



# THE CITY RECORD

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## THE CITY RECORD MICHAEL R. BLOOMBERG, Mayor

ELI BLACHMAN, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### AGING

#### ■ PUBLIC HEARINGS

#### CANCELLATION OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on August 10, 2010, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 9:30 A.M. on the following:

**IN THE MATTER** of the two (2) proposed contracts between the Department for the Aging of the City of New York and the Contractors listed below, for the provision of Senior Employment Services. The contract terms shall each be from July 1, 2010 to June 30, 2013, each with no renewal options. The contract amounts and the Community Districts in which the programs are located are identified below.

#### Contractor/Address

1) Institute for the Puerto Rican/Hispanic Elderly, Inc.  
105 E. 22nd St., Suite 615, NY, NY 10010

**E-PIN#** 12511P0002 - (12511EMP0E06)  
**Amount** \$740,250  
**Boro/CD** Citywide

2) Korean Community Services of Metropolitan New York, Inc.  
35-56 159th St., Flushing, NY 11358

**E-PIN#** 12511P0001 - (12511EMP0E18)  
**Amount** \$740,250  
**Boro/CD** Citywide

The proposed contractors have been selected by means of the Competitive Sealed Proposal process pursuant to Section 3-03 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO at the Dept for the Aging (DFTA), 2 Lafayette St., 4th Fl., NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing.

A draft copy of each of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from July 28, 2010 to August 10, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

#### CANCELLATION OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on August 10, 2010, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of the one (1) proposed contract between the Department for the Aging of the City of New York and the Contractor listed below, for the provision of Senior Employment Services. The contract term shall be from July 1, 2010 to June 30, 2011, with a renewal option from July 1, 2011 to June 30, 2013. The contract amount and the Community District in which the program is located is identified below.

#### Contractor/Address

Queensboro Council for Social Welfare, Inc.  
27-40 Hoyt Ave. South, 2nd Floor, Astoria, NY 11102

**E-PIN#** 12511P0003 - (12511EMP0E07)  
**Amount** \$205,607  
**Boro/CD** Queens, CDs 1-14

The proposed contractor has been selected by means of the Competitive Sealed Proposal process pursuant to Section 3-03 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO at the Dept for the Aging (DFTA), 2 Lafayette St., 4th Fl., NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing. A draft copy of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from July 28, 2010 to August 10, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

a6-10

#### CITY PLANNING COMMISSION

#### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS** Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, August 11, 2010 at 10:00 A.M.

#### BOROUGH OF THE BRONX

Nos. 1 & 2

#### THIRD AVENUE-TREMONT AVENUE REZONING AND TEXT AMENDMENT

No. 1

**CD 6 C 100407 ZMX**

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

1. eliminating from within an existing R7-1 District a

- C1-4 District bounded by East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, East Tremont Avenue, Third Avenue, a line 100 feet southwesterly of East 178th Street, and a line midway between Third Avenue and Monterey Avenue;
2. eliminating from within an existing R7-1 District a C2-4 District bounded by:
  - a. East 189th Street, Park Avenue (northwesterly portion), East 188th Street, and Webster Avenue; and
  - b. Quarry Road, East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
3. changing from an R7-1 District to an R5 District property bounded by:
  - a. East 186th Street, Washington Avenue, a line midway between East 185th Street and East 186th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 184th Street and East 185th Street, Washington Avenue, East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, and Park Avenue (southeasterly portion); and
  - b. East 180th Street, Bathgate Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, a line 110 feet northeasterly of East 178th Street, Bathgate Avenue, East 179th Street, Washington Avenue, a line 220 feet northeasterly of East 178th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
4. changing from an R7-1 District to an R6A District property bounded by:
  - a. Cyrus Place, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), East 187th Street, a line 100 feet northwesterly of Washington Avenue, East 186th Street, and Park Avenue (southeasterly portion);
  - b. Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), East 184th Street, Washington Avenue, a line midway between East 184th Street and East 185th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 185th Street and East 186th Street, Washington Avenue, East 185th Street, Bassford Avenue, East 184th Street, a line 130 feet northwesterly of Third Avenue, East 181st Street, Bathgate Avenue, East 180th Street, a line midway between Park Avenue

- (southeasterly portion) and Washington Avenue, and East 183rd Street;
- c. East 179th Street, Bathgate Avenue, a line 110 feet northeasterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 220 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 220 feet northeasterly of East 178th Street, and Washington Avenue; and
- d. East 180th Street, a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, and Bathgate Avenue;
5. changing from a C4-4 District to an R6A District property bounded by a line 150 feet northeasterly of East Tremont Avenue, Washington Avenue, a line 340 feet southwesterly of East 178th Street, and a line 100 feet northwesterly of Washington Avenue;
6. changing from an C8-3 District to an R6A District property bounded by:
- a. Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue; and
- b. a line midway between Cyrus Place and East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue;
7. changing from an R7-1 District to an R7X District property bounded by Marmion Avenue, a line 100 feet northeasterly of East Tremont Avenue, Honeywell Avenue, a line 150 feet northeasterly of East Tremont Avenue, Daly Avenue, and a line 100 feet southwesterly of East Tremont Avenue;
8. changing from an R7-1 District to a C4-4A District property bounded by:
- a. East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
- b. East 181st Street, a line 100 feet northwesterly of Third Avenue, East 180th Street, and Bathgate Avenue; and
- c. Belmont Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Belmont Avenue, and East Tremont Avenue;
9. changing from a C8-3 District to a C4-4A District property bounded by East 181st Street, Third Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 100 feet northwesterly of Third Avenue;
10. changing from an R7-1 District to a C4-4D District property bounded by East 184th Street, a line 100 feet northwesterly of Third Avenue, East 181st Street, and a line 130 feet northwesterly of Third Avenue;
11. changing from a C8-3 District to a C4-4D District property bounded by East 184th Street, Third Avenue, East 181st Street, and a line 100 feet northwesterly of Third Avenue;
12. changing from an R7-1 District to a C4-5X District property bounded by:
- a. East 189th Street, Park Avenue (southeasterly portion), East 188th Street, and Webster Avenue;
- b. Third Avenue, a line 100 feet southwesterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 110 feet northeasterly of East 178th Street, Monterey Avenue, East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Belmont Avenue, East Tremont Avenue, Belmont Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, and East Tremont Avenue;
- c. Washington Avenue, a line 220 feet southwesterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
- d. a line 240 feet southwesterly of East 178th Street, a line 100 feet northwesterly of Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
13. changing from a C4-4 District to a C4-5X District property bounded by Webster Avenue, a line 150 feet northeasterly of East Tremont Avenue, the northwesterly boundary line of a railroad right-of-way (New York and Harlem R.R. Division), a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 340 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, Third Avenue, a line 330 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 200 feet northwesterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, and a line 100 feet northeasterly of East 176th Street;
14. changing from an M1-1 District to a C4-5X District property bounded by:
- a. a line 220 feet northeasterly of East 178th Street, Park Avenue (northwesterly portion), East 178th Street, and a line 230 feet northwesterly of Park Avenue (northwesterly portion);
- b. Park Avenue (southeasterly portion), a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
- c. a line midway between Webster Avenue and Park Avenue (northwesterly portion), a line 300 feet southwesterly of East 178th Street, Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
15. changing from an M1-4 District to a C4-5X District property bounded by:
- a. a line 150 feet southwesterly of East Tremont Avenue, Bathgate Avenue, and a line 220 feet northeasterly of East 176th Street;
- b. a line 150 feet southwesterly of East Tremont Avenue, Washington Avenue, and a line 200 feet northeasterly of East 176th Street; and
- c. a line 150 feet southwesterly of East Tremont Avenue, a line 120 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 176th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
16. changing from a C8-3 District to a C4-5X District property bounded by:
- a. East 189th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 188th Street, Washington Avenue, East 188th Street, Third Avenue, Cyrus Place, and Park Avenue (southeasterly portion);
- b. Webster Avenue, a line 220 feet northeasterly of East 178th Street, a line 230 feet northwesterly of Park Avenue (northwesterly portion), East 178th Street, a line midway between Webster Avenue and Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
- c. East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 100 feet southwesterly of East 178th Street, and Third Avenue; and
- d. a line midway between Bathgate Avenue and Third Avenue, a line 200 feet southwesterly of East 178th Street, Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue;
17. changing from an R7-1 District to an M1-4/R7A District property bounded by:
- a. a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and a line midway between Cyrus Place and East 187th Street; and
- b. a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and East 187th Street;
18. changing from a C4-4 District to an M1-4/R7A District property bounded by Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet southwesterly of East Tremont Avenue;
19. changing from a C8-3 District to an M1-4/R7A District property bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue; and
- b. a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, and a line 200 feet southwesterly of East 178th Street;
20. changing from an M1-4 District to an M1-4/R7A District property bounded by a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line midway between Bathgate Avenue and Third Avenue, a line 100 feet northeasterly of East 175th Street, Bathgate Avenue, and East 175th Street;
21. changing from a C4-4 District to an M1-4/R7X District property bounded by a line 330 feet northeasterly of East 176th Street, Third Avenue, a line 150 feet southwesterly of East Tremont Avenue, and a line midway between Bathgate Avenue and Third Avenue;
22. changing from an M1-4 District to an M1-4/R7X District property bounded by a line 150 feet southwesterly of East Tremont Avenue, Third Avenue, East 175th Street, Bathgate Avenue, a line 100 feet northeasterly of East 175th Street, and a line midway between Bathgate Avenue and Third Avenue;
23. establishing within an existing R7-1 District a C1-4 District bounded by Third Avenue, a line 400 feet northeasterly of East 181st Street, a line 100 feet southeasterly of Third Avenue, and East 181st Street; and
24. establishing a Special Mixed Use District (MX-14) bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 187th Street and Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue;
- b. a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between

Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, a line 200 feet southwesterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue; and

- c. a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, Third Avenue, and East 175th Street;

as shown on a diagram (for illustrative purposes only) dated May 24, 2010 and subject to the conditions in CEQR Declaration E-255.

**No. 2**

**CD 6 N 100408 ZRX**  
**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, relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A, R7X, and R8A districts; and, Article XII, Chapter 3 (Special Mixed Use District), Section 123-63, 123-90, and Appendix D specifying a Special Mixed Use District (MX-14).

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

**23-90 INCLUSIONARY HOUSING**

**23-933 Inclusionary housing designated areas**

The Inclusionary Housing Program shall apply in #Inclusionary Housing designated areas#.

The Inclusionary Housing Program shall also apply in special purpose districts when specific zoning districts or areas are defined as #Inclusionary Housing designated areas# within the special purpose district.

#Inclusionary Housing designated areas# are listed in APPENDIX F of this Resolution.

**Article XII - Special Purpose Districts**

**Chapter 3 Special Mixed Use District**

**123-63 Maximum Floor Area Ratio and Lot Coverage Requirements for Residential Buildings in R6, R7, R8 and R9 Districts**

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Sections 23-142, 23-143 and paragraph (a) of Section 23-147 shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-145, or paragraph (b) of Section 23-147 for #non-profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R6 and R7 Districts without a letter suffix, shall comply with the provisions for R6A or R7A Districts, respectively, as set forth in paragraph (b) of Section 23-147.

Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

Where the designated district is an R9-1 District, the maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

The provisions of this Section shall not apply on #waterfront blocks#, as defined in Section 62-11. In lieu thereof, the applicable maximum #floor area ratio# and #lot coverage# requirements set forth for #residential uses# in Section 62-30 (SPECIAL BULK REGULATIONS) through 62-32 (Maximum Floor Area Ratio and Lot Coverage on Waterfront Blocks), inclusive, shall apply.

However, in #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-952. The locations of such districts are specified in APPENDIX F of this Resolution.

Special Mixed Use District	Designated Residence District
<b>MX 2- Community District 2, Brooklyn</b>	<b>R7A R8A</b>
<b>MX 8- Community District 1, Brooklyn</b>	<b>R6 R6A R6B R7A</b>

**MX 11- Community District 6, Brooklyn R7-2**  
**MX 14 - Community District 6, the Bronx R7A, R7X**

**123-90 SPECIAL MIXED USE DISTRICTS SPECIFIED**

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

#Special Mixed Use District# - 1: Port Morris, the Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 13: Lower Concourse, the Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 14: Third Avenue, the Bronx

The #Special Mixed Use District# - 14 is established along Third Avenue in the Bronx as indicated on the #zoning maps#.

**APPENDIX D Index of Special Purpose Districts**

SPECIAL DISTRICT (SYMBOL)	SECTION NUMBER	ZONING MAP(S)	CP/ULURP NUMBER*	CPC ADOPTION	BOE/COUNCIL ADOPTION
Mixed Use District-11 (MX-11) Gowanus, Brooklyn	123-00	16a	090049 ZRK	2/17/09	3/11/09
Mixed Use District-13 (MX-13) Lower Concourse, the Bronx	123-00	6a	090302 ZRX	5/20/09	6/30/09
Mixed Use District-14 (MX-14) Third Avenue, the Bronx	123-00	3c 3d	100408 ZRX	(effective date of adoption)	(effective date of adoption)
Natural District-1 (NA-1) Area	105-00	21b 26a 26b 26c 26d 27a 27b	22748(A)	11/18/74	12/19/74

**APPENDIX F Inclusionary Housing Designated Areas**

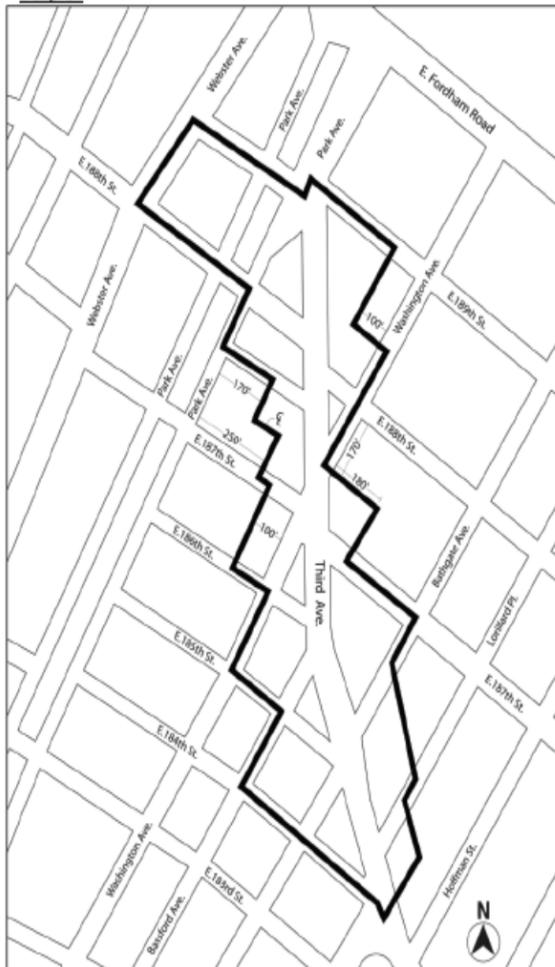
The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#.

**The Bronx, Community District 1**

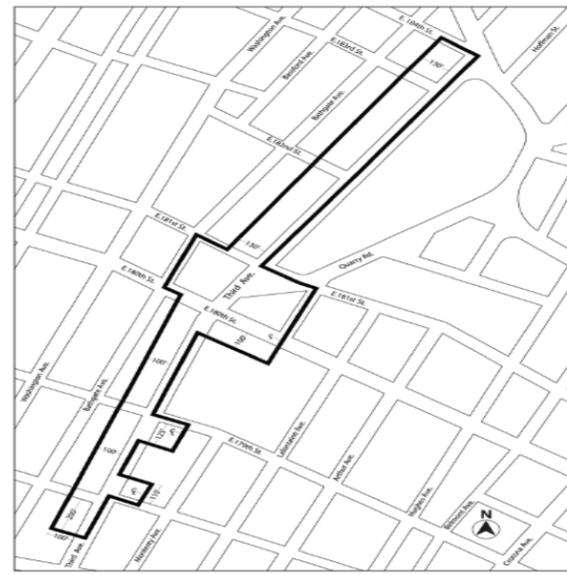
In the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 1:

**The Bronx, Community District 6**  
 In the R7A, R7X and R8A Districts within the areas shown on the following Maps 1, 2, 3 and 4:

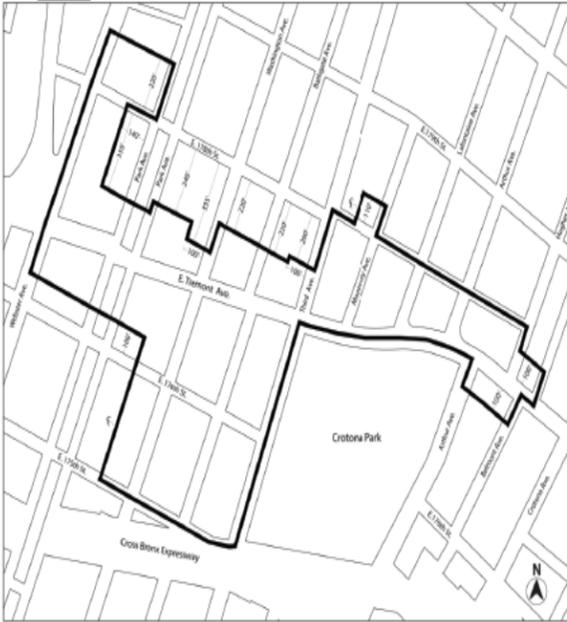
Map 1-



Map 2-



Map 3-



Map 4-



**No. 3 THE CROSSINGS AT SOUTHERN BOULEVARD**  
**CD 2 C 100036 ZMX**

**IN THE MATTER OF** an application submitted by Crossings Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

- eliminating from within an existing R7-1 District a C2-4 District bounded by Southern Boulevard, Hunts Point Avenue, Bruckner Boulevard, a line 200 feet northeasterly of Barretto Street, a line midway between Southern Boulevard and Bruckner Boulevard, and a line 400 feet northeasterly of Barretto Street; and
- changing from an R7-1 District to a C4-5X District property bounded by Southern Boulevard, East 163rd Street, Bruckner Boulevard, a line 200 feet northeasterly of Barretto Street, a line midway between Southern Boulevard and Bruckner Boulevard, and a line 400 feet northeasterly of Barretto Street;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010 and subject to the conditions of CEQR Declaration E258.

**No. 4 3500 PARK AVENUE**

**CD 3 C 080129 ZMX**  
**IN THE MATTER OF** an application submitted by 3500 Park Avenue LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

- changing from an M1-1 District to an R7-1 District property bounded by East 168th Street, a line midway between Park Avenue and Washington Avenue, a line 100 feet southwesterly of East 168th Street, and Park Avenue; and
- establishing within an existing and proposed R7-1 District a C2-4 District bounded by East 168th Street, Washington Avenue, a line 100 feet southwesterly of East 168th Street, and Park Avenue;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010 and subject to the conditions of CEQR Declaration E-259.

**BOROUGH OF MANHATTAN  
No. 5  
83 SPRING STREET**

**CD 2 C 100249 ZSM**  
**IN THE MATTER OF** an application submitted by 83 Spring Street Associates, LLC and 83 Spring Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses on the ground floor and cellar floor of an existing 5-story building, on property located at 83 Spring Street (Block 497, Lots 1001-1005), in an M1-5B District, within the SoHo-Cast Iron Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 22 Reade Street, Room 3N, New York, NY 10007.

**Nos. 6, 7 & 8  
NORTH TRIBECA REZONING AND TEXT  
AMENDMENT  
No. 6**

**CD 1 C 100369 ZMM**  
**IN THE MATTER OF** an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, changing from an M1-5 District to a C6-2A District property bounded by Canal Street, Hudson Street, Vestry Street and its easterly centerline prolongation, Canal Street, Broadway, Walker Street, West Broadway, North Moore Street, a line 100 feet westerly of Varick Street, Ericson Place, Beach Street, Greenwich Street, Hubert Street, Washington Street, Watts Street, and West Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2010 and subject to the conditions of CEQR Declaration E-257.

**CD 1 N 100370 ZRM**  
**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, concerning Article XI, Chapter I (Special Tribeca Mixed Use District).

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

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

**12-10  
DEFINITIONS**

Accessory use, or accessory

An #accessory use# includes:

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

Joint living-work quarters for artists

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

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

An #artist# is a person so certified by the New York City Department of Cultural Affairs.

Regulations governing #joint living-work quarters for artists#

are set forth in Article I, Chapter 5, Sections 42-14, paragraph (D) (Use Group 17 - Special Uses), 42-141 (Modification by certification of the City Planning Commission of uses in M1-5A and M1-5B Districts), 43-17 (Special Provisions for Joint Living-Work Quarters for Artists); and 74-78 (Conversions of Non-Residential Buildings) ~~and Article XI, Chapter 1 (Special Tribeca Mixed Use District).~~

\* \* \*  
Loft dwelling

A "loft dwelling" is a #dwelling unit# in the #Special Tribeca Mixed Use District#, in a #building# designed for non-#residential use# erected prior to December 15, 1961. Regulations governing #loft dwellings# are set forth in Sections 111-11 (Residential use modification) and 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)). ~~Article XI, Chapter 1 (Special Tribeca Mixed Use District).~~

**Chapter 5  
Residential Conversion of Existing Non-Residential Buildings**

**15-011  
Applicability within Special Districts**

The provisions of this Chapter shall apply in any #Special Mixed Use District# as modified by Article XII, Chapter 3 (Special Mixed Use District).

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article XII, Chapter 8 (Special St. George District).

The provisions of this Chapter shall apply in the #Special Coney Island District# as modified by Article XIII, Chapter 1 (Special Coney Island District).

The Preservation Area of the #Special Clinton District# is excluded from the applicability of the provisions of this Chapter.

The provisions of this Chapter shall apply in the #Special Tribeca Mixed Use District# as modified by Article XI, Chapter 1 (Special Tribeca Mixed Use District).

~~Except as specifically set forth in Sections 15-013 and 15-026, the provisions of this Chapter are not applicable in the #Special Tribeca Mixed Use District#.~~

**15-013  
Building permits and variances issued before the effective date of amendment**

- (a) Building permits in Manhattan Community Districts 1, 2, 3, 4, 5 and 6
- (2) for all #floor area# for which the Board has made a finding that, as of the date said building permit lapsed, there was substantial construction in compliance with the approved plans pursuant to which said lapsed permit has been granted. A finding of substantial construction shall not be made unless, as of the date said permit lapsed, the #floor area# was either vacant or occupied by #residential# or #joint living-work quarters for artists use#, and unless the expenditures prior to the date said permit lapsed were significant in proportion to the costs of construction of the entire project, not including the costs of acquisition, demolition, professional fees or financing. Notwithstanding anything to the contrary above, the building permit shall only be reinstated pursuant to the provisions of this Section, provided that for any portion of the #building# for which said permit is reinstated:

- (i) the conversion shall comply with the provisions of Sections 15-12, 15-24, ~~or 42-14, paragraph (D)(1)(e), or 111-112,~~ as appropriate in the zoning district in which the #building# being converted is located, except that the Board may modify the requirements of Sections 15-12, 15-24, ~~or 42-14, paragraph (D)(1)(e), or 111-112,~~ provided that the rooftop open space was not permitted under said building permit and the Board determines that the roof either is unsuited for open space #use# or cannot be made suitable for open space #use# at a reasonable cost;

**15-026  
Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings**

- (a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and ~~111-111~~ Section 111-40 (REQUIREMENTS FOR

LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)) may be replaced by the requirements of this Section for #dwelling unit#, #joint living-work quarters for artists# or #loft dwellings#:

- (1) existing on September 1, 1980 for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021, paragraph (c), 15-215, 42-133, paragraph (a), 42-141, paragraph (b); ~~or 74-782, or 111-201 paragraph (a);~~ or
- (2) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
- (3) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

- (b) Unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do not meet the requirements of ~~Section 111-111 paragraphs (a), (b)(1) and (c).~~ Section 111-40.

No #building# that meets the density requirements of Sections 15-111 or ~~paragraph (c) of Section 111-40~~ ~~111-111 paragraph (c)~~, may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of this Section have been applied may subsequently add additional units or quarters except in accordance with the requirements of Sections 15-111 ~~or 111-111 paragraph (c)~~.

- (c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and ~~Section 111-40~~ ~~111-111~~, the following regulations shall apply:

- (1) The minimum size of a #dwelling unit#, #joint livingwork quarters for artists#, or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:
  - (i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;
  - (ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and
  - (iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or
- (2) The minimum size of a #dwelling unit#, #joint livingwork quarters for artists#, or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:
  - (i) the unit or quarters shall contain one or more windows that open onto either:
    - (a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#; ~~or~~
    - (b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#; ~~or~~
    - (c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or
    - (d) a #street#;
  - (ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;

- (iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;
- (iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;
- (v) the average width of such unit or quarters shall be no less than 14 feet; and
- (vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

\* \* \*

32-01

Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

\* \* \*

42-01

Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in a #Manufacturing District# in which #residences#, or #joint living-work quarters for artists# or #loft dwellings# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision.
- (b) In all other #Manufacturing Districts#, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #nonconforming# if a house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

\* \* \*

42-53

Surface Area and Illumination Provisions

M1 M2 M3

\* \* \*

No #illuminated sign# shall have a degree or method of illumination that exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences#, #loft dwellings# or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof. Nothing herein shall

be construed to authorize a #sign with indirect illumination# to arrange an external artificial source of illumination so that direct rays of light are projected from such artificial source into #residences#, #loft dwellings# or #joint living-work quarters for artists#.

