. The term of the agreement is for a five year agreement to support NYC Fleet efforts for sustainable and safe fleet operations. The proposed contract amount is Five Hundred Forty Two Thousand Dollars(\$542,000.00). The term of the contract will be from May 13, 2021 to June 30, 2026. The proposed contract is procured via Government to Government Purchase, pursuant to Section 3-13 of the Procurement Policy Board Rules.

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

Citywide Administrative Services, 1 Centre Street. Andrew Dworjan (212) 386-5028; adworjan@dcas.nyc.gov

j24-30

DESIGN AND CONSTRUCTION

■ AWARD

Construction / Construction Services

HWS2020R: INSTALLATION OF SIDEWALKS, ADJACENT CURBS AND PEDESTRIAN RAMPS AS NECESSARY IN VARIOUS LOCATIONS-BOROUGH OF STATEN ISLAND - Competitive Sealed Bids - PIN# 85020B0053 - AMT: \$2,489,031.00 -

TO: J. Pizzirusso Landscaping Corporation, 2400 East 69th Street, Brooklyn, NY 11234.

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HWS2020Q2: INSTALLATION OF SIDEWALKS, ADJACENT CURBS AND PEDESTRIAN RAMPS AS NECESSARY IN VARIOUS LOCATIONS-BOROUGH OF QUEENS - Competitive Sealed Bids - PIN# 85020B0048 - AMT: \$5,468,284.00 - TO: Power Concrete Co. Inc., 497 Raymond Boulevard, Newark, NJ 07105.

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FIRE DEPARTMENT

■ AWARD

Services (other than human services)

05721B0340-PRINTING, INVOICING, AND DISTRIBUTION SERVICES - Competitive Sealed Bids - PIN# 05721B0340001 - AMT: \$737,120.00 - TO: Single Point Sourcing LLC, 2201 Woodview Drive, Harrisburg, PA 17112.

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HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

COMUNILIFE INC RENEWAL #1 - Renewal - PIN# 81619P8233KXLR001 - AMT: \$2,835,000.00 - TO: Comunilife Inc., 462 7th Avenue, 3rd Floor, New York, NY 10018.

FY22 RENEWAL 1 08PO076382R1X00. The vendor has provided and will continue to provide during this renewal term, individuals access to permanent and supportive affordable housing in NYC.

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81621N0310-NYC WELL - Negotiated Acquisition - Other - PIN# 81621N0310001 - AMT: \$43,938,268.00 - TO: The Mental Health Association of New York City Inc., 50 Broadway, 19th Floor, New York, NY 10004.

NYC Well, as operated by Mental Health Association of New York City, Inc. d/b/a Vibrant Emotional Health, will offer an accessible point of entry to behavioral health services in NYC through seven core services. All services will be provided via a single, toll-free telephone number, text line and internet chat, 24 hours a day, seven days a week, 365 days a year. PIN: 22AZ001801R0X00. It is the mission of the Department of Health and Mental Hygiene to provide direction, planning, funding, and oversight for the provision of Mental Health Services, Developmental Disability Services, and Chemical Dependency Treatment and Prevention Services to New York City Residents. This procurement will provide a mental health hotline that offers crisis and suicide prevention counseling and peer support for anyone seeking help for mental health. NYC Well, as operated by Mental Health Association of New York City, Inc. d/b/a Vibrant Emotional Health will offer an accessible point of entry to behavioral health services in NYC through seven core services. All services will be provided via a single, toll-free telephone number, text line and internet chat, 24 hours a day, seven days a week, 365 days a year. The term contact refers to any call, text or chat to/from NYC Well.

DOHMH is entering into a direct contract with The Mental Health Association of New York Inc., a current PHS vendor (subcontractor) for this service in order to save financial resources in a time of fiscal constraint and in the best interest of the City, No other vendors are eligible for award at this time.

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■ INTENT TO AWARD

Human Services/Client Services

MOBILE AND SITE-BASED BEHAVIORAL HEALTH TREATMENT - Demonstration Project - Testing or experimentation is required - PIN# 22AS012001R0X00 - Due 7-9-21 at 11:00 A.M.

The New York City Department of Health and Mental Hygiene (DOHMH) intends to begin a demonstration project with up to nine (9) vendors to implement the Continuous Engagement between Community and Clinic Treatment (CONNECT) model, which seeks to provide a flexible care model that offers mobile and site-based behavioral health treatment to create a seamless continuum between outpatient and field-based treatment. Additionally, CONNECT will provide fully integrated mental health and substance use treatment. The priority target population are people with mental health and

substance use needs, with failed connections to treatment who also may have histories of justice involvement and homelessness. The overall goal of the program is to improve participants' functioning and participation in community, family, and work; build resiliency; and maintain people within community settings.

In order to properly test out this demonstration project, the vendors would need to currently operate licensed mental health clinics, operate integrated operating services, which are integrated mental health and substance use services licenses for behavioral health ambulatory care, operating clinics in neighborhoods with high rates for prevalence of depression and suicide, emergency department and inpatient hospital visits, Single Point of Access (SPOA) referrals for SMI services and Mobile Crisis Team referrals, high poverty rates and are in Taskforce on Racial Inclusion and Equity (TRIE) areas per DOHMH.

Vendors interested in providing these services are invited to submit a written expression of interest by contacting Michael Santangelo by email, at msantangelo@health.nyc.gov, by no later than July 9, 2021, 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.

Health and Mental Hygiene, 42-09 28th Street, 17th Floor, Long Island City, NY 11101. Michael Santangelo (347) 396-6671; msantangelo@health.nyc.gov

j29-jy6

ADMINISTRATION

■ SOLICITATION

Services (other than human services)

81621P0361-MEDICAL PERSONNEL STAFFING SERVICES - Competitive Sealed Proposals - Other - PIN# 81621P0361 - Due 8-4-21 at 2:00 P.M.

The New York City Department of Health and Mental Hygiene ("DOHMH" or "the agency"), is seeking proposals from temporary employment agencies who are experienced and capable in providing personnel, primarily in the field of Medical Professional Support to assist with Agency health services as needed. The temporary staffing agency will aid DOHMH in the identification, selection, and management of temporary medical support staff to fill a wide variety of temporary positions within the Agency.

The contract term will be for six (6) years from March 1, 2022 through February 29, 2028.

There will be a Pre-Proposal Conference on July 15, 2021, at 1:00 P.M., via teleconference. Attendance by proposers is optional, but strongly recommended. Please RSVP for the conference by July 14, 2021, at 2:00 P.M., by emailing the name, title, affiliation, MWBE status, and email address of each attendee to RFP@health.nyc.gov. Please state "TEMP MED ATTENDEE" in the subject line. Proposers who submit an RSVP will be provided an invitation via email to attend the Pre-Proposal Conference.

All questions must be submitted in writing to the Authorized Agency Contact person, at RFP@health.nyc.gov. Questions submitted by July 9, 2021, will be addressed at the Pre-Proposal Conference. Answers to all questions received by the question deadline of July 21, 2021 will be provided in an addendum released through PASSPort.

Please note that this procurement is released via PASSPort. Please visit PASSPort to respond to this solicitation. Responses are due on August 4, 2021, at 2:00 P.M. Link to PASSPort Public Portal: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public.

Pre Bid Conference location - Contact: RFP@health.nyc.gov, to RSVP Provide Name, Title, Organization, MWBE Status and Email Addresses Online Only NY 11101. Mandatory: no Date/Time - 2021-07-15 13:00.

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HOMELESS SERVICES

■ INTENT TO AWARD

Human Services/Client Services

07121N0015-BOBS PLACE NEGOTIATED ACQUISITION EXTENSION - Negotiated Acquisition - Other - PIN# 07121N0015 - Due 7-2-21 at 2:00 P.M.

This is a negotiated acquisition extension for Bob's Place, located at 88-55 161st Street, Jamaica, NY 11432. The one year extension is necessary so as to continue shelter services for single adults at the location.

This is a negotiated acquisition extension for Bob's Place, located at 88-55 161st Street, Jamaica, NY 11432. The one year extension is necessary, so as to continue shelter services for single adults at the location, until a new contract is in place.

j25-jy1

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

RENEWAL - HOMELESS VETERAN'S HOUSING SERVICES- 2846 BRIGGS AVENUE - Renewal - PIN# 06917N8287KXLR001 - AMT: \$2,278,820.00 - TO: Samaritan Daytop Village Inc., 138-02 Queens Boulevard, Briarwood, NY 11435.

☛ j30

FY21 05729 PROV. OF LEGAL REPRESENTATION ON A RANGE OF MATTERS - BP/City Council Discretionary - PIN# 06921L0343001 - AMT: \$252,955.00 - TO: Asian Americans for Equality Inc., 2 Allen Street, 7th Floor, NY 10002.

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

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IT CONSULTING SERVICES - Intergovernmental Purchase - PIN# 09620G0058001 - AMT: \$1,505,200.00 - TO: Currier McCabe & Associates Inc., 700 Troy Schenectady Road, Latham, NY 12110.

Contract Term 12/1/2019 - 12/31/2022

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POLICE DEPARTMENT

■ AWARD

Construction/Construction Services

RENEWAL OF MULTI-YEAR CONTRACT FOR INSTALLATION, REPAIR & REPLACEMENT OF CONCRETE - Renewal - PIN# 05620X8004KXLR001 - AMT: \$546,573.50 - TO: LB and J Construction Inc., 1105 Jericho Turnpike, Office 1, 2nd Floor, New Hyde Park, NY 11040.

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Services (other than human services)

RENEWAL #1 FOR MAINTENANCE AND SUPPORT LABORATORY INFORMATION MGMT. SYSTEM (LIMS) - Renewal - PIN# 05618F8002KXLR002 - AMT: \$420,000.00 - TO: Porter Lee Corporation, 1901 Wright Boulevard, Schaumburg, IL 60193.

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PROBATION

■ AWARD

Human Services/Client Services

78121N0292001-ADOLESCENT IMPACT NAE - Negotiated Acquisition - Available only from a single source - PIN# 78121N0292001 - AMT: \$3,496,328.34 - TO: Esperanza NY Inc., 636 Broadway, 4th Floor, New York, NY 10012.

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ARCHES TRANSFORMATIVE MENTORING INTERVENTION RENEWAL #4 - Renewal - PIN# 78120F8009KXLR002 - AMT: \$450,994.86 - TO: Good Shepherd Services, 305 Seventh Avenue, 9th Floor, New York, NY 10001-6008.

☛ j30

ARCHES BROWNSVILLE TRANSFORMATIVE MENTORING INTERVENTION RENEWAL #2 - Renewal - PIN# 78119N0154001R002 - AMT: \$155,888.86 - TO: Good Shepherd Services, 305 Seventh Avenue, 9th Floor, New York, NY 10001-6008.

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SANITATION

LEGAL AFFAIRS

■ SOLICITATION

Services (other than human services)

PAPER RECYCLING- NEGOTIATED ACQUISITION - Negotiated Acquisition - Other - PIN#82721N0001 - Due 7-9-21 at 5:00 P.M.

Notice of Intent to Enter Into Negotiations (PPB Rule 3-04): The New York City Department of Sanitation, intends to enter into negotiations with Pratt Paper, Inc., to obtain the most cost effective and efficient paper recycling processing for the City. The term of the contract is for ten years. Vendors interested in responding to other future solicitations for these types of services, should contact the Department of Sanitation, at dsnyprocurements@dsny.nyc.gov.

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

Sanitation, 44 Beaver Street, 5th Floor, New York, NY 10004. Mehak Kapoor (212) 437-5053; mkapoor@dsny.nyc.gov

j25-jy1

YOUTH AND COMMUNITY DEVELOPMENT

PROCUREMENT

■ INTENT TO AWARD

Services (other than human services)

FY22 CAPACITY BUILDING SERVICES NEGOTIATED ACQUISITION EXTENSIONS FOR WIOA - Negotiated Acquisition - Specifications cannot be made sufficiently definite - PIN#26016P0001015N004 - Due 7-6-21 at 9:00 A.M.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD) wishes to extend the following Capacity Building Contracts through a Negotiated Acquisition Extension. The contractors listed below will provide Capacity Building Services under Service Option III : Workforce Innovation and Opportunity Act (WIOA) funded Programs. The contractors will provide capacity building services around career development and literacy. The term of these contract extensions shall be for a one -year period from 7/1/2021 to 6/30/2022 with no option to renew. Below are the EPINs, Contract Amounts, Contractor names and Addresses

EPIN: 26016P0001015N004
Amount: \$100,000.00

Contractor: Literacy Assistance Center
Address: 85 Broad Street, 27th Floor, New York, NY 10004

PIN: 26016P0001014N003
Amount: \$100,000.00

Contractor: Workforce Professionals Training Institute
Address: 11 Park Place, Suite 701, New York, NY 10007

Please be advised that this is for information purposes only. If you wish to contact DYCD for further information, please send an email to ACCO@dycd.nyc.gov

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

Youth and Community Development, 2 Lafayette Street, 14th Floor, New York, NY 10007. Renise Ferguson (646) 343-6320; re Ferguson@dycd.nyc.gov

j28-jy2

FY22 DYCD ONLINE NEGOTIATED ACQUISITION EXTENSION - Negotiated Acquisition - Specifications cannot be made sufficiently definite - PIN#26016P0001005N002 - Due 7-6-21 at 9:00 A.M.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD) wishes to extend the following Capacity Building for DYCD Online contract services through a Negotiated Acquisition Extension. The contractor outlined below will provide our CBO communities the appropriate assistance to help them acquire the necessary proficiency to utilize DYCD online, so they can accurately report data on their programs to DYCD. Further, this provider trains CBOs on the effectiveness of DYCD Online as a management tool and helps them

comply with diverse data reporting requirements. The term of the contract shall be from July 1, 2021 through June 30, 2022. Below is the contractor pin, contractor name, contractor address and contract amount.

EPIN: 26016P0001005N002
 Contractor: EXPANDED SCHOOLS INC.
 Contractor Address: 11 West 42nd Street, 3rd Floor,
 New York, NY 10036
 Contract Amount: \$200,000.00

Please be advised this is for information purposes only. If you wish to contact DYCD for further information, please send an email to ACCO@dycd.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids, at date and time specified above.
 Youth and Community Development, 2 Lafayette Street, 14th Floor, New York, NY 10007. Renise Ferguson (646) 343-6320; referguson@dycd.nyc.gov

j28-jy2

FY22 DYCD ADULT LITERACY TECHNICAL ASSISTANCE NEGOTIATED ACQUISITION EXTENSION - Negotiated Acquisition - Specifications cannot be made sufficiently definite - PIN# 26017X0131CNVN001 - Due 7-6-21 at 9:00 A.M.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD) wishes to extend the following Capacity Building Contract for Adult Literacy Services through a Negotiated Acquisition Extension. The Literacy Assistance Center supports adult education teachers in improving and adapting teaching strategies needed to meet new instructional challenges.

The term of the contract shall be from July 1, 2021 through June 30, 2023. Below is the contractor EPIN, contractor name, contractor address and contract amount.

EPIN: 26017X0131CNVN001
 Amount: \$559,186.00
 Contractor: Literacy Assistance Center
 Address: 85 Broad Street, 27th Floor, New York, NY 10004

Please be advised this is for information purposes only. If you wish to contact DYCD for further information, please send an email to ACCO@dycd.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids, at date and time specified above.
 Youth and Community Development, 2 Lafayette Street, 14th Floor, New York, NY 10007. Renise Ferguson (646) 343-6320; referguson@dycd.nyc.gov

j28-jy2

CONTRACT AWARD HEARINGS

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



INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Tuesday, July 14, 2021, at 10:00 AM. The Public Hearing will

be held via Conference Call. Call-in #: 1-917-410-4077, ACCESS CODE: 127582006#.

IN THE MATTER of a proposed Purchase Order/Contract between the New York City Department of Information Technology and Spruce located at 1149 Bloomfield Ave, Clifton, NJ 07012 for an Storage Modernization Program (SMP) Storage System Engineer. The amount of this Purchase Order/Contract will be \$384,829.48. The term will be for 1708 hrs. from issuance of Notice to Proceed. PIN #: 20210560005, E-PIN #: 85821Y0079.

The Vendor has been selected by M/WBE Noncompetitive Small Purchase Method, pursuant to Section 3-08 (c)(1)(iv) of the Procurement Policy Board Rules. Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DoITT does not receive, by July 6, 2021, from any individual a written request to speak at this hearing, then DoITT need not conduct this hearing. Written notice should be sent to jbaertschi@doitt.nyc.gov.

j30

AGENCY RULES

FIRE DEPARTMENT

NOTICE

Pursuant to Section 1042 of the New York City Charter, the New York City Fire Department hereby publishes its Regulatory Agenda for Fiscal Year 2022. The Fire Department anticipates promulgating new rules during Fiscal Year 2022 that address the subjects set forth below.

Fire Department rules are consolidated in Title 3 of the Rules of the City of New York and are posted on the Fire Department's website at <https://www1.nyc.gov/site/fdny/codes/fire-department-rules/fire-dept-rules.page>.

1. Fire Safety Requirements and Procedures at Production Locations

Reasons for Proposed Rule: The rule will implement Local Law No. 33 of 2021, which among other things regulates fire safety at certain production locations used for filming and rigging.

Summary of Anticipated Content: The proposed rule will establish fire safety standards, procedures and requirements at production locations, including the requirements for production location fire safety manager.

Summary of Objectives: Implementation of the rule will mitigate existing fire safety hazards, and increase safety for individuals working at production locations and Fire Department personnel who respond to fire emergencies at such locations.

Legal Basis for the Proposed Rule: Sections FC 102.6.3 and 325 of the New York City Fire Code (Title 29 of Administrative Code of the City of New York) authorize the Fire Department to propose this rule.

Relevant Federal, State and Local Laws and Rules: Local Law No. 33 of 2021.

Individuals and Entities Likely to be Affected by the Proposed Rule: Applicants for certain rigging and filming permits issued by the Mayor's Office of Film, Theatre and Broadcasting.

Anticipated Adoption: Second Quarter, FY2022
Agency Contact: New York City Fire Department
 Bureau of Fire Prevention
 code.develop@fdny.nyc.gov
 (718) 999-2042

2. Fire and Emergency Preparedness (FEP) Level 2 Plans

Reasons for Proposed Rule: The rule will implement the emergency planning and preparedness provisions of Chapter 4 of the 2014 New York City Fire Code pertaining to fire and emergency preparedness (FEP) Level 2 plans (FC401.5).

Summary of Anticipated Content: The proposed rule will establish standards, procedures and requirements for buildings and occupancies required to have FEP Level 2 plans.

Summary of Objectives: Implementation of the proposed rule will increase fire safety and nonfire emergency preparedness in buildings and occupancies required to have an FEP Level 2 plan.

Legal Basis for the Proposed Rule: Sections FC 102.6.3 and 401.5 of the New York City Fire Code (Title 29 of the Administrative Code of the City of New York) authorize the Fire Department to propose this rule.

Relevant Federal, State and Local Laws and Rules: None.

Individuals and Entities Likely to be Affected by the Proposed Rule: The rule will generally affect owners of certain large buildings and the businesses that occupy them, as set forth in FC Sections 403 to 415.

Anticipated Adoption: Second Quarter, FY2022

Agency Contact: New York City Fire Department
Bureau of Fire Prevention
code.develop@fdny.nyc.gov
(718) 999-2042

3. Conforming Fire Department Rules to Fire Code Revisions

Reasons for Proposed Rule(s): The Fire Department will promulgate one or more rules, as warranted, to conform existing Fire Department rule provisions to the Fire Code revisions anticipated to be enacted into law in FY2022.

Summary of Anticipated Content: The proposed rule will renumber Fire Department rules to conform with the anticipated renumbering of the Fire Code that will be part of the Fire Code revision local law. The proposed rule will also repeal or amend existing Fire Department rule provisions that have been incorporated in whole or in part into the Fire Code by the Fire Code revision local law, or that otherwise require conforming changes.

Legal Basis for the Proposed Rule: The Fire Department anticipates a new local law amending the Fire Code. Such law, along with Sections 489 and 1043 of the New York City Charter and Section FC102.6.3 of the New York City Fire Code, will provide authority to propose the rules described in this section.

Relevant Federal, State and Local Laws and Rules: None

Individuals and Entities Likely to be Affected by the Proposed Rule: The proposed rule will nominally affect all persons and entities subject to the terms of the Fire Code, but such conforming changes will wholly or substantially reflect local law provisions.

Anticipated Adoption: Third and/or Fourth Quarter, FY2022

Agency Contact: New York City Fire Department
Bureau of Fire Prevention
code.develop@fdny.nyc.gov
(718) 999-2042

4. Creation of a Non-Curable Violation Code Category for Code Enforcement Purposes

Reasons for Proposed Rule(s): The Fire Department rule establishing violation code categories requires clean-up and reorganization, as well as a new code for non-curable violations.

Summary of Anticipated Content: The proposed rule will amend 3 RCNY §109-02 to create a non-curable violation code category. The proposed rule will also make other changes required to reflect new Fire Code and Fire Department rule provisions and/or enforcement procedures.

Summary of Objectives: A non-curable Violation Category will allow the Fire Department to utilize the FDNY Summonses, returnable at the NYC Office of Administrative Trials and Hearings, for enforcement action requiring prompt compliance and/or where a cure provision is not appropriate. The proposed rule will also update and, if necessary, modify the Violation Categories in response to changes in law or procedure.

Legal Basis for the Proposed Rule: Sections FC 102.6.3 and 109.2 of the New York City Fire Code (Title 29 of the Administrative Code of the City of New York) authorize the Fire Department to propose this rule.

Relevant Federal, State and Local Laws and Rules: None

Individuals and Entities Likely to be Affected by the Proposed Rule: The rule will generally affect all individuals and entities subject to the terms of the Fire Code.

Anticipated Adoption: Third Quarter, FY2022

Agency Contact: New York City Fire Department
Bureau of Fire Prevention
code.develop@fdny.nyc.gov
(718) 999-2042

Questions or Comments

Communications regarding this Regulatory Agenda should be directed to the Code Development Unit, Bureau of Fire Prevention, 9 MetroTech Center, Brooklyn, NY 11201-3857, or use the Public Feedback form for Fire Department Rules on the Fire Department’s website, <https://www1.nyc.gov/site/fdny/codes/code-feedback/code-and-rules-public-feedback-form.page>.

TAXI AND LIMOUSINE COMMISSION

■ NOTICE

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation Notice is hereby given in accordance with Section 1043(b) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) promulgates amendments to its rules governing the proper submission of trip records created by For-Hire Vehicles. These rules are promulgated pursuant to Sections 1043 and 2303 of the Charter and Section 19-503 of the Administrative Code of the City of New York. These rules were published in the City Record on March 31, 2021 for public comment. On May 4, 2021, a public hearing on these rules was held by the TLC and the rules were adopted by the Commission on May 4, 2020. Pursuant to Section 1043(f)(1)(c) of the Charter, these rules will take effect 30 days after publication in the City Record.

STATEMENT OF BASIS AND PURPOSE OF RULES

In 2014, the TLC approved rules that require For-Hire-Vehicle (FHV) bases to submit trip records to the TLC. This new data promotes fundamental agency priorities, including:

- Keeping passengers safe by informing the agency of the identity of the driver of a dispatched for-hire vehicle (we need the name of the driver and the corresponding license number to enforce safety and consumer protection regulations);
- Preventing driver fatigue in support of Vision Zero street safety program; and
- Ensuring that those drivers dispatched by High Volume For-Hire Bases receive the minimum pay provided for in TLC’s rules.

The rules would strengthen the TLC’s ability to pursue these goals by prohibiting the following improper practices relating to trip record submissions:

- A Base failing to submit trip records in a timely fashion,
- A Base failing to submit complete trip records, and
- A Base submitting faulty or inaccurate trip data.

Further, these rules would establish new penalties for the violations listed above.

Finally, the rules would increase certain data submission requirements to allow the TLC to enforce timeliness and other service standards of trips taken in Wheelchair Accessible Vehicles.

TLC’s authority for these rules is found in sections 2303 and 1043(a) of the New York City Charter and section 19-503 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. The introductory matter and paragraph (1) of subdivision (a) of section 59B-19 of Title 35 of the Rules of the City of New York are amended, paragraph (2) is renumbered paragraph (6), and such subdivision is amended by adding new paragraphs (2) through (5), to read as follows:

§59B-19 Operations – Trip Record Information

(a) *Required Information.* A Base Owner must make sure that the following records are collected and transmitted to the Commission on a monthly basis in a format, layout[,] and procedure[, and frequency] prescribed by the Commission:

- (1) With respect to all dispatched calls:
 - (i) The date, the time, and the location of the Passenger pickup and drop-off
 - (ii) The Driver’s TLC Driver License number
 - (iii) The dispatched Vehicle’s License number
 - (iv) The TLC License number of the For-Hire Base that dispatched the Vehicle
 - (v) The TLC License number of the For-Hire Base affiliated to the dispatched Vehicle
 - (vi) Whether the Passenger is sharing the Vehicle for part or all of the trip with a Passenger from another dispatched call, and
 - (vii) Where applicable, an indication that the trip concluded in a cancellation by the Passenger or Driver.

§59B-19(a)(1)	Fine: \$100 if plead guilty before a hearing and suspension until compliance; \$150 if found guilty following a hearing and suspension until compliance.	Appearance NOT REQUIRED
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(2) Affidavit of No Dispatch. Where a base has not dispatched any trips in a reporting period, the base must submit an affidavit to the TLC affirming same. Use of e-signature on the TLC website will satisfy this requirement.

§59B-19(a)(2)	Fine: \$100 for each day past the date the affidavit is due if plead guilty before a hearing and suspension until compliance; \$150 for each day past the affidavit due if found guilty following a hearing and suspension until compliance. Fine amount not to exceed \$10,000.	Appearance NOT REQUIRED
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(3) Timely Submission of Trip Records.

(i) A base must submit trip records for a month's trips no later than the last day of the following month. For example, all September trip records will be due on October 31st. The following penalties accrue with respect to each untimely submission of trip records:

§59B-19(a)(3)	Fine: \$100 for each day past the date the records are due if plead guilty before a hearing and suspension until compliance; \$150 for each day past the records are due if found guilty following a hearing and suspension until compliance. Fine amount not to exceed \$10,000.	Appearance NOT REQUIRED
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(4) Incomplete Trip Records. With respect to all trip records submitted to TLC:

(i) Each set of submitted records must be complete and include all information listed in and required by paragraph (1) of this subdivision, and for those bases subject to Minimum Driver Payment Requirements, all information listed in and required by subdivision (d) of this section. The following penalties accrue with respect to each trip for which all required information was not submitted.

§59B-19(a)(4)(i)	Fine: \$100 per incomplete trip record for the first ten incomplete records and suspension until compliance; \$500 per each incomplete record thereafter and suspension until compliance. Fine amount not to exceed \$10,000.	Appearance NOT REQUIRED
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(5) Inaccurate Trip Records. With respect to all trip records submitted to TLC:

(i) The records that each Base submits for any time period in which they dispatch trips must not contain inaccuracies. For example, the date, time and location of the passenger pick-up that is required by paragraph (1) of this subdivision must be accurate. The following penalties accrue with respect to each trip that was submitted inaccurately.

§59B-19(a)(5)(i)	Fine: \$100 per trip record inaccuracy for the first ten inaccuracies and suspension until compliance; \$500 per inaccuracy thereafter and suspension until compliance. Fine amount not to exceed \$10,000.	Appearance NOT REQUIRED
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([2]6) With respect to all affiliated Vehicles:

Section 2. Subdivision (d) of Section 59B-19 of Title 35 of the Rules of the City of New York, relating to special requirements for bases subject to minimum driver payment requirements, is REPEALED.

Section 3. The introductory matter of subdivision (a) of section 59D-14 of Title 35 of the Rules of the City of New York is amended, and such subdivision is amended by adding new penalties for paragraphs (1) through (5) and new paragraphs (6) through (8), to read as follows:

59D-14 Operations – Trip Record Information

(a) Required Information. A High-Volume For-Hire Service must collect and transmit on a bi-weekly basis to the Commission, in a format, layout[,] and procedural, and frequency prescribed by the Commission, the following records:

- (1) With respect to all trips the High-Volume For-Hire Service dispatches through a Base:
 - (i) The date, the time, and the location of the Passenger pickup and drop-off
 - (ii) The Driver's TLC Driver License number
 - (iii) The dispatched Vehicle's License number
 - (iv) The TLC License number of the For-Hire Base that dispatched the Vehicle
 - (v) The TLC License number of the For-Hire Base affiliated to the dispatched Vehicle
 - (vi) The total number of passengers picked up and dropped off
 - (vii) The total trip mileage
 - (viii) The date and time the Passenger requested the trip
 - (ix) The itemized fare for the trip including the amount of the fare, any toll, surcharge, commission rate, other deduction and any gratuity and a breakdown of the amount such passenger paid for the trip
 - (x) The payment the Driver received for the trip or the Driver's hourly paid rate
 - (xi) If the trip enters the Congestion Zone but the pick-up did not occur in the Congestion Zone, the date, time, and location (latitude, longitude, and human-readable street address) of the point at which the vehicle entered the Congestion Zone and, if applicable, the date, time, and location (latitude, longitude, and human-readable street address) of the point at which the vehicle exited the Congestion Zone, and
 - (xii) An indicator as to whether the trip was administered as part of the MTA's Access-A-Ride program.
- (2) For each time a Vehicle makes itself available to be dispatched by the High-Volume For-Hire Service:
 - (i) The Vehicle License number
 - (ii) The TLC Driver License number of the Driver operating the Vehicle
 - (iii) The date and time at which the Vehicle became available to accept dispatches from the High-Volume For-Hire Service
 - (iv) The geographic position of the Vehicle during the entire time the Vehicle is available to accept dispatches from the High-Volume For-Hire Service at intervals no less frequent than every sixty (60) seconds
 - (v) The date and time at which the Vehicle became unavailable to accept dispatches from the High-Volume For-Hire Service
 - (vi) If the Vehicle enters the Congestion Zone while available to accept dispatches from the High-Volume For-Hire Service, the date, time, and location (latitude, longitude, and human-readable street address) of the point at which the Vehicle entered the Congestion Zone and, if applicable, the date, time, and location (latitude, longitude, and human-readable street address) of the point at which the Vehicle exited the Congestion Zone,
- (3) The amount of time spent transporting passengers each day by each Vehicle that has made itself available to be dispatched by the High-Volume For-Hire Service, and the amount of time spent by such Vehicles between trips but not on the way to the passenger.
- (4) The amount of time each Available Vehicle spends each day in the Congestion Zone, and
- (5) The amount of time each Available Vehicle spends each day Cruising in the Congestion Zone:

§59D-14(a)(1)-(5)	[Fine: \$100 if plead guilty before a hearing and suspension until compliance; \$150 if found guilty following a hearing and suspension until compliance.] Fine: \$500 for each day past the date the records are due if plead guilty before a hearing and suspension until compliance; \$1,000 for each day past the date the records are due if found guilty following a hearing and suspension until compliance. Fine amount not to exceed \$10,000 per bi-weekly submission of records.	Appearance NOT REQUIRED
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(6) Timely Submission of Trip Records.

- (i) A High Volume For-Hire Service must submit trip records on a bi-weekly basis. The following penalties accrue with respect to each submission of trip records that were not submitted on time:

§59D-14(a)(6)	Fine: \$500 for each day past the date the records are due if plead guilty before a hearing and suspension until compliance; \$1,000 for each day past the date the records are due if found guilty following a hearing and suspension until compliance. Fine amount not to exceed \$10,000 per bi-weekly submission of records.	Appearance NOT REQUIRED
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(7) Incomplete Trip Records. With respect to all trip records submitted to TLC:

- (i) Each set of submitted records must be complete and include all information listed in this subdivision and in subdivision (b) of this section. The following penalties accrue with respect to each trip for which all required information was not submitted.

§59D-14(a)(7)(i)	Fine: \$100 per incomplete trip record for the first ten incomplete records and suspension until compliance; \$500 per each incomplete record thereafter and suspension until compliance. Fine amount not to exceed \$10,000 per bi-weekly submission of records.	Appearance NOT REQUIRED
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(8) Inaccurate Trip Records. With respect to all trip records submitted to TLC:

- (i) The records that each Base submits for any time period in which they dispatch trips must not contain inaccuracies. For example, the date, time and location of the passenger pick-up that is required by paragraph (1) of this subdivision must be accurate.

§59D-14(a)(8)(i)	Fine: \$100 per trip record inaccuracy for the first ten inaccuracies and suspension until compliance; \$500 per inaccuracy thereafter and suspension until compliance. Fine amount not to exceed \$10,000 per bi-weekly submission of records.	Appearance NOT REQUIRED
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Section 4. Section 59D-14 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (c), to read as follows:

(c) Special Trip Record Requirements for Minimum Driver Payments.