\* \* \*

42-532

Non-illuminated signs

M1 M2 M3

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding six times the #street# frontage of the #zoning lot#, in feet, but in no event more than 1,200 square feet for each #sign#, are permitted.

However, in any #Manufacturing District# in which #residences#, #loft dwellings# or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed six times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 750 square feet.

\* \* \*

42-533

Illuminated or flashing signs

M1 M2 M3

\* \* \*

However, in any #Manufacturing District# in which #residences#, #loft dwellings# or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed five times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 500 square feet.

\* \* \*

42-541

Permitted projection

M1 M2 M3

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

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

\* \* \*

- (b) For #zoning lots# occupies . . .

Article VII

Administration

\* \* \*

Chapter 4

Special Permits by the City Planning Commission

\* \* \*

74-92

Use Groups 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Groups 3A and 4A community facilities

- (a) Use modifications for Use Groups 3A and 4A in M1 Districts  
  
In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities and, in M1-5 Districts, except in M1-5A, M1-5B and M1-5M Districts, the Commission may permit museums and non-commercial art galleries as listed in Use Group 3A, provided that such community facility is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:  
  
such facility will not impair the essential character of the surrounding area.

\* \* \*

The provisions of this special permit relating to Use Group 3A museums and non-commercial art galleries shall be inapplicable to the #Special Tribeca Mixed Use District#.

\* \* \*

Article XI - Special Purpose Districts

Chapter 1

Special Tribeca Mixed Use District

111-00

GENERAL PURPOSES

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

- (a) to retain adequate wage, job producing, stable industries within the Tribeca neighborhood;
- (b) to protect light manufacturing and to encourage stability and growth in the Tribeca neighborhood by permitting light manufacturing and controlled residential uses to coexist where such uses are deemed compatible;
- (c) to provide a limited new housing opportunity of a type and at a density appropriate to this mixed use zone;
- (d) to insure the provision of safe and sanitary housing units in converted buildings; and
- (e) to promote the most desirable use of land and building development in accordance with the Plan for Lower Manhattan as adopted by the City Planning Commission.

\* \* \*

111-02

General Provisions

The provisions of this Chapter shall apply to all #developments, enlargements, extensions#, alterations, #accessory uses#, open and enclosed, and changes in #uses# within the Special District.

#Loft dwellings# and #joint living work quarters for artists# are permitted #uses# within the Special District and #loft dwellings# are the only permitted #residential use# in #buildings# designed for non #residential use# and erected prior to December 15, 1961. #Loft dwellings# and #joint living work quarters for artists# converted under the provisions of this Chapter, are not subject to the provisions of Section 32 42 (Location within Buildings).

#Buildings# designed for non #residential use#, and erected prior to December 15, 1961, that have not since been #enlarged# may be converted to #loft dwellings#, subject to the #bulk# regulations of Section 111 11 (Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living Work Quarters for Artists).

#Buildings# designed for non #residential use#, and erected prior to December 15, 1961, that have since been #enlarged# may be converted to #loft dwellings#, and #buildings# designed for non #residential use# and erected prior to December 15, 1961, may be #enlarged# for #loft dwellings#, provided that such conversion or #enlargement# shall be made only by special permit of the City Planning Commission pursuant to Section 111 51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings).

A #home occupation# may occupy a #loft dwelling# as an #accessory use# in excess of the #floor area# limitations of Section 12 10 (DEFINITIONS - Home occupation), and subject to the following:

- (a) Businesses operated as #home occupations# may have up to three non #residential# employees, and
- (b) Notwithstanding the limitation on #uses# listed in Section 12 10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#. It shall not include the sale of merchandise produced elsewhere.
- (c) The Commissioner of Buildings may issue rules and regulations setting forth appropriate standards to implement the intent of this Section.

Museums or non-commercial art galleries are permitted #uses# within Areas B1 and B2 of the Special District in accordance with the provisions of Section 111 105 (Museums or non-commercial art galleries), and are subject to the #bulk# regulations applicable to #manufacturing uses# in Areas B1 and B2.

Except as modified by the express provisions of the District, the regulations of the underlying districts remain in effect.

111-03

District Map

The District Map for the #Special Tribeca Mixed Use District#, in Appendix A, identifies special areas comprising the Special District in which special zoning regulations carry out the general purposes of the #Special Tribeca Mixed Use District#. These areas are as follows:

- Area A1 - General Mixed Use Area
- Area A2 - Limited Mixed Use Area (Commercial and Residential Uses)
- Area A3 - General Mixed Use Area
- Area A4 - General Mixed Use Area
- Area B1 - Limited Mixed Use Area
- Area B2 - Limited Mixed Use Area
- Area A5 - General Mixed Use Area
- Area A6 - General Mixed Use Area
- Area A7 - General Mixed Use Area

111-10

SPECIAL USE REGULATIONS

111-101

**Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists**  
 Within Areas B1 and B2, #loft dwellings# and #joint living work quarters for artists# are not permitted below the floor level of the third #story#, unless modified by the Chairperson of the City Planning Commission pursuant to Section 111-20 (MINOR MODIFICATIONS), paragraph (a), by authorization of the City Planning Commission pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission) or by special permit of the City Planning Commission pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS).

#### 111-11

##### Residential use modification

###### (a) Loft dwellings

#Loft dwellings# created prior to (effective date) shall be governed by the provisions for #loft dwellings# in Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)). Such #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with such provisions. No #loft dwellings# may be created after (effective date), except as the result of a subdivision of a #loft dwelling# existing prior to (effective date).

###### (b) Home occupations

A #home occupation# may occupy a #loft dwelling#, or a #dwelling unit# converted pursuant to Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), as an #accessory use# pursuant to Section 15-13 (Special Home Occupation Provision), except that:

- (1) businesses operated as #home occupations# may have up to three non-#residential# employees; and
- (2) notwithstanding the limitation on #uses# listed in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#.

#### 111-102 12

##### Ground floor use restrictions

~~(a)~~ In all areas except Areas A2, ~~A1, A3 and A4~~ ground floor spaces in separate #buildings# may not be combined for #uses# in Use Groups 3, 4, 5 and 6, except in those #buildings# having frontage on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street.

###### (b) Areas B1 and B2

- (1) Use of the ground floor in #buildings# constructed prior to March 10, 1976, shall be restricted to #uses# in Use Groups 7, 9, 11, 16, 17a, 17b, 17c or 17e, except that where a #use# other than these occupied the ground floor of a #building# prior to March 10, 1976, it shall be permitted in conformance with the underlying district regulations.
- (2) In #buildings# having frontage on Greenwich Street, West Street, Hudson Street, West Broadway or Canal Street, ground floor #uses# shall be permitted in conformance with the underlying districts except as provided in Section 111-102, paragraph (c).

#### 111-103 13

##### Additional use regulations

###### (a) Areas A1, and A3 and A4

- (1) #Uses# in Use Groups 16 and 17 shall be permitted, except the following #uses# are prohibited in all #buildings#:
  - (i) within Use Group 16A: crematoriums, poultry or rabbit killing establishments, unenclosed automobile, boat, motorcycle or trailer sales, motorcycle rentals;
  - (ii) all Use Group 16B #uses#, except #automotive service stations# by special permit pursuant to Section 73-21;
  - (iii) all Use Group 16C #uses#;
  - (iv) within Use Group 16D: dry cleaning or cleaning or dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment;
  - (v) within Use Group 17B: manufacture of aircraft, automobiles, trucks, trailers, boats, motorcycles or chemicals; and
  - (vi) all Use Group 17C #uses#, except agriculture.

(2) The following #uses# are prohibited in #buildings# that do not front on Chambers Street, Church Street, Greenwich Street, Hudson Street, or West Broadway or West Street:

- (i) all Use Group 8A #uses#;
- (ii) all Use Group 8D #uses#;
- (iii) all Use Group 10A #uses#, except depositories, photographic or motion picture studios, radio or television studios; and
- (iv) all Use Group 12A #uses#.

(3) In #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street, or West Broadway or West Street, the following retail facilities #uses# shall be limited to 20,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses#, except as otherwise provided in Section ~~111-40~~ 111-32 (Special Permit For Certain Large Commercial Establishments):

- (i) all #uses# in Use Groups 6A and 6C;
- (ii) all #uses# in Use Group 10 with parking categories B or B1; and
- (iii) the above #uses# when listed in other use groups.

Separate #buildings# on separate #zoning lots# may not be combined for #uses# in Use Groups 6A, and 6C and or all #uses# with parking categories B or B1, in Use Group 10 with parking categories B or B1.

In addition, in #buildings# not fronting on the above listed #streets# listed in paragraph (a)(3) of this Section, #uses# listed retail facilities in Use Groups 6A and 6C shall be limited to 10,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted allocated to such #uses#, except as otherwise provided in Section 111-40.

###### (b) Areas B1 and B2

~~#Loft dwellings# and #joint living work quarters for artists# shall be permitted in #buildings# where the #lot coverage# is less than 5,000 square feet. #Loft dwellings# and #joint living work quarters for artists# shall be permitted in other #buildings# or other structures# only by special permit of the City Planning Commission, pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS), or by minor modification of the Chairperson of the City Planning Commission, pursuant to Section 111-20, paragraph (d), or by authorization of the City Planning Commission, pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission).~~

###### Areas A4, A5, A6 and A7

- (1) All #uses# listed in Use Groups 16B, 16C or 16D shall be permitted,
- (2) The following #uses# listed in Use Group 16A shall be permitted:
  - Carpentry, custom woodworking or custom furniture making shops
  - Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 sq. ft.
  - Household or office equipment or machinery repair shops
  - Machinery rental or sales establishments.
- (3) All #uses# in Use Group 17 shall be permitted, except that the following #uses# shall be prohibited:
  - Building materials or contractors' yards, open or enclosed
  - Produce or meat markets, wholesale
  - Adhesives, including manufacture of basic components
  - Food products, including slaughtering of meat or preparation of fish for packing
  - Laboratories, research, experimental or testing
  - Leather products, including shoes, machine belting, or similar products
  - Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products
  - Pharmaceutical products
  - Plastic products, including tableware, phonograph records, buttons, or similar products
  - Rubber products, such as washers, gloves, footwear,

bathing caps, atomizers, or similar products, including manufacture of natural or synthetic rubber  
 Shoddy  
 Soap or detergents.

(4) For establishments with frontage on #wide streets#, #uses# listed in Use Groups 6A, 6C and 10 shall be limited to 10,000 square feet of #floor area#. For establishments that front only upon a #narrow street#, such #uses# shall be limited to 5,000 square feet of #floor area#. For the purposes of this Section, #floor area# shall include retail #cellar# space allocated to such #uses#.

The #floor area# requirements of this paragraph, (b)(4), may be modified only pursuant to Section 111-32 (Special Permit For Certain Large Commercial Establishments).

(c) Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, as listed in Use Group 12A, in any location within a #building#, shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244. ~~In Areas A1, A2, A3 and A4,~~ The Board of Standards and Appeals shall additionally find for establishments of any capacity with dancing, as listed in Use Group 12A, that primary ingress and egress for such #uses# may only be located on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street, with only fire or emergency egress on other #streets#, and that no portion of such #use# may be located more than 100 feet, measured perpendicularly, from the above-listed streets. Furthermore, such #uses# are restricted as provided in paragraph (a)(2) of this Section.

###### (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).

###### (e) Environmental conditions for Area A2

- (1) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations\*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.
- (2) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.

\* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).

#### 111-104

##### Special provisions for Areas A1, A2, A3, A4 and B2

#### 111-20

##### SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7

###### (a) Area A1

The regulations applicable to a C6-2A District shall apply to all new #developments# and #enlargements#, except as set forth herein.

- (1) Maximum #floor area ratio#  
 The maximum #floor area ratio# permitted on a #zoning lot# shall be 5.0.
- (2) Special regulations for narrow #buildings#

A #building# or portion of a #building# may be constructed above the maximum height of a #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided the portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of the #building# facing a #narrow street#.

###### (b) Area A2

The regulations applicable to a C6-3 District shall apply to all new #developments# and #enlargements#, except as set forth herein.

- (1) Maximum #floor area ratio#  
 No #floor area# bonuses shall be permitted in Area A2.  
 The maximum #floor area ratio#

permitted shall be 7.52. In no case shall the #floor area ratio# of the #commercial# or #community facility# portion of the #building# be more than 6.0.

(2) #Open space# and #lot coverage# regulations

The #open space# and #lot coverage# regulations of Article II, Chapters 3 and 4, and Article III, Chapter 5, for a #residential building#, or the #residential# portion of a #mixed building#, are not applicable. In lieu thereof, the maximum permitted #lot coverage# on a #zoning lot# shall not exceed 80 percent of the #lot area#. However, any permitted obstruction on a #zoning lot# pursuant to Sections 23-44, 24-12 or 33-23 shall not count as #lot coverage#.

(3) #Yard#, #court# and minimum distance between #buildings# regulations

The #yard# and #court# regulations of a C6-3 District shall apply, except that on a #through lot# the provisions of paragraphs (b) and (c) of Sections 23-533 and 24-382 (Required rear yard equivalents) and 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) shall not apply. On any single #zoning lot# within Area A2, if a #development# or #enlargement# results in two or more #buildings# or portions of #buildings# detached from one another at any level, such #buildings# or portions of #buildings# shall at no point be less than eight feet apart.

(4) #Height factor#, front height and setback regulations

The #height factor#, front height and setback, alternate front setback and tower regulations of a C6-3 District shall not apply. In lieu thereof, for the first two #stories# of any #development# or #enlargement#, the #street wall# shall be located on the #street line# and shall extend the entire width of the #zoning lot# not occupied by existing #buildings# to remain, except that at the intersection of two #street lines# the #street wall# may be located within five feet of the #street line#. Above the ceiling of the second #story# for any #development# or #enlargement#, there shall be mandatory #street walls# extending the entire width of the #zoning lot# not occupied by existing #buildings# to remain, as set forth below in this paragraph, (b)(4). Along #wide streets# and along #narrow streets#, within 75 feet of the intersection with #wide streets#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 100 feet above #curb level#. Along a #narrow street#, beyond a distance of 75 feet from the intersection of a #wide street# and a #narrow street#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 85 feet above #curb level#. Notwithstanding the above requirements, for the 25 feet of a #zoning lot# furthest from the intersection of a #wide street# and a #narrow street#, the height of the #street wall# shall be 60 feet or the height of the adjacent #building# fronting on the same #street line#, whichever is greater. Above the ceiling of the second #story#, 75 percent of the aggregate area of the mandatory #street walls# at each #story# shall be within five feet of the #street line#; the mandatory #street wall# shall about the #street line# at least once every 25 feet; and at the intersection of two #street lines# the mandatory #street wall# shall be located within five feet of the #street line#, measured perpendicular to the #street line#. For #residential# and community facility #developments# or #enlargements#, recesses shall comply with the applicable #outer court# provisions of Sections 23-84 and 24-63.

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Chapter and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

(5) Curb cuts  
Curb cuts shall not be permitted on Greenwich Street, Murray Street and Chambers Street.

(c) Area A3

The regulations applicable to a C6-3A District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

(1) Height and setback regulations

The height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall not apply. In lieu thereof, the following height and setback regulations shall apply:

(i) Permitted obstructions

Permitted obstructions for all #buildings# or other structures# shall be as set forth in Section 33-42.

(ii) Measurement of height

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

(iii) #Street wall# location

The #street wall# of any #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings#, and shall rise to at least a height of 60 feet or the height of the #building#, whichever is less. However, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. At any level above the ground floor, but at least 12 feet above the level of the #base plane#, recesses shall be permitted in the #street wall# for #outer courts# or articulation of #street walls# at the intersection of two #street lines# as set forth in this Section. The aggregate width of such recesses shall not exceed 30 percent of the width of the #street wall# at any level.

(iv) Maximum height of #street walls# and required setbacks

The maximum height of a #street wall# before setback shall be 85 feet or the height of an adjoining #building# fronting on the same #street line# with a height of at least 60 feet, whichever is less. Setbacks are required for all portions of #buildings# that exceed these maximum #street wall# heights. At a height not lower than 60 feet nor higher than 85 feet, or the height of an adjoining #building# fronting on the same #street line# which is less than 85 feet, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that such dimensions may include the depth of any permitted recesses in the #street wall#.

(v) Maximum building height

No #building# or other structure# shall exceed a height of 135 feet.

(vi) Vertical #enlargements# of low #buildings#

Existing #buildings# with #street walls# less than 60 feet in height may be vertically #enlarged# by up to one #story# or 15 feet, whichever is less,

without regard to the #street wall# location provisions of paragraph (c)(1)(iii) of this Section.

(2) Special regulations for narrow #buildings#

A #building# or portion of a #building# may be constructed above the maximum height of #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided such portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion of a #building# is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of a #building# facing a #narrow street#.

(d) Areas A4, A5, A6 and A7

Except as set forth herein, the #bulk# regulations of the underlying district shall apply.

(1) ~~In C6-2A and C6-3A Districts, the~~ Height and setback regulations, as set forth in ~~Table A~~ of Section 35-24, shall be modified, as follows:

District Area	Minimum base height (in ft.)	Maximum base height (in ft.)	Maximum building height (in ft.)
C6-2A	60	70	110
C6-3A A4	60	70	140
A5	60	70	110
A6	60	85	120
A7	60	85	120

In a C6-3A District, Area A4, a penthouse portion of a #building#, not exceeding ten feet in height, may be constructed above the maximum building height, provided that such penthouse portion is set back at least 25 feet from any #narrow street#.

In Area A4, ~~However~~, the provisions of this paragraph, (d) (1), shall not apply to any #building# located in Historic Districts designated by the Landmarks Preservation Commission.

(2) The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# ~~within Area A4~~, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(3) ~~In a C6-3A District, the~~ maximum #floor area ratio# permitted on a #zoning lot# shall be ~~6.5~~ as follows:

Area	Maximum #floor area ratio#
A4	6.5
A5	5.5
A6	5.4
A7	5.0

(4) ~~In a C6-2A District, the maximum #floor area ratio# permitted on a #zoning lot# shall be 5.5.~~

Applicability of Inclusionary Housing Program

R8A Districts within Area A6 shall be #Inclusionary Housing designated areas#, 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. The base #floor area ratio# for any #zoning lot# containing #residences# shall be 5.4. Such base #floor area ratio# may be increased to a maximum of 7.2 through the provision of #affordable housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

(e) Area B2

In Area B2, except as modified by the express provisions of this Chapter, the underlying district regulations are superseded and replaced by the regulations applicable in M2-4 Districts.

### 111-105 Museums or non-commercial art galleries

#### Areas B1 and B2

In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant to the provisions of Sections 111-102 and above the ground floor where #joint living work quarters for artists# or #loft dwellings# are permitted pursuant to the provisions of Sections 111-101 or 111-102.

### 111-11 Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living Work Quarters for Artists

#Joint living work quarters for artists# located within the District shall comply with all the #bulk# regulations of this Section applicable to #loft dwellings#.

### 111-111 Loft dwelling requirements

(a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# of 30 feet minimum depth.

- (b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:
- (i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;
  - (ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;
  - (iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds 5 percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or
  - (iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.

(2) The minimum #loft dwelling# size and #yard# requirement, however, may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living work quarters for artists and loft dwellings) for #loft dwellings#:

- (i) for which a determination of #residential# occupancy on September 1, 1980 has been made; or
- (ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
- (iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.

#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into dwellings that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

(c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.

(d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within

individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.

(e) No #building# in Areas B1 and B2 containing #loft dwellings# or #joint living work quarters for artists# shall be #enlarged#, except that such #buildings# containing #loft dwellings# may be #enlarged# by special permit of the City Planning Commission, pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings). Mezzanines shall be permitted as provided in paragraph (d) of this Section.

### 111-112 Open space equivalent

At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be #developed# for recreational #use#.

For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.

### 111-20 MINOR MODIFICATIONS

On application, the Chairperson of the City Planning Commission may grant minor modifications to the following provisions of this Chapter:

(a) The requirements of Section 111-101 relating to location of #loft dwellings# or #joint living work quarters for artists# below the floor level of the third #story# of a #building# in Areas B1 and B2, and Section 111-102, paragraph (b), relating to #use# restrictions in #floor area# on the ground floor may be modified provided that the Chairperson finds that the owner of the space has made a good faith effort to rent such space to a mandated #use# at fair market rentals.

Such efforts shall include but not be limited to:

- advertising in local and city wide press;
- listing the space with brokers;
- notifying the New York City Office of Economic Development; and
- informing local and city wide industry groups.

Such efforts shall have been actively pursued for a period of no less than six months for #buildings# under 3,600 square feet and one year for #buildings# over 3,600 square feet prior to the date of the application.

(b) The requirements of Section 111-111 relating to #loft dwellings# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the design of the #loft dwellings# or #joint living work quarters for artists# provides sufficient light and air to allow minor modifications of these provisions.

(c) The requirements of Section 111-112 relating to roof top #open space# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the roof either is unsuited for #open space use# or cannot be made suitable for #open space use# at reasonable cost.

(d) The requirements of Section 111-103 (Additional use restrictions), paragraph (b), relating to #loft dwellings# and #joint living work quarters for artists# in #buildings# within Area B1 and B2, where the #lot coverage# is 5,000 square feet or more, may be modified provided that:

- (1) such #floor area# was occupied on September 1, 1980, as #loft dwellings# or #joint living work quarters for artists#, or consists of registered Interim Multiple Dwellings, or is found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law;
- (2) such #building# consisted, on June 21, 1982, of two or more contiguous sections separated structurally by load-bearing walls, with independent entrances, independent addresses, and other evidence of the independent functional use of each section of the #building#, which evidence may include but is not limited to separate deeds, separate tax lots, separate certificates of occupancy, or separate utilities or systems for the entirety of each section of the #building#, and

(3) the section within which such #floor area# is located has a #lot coverage# of less than 5,000 square feet of #lot area#.

A developer must send a copy of any request for modification pursuant to this Section to the applicable Community Board at least ten days prior to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 30 days of such notification.

### 111-21 Notice of Filing to Create Loft Dwellings or Joint Living Work Quarters for Artists

A duplicate copy of the application for an alteration permit shall be sent to the City Planning Commission by the applicant for information purposes only. No building permit shall be issued by the Department of Buildings for such #loft dwellings# or #joint living work quarters for artists# without the acknowledged receipt of such notice by the City Planning Commission.

### 111-23 Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission

The provisions of Section 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists), relating to the prohibition of #loft dwellings# or #joint living work quarters for artists# below the level of the third #story# of a #building# in areas B1 and B2, and Section 111-103 (Additional use regulations), paragraph (b), relating to #loft dwellings# and #joint living work quarters for artists# in #buildings# within Areas B1 and B2 where the #lot coverage# is 5,000 square feet or more, may be modified by authorization of the City Planning Commission, provided that:

- (a) such #building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;
- (b) any alterations to the subject #building# required in connection with such conversion to #loft dwellings# or #joint living work quarters for artists# have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission; and
- (c) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission.

In order to grant an authorization, the City Planning Commission shall find that such modification shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

### 111-30 ENVIRONMENTAL CONDITIONS FOR AREA A2

- (a) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations\*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.
- (b) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.

\* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).

### 111-30 SPECIAL PERMITS

#### 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.

#### 111-4032 Special Permit for Certain Large Commercial Establishments SPECIAL PERMIT FOR CERTAIN LARGE RETAIL FACILITIES

The City Planning Commission may permit the total #floor area# of large commercial establishments retail facilities subject to Section 111-103, paragraph (a)(3) to exceed the underlying limitations #floor area# requirements set forth in Section 111-13, paragraphs (a)(3) and (b)(4) on square feet to exceed 20,000 square feet of #floor area#, including the #floor area# requirements for retail #cellar# space allotted to such

#uses#, in #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street or West Broadway, and 10,000 square feet of #floor area#, including retail #cellar# space allotted to such #uses#, in #buildings# fronting on other #streets# , provided

As a condition of granting a special permit for such large #commercial# establishments, the Commission finds that:

- (a) such #development#, #enlargement#, #extension# or change of #use# is so located as not to impair the essential character or the future use of, or development of, the surrounding area; and
(b) the #streets# providing access to the facility will be adequate to handle the vehicular and pedestrian traffic generated by such #use#.

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

111-40 REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)

The following is applicable to all existing #loft dwellings#, created prior to (effective date), within the #Special Tribeca Mixed Use District#.

- (a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# with a minimum depth of 30 feet.
(b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:
(i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;
(ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;
(iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds five percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or
(iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.
(2) The minimum #loft dwelling# size and #yard# requirement may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings) for #loft dwellings#:
(i) for which a determination of #residential# occupancy on September 1, 1980 has been made;
(ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
(iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.

#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into multiple #loft dwellings# that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

No #building# that meets the density requirements of this paragraph (c) may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

- (c) The number of #loft dwellings# shall not exceed one

per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.

No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

- (d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.
(e) At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be provided for recreational #use#. For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.
(f) Existing #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with the provisions of this Section. In addition, #floor area# added to an existing #loft dwelling# shall not be subject to the provisions of Section 32-42 (Location within Buildings).

111-50 SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS

The City Planning Commission may permit, in Areas B1 and B2, the modification of the #use# provisions of Sections 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists), Section 111-102 (Ground floor use restrictions), paragraph (b), or 111-103 (Additional use regulations), paragraph (b), to allow #loft dwellings# or #joint living work quarters for artists# on any #story# in any #building#, provided the Commission finds that:

- (a) the conversion will not harm the commercial and manufacturing sectors of the City's economy;
(b) the conversion will not harm the commercial and manufacturing character of the surrounding area;
(c) the process of conversion will not unduly burden #commercial# and #manufacturing uses# in the #building#; and
(d) the neighborhood in which the conversion is taking place will not be excessively burdened by increased #residential# activity.

All #loft dwellings# or #joint living work quarters for artists# permitted by this special permit shall meet the standards of the applicable district for such units or quarters. The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.

111-51 Special Permit for Enlargements of Buildings Containing Loft Dwellings

In Area B1, outside of historic districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit:

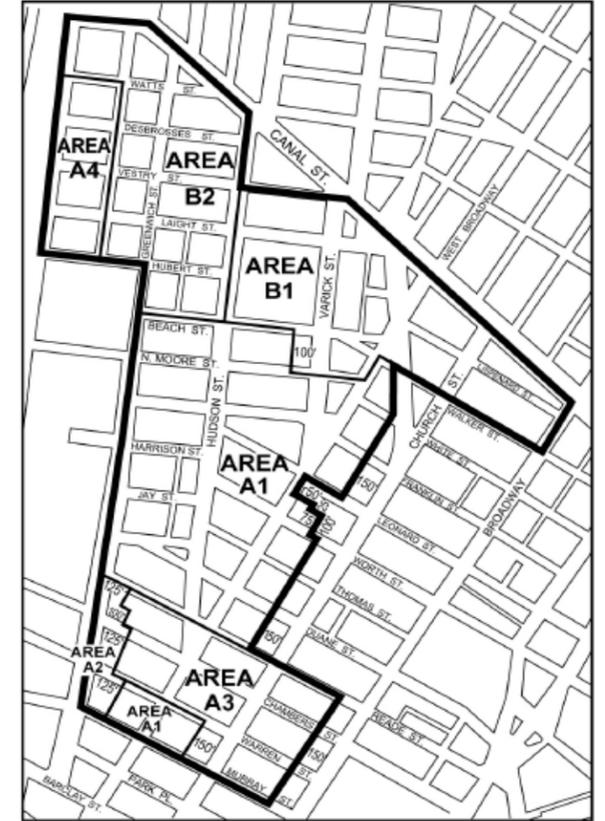
- (a) #loft dwellings# in #buildings# designed for non-#residential use# and created prior to December 15, 1961, that have since been #enlarged#; or
(b) the #enlargement# of #buildings# designed for non-#residential use# and created prior to December 15, 1961, for #loft dwellings#, provided that:
(1) all #loft dwellings# comply with the requirements of Section 111-111 or have received a certification pursuant to Section 111-20, paragraph (b);
(2) the #bulk# regulations of an M1-5 District shall apply, except that the #enlarged# portion of the #building# shall comply with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) applicable to R8 Districts; and
(3) the maximum #floor area ratio# for all #loft dwellings# shall not exceed 5.0.

In order to grant a special permit, the City Planning

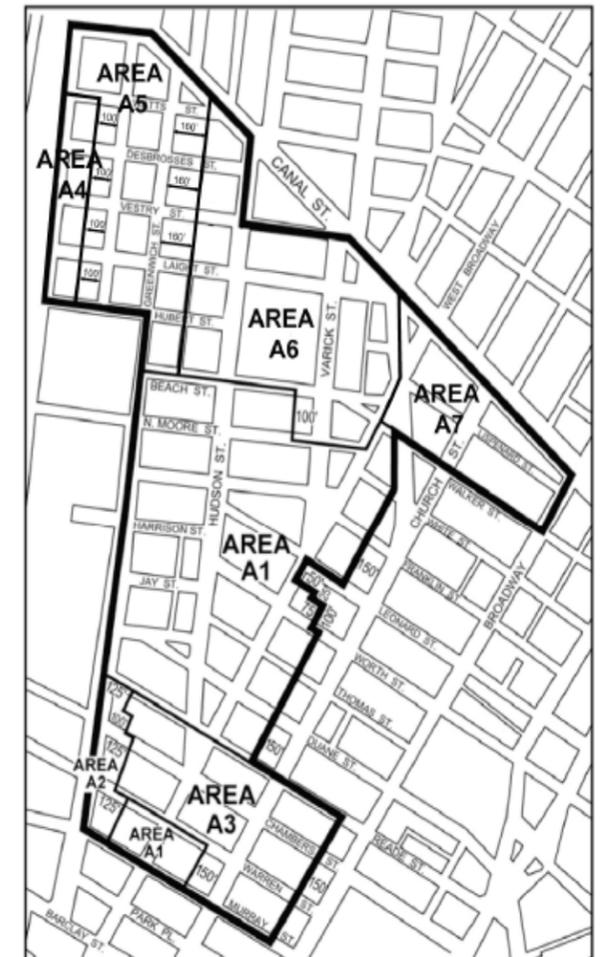
Commission shall find that the process of #enlargement# will not unduly burden #commercial# and #manufacturing uses# in the #building# and the neighborhood in which the #enlargement# is taking place will not be excessively burdened by increased #residential# activity.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.

Appendix A Special Tribeca Mixed Use District Map Area A1: General Mixed Use Area



Special Tribeca Mixed Use District Area Boundary



Special Tribeca Mixed Use District Area Boundary

- Area A2: Limited Mixed Use Area
Area A3: General Mixed Use Area
Area A4: General Mixed Use Area
Area B1: Limited Mixed Use Area
Area B2: Limited Mixed Use Area
Area A5: General Mixed Use Area
Area A6: General Mixed Use Area
Area A7: General Mixed Use Area

APPENDIX F Inclusionary Housing Designated Areas The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#.

In addition, the following special purpose districts contain

#Inclusionary Housing designated areas#, as set forth within such special districts:

#Special 125th Street District# – see Section 97-421 (Inclusionary Housing)

#Special Clinton District# – see Section 96-81 (C6-3X Designated District)

#Special Coney Island District# – see Section 131-321 (Special floor area regulations for residential uses)

#Special Downtown Jamaica District# – see Section 115-211 (Special Inclusionary Housing regulations)

#Special Garment Center District# – see Sections 121-31 (Maximum Permitted Floor Area) and 93-23 (Modifications of Inclusionary Housing Program)

#Special Harlem River Waterfront District# – see Section 87-20 (SPECIAL FLOOR AREA REGULATIONS)

#Special Hudson Yards District# – see Section 93-23 (Modifications of Inclusionary Housing Program)

#Special Long Island City Mixed Use District# – see Section 117-631 (Floor area ratio and lot coverage modifications)

#Special Southern Hunters Point District# – see Section 125-22 (Newtown Creek Subdistrict)

#Special Tribeca Mixed-Use District# – see paragraphs (d)(3) and (d)(4) of Section 111-20 (SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7)

#Special West Chelsea District# – see Section 98-26 (Modifications of Inclusionary Housing Program)

\* \* \*

No. 8

CD 1 N 100370 (A) ZRM 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, concerning Article XI, Chapter I (Special Tribeca Mixed Use District).

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

Article I Chapter 2 Construction of Language and Definitions

12-10 DEFINITIONS

Accessory use, or accessory

An #accessory use# includes:

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

Joint living-work quarters for artists

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

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

An #artist# is a person so certified by the New York City Department of Cultural Affairs.

Regulations governing #joint living-work quarters for artists# are set forth in Article I, Chapter 5, Sections 42-14, paragraph (D) (Use Group 17 - Special Uses), 42-141 (Modification by certification of the City Planning Commission of uses in M1-5A and M1-5B Districts), 43-17 (Special Provisions for Joint Living-Work Quarters for Artists), and 74-78 (Conversions of Non-Residential Buildings) and Article XI, Chapter 1 (Special Tribeca Mixed Use District).

Loft dwelling A “loft dwelling” is a #dwelling unit# in the #Special Tribeca Mixed Use District#, in a #building# designed for non-#residential use# erected prior to December 15, 1961. Regulations governing #loft dwellings# are set forth in

Sections 111-11 (Residential use modification) and 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)). Article XI, Chapter 1 (Special Tribeca Mixed Use District).

Chapter 5 Residential Conversion of Existing Non-Residential Buildings

15-011 Applicability within Special Districts The provisions of this Chapter shall apply in any #Special Mixed Use District# as modified by Article XII, Chapter 3 (Special Mixed Use District).

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article XII, Chapter 8 (Special St. George District).

The provisions of this Chapter shall apply in the #Special Coney Island District# as modified by Article XIII, Chapter 1 (Special Coney Island District).

The Preservation Area of the #Special Clinton District# is excluded from the applicability of the provisions of this Chapter.

The provisions of this Chapter shall apply in the #Special Tribeca Mixed Use District# as modified by Article XI, Chapter 1 (Special Tribeca Mixed Use District).

Except as specifically set forth in Sections 15-013 and 15-026, the provisions of this Chapter are not applicable in the #Special Tribeca Mixed Use District#.

15-013 Building permits and variances issued before the effective date of amendment

- (a) Building permits in Manhattan Community Districts 1, 2, 3, 4, 5 and 6
(2) for all #floor area# for which the Board has made a finding that, as of the date said building permit lapsed, there was substantial construction in compliance with the approved plans pursuant to which said lapsed permit has been granted. A finding of substantial construction shall not be made unless, as of the date said permit lapsed, the #floor area# was either vacant or occupied by #residential# or #joint living-work quarters for artists use#, and unless the expenditures prior to the date said permit lapsed were significant in proportion to the costs of construction of the entire project, not including the costs of acquisition, demolition, professional fees or financing. Notwithstanding anything to the contrary above, the building permit shall only be reinstated pursuant to the provisions of this Section, provided that for any portion of the #building# for which said permit is reinstated:

- (i) the conversion shall comply with the provisions of Sections 15-12, 15-24, or 42-14, paragraph (D)(1)(e), or 111-119, as appropriate in the zoning district in which the #building# being converted is located, except that the Board may modify the requirements of Sections 15-12, 15-24, or 42-14, paragraph (D)(1)(e), or 111-119, provided that the rooftop open space was not permitted under said building permit and the Board determines that the roof either is unsuited for open space #use# or cannot be made suitable for open space #use# at a reasonable cost;

15-026 Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings

- (a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111 Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)) may be replaced by the requirements of this Section for #dwelling units#, #joint living-work quarters for artists# or #loft dwellings#:
(1) existing on September 1, 1980 for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021, paragraph (c), 15-215, 42-133, paragraph (a), 42-141, paragraph (b); or 74-782, or 111-201 paragraph (a); or
(2) that are registered Interim Multiple Dwellings or are found covered by the

New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or

- (3) that the Loft Board determines were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

- (b) Unless required by the Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do not meet the requirements of Section 111-111 paragraphs (a), (b)(1) and (c). Section 111-40.

No #building# that meets the density requirements of Sections 15-111 or paragraph (c) of Section 111-40 111-111 paragraph (c), may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of this Section have been applied may subsequently add additional units or quarters except in accordance with the requirements of Sections 15-111 or 111-111 paragraph (c).

- (c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and Section 111-40 111-111, the following regulations shall apply:

- (1) The minimum size of a #dwelling unit#, #joint livingwork quarters for artists#, or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:
(i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;
(ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and
(iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or
(2) The minimum size of a #dwelling unit#, #joint livingwork quarters for artists#, or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:
(i) the unit or quarters shall contain one or more windows that open onto either:
(a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#; or
(b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#; or
(c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or
(d) a #street#;
(ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;
(iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;
(iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;
(v) the average width of such unit or quarters shall be no less than 14 feet; and

(vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

\* \* \*

32-01 Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.
(b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization.

\* \* \*

42-01 Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in a #Manufacturing District# in which #residences#, or #joint living-work quarters for artists# or #loft dwellings# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization.
(b) In all other #Manufacturing Districts#, no #adult establishment# shall be established less than 500 feet from a house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, or new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization.

\* \* \*

42-53 Surface Area and Illumination Provisions

M1 M2 M3

\* \* \*

No #illuminated sign# shall have a degree or method of illumination that exceeds standards established by the Department of Buildings by rule pursuant to the City Administrative Procedure Act. Such standards shall ensure that illumination on any #illuminated sign# does not project or reflect on #residences#, #loft dwellings# or #joint living-work quarters for artists# so as to interfere with the reasonable use and enjoyment thereof.

\* \* \*

42-532 Non-illuminated signs

M1 M2 M3

In all districts, as indicated, non-#illuminated signs# with total #surface areas# not exceeding six times the #street# frontage of the #zoning lot#, in feet, but in no event more than 1,200 square feet for each #sign#, are permitted.

However, in any #Manufacturing District# in which #residences#, #loft dwellings# or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed six times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 750 square feet.

\* \* \*

42-533 Illuminated or flashing signs

M1 M2 M3

\* \* \*

However, in any #Manufacturing District# in which #residences#, #loft dwellings# or #joint living-work quarters for artists# are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization, the total #surface area# of all such permitted #signs# shall not exceed five times the #street# frontage of the #zoning lot#, in feet, and that the #surface area# of each #sign# shall not exceed 500 square feet.

\* \* \*

42-541 Permitted projection

M1 M2 M3

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

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

\* \* \*

- (b) For #zoning lots# occupies . . .

Article VII Administration

\* \* \*

Chapter 4 Special Permits by the City Planning Commission

\* \* \*

74-92 Use Groups 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Groups 3A and 4A community facilities

- (a) Use modifications for Use Groups 3A and 4A in M1 Districts
In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities and, in M1-5 Districts, except in M1-5A, M1-5B and M1-5M Districts, the Commission may permit museums and non-commercial art galleries as listed in Use Group 3A, provided that such community facility is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:
(6) such facility will not impair the essential character of the surrounding area.

The provisions of this special permit relating to Use Group 3A museums and non-commercial art galleries shall be inapplicable to the #Special Tribeca Mixed Use District#.

\* \* \*

Article XI - Special Purpose Districts

Chapter 1 Special Tribeca Mixed Use District

111-00 GENERAL PURPOSES

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

- (a) to retain adequate wage, job producing, stable industries within the Tribeca neighborhood;
(b) to protect light manufacturing and to encourage stability and growth in the Tribeca neighborhood by permitting light manufacturing and controlled residential uses to coexist where such uses are deemed compatible;
(c) to provide a limited new housing opportunity of a type and at a density appropriate to this mixed use zone;

- (d) to insure the provision of safe and sanitary housing units in converted buildings; and
(e) to promote the most desirable use of land and building development in accordance with the Plan for Lower Manhattan as adopted by the City Planning Commission.

\* \* \*

111-02 General Provisions

The provisions of this Chapter shall apply to all #developments, enlargements, extensions#, alterations, #accessory uses#, open and enclosed, and changes in #uses# within the Special District.

#Loft dwellings# and #joint living-work quarters for artists# are permitted #uses# within the Special District and #loft dwellings# are the only permitted #residential use# in #buildings# designed for non #residential use# and erected prior to December 15, 1961. #Loft dwellings# and #joint living-work quarters for artists# converted under the provisions of this Chapter, are not subject to the provisions of Section 32-42 (Location within Buildings).

#Buildings# designed for non #residential use#, and erected prior to December 15, 1961, that have not since been #enlarged# may be converted to #loft dwellings#, subject to the #bulk# regulations of Section 111-11 (Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living Work Quarters for Artists).

#Buildings# designed for non #residential use#, and erected prior to December 15, 1961, that have since been #enlarged# may be converted to #loft dwellings#, and #buildings# designed for non #residential use# and erected prior to December 15, 1961, may be #enlarged# for #loft dwellings#, provided that such conversion or #enlargement# shall be made only by special permit of the City Planning Commission pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings).

A #home occupation# may occupy a #loft dwelling# as an #accessory use# in excess of the #floor area# limitations of Section 12-10 (DEFINITIONS - Home occupation), and subject to the following:

- (a) Businesses operated as #home occupations# may have up to three non #residential# employees, and
(b) Notwithstanding the limitation on #uses# listed in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#. It shall not include the sale of merchandise produced elsewhere.
(c) The Commissioner of Buildings may issue rules and regulations setting forth appropriate standards to implement the intent of this Section.

Museums or non-commercial art galleries are permitted #uses# within Areas B1 and B2 of the Special District in accordance with the provisions of Section 111-105 (Museums or non-commercial art galleries), and are subject to the #bulk# regulations applicable to #manufacturing uses# in Areas B1 and B2.

Except as modified by the express provisions of the District, the regulations of the underlying districts remain in effect.

111-03 District Map

The District Map for the #Special Tribeca Mixed Use District#, in Appendix A, identifies special areas comprising the Special District in which special zoning regulations carry out the general purposes of the #Special Tribeca Mixed Use District#. These areas are as follows:

- Area A1 - General Mixed Use Area
Area A2 - Limited Mixed Use Area (Commercial and Residential Uses)
Area A3 - General Mixed Use Area
Area A4 - General Mixed Use Area
Area B1 - Limited Mixed Use Area
Area B2 - Limited Mixed Use Area
Area A5 - General Mixed Use Area
Area A6 - General Mixed Use Area
Area A7 - General Mixed Use Area

111-10 SPECIAL USE REGULATIONS

111-101 Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists

Within Areas B1 and B2, #loft dwellings# and #joint living-work quarters for artists# are not permitted below the floor level of the third #story#, unless modified by the Chairperson of the City Planning Commission pursuant to Section 111-20 (MINOR MODIFICATIONS), paragraph (a), by authorization of the City Planning Commission pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission) or by special permit of the City Planning Commission pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS).

**111-11 Residential use modification**

- (a) Loft dwellings
 

#Loft dwellings# created prior to (effective date) shall be governed by the provisions for #loft dwellings# in Section 111-40 (REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)). Such #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with such provisions. No #loft dwellings# may be created after (effective date), except as the result of a subdivision of a #loft dwelling# existing prior to (effective date).
- (b) Home occupations
 

A #home occupation# may occupy a #loft dwelling#, or a #dwelling unit# converted pursuant to Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), as an #accessory use# pursuant to Section 15-13 (Special Home Occupation Provision), except that:

  - (1) businesses operated as #home occupations# may have up to three non-#residential# employees; and
  - (2) notwithstanding the limitation on #uses# listed in Section 12-10, a #home occupation# may include a permitted #commercial# or permitted #manufacturing use#.

**111-102 12 Ground floor use restrictions**

(a) In all areas except Areas A2, A1, A3 and A4G ground floor spaces in separate #buildings# may not be combined for #uses# in Use Groups 3, 4, 5 and 6, except in those #buildings# having frontage on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street.

**(b) Areas B1 and B2**

- (1) Use of the ground floor in #buildings# constructed prior to March 10, 1976, shall be restricted to #uses# in Use Groups 7, 9, 11, 16, 17a, 17b, 17c or 17e, except that where a #use# other than these occupied the ground floor of a #building# prior to March 10, 1976, it shall be permitted in conformance with the underlying district regulations.
- (2) In #buildings# having frontage on Greenwich Street, West Street, Hudson Street, West Broadway or Canal Street, ground floor #uses# shall be permitted in conformance with the underlying districts except as provided in Section 111-103, paragraph (c).

**111-103 13 Additional use regulations**

**(a) Areas A1, and A3 and A4**

- (1) #Uses# in Use Groups 16 and 17 shall be permitted, except the following #uses# are prohibited in all #buildings#:
  - (i) within Use Group 16A: crematoriums, poultry or rabbit killing establishments, unenclosed automobile, boat, motorcycle or trailer sales, motorcycle rentals;
  - (ii) all Use Group 16B #uses#, except #automotive service stations# by special permit pursuant to Section 73-21;
  - (iii) all Use Group 16C #uses#;
  - (iv) within Use Group 16D: dry cleaning or cleaning or dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment;
  - (v) within Use Group 17B: manufacture of aircraft, automobiles, trucks, trailers, boats, motorcycles or chemicals; and
  - (vi) all Use Group 17C #uses#, except agriculture.
- (2) The following #uses# are prohibited in #buildings# that do not front on Chambers Street, Church Street, Greenwich Street, Hudson Street, or West Broadway or West Street:
  - (i) all Use Group 8A #uses#;
  - (ii) all Use Group 8D #uses#;
  - (iii) all Use Group 10A #uses#, except depositories, photographic or motion picture

studios, radio or television studios; and

(iv) all Use Group 12A #uses#.

(3) In #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street, or West Broadway or West Street, the following retail facilities #uses# shall be limited to 20,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses#, except as otherwise provided in Section 111-40 111-32 (Special Permit For Certain Large Commercial Establishments):

(i) all #uses# in Use Groups 6A and 6C;

(ii) all #uses# in Use Group 10 with parking categories B or B1; and

(iii) the above #uses# when listed in other use groups.

Separate #buildings# on separate #zoning lots# may not be combined for #uses# in Use Groups 6A, and 6C and or all #uses# with parking categories B or B1, in Use Group 10 with parking categories B or B1.

In addition, in #buildings# not fronting on the above listed #streets# listed in paragraph (a)(3) of this Section, #uses# listed retail facilities in Use Groups 6A and 6C shall be limited to 10,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted allocated to such #uses#, except as otherwise provided in Section 111-40 32.

**(b) Areas B1 and B2**

#Loft dwellings# and #joint living work quarters for artists# shall be permitted in #buildings# where the #lot coverage# is less than 5,000 square feet. #Loft dwellings# and #joint living work quarters for artists# shall be permitted in other #buildings# or other structures# only by special permit of the City Planning Commission, pursuant to Section 111-50 (SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS), or by minor modification of the Chairperson of the City Planning Commission, pursuant to Section 111-20, paragraph (d), or by authorization of the City Planning Commission, pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission).

**Areas A4, A5, A6 and A7**

(4) All #uses# listed in Use Groups 16B, 16C or 16D shall be permitted.

(5) The following #uses# listed in Use Group 16A shall be permitted:

Carpentry, custom woodworking or custom furniture making shops

Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors' establishments, open or enclosed, with open storage limited to 5,000 sq. ft.

Household or office equipment or machinery repair shops

Machinery rental or sales establishments.

(6) All #uses# in Use Group 17 shall be permitted, except that the following #uses# shall be prohibited:

Building materials or contractors' yards, open or enclosed

Produce or meat markets, wholesale

Adhesives, including manufacture of basic components

Food products, including slaughtering of meat or preparation of fish for packing

Laboratories, research, experimental or testing

Leather products, including shoes, machine belting, or similar products

Metal stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils, or similar products

Pharmaceutical products

Plastic products, including tableware, phonograph records, buttons, or similar products

Rubber products, such as washers, gloves, footwear, bathing caps, atomizers, or similar products, including manufacture

of natural or synthetic rubber

Shoddy

Soap or detergents.

(4) For establishments with frontage on #wide streets#, #uses# listed in Use Groups 6A, 6C and 10 shall be limited to 10,000 square feet of #floor area#. For establishments that front only upon a #narrow street#, such #uses# shall be limited to 5,000 square feet of #floor area#. For the purposes of this Section, #floor area# shall include retail #cellar# space allocated to such #uses#.

The #floor area# requirements of this paragraph, (b)(4), may be modified only pursuant to Section 111-32 (Special Permit For Certain Large Commercial Establishments).

(c) Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, as listed in Use Group 12A, in any location within a #building#, shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244. In Areas A1, A2, A3 and A4, The Board of Standards and Appeals shall additionally find for establishments of any capacity with dancing, as listed in Use Group 12A, that primary ingress and egress for such #uses# may only be located on Broadway, Chambers Street, Church Street, Greenwich Street, Hudson Street, Sixth Avenue, Varick Street, West Broadway or West Street, with only fire or emergency egress on other #streets#, and that no portion of such #use# may be located more than 100 feet, measured perpendicularly, from the above-listed streets. Furthermore, such #uses# are restricted as provided in paragraph (a)(2) of this Section.