- (1) A High-Volume For-Hire Service must collect and transmit to the Commission on a bi-weekly basis, in a format, layout and procedure prescribed by the Commission, the following information for each time a Driver is available to accept

dispatches from the High-Volume For-Hire Service:

- (i) The Driver's TLC Driver License number of the Driver who is available to accept dispatches from the High-Volume For-Hire Service
 - (ii) The Vehicle Identification Number of the Vehicle operated by the Driver specified in subparagraph (i) of this paragraph
 - (iii) The date and time at which the Driver became available to accept dispatches from the High-Volume For-Hire Service
 - (iv) The Vehicle License number of the Vehicle operated by the Driver specified in subparagraph (i) of this paragraph
 - (v) The geographic position of the Vehicle operated by the Driver specified in subparagraph (i) of this paragraph during the entire time the Driver is available to accept dispatches from the High-Volume For-Hire Service at an interval of no less frequent than every sixty (60) seconds
 - (vi) The date, time and geographic position of the Vehicle operated by the Driver specified in subparagraph (i) of this paragraph when the Driver accepts a dispatch
 - (vii) Total miles driven by the Driver specified in subparagraph (i) of this paragraph while the Driver was available to accept dispatches from the High-Volume For-Hire Service
 - (viii) Total miles driven with a Passenger while the Driver specified in subparagraph (i) of this paragraph was available to accept dispatches from the High-Volume For-Hire Service
 - (ix) The date and time at which the Driver specified in subparagraph (i) of this paragraph became unavailable to accept dispatches from the High-Volume For-Hire Service
 - (x) An indicator as to whether the Driver specified in subparagraph (i) of this paragraph or the Base made the Driver unavailable to accept dispatches from the High-Volume For-Hire Service
 - (xi) The total Driver earnings paid to the Driver specified in subparagraph (i) of this paragraph for the period in which the Driver was available to accept dispatches from the High-Volume For-Hire Service
 - (xii) The date and time at which the Driver specified in subparagraph (i) of this paragraph arrived at the pick-up location of a dispatched trip
 - (xiii) The date and time at which a Passenger entered the Vehicle operated by the Driver specified in subparagraph (i) of this paragraph to commence the dispatched trip
 - (xiv) The date and time at which a Passenger exited the Vehicle operated by the Driver specified in subparagraph (i) of this paragraph to conclude the dispatched trip
- (2) A High-Volume For-Hire Service must collect and transmit to the Commission on a bi-weekly basis, in a format, layout and procedure prescribed by the Commission, for each Driver to which the High-Volume For-Hire Service dispatched a trip, a weekly statement of the Driver's total earnings, itemized to include any deductions made from the Driver's earnings and any payments made in addition to per-trip or hourly payments.
- (3) A High-Volume For-Hire Service must collect and transmit to the Commission on a bi-weekly basis, in a format, layout and procedure prescribed by the Commission, the following additional information with respect to all dispatched calls:
- (i) The itemized fare for the trip charged to the Passenger (fare, tolls, taxes, gratuity, commission rate, deductions and surcharges);
 - (ii) The total number of Passengers picked up and dropped off during each dispatched call referenced in paragraph (1) of subdivision (a) of this section;
 - (iii) The total trip mileage for each dispatched call referenced in paragraph (1) of subdivision (a) of this section;
 - (iv) The total trip mileage outside of the limits of

the City for each dispatched call referenced in paragraph (1) of subdivision (a) of this section;

- (v) The total trip time outside of the limits of the City for each dispatched call referenced in paragraph (1) of subdivision (a) of this section;
- (vi) The date and time such trip request was made by a Passenger;
- (vii) Instances where a Passenger makes multiple requests for a single, completed trip, the date and time of the latest such request;
- (viii) Instances where a trip is requested but not completed because
 - A. The Passenger canceled the request, the Date, time and Vehicle location when the passenger canceled the request
 - B. The Passenger failed to show up for the requested trip, the Date and time at which the Driver canceled the request due to lack of passenger at pick-up location
 - C. The Driver canceled the request, the Date, time and Vehicle location when the Driver canceled the request
 - D. No Driver accepted the trip after the trip was requested.
- (ix) The total trip time, as calculated as the time between when the Passenger entered the vehicle and when the Passenger exited the vehicle
- (x) The total time between trips for the same Driver, as calculated as the time between when the prior trip ends and when the Driver receives dispatch for the subsequent trip
- (xi) For trips dispatched to Drivers paid on a per-trip basis by the High-Volume For-Hire Service, the total Driver earnings paid to the Driver for each trip
- (xii) For trips dispatched to Drivers paid on an hourly basis, the total Driver earnings paid to the Driver for each hour the Driver was available to receive dispatches from the High-Volume For-Hire Service.

Section 5. Subdivision (d) of Section 59D-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) Eligible Drivers and Affiliated Vehicles. A High-Volume For-Hire Service must report to the Commission on a monthly basis the following information:
 - (1) A list of all Drivers eligible to receive dispatches from the High-Volume For-Hire Service in the previous month, including the Drivers' TLC License number
 - (2) A list of all Drivers that became ineligible to receive dispatches from the High-Volume For-Hire Service in the previous month, including the Drivers' TLC License number, the date on which the Drivers became ineligible to receive dispatches, and an indicator as to whether the ineligibility to receive dispatches was Driver or High-Volume For-Hire Service initiated.
 - (3) With respect to all affiliated Vehicles:
 - (i) The Owner's name, mailing address, and home telephone number
 - (ii) The Vehicle Identification Number of the affiliated Vehicle
 - (iii) The affiliated Vehicle's registration number
 - (iv) The affiliated Vehicle's License number
 - (v) The affiliated Vehicle's license plate number
 - (vi) The name of the affiliated Vehicle's insurance carrier and the policy number
 - (vii) The dates of inspection of the affiliated Vehicle and the outcome of each inspection

Section 6. Subdivisions (a) and (b) of Section 59D-17 of Title 35 of the Rules of the City of New York are amended, and a new subdivision (c) is added, to read as follows:

§59D-17 Operations – Rates and Tolls

- (a) Rates Must Not Exceed Scheduled Rates. A High-Volume For-Hire Service must not quote or charge a fare, or allow a Base through which it dispatches trips to quote or charge a fare, that is more than the fare listed in the Rate Schedule filed with the Commission.

§59D-17(a)	Fine: \$200 for Passenger overcharge, whether from any quote or from schedule of fares required to be filed with the Commission.	Appearance NOT REQUIRED
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- (b) Tips and Gratuities. A High-Volume For-Hire Service's Passenger-Facing Booking Tool must provide a means to allow passengers to tip Drivers. A [Base] High-Volume For-Hire Service must remit to the Driver the entirety of anything designated as a tip or gratuity collected by the High-Volume For-Hire Service from a customer on behalf of the Driver.

§59D-17(b)	Fine: \$500	Appearance NOT REQUIRED
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- (c) Tolls. A High-Volume For-Hire Service must remit to the Driver the entirety of any toll paid by the Driver during a dispatched trip.

§59D-17(c)	Fine: \$500 and restitution to the Driver for any tolls that were not properly reimbursed.	Appearance NOT REQUIRED
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NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation

NOTICE IS HEREBY GIVEN in accordance with Section 1043(b) of the Charter of the City of New York ("Charter") that the Taxi and Limousine Commission ("TLC") promulgates amendments to its rules governing High-Volume For-Hire Service licenses in Chapter 59 of Title 35 of the Rules of the City of New York. These rules are promulgated pursuant to Sections 1043 and 2303 of the Charter and Section 19-503 of the Administrative Code of the City of New York. These rules were published in the City Record on March 31, 2021 for public comment. On May 4, 2021, a public hearing on these rules was held virtually via Zoom by the TLC, and the rules were adopted by the Commission on June 22, 2021. Pursuant to Section 1043(f)(1)(d) of the Charter, these rules will take effect 30 days after publication.

Statement of Basis and Purpose

The Commission is promulgating rules to streamline and improve TLC's licensing process, specifically as that process relates to high-volume for-hire services, which are businesses licensed by TLC that dispatch an average of 10,000 or more trips per day. Currently, holders of a high-volume license must also hold at least one for-hire base license. This creates an unnecessary administrative burden for both our licensees and TLC and blurs the line between different licensee categories. Further, this layered regulatory structure causes unnecessary duplication in our rules, making industry compliance and effective TLC regulation, oversight, and enforcement more difficult. These rules streamline the license structure by making the HVFHS license itself a type of base license, avoiding the regulatory and licensing redundancy of HVFHSs holding both a high-volume license and one or more separate base licenses such as a black car or livery base license.

These rules also move certain existing requirements that apply only to high-volume for-hire services from the subchapter that relates to all for-hire bases to the subchapter that relates only to high-volume for-hire services. Because the HVFHS license will be a type of base license, HVFHS licensees will generally need to comply with base license requirements. However, the rules specify where certain requirements pertaining to base licenses, such as the base license term and fee, will not apply to HVFHS licenses. Additionally, the rules clarify that TLC will continue to use aggregate utilization rates in its driver pay formula until individual HVFHS utilization rates are posted on TLC's website and the HVFHSs are notified of such rates. Finally, these rules make minor technical edits where appropriate to simplify and clarify existing rule language.

Following public comments at TLC's May 4, 2021 public hearing, stakeholder feedback, and staff recommendations, the proposed rules were changed to clarify that for-hire bases of any class—including the new HVFHS base class—may dispatch to for-hire vehicles of any other class. So, for example, HVFHSs are permitted under these promulgated rules to dispatch to livery vehicles.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section 1. The definitions of the terms "Black Car," "Black Car Base," "For-Hire Base," and "High-Volume For-Hire Service," as set forth in Section 51-03 of Title 35 of the Rules of the City of New York, are amended to read as follows:

Black Car is a Vehicle that affiliates with a Black Car Base or with a High-Volume For-Hire Service.

Black Car Base is a “central dispatch facility” (as the term is defined in *New York Executive Law, §160-cc*) and For-Hire Base, excluding a High-Volume For-Hire Service, that operates as follows:

- (1) All Black Car Vehicles are dispatched on a pre-arranged basis;
- (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
- (3) More than ninety percent (90%) of the Base’s business is on a payment basis other than direct cash payment by a Passenger.

For-Hire Base (or “Base”) is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:

- A Black Car Base,
- A Livery Base (or Base Station),
- A Luxury Limousine Base,
- A High-Volume For-Hire Service.

High-Volume For-Hire Service is a central dispatch facility, as such term is defined in *New York Executive Law §160-cc*, that (1) is a Commission-licensed business, (2) [that] facilitates or otherwise connects passengers to for-hire vehicles by prearrangement, including through one or more licensed For-Hire [Vehicle] Bases, using a passenger-facing booking tool, and [that] (3) dispatches or facilitates the dispatching of ten-thousand (10,000) or more trips in the City per day. Any and all bases using a common brand, trade, business or operating name will be considered together for purposes of identifying a High-Volume For-Hire Service.

Section 2. Subdivisions (b), (c), and (e) of Section 59A-03 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (b) *Black Car* is a Vehicle that affiliates with a Black Car Base or with a High-Volume For-Hire Service.
- (c) *Black Car Base* is a For-Hire Base, excluding a High-Volume For-Hire Service, that operates as follows:
 - (1) All Black Car Vehicles are dispatched on a pre-arranged basis
 - (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
 - (3) More than ninety percent (90%) of the Base’s business is on a payment basis other than direct cash payment by a Passenger
- (e) *For-Hire Base* (or “Base”) is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:
 - (1) A Black Car Base,
 - (2) A Livery Base (or Base Station),
 - (3) A Luxury Limousine Base,
 - (4) A High-Volume For-Hire Service.

Section 3. Subdivision (e) of Section 59A-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (e) *Affiliation with Licensed Base*. A For-Hire Vehicle Owner [must not] may only dispatch or permit another person to dispatch Owner’s Vehicle [unless] if:
 - i. [It] The Vehicle is affiliated with a Validly Licensed Base;
 - ii. The base dispatching the Vehicle is Validly Licensed; and at least one of the following conditions is met:
 - [iii.] 1. The Vehicle is being dispatched from its affiliated Base, [unless]:
 - 1.] 2. The Vehicle is an Accessible Vehicle affiliated with a For-Hire Base, or
 - [2.] 3. The dispatching Base informs the customer that the Vehicle is from another Base by providing the customer with the name and license number of both the affiliated Base and the dispatching Base (clearly identifying which Base is the affiliated Base and which Base is the dispatching Base) in all communications with the customer and any materials or receipts provided to the customer [and the dispatching Base is (1) a Livery Base if the affiliated Base is a Livery Base, or (2) either a Black Car or Luxury Limousine Base if the affiliated Base is a Black Car Base or a Luxury Limousine Base].

\$59A-11(e)	Fine: \$400	Appearance NOT REQUIRED
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Section 4. Subdivision (d) of Section 59A-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) *Distress Signaling Light – Livery Vehicle*.
 - (1) *Requirement*. [The] Livery Vehicles must be equipped with a help or distress signaling light system as required by the specifications in §59C-03 of these Rules.
 - (2) *Exemption*. A Vehicle will be exempt from the requirements of this subdivision if the Vehicle is affiliated with a Black Car Base or a Luxury Limousine Base.]

\$59A-31(d)	Fine: \$175 and suspension until the condition is corrected. Respondent must provide a condition corrected form issued by the TLC’s Safety and Emissions Division.	Appearance NOT REQUIRED
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Section 5. Subdivision (a) of Section 59B-01 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) To establish the procedures, rules and regulations for obtaining and maintaining a For-Hire Base License[, specifically for a:
 - (1) Livery Base Station
 - (2) Black Car Base
 - (3) Luxury Limousine Base].

Section 6. Subdivisions (c), (d), and (g) of Section 59B-03 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (c) *Black Car* is a Vehicle that affiliates with a Black Car Base or with a High-Volume For-Hire Service.
- (d) *Black Car Base* is a “central dispatch facility” (as the term is defined in *New York Executive Law, §160-cc*) and For-Hire Base, excluding a High-Volume For-Hire Service, that operates as follows:
 - (1) All Black Car Vehicles are dispatched on a pre-arranged basis;
 - (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
 - (3) More than ninety percent (90%) of the Base’s business is on a payment basis other than direct cash payment by a Passenger.
- (g) *For-Hire Base* (or “Base”) is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:
 - (1) A Black Car Base,
 - (2) A Livery Base (or Base Station),
 - (3) A Luxury Limousine Base,
 - (4) A High-Volume For-Hire Service.

Section 7. Subdivisions (v) and (w) of Section 59B-03 of Title 35 of the Rules of the City of New York are REPEALED, and subdivision (x) of that section is re-lettered subdivision (v).

Section 8. Section 59B-06 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (g) to read as follows:

- (g) *Exception*. This section shall not apply to High-Volume For-Hire Services. The License term for High-Volume For-Hire Services is specified in Section 59D-06 of these Rules.

Section 9. Section 59B-07 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (e) to read as follows:

- (e) *Exception*. This section shall not apply to High-Volume For-Hire Services. The License fee for High-Volume For-Hire Services is specified in Section 59D-07 of these Rules.

Section 10. Subdivision (e) of Section 59B-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (e) *Advertising of Unlicensed For-Hire Service*. A base owner must not hold him or herself out to the public as a for-hire service without a current License issued by the Commission for that activity. “For-Hire” service includes Livery, Black Car, High-Volume For-Hire or Luxury Limousine service.

§59B-11(e)	Fine: \$350 for the first violation; \$500 for the second violation; revocation for the third violation within 36 months	Appearance REQUIRED
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Section 11. Subdivision (b) of Section 59B-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) Black Car Bases, [and] Luxury Limousine Bases, and High-Volume For-Hire Services.

- (1) Membership in the Black Car Operators' Injury Compensation Fund.
 - (i) Every Black Car Base, [and] Luxury Limousine Base, and High-Volume For-Hire Service must become and remain a member of the Black Car Fund and must register with the Department of State as a Member of the Black Car Fund.
 - (ii) This provision does not apply to a Black Car or Luxury Limousine Base that owns fifty (50%) percent or more of the Vehicles it dispatches.

§59B-12(b)(1)	Fine: \$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or Base License revocation	Appearance REQUIRED
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- (2) Submit Certificate of Registration with the Fund. Every Black Car Base, [and] Luxury Limousine Base, and High-Volume For-Hire Service must:
 - (i) Provide the Commission with a copy of its certificate of registration with the Black Car Fund.
 - (ii) Pay to the Department of State all fees due as required by State law.