**(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 (effective date of amendment), may continue under the terms of such approval.

**(e) Environmental conditions for Area A2**

(1) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations\*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.

(2) All new #dwelling units# shall be provided with a minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.

\* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).

**111-104 Special provisions for Areas A1, A2, A3, A4 and B2**

**111-20 SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7**

**(a) Area A1**

The regulations applicable to a C6-2A District shall apply to all new #developments# and #enlargements#, except as set forth herein.

(1) Maximum #floor area ratio#  
The maximum #floor area ratio# permitted on a #zoning lot# shall be 5.0.

(2) Special regulations for narrow #buildings#  
A #building# or portion of a #building# may be constructed above the maximum height of a #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided the portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of the #building# facing a #narrow street#.

**(b) Area A2**

The regulations applicable to a C6-3 District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.

- (1) Maximum #floor area ratio#  
No #floor area# bonuses shall be permitted in Area A2.  
The maximum #floor area ratio# permitted shall be 7.52. In no case shall the #floor area ratio# of the #commercial# or #community facility# portion of the #building# be more than 6.0.
- (2) #Open space# and #lot coverage# regulations  
The #open space# and #lot coverage# regulations of Article II, Chapters 3 and 4, and Article III, Chapter 5, for a #residential building#, or the #residential# portion of a #mixed building#, are not applicable. In lieu thereof, the maximum permitted #lot coverage# on a #zoning lot# shall not exceed 80 percent of the #lot area#. However, any permitted obstruction on a #zoning lot# pursuant to Sections 23-44, 24-12 or 33-23 shall not count as #lot coverage#.
- (3) #Yard#, #court# and minimum distance between #buildings# regulations  
The #yard# and #court# regulations of a C6-3 District shall apply, except that on a #through lot# the provisions of paragraphs (b) and (c) of Sections 23-533 and 24-382 (Required rear yard equivalents) and 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) shall not apply. On any single #zoning lot# within Area A2, if a #development# or #enlargement# results in two or more #buildings# or portions of #buildings# detached from one another at any level, such #buildings# or portions of #buildings# shall at no point be less than eight feet apart.
- (4) #Height factor#, front height and setback regulations  
The #height factor#, front height and setback, alternate front setback and tower regulations of a C6-3 District shall not apply. In lieu thereof, for the first two #stories# of any #development# or #enlargement#, the #street wall# shall be located on the #street line# and shall extend the entire width of the #zoning lot# ~~not occupied by existing #buildings# to remain~~, except that at the intersection of two #street lines# the #street wall# may be located within five feet of the #street line#. Above the ceiling of the second #story# for any #development# or #enlargement#, there shall be mandatory #street walls# extending the entire width of the #zoning lot# ~~not occupied by existing #buildings# to remain~~, as set forth ~~below~~ in this paragraph, (b)(4). Along #wide streets# and along #narrow streets#, within 75 feet of the intersection with #wide streets#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 100 feet above #curb level#. Along a #narrow street#, beyond a distance of 75 feet from the intersection of a #wide street# and a #narrow street#, the #street wall# shall rise for a minimum of 60 feet above #curb level# but shall not exceed a height of 85 feet above #curb level#. Notwithstanding the above requirements, for the 25 feet of a #zoning lot# furthest from the intersection of a #wide street# and a #narrow street#, the height of the #street wall# shall be 60 feet or the height of the adjacent #building# fronting on the same #street line#, whichever is greater. Above the ceiling of the second #story#, 75 percent of the aggregate area of the mandatory #street walls# at each #story# shall be within five feet of the #street line#; the mandatory #street wall# shall about the #street line# at least once every 25 feet; and at the intersection of two #street lines# the mandatory #street wall# shall be located within five feet of the #street line#, measured perpendicular to the #street line#. For #residential# and community facility #developments# or #enlargements#, recesses shall comply with the applicable #outer court# provisions of Sections 23-84 and 24-63.  
For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter. For any #zoning lot# located in a Historic

District designated by the Landmarks Preservation Commission, the location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Chapter and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

- (5) Curb cuts  
Curb cuts shall not be permitted on Greenwich Street, Murray Street and Chambers Street.
- (c) Area A3  
The regulations applicable to a C6-3A District shall apply to ~~all new~~ #developments# and #enlargements#, except as set forth herein.
  - (1) Height and setback regulations  
The height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall not apply. In lieu thereof, the following height and setback regulations shall apply:
    - (i) Permitted obstructions  
Permitted obstructions for all #buildings# or other structures# shall be as set forth in Section 33-42.
    - (ii) Measurement of height  
Heights of all #buildings# or other structures# shall be measured from the #base plane#.
    - (iii) #Street wall# location  
The #street wall# of any #development# or #enlargement# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings#, and shall rise to at least a height of 60 feet ~~[remove double-space]~~ or the height of the #building#, whichever is less. However, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line ~~[remove double-space]~~ connecting such #street lines# at points 15 feet from their intersection. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. At any level above the ground floor, but at least 12 feet above the level of the #base plane#, recesses shall be permitted in the #street wall# for #outer courts# or articulation of #street walls# at the intersection of two #street lines# as set forth in this Section. The aggregate width of such recesses shall not exceed 30 percent of the width of the #street wall# at any level.
    - (iv) Maximum height of #street walls# and required setbacks  
The maximum height of a #street wall# before setback shall be 85 feet or the height of an adjoining #building# fronting on the same #street line# with a height of at least 60 feet, whichever is less. Setbacks are required for all portions of #buildings# that exceed these maximum #street wall# heights. At a height not lower than 60 feet nor higher than 85 feet, or the height of an adjoining #building# fronting on the same #street line# which is less than 85 feet, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that such dimensions may include the depth of any permitted recesses in the #street wall#.
    - (v) Maximum building height  
No #building# or other structure# shall exceed a height of 135 feet.

(vi) Vertical #enlargements# of low #buildings#  
Existing #buildings# with #street walls# less than 60 feet in height may be vertically #enlarged# by up to one #story# or 15 feet, whichever is less, without regard to the #street wall# location provisions of paragraph (c)(1)(iii) of this Section.

- (2) Special regulations for narrow #buildings#  
A #building# or portion of a #building# may be constructed above the maximum height of #street wall# permitted pursuant to Section 23-692 (Height limitations for narrow buildings or enlargements), provided such portion of a #building# exceeding such height limitation does not exceed a height of one #story# or 15 feet, whichever is less, and provided such portion of a #building# is set back at least 10 feet from the #street wall# of the #building# facing a #wide street#, and 15 feet from the #street wall# of a #building# facing a #narrow street#.

(d) Areas A4, A5, A6 and A7  
Except as set forth herein, the #bulk# regulations of the underlying district shall apply.

- (1) ~~In C6-2A and C6-3A Districts, the #Height and setback regulations, as set forth in Table A of Section 35-24, shall be modified, as follows:~~

District Area	Minimum base height (in ft.)	Maximum base height (in ft.)	Maximum building height (in ft.)
<del>C6-2A</del>	<del>60</del>	<del>70</del>	<del>110</del>
<del>C6-3A A4</del>	60	70	140
A5	60	70	110
A6	60	85	120
A7	60	85	120

~~In a C6-3A District, Area A4, a penthouse portion of a #building#, not exceeding ten feet in height, may be constructed above the maximum building height, provided that such penthouse portion is set back at least 25 feet from any #narrow street#.~~  
In Area A4, ~~However,~~ the provisions of this paragraph, (d) (1), shall not apply to any #building# located in Historic Districts designated by the Landmarks Preservation Commission.

- (2) The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# ~~within Area A4~~, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

- (3) ~~In a C6-3A District, the maximum #floor area ratio# permitted on a #zoning lot# shall be 6.5 as follows:~~

Area	Maximum #floor area ratio#
A4	6.5
A5	5.5
A6	5.4
A7	5.0

- (4) ~~In a C6-2A District, the maximum #floor area ratio# permitted on a #zoning lot# shall be 5.5.~~  
Applicability of Inclusionary Housing Program  
R8A Districts within Area A6 shall be #Inclusionary Housing designated areas#, 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. The base #floor area ratio# for any #zoning lot# containing #residences# shall be 5.4. Such base #floor area ratio# may be increased to a maximum of 7.2 through the provision of #affordable housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY

HOUSING), except that the height and setback regulations of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

(5) #Buildings# that have received a certification from the Chairperson of the City Planning Commission pursuant to paragraph (c) of the former Section 111-20 (MINOR MODIFICATIONS), prior to (effective date of amendment), to modify the rooftop open space requirements of the former Section 111-112 (Open space equivalent), shall be exempt from the rooftop open space requirements of Section 15-24 (Open Space Equivalent).

(6) Notwithstanding any of the provisions of Section 11-33 (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), the #development# of a #building# pursuant to variance granted by the Board of Standards and Appeals under calendar #231-09-BZ to modify #bulk# regulations, may be continued provided that a building permit has been issued, in accordance with the terms of said variance, within two years of the grant of said variance.

(e) Area B2

In Area B2, except as modified by the express provisions of this Chapter, the underlying district regulations are superseded and replaced by the regulations applicable in M2-4 Districts.

111-105 Museums or non-commercial art galleries

Areas B1 and B2

In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant to the provisions of Sections 111-102 and above the ground floor where #joint living work quarters for artists# or #loft dwellings# are permitted pursuant to the provisions of Sections 111-101 or 111-103.

111-11 Bulk Regulations for Buildings Containing Loft Dwellings or Joint Living Work Quarters for Artists

#Joint living work quarters for artists# located within the District shall comply with all the #bulk# regulations of this Section applicable to #loft dwellings#.

111-111 Loft dwelling requirements

(a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# of 30 feet minimum depth.

(b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:

(i) where a #loft dwelling# occupies the entire useable area of a floor, there shall be no minimum #floor area#;

(ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;

(iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds 5 percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or

(iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.

(2) The minimum #loft dwelling# size and #yard# requirement, however, may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living work quarters for artists and loft dwellings) for #loft dwellings#:

(i) for which a determination of #residential# occupancy on September 1, 1980 has been made; or

(ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or

(iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.

#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into dwellings that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

(c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.

(d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.

(e) No #building# in Areas B1 and B2 containing #loft dwellings# or #joint living work quarters for artists# shall be #enlarged#, except that such #buildings# containing #loft dwellings# may be #enlarged# by special permit of the City Planning Commission, pursuant to Section 111-51 (Special Permit for Enlargements of Buildings Containing Loft Dwellings). Mezzanines shall be permitted as provided in paragraph (d) of this Section.

111-112 Open space equivalent

At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be #developed# for recreational #use#.

For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.

111-20 MINOR MODIFICATIONS

On application, the Chairperson of the City Planning Commission may grant minor modifications to the following provisions of this Chapter:

(a) The requirements of Section 111-101 relating to location of #loft dwellings# or #joint living work quarters for artists# below the floor level of the third #story# of a #building# in Areas B1 and B2, and Section 111-102, paragraph (b), relating to #use# restrictions in #floor area# on the ground floor may be modified provided that the Chairperson finds that the owner of the space has made a good-faith effort to rent such space to a mandated #use# at fair market rentals.

Such efforts shall include but not be limited to:

advertising in local and city wide press;

listing the space with brokers;

notifying the New York City Office of Economic Development; and

informing local and city wide industry groups.

Such efforts shall have been actively pursued for a period of no less than six months for #buildings# under 3,600 square feet and one year for #buildings# over 3,600 square feet prior to the date of the application.

(b) The requirements of Section 111-111 relating to #loft dwellings# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the design of the #loft dwellings# or #joint living work quarters for

artists# provides sufficient light and air to allow minor modifications of these provisions.

(e) The requirements of Section 111-112 relating to roof top #open space# may be modified provided that the Chairperson has administratively certified to the Department of Buildings that the roof either is unsuited for #open space use# or cannot be made suitable for #open space use# at reasonable cost.

(d) The requirements of Section 111-102 (Additional use restrictions), paragraph (b), relating to #loft dwellings# and #joint living work quarters for artists# in #buildings# within Area B1 and B2, where the #lot coverage# is 5,000 square feet or more, may be modified provided that:

(1) such #floor area# was occupied on September 1, 1980, as #loft dwellings# or #joint living work quarters for artists#, or consists of registered Interim Multiple Dwellings, or is found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law;

(2) such #building# consisted, on June 21, 1983, of two or more contiguous sections separated structurally by load-bearing walls, with independent entrances, independent addresses, and other evidence of the independent functional use of each section of the #building#, which evidence may include but is not limited to separate deeds, separate tax lots, separate certificates of occupancy, or separate utilities or systems for the entirety of each section of the #building#; and

(3) the section within which such #floor area# is located has a #lot coverage# of less than 5,000 square feet of #lot area#.

A developer must send a copy of any request for modification pursuant to this Section to the applicable Community Board at least ten days prior to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 30 days of such notification.

111-21 Notice of Filing to Create Loft Dwellings or Joint Living Work Quarters for Artists

A duplicate copy of the application for an alteration permit shall be sent to the City Planning Commission by the applicant for information purposes only. No building permit shall be issued by the Department of Buildings for such #loft dwellings# or #joint living work quarters for artists# without the acknowledged receipt of such notice by the City Planning Commission.

111-23 Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission

The provisions of Section 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists), relating to the prohibition of #loft dwellings# or #joint living work quarters for artists# below the level of the third #story# of a #building# in Areas B1 and B2, and Section 111-102 (Additional use regulations), paragraph (b), relating to #loft dwellings# and #joint living work quarters for artists# in #buildings# within Areas B1 and B2 where the #lot coverage# is 5,000 square feet or more, may be modified by authorization of the City Planning Commission, provided that:

(a) such #building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;

(b) any alterations to the subject #building# required in connection with such conversion to #loft dwellings# or #joint living work quarters for artists# have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission; and

(c) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission.

In order to grant an authorization, the City Planning Commission shall find that such modification shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

111-30 ENVIRONMENTAL CONDITIONS FOR AREA A2

(a) All #developments# or #enlargements# shall be subject to Ambient Noise Quality Zone Regulations\*. #Uses# listed in Use Group 11A shall be subject to the performance standards of an M1 District.

(b) All new #dwelling units# shall be provided with a

minimum 35dB(A) of window wall attenuation in order to maintain an interior noise level of 45dB(A), or less, with windows closed. Therefore, an alternate means of ventilation is required.

\* Ambient Noise Quality Regulations for an M2 District as set forth in the Noise Control Code for the City of New York, Article VI(B).

**111-30  
SPECIAL PERMITS**

**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.

**111-4032  
Special Permit for Certain Large Commercial Establishments SPECIAL PERMIT FOR CERTAIN LARGE RETAIL FACILITIES**

The City Planning Commission may permit the total #floor area# of large commercial establishments retail facilities subject to Section 111-103, paragraph (a)(3) to exceed the underlying limitations #floor area# requirements set forth in Section 111-13, paragraphs (a)(3) and (b)(4) on square feet to exceed 20,000 square feet of #floor area#, including the #floor area# requirements for retail #cellar# space allotted to such #uses#, in #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street or West Broadway, and 10,000 square feet of #floor area#, including retail #cellar# space allotted to such #uses#, in #buildings# fronting on other #streets#, provided

As a condition of granting a special permit for such large #commercial# establishments, the Commission shall find that:

- (a) such #development#, #enlargement#, #extension# or change of #use# is so located as not to impair the essential character or the future use of, or development of, the surrounding area; and
- (b) the #streets# providing access to the facility will be adequate to handle the vehicular and pedestrian traffic generated by such #use#.

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

**111-40  
REQUIREMENTS FOR LOFT DWELLINGS CONSTRUCTED PRIOR TO (EFFECTIVE DATE)**

The following is applicable to all existing #loft dwellings#, created prior to (effective date), within the #Special Tribeca Mixed Use District#.

- (a) All #loft dwellings# shall have one or more windows which open into a #street# or a #yard# with a minimum depth of 30 feet.
- (b) (1) The minimum #floor area# contained within a #loft dwelling# shall be not less than 2,000 square feet, except that:
  - (i) where a #loft dwelling# occupies the entire usable area of a floor, there shall be no minimum #floor area#;
  - (ii) where a #loft dwelling# has a minimum clear width of 14 feet throughout and has windows opening onto both a #street# and a #yard# which has a depth of 10 percent of the depth of the #loft dwelling#, there shall be no minimum #floor area#;
  - (iii) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# exceeds five percent, the minimum #floor area# contained within the #loft dwelling# may be reduced by 200 square feet for each additional percent, to a ratio of 10 percent; or
  - (iv) where the ratio in a #loft dwelling# of the window area opening onto a #street# or a #yard# of 30 feet minimum depth to the #floor area# contained within the #loft dwelling# equals or exceeds 10 percent, there shall be no minimum #floor area#.
- (2) The minimum #loft dwelling# size and #yard# requirement may be replaced by the requirements of Section 15-026 (Special bulk regulations for certain pre-existing dwelling units, joint living-work

quarters for artists and loft dwellings) for #loft dwellings#:

- (i) for which a determination of #residential# occupancy on September 1, 1980 has been made;
- (ii) that are registered Interim Multiple Dwellings or are found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
- (iii) that the Loft Board determines were occupied for #residential use# on September 1, 1980.

#Loft dwellings# existing on September 1, 1980, may not be subsequently divided into multiple #loft dwellings# that do not meet the requirements of paragraphs (a), (b)(1) and (c) of this Section, unless required by the Loft Board for the legalization of Interim Multiple Dwelling units in the implementation of Article 7C of the New York State Multiple Dwelling Law.

No #building# that meets the density requirements of this paragraph (c) may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

- (c) The number of #loft dwellings# shall not exceed one per 1,000 square feet of #floor area# devoted to #loft dwellings#, except as a result of the application of paragraph (b)(2) of this Section.

No #building# that meets the density requirements of paragraph (c) of this Section may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of Section 15-026 have been applied may subsequently add additional units or quarters except in accordance with the requirements of paragraph (c).

- (d) Mezzanines constructed pursuant to Chapter 26 of the Administrative Code shall be allowed within individual #loft dwellings#, provided that the gross #floor area# of each mezzanine does not exceed 33 and 1/3 percent of the #floor area# contained within such #loft dwelling#. Such mezzanines are permitted only in #buildings# with an existing #floor area ratio# of 12 or less and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain. Such mezzanines shall not be included as #floor area# for the purpose of calculating the minimum required size of a #loft dwelling# or for calculating #floor area# devoted to #loft dwellings#.

- (e) At least 30 percent of the gross roof area of a #building# containing 15 or more #loft dwellings# shall be provided for recreational #use#. For each additional #loft dwelling#, 100 square feet of additional roof area shall be #developed# for recreational #use# up to a maximum of 50 percent of the gross roof area. This recreational area shall be accessible to all the occupants of said #loft dwellings# and their guests for whom no fees are charged.

- (f) Existing #loft dwellings# may be #extended#, #enlarged#, or subdivided into two or more #loft dwellings# only in accordance with the provisions of this Section. In addition, #floor area# added to an existing #loft dwelling# shall not be subject to the provisions of Section 32-42 (Location within Buildings).

**111-50  
SPECIAL PERMIT FOR CONVERSION TO LOFT DWELLINGS OR JOINT LIVING WORK QUARTERS FOR ARTISTS**

The City Planning Commission may permit, in Areas B1 and B2, the modification of the #use# provisions of Sections 111-101 (Location of permitted uses in buildings containing loft dwellings or joint living work quarters for artists), Section 111-102 (Ground floor use restrictions), paragraph (b), or 111-103 (Additional use regulations), paragraph (b), to allow #loft dwellings# or #joint living work quarters for artists# on any #story# in any #building#, provided the Commission finds that:

- (a) the conversion will not harm the commercial and manufacturing sectors of the City's economy;
- (b) the conversion will not harm the commercial and manufacturing character of the surrounding area;
- (c) the process of conversion will not unduly burden #commercial# and #manufacturing uses# in the #building#; and
- (d) the neighborhood in which the conversion is taking place will not be excessively burdened by increased #residential# activity.

All #loft dwellings# or #joint living work quarters for artists# permitted by this special permit shall meet the standards of the applicable district for such units or quarters. The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.

**111-51  
Special Permit for Enlargements of Buildings Containing Loft Dwellings**

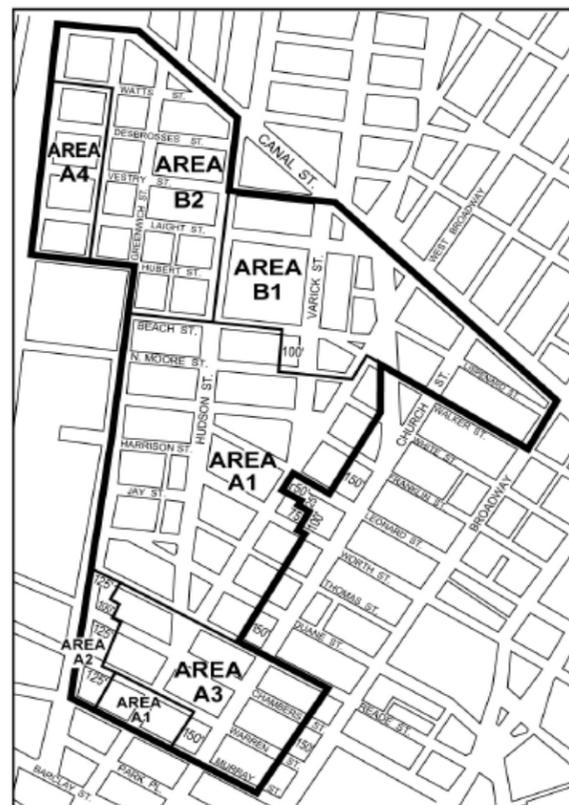
In Area B1, outside of historic districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit:

- (a) #loft dwellings# in #buildings# designed for non-#residential use# and erected prior to December 15, 1961, that have since been #enlarged#; or
- (b) the #enlargement# of #buildings# designed for non-#residential use# and erected prior to December 15, 1961, for #loft dwellings#, provided that:
  - (1) all #loft dwellings# comply with the requirements of Section 111-111 or have received a certification pursuant to Section 111-20, paragraph (b);
  - (2) the #bulk# regulations of an M1-5 District shall apply, except that the #enlarged# portion of the #building# shall comply with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) applicable to R8 Districts; and
  - (3) the maximum #floor area ratio# for all #loft dwellings# shall not exceed 5.0.

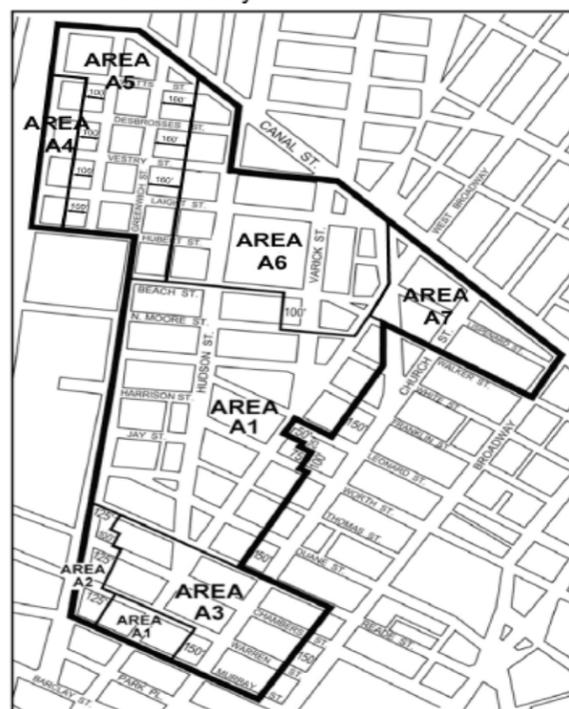
In order to grant a special permit, the City Planning Commission shall find that the process of #enlargement# will not unduly burden #commercial# and #manufacturing uses# in the #building# and the neighborhood in which the #enlargement# is taking place will not be excessively burdened by increased #residential# activity.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requiring the preservation of #floor area# for #commercial# or #manufacturing uses#.

**Appendix A  
Special Tribeca Mixed Use District Map  
To be deleted**



— Special Tribeca Mixed Use District  
— Area Boundary



— Special Tribeca Mixed Use District  
— Area Boundary

Area A1: General Mixed Use Area  
Area A2: Limited Mixed Use Area

Area A3: General Mixed Use Area  
 Area A4: General Mixed Use Area  
~~Area B1: Limited Mixed Use Area~~  
~~Area B2: Limited Mixed Use Area~~  
 Area A5: General Mixed Use Area  
 Area A6: General Mixed Use Area  
 Area A7: General Mixed Use Area  
 \* \* \*

**APPENDIX F  
 Inclusionary Housing Designated Areas**

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#.