§59B-12(b)(2)	Fine: \$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or Base License revocation	Appearance REQUIRED
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- (3) Bill and Collect Surcharge. Every Black Car Base, [and] Luxury Limousine Base, and High-Volume For-Hire Service member of the Black Car Fund must, for every trip dispatched from that Base, bill and collect the surcharge established by the Black Car Fund and required by State law in the manner prescribed by the Black Car Fund and State law.

§59B-12(b)(3)	Fine: \$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or Base License revocation, together with revocation of Black Car Fund membership	Appearance REQUIRED
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- (4) Remit Surcharges. Every Black Car Base, [and] Luxury Limousine Base, and High-Volume For-Hire Service must forward to the Black Car Fund all surcharges due and owing under paragraph (3), above, no later than the 15th day of the month following the month in which the surcharge is collected.

§59B-12(b)(4)	Fine: \$500-\$5,000 for each 20 days the payment is overdue, and suspension until compliance or revocation, together with restitution to the Black Car Fund of any unpaid amount, together with interest at the rate of 12 percent per annum, together with revocation of Black Car Fund membership.	Appearance REQUIRED
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- (5) Comply with all Rules of the Black Car Fund. Every Black Car Base, [and] Luxury Limousine Base, and High-Volume For-Hire Service must comply with all applicable provisions of law governing the Black Car Fund, and all rules and regulations.

§59B-12(b)(5)	Fine: \$500-\$10,000 and suspension until compliance or revocation	Appearance REQUIRED
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- (6) Enforcement at Black Car Fund's Request. The Black Car Fund can ask the Commission to enforce these rules by

filing a complaint against a Black Car Base, [or] Luxury Limousine Base, or High-Volume For-Hire Service. The complaint will include documentation of the violation.

Section 12. Paragraph (5) of subdivision (f) of Section 59B-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (5) Written Receipts. For every financial transaction under the Base Agreement or these Rules, the Base must give a written receipt to the Driver or Vehicle owner.
 - (i) The receipt must include, as applicable, the name of the Driver and the Vehicle license number subject to the Base Agreement.
 - (ii) The receipt must clearly state the following information with respect to the payment or deduction:
 - (A) The date;
 - (B) The name of the recipient;
 - (C) The amount;
 - (D) The purpose of the payment or deduction;
 - (E) The number of the section of this chapter or provision of the Base Agreement that authorizes the payment or deduction; and
 - (F) If the Base is [subject to the minimum driver payment requirements of Section 59B-24(a)] a High-Volume For-Hire Service, the applicable minimum per minute and per mile rates for the time period covered by the receipt.
 - (iii) For Driver and Vehicle owner earnings, in addition to the items specified in subparagraph (ii) of this paragraph, the receipt must also include the amount paid by passengers for trips during the time period covered by the receipt and any calculation used to determine the earnings, including the per-trip minutes and miles for which the Driver is being paid and the number of shared rides subject to the Shared Ride Bonus provided in Section [59B-24(a) (3)] 59D-22(a)(3), if applicable. Such calculation must conform to the applicable policy, formula or schedule provided in the Base Agreement.

§59B-18(f)(5)	Fine: \$200 per missing receipt	Appearance REQUIRED
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Section 13. Paragraph (7) of subdivision (f) of Section 59B-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (7) Form 1099-K. If a [Base subject to Section 59B-24(a)] High-Volume For-Hire Service is required to provide a Driver with a Form 1099-K, the [Base] High-Volume For-Hire Service must also provide the Driver:
 - (i) The total mileage for trips covered by the Form 1099-K, and
 - (ii) An itemization of the items deducted from the gross amount reported on the Form 1099-K

Section 14. Subdivision (a) of Section 59B-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) Required Information. A Base Owner, other than a High-Volume For-Hire Service, must make sure that the following records are collected and transmitted to the Commission in a format, layout, procedure, and frequency prescribed by the Commission:
 - (1) With respect to all dispatched calls:
 - (i) The date, the time, and the location of the Passenger pickup and drop-off
 - (ii) The Driver's TLC Driver License number
 - (iii) The dispatched Vehicle's License number
 - (iv) The TLC License number of the For-Hire Base that dispatched the Vehicle
 - (v) The TLC License number of the For-Hire Base affiliated to the dispatched Vehicle
 - (vi) Whether the Passenger is sharing the Vehicle for part or all of the trip with a Passenger from another dispatched call.

§59B-19(a)	Fine: \$100 if plead guilty before a hearing and suspension until compliance; \$150 if found guilty following a hearing and suspension until compliance.	Appearance NOT REQUIRED
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- (2) With respect to all affiliated Vehicles:
 - (i) The Owner's name, mailing address, and home telephone number
 - (ii) The Vehicle's registration number
 - (iii) The Vehicle's License number
 - (iv) The Vehicle's license plate number
 - (v) The name of the Vehicle's insurance carrier and the policy number
 - (vi) The dates of inspection of the Vehicle and the outcome of each inspection

Section 15. Subdivision (d) of Section 59B-19 of Title 35 of the Rules of the City of New York is REPEALED.

Section 16. Paragraph (3) of subdivision (d) of Section 59B-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (3) Filing Notice with the Commission. A Base Owner, other than a High-Volume For-Hire Service, must send the Commission the list of affiliated Drivers and Vehicles (described in (1) and (2) above) on a quarterly basis. High-Volume For-Hire Services must report eligible drivers and affiliated Vehicles to the Commission on a monthly basis pursuant to §59D-16(d) of these Rules.

Section 17. Subdivision (g) of Section 59B-23 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (g) For Black Car Bases, [and] Luxury Limousine Bases, and High-Volume For-Hire Services: Fare Estimates. Each time a prospective Passenger contacts a Base for transportation, regardless of the means by which the Passenger contacts the Base, the Base must provide, upon request, an estimate of the total fare in dollars and cents, inclusive of all fees and any price multiplier, for the specific trip requested, prior to dispatching the trip, subject to the following requirements:
 - (1) Each Passenger requesting service must be notified of the passenger's right to receive a fare estimate.
 - (2) A Base must ask any Passenger requesting a fare estimate to specify a destination.
 - (3) The fare estimate may be expressed in a range in dollar and cents, provided that the higher price in such range shall not be more than 150 percent of the lower price in such range.
 - (4) A Base may not charge a Passenger a fare that is more than 120 percent of the fare estimate unless the Passenger takes any action to alter the estimated route, including, but not limited to, changing the location of the pick-up, destination, number of stops, or the vehicle type requested, or requests a route change requiring the payment of a toll.
 - (5) If the fare estimate is expressed in a range, a Base may not charge the Passenger more than 120 percent of the highest price included in that range.
 - (6) The provisions of this subdivision shall not apply to Black Car Bases while providing line work, as that term is defined in section 19-545 of the Administrative Code.
 - (7) Affirmative Defense. A Base can offer an affirmative defense to a summons issued under paragraphs (3) or (4) of this subdivision if the Base can demonstrate that the Base reimbursed the Passenger the portion of the fare charged that exceeded 120 percent of the given fare estimate within 10 business days of receiving a request for reimbursement from the Passenger.

§59B-23(g)	Fine: \$500	Appearance NOT REQUIRED
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Section 18. Section 59B-24 of Title 35 of the Rules of the City of New York is REPEALED.

Section 19. Subdivision (h) of Section 59B-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (h) For Black Car Bases, [and] Luxury Limousine Bases, and High-Volume For-Hire Services: Price Multipliers. If a price multiplier or variable pricing policy is in effect at the time at which a customer requests a Vehicle from a Black Car [service or] Base, Luxury Limousine [service] Base, or High-Volume For-Hire Service, [a] such Base must require the customer to affirmatively acknowledge and accept the price multiplier or variable pricing policy prior to dispatching a Vehicle to the customer.

Section 20. Paragraph (2) of subdivision (b) of Section 59B-32 of Title 35 of the Rules of the City of New York is REPEALED.

Section 21. Subdivision (d) of Section 59D-03 of Title 35 of the Rules of

the City of New York is amended to read as follows:

- (d) High-Volume For-Hire Service is a central dispatch facility, as such term is defined in New York Executive Law §160-cc, that (1) is a Commission-licensed business, [that] (2) facilitates or otherwise connects passengers to for-hire vehicles by prearrangement, including through one or more licensed For-Hire Vehicle Bases, using a passenger-facing booking tool, and [that] (3) dispatches or facilitates the dispatching of ten-thousand (10,000) or more trips in the City per day. Any and all bases using a common brand, trade, business or operating name will be considered together for purposes of identifying a High-Volume For-Hire Service.

Section 22. Subdivision (j) of Section 59D-03 of Title 35 of the Rules of the City of New York is re-lettered subdivision (l), and that Section is amended by adding new subdivisions (j) and (k) to read as follows:

- (j) Shared Ride Bonus refers to the dollar amount, set by the Commission, a High-Volume For-Hire Service must pay a Driver for each separate pick up on a trip where a Passenger shares the Vehicle for part or all of the trip with a Passenger from a separately dispatched call. The Commission shall determine the Shared Ride Bonus dollar amount based on an analysis of Drivers' income and expenses for shared rides, average Vehicle occupancy, and any other factor the Commission determines is relevant for the analysis. The Commission will assess, and post on its website, the Shared Ride Bonus every six (6) months.
- (k) Utilization Rate refers to the percentage of time that Drivers who have made themselves available to accept dispatches from a High-Volume For-Hire Service spend transporting passengers on trips dispatched by the High-Volume For-Hire Service. A High-Volume For-Hire Service's Utilization Rate is calculated by dividing the total amount of time those Drivers spend transporting passengers on trips dispatched by the High-Volume For-Hire Service by the total amount of time Drivers are available to accept dispatches from the High-Volume For-Hire Service.

Section 23. Section 59D-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

§59D-05 Licensing – Special Requirements

- (a) List of Bases. An Applicant for a High-Volume For-Hire Service License [must submit a list of Bases through which it will dispatch trips. For Renewal Applicants and Applicants that apply during the Initial High-Volume For-Hire Service Issuance Period, the Applicant] that is not a renewal Applicant must submit a list of the Bases through which it dispatched trips during the two years preceding the date the application is submitted.
- (b) Business Plan. An Applicant for a High-Volume For-Hire Service License must submit a business plan for approval by the Commission with each application for a new or renewal License or for a change of ownership of the [Base Station] High-Volume For-Hire Service License. The business plan must include:
 - (1) Trip Volumes.
 - (i) For Renewal Applicants and Applicants during the Initial High-Volume For-Hire Service Issuance Period: the number of trips the Applicant dispatched, including through a Base, during the previous calendar year
 - (ii) For all Applicants: an estimate of the number of trips per day the Applicant expects to dispatch [through a Base] upon receipt or renewal of a License and for the two calendar years immediately following the issuance or renewal of the License.
 - (2) Vehicle Count. The number of For-Hire Vehicles, including number of wheelchair-accessible For-Hire Vehicles, the Applicant expects to operate in accordance with the business plan submitted pursuant to this subdivision.
 - (3) Service Area. The geographic area(s) in the City the Applicant intends to serve.
 - (4) Accessibility Requirements.
 - (i) For new License Applicants and Applicants during the Initial High-Volume For-Hire Service Issuance Period: a statement for approval by the Commission outlining how the [Bases through which it dispatches trips] Applicant will comply with the accessibility requirements contained in Section 59B-17(c) of these Rules.
 - (ii) For Renewal Applicants: a demonstration that the [Bases through which it dispatches trips are] Applicant is in compliance with the accessibility requirements contained in Section 59B-17(c) of TLC's Rules.
- (c) Impact Analysis. An Applicant for a High-Volume For-Hire Service License must submit an analysis, in a format prescribed by the

Commission, assessing the impact of the Applicant's proposed operation on the environment. Such statement must include an assessment of the High-Volume For-Hire Service's impact on traffic congestion, local transportation including public transit, private motor vehicles and other modes of transit, and noise.

(1) To the extent the Applicant's proposed operation has negative impacts on the environment that cannot be corrected within 90 days of the day the application is filed, the Applicant must propose a corrective action plan for approval by the Commission, outlining the manner and the time in which the Applicant will mitigate such negative impacts.

(d) *Driver Payments and Earnings.* An Applicant for a High-Volume For-Hire Service must submit a description of all deductions, including any commissions, lease fees and other charges, which such Applicant, or the Bases through which the Applicant dispatches trips, proposes to charge either the For-Hire Vehicle Owner or the Driver, or both, as applicable, together with an estimate of the average gross hourly earnings of a Driver, based upon actual or anticipated trips and fares. The Applicant must certify that it will not impose any charge or deduction on a For-Hire Vehicle Owner or Driver that has not been submitted to the Commission.

(1) The Applicant must also certify that, absent a reasonable belief that a Driver's account is associated with fraudulent activity, if a payment transaction for a completed trip dispatched by the High-Volume For-Hire Service Licensee fails, the Driver will receive the entire amount owed for such completed trip.

§59D-05(d)(1)	Fine: \$250	Appearance NOT Required
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(e) [Bases for which the Applicant is dispatching trips] High-Volume For-Hire Services must continue to meet all requirements of Chapter 59B of these Rules unless otherwise specified.

Section 24. Paragraph (3) of subdivision (f) of Section 59D-06 of Title 35 of the Rules of the City of New York is REPEALED.

Section 25. Subdivision (b) of Section 59D-09 of Title 35 of the Rules of the City of New York is REPEALED, and subdivision (c) of that section is re-lettered subdivision (b).

Section 26. Paragraph (3) of subdivision (i) of Section 59D-10 of Title 35 of the Rules of the City of New York is amended to read as follows:

(3) Licensee must aid the Commission in obtaining information it seeks regarding Drivers or Vehicles affiliated with [any of the Bases through which the High-Volume For-Hire Service dispatches or facilitates the dispatch of trips] the Licensee.

Section 27. Subdivision (b) of Section 59D-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) *Provide Accessible Transportation.* A High-Volume For-Hire Service's passenger-facing booking tool must allow prospective Passengers to request a wheelchair accessible vehicle [from the Bases through which it dispatches trips].

§59D-13(b)	Fine: \$150 and suspension until compliance	Appearance REQUIRED
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Section 28. Paragraph (1) of subdivision (a) of Section 59D-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

(1) With respect to all trips the High-Volume For-Hire Service dispatches [through a Base]:

- (i) The date, the time, and the location of the Passenger pickup and drop-off
- (ii) The Driver's TLC Driver License number
- (iii) The dispatched Vehicle's License number
- [(iv)](iv) The TLC License number of the For-Hire Base that dispatched the Vehicle
- (v) [(iv)](iv) The TLC License number of the For-Hire Base affiliated to the dispatched Vehicle
- [(vi)](v) The total number of passengers picked up and dropped off
- [(vii)](vi) The total trip mileage
- [(viii)](vii) The date and time the Passenger requested the trip
- [(ix)](viii) The itemized fare for the trip including the amount of the fare, any toll, surcharge, commission rate, other deduction and any gratuity and a breakdown of the amount such

passenger paid for the trip

- [(x)](ix) The payment the Driver received for the trip or the Driver's hourly paid rate
- [(xi)](x) If the trip enters the Congestion Zone but the pick-up did not occur in the Congestion Zone, the date, time, and location (latitude, longitude, and human-readable street address) of the point at which the vehicle entered the Congestion Zone and, if applicable, the date, time, and location (latitude, longitude, and human-readable street address) of the point at which the vehicle exited the Congestion Zone, and
- [(xii)](xi) An indicator as to whether the trip was administered as part of the MTA's Access-A-Ride program.

Section 29. Section 59D-14 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (c) to read as follows:

(c) *Special Trip Record Requirements for Minimum Driver Payments.*

(1) A High-Volume For-Hire Service must collect and transmit to the Commission, in a format, layout, procedure, and frequency prescribed by the Commission, the following information for each time a Driver is available to accept dispatches from the High-Volume For-Hire Service:

- (i) The Driver's TLC Driver License number
- (ii) The date and time at which the Driver became available to accept dispatches from the High-Volume For-Hire Service
- (iii) The Vehicle License number of the Vehicle the Driver is driving while the Driver is available to accept dispatches from the High-Volume For-Hire Service
- (iv) The geographic position of the Vehicle the Driver is driving during the entire time the Driver is available to accept dispatches from the High-Volume For-Hire Service at an interval no less frequent than every sixty (60) seconds
- (v) Total miles driven while the Driver was available to accept dispatches from the High-Volume For-Hire Service
- (vi) Total miles driven with a Passenger while the Driver was available to accept dispatches from the High-Volume For-Hire Service
- (vii) The date and time at which the Driver became unavailable to accept dispatches from the High-Volume For-Hire Service
- (viii) An indicator as to whether the Driver or the Base made the Driver unavailable to accept dispatches from the High-Volume For-Hire Service
- (ix) The total Driver earnings paid to the Driver for the period in which the Driver was available to accept dispatches from the High-Volume For-Hire Service

(2) A High-Volume For-Hire Service must collect and transmit to the Commission, in a format, layout, procedure, and frequency prescribed by the Commission, for each Driver to which the High-Volume For-Hire Service dispatched a trip, a weekly statement of the Driver's total earnings, itemized to include any deductions made from the Driver's earnings and any payments made in addition to per-trip or hourly payments.

(3) A High-Volume For-Hire Service must collect and transmit to the Commission, in a format, layout, procedure, and frequency prescribed by the Commission, the following additional information with respect to all dispatched calls:

- (i) The itemized fare for the trip charged to the passenger (fare, tolls, taxes, gratuity, commission rate, deductions and surcharges)
- (ii) The total number of passengers picked up and dropped off during each dispatched call referenced in 59DB-14(a)(1)
- (iii) The total trip mileage for each dispatched call referenced in 59D-14(a)(1)
- (iv) The total trip mileage outside of the limits of the City for each dispatched call referenced in 59D-14(a)(1)
- (v) The total trip time outside of the limits of the City for each dispatched call referenced in 59D-14(a)(1)
- (vi) The date and time such trip request was made by a passenger

- (vii) The total trip time, as calculated as the time between when the passenger entered the vehicle and when the passenger exited the vehicle
- (viii) The total time between trips, as calculated as the time between when the prior trip ends and when the Driver receives dispatch for the subsequent trip
- (ix) For trips dispatched to Drivers paid on a per-trip basis by the High-Volume For-Hire Service, the total Driver earnings paid to the Driver for each trip
- (x) For trips dispatched to Drivers paid on an hourly basis, the total Driver earnings paid to the Driver for each hour the Driver was available to receive dispatches from the High-Volume For-Hire Service

Section 30. Subparagraph (iv) of paragraph (3) of subdivision (a) of Section 59D-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iv) With any application to change the Ownership of the High-Volume For-Hire Service [Base].

Section 31. Subdivision (d) of Section 59D-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) Eligible Drivers and Affiliated Vehicles. A High-Volume For-Hire Service must report to the Commission on a monthly basis the following information:
 - (1) A list of all Drivers eligible to receive dispatches from the High-Volume For-Hire Service in the previous month, including the Drivers' TLC License number
 - (2) A list of all Drivers that became ineligible to receive dispatches from the High-Volume For-Hire Service in the previous month, including the Drivers' TLC License number, the date on which the Drivers became ineligible to receive dispatches, and an indicator as to whether the ineligibility to receive dispatches was Driver or High-Volume For-Hire Service initiated.
 - (3) With respect to all affiliated Vehicles:
 - (i) The Owner's name, mailing address, and home telephone number
 - (ii) The Vehicle's registration number
 - (iii) The Vehicle's License number
 - (iv) The Vehicle's license plate number
 - (v) The name of the Vehicle's insurance carrier and the policy number
 - (vi) The dates of inspection of the Vehicle and the outcome of each inspection

Section 32. Subdivision (e) of Section 59D-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (e) Compliance with all Record Keeping Rules. A High-Volume For-Hire Service [and a Base Owner that dispatches or facilitates the dispatch of trips for a High-Volume For-Hire Service] must comply with all record-keeping procedures established and required by the Commission.

Section 33. Section 59D-17 of Title 35 of the Rules of the City of New York is amended to read as follows:

§59D-17 Operations – Rates and Tolls

- (a) Rates Must Not Exceed Scheduled Rates. A High-Volume For-Hire Service must not quote or charge a fare[, or allow a Base through which it dispatches trips to quote or charge a fare,] that is more than the fare listed in the Rate Schedule filed with the Commission.

§59D-17(a)	Fine: \$200 for Passenger overcharge, whether from any quote or from schedule of fares required to be filed with the Commission.	Appearance NOT REQUIRED
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- (b) Tips and Gratuities. A High-Volume For-Hire Service's Passenger-Facing Booking Tool must provide a means to allow passengers to tip Drivers. A [Base] High-Volume For-Hire Service must remit to the Driver the entirety of anything designated as a tip or gratuity collected by the High-Volume For-Hire Service from a customer on behalf of the Driver.

§59D-17(b)	Fine: \$500	Appearance NOT REQUIRED
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Section 34. Subdivision (a) of Section 59D-18 of Title 35 of the Rules of

the City of New York is amended to read as follows:

- (a) E-ZPass. A High-Volume For-Hire Service must not dispatch a Vehicle [through a Base] unless the Vehicle is participating in the E-ZPass program.

§59D-18(a)	Fine: \$100	Appearance NOT REQUIRED
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Section 35. Subdivision (a) of Section 59D-19 of Title 35 of the Rules of the City of New York is REPEALED, and subdivisions (b) through (d) are re-lettered (a) through (c).

Section 36. Section 59D-20 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (e) to read as follows:

- (e) No Other For-Hire Base Licenses. A High-Volume For-Hire Service shall not hold any For-Hire Base License other than a High-Volume For-Hire Service License. Once a Black Car Base, Livery Base, or Luxury Limousine Base is required to and obtains a High-Volume For-Hire Service license, the Commission shall revoke all For-Hire Base Licenses other than a High Volume For-Hire Service License from any High-Volume For-Hire Service.

Section 37. Chapter 59D of Title 35 of the Rules of the City of New York is amended by adding a new Section 59D-22 to read as follows:

§59D-22 Minimum Driver Payment Requirements

- (a) A High-Volume For-Hire Service must pay Drivers, at a minimum, the following amounts for each trip dispatched by the Base:
 - (1) Per Mile Rate. Beginning January 1, 2019, for each mile a Driver transports a Passenger in the City on a trip dispatched by the High-Volume For-Hire Service, the High-Volume For-Hire Service must pay the Driver no less than \$0.631 per mile for a trip dispatched to a Vehicle that is not an Accessible Vehicle and \$0.818 for a trip dispatched to an Accessible Vehicle, divided by the High-Volume For-Hire Service's Utilization Rate, and for trips that begin in the City but end outside of the City, the Base must pay the Driver no less than \$1.262 per mile for a trip dispatched to a vehicle that is not an Accessible Vehicle and no less than \$1.636 per mile for a trip dispatched to an Accessible Vehicle for each mile a Driver transports a Passenger outside of the City;
 - (i) RESERVED – expense formulation for luxury vehicles
 - (2) Per Minute Rate. Beginning January 1, 2019, for each minute a Driver transports a Passenger in the City on a trip dispatched by the High-Volume For-Hire Service, the High-Volume For-Hire Service must pay the Driver no less than \$0.287 per minute, divided by the High-Volume For-Hire Service's Utilization Rate, and for each minute a Driver transports a Passenger outside of the City on a trip dispatched by the High-Volume For-Hire Service that began in the City and ended outside of the City, the High-Volume For-Hire Service must pay the Driver no less than \$0.574 per minute, and
 - (3) Shared Ride Bonus. For each separate pick up on a trip where a Passenger shares the Vehicle for part or all of the trip with a Passenger from a separately dispatched call, the High-Volume For-Hire Service must pay the Driver the Shared Ride Bonus, in addition to the per mile and per minute rates.
 - (4) Consumer Price Index Adjustments. Beginning January 1, 2020, and continuing each calendar year thereafter, the dollar amounts in the per mile rates and per minute rates contained in this subdivision will be adjusted using the 12-month Percentage Change in the Consumer Price Index for Urban Wage Earners and Clerical Workers for the NY-NJ-PA metro area. The Consumer Price Index adjusted per mile and per minute rates will be posted on the Commission's website.
 - (5) Hourly Payments. If a High-Volume For-Hire Service subject to this section pays drivers on an hourly basis, the payment the Driver receives for each hour the Driver accepts dispatches from the High-Volume For-Hire Service must be at least the sum of the Per Mile Rate for all miles the Driver transported Passengers during the hour, the Per Minute Rate for all minutes the Driver spent transporting Passengers during the hour, and the Shared Ride Bonus for each applicable pick up performed during the hour.

§59D-22(a)	Fine: \$500 per instance of under payment. In addition to the penalty payable to the Commission, the Hearing Officer must order the High-Volume For-Hire Service to pay restitution to the Driver, equal to the amount not paid to the Driver in violation of this rule.	Appearance REQUIRED
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- (b) Utilization Rate: The Commission will assess, and post on its website, the Utilization Rate for each High-Volume For-Hire Service subject to this section every six months.
 - (1) Initial Utilization Rate. Prior to the Commission assessing and posting on its website the Utilization Rate for each High-Volume For-Hire Service and notifying each High-Volume For-Hire Service of such High-Volume For-Hire Service's Utilization Rate, the Utilization Rate for all High-Volume For-Hire Services will be the aggregate Utilization Rate of all High-Volume For-Hire Services, as calculated by the Commission. A High-Volume For-Hire Service may petition the Commission to calculate a Utilization Rate specific to that High-Volume For-Hire Service prior to the expiration of the Initial Utilization Rate period, but in no event will a High-Volume For-Hire Service have a Utilization Rate lower than the aggregate Utilization Rate of all High-Volume For-Hire Services for the Initial Utilization Rate period.
- (c) Daily Average Trip Volumes: The daily average trip volume for each High-Volume For-Hire Service will be assessed every six months.
- (d) Evaluation by the Commission. No less than annually, the Commission will review Driver, Vehicle Owner, and High-Volume For-Hire Service expenses, Driver earnings, the impact on Utilization Rates of Drivers making themselves available to accept dispatches from multiple Bases or High-Volume For-Hire Services, service levels, and any other information it deems relevant to determine if adjustments need to be made to the rates set forth in subdivision (a) of this section.

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SPECIAL MATERIALS

CITY PLANNING

■ NOTICE

NEGATIVE DECLARATION

Project Identification

CEQR No. 20DCP162K
 ULURP Nos. C210249ZMK,
 N210250ZRK
 SEQRA Classification: Type I

Lead Agency

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

Contact Person

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

1045 Atlantic Avenue Rezoning

Statement of No Significant Effect
 Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment. The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions are a Zoning Map Amendment to rezone the project area (all or parts of Brooklyn Block 2020, Lots 35-40, 42-44, 68, 70, 73, 74, and 77, and 7503) from an M1-1 district to a C6-3A district and Zoning Text Amendments to: a) Appendix F of the Zoning Resolution ("ZR") to establish a Mandatory Inclusionary Housing area with MIH options 2 and the workforce option coterminous with the rezoning area in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3; and b) Section 35-66 of the ZR to allow for streetwall flexibility. The project area is generally bounded by Atlantic Avenue to the south, Classon Avenue to the west, Atlantic Avenue to the north, and Franklin Avenue to the east. The proposed actions would facilitate the development of a 477,098 gross square feet ("gsf") mixed-use building (the "Proposed Project") on Block 2020, Lots 68, 70, 73, 74, and 77. The Proposed Project would contain approximately 357,436 gsf of residential uses (422 units, 127 of which would be affordable pursuant to MIH), 28,334 gsf of commercial office space, 34,470 gsf of commercial retail space, and 8,995 of community facility space; as well as below-grade accessory parking for approximately 152 spaces. The land use, zoning, and public policy analysis finds that the proposed actions would create additional zoning capacity in a transit-accessible area to support new housing creation and increase the number of affordable housing units available in New York City. While the proposed C6-3 district would permit residential and commercial development at a density greater than permitted under existing or No-Action conditions, the Project Area's location along a wide street, Atlantic Avenue, in a transit accessible area is well-suited for additional development. The analysis concludes that the proposed actions would not result in significant adverse impacts related to land use, zoning, and public policy.

Open Space

A detailed analysis related to open space is included in this EAS. The analysis finds that the residential (0.5-mile) study area's total open space ratio (0.0930 acres per thousand residents) would be below the City's guideline of a 1.5 acres per thousand residents. Additionally, the analysis shows the decrease would be greater than one percent compared to No-Action conditions (1.81 percent). While the analysis finds that proposed actions would result in further reductions in the open space ratio within the study area, significant adverse impact would not result from the proposed actions due to several qualitative factors: the Proposed Project would include approximately 10,665 gsf of private indoor amenity space and 31,503 gsf of private rooftop deck space. Additionally, the proposed project would include 62 dwelling units with private outdoor balconies. Additionally, while there is a deficiency of open space within the study area, there is an abundance of regional and local parks located south of the open space study area within walking distance of the southern half of the open space study area, including Prospect Park and Eastern Parkway. The analysis concludes that the proposed actions would not result in significant adverse impacts related to open space.

Shadows

A detailed analysis of shadows is included in this EAS. The analysis finds that incremental shadow would reach two sunlight-sensitive resources: Lefferts Place Block Association Community Garden (the "Community Garden") and the Crispus Attucks playground. Incremental shadow would reach the Community Garden (1 hour and 41 minutes on the March/September 21 analysis days and 2 hours and 3 minutes on the December 21 analysis day). The incremental shadow on the December 21 analysis day would not sufficiently impact vegetation as it is outside the growing season. During the growing season, the shadow coverage would generally be limited to the southern portion of the Community Garden for less than two hours, and the garden would continue to receive four-to-six hours of sunlight, the minimum specified in the CEQR Technical Manual to support vegetative growth. As such, the analysis finds that the proposed actions would not result in significant adverse shadows impacts to the community garden. Incremental shadow would reach the Crispus Attucks playground on the December 21 analysis day, the shadow would be cast on the southeastern corner of the resource for approximately 12 minutes. As the incremental shadow would be limited in duration, the analysis finds the shadow would not significantly alter the public's use of the open space resource or threaten the viability of vegetation. Therefore, the proposed actions would not result in significant adverse shadows impacts to the Crispus Attucks playground. The analysis thus concludes the proposed actions would not result in significant adverse impacts related to shadows.

Urban Design and Visual Resources

A detailed analysis of urban design and visual resources is included in this EAS. The analysis finds that the proposed actions would facilitate new development along a major commercial corridor (Atlantic Avenue) and within blocks of a major shopping thoroughfare (Fulton Street) in Bedford-Stuyvesant, Brooklyn. The proposed actions would facilitate redevelopment in an area currently predominated by underutilized single- and two-story commercial, industrial, and vacant buildings with a new 17-story mixed-use building that is expected to bring a range of uses to the project area and will activate the streetscape by increasing pedestrian traffic, further supported by the proposed sidewalk

widening along the proposed project's frontages along Atlantic Avenue. The proposed actions additionally would not alter the existing street network or grid, and not impede any visual corridors. While the proposed actions would facilitate development at a density greater than the existing and No-Action conditions, the Proposed Project's scaler would complement the existing scale and building context within the vicinity of Atlantic Avenue, which includes of variety of building typologies. The analysis concludes the proposed actions would not result in significant adverse impacts related to urban design and visual resources.

Hazardous Materials and Noise

An (E) designation (E-631) related to hazardous materials and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stephanie Shellooe, at (212) 720-3493.

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NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT

Starrett-Lehigh and Terminal Warehouse Rezoning

Project Identification	Lead Agency
CEQR No. 21DCP103M	Department of City Planning, on behalf
ULURP Nos. 210408 ZMM,	of the City Planning Commission
N210409 ZRM	120 Broadway, 31 st Floor
SEQRA Classification: Type I	New York, NY 10271

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

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned. The proposal involves actions by the City Planning Commission and Council of the City of New York that is subject to review under Section 200 of the City Charter and the CEQR process. Copies of the DEIS are available for public inspection at the office of the undersigned as well as available online at www.nyc.gov/planning. A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. INTRODUCTION

The applicants, RXR SL Owner LLC and Terminal Fee Owner LP, are seeking a zoning map amendment that would extend the Special West Chelsea District (WCh) over the two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1); these blocks contain the Starrett-Lehigh Building and the Terminal Warehouse (the project area). The zoning map amendment would change the underlying district from M2-3 to M2-4. The applicants are also seeking zoning text amendments to create new subarea (Subarea K) in WCh and, within such subarea, modify certain use, signage, sidewalk café, and loading requirements. Together, the zoning map and text amendments are the Proposed Actions.