\* \* \*  
 In addition, the following special purpose districts contain #Inclusionary Housing designated areas#, as set forth within such special districts:

#Special 125th Street District# – see Section 97-421 (Inclusionary Housing)

#Special Clinton District# – see Section 96-81 (C6-3X Designated District)

#Special Coney Island District# – see Section 131-321 (Special floor area regulations for residential uses)

#Special Downtown Jamaica District# – see Section 115-211 (Special Inclusionary Housing regulations)

#Special Garment Center District# – see Sections 121-31 (Maximum Permitted Floor Area) and 93-23 (Modifications of Inclusionary Housing Program)

#Special Harlem River Waterfront District# – see Section 87-20 (SPECIAL FLOOR AREA REGULATIONS)

#Special Hudson Yards District# – see Section 93-23 (Modifications of Inclusionary Housing Program)

#Special Long Island City Mixed Use District# – see Section 117-631 (Floor area ratio and lot coverage modifications)

#Special Southern Hunters Point District# – see Section 125-22 (Newtown Creek Subdistrict)

#Special Tribeca Mixed-Use District# – see paragraphs (d)(3) and (d)(4) of Section 111-20 (SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7)

#Special West Chelsea District# – see Section 98-26 (Modifications of Inclusionary Housing Program)

\* \* \*

**No. 9  
 HUDSON YARDS / WEST CHELSEA FOLLOW-UP  
 CD 4 N 100424 ZRM**

**IN THE MATTER OF** an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), Article IX, Chapter 6 (Special Clinton District), Article IX, Chapter 8 (Special West Chelsea District), and Article XII, Chapter 1 (Special Garment Center District).

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

**Article IX - Special Purpose Districts**

**Chapter 3  
 Special Hudson Yards District**

\* \* \*

**93-14  
 Ground Floor Level Requirements**

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

(a) Retail continuity along designated streets in Subdistricts A, B, C, D and E  
 Map 2 in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the building's #street# frontage, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 50 feet of the #street line# shall be limited to #commercial uses# permitted by the underlying district, but not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D.

A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations, or other subway-related #uses# as described in Section 93-65 (Transit Easements). In no event shall the length of #street# frontage (exclusive of any portion of such #street# frontage allocated to entrances to subway stations and other subway-related #uses#) occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the width of a lobby need not be less than 20 feet.

For any new #development# or #enlargement# on such designated #streets#, glazing shall be provided in accordance with the provisions set forth in paragraph (c) of this Section.

\* \* \*

**93-65**

**Transit Easements**

(a) Any #development# or #enlargement# on a #zoning lot# that includes the locations listed below southwest corner of West 40th Street and Eighth Avenue shall provide an easement for subway-related #use# and public access to the subway mezzanine or station as illustrated on Map 5 (Transit Easement for Subway Entrance and Subway-Related Uses) in Appendix A of this Chapter. The easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the development or enlargement.

(a) The area bounded by Tenth Avenue, West 41st Street, a line 190 feet east of and parallel to Tenth Avenue, and a line 55 feet south of and parallel to West 41st Street. The entrance shall be accessed from Tenth Avenue.

(b) For any #development# or #enlargement# on a #zoning lot# that includes the southwest corner of West 40th Street and Eighth Avenue, the transit easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the #development# or #enlargement#.

These locations are illustrated on Map 5 (Transit Easements and Subway Entrances) in Appendix A of this Chapter.

The Chairperson of the City Planning Commission shall certify that a plan has been submitted indicating the volume of the easement necessary for future construction of a subway entrance. Such plan shall be developed in consultation with and the approval of the Transit Authority. The Chairperson may alternately certify that a plan has been submitted whereby the applicant agrees to provide the required easement, at the applicant's expense, within two years of request by the Transit Authority or by its designee.

An instrument establishing such transit easement, or agreement to provide one within two years of request by the Transit Authority, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of such certification. Such filing and recording of the instrument shall be a precondition for the filing for or issuance of any building permit for any #development# or #enlargement# on the #zoning lot#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

Floor space within such ~~any required~~ transit easement shall be excluded from the definition of #floor area#, and may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public #use# of the easement area is required. A minimum notice of six months in writing shall be given by the Transit Authority to the owner of the #zoning lot# in order to vacate the tenants of such temporary #uses#.

(b) Any #development# or #enlargement# on a #zoning lot# that includes the locations listed below may establish an easement for subway-related #uses#, limited to ventilation facilities and other facilities or services used or required in connection with the operation of a subway line or station:

(1) The volume bounded by Eleventh Avenue, a line 52 feet north of and parallel to West 33rd Street, the western boundary of the #park#, and West 33rd Street, up to a height of 82 feet, as illustrated on Map 5 (Transit Easements for Subway Entrances and Subway-Related Uses) in Appendix A of this Chapter.

(2) The volume bounded by Eleventh Avenue, West 36th Street, a line 95 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 36th Street, up to a height of 129 feet, as illustrated on Map 5 (Transit Easements for Subway Entrances and Subway-Related Uses) in Appendix A of this Chapter.

(3) The volume bounded by West 41st Street, a line 214 feet west of and parallel to Dyer Avenue, a line 67 feet north of and parallel to West 41st Street, and Dyer Avenue, up to a height of 73 feet, as illustrated on the District Map in Appendix A of the #Special Clinton District#.

(4) The volume bounded by a line 37 feet east of and parallel to Eleventh Avenue, West 26th Street, a line 100 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 26th Street, up to a height of 60 feet, as illustrated on the District Map in Appendix A of the #Special West Chelsea District#.

If a transit easement for such subway-related #use# is established, an instrument establishing such transit easement shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument. Floor space within such provided transit easement used exclusively for such subway-related #use# shall be excluded from the definition of #floor area#.

\* \* \*

**93-91  
 Demolition**

The Department of Buildings shall not issue a permit for the demolition of a #multiple dwelling#, as defined in Section 93-90(a)(14), located within Subareas D4 or D5 or within Preservation Area P-2 of the #Special Garment Center District#, or an alteration permit for the partial demolition of a #multiple dwelling# located within Subareas D4 and D5 or

within Preservation Area P-2 of the #Special Garment Center District#, where such partial demolition would decrease the amount of residential #floor area# in such #multiple dwelling# by 20 percent or more, unless:

(a) such #multiple dwelling# is an unsafe #building# and demolition is required pursuant to the provisions of Title 28, Chapter 2, Article 216 of the New York City Administrative Code, or

(b) the Commissioner of the Department of Housing Preservation and Development, after providing sixty days notice and opportunity to comment to the local Community Board, has certified:

(1) if such #multiple dwelling# is to be substantially preserved, that an alteration permit is required to allow the removal and replacement of 20 percent or more of the #floor area#;

(2) if such #multiple dwelling# is not to be substantially preserved, that the Department of Housing Preservation and Development has determined that the rehabilitation of such #multiple dwelling# is not feasible under any active governmentally-funded program; and

(3) that the Department of Housing Preservation and Development has issued a #certification of no harassment# pursuant to Section 93-90(c), or has certified compliance with the cure provisions of Section 93-90(d).

(c) the following structures shall be exempt from the provisions of this Section:

(1) any city-owned #multiple dwellings#;

(2) any #multiple dwelling# which is the subject of a program approved by the Department of Housing Preservation and Development for the provision of housing for persons of low or moderate income and has been exempted from the provisions of this Section by written determination of the Department of Housing Preservation and Development;

(3) any #multiple dwelling# initially occupied for residential purposes after January 1, 1974, except for #buildings# which are or have been "interim multiple dwellings" pursuant to Article 7C of the Multiple Dwelling Law;

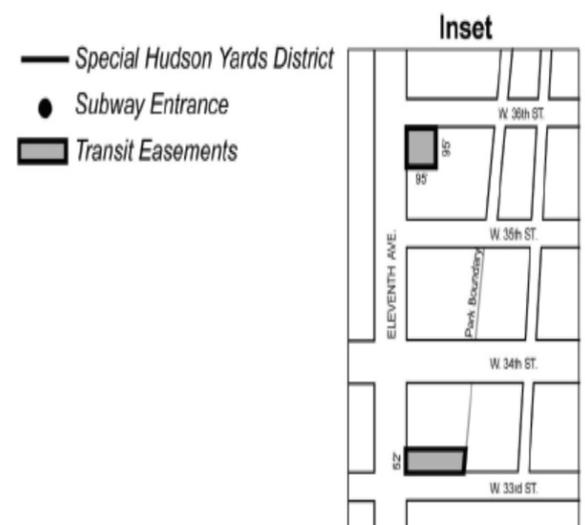
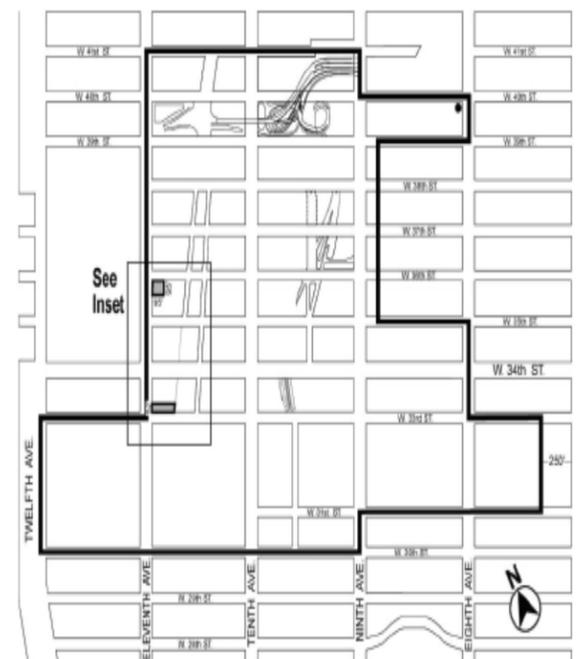
(4) any #exempt hotel# as defined in Section 93-90;

(5) any #multiple dwelling# in which occupancy is restricted to clubhouse or school dormitory use and occupancy was restricted to clubhouse or school dormitory use on June 21, 2004; or

(6) any #exempt institutional residence# as defined in Section 93-90.

\* \* \*

**Appendix A  
 Map 5. Transit Easements and for Subway Entrances and Subway-Related Uses**



Article IX - Special Purpose Districts

Chapter 6 Special Clinton District

96-108 Demolition of buildings No demolition permit or alteration permit for partial demolition involving a decrease of more than 20 percent in the amount of residential floor area...

96-21 Special Regulations for 42nd Street Perimeter Area

- (b) Floor area regulations
(2) Floor area regulations in Subarea 2

In Subarea 2 of the 42nd Street Perimeter Area, as shown in Appendix A, the basic floor area ratio of any development or enlargement shall be 10.0. However, the floor area ratio of any development or enlargement containing residential use may exceed 10.0 to a maximum of 12.0 only in accordance with the provisions of Section 23-90...

Any development or enlargement on a zoning lot that includes the area bounded by a line 129 feet east of and parallel to Tenth Avenue, West 42nd Street, a line 184 feet east of and parallel to Tenth Avenue, and a line 50 feet south of and parallel to West 42nd Street shall provide an easement for public access to the subway mezzanine or station...

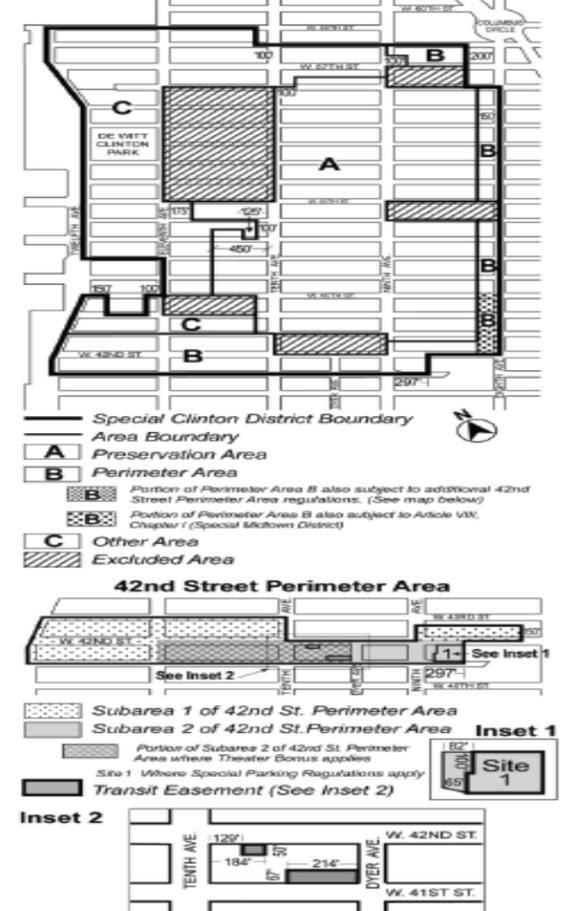
An instrument establishing such transit easement shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument.

Floor space within such transit easement shall be excluded from the definition of floor area, and may be temporarily used by the owner of the zoning lot for any permitted uses until such time as required by the Transit Authority or by its designee for subway purposes.

The provisions of subsection b of Section 93-65 (Transit Easements) shall apply to any development or enlargement on a zoning lot that includes the volume bounded by West 41st Street, a line 214 feet west of and parallel to Dyer Avenue, a line 67 feet north of and parallel to West 41st Street, and Dyer Avenue, up to a height of 73 feet, as illustrated on the District Map in Appendix A of this Chapter.

Where a transit easement volume is required on a zoning lot in Subarea 2, such easement volume may be temporarily used by the owner of the zoning lot for any permitted uses until such time as required by the Transit Authority or by its designee for subway purposes. Any such floor spaces occupied by such transit easement volume shall not count as floor area.

Appendix A Special Clinton District Map



Article IX - Special Purpose Districts

Chapter 8 Special West Chelsea District

98-23 Special Floor Area and Lot Coverage Rules for Zoning Lots Over Which the High Line Passes That portion of the zoning lot that lies directly beneath the High Line shall be exempt from lot coverage requirements below the level of the High Line bed.

98-33 Transfer of Development Rights from the High Line Transfer Corridor

- (d) Stairway easement requirement

As a condition for the transfer of floor area, an easement volume to facilitate pedestrian access to the High Line via stairway shall be provided in accordance with the provisions of Sections 98-60 (SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS) and 98-63 (Recording of the High Line Access Easement Volume).

98-60 SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS

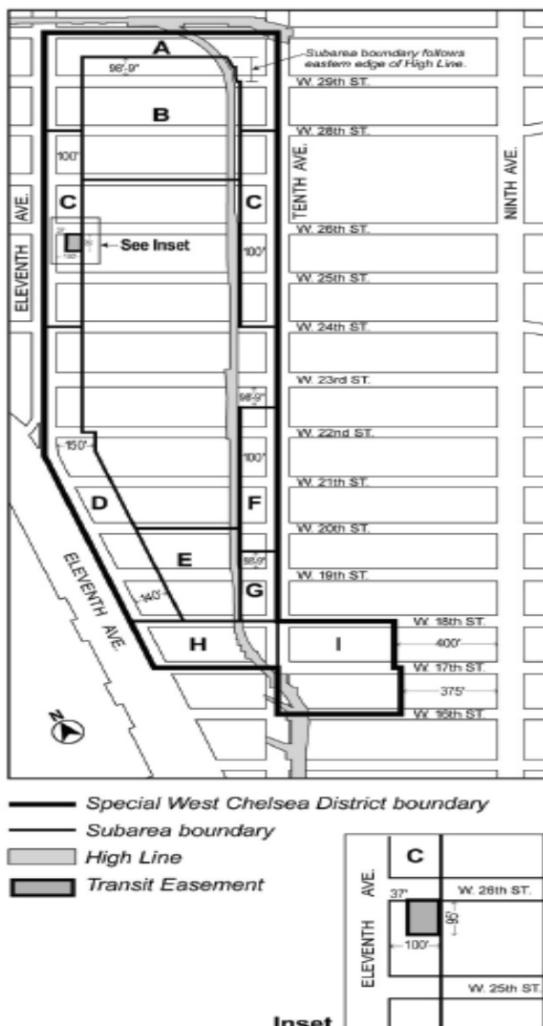
98-65 Transit Easements The provisions of subsection b of Section 93-65 (Transit Easements) shall apply to any development or enlargement on a zoning lot that includes the volume bounded by a line 37 feet east of and parallel to Eleventh Avenue, West 26th Street, a line 100 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 26th Street, up to a height of 60 feet, as illustrated on the District Map in Appendix A of this Chapter.

98-70 Supplemental Regulations

- (a) In the Special West Chelsea District, the provisions of paragraphs (a) through (d), inclusive, of Section 93-90 (HARASSMENT) shall apply as modified in this Section.
(b) In the Special West Chelsea District, the provisions of Section 93-91 (DEMOLITION) shall apply.

For the purposes of this Section, the following definitions in Section 93-90 shall be modified:

Appendix A Special West Chelsea District and Subareas



Article XII - Special Purpose Districts

Chapter 1 Special Garment Center District

121-50 Supplemental Regulations in Preservation Area P-2

In Preservation Area P-2, the provisions of Section 93-90 (HARASSMENT) and Section 93-91 (DEMOLITION), inclusive, shall apply.

BOROUGH OF QUEENS No. 10 ROSEDALE AVENUE REZONING

CD 13 C 100436 ZMQ

IN THE MATTER of an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 19a, 19b, 19c and 19d:

- 1. eliminating from within an existing R3-2 District a C1-1 bounded by 147th Drive, a boundary line of the City of New York, 148th Avenue, and Hook Creek Boulevard;
2. eliminating from within an existing R3-2 District a C1-2 bounded by:
a. Brookville Boulevard, a line 150 feet northeasterly of Francis Lewis Boulevard, a line 150 feet northerly of North Conduit Avenue, 242nd Street, and North Conduit Avenue;
b. South Conduit Avenue, Francis Lewis Boulevard, 245th Street, a line 150 feet northeasterly of Francis Lewis Boulevard, 247th Street, a line 150 feet southwesterly of Francis Lewis Boulevard, 245th Street, 243rd Street, and 140th Avenue;
c. Caney Road, a line 150 feet southeasterly of 243rd Street, Mayda Road, and a line 150 feet northwesterly of 243rd Street; and
d. South Conduit Avenue, Hook Creek Boulevard, 248th Street, a line 100 feet southerly of South Conduit Avenue, and 247th Street;
3. eliminating from within an existing R2 District a C2-1 bounded by Brookville Boulevard, a line 150 feet northerly of Merrick Boulevard, 133rd Avenue, 243rd Street, a line 150 feet northerly of Merrick Boulevard, 132nd Road, Hook Creek Boulevard, a line 150 feet southerly of Merrick Boulevard, a line midway between Brookville Boulevard and 241st Street, and 135th Avenue;
4. eliminating from within an existing R3-2 District a C2-1 bounded by:
a. North Conduit Avenue, Hook Creek Boulevard, the centerline of the Long Island Railroad right-of-way (Montauk Division), and Brookville Boulevard; and
b. South Conduit Boulevard, a boundary line of the City of New York, a line 100 feet northerly of 149th Street, and Hook Creek Boulevard;
5. changing from an R3-2 District to an R2 District property bounded by:
a. a line 150 feet northeasterly of Francis Lewis Boulevard, a line 220 feet southwesterly of 138th Avenue, and a line midway between Brookville Boulevard and 241st Street; and
b. a line 150 feet northeasterly of Francis Lewis Boulevard, a line 150 feet northerly of North Conduit Boulevard, 242nd Street, a line 320 feet southwesterly of 138th Avenue, and 241st Street;
6. changing from an R3-2 District to an R3A District property bounded by:
a. South Conduit Avenue, 241st Street, a line midway between 140th Avenue and Memphis Avenue, a line 60 feet southeasterly of 214th Street, 142nd Avenue, a line 140 feet northwesterly of 243rd Street, Caney Road, a line 100 feet northwesterly of 243rd Street, Huxley Street, a line perpendicular to the southwesterly street line of Huxley Street distant 120 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Huxley Street and the northerly street line of 147th Avenue, a line 130 feet southwesterly of Huxley Street, a line perpendicular to the northeasterly street line of Edgewood Avenue distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Huxley Street and the northerly street line of 147th Avenue, Edgewood Avenue, a line midway between 146th Avenue and 147th Avenue, a line 100 feet easterly of Brookville Boulevard, 147th Avenue, and Brookville Boulevard;