The Proposed Actions would allow the applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types, giving the applicants the flexibility needed to respond to changes in the economy over the long term. Both buildings are currently occupied by a number of different types of businesses—including eating and drinking establishments, office, showroom and studio space (Use Groups 6, 7, and 9) and warehouse and storage space (Use Group 16. Additionally, the Starrett-Lehigh Building contains manufacturing uses (Use Groups 16 and 17). Subarea K would allow uses (Use Group K uses) within the following Use Groups to be located

within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6A (food stores, including supermarkets, grocery stores or delicatessen stores without limitation to 10,000 square feet of floor area per establishment), 6C, 9A, 10A, and 12B. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts. Together, these new uses fall within the categories of community facilities, such as academic or university space, and medical offices, and commercial uses, such as local and destination retail. Retail tenants could include a mix of tenant types, such as boutique clothing stores, "urban format" variety stores, "clicks-to-bricks" locations, specialty, and other retail stores. No residential uses, community facility uses that provide living or sleeping accommodations of any kind, or hotels would be permitted. The Proposed Actions would not result in increased floor area or construction (other than tenant fit out).

B. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Development described above would require the following actions:

- Approval of the New York City Planning Commission (CPC) for an amendment to the zoning map to change the rezoning area from M2-3 to M2-4 and to extend the Special West Chelsea District over the project area; and
- Approval of the CPC for a zoning text amendment establish Subarea K of the Special West Chelsea District over the project area.

The Proposed Actions would consist of the extension of the WCh over the project area, the creation of a new subarea (Subarea K), and a change in the underlying district from M2-3 to M2-4. Subarea K would allow additional uses within the following Use Groups (Use Group K uses) to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6C, 9A, 10A. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts. No residential use (Use Group 2), uses that include living or sleeping accommodations of any kind in Use Group 3 and Use Group 4, or hotels (Use Group 5) would be permitted.

The total maximum floor area of all Use Group K uses that are not already allowed in the M2 district will not be permitted to be greater than 25 percent of the existing floor area of the existing buildings (uses both listed in Use Group K and permitted in M2-4 districts shall not be counted towards the maximum floor area of all Use Group K uses). The maximum floor area for all Use Group 10A uses on any zoning lot will not be permitted to be greater than 15 percent of the existing floor area of the existing buildings. The text amendment would also permit a physical cultural establishment to be as-of-right without requiring approval from the Board of Standards and Appeals. Sidewalk cafes will be permitted on Eleventh Avenue and West 27th Street.

The proposed subarea text would also allow certain modifications to the M2 signage regulations, regarding height and angle, at the corners of Eleventh Avenue and West 26th, West 27th, and West 28th Streets:

- The portion of the street frontage of the zoning lot along Eleventh Avenue and within 15 feet of the intersection of two streets shall be referred to as the corner zone.
- Section 42-562 of the Zoning Resolution (restriction on angle and height above curb level) shall not apply to signage within the proposed corner zone.

However, Section 42-543 of the Zoning Resolution would still be applicable to the corner zone. This would result in a signage height allowance of 75 feet above the curb level within the corner zone and the allowance for signs to be oriented within 90 degrees of a commercial district boundary.

The Proposed Actions would permit sidewalk cafés on West 27th Street (they are currently permitted and will remain permitted on Eleventh and Twelfth Avenues). In addition, the Proposed Actions would establish the maximum number of required loading berths [for each building] and not require additional new berths when there is a change of use of any floor area. No construction related to loading berths would occur at either building in the With-Action condition.

The change in the underlying district of the subarea from M2-3 to M2-4 would make the buildings more complying in terms of FAR and bulk regulations. The text would increase the maximum floor area ratio from 2.0 FAR to 5.0 FAR and would allow the applicants to reconstruct their buildings up to 5.0 FAR in case of a catastrophic loss.

The Proposed Actions also include recordation of an (E) designation to codify requirements related to the investigation and, if necessary, remediation of hazardous materials and noise attenuation for future community facility uses.

The (E) designation for hazardous materials would require a Phase II site investigation protocol be submitted to the Office of Environmental Remediation (OER) for review and approval. Once approved, site investigation and sampling can be performed to discern the potential for contaminants. If there is potential for contaminants, the applicant will submit to OER a Remedial Action Work Plan and construction-

related Health and Safety Plan. The applicant must complete such remediation as determined necessary by OER.

The (E) designation for noise would require 42 dBA of window/wall attenuation for certain facades of both buildings, to maintain an interior noise level no greater than 45 dBA for community facility uses. The (E) designation also requires that sufficient partitions or attenuation between community facility uses and manufacturing uses be provided to ensure a noise level no greater than 45 dBA for future community facility uses.

The Proposed Action includes discretionary actions that are subject to both the Uniform Land Use Review Procedure (ULURP), as well as the City Environmental Quality Review (CEQR). ULURP is a process that allows public review of proposed actions at four levels: the community board, the Borough President, the City Planning Commission, and if applicable, the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of seven months. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment.

C. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Actions would allow the applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types, giving the applicants the flexibility needed to respond to changes in the economy over the long term. Both buildings are currently occupied by a number of different types of businesses—including eating and drinking establishments, office, showroom and studio space (Use Groups 6, 7, and 9) and warehouse and storage space (Use Group 16. Additionally, the Starrett-Lehigh Building contains manufacturing uses (Use Groups 16 and 17). The Proposed Actions would allow for additional uses (Use Group K uses) within the following Use Groups to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6A (food stores, including supermarkets, grocery stores or delicatessen stores without limitation to 10,000 square feet of floor area per establishment), 6C, 9A, 10A, and 12B. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts. Together, these new uses fall within the categories of community facilities, such as academic or university space, and medical offices, and commercial uses, such as local and destination retail. Retail tenants could include a mix of tenant types, such as boutique clothing stores, “urban format” variety stores, “clicks-to-bricks” locations, specialty, and other retail stores. No residential uses, community facility uses that provide living or sleeping accommodations of any kind, or hotels would be permitted. The Proposed Actions would not result in increased floor area or construction.

D. PROJECT PURPOSE AND NEED

Currently, the project area is mapped within an M2-3 District, which has use regulations geared towards traditional medium-performance manufacturing uses prevalent in the 1960s, including industrial and semi-industrial uses; the M2-3 District has severely limited retail options. These limitations on retail do not serve the needs of current and prospective tenants of the buildings or the needs of existing residents and workers in the neighborhood. In addition, they limit the potential pool of tenants. The Proposed Actions would allow the applicants to lease space in the existing Starrett-Lehigh and Terminal Warehouse buildings to a more diverse range of tenant types, such as academic or university space, medical offices, local and destination retail, (Use Groups 3A, 4A, 6A, 6C, and 10A). In addition, the large number of the recent mixed-use developments and projected mixed-use residential developments in the surrounding West Chelsea area will result in a large increase in residents and workers that will require such increased local goods and services to support their needs. The Proposed Actions would also establish a connection, from a planning perspective, for pedestrians traveling between West Chelsea, Hudson Yards, the High Line, and Hudson River Park.

E. ANALYSIS FRAMEWORK

Reasonable Worst-Case Development Scenario

The Proposed Actions would allow the following:

- Within the Starrett-Lehigh Building, up to 25 percent (or approximately 459,000 sf) of the building to contain tenants consistent with the Use Groups 3A, 4A, 6C, 9A, and 10A (Subarea K uses that are not already allowed in the M2 district). All Use Group 10A uses shall not be greater than 15 percent of floor area (or approximately 275,000 sf).
- Within the Terminal Warehouse building, up to 25 percent (or approximately 282,000 sf) of the building to contain tenants consistent with the Use Groups 3A, 4A, 6C, 9A, and 10A (Subarea K uses that are not already allowed in the M2 district). All Use Group 10A uses shall not be greater than 15 percent of floor area (or approximately 171,000 sf).

Generally, the Use Groups listed above fall into four main categories of uses—local retail, destination retail, academic or university space, and medical office. These main categories represent a range of uses with varying trip generation characteristics. Based on these main categories,

a RWCDs was identified to provide the framework for analysis in the EIS (see Table 1-1). Specifically, it shows the mix of the four main use categories to be analyzed in the environmental review. The RWCDs considers the full amount of destination retail that could be included in each building; all retail in the RWCDs is treated as destination retail, since destination retail generates a higher number of vehicle trips. The RWCDs also considers academic and medical office space. Taken together, this mix provides a reasonable estimation of both vehicular and pedestrian/subway trip generation such that the potential for significant adverse transportation impacts across modes is studied.

The Analysis Year for the proposed actions is 2025.

The Future Without the Proposed Action (No-Action Condition)

The No-Action Condition conforms to existing zoning and reflects completion of RXR SL Owner LLC's ongoing interior fit-out of the Starrett-Lehigh Building's ground floor (Starrett-Lehigh Market) and Terminal Fee Owner LP's completion of its conversion and repositioning plans, which will both occur absent the Proposed Actions.

Starrett-Lehigh Building

Absent the Proposed Actions, the Starrett-Lehigh Building will remain in its existing condition and will continue to be tenanted with businesses permitted in M2 districts in accordance with Section 42-10 of the ZR. The as-of-right Starrett-Lehigh Market project (i.e., the transformation of approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into commercial space, including food hall use and event and exposition space) will be completed in 2021.

Terminal Warehouse

Absent the Proposed Actions, the Terminal Warehouse will be altered by converting approximately 500,000 square feet of storage into new office space and repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet will be carved out of the building to create a double height space and a courtyard and will be added back as a rooftop addition on the western portion of the building. The re-allocation of floor area will not result in an increase in zoning floor area. The owner will introduce interior loading and undertake a restoration of the building—including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters. The Landmarks Preservation Commission issued a Certificate of Appropriateness for this restoration.

The Future With the Proposed Action (With-Action Condition)

In the future with the Proposed Actions, broader uses than currently allowed under existing zoning would be permitted within the project area, and the applicants would be able to lease space in the existing Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types. Because specific tenants have not been identified, the EIS considers a mix of uses consistent with the RWCDs With-Action Condition described above.

F. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

HISTORIC AND CULTURAL RESOURCES

The proposed actions would not result in significant adverse impacts related to archaeological or architectural resources.

Archaeological Resources

The Proposed Action would not facilitate new in-ground disturbance within the project area, and therefore an assessment of archaeological resources is not warranted.

Architectural Resources

The Proposed Actions would not result in new construction, demolition, or significant physical alteration of either the Starrett-Lehigh Building or Terminal Warehouse, nor would they result in a change in scale, visual prominence, or visual context of the two buildings. With construction limited to potential interior construction for tenant fit-out, the Proposed Actions would not have the potential to directly affect any of the identified architectural resources in the study area.

The Proposed Actions' potential to result in indirect, or contextual, impacts was also evaluated. The Proposed Actions would not result in any new building form or changes to the building exteriors that would alter the setting of, or views to or from the Hudson River for, any of the resources in the study area—nor would the Proposed Actions introduce new shadows to any of the resources in the study area. The Proposed Actions would also not introduce incompatible elements to the study area as any construction resulting from the Proposed Actions would be limited to interior tenant fit-out. The modifications to the M2 signage regulations would not result in a change in scale, visual prominence, or visual context of either the Starrett-Lehigh Building or Terminal Warehouse. Therefore, the Proposed Actions would not adversely affect the Starrett-Lehigh Building, Terminal Warehouse, WCHD, or the resources within the study area.

Hazardous Materials

The Proposed Actions would allow the Applicants to tenant the Starrett-Lehigh Building and Terminal Warehouse with a more diverse mix of uses than allowed by current zoning. Any construction needed at the buildings would be interior construction to fit out tenant space—typical of any building that changes tenants—and the Proposed Actions would not result in ground disturbance at either the Starrett-Lehigh Building or Terminal Warehouse. In addition, any interior renovations that would occur within the buildings to accommodate new tenants would, as in existing conditions, comply with applicable federal, state, and local, including Department of Buildings, requirements for abatement of asbestos, lead-based paints, or other potential hazards, should any be present in the area of interior renovation. Therefore, the Proposed Actions would not result in significant adverse impacts relating to hazardous materials.

As a conservative measure due to the potential for community facility use in the buildings, an (E) Designation for hazardous material (E-625) would be applied to Block 672, Lot 1 and Block 673, Lot 1. The (E) Designation requires sampling and remedial protocols be implemented under the administration of the New York City Mayor's Office of Environmental Remediation (OER) prior to the issuance of any permits that allow for soil disturbance related to the inclusion of a community facility use, or prior to applying for or accepting a temporary or permanent Certificate of Occupancy (C/O) that reflects a change in use group to community facility use.

Transportation

A detailed transportation analysis determined that the Proposed Actions would result in significant adverse impacts related to traffic, pedestrians, buses, and select subway station elements. The Proposed Actions would not result in subway line-haul impacts. A parking analysis determined that there would be sufficient off-street parking availability to accommodate demand generated by the Proposed Actions.

Overall, of the 21 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at nine intersections in the weekday PM peak hour and at seven intersections in the Saturday midday peak hour. Detailed weekday AM and midday peak hour analyses are not warranted as the volume of vehicle trips generated by the Proposed Actions during those hours fall below *CEQR* thresholds requiring detailed analyses. The identification and evaluation of traffic capacity improvements needed to mitigate weekday PM and Saturday midday impacts are presented in the Mitigation section below.

Subway elements were analyzed at the 34th Street-Hudson Yards Station at Eleventh Avenue and the 23rd Street Station at Eighth Avenue. It was determined that the Proposed Actions would result in significant adverse impacts to select elements at the 34th Street-Hudson Yards Station. During the weekday PM peak hour, a pair of mezzanine escalators operating in the down direction would be significantly impacted. No other elements analyzed at this station would be impacted. No subway elements analyzed at the 23rd Street Station at Eighth Avenue would be significantly impacted. The identification and evaluation of station improvements needed to mitigate the weekday PM escalator impacts are presented in the Mitigation section below.

The pedestrian analysis included 67 pedestrian elements (18 sidewalks, 17 crosswalks, and 32 corner areas). The Proposed Actions would result in significant adverse impacts at two elements in the weekday AM and midday peak hours, six in the weekday PM peak hour, and one in the Saturday peak hour. The identification and evaluation of improvements needed to mitigate these pedestrian impacts are presented in the Mitigation section below.

In order to present a conservative assessment of bus capacity, analysis was conducted using a more conservative set of assumptions specifically oriented toward greater use of the M23-SBS route via subway transfers. This analysis indicates that a significant bus capacity impact could be expected on the M23-SBS route with those assumptions in the weekday PM peak hour. Measures needed to mitigate this impact are presented in the Mitigation section below.

Air Quality

The Proposed Actions would not result in significant adverse air quality impacts. An analysis of mobile sources undertaken for the Proposed Actions concluded that the maximum hourly incremental traffic volumes generated by the proposed actions would not exceed the *CEQR Technical Manual* carbon monoxide (CO) screening threshold of 170 peak-hour vehicle trips at a single intersection in the study area. In addition, action generated volumes would not exceed the particulate matter (PM) emission screening thresholds discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. No other air quality impacts are anticipated from the Proposed Actions.

Noise

The Proposed Actions would not result in significant adverse noise impacts. A noise assessment was conducted to determine whether the

Proposed Actions would significantly increase sound levels from mobile sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment as defined in applicable provisions of the City's noise code. Because the Proposed Actions would not result in changes to either building's heating, ventilation, or air conditioning (HVAC) systems and as the Proposed Actions would provide sufficient partition requirements, an assessment of whether the Proposed Actions would significantly increase sound levels from stationary sources is not warranted.

As a conservative measure due to the potential for community facility use in the buildings, an (E) Designation for noise (E-625) is warranted and shall be applied to Block 672, Lot 1 and Block 673, Lot 1. The (E) Designation requires that future community facility uses must provide a closed window condition with a minimum of 42 dBA window/wall attenuation on the facades facing Twelfth Avenue and the facades facing West 26th Street within 50 feet of Twelfth Avenue and the facades facing 27th Street within 50 feet of Twelfth Avenue and 33 dBA of attenuation on the facades facing Eleventh Avenue and the facades facing West 26th Street within 50 feet of Eleventh Avenue and the facades facing West 27th Street within 50 feet of Eleventh Avenue and 31 dBA of attenuation on the remaining portions of facades facing West 26th Street and the remaining portions of facades facing West 27th Street to maintain an interior noise level not greater than 45 dBA for community facility uses. To achieve 42 dBA of building attenuation, special design features that go beyond normal double-glazed windows are necessary and may include using specially designed windows (i.e. windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The (E)-Designation also requires that sufficient partitions/attenuation between the manufacturing/industrial uses and immediately adjacent community facility uses (i.e., those that share a wall or floor/ceiling) are required to achieve an interior L_{eq} and L_{10} noise level not greater than 45 dBA in the community facility spaces and to achieve a minimum sound attenuation of 50 dBA. If necessary, to maintain the required attenuation, community facility spaces and immediately adjacent manufacturing/industrial uses within the Proposed Development shall have separate building systems, including mechanical ventilation or shall have systems that meet the minimum 50 dBA attenuation.