- b. a line 100 feet northerly of 249th Street, a boundary line of the City of New York, a line 100 feet southerly of 250th Street, a line perpendicular to the southerly street line of 250th Street distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, 250th Street, a line perpendicular to the northerly street line of 250th Street distant 60 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, 249th Street, and a line 85 feet easterly of Hook Creek Boulevard; and
- c. a line midway between Caney Road and 144th Avenue, 249th Street, Newhall Avenue, a line 120 feet southeasterly of 245th Street, a line 100 feet southwesterly of Newhall Avenue, a line midway between 243rd Street and 245th Street, Newhall Avenue, a line 140 feet southeasterly of 243rd Street, Mayda Road, and a line 100 feet southeasterly of 243rd Street;
7. changing from an R3-2 District to an R3X District property bounded by 140th Avenue, 243rd Street, a line perpendicular to the southeasterly street line of 243rd Street distant 200 feet southwesterly (as measured along the street line), from the point of intersection of the southeasterly street line of 243rd Street and the southerly street line of South Conduit Avenue, 245th Street, a line 135 feet southwesterly of Francis Lewis Boulevard, 246th Street, a line 85 feet southwesterly of Francis Lewis Boulevard, a line midway between 246th Street and 247th Street, Francis Lewis Boulevard, 247th Street, a line 85 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246th Street, a line 330 feet northeasterly of Francis Lewis Boulevard, 246th Street, South Conduit Avenue, 247th Street, a line 250 feet northeasterly of 139th Avenue, a line midway between 247th Street and 248th Street, a line perpendicular to the northwesterly street line of 248th Street distant 130 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 248th Street and the westerly street line of Hook Creek Boulevard, 248th Street, Hook Creek Boulevard, 249th Street, a line perpendicular to the northerly street line of 250th Street distant 60 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, 250th Street, a line perpendicular to the southerly street line of 250th Street distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, a line 100 feet southerly of 250th Street, a boundary line of the City of New York, 145th Avenue, Hook Creek Boulevard, 148th Avenue, a line 100 feet easterly of Hook Creek Boulevard, 148th Road, a boundary line of the City of New York, Hungary Harbor Road, Hook Creek Boulevard, 148th Drive, a line 100 feet westerly of Hook Creek Boulevard, a line midway between 148th Drive and 149th Avenue, a line 320 feet westerly of Hook Creek Boulevard, 149th Avenue, a line 330 feet westerly of 262nd Street, 149th Road, 262nd Street and its southerly centerline prolongation, a boundary line of the City of New York, a line 50 feet westerly of 259th Street and its southerly prolongation, Craft Avenue, 259th Street, 149th Road, 259th Street, a line midway between 148th Drive and 149th Avenue, 257th Street, 148th Drive, a line 200 feet easterly of Weller Lane, a line midway between 148th Road and 148th Drive, Weller Lane, 149th Road, Weller Lane, 149th Drive, a line midway between 255th Street and Weller Lane, Craft Avenue, a line midway between 254th Street and 255th Street, 149th Drive and its westerly centerline prolongation, a northeasterly and a northerly boundary line of a park and its westerly prolongation, Brookville Boulevard, 149th Avenue, 235th Street, a line midway between 148th Avenue and 148th Road, a line 170 feet southeasterly of 235th Street, 148th Avenue, Brookville Boulevard, a line midway between 147th Drive and 148th Avenue, a line 80 feet northwesterly of Brookville Boulevard, 147th Drive, 235th Street, a northeasterly boundary line of Brookville Park and its southeasterly prolongation, an easterly boundary line of Brookville Park and its northerly prolongation, 147th Avenue, 235th Street, a line 100 feet northeasterly of 147th Road, a line 75 feet westerly of Brookville Boulevard, 147th Road, a line perpendicular to the southwesterly street line of 147th Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 147th Road and the westerly street line of Brookville Boulevard, a line midway between 147th Road and 147th Drive, Brookville Boulevard, a line midway between 147th Road and 147th Drive, a line 90 feet easterly of Brookville Boulevard, a line 100 feet northerly of 147th Road, a line 100 feet easterly Brookville Boulevard, a line midway between 146th Avenue and 147th Avenue, a line perpendicular to the northeasterly street line of Edgewood Avenue distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Huxley Street and the northerly street line of 147th Avenue, Edgewood Avenue, a line 130 feet southwesterly of Huxley Street, a line perpendicular to the southwesterly street line of Huxley Street distant 120 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Huxley Street and the northerly street line of 147th Avenue, Huxley Street, a line 100 feet northwesterly of 243rd Street, Mayda Road, a line 140 feet southeasterly of 243rd Street, Newhall Avenue, a line midway between 243rd Street and 245th Street, a line 100 feet southwesterly of Newhall Avenue, a line 120 feet southeasterly of 245th Street, Newhall Avenue, 249th Street, a line midway between Caney Road and 144th Avenue, a line 100 feet southeasterly of 243rd Street, Caney Road, a line 140 feet northwesterly of 243rd Street, 142nd Avenue, a line 60 feet southeasterly of 241st Street, a line midway between 140th Avenue and Memphis Avenue, and a line 100 feet southeasterly of 241st Street; and excluding the area bounded by:
- a. 253rd Street, Weller Lane, a line 540 feet northerly of 147th Avenue, a line midway between Weller Lane and 254th Street, 147th Avenue, Francis Lewis Boulevard, a line 80 feet northerly of 147th Road, a line 110 feet westerly of Weller Lane, 147th Road, a line 50 feet easterly of 253rd Street, 147th Avenue, Mayda Road, a line 420 feet southeasterly of 249th Street, a line midway between 145th Avenue and Mayda Road, a line 280 feet southeasterly of 249th Street, 145th Avenue, a line 360 feet southeasterly of 249th Street, and 144th Avenue; and
- b. 147th Road, 253rd Street, a line midway between 147th Drive and 148th Avenue, a line 150 feet easterly of 253rd Street, 148th Avenue, line 200 feet easterly of 253rd Street, a line midway between 148th Avenue and 148th Road, 253rd Street, a line midway between 148th Road and 148th Drive, a line perpendicular to the southerly street line of 148th road distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 148th Road and the northeasterly street line of Huxley Street, 148th Road, 249th Street, 148th Avenue, a line 230 feet easterly of 149th Street, a line midway between 147th drive and 148th Avenue, a line 100 feet westerly of 253rd Street, a line midway between 147th Road and 147th Drive, and a line 75 feet westerly of 253rd Street;
8. changing from an R3-2 District to an R3-1 District property bounded by:
- a. 147th Drive, a line 80 feet northwesterly of Brookville Boulevard, a line midway between 147th Drive and 148th Avenue, Brookville Boulevard, 148th Avenue, a line 170 feet southeasterly of 235th Street, a line midway between 148th Avenue and 148th Road, and 235th Street;
- b. 147th Road, 253rd Street, a line midway between 147th Drive and 148th Avenue, a line 150 feet easterly of 253rd Street, 148th Avenue, line 200 feet easterly of 253rd Street, a line midway between 148th Avenue and 148th Road, 253rd Street, a line midway between 148th Road and 148th Drive, a line perpendicular to the southerly street line of 148th road distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 148th Road and the northeasterly street line of Huxley Street, 148th Road, 249th Street, 148th Avenue, a line 230 feet easterly of 149th Street, a line midway between 147th drive and 148th Avenue, a line 100 feet westerly of 253rd Street, a line midway between 147th Road and 147th Drive, and a line 75 feet westerly of 253rd Street;
- c. 253rd Street, Weller Lane, a line 540 feet northerly of 147th Avenue, a line midway between Weller Lane and 254th Street, 147th Avenue, Francis Lewis Boulevard, a line 80 feet northerly of 147th Road, a line 110 feet westerly of Weller Lane, 147th Road, a line 50 feet easterly of 253rd Street, 147th Avenue, Mayda Road, a line 420 feet southeasterly of 249th Street, a line midway between 145th Avenue and Mayda Road, a line 280 feet southeasterly of 249th Street, 145th Avenue, a line 360 feet southeasterly of 249th Street, and 144th Avenue;
- d. 145th Avenue, a boundary line of the City of New York, 147th Drive, and Hook Creek Boulevard;
- e. 149th Drive and its westerly centerline prolongation, a line midway between 254th Street and 255th Street, Craft Avenue, a line midway between 255th Street and Weller Lane, 149th Drive, Weller Lane, 149th Drive, a line midway between 255th Street and Weller Lane, Craft Avenue, a line midway between 254th Street and 255th Street, 149th Drive and its southerly centerline prolongation, a boundary line of the City of New York, and a northeasterly boundary line of a park and its southeasterly prolongation; and
- f. 149th Avenue, a line 320 feet westerly of Hook Creek Boulevard, a line midway between 148th Drive and 149th Avenue, a line 100 feet westerly of Hook Creek Boulevard, 148th Drive, Hook Creek Boulevard, Hungary Harbor Road, a boundary line of the City of New York, 262nd Street, and its southerly centerline prolongation, 149th Road, and a line 330 feet westerly of 262nd Street;
9. establishing within an existing R3-2 District a C1-2 District bounded by 147th Avenue, Brookville Boulevard, 147th Road, a line 75 feet westerly of Brookville Boulevard, a line 100 feet northeasterly of 147th Road, and 235th Street;
10. establishing within an existing R2 District a C1-3 District bounded by a line 150 feet northerly of Merrick Boulevard, 133rd Avenue, 243rd Street, a line 125 feet northerly of Merrick Boulevard, 132nd Street, Hook Creek Boulevard, Merrick Boulevard, 245th Street, a line 100 feet southerly of Merrick Boulevard, 244th Street, a line perpendicular to the northwesterly street line of 244th Street distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 244th Street and the southerly street line of Merrick Boulevard, a line midway between 243rd Street and 244th Street, a line 360 feet northeasterly of 134th Avenue, 243rd Street, a line 260 feet northeasterly of 134th Avenue, a line midway between 242nd Street and 243rd Street, a line 120 feet northeasterly of 134th Avenue, 242nd Street, a line perpendicular to the northwesterly street line of 242nd Street distant 175 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 242nd Street and the southerly street line of Merrick Boulevard, 241st Street, a line perpendicular to the northwesterly street line of 241st Street distant 115 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 241st Street and the southerly street line of Merrick Boulevard, a line 75 feet northwesterly of 241st Street, a line 275 feet northwesterly of 135th Avenue, and Brookville Boulevard;
11. establishing within an existing R3-2 District a C1-3 District bounded by:
- a. Brookville Boulevard, a line 150 feet northeasterly of Francis Lewis Boulevard, a line midway between Brookville Boulevard and 241st Street, a line 220 feet southwesterly of 138th Avenue, 241st Street, a line 320 feet southwesterly of 138th Avenue, 242nd Street, North Conduit Avenue, a line perpendicular to the southerly street line of North Conduit Avenue distant 230 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of North Conduit Avenue and the northeasterly street line of Francis Lewis Boulevard, Long Island Railroad right-of-way (Montauk Division), Brookville Boulevard, North Conduit Avenue, and a line 95 feet southwesterly of Francis Lewis Boulevard;
- b. South Conduit Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246th Street, a line 85 feet northeasterly of Francis Lewis Boulevard, a line 50 feet northwesterly of 247th Street, Francis Lewis Boulevard, a line midway between 246th Street and 247th Street, a line 85 feet southwesterly of Francis Lewis Boulevard, 246th Street, a line 135 feet southwesterly of Francis Lewis Boulevard, 245th Street, a line perpendicular to the southeasterly street line of 243rd Street distant 200 feet southwesterly (as measured along the street line), from the point of intersection of the southeasterly street line of 243rd Street and the southerly street line of South Conduit Avenue, 243rd Street, and 140th Avenue; and
- c. South Conduit Avenue, Hook Creek Boulevard, 248th Street, a line perpendicular to the northwesterly street line of 248th Street distant 130 feet southwesterly (as measured along the street line) from the point of intersection

of the northwesterly street line of 248th Street and the westerly street line of Hook Creek Boulevard, a line midway between 247th Street and 248th Street, a line 250 feet northeasterly of 139th Avenue, and 247th Street;

- 12. establishing within an existing R2 District a C2-3 District bounded by Merrick Boulevard, Hook Creek Boulevard, a line 150 feet southerly of Merrick Boulevard, and 245th Street; and
- 13. establishing within an existing R3-2 District a C2-3 District bounded by South Conduit Boulevard, a boundary line of the City of New York, a line 100 feet northerly of 249th Street, and Hook Creek Boulevard;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

**Resolution for adoption scheduling August 11, 2010 for a public hearing.**

**No. 11**

**AUBURNDALE OAKLAND GARDENS REZONING CDs 7, 8, 11 C 100409 ZMQ**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10c, 10d, 11b, & 15a:

- 1. eliminating from within an existing R3-2 District a C1-2 District bounded by:
  - a. a line 150 feet northerly of 46th Avenue, Utopia Parkway, 46th Avenue, 189th Street, a line 150 feet southerly of Hollis Court, Utopia Parkway, Ashby Avenue, and Auburndale Lane;
  - b. a line 150 feet northwesterly of Horace Harding Expressway, 198th Street, 58th Avenue, a line 100 feet northeasterly of 198th Street, a line 100 feet northwesterly of Horace Harding Expressway, 198th Street, Horace Harding Expressway, and 197th Street;
  - c. a line 220 feet northwesterly of Union Turnpike, a line 150 feet northeasterly of Springfield Boulevard, a line 150 feet northerly of Union Turnpike, a line 150 feet westerly of 226th Street, a line 100 feet northerly of Union Turnpike, and a line 125 feet northeasterly of Springfield Boulevard; and
  - d. a line 100 feet southerly of Union Turnpike, Springfield Boulevard, a line 150 feet southerly of Union Turnpike, and 222nd Street;
- 2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of the Horace Harding Expressway, 183rd Street, Booth Memorial Avenue, a line 100 feet southwesterly of 185th Street, Horace Harding Expressway, and 182nd Street;
- 3. changing from an R1-2 District to an R1-2A District property bounded by the southeasterly service road of Horace Harding Expressway, a line midway between 215th Street and Bell Boulevard, a line 175 feet southeasterly of Horace Harding Expressway, Bell Boulevard, 67th Avenue, and 210th Street;
- 4. changing from an R2 District to an R2A District property bounded by:
  - a. Station Road, 168th Street, Station Road, Auburndale Lane, a line 100 feet northeasterly of Northern Boulevard, a line midway between 169th Street and 170th Street, Northern Boulevard, 167th Street, a line 100 feet northeasterly of Northern Boulevard, and 165th Street;
  - b. a line 100 feet southwesterly of Northern Boulevard, 168th Street, 43rd Avenue, 170th Street, a line 100 feet southerly of Northern Boulevard, 171st Street, a line 100 feet southerly of Northern Boulevard, a line midway between Utopia Parkway and 172nd Street, a line perpendicular to the easterly street line of 172nd Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 172nd Street and the southerly street line of 45th Avenue, 172nd Street, a line 150 feet northerly of 46th Avenue, Auburndale Lane, 46th Avenue, a line 100 feet westerly of 166th Street, 45th Avenue, and 166th Street,
  - c. Laburnum Avenue, 156th Street, a line 100 feet northerly of Oak Avenue, 164th Street, Meadow Road, Auburndale Lane, Bagley Avenue, Utopia Parkway, 48th Avenue, Hollis Court Boulevard, 50th Avenue, Underhill Avenue, 188th Street, Peck Avenue, 192nd Street, the northwesterly service road of Horace Harding Expressway, 185th Street, 56th Avenue, a line midway between 185th Street and 186th Street, 50th Avenue,

Utopia Parkway, 56th Avenue, a line midway between 175th Place and 175th Street, Booth Memorial Avenue, Fresh Meadow Lane, a northerly boundary of Kissena Park, a northeasterly boundary of Kissena Park and its northwesterly prolongation, Underhill Avenue and its northeasterly centerline prolongation, 164th Street, Oak Avenue, Rose Avenue, Parsons Boulevard, Quince Avenue, Bowne Street, a line midway between Quince Avenue and Rose Avenue, Robinson Street, a line 95 feet northwesterly of Oak Avenue, Burling Street, Negundo Avenue, and Parsons Boulevard;

- d. 46th Avenue, 195th Street, a line 100 feet southerly of 45th Avenue, 196th Street, 45th Road, a line 100 feet easterly of 196th Place, 46th Avenue, a line midway between 196th Place and 197th Street, 47th Avenue, 194th Street, a line 100 feet northwesterly of 47th Avenue, and a line midway between 193rd Street and 194th Street;
- e. Weeks Lane, 201st Street, a line 250 feet northwesterly of 48th Avenue, 202nd Street, a line 150 feet northwesterly of 48th Avenue, a line midway between 202nd Street and 203rd Street, a line 100 feet northwesterly of 50th Avenue, a line midway between 203rd Street and the Clearview Expressway, 53rd Avenue, the Clearview Expressway, a line 100 feet northwesterly of Horace Harding Expressway and its northeasterly prolongation, 201st Street, a line 150 feet northerly of Horace Harding Expressway, Francis Lewis Boulevard, 53rd Avenue, 201st Street, a line 140 feet northwesterly of 53rd Avenue, a line midway between 201st Street and 202nd Street, a line 100 feet southeasterly of 50th Avenue, 201st Street, 50th Avenue, and Francis Lewis Boulevard; and
- f. 76th Avenue, Cloverdale Boulevard, the northwesterly street line of former Motor Parkway, Springfield Boulevard, a line 220 feet northwesterly of Union Turnpike, a line 100 feet southwesterly of Springfield Boulevard, Union Turnpike, 222nd Street, a line 150 feet southeasterly of Union Turnpike, Springfield Boulevard, a northwesterly service road of Grand Central Parkway, 86th Avenue, Bell Boulevard, 86th Road and its westerly centerline prolongation, the southwesterly street line of 212th Street, Hollis Hills Terrace and its southeasterly centerline prolongation, the southeasterly street line of former Motor Parkway, Oceania Street, the centerline of former Motor Parkway, a line 200 feet northeasterly of Bell Boulevard, 77th Avenue, 217th Street, a line 120 feet northwesterly of 77th Avenue, and Springfield Boulevard;
- 5. changing from an R3-1 District to an R2A District property bounded by a line 100 feet southeasterly of 64th Avenue, 233rd Street, Lee Goldman Lane, 67th Avenue, and a line 100 feet southwesterly of Cloverdale Boulevard;
- 6. changing from an R3-2 District to an R2A District property bounded by:
  - a. the easterly centerline prolongation of Bagley Avenue, 188th Street, 47th Avenue, a line 100 feet southwesterly of 188th Street, 48th Avenue, and Utopia Parkway;
  - b. a line 230 feet southeasterly of 47th Avenue, a line midway between 190th Street and 189th Street, 48th Avenue, and a line midway between 189th Street and 188th Street;
  - c. a line 205 feet southeasterly of 56th Avenue, 185th Street, Booth Memorial Avenue, and a line midway between 185th Street and 184th Street;
  - d. a line 100 feet northerly of 47th Avenue, 194th Street, 47th Avenue, and a line midway between 193rd Street and 194th Street,
  - e. a line 100 feet southeasterly of 47th Avenue, 192nd Street, 47th Avenue, Hollis Court Boulevard, a line perpendicular to the northeasterly street line of Hollis Court Boulevard distant 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Hollis Court Boulevard and the southwesterly street line of 194th Street, a line 100 feet northeasterly of Hollis Court Boulevard, a line midway between 193rd Street and 194th Street, a line 100 feet southerly of 47th Avenue, 195th Street, 48th Avenue, a line midway between 196th Place and 196th Street, a line 180 feet northwesterly of

48th Avenue, a line midway between 195th Street and 196th Street, 47th Avenue, 197th Street, a line 340 feet northwesterly of 48th Avenue, a line midway between 197th Street and 196th Place, 48th Avenue, 196th Place, a line midway between 48th Avenue and 49th Avenue, Weeks Lane, 49th Avenue, a line 100 feet easterly of Weeks Lane, 48th Avenue, Weeks Lane, Francis Lewis Boulevard, 50th Avenue, a line midway between 199th Street and Francis Lewis Boulevard, 53rd Avenue, Francis Lewis Boulevard, a line 100 feet southeasterly of 58th Avenue, Hollis Court Boulevard, 58th Avenue, a line 100 feet northeasterly of 198th Street, a line 100 feet northwesterly of Horace Harding Boulevard and its southwesterly prolongation, 197th Street, the northwesterly service road of Horace Harding Expressway, 192nd Street, Peck Avenue, 188th Street, Underhill Avenue, 50th Avenue, Hollis Court Boulevard, 48th Avenue, and 190th Street, and excluding the area bounded by Weeks Lane, a line perpendicular to the northwesterly street line of 53rd Avenue distant 140 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Avenue and the northeasterly street line of Hollis Court Boulevard, 53rd Avenue, Hollis Court Boulevard, a line 350 feet northwesterly of 56th Avenue, a line 100 feet southwesterly of Hollis Court Boulevard, a line 220 feet northwesterly of 56th Avenue, 196th Street, a line 100 feet northwesterly of 56th Avenue, 194th Street, 56th Avenue, a line midway between 194th Street and 193rd Street, a line 100 feet southeasterly of 53rd Avenue, 196th Street, and Hollis Court Boulevard;

- f. the northeasterly prolongation of a line 100 feet northwesterly of Horace Harding Expressway, a northwesterly service road of Horace Harding Expressway, and 203rd Street;
- g. 69th Avenue, 230th Street, 73rd Avenue, and a line midway between 223rd Street and 222nd Street; and
- h. a line 100 feet southeasterly of Union Turnpike, Springfield Boulevard, a line 150 feet southeasterly of Union Turnpike, and 222nd Street;
- 7. changing from an R4-1 District to an R2A District property bounded by a line 130 feet northerly of 45th Avenue, 166th Street, 45th Avenue, and a line midway between 165th Street and 166th Street;
- 8. changing from an R2 District to an R3-1 District property bounded by:
  - a. a line 150 feet northwesterly of 48th Avenue, 203rd Street, 48th Avenue, a line 100 feet northwesterly of 50th Avenue, and a line midway between 202nd Street and 203rd Street; and
  - b. 50th Avenue, 201st Street, a line 100 feet southeasterly of 50th Avenue, a line midway between 201st Street and 202nd Street, a line 140 feet northwesterly of 53rd Avenue, 201st Street, 53rd Avenue, and Francis Lewis Boulevard;
- 9. changing from an R3-2 District to an R3-1 District property bounded by:
  - a. Holly Avenue, Parsons Boulevard, Laburnum Avenue, and Burling Street;
  - b. 50th Avenue, a line midway between 185th Street and 186th Street, 56th Avenue, 185th Street, a line 205 feet southeasterly of 56th Avenue, a line midway between 184th Street and 185th Street, a line 295 feet northwesterly of 58th Avenue, a line 100 feet southwesterly of 184th Street, 56th Avenue, and Utopia Parkway;
  - c. Booth Memorial Avenue, 185th Street, the northwesterly service road of Horace Harding Expressway, and Utopia Parkway;
  - d. 50th Avenue, Francis Lewis Boulevard, 53rd Avenue, a line midway between 199th Street and Francis Lewis Boulevard;
  - e. Rocky Hill Road, 48th Avenue, a line midway between 207th Street and 208th Street, 53rd Avenue, 207th Street, 56th Avenue, 208th Street, 58th Avenue, a line midway between 207th Street and 208th Street, the northwesterly service road of Horace Harding Expressway, a line midway between 206th Street and 207th Street, 56th Avenue, the Clearview Expressway, 53rd Avenue, a line midway between 203rd Street and Clearview

- Expressway, 48th Avenue, 203rd Street, a line 150 feet northwesterly of 48th Avenue, 202nd Street, a line 250 feet northwesterly of 48th Avenue, and 201st Street; and
- f. 67th Avenue, Bell Boulevard, 69th Avenue, and 210th Street;
10. changing from an R2 District to an R3X District property bounded by:
- a. a line midway between 172nd Street and Utopia Parkway, a line 150 feet northerly of 48th Avenue, 172nd Street, and a line perpendicular to the to the easterly street line of 172nd Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 172nd Street and the southerly street line of 45th Avenue; and
- b. 45th Avenue, Francis Lewis Boulevard, 47th Avenue, a line midway between 196th Place and 197th Street, 46th Avenue, a 100 feet easterly of 196th Place, 45th Road, 196th Street, a line 100 feet northerly of 45th Avenue, and 196th Street;
11. changing from an R3-1 District to an R3X District property bounded by Horace Harding Expressway, a service exit of Horace Harding Expressway, 233rd Street, a line 100 feet southeasterly of 64th Avenue, and a line 100 feet southwesterly of Cloverdale Boulevard;
12. changing from an R3-2 District to an R3X District property bounded by:
- a. Station Road, 190th Street, 42nd Avenue, 194th Street, a line 100 feet southerly of Station Road, 196th Street, 42nd Avenue, Francis Lewis Boulevard, a line 140 feet southerly of 42nd Road, 196th Street, a line 100 feet southerly of 42nd Avenue, 194th Street, a line 100 feet northerly of Northern Boulevard, 192nd Street, a line 270 feet southerly of 42nd Avenue, 191st Street, a line 100 feet northerly of Northern Boulevard, and a line 80 feet easterly of 172nd Avenue;
- b. a line 100 feet southerly of 46th Avenue, a line 100 feet southerly of Hollis Court Boulevard, a line midway between 188th Street and 189th Street, a line 565 feet northwesterly of 47th Avenue, 189th Street, a line 440 feet northwesterly of 47th Avenue, a line midway between 189th Street and 190th Street, a line 340 feet northwesterly of 47th Avenue, 190th Street, a line 100 feet southwesterly of Hollis Court Boulevard, a line 100 feet southwesterly of 192nd Street, 47th Avenue, 188th Street, Bagley Avenue and its easterly centerline prolongation, and Auburndale Lane;
- c. a line 100 feet southerly of Northern Boulevard, a line midway between 193rd Street and 194th Street, a line 100 feet northerly of 45th Avenue, 195th Street, a line 280 feet northerly of 45th Avenue, 196th Street, a line 100 feet northwesterly of 44th Avenue, a line 100 feet southwesterly of Francis Lewis Boulevard, 44th Avenue, Francis Lewis Boulevard, 45th Avenue, 195th Street, 46th Avenue, a line midway between 194th Street and 195th Street, a line 370 feet northerly of 46th Avenue, a line midway between 192nd Street and 193rd Street, Hollis Court Boulevard, a line 220 feet westerly of 192nd Street, a line midway between 46th Avenue and 46th Road, a line 100 feet westerly of 192nd Street, a line midway between 45th Drive and 46th Avenue, a line 100 feet easterly of 189th Street, 46th Avenue, Utopia Parkway, a line perpendicular to the westerly street line of Utopia Parkway distant 360 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Utopia Parkway and the southerly street line of 45th Avenue, and a line midway between 172nd Street and Utopia Parkway; and
- d. 57th Avenue, East Hampton Boulevard, West Alley Place, a service exit of Horace Harding Expressway, Horace Harding Expressway, 229th Street and its southerly centerline prolongation, 57th Road, and the westerly boundary line of a park and its northerly and southerly prolongation;
13. changing from an R5 District to an R3X District property bounded by:
- a. a line 100 feet southerly of Station Road, a line midway between 190th Street and 191st Street, a line 215 feet northerly of 42nd Avenue, 191st Street, 42nd Avenue, and 190th Street; and

- b. a line 240 feet northerly of 42nd Avenue, 194th Street, 42nd Avenue, and 193rd Street;
14. changing from an R5 District to an R4 District property bounded by Station Road, 194th Street, a line 240 feet northerly of 42nd Avenue, 193rd Street, 42nd Avenue, 191st Street, a line 215 feet northerly of 42nd Avenue, a line midway between 191st Street and 190th Street, a line 100 feet southerly of Station Road, and 190th Street;
15. changing from an R1-2 District to an R4-1 District property bounded by the southeasterly service road of Horace Harding Expressway, Bell Boulevard, a line 175 feet southeasterly of Horace Harding Expressway, and a line midway between Bell Boulevard and 215th Street;
16. changing from an R3-2 District to an R4-1 District property bounded by:
- a. a line midway between 45th Drive and 46th Avenue, a line 100 feet westerly of 192nd Street, a line midway between 46th Avenue and 46th Road, a line 220 feet westerly of 192nd Street, Hollis Court Boulevard, 190th Street, a line 340 feet northwesterly of 47th Avenue, a line midway between 189th Street and 190th Street, a line 440 feet northwesterly of 47th Avenue, 189th Street, 46th Avenue, and a line 100 feet easterly of 189th Street,
- b. 64th Avenue, 219th Street, 67th Avenue, and Bell Boulevard; and
- c. 57th Road, 229th Street, a southeasterly service exit of Horace Harding Expressway, and a line 100 feet southwesterly of 229th Street;
17. changing from an R4 District to an R4-1 District property bounded by:
- a. 56th Avenue, 226th Street, a line 470 feet northwesterly of 57th Road, Cloverdale Boulevard, 57th Avenue, the westerly boundary line of a park and its northerly and southerly prolongations, 57th Road, a line 100 feet southwesterly of 229th Street, a southeasterly service exit of Horace Harding Expressway, Horace Harding Expressway, Springfield Boulevard, 58th Avenue, and 223rd Street; and
- b. the southeasterly service road of Horace Harding Boulevard, a line midway between Bell Boulevard and 217th Street, a line 100 feet northwesterly of 64th Avenue, 218th Street, 64th Avenue, and Bell Boulevard;
18. changing from an R3-2 District to an R4B District property bounded by:
- a. Station Road, a line 80 feet easterly of 172nd Street, a line 100 feet northerly of Northern Boulevard, Auburndale Lane, 42nd Avenue, and 172nd Street; and
- b. Station Road, 195th Street, a line 100 feet southerly of Station Road, and 194th Street;
19. changing from an R5 District to an R4B District property bounded by the southerly railroad right-of-way of the Long Island Rail Road (Northside Division), Francis Lewis Boulevard, Station Road, the northerly prolongation of the westerly street line of 193rd Street;
20. changing from an R2 District to an R5D District property bounded by 77th Avenue, a line 200 feet northeasterly of Bell Boulevard, the northeasterly centerline prolongation of former Motor Parkway, and Bell Boulevard;
21. changing from an R3-2 District to an R5D District property bounded by a line 220 feet northwesterly of Union Turnpike, a line 125 feet northeasterly of Springfield Boulevard, a line 100 feet northwesterly of Union Turnpike, a line 150 feet southwesterly of 226th Street, Union Turnpike, a northwesterly service road of Grand Central Parkway, Springfield Boulevard, a line 100 feet southeasterly of Union Turnpike, 222nd Street, Union Turnpike, and a line 100 feet southwesterly of Springfield Boulevard;
22. changing from an R4 District to an R5D District property bounded by 73rd Avenue, 217th Street, 77th Avenue, Bell Boulevard, the centerline of former Motor Parkway and its northeasterly prolongation, and 210th Street;
23. establishing within a proposed R3-1 District a C1-2 District bounded by a line 150 feet northwesterly of the Long Island Expressway, 183rd Street, Booth Memorial Avenue, a line 100 feet southwesterly of 185th Street, a northwesterly service road of Long Island Expressway, and 182nd Street; and
24. establishing within an existing R3-2 District a C1-3 District bounded by a line 150 feet northerly of 46th Avenue, Utopia Parkway, 46th Avenue, a line 70

feet westerly of 189th Street, Hollis Court Boulevard, a line midway between 189th Street and Utopia Parkway, a line 100 southerly of Hollis Court Boulevard, a line 100 feet southerly of 46th Avenue, Auburndale Lane, 46th Avenue, and Auburndale Lane;

as shown on a diagram (for illustrative purposes only) dated May 24, 2010 and subject to the conditions of CEQR Declaration E253.

**YVETTE V. GRUEL, Calendar Officer**  
**City Planning Commission**  
**22 Reade Street, Room 2E**  
**New York, New York 10007**  
**Telephone (212) 720-3370**

jy29-a11

## CIVILIAN COMPLAINT REVIEW BOARD

### ■ PUBLIC MEETING

The Civilian Complaint Review Board's monthly public meeting has been scheduled for Wednesday, August 11, 2010 at 10:00 A.M. at 40 Rector Street, 2nd Floor, New York, NY 10006.

A meeting of the Operations Committee will be held from 9:15 A.M. to 10:00 A.M.

a5-11

## ENVIRONMENTAL CONTROL BOARD

### ■ MEETING

### OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS / ENVIRONMENTAL CONTROL BOARD

The next meeting will take place on Thursday, August 19, 2010 at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M. at the call of the Chairman.

a9-11

## FRANCHISE AND CONCESSION REVIEW COMMITTEE

### ■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, August 11, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

a2-11

## 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 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **August 10, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS  
 BOROUGH OF BROOKLYN 11-0451 - Block 249, lot 36-150 Montague Street - Brooklyn Heights Historic District  
 An Anglo-Italianate style rowhouse with commercial ground floor, built c.1861-1879. Application is to install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS  
 BOROUGH OF BROOKLYN 10-9869 - Block 386, lot 41 - 164 Bond Street - Boerum Hill Historic District  
 An apartment building with neo-Grec and Queen Anne style elements, built c.1880. Application is to construct balconies at the rear. Community District 2.

CERTIFICATE OF APPROPRIATENESS  
 BOROUGH OF BROOKLYN 10-9480 - Block 2072, lot 4 - 174 Washington Place - Fort Greene Historic District  
 An Italianate style rowhouse built c. 1868. Application is to construct rooftop and rear yard additions. Zoned R-6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS  
 BOROUGH OF BROOKLYN 10-7610 - Block 1961, lot 53-414 Waverly Avenue - Clinton Hill Historic District  
 A Vacant lot. Application is to construct new building. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS  
 BOROUGH OF BROOKLYN 10-8640 - Block 297, lot 5-227 Clinton Street - Cobble Hill Historic District

A rowhouse built in 1842-44. Application is to alter the roof and areway, enlarge window openings, and excavate the rear yard for a swimming pool.  
Community District 6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-6425 - Block 107, lot 50 - 277 Water Street - South Street Seaport Historic District  
A building built in 1881 by Giblin and Lyons. Application is to install storefront infill, signage and a flue.  
Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 11-0390 - Block 147, lot 12 - 135 West Broadway - Tribeca South Historic District  
A Federal style house with a commercial base, built in 1810. Application is to install storefront infill and signage.  
Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-6942 - Block 486, lot 2-64 Wooster Street – SoHo-Cast Iron Historic District  
A warehouse building designed by E.H. Kendall and built in 1898-99. Application is to install new storefront infill and alter the building's base. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-9808 - Block 592, lot 18 - 361 6th Avenue - Greenwich Village Historic District  
A building originally built in 1827 and altered in the early 20th century. Application is to install new storefront infill and signage. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 109898 - Block 841, lot 49 - 452 Fifth Avenue - The Knox Building-Individual Landmark  
A Beaux-Arts style commercial building designed by John Duncan and built in 1901-1902 with an addition built in 1981. Application is to alter the façade of the adjoined building built in connection with a 74-711 special permit.  
Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-3463 - Block 837, lot 48 - 390 Fifth Avenue - The Gorham Building-Individual Landmark  
A Florentine Renaissance style building designed by Stanford White of McKim, Mead and White and built in 1904-06. Application is to replace windows. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-3999 - Block 1381, lot 7504 - 21 East 66th Street - Upper East Side Historic District  
A neo-Gothic style apartment building designed by Fred F. French Company and built in 1921. Application is to construct a rooftop addition. Zoned C5-1.  
Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 10-9260 - Block 1498, lot 69 - 1056 Fifth Avenue - Carnegie Hill Historic District  
A modern style apartment building designed by George F. Pelham and built in 1948. Application is to create a master plan governing the future replacement of windows and the creation of new window openings. Zoned R10/R8-B.  
Community District 8.

fy28-a10

## SCHOOL CONSTRUCTION AUTHORITY

### PUBLIC HEARINGS

#### NOTICE OF PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW

The New York City School Construction Authority ("SCA") will hold a public hearing on Wednesday, August 25, 2010, at 3:00 PM, pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the SCA's proposed acquisition, by condemnation, of Tax Block 1725, Lot 56 located at 33-15 110th Street in the Borough of Queens, City and State of New York, for the purpose of constructing at the site an approximately 380-seat primary public school facility, known as PS 287Q, pursuant to the NYC Department of Education's Five-Year Educational Capital Facilities Plan. The property is located in the Corona section of Queens on the east side of 110th Street between Northern Boulevard and 34th Avenue. The public hearing will be held at Public School 143Q located at 34-74 113th Street in Corona, New York.

The purposes of the hearing are to inform the public of the proposed project, to review the public use to be served by the proposed project and to give all interested persons an opportunity to be heard concerning the proposed public project. Property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the hearing. All persons are invited to attend the hearing and to present oral and/or written statements concerning the proposed acquisition. The SCA will accept written comments on the proposed project at the address listed below until September 10, 2010. Materials relating to the project are available for examination during normal business hours at the Legal Department of the SCA at 30-30 Thomson Avenue, Long Island City, New York 11101. For further information, contact Gregory P. Shaw, Principal Attorney of the SCA at (718) 472-8232.

a9-16

## BOARD OF STANDARDS AND APPEALS

### PUBLIC HEARING

AUGUST 17, 2010, 10:00 A.M.

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, August 17, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

### SPECIAL ORDER CALENDAR

**637-74-BZ**  
APPLICANT – Kramer Levin Naftalis & Frankel, LLP, for 56th Realty LLC c/o Glenwood Management Corporation, owner.  
SUBJECT – Application July 1, 2010 – Extension of Term for transient parking in a garage accessory to a multiple dwelling which expired on May 6, 2010; Waiver of the Rules. C1-9(TA)/R8 zoning district.  
PREMISES AFFECTED – 1048-62 Second Avenue, East 55th Street, East 56th Street, First Avenue and Second Avenue, Block 1348, Lot 49, Borough of Manhattan.  
**COMMUNITY BOARD #6M**

**221-97-BZ**  
APPLICANT – Ellen Hay, Wachtel & Masyr, LLP, for DFD Development Limited Partnership, owner; Crunch Kips Bay LLC, lessee.  
SUBJECT – Application April 29, 2010 – Extension of Term of a previously granted Special Permit (§73-36) for the operation of a PCE which expired on June 16, 2008; Amendment for a change in ownership from Bally Total Fitness to Crunch Fitness; Waiver of the Rules. C2-5/R-8 zoning district.  
PREMISES AFFECTED – 550 Second Avenue, east side of Second Avenue at southeast corner of East 30th Street, Block 936, Lot 1, Borough of Manhattan.  
**COMMUNITY BOARD #6M**

**136-01-BZ**  
APPLICANT – Eric Palatnik, P.C., for Cel Net Holdings Corporation, owners.  
SUBJECT – Application June 23, 2010 – Extension of Time to Complete Construction and Obtain a Certificate of Occupancy for a Variance (72-21) which permitted non-compliance in commercial floor area and rear yard requirements which expired on July 12, 2010. M1-4/R7A(LIC) zoning district.  
PREMISES AFFECTED – 11-11 44th Drive, east of 11th Street, Block 447, Lot 13, Borough of Queens.  
**COMMUNITY BOARD #1Q**

### APPEALS CALENDAR

**110-10-BZY**  
APPLICANT – Cozen O'Connor, for Landmark Developers of Rockaway, owners.  
SUBJECT – Application June 18, 2010 – Extension of time (11-332) to complete construction of a minor development commenced under the prior R6 zoning. R5A zoning district  
PREMISES AFFECTED – 93-06 Shore Front Parkway, north side of Shore Front Parkway from B.94th to B.93rd Street, Block 16130, Lot 11, Borough of Queens.  
**COMMUNITY BOARD #14Q**

**123-10-A & 124-10-A**  
APPLICANT – Fire Department of the City of New York.  
OWNER – DiLorenzo Realty Corp.; Flair Display Inc., lessee.  
SUBJECT – Application July 6, 2010 – Modification of existing certificate of occupancy for installation of an automatic sprinkler system.  
PREMISES AFFECTED – 3931 & 3927 Mulvey Avenue, 301.75' north of East 233rd street, Block 4972, Lot 60 & Lot 162 (12), Borough of The Bronx.  
**COMMUNITY BOARD #12BX**

AUGUST 17, 2010, 1:30 P.M.

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, August 17, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

### ZONING CALENDAR

**277-07-BZ**  
APPLICANT – Miele Associates, LLP, for Bamik Associates LLC & Lama Holdings, LLC, owners.  
SUBJECT – Application December 3, 2007 – Variance (§72-21) proposed to erect a one story Automotive Service Station with accessory convenience store and metal canopy over pump islands on a lot located in a R3-1 zoning district contrary to §22-10 of the Zoning Resolution.  
PREMISES AFFECTED – 165-35 North Conduit Avenue, north west corner of North Conduit Avenue and Guy R. Brewer Boulevard, Block 12318, Lot 10, Borough of Queens.  
**COMMUNITY BOARD #12Q**

**60-10-BZ**  
APPLICANT – Sheldon Lobel, P.C., for Soho Thompson Realty, LLC, owner.  
SUBJECT – Application April 26, 2010 – Variance (§72-21) to allow for a commercial use below the floor level of the second story, contrary to ZR 42-14(D)(2)(b). M1-5B zoning district.  
PREMISES AFFECTED – 54 Thompson Street, northeast corner of Thompson Street and Broome Street, Block 488, Lot 7501, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

**99-10-BZ**  
APPLICANT – Fridman Saks LLP, for Dora Weiss, owner.  
SUBJECT – Application June 2, 2010 – Special Permit (§73-622) for the In-Part Legalization of prior construction into the side yard on a corner lot and proposed enlargement to an existing single family home contrary to open space, lot coverage and floor area (23-141) and side yards (23-461). R3-2 zoning district.  
PREMISES AFFECTED – 2302 Avenue S, southeast corner of Avenue S and East 23rd Street, Block 7302, Lot 1, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**106-10-BZ**  
APPLICANT – Sheldon Lobel, P.C., for Ka Won Realty Corp., owner; Harmony Spa, lessee.  
SUBJECT – Application June 9, 2010 – Special Permit (§73-36) to legalize the operation of a physical culture establishment on the third floor of an existing four-story commercial building. M1-6 zoning district.  
PREMISES AFFECTED – 240 West 38th Street, south side

of West 38th Street, between 7th and 8th Avenue, Block 787, Lot 64, Borough of Manhattan.  
**COMMUNITY BOARD #5M**

Jeff Mulligan, Executive Director

fy9-10

AUGUST 24, 2010, 10:00 A.M.

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, August 24, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

### SPECIAL ORDER CALENDAR

**752-29-BZ**  
APPLICANT – Jack Gamill, P.E. for Marial Associates of New Jersey, L.P., owner; Bay Ridge Honda, lessee.  
SUBJECT – Application May 21, 2010 – Extension of Term of a previously granted Variance (§72-21) for the continued operation of Automotive Repair and Dealership (Honda) which expired on April 22, 2010. C4-2 zoning district.  
PREMISES AFFECTED – 8801-8809 4th Avenue, Block 6065, Lot 6. Borough of Brooklyn.  
**COMMUNITY BOARD #6BK**

**214-00-BZ**  
APPLICANT – Harold Weinberg, for Caliv LLC, owner.  
SUBJECT – Application October 10, 2008 – Application requesting an Extension of Time to Obtain a Certificate of Occupancy of a previously granted Special Permit (§73-242) allowing an Eating and Drinking Establishment within a C3 zoning district. The application seeks a waiver of the Board's Rules of Practice and Procedure because the time to obtain the Certificate of Occupancy expired on April 10, 2008; an Extension of Term which expired on March 26, 2010 and an amendment to the site plan.  
PREMISES AFFECTED – 2777 Plumb 2nd Street, northeast corner of Harkness Avenue, Block 8841, Lot 500, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**124-05-BZ**  
APPLICANT – Deirdre A. Carson, for The Estate of Armand P. Arman c/o 482 Greenwich, LLC, owner; 482 Greenwich, LLC (Joint Venture Partner), lessee.  
SUBJECT – Application June 15, 2010 – Amendment to a previously granted Variance (§72-21) for the construction of a mixed-use building to allow an increase in dwelling units, increase in street wall height and reduction of overall building height; Extension of Time to Complete Construction which expires on September 12, 2010. C6-2A zoning district.  
PREMISES AFFECTED – 382 Greenwich Street, northwest intersection of Greenwich and Canal Streets, Block 595, Lot 52, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

### APPEALS CALENDAR

**120-10-A**  
APPLICANT – Gary D. Lenhart, RA, for The Breezy Point Cooperative, Inc., owner; Kevin Kennedy, lessee.  
SUBJECT – Application June 30, 2010 – Reconstruction and enlargement of an existing single family home not fronting on a legally mapped street, contrary to General City Law Section 36 and the upgrade of an existing non complying private disposal system contrary to Department of Buildings policy. R4 zoning district.  
PREMISES AFFECTED – 5 Devon Walk, east side of Devon Walk 21.06' south of mapped Oceanside Avenue, Block 16350, Lot p/o 400, Borough of Queens.  
**COMMUNITY BOARD #14Q**

AUGUST 24, 2010, 1:30 P.M.

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, August 24, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

### ZONING CALENDAR

**129-07-BZ**  
APPLICANT – Gerald J. Caliendo, R.A., for Angel Gerasimou, owner.  
SUBJECT – Application May 21, 2007 – Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to ZR §42-00. M1-4 zoning district.  
PREMISES AFFECTED – 1101 Irving Avenue, corner formed by the north side of Irving Avenue and Decatur Street, Block 3542, Lot 12, Borough of Queens.  
**COMMUNITY BOARD #5Q**

**130-07-BZ thru 134-07-BZ**  
APPLICANT – Gerald J. Caliendo, P.A., Angelo Gerasimou, owner.  
SUBJECT – Application May 21, 2007 – Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to ZR §42-00. M1-4 zoning district.  
PREMISES AFFECTED – 1501, 1503, 1505, 1507 Cooper Avenue, corner formed by west side of Cooper Avenue and Irving Avenue, Block 3542, Lots 1, 95, 94, 93, 92, Borough of Queens.  
**COMMUNITY BOARD #5Q**

**35-10-BZ**  
APPLICATION – Sheldon Lobel, PC for Yuriy Pirov, owner.  
SUBJECT – Application March 22, 2010 – Variance (§72-21) to permit the legalization of an existing synagogue. The proposal is contrary to front yard (§24-34), side yard (§24-35) and rear yard (§24-36). R4 zoning district.  
PREMISES AFFECTED – 144-11 77th Avenue, approximately 65 feet east of the northeast corner of Main Street and 77th Avenue. Block 6667, Lot 45, Borough of Queens.  
**COMMUNITY BOARD #8Q**

**47-10-BZ**  
APPLICANT – Eric Palatnik, P.C., for 2352 Story Avenue Realty Corporation, owner; Airgas-East, Incorporated, lessee.  
SUBJECT – Application April 8, 2010 – Variance (§72-21) to allow for a manufacturing use in a residential district, contrary to ZR §22-00. M1-1/R3-2 zoning district.  
PREMISES AFFECTED – 895 Zerega Avenue aka 2352 Story Avenue, Block 3698, Lot 36, Borough of The Bronx.  
**COMMUNITY BOARD #9BX**

Jeff Mulligan, Executive Director

fy9-10

## COURT NOTICES

### SUPREME COURT

#### ■ NOTICE

#### QUEENS COUNTY IA PART 8 NOTICE OF PETITION INDEX NUMBER 18977/2010

In the Matter of the Application of the CITY OF NEW YORK, relative to acquiring title in fee, to real property needed for the widening of

**142nd Street from Bascom Avenue to Sutter Avenue, 142nd Street from 135th Avenue to North Conduit Avenue, and 145th Street from 129th Avenue to 133rd Avenue,**

in the Borough of Queens, City and State of New York.

**PLEASE TAKE NOTICE** that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Queens County, IA Part 8, for certain relief.

The application will be made at the following time and place: At 88-11 Sutphin Boulevard, Jamaica, New York, in the Borough of Queens, City and State of New York, on August 27, 2010, at 10:00 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

A. authorizing the City to file an acquisition map in the Office of the City Register;

B. directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;

C. providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and

D. providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title in fee to certain real property needed for the widening of 142nd Street from Bascom Avenue to Sutter Avenue, 142nd Street from 135th Avenue to North Conduit Avenue, and 145th Street from 129th Avenue to 133rd Avenue, in the Borough of Queens City and State of New York.

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

#### 142ND STREET, FROM SUTTER AVENUE TO BASCOM AVENUE

Beginning at a point formed by the intersection of the northerly line of Sutter Avenue (70 feet wide) with the westerly line of 142nd Street (60 feet wide);

1. Running thence northwardly along the westerly line of the said 142nd Street, for 243.65 feet to the southerly line of the said Bascom Avenue;

2. Thence, eastwardly along the prolongation of the southerly line of the said Bascom Avenue, deflecting to the right 102 degrees 23 minutes 44.6 seconds from the last mentioned course, for 61.43 feet to the easterly line of the said 142nd Street;

3. Thence, southwardly along the easterly line of the said 142nd Street, deflecting to the right 77 degrees 36 minutes 15.4 seconds from the last mentioned course, for 233.33 feet to the northerly line of the said Sutter Avenue;

4. Thence, westwardly along the prolongation of the northerly line of the said Sutter Avenue, deflecting to the right 92 degrees 43 minutes 55.6 seconds from the last mentioned course, for 60.07 feet back to the point of beginning.

The area to be acquired is shown as 142nd Street on the Final Section No. 138 of the City of New York adopted by the Board of Estimate and Apportionment October 24, 1919, including modification adopted by the Board of Estimate and Apportionment prior to May 15, 1953 and on the Alteration Map Nos. 4738,4358,4271 adopted by the Board of Estimate and Apportionment on October 9, 1980, January 4, 1965, and June 27, 1963 and on the Damage and Acquisition Map No. 5839 dated May 09, 2007.

The properties affected by this proceeding are located in 142nd Street from Bascom Avenue to Sutter Avenue and Queens Tax Blocks 12057 and 12060, as shown on the Tax Map of the City of New York for the Borough and County of Queens, as said Tax Map existed on July 7, 2005.

#### 142ND STREET FROM 135TH AVENUE TO NORTH CONDUIT AVENUE

Beginning at a point formed by the intersection of the northerly line of the said North Conduit Avenue with the westerly line of the said 142nd Street;

1. Running thence northwardly along the westerly line of the said 142nd Street, for 377.78 feet to the southerly line of 135th Avenue (60 feet wide) and to the northerly line of tax lot 6 in Queens tax block 12095, as shown on the Tax Map of the City of New York, for the Borough and County of Queens as said Tax Map existed on July 7, 2005.

2. Thence, eastwardly along the said northerly line of tax lot 6 in Queens tax block 12095, deflecting to the right 75 degrees 55 minutes 25.5 seconds from the last mentioned course, for 10.31 feet to the easterly line of tax lot 6 in Queens tax block 12095;

3. Thence, eastwardly, deflecting to the right 14 degrees 28 minutes 37.7 seconds from the last mentioned course, for

40.00 feet to the northwesterly corner of tax lot 1 in Queens tax block 12099;

4. Thence, eastwardly along a northerly line of the said tax lot 1 in Queens tax block 12099, deflecting to the left 14 degrees 28 minutes 37.7 seconds from the last mentioned course, for 10.31 feet to the easterly line of the said 142nd Street;

5. Thence, southwardly along the easterly line of the said 142nd Street, deflecting to the right 104 degrees 4 minutes 34.5 seconds from the last mentioned course, for 382.66 feet to the northerly line of the said North Conduit Avenue;

6. Thence, westwardly along the prolongation of the northerly line of the said North Conduit Avenue, deflecting to the right 90 degrees 8 minutes 45.5 seconds from the last mentioned course, for 60.00 feet back to the point of beginning.

The area to be acquired is shown as 142nd Street on the Final Section No. 138 of the City of New York adopted by the Board of Estimate and Apportionment October 24, 1919, including modification adopted by the Board of Estimate and Apportionment prior to May 15, 1953 and on the Alteration Map Nos. 4738, 4358 and 4271 adopted by the Board of Estimate and Apportionment on October 9, 1980, January 4, 1965, and June 27, 1963 and on the Damage and Acquisition Map No. 5839 dated May 09, 2007.

The properties affected by this proceeding are located in 142nd Street from 135th Avenue to North Conduit Avenue and Tax Blocks 12095 and 12099, as shown on the Tax Map of the City of New York for the Borough and County of Queens, as said Tax Map existed on July 7, 2005.

#### 145th STREET FROM 129th AVENUE TO 133rd AVENUE

Beginning at a point formed by the intersection of the northerly line of 133rd Avenue (60 feet wide) with the westerly line of 145th Street (60 feet wide);

1. Running thence northwardly along the westerly line of the said 145th Street, for 846.32 feet to the southerly line of 129th Avenue (50 feet wide);

2. Thence, eastwardly along the prolongation of the southerly line of the said 129th Avenue, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 60.00 feet to the easterly line of the said 145th Street;

3. Thence, southwardly along the easterly line of the said 145th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 269.68 feet to the northerly line of 130th Avenue (60 feet wide);

4. Thence, westwardly along the prolongation of the northerly line of the said 130th Avenue, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 30.00 feet to a point on the centerline of the said 145th Street;

5. Thence, southwardly along the centerline of the said 145th Street; deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 60.00 feet to a point on the prolongation of the southerly line of the said 130th Avenue;

6. Thence, eastwardly along the prolongation of the southerly line of the said 130th Avenue, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 30.00 feet to a point on the easterly line of the said 145th Street;

7. Thence, southwardly along the easterly line of the said 145th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 524.03 feet to the northerly line of the said 133rd Avenue;

8. Thence, westwardly along the prolongation of the northerly line of the said 133rd Avenue, deflecting to the right 97 degrees 00 minutes 57 seconds from the last mentioned course, for 60.45 feet back to the point of beginning.

The area to be acquired is shown as 145th Street on the Final Section Map No. 139 of the City of New York adopted by the Board of Estimate and Apportionment June 4, 1920, and on Alteration Map No. 3008 adopted by the Board of Estimate and Apportionment on July 2, 1944 and on Damage and Acquisition Map No. 5839 dated May 09, 2007.