With this measure in place, no significant adverse impacts would result from the Proposed Actions.

Public Health

As described in the relevant analyses of the EIS, the Proposed Actions would not result in unmitigated significant adverse impacts in any of the technical areas related to public health: hazardous materials, water quality, air quality, or noise.

As a conservative measure due to the potential for community facility use in the buildings, an (E) designation (E-625) for hazardous materials and noise would be placed on the sites. The (E) Designation for hazardous materials requires sampling and remedial protocols be implemented under the administration of the New York City Mayor's Office of Environmental Remediation (OER) prior to the issuance of any permits that allow for soil disturbance related to the inclusion of a community facility use, or prior to applying for or accepting a temporary or permanent Certificate of Occupancy (C/O) that reflects a change in use group to community facility use. The (E) designation for noise would require a minimum window/wall sound attenuation, interior partition sound attenuation, and building sound transmission requirements for new community facility spaces, if and as necessary, to meet an interior noise condition of 45 dBA.

The analysis of operational air quality showed that the Proposed Actions would not result in air quality impacts from mobile sources or other areas.

Because the Proposed Actions would require only interior renovations, a construction-period assessment was not warranted.

Based on the above, no significant adverse public health impacts would result from the Proposed Actions.

Neighborhood Character

Overall, the Proposed Actions would not result in significant adverse impacts to neighborhood character. With the exception of transportation, the Proposed Actions would not result in significant adverse impacts in any of the technical areas that contribute to neighborhood character (i.e., the Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; or noise). While the Proposed Actions would result in significant adverse impacts to transportation, the transportation analysis shows that these impacts would be limited to a moderate number of traffic movements, pedestrian elements, and subway station elements, and the mitigation analysis shows that the majority of these impacts would be able to be

mitigated. Overall, the potential transportation impacts would not result in a significant change to the determining elements of neighborhood character.

The Proposed Actions would allow a more diverse range of commercial and community facility uses to be located in the Starrett-Lehigh Building and Terminal Warehouse. These uses are compatible with uses in the study area and the larger West Chelsea neighborhood and are consistent with the changing character of the project area. Like the No-Action condition, the Proposed Actions would result in more activity than existing conditions. With only interior modifications to the Starrett-Lehigh Building and Terminal Warehouse themselves, these two buildings would also retain their prominence in the neighborhood. The Proposed Actions would not adversely affect the defining features of the neighborhood. Therefore, no further assessment is warranted, and the Proposed Actions would not result in significant adverse impacts on neighborhood character.

G. MITIGATION

Traffic

Of the 21 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at nine intersections during the weekday PM peak hour and seven intersections during the Saturday peak hour. The majority of impacts would be fully mitigated with implementation of signal timing changes, which are subject to review and approval by the New York City Department of Transportation (NYCDOT). These signal timing changes would provide full mitigation for six of the nine intersections impacted in the weekday PM peak hour, and six of the seven intersection impacted in the Saturday peak hour. In terms of impacted movements, the identified signal timing changes would fully mitigate six out of eleven movements impacted in the weekday PM peak hour; and eight of the nine movements impacted in the Saturday peak hour. Mitigation measures such as signal timing modifications are standard traffic capacity improvements that are typically implemented by NYCDOT. The remaining significantly impacted intersections would remain unmitigated. One or more traffic movements at the following intersections could not be mitigated in at least one peak hour:

- Tenth Avenue and West 34th Street (weekday PM peak hour)
- Tenth Avenue and West 26th Street (weekday PM and Saturday peak hours)
- Tenth Avenue and West 23rd Street (weekday PM peak hour)

Transit

In order to present a conservative assessment of bus capacity, analysis was conducted using assumptions specifically oriented toward greater use of the M23-SBS route via subway-to-bus transfers, a significant impact would be expected to occur in the weekday PM peak hour to the M23-SBS in the eastbound direction. In order to mitigate this impact, the weekday PM peak bus frequency would need to be increased by three buses. Implementation of this service change is subject to NYCT's discretion as well as operational and fiscal constraints.

The Proposed Actions would result in significant adverse impacts to a pair of down mezzanine escalators during the weekday PM peak hour at the 34th Street-Hudson Yards Station. These escalator impacts are currently identified as unmitigated. Between the Draft and Final EISs, measures will be explored in coordination with New York City Transit (NYCT) and presented in the Final EIS if practicable. If no feasible mitigation measure is identified, the impacts would remain identified as unmitigated.

Pedestrians

Of the 67 pedestrian elements analyzed, it was determined that the Proposed Actions would result in significant adverse impacts at two elements in the weekday AM and midday peak hours (one sidewalk and crosswalk), six in the weekday PM peak hour (two sidewalks and four crosswalks), and one in the Saturday peak hour (crosswalk). These impacts could be mitigated by modest crosswalk widenings or signal timing changes at the majority of the impacted locations. Mitigation at one impacted sidewalk during the weekday AM peak hour (north side of West 25th Street between Eighth Avenue and Ninth Avenue) and two sidewalks (north side of West 25th Street between Eighth Avenue and Ninth Avenue and the west side of Hudson Boulevard between West 33rd Street and West 34th Street) during the weekday PM peak hour were deemed infeasible and have thus been considered un-mitigatable.

H. UNAVOIDABLE ADVERSE IMPACTS

Traffic

As discussed above, the Proposed Actions would result in significant adverse impacts at nine intersections (at 11 movements) during the weekday PM peak hour and seven intersections (at nine movements) during the Saturday peak hour. As discussed in the Mitigation section above, with implementation of signal timing changes, six impacted intersections could be fully mitigated in both the weekday PM and Saturday peak hours and six and eight impacted movements could be fully mitigated in the weekday PM and Saturday peak hours,

respectively. Overall, three intersections (and five movements) in the weekday PM peak hour, and one intersection (and one movement) in the Saturday peak hour would remain unmitigated. One or more traffic movements at the following intersections could not be mitigated in at least one peak hour and would constitute an unavoidable significant adverse impact to traffic:

- Tenth Avenue and West 34th Street (weekday PM peak hour)
- Tenth Avenue and West 26th Street (weekday PM and Saturday peak hours)
- Tenth Avenue and West 23rd Street (weekday PM peak hour)

The proposed signal timing mitigation measures are amongst the standard set of capacity improvements typically implemented by the New York City Department of Transportation (NYCDOT) and are subject to their review and approval. If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure would be identified. In the absence of the application of a particular mitigation measure, the impact would also remain unmitigated.

Transit

As discussed above, the Proposed Actions would not result in significant adverse bus impacts assuming the project's basic travel demand assumptions. However, with assumptions specifically oriented toward greater use of the M23-SBS route via subway-to-bus transfers, a significant impact would be expected to occur in the weekday PM peak hour to the M23-SBS in the eastbound direction. In order to mitigate this impact, the weekday PM peak bus frequency would need to be increased by three buses (for a total of 10 buses in the weekday PM peak hour). Implementation of this service change is subject to NYCT's discretion as well as operational and fiscal constraints.

As discussed above the Proposed Actions would result in significant impacts to select escalators at the 34th Street-Hudson Yards Station. In total, two escalators would be impacted in the weekday PM peak hour. As discussed above, this impact is currently considered un-mitigatable. Between the Draft and Final EISs, measures to mitigate these impacts will be investigated in consultation with NYCT; if none are identified, these impacts would remain unmitigated in the Final EIS.

Pedestrians

As discussed above, the Proposed Actions would result in significant impacts at two pedestrian elements during the weekday AM peak hour (one sidewalk and one crosswalk), two pedestrian elements during the weekday midday peak hour (two crosswalks), six pedestrian elements during the PM peak hour (two sidewalks and four crosswalks), and one pedestrian element during the Saturday peak hour (crosswalk).

With

implementation of the improvements suggested in the mitigation section above, all crosswalk impacts in all peak hours would be mitigated. However, there are no feasible and practical measures to mitigate elements

at

the following sidewalks in at least one peak hour and, therefore, these elements would constitute an unavoidable significant adverse impact to pedestrians:

- West 25th Street between Eighth Avenue and Ninth Avenue (north side)
- Hudson Boulevard between West 33rd Street and West 34th Street (west s)

Implementation of the identified mitigation measures to address crosswalk impacts would be subject to review and approval by NYCDOT. If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure would be identified. In the absence of the application of a particular mitigation measure, the impact would also remain unmitigated.

I. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions in 2024 absent the Proposed Actions. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the preceding chapters of the EIS. The No-Action scenario conforms to existing zoning and reflects completion of RXR SL Owner LLC's ongoing interior fit-out of the Starrett-Lehigh Building's ground floor (Starrett-Lehigh Market) and Terminal Fee Owner LP's completion of its conversion and repositioning plans, which will both occur absent the Proposed Actions. The as-of-right Starrett-Lehigh Market project (i.e., the transformation of approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into commercial space, including food hall use and exposition space) will be completed in 2021. Absent the Proposed Actions, the Terminal Warehouse will be altered by converting approximately 500,000 square feet of storage into new office space and

repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet will be carved out of the building to create a double height space and a courtyard and will be added back as a rooftop addition on the western portion of the building. The re-allocation of floor area will not result in an increase in zoning floor area. The owner will introduce interior loading and undertake a restoration of the building—including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters.

In the No-Action Alternative, the two buildings within the Project Area would be fully tenanted with uses permitted as-of-right in M2 districts in accordance with Section 42-10 of the Zoning Resolution. Overall, the two buildings would contain a total of 2,975,537 gsf including 2,469,537 gsf of commercial office space, 179,000 gsf of local retail space, and 327,000 gsf of manufacturing space.

Under the No-Action condition, there would be no significant adverse impacts. Since there would be no community facility use introduced at either building in this Alternative, there would be no need to place an E designation for hazardous materials or noise.

In terms of transportation conditions, there would be three intersections operating at unacceptable levels of service during the weekday PM peak hour (none during the Saturday peak hour); out of the 59 traffic movements analyzed, 24 and 14 would operate at unacceptable levels of service during the weekday PM and Saturday peak hours, respectively. Additional articulated buses would need to be added to the M34-SBS route to accommodate projected demand during the weekday PM peak hour. The C subway line would operate above capacity during the weekday PM peak hour. One sidewalk and two crosswalks would have unacceptable levels of service in one or more peak hours. However, the No-Action Alternative would not result in significant adverse traffic, pedestrian, or transit impacts whereas the Proposed Actions would have significant adverse impacts.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Actions would result in significant adverse impacts to transportation, specifically traffic, transit, and pedestrians.

Assuming the distribution of land uses and spaces composing the Reasonable Worst Case Development Scenario (RWCDs) were to remain the same, a sensitivity analysis determined that the RWCDs square footage would have to be reduced by as much as approximately 95 percent in order for the Proposed Action to not result in any unmitigable transportation impacts. The degree to which the Proposed Actions would need to be modified to avoid unmitigable transportation impacts would compromise the Applicants' ability to achieve the project goals and objectives of providing space for a more diverse set of allowable land uses and tenants at the Starrett Lehigh building and the Terminal Warehouse building. Therefore, the No Unmitigated Significant Adverse Impact Alternative is not a reasonable alternative as it would not realize the Applicants' goals of the Proposed Actions.

J. GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

Generally, the more diverse types of uses that would be allowed with the Proposed Actions include additional types of retail use as well as community facility use (such as academic or university space, and medical office). These uses are consistent with those allowed by existing zoning within the study area and are consistent with the recent mixed-use developments and projected mixed-use residential developments in the surrounding area to the north of the project area and in West Chelsea. These changes occurring in the study area (independent of the Proposed Actions) will result in a large increase in residents and workers that will require increased local goods and services to support their needs. The more diverse types of uses that would be allowed in the future with the Proposed Actions would support the needs of the residents and workers within the study area. Overall, the projected introduction of a broader range of uses is intended to support the increasingly mixed-use character of the surrounding West Chelsea and Hudson Yards neighborhoods, but not induce growth.

Overall, the Proposed Actions would result in a broader mix of land uses within the project area but would not introduce new economic activity that would substantially alter economic patterns in the surrounding area. The Proposed Actions would not include the introduction or expansion of infrastructure capacity (e.g., sewers, central water supply) that would induce development. Therefore, the Proposed Actions are not expected to induce any significant additional growth in the directly affected area.

K. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The Proposed Actions would allow the Applicants to tenant the Starrett-Lehigh Building and Terminal Warehouse with a more diverse mix of uses than allowed by current zoning. Any construction needed at the building would be interior construction to fit out tenant space—typical of any building that changes tenants. The Proposed Actions would also permit sidewalk cafés on West 27th Street (they are currently permitted along Eleventh and Twelfth Avenues and would continue to be permitted in these areas under future With-Action conditions) and would not require additional new berths when there is a change of use of any floor area.

The project area is fully developed with the Starrett-Lehigh Building (constructed in 1930-1931) and Terminal Warehouse (constructed in 1891), and it does not possess any natural resource of significant value. The Proposed Actions would allow the two buildings to continue to adapt over time by allowing a more diverse mix of tenants to occupy the buildings. While resources, both natural and human-made, would be expended in the interior fit out for these new tenants, this would be typical of any existing building that changes tenants.

Overall, while uses within the two buildings would be diversified as a result of the Proposed Actions, there would be no displacement of existing uses. The commitment of resources and materials in the new tenant fit-out are weighed against the benefits of the Proposed Actions. As described above, the Proposed Actions' goals are to allow for a more diverse tenancing of the existing buildings, and through the new uses allowed in these historic buildings, to meet the needs of current and prospective tenants of the buildings as well as the needs of residents and workers in the neighborhood.

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NOTICE OF PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (CEQR No. 20DCP140R)

River North (formerly Liberty Towers)

Project Identification	Lead Agency
CEQR No. 20DCP140R	City Planning Commission
ULURP Nos. N210281 LDR, C210289	120 Broadway, 31 st Floor
ZMR, N210290 ZRR, C210291 ZSR	New York, NY 10271
SEQRA Classification: Unlisted	

Contact Person

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

The City Planning Commission (CPC), acting as lead agency, issued a Notice of Completion on May 3, 2021 for a Draft Environmental Impact Statement (DEIS) for the River North proposal in accordance with Article 8 of the Environmental Conservation Law. **A public hearing on the DEIS will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY on Wednesday, July 14, 2021, at 10:00 AM in conjunction with the CPC's public hearing pursuant to ULURP. Masks are required to be worn to enter the building and during the hearing. Comments are requested on the DEIS and will be accepted through July 26, 2021. In light of the Governor's announcement on June 24, 2021 of the end of the State-declared state of emergency, and in support of the City's continued efforts to contain the spread of COVID-19, the public hearing will be accessible both in person and remotely.**

To join remotely and comment, please visit the NYC Engage site, <https://www.nyc.gov/engage>. If you would like to register to testify via phone, need assistance with technical issues, or have any questions about participation you may call any of the phone numbers listed below, then enter the following Meeting ID.

- (877) 853-5247 (Toll-free)
- (888) 788-0099 (Toll-free)
- (213) 338-8477 (Toll)
- (253) 215-8782 (Toll)

Then enter the following meeting ID and password when prompted.

Meeting ID: 618 237 7396
Password: 1

[The Participant ID can be skipped by pressing #]

Instructions on how to participate, as well as materials relating to the hearing, will be posted on the NYC Engage site on the day of the Public Hearing, no later than 1 hour prior to the hearing. To help the meeting host effectively manage members of the public who sign up to comment, those who do not intend to actively participate are invited to watch the livestream or the recording that will be posted after the meeting. The Public Hearing livestream can be found in the above referenced NYC Engage site and will be made available on the day of the Public Hearing.

Comments are requested on the DEIS and will be accepted through Monday, July 26, 2021. They can be submitted via email to 120DCP140R_DL@planning.nyc.gov, or mailed to Olga Abinader, Director, Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271.

Copies of the DEIS may also be obtained by contacting the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271, Olga Abinader, Director, by calling (212) 720-3493, or by emailing oabinad@planning.nyc.gov.

In addition, the DEIS and Final Scope of Work will be made available for download at <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page>.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed, to AccessibilityInfo@planning.nyc.gov, or by calling (212) 720-3508. Requests must be submitted at least ten business days before the meeting.

The Applicant, Richmond SI Owner LLC, seeks approval of a series of discretionary land use actions including a zoning map amendment, zoning text amendments, and a special permit (the "Proposed Actions") from the City Planning Commission (CPC) that would facilitate the development of a mixed use project comprising residential and commercial uses, open space, and accessory parking (the "Proposed Development") in the St. George neighborhood of Staten Island, Community District 1. New development facilitated by the Proposed Actions would serve as a northern gateway to St. George along Richmond Terrace and as an extension of Downtown Staten Island. The Project Area includes two vacant development sites and an underdeveloped site near the St. George Waterfront and the Staten Island Ferry Terminal. The Proposed Actions would facilitate the development of 919,442 gross square feet (gsf) of floor area within four buildings across two development sites. The Proposed Development would contain three buildings totaling 801,594 gsf, containing 680,615 gsf of residential uses (750 units, 225 of which would be affordable), 18,880 gsf of retail uses, and 102,099 gsf of parking for 331 spaces. The Applicant also would develop an approximately 7,790 square foot (sf) privately owned public space next to the intersection of Stuyvesant Place and Hamilton Avenue. An additional site that is not controlled or under ownership of the Applicant ("Projected Development Site 2") is projected to be developed as a result of the Proposed Actions.

Specifically, the Proposed Actions include:

- **Zoning Map Amendments.** The Proposed Actions include a zoning map amendment to 1.) Rezone an R6/C2-2 district to an R7-3/C2-4 district within the St. George Special District (SSGD); and 2.) Rezone an R6/C2-2 district to an R6/C2-4 district within the SSGD;
- **Zoning Text Amendments.** The Proposed Actions include a series of zoning text amendments to the New York City Zoning Resolution (ZR) Article II, and Article XII, Chapter 8, as well as a text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the project area as a Mandatory Inclusionary Housing Area; and
- **Special Permit.** The Proposed Actions include a CPC Special Permit pursuant to proposed ZR Section 128-62, which would permit modification of bulk regulations (except FAR) and mandatory improvements in R7-3 district within the Upland Subdistrict of the SSGD.

In order to assess the possible impacts of the components of the Proposed Actions, a reasonable worst-case development scenario (RWCDs) was established for both the current (No-Action) and proposed zoning (With-Action) conditions by the build year of 2025. The incremental difference between the No-Action and With-Action conditions will serve as the basis for the impact analyses of the DEIS. In addition to the Proposed Development as described above, for the purposes of a conservative assessment, the DEIS also assumes Block 13, Lots 68, 71, and 73 ("Projected Development Site 2") would assemble and develop in the future with the Proposed Actions. Projected Development Site 2 would be developed with a 117,848 gsf building, of which 100,019 gsf would consist of residential uses (100 dwelling units, 30 of which would be affordable pursuant to MIH), 4,929 gsf would consist of commercial uses, and 12,900 sf would consist of accessory parking for 43 spaces.

The DEIS identifies potential significant adverse impacts related to open space, transportation (traffic), air quality (mobile sources), and construction (traffic and noise). Potential mitigation measures for open space are currently being explored by the Applicant in consultation with the Department of City Planning and Department of Parks and Recreation.

Regarding the potential for transportation (traffic) impacts, ten out of the 24 impacted intersection approaches/lane groups (combined for all peak hours) could be mitigated with readily implementable traffic engineering measures, including the modification of traffic signal timings and the installation of All-Way STOP-Control (AWSC). At the intersection approaches/lane groups where no readily available measures have been identified to mitigate the potentially significant adverse traffic impacts, such measures will be explored between the DEIS and FEIS. These additional mitigation measures would be subject to review and approval by the New York City Department of Transportation (NYCDOT). In the event NYCDOT determines such mitigation measures to be feasible, the FEIS will be updated to reflect that previously-identified unmitigated significant adverse impacts could be mitigated. In the absence of such determination by NYCDOT, the impacts would remain unmitigated.

The potential significant adverse air quality impact at the intersection of St. Marks Place and Hamilton Avenue be fully mitigated with the installation of an AWSC. This transportation mitigation would significantly reduce the delay times and improve the level of service at this intersection. With implementation of this traffic mitigation, the maximum annual incremental concentration of PM_{2.5} would be significantly lower than the With-Action condition, and would not exceed NAAQS or CEQR de minimis thresholds.

Regarding the potential for construction impacts, construction of the Proposed Project could result in potentially significant adverse traffic impacts during at least one of the weekday AM (6:00 AM – 7:00 AM) or PM (3:00 PM – 4:00 PM) construction peak hours at five study area intersections. Specifically, there would be the potential for significant adverse traffic impacts at three intersections during the weekday AM construction peak hour and four intersections during the weekday PM construction peak hour. The potentially significant adverse traffic impacts at five (5) out of the eight (8) impacted intersection approaches/lane groups (combined for the weekday AM and PM construction peak hours) could be mitigated with readily implementable traffic signal timing modifications. At the intersection approaches/lane groups where no readily available measures have been identified to mitigate the potentially significant adverse traffic impacts, such measures will be explored between the DEIS and FEIS. These additional mitigation measures would be subject to review and approval by NYCDOT. In the event NYCDOT determines such mitigation measures to be feasible, the FEIS will be updated to reflect that previously-identified unmitigated significant adverse impacts could be mitigated. In the absence of such determination by NYCDOT, the impacts would continue to remain unmitigated. In addition, the Proposed Actions have the potential to result in a temporary significant adverse construction-period noise impact because of the duration and magnitude of the projected construction-period noise levels. Significant adverse construction noise impacts were identified where project-generated construction has the potential to exceed CEQR impact criteria at up to 20 properties. The Applicant has committed to implementing certain controls that exceed the noise control measures required by the New York City Noise Control Code. These measures include using auger drills in lieu of impact pile drivers and ventilation fans that would not exceed a noise level of 91-dBA and constructing a 15-foot-tall construction barrier that would extend along the full perimeter of the site except along Projected Development Site 1's frontage to Richmond Terrace, where an 8-foot-tall construction barrier would be placed. However, even with these measures, elevated construction-period noise levels are predicted to occur at certain locations. Additional measures, as feasible, to avoid potential significant adverse noise impacts will be explored between the draft and final EIS in consultation with DCP. If additional path control mitigation measures are not able to be implemented because they are not feasible and practicable mitigation, there would be significant adverse construction-period noise impacts that would remain unmitigated.

In addition, two potential alternatives to the Proposed Action were studied: a No-Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative. Neither alternative would meet the primary objectives of the Proposed Action, and no feasible alternatives are available that would result in no unmitigated impacts meet the Proposed Action's goals.

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LANDMARKS PRESERVATION COMMISSION

■ NOTICE

CAPA REGULATORY AGENDA FY 2022 LANDMARKS PRESERVATION COMMISSION

Pursuant to section 1042 of the Charter, the New York City Landmarks Preservation Commission ("LPC") sets forth below its regulatory agenda for fiscal year of 2022:

1. SUBJECT : Rules for Public Petition of the LPC for the Adoption of Rules.

A. Reason : LPC is proposing to add new rules to implement Section 1043(g) of the New York City Charter, which permits any person to petition a city agency to consider the adoption of a rule and requires each agency to have rules creating a procedure for the submission and review of such petitions.

B. Anticipated contents : Procedures for members of the public to submit proposals to the LPC for a new rule and for review of such proposals by the LPC.

C. Objectives : To implement Section 1043(g) of the New York City Charter.

D. Legal basis : Section 1043(g) of the New York City Charter.

E. Types of individuals and entities likely to be affected : Owners of designated property; community and neighborhood groups; interested persons.

F. Other relevant laws : None.

G. Approximate schedule : Third Quarter FY2022.

Agency Contact : Mark Silberman (917) 975-8220

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CHANGES IN PERSONNEL

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Manhattan) for period ending 05/14/21.

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 05/14/21

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COMMUNITY COLLEGE (HOSTOS) FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Hostos) for period ending 05/14/21.

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Laguardia) for period ending 05/14/21.

HUNTER COLLEGE HIGH SCHOOL FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like ELLEN, MICHELLE A, JOHN, etc.

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like EMMA, KENIA, GUSTAVO, etc.

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like NINA MAR, JUDY, MARY, etc.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like WANDA, JULIBETH, MARYKATE, etc.

DEPARTMENT OF PROBATION FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like CRYSTAL, SCOTT, TIFFANY, etc.

DEPARTMENT OF BUSINESS SERV. FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employee CODY.

HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like WAYNE, BETH, WILLIAM, etc.

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like STEVE, ADRIK, STEVE, etc.

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 05/14/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like HAMZA, KENNY, ALEXANDE, etc.

GAVELA UGARTE	GABRIELL S	1002C	\$75489.0000	INCREASE	NO	10/06/20	841
GREENE	ALAN M	90904	\$73638.0000	RETIRED	YES	05/01/21	841
GREENE	ALAN M	90910	\$59892.0000	RETIRED	NO	05/01/21	841
OLBERDING	CHRISTOP T	91650	\$300.8000	APPOINTED	NO	05/02/21	841
SIU	PHILLIP F	20271	\$40091.0000	APPOINTED	YES	04/25/21	841
TOWNSEND	JAYVONE P	35007	\$33019.0000	RESIGNED	YES	03/11/21	841
YARCZOWER	DOMINICK A	22316	\$74274.0000	RESIGNED	YES	04/25/21	841
YARCZOWER	DOMINICK A	20113	\$49438.0000	RESIGNED	NO	04/25/21	841

LATE NOTICE

BOROUGH PRESIDENT - BROOKLYN

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to Section 201 of the New York City Charter, the Brooklyn borough president will hold a blended ULURP public hearing on the following matters, commencing at 6:00 P.M., on Wednesday, July 7, 2021, in the Community Room of Brooklyn Borough Hall. Attendees who wish to join and testify remotely, may do so via Webex:

Event Address:

<https://nycbp.webex.com/nycbp/onstage/g.php?MTID=ed44dfa36625f417838609dcea0eef841>

Event Number: 173 090 4122

Event Password: ulurp

Those wishing to call in without video may do so using the following information:

Audio Conference: +1-408-418-9388

Access Code: 173 090 4122

This hearing will be recorded for public transparency and made available on Borough President Adams' YouTube channel, One Brooklyn.

Note: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Nathan Sherfinski via email, at nathan.sherfinski@brooklynbp.nyc.gov, or via phone at (718) 802-3857, at least five (5) business days in advance to ensure availability.

1) Citywide Hotels Text Amendment (N 210406 ZRY)

An application by the New York City Department of City Planning (DCP) for a citywide action, affecting all boroughs and community districts, to require a special permit for new hotels. The proposed City Planning Commission (CPC) Special Permit would establish a case-by-case, site-specific review process to better regulate where and how hotels are built and ensure that new hotels do not create conflicts with surrounding uses. It would also replace existing CPC special permits for new hotels and enlargements in C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2-4, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts, where hotels are currently permitted as-of-right.

2) Gowanus Canal CSO Facility - Owls Head and Douglass Street Demapping (200319 PCK, 200321 PSK, 200320 MMK, 180039 MMK)

An application submitted by the New York City Department of Environmental Protection (DEP), the New York City Department of Sanitation (DSNY), and the New York City Department of Citywide Administrative Services (DCAS) for the following actions:

- (1) Site selection of a property located at 2 Second Avenue in Brooklyn Community District 6 (CD 6) for use as a combined sewer overflow (CSO) control facility
- (2) Site selection and acquisition of property located at 110 Fifth Street, 122 Fifth Street, 22 Second Avenue, Fifth Street and 2 Second Avenue for DSNY salt and equipment storage, environmental education activities and additional space as needed for the CSO control facility
- (3) An amendment to the City Map involving the elimination of:
 1. Douglass Street between Nevins Street and the Gowanus Canal, and the adjustment of grades and block dimensions, as necessary, in accordance with Map No. N-2752 dated July 2, 2019, and signed by the Brooklyn borough president
 2. Fifth Street between Second Avenue and the Gowanus Canal the adjustment of grades and block dimensions as necessary in

accordance with Map No. X-2758 dated May 3, 2021, and signed by the Brooklyn borough president

3) Brooklyn Navy Yard Master Plan (210462 ZMK N210463 ZRK)

An application submitted by Building 77 QALICB, Inc. together with the New York City Department of Small Business Services (SBS), for the following actions:

- (1) A zoning text amendment to create the Special Brooklyn Navy Yard District with special use, bulk, parking and loading, and publicly accessible space regulations
- (2) A zoning map amendment to map the Special District over the entirety of Tax Lots 1 and 150 and rezone part or all of the existing R6B, M1-2, and M3-1 districts within the Project Area to M2-1

The requested actions would guide the future development of a modern manufacturing campus at the Brooklyn Navy Yard, which is expected to grow by approximately 4.6 million square feet (sq. ft.) in the next 10 to 15 years. Specifically, the proposed regulations would rationalize parking and loading controls; permit compatible community facility and commercial uses to complement core industrial uses, and establish public access area requirements in connection with development in certain areas of the Yard. Finally, the rules would introduce modified bulk, height, and setback controls compatible with modern industrial development and the Yard's surrounding context in Brooklyn Community District 2 (CD 2).

4) 506 Third Avenue (210119 ZMK N 210120 ZRK)

An application submitted by PAB 3rd Avenue Holdings, LLC for zoning map and text amendments affecting Block 1020, Lots 34-36, 39, 40-45, and Block 1026, Lots 32-37, 40, and 42 in Brooklyn Community District 6 (CD 6). The proposed zoning map amendment would change an M2-1 district to C4-4A to facilitate a new 18,000 sq. ft. five-story commercial office development at 506 Third Avenue and the enlargement of 530 Third Avenue to a six-story, 39,638 commercial building, with approximately 10,000 sq. ft. of ground-floor retail. The zoning text amendment would create a Mandatory Inclusionary Housing (MIH) area coterminous with the affected properties. No parking would be required or provided under the proposed C4-4A district.

5) 1045 Atlantic Avenue (210276 ZMK, 210277 ZRK)

An application submitted by Atlantic Brooklyn LLC for zoning map and text amendments affecting an approximately 44,000 sq. ft. assemblage on the south side of Atlantic Avenue between Classon and Franklin avenues in Brooklyn Community District 3 (CD 3). The zoning map amendment would change the project area from an M1-1 to a C6-A district. The zoning text amendments would establish an MIH area coterminous with the rezoning boundary and permit the applicant to widen the sidewalk fronting the proposed development. The requested actions would enable a 17-story building with 426 dwelling units, of which 126 would be affordable pursuant to MIH Options 2 and 4. The development would provide approximately 63,000 sq. ft. of commercial uses on the first and second floors, and 152 parking spaces in the cellar.

Accessibility questions: Nathan Sherfinski, (718) 802-3857, nathan.sherfinski@brooklynbp.nyc.gov, by: Wednesday, June 30, 2021, 6:00 P.M.



◀ j30-jy7

FIRE DEPARTMENT

DIVISION OF TRAINING (FIRE - RANDALL ISLAND)

■ INTENT TO AWARD

Services (other than human services)

05721Y0064- 057220000170 - LIVE FIRE TRAINING

SIMULATORS MAINTENANCE - Request for Information - PIN# 05721Y0064 - Due 7-7-21 at 12:00 P.M.

The New York City Fire Department, intends to enter into sole source negotiations with KFT Fire Trainer, LLC, to provide ongoing preventative maintenance and repair services for the Live Fire Training System (Fire Simulators and Tank Farm). Any vendor besides KFT Fire Trainer, LLC that believes they can provide these services is invited to do so. To respond in PASSPort, please complete the Acknowledgement tab, and submit a response in the Manage Responses tab. If you have questions about the details of the RFx please submit questions through the Discussion with Buyer tab. Written questions may also be emailed to: Cecily.halliburton@fdny.nyc.gov. Vendor resources and materials can be found at the link below under the Findings and Responding to RFx (Solicitation) heading. If you need additional assistance with PASSPort, contact the MOCS Service Desk, at Help@mocs.nyc.gov. Link: <https://www1.nyc.gov/site/mocs/systems/passport-user-materials.page>. If you need additional assistance, please contact MOCS Services desk, at Help@mocs.nyc.gov.

◀ j30-jy7

READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

SELLING TO GOVERNMENT TRAINING WORKSHOP

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

PRE-QUALIFIED LISTS

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

NON-MAYORAL ENTITIES

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

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

PUBLIC ACCESS CENTER

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

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

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

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

COMMON ABBREVIATIONS USED IN THE CR

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

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

KEY TO METHODS OF SOURCE SELECTION

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

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

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

HOW TO READ CR PROCUREMENT NOTICES

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

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

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

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

SAMPLE NOTICE

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM

-Competitive Sealed Bids- PIN# 056020000293 - DUE 04-21-03 AT 11:00 A.M.

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

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

◀m27-30

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