The properties affected by this proceeding are located in 145th Street from 129th Avenue to 133rd Avenue and Tax Blocks 12070, 12080 and 12081, as shown on the Tax Map of the City of New York for the Borough and County of Queens, as said Tax Map existed on July 7, 2005.

As shown on the damage and acquisition map, some of the property shall be acquired subject to encroachments, if any, of the structures, improvements and appurtenances standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same, as long as such encroachments shall stand. Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

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

Dated: July 27, 2010, New York, New York  
MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
100 Church Street, Rm 5-196  
New York, New York 10007  
Tel. (212) 788-0716

**SEE MAPS ON BACK PAGE**

## PROPERTY DISPOSITION

### CITYWIDE ADMINISTRATIVE SERVICES

#### DIVISION OF MUNICIPAL SUPPLY SERVICES

##### ■ SALE BY SEALED BID

#### SALE OF: 1 LOT OF AUTOMOTIVE PARTS, UNUSED.

S.P.#: 11002

DUE: August 10, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.  
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

**jy28-a10**

#### DIVISION OF REAL ESTATE SERVICES

##### ■ AUCTION

PUBLIC NOTICE IS HERBY GIVEN THAT the Deputy Commissioner of the Department of Citywide Administrative Services, Division of Real Estate Services, or his/her designee, will conduct a Sealed Bid Public Lease Auction pertaining to Long-Term Leases, Short-Term Leases and Licenses and Request For Bids pertaining to Occupancy Permits on Thursday, September 2, 2010, at 1 Centre Street, 20th Floor North Conference Room, New York, NY 10007. Sealed bids will be accepted from 10:00 A.M. to 11:00 A.M. and opened at 11:00 A.M.

The offerings, including Terms and Conditions and Special Terms and Conditions are set forth in a brochure. For further information, including a brochure and a bid packet, contact Valeria Vines at 1 Centre Street, 19th Floor North, New York, NY 10007, or call (212) 669-2111. This information is also posted on the DCAS website at nyc.gov/auctions.

In accordance with Section 384 of the City Charter, the properties listed below will be offered at Sealed Bid Public Lease Auction. A Public Hearing was held on July 14, 2010 at 22 Reade Street, in the Borough of Manhattan in the matter of the two properties listed below, located in the Borough of Brooklyn. A Public Hearing will be held on August 10, 2010 at 22 Reade Street, in the Borough of Manhattan in the matter of the property listed below, located in the Borough of the Bronx.

#### Brooklyn, Block 6036, Part of Lot 1

Property Description: Ground floor retail store and basement space located at the east side of Fifth Avenue, approximately 60 feet south of 85th Street  
Minimum Annual Bid: \$91,200  
Inspection Dates:  
Thursday, August 12, 2010, 9:30 A.M. to 10:30 A.M.  
Friday, August 20, 2010, 10:30 A.M. to 11:30 A.M.

#### Brooklyn, Block 6036, Part of Lot 1

Property Description: Ground floor retail store and basement space located at the east side of Fifth Avenue, approximately 18 feet south of 85th Street  
Minimum Annual Bid: \$106,800  
Inspection Dates:  
Thursday, August 12, 2010, 10:30 A.M. to 11:30 A.M.  
Friday, August 20, 2010, 11:30 A.M. to 12:30 P.M.

#### Bronx, Block 3520, Lot 34

Property Description: Single story building with basement located at the south side of Randall Avenue, 50 feet east of Commonwealth Avenue  
Minimum Annual Bid: \$83,000  
Inspection Dates:  
Tuesday, August 10, 2010, 1:30 P.M. to 2:30 P.M.  
Tuesday, August 17, 2010, 10:00 A.M. to 11:00 A.M.

In accordance with New York Administrative Code Section 4-203, the properties listed below will be offered at Sealed Bid Public Lease Auction:

#### Manhattan, Block 1485, Part of Lot 15

Property Description: Unimproved land located at the north side of East 73rd Street, approximately 384 feet east of York Avenue  
Minimum Monthly Bid: \$8,850  
Inspection Dates:  
Thursday, August 12, 2010, 1:30 P.M. to 2:30 P.M.  
Friday, August 20, 2010, 1:30 P.M. to 2:30 P.M.

#### Queens, Block 14260, Part of Lot 1

Property Description: Unimproved land located south of the south side of 146th Avenue between 153rd Court and 157th Street, starting at a point approximately 84 feet west and 50 feet south of the northwest corner of 157th Street and 146th Avenue  
Minimum Monthly Bid: \$22,500  
Inspection Dates:  
Friday, August 13, 2010, 9:30 A.M. to 10:30 A.M.  
Wednesday, August 18, 2010, 1:30 P.M. to 2:30 P.M.

**Queens, Block 13432, Lots:** Part of Lot 6, Part of Lot 20, Part of Lot 21, Part of Lot 40, Part of Lot 46, Part of Lot 49, Part of Lot 53, Part of Lot 59, Part of Lot 65, Part of Lot 67; and  
**Block 13433, Lots:** Part of Lot 2, 5, 10, 15, 20, Part of Lot 23, Part of Lot 29, Part of Lot 34, Part of Lot 36, Part of Lot 53, Part of Lot 55, Part of Lot 57, 59, 69, Part of Lot 999 (formerly known as 150th Road)  
Property Description: Unimproved land located at the east side of 183rd Street, 80 feet north of Rockaway Boulevard  
Minimum Monthly Bid: \$21,750

Inspection Dates:  
Friday, August 13, 2010, 11:30 A.M. to 12:30 P.M.  
Wednesday, August 18, 2010, 11:30 A.M. to 12:30 P.M.

**Queens, Block 13420, Lots: 8 and 999**

Property Description: Unimproved land located at the west side of 183rd Street, 200 feet south of the southwest corner of 150th Drive and 183rd Street  
Minimum **Monthly** Bid: \$3,850  
Inspection Dates:  
Friday, August 13, 2010, 1:00 P.M. to 2:00 P.M.  
Wednesday, August 18, 2010, 10:00 A.M. to 11:00 A.M.

In accordance with New York City Concession Rules (Title 12 of the Rules of the City of New York), the properties listed below will be offered through Request For Bids:

**Brooklyn , Block 803, Part of Lot 5**

Property Description: Two story building and unimproved land located at the south side of 52nd Street, approximately 865 feet west of 1st Avenue  
Minimum **Monthly** Bid: \$4,950  
Inspection Dates:  
Tuesday, August 10, 2010, 9:30 A.M. to 10:30 A.M.  
Monday, August 16, 2010, 10:00 A.M. to 11:00 A.M.

**Brooklyn, Block 803, Part of Lot 5**

Property Description: Unimproved land located at the south side of 52nd Street, approximately 465 feet west of 1st Avenue  
Minimum **Monthly** Bid: \$3,150  
Inspection Dates:  
Tuesday, August 10, 2010, 10:30 A.M. to 11:30 A.M.  
Monday, August 16, 2010, 11:00 A.M. to 12:00 P.M.

NOTE: Individuals requesting Sign Language Interpreters should contact Valeria Vines at 1 Centre Street, 19th Floor North, New York, NY 10007, (212) 669-2111, no later than fourteen (14) days prior to the auction. TDD users should call Verizon relay services.

jy29-s2

**POLICE**

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

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

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

**INQUIRIES**

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

**FOR MOTOR VEHICLES**

(All Boroughs):

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

**FOR ALL OTHER PROPERTY**

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

j1-d31

**PROCUREMENT**

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

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

**SOLICITATIONS**

Goods

**CABINETS: LATERAL FILE AND ACCESSORIES** – Competitive Sealed Bids – PIN# 8571000443 – DUE 09-09-10 AT 10:30 A.M.

● **DRINK MIXES, SEAFOODS, MEAT AND POULTRY DOC COMMISSARY** – Competitive Sealed Bids –

PIN# 8571000596 – DUE 09-08-10 AT 10:00 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.  
Department of Citywide Administrative Services  
1 Centre Street, Room 1800, New York, NY 10007.  
Anna Wong (212) 669-8610, fax: (212) 669-7603, dcasdmssbids@dcas.nyc.gov

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**VENDOR LISTS**

Goods

**ACCEPTABLE BRAND LIST** – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

jy17-j4

**EQUIPMENT FOR DEPARTMENT OF SANITATION**

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

jy17-j4

**OPEN SPACE FURNITURE SYSTEMS - CITYWIDE**

– In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

jy17-j4

**DESIGN & CONSTRUCTION**

**CONTRACT SECTION**

**SOLICITATIONS**

Construction / Construction Services

**THE STATEN ISLAND MUSEUM RENOVATION OF BUILDING A AT SNUG HARBOR** – Competitive Sealed Bids – PIN# 8502010PV0009C – DUE 09-15-10 AT 2:00 P.M. – PROJECT NO.: PV302-AB. There will be an optional pre-bid conference on Wednesday, September 1, 2010 at 10:00 A.M. at the Staten Island Museum Building A at Snug Harbor located at 1000A Richmond Avenue, Staten Island, New York, NY 10301.

Experience Requirements. Special experience requirements. This bid solicitation includes M/WBE participation goals for subcontracted work. For the M/WBE goals, and bid documents, please visit our website at www.ddc.nyc.gov/buildnyc see “Bid Opportunities.” For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Vendor Source ID#: 70066.

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. Bid documents deposit - \$35.00 per set. Company check or money order. No cash accepted. Late bids will not be accepted.  
Department of Design and Construction  
30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614, fax: (718) 391-2615.

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**FINANCIAL INFORMATION SERVICES AGENCY**

**SOLICITATIONS**

Goods & Services

**ALTERNATE DATA CENTER FOLLOW UP NOTICE** – Negotiated Acquisition – PIN# 12711CM00077 – DUE 08-13-10 AT 10:00 A.M. – This notice is a follow-up to a notice that was published in the City Record from May 24 through May 28, 2010 in connection with a Negotiated Acquisition for an Alternate Data Center (PIN 12711CM00077).

The Financial Information Services Agency (FISA) has completed the first phase of the Negotiated Acquisition, and intends to enter into negotiations with the following vendors:

EMC Corporation

Hewlett Packard Company  
IBM Corporation

FISA is no longer contemplating two additional phases, one with multiple awards, but instead contemplates a single award to the vendor that provides the solution that is most advantageous to the City.

Vendors interested in similar future procurements may contact Marisol Cintron at the Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001, (212) 857-1540.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001. Marisol Cintron (212) 857-1540, fax: (212) 857-1004, ADC2010@fisa.nyc.gov

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**HEALTH AND HOSPITALS CORPORATION**

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

**SOLICITATIONS**

**RF DUAL TEMP REFRIGERATOR/FREEZER** – Competitive Sealed Bids – PIN# 21-11-011 – DUE 08-25-10 AT 2:00 P.M.

● **ANNUAL MEDICAL GAS TESTING** – Competitive Sealed Bids – PIN# 21-11-015 – DUE 08-31-10 AT 4:00 P.M. - Pre-bid meeting scheduled for 8/24/10 and 8/25/10 at 1:00 P.M. at North Central Bronx Hospital, Engineering Department, 3424 Kossuth Avenue, Bronx, NY 10467.

● **ANNUAL MEDICAL GAS TESTING** – Competitive Sealed Bids – PIN# 21-11-016 – DUE 08-31-10 AT 3:00 P.M. - Pre-bid meeting scheduled for 8/24/10 and 8/25/10 at 11:00 A.M. at Jacobi Medical Center, Purchasing Department, Nurses Residence Building, 7N1, Conference Room, 1400 Pelham Parkway, Bronx, NY 10461.

● **MEDICAL AIR SYSTEM PREVENTIVE MAINTENANCE** – Competitive Sealed Bids – PIN# 21-11-017 – DUE 08-31-10 AT 2:00 P.M. - Pre-bid meeting scheduled for 8/24/10 and 8/25/10 at 10:00 A.M. at Jacobi Medical Center, Purchasing Department, Nurses Residence Building, 7N1, Conference Room, 1400 Pelham Parkway, Bronx, NY 10461.

● **CHILLED WATER COIL REPLACEMENT** – Competitive Sealed Bids – PIN# 21-11-019 – DUE 08-31-10 AT 1:00 P.M. - Pre-bid meeting scheduled for 8/24/10 and 8/25/10 at 10:00 A.M. at Jacobi Medical Center, Purchasing Department, Nurses Residence Building, 7N1, Conference Room, 1400 Pelham Parkway, Bronx, NY 10461.

● **WINDOW CLEANING SERVICES** – Competitive Sealed Bids – PIN# 21-11-020 – DUE 08-30-10 AT 2:00 P.M.

● **CONDUCT STACK TEST FOR PARTICULATE EMISSION FOR BOILERS** – Competitive Sealed Bids – PIN# 21-11-012 – DUE 09-01-10 AT 2:00 P.M. - Pre-bid meeting scheduled for 8/24/10 and 8/25/10 at 11:00 A.M. at North Central Bronx Hospital, 3424 Kossuth Avenue, Engineering Department, Bronx, NY 10467.

● **PREVENTIVE MAINTENANCE AIR HANDLERS AND REFRIGERATION PACKAGES** – Competitive Sealed Bids – PIN# 21-11-013 – DUE 08-31-10. - Pre-bid meeting scheduled for 8/24/10 and 8/25/10 at 12:00 P.M. at Jacobi Medical Center, Purchasing Department, Conference Room, Nurses Residence Building, 1400 Pelham Parkway, Bronx, NY 10461.

● **REPAIR LEAKING UNDERGROUND CONDENSATE PIPE** – Competitive Sealed Bids – PIN# 21-11-014 – DUE 09-01-10. - Pre-bid meeting scheduled for 8/26/10 and 8/27/10 at 10:00 A.M. at Jacobi Medical Center, Purchasing Department, Conference Room, Nurses Residence Building, 1400 Pelham Parkway, Bronx, NY 10461.

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.  
Jacobi Medical Center, Purchasing Department, Nurses Residence Building, 7S10, 1400 Pelham Parkway S and Eastchester Road, Bronx, NY 10461. Karyn Hill (718) 918-3149, fax: (718) 918-7823, karyn.hill@nbhn.net

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Goods

**VARIOUS “UNITED MEDICAL SYSTEMS” BIOPSY NEEDLES**

– Competitive Sealed Bids – PIN# QHN2011-1012EHC – DUE 09-03-10 AT 2:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Queens Health Network, 82-68 164th Street, “S” Building, 2nd Floor, Jamaica, NY 11432. Boris Goltzman (718) 883-6000, fax: (718) 883-6222, boris.goltzman@nychhc.org

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**HOMELESS SERVICES**

**OFFICE OF CONTRACTS AND PROCUREMENT**

**SOLICITATIONS**

Human / Client Service

**CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for

homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Homeless Services, 33 Beaver Street, 13th Floor, New York, NY 10004.  
 Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

j6-20

## HUMAN RESOURCES ADMINISTRATION

### AWARDS

#### Human/Client Service

**MEALS AND COUNSELING SERVICES** – Negotiated Acquisition/Pre-Qualified List – PIN# 06906X0041CNVN002 – AMT: \$1,044,824.00 – TO: The Momentum Project, Inc., 322 Eighth Avenue, New York, NY 10001. The Human Resources Administration (HRA) HIV/AIDS Services Administration (HASA) intends to use the Negotiated Acquisition Extension process due to the compelling need to continue critical services. The extension will allow the vendor to continue to provide meals and counseling services to Persons Living with AIDS (PLWAs) and their Families until a new contract is in place. It is anticipated that the contract term will be from January 1, 2010 to December 31, 2010. Organizations interested in responding to a future solicitation for these services are invited to do so by calling the New York Vendor Enrollment Center at (212) 857-1680 to request an application or fill out on line by visiting www.nyc.gov/selltonyc.

a10-16

## JUVENILE JUSTICE

### SOLICITATIONS

#### Human/Client Service

**PROVISION OF NON-SECURE DETENTION GROUP HOMES** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Juvenile Justice, 110 William Street, 14th Floor, New York, NY 10038.  
 Chuma Uwechia (212) 442-7716, cuwechia@djj

jy1-d16

## PARKS AND RECREATION

### PURCHASING AND ACCOUNTING

### SOLICITATIONS

#### Goods & Services

**NYC PARKS ONGOING PROJECT MANAGEMENT** – Sole Source – Available only from a single source - PIN# 84611S0003 – DUE 08-19-10 AT 5:00 P.M. – Department of Parks and Recreation intends to enter into a sole source negotiation with Infor Global Solutions (Michigan), Inc. to provide services to: (a) reconfigure the Inspections Module, (b) deploy the educational curriculum, (c) support server performance enhancements, (d) integrate with the City 311 system, (e) create certain custom reports, (f) provide processes for data storeroom management, and (g) deliver ongoing project management services.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Parks and Recreation, 24 West 61st Street, NY, NY 10023.  
 Sandra Galante (212) 830-7903, sandra.galante@parks.nyc.gov

a5-11

## REVENUE AND CONCESSIONS

### SOLICITATIONS

#### Services (Other Than Human Services)

**OPERATION AND MAINTENANCE OF A FERRY FOR SERVICE TO RANDALL'S ISLAND, MANHATTAN** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M104-B-M – DUE 09-14-10 AT 3:00 P.M. – Parks will hold a recommended proposer meeting on Wednesday, August 25, 2010 at 1:00 P.M. The proposer meeting will start at the entrance to Icahn Stadium in Randall's Island Park. All interested parties are urged to attend.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.  
 Evan George (212) 360-1397, fax: (212) 360-3434  
 evan.george@parks.nyc.gov

a4-17

**RENOVATION, OPERATION AND MAINTENANCE OF THREE SNACK BARS/BEACH SHOPS** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q163-SB 2010 – DUE 09-13-10 AT 3:00 P.M. – The New York City Department of Parks and Recreation is issuing a Request for Proposals (“RFP”) for the renovation, operation, and maintenance of three (3) snack bars/beach shops and the operation of up to twenty (20)

mobile food units at Rockaway Beach.

Parks will hold an on-site proposer meeting and site tour on Friday, August 20th at 2:00 P.M. All interested parties are urged to attend.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.  
 Rachel Aland (212) 360-1397, fax: (212) 360-3434  
 rachel.aland@parks.nyc.gov

a2-13

**RENOVATION, OPERATION, AND MAINTENANCE OF FIVE (5) MARINAS** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B406-M-2010 – DUE 09-07-10 AT 3:00 P.M. – At Paerdegat Basin, Brooklyn, N.Y.

Parks will hold site tours on Tuesday, August 17, 2010 at 10:00 A.M. beginning at the Paerdegat Basin Yacht Club, which is located on the westerly side of Paerdegat Avenue North at the foot of Paerdegat 11th Street, Brooklyn, New York 11236. The recommended proposer meeting will be held directly following the site tours in the meeting room at the Hudson River Yacht Club, which is located at the foot of Avenue U and Bergen Ave., Paerdegat Basin, Brooklyn, NY 11234. All interested parties are urged to attend.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.  
 Davita Mabourakh (212) 360-1397, fax: (212) 360-3434  
 davita.mabourakh@parks.nyc.gov

a2-13

## SMALL BUSINESS SERVICES

### SOLICITATIONS

#### Services (Other Than Human Services)

**DOWNTOWN BROOKLYN PARTNERSHIP, INC.** – Sole Source – Available only from a single source - PIN# 80111S0001 – DUE 08-23-10 AT 4:00 P.M. – The New York City Department of Small Business Services intends to enter into sole source negotiations with the Downtown Brooklyn Partnership, Inc., a Local Development Corporation with the expertise to maintain and develop further interest in the Downtown Brooklyn Area, and to provide certain consultant services to promote and stimulate economic development in the Downtown Brooklyn Area with the Downtown Brooklyn Partnership, Inc.

Any firm which believes it is qualified and has the in-house expertise to provide such services or would like to provide such services in the future is invited to do so. Please indicate your interest by letter, which must be received no later than August 23, 2010, 4:00 P.M., to Daryl Williams, Agency Chief Contracting Officer, NYC Department of Small Business Services, 110 William Street, 7th Floor, New York 10038.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038. Carmen Tull (212) 618-8765, fax: (212) 618-8867, ctull@sbs.nyc.gov

a9-13

## TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

### SOLICITATIONS

#### Goods

**ROADWAY SWEEPER** – Competitive Sealed Bids – PIN# OP1450000000 – DUE 08-24-10 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Triborough Bridge and Tunnel Authority, Bid Suite at 3 Stone Street, New York, NY 10004. Victoria Warren (646) 252-6101, fax: (646) 252-6108, vprocure@mtabt.org All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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## AGENCY RULES

## TAXI AND LIMOUSINE COMMISSION

### NOTICE

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

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”) proposes adoption of rules amending retirement rules for black cars and creating an incentive to use vehicles that meet clean air for-hire

## vehicle standards as black cars.

These rules are proposed pursuant to sections 1043 and 2303(b)(11) of the Charter and section 19-503 of the Administrative Code of the City of New York. These proposed rules were not included in the TLC’s regulatory agenda for Fiscal Year 2010, because the need for them was not anticipated at the time the regulatory agenda was prepared.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on September 16, 2010, at 10:00 A.M. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC’s Office of Legal Affairs at the address and telephone number given below. Any request for a sign language interpreter or other form of reasonable accommodation at the hearing for a disability must be submitted to the Office of Legal Affairs in writing, by telephone no later than September 10, 2010.

Written comments in connection with these proposed rules must be received no later than September 15, 2010. Comments may be submitted through the NYC Rules website at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules), or may be submitted to the Office of Legal Affairs at:

Charles R. Fraser  
 Deputy Commissioner of Legal Affairs / General Counsel  
 Taxi and Limousine Commission  
 40 Rector Street, 5th Floor  
 New York, New York 10006  
 Telephone: 212-676-1135  
 Fax: 212-676-1102  
 Email: [tlcrules@tlc.nyc.gov](mailto:tlcrules@tlc.nyc.gov)

Written comments and a transcript of the public hearing will be available for public inspection at that office.

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

Section 1. Section 6-09 of Chapter 6 of Title 35 of the Rules of the City of New York is amended to read as follows:

§6-09 [Black Car Vehicle Specifications] Black Car Service: Line Work.

[(a) Beginning on January 1, 2010, no vehicle that is the subject of a new application for a for-hire vehicle permit shall be affiliated with a black car base unless the for-hire vehicle meets either the requirements of an accessible vehicle pursuant to section 6-07(f) of this chapter or section 3-03.2 of this title, or has a minimum city rating of twenty-five (25) miles per gallon as labeled pursuant to title 49, section 32908 of the United States Code and regulations promulgated pursuant thereto. For purposes of this subdivision, an application for a for-hire vehicle permit after a previous permit has expired will be considered a new application. For-hire vehicles that are affiliated with luxury limousine or livery bases are not subject to the requirements of this subdivision.

(b) Beginning on January 1, 2011, no vehicle that is the subject of a new application for a for-hire vehicle permit shall be affiliated with a black car base unless the for-hire vehicle meets either the requirements of an accessible vehicle pursuant to section 6-07(f) of this chapter or section 3-03.2 of this title, or has a minimum city rating of thirty (30) miles per gallon as labeled pursuant to title 49, section 32908 of the United States Code and regulations promulgated pursuant thereto. For purposes of this subdivision, an application for a for-hire vehicle permit after a previous permit has expired will be considered a new application. For-hire vehicles that are affiliated with luxury limousine or livery bases are not subject to the requirements of this subdivision.

(c) Only black car bases may dispatch vehicles to do line work and only for-hire vehicles that are affiliated with black car bases may perform line work.

Section 2. Section 6-10 of Chapter 6 of Title 35 of the Rules of the City of New York is amended to read as follows:

§6-10 [Affiliation with Black Car Bases] Retirement of For-Hire Vehicles in Black Car Service.

(a) [All for-hire vehicles affiliated with black car bases that are model year 2001 or earlier must be retired from black car service no later than the expiration dates of their for-hire vehicle permits on and after January 1, 2010.

(b) All for-hire vehicles affiliated with black car bases that are model year 2003 or earlier must be retired from black car service no later than the expiration dates of their for-hire vehicle permits on and after January 1, 2011.

[(c) (b) All for-hire vehicles affiliated with black car bases that are model year 2005 or earlier must be retired from black car service no later than the expiration dates of their for-hire vehicle permits on and after January 1, 2012.

[(d) (c) All for-hire vehicles affiliated with black car bases that are model year 2006 or earlier must be retired from black car service no later than the expiration dates of their for-hire vehicle permits on and after January 1, 2013; provided, however, a for-hire vehicle that is six model years old upon its permit expiration on and after January 1, 2013, shall not be affiliated with a black car base after one year following such renewal].

[(e) (d) All for-hire vehicles affiliated with black car bases that are [seven (7)] six model years old or older and are not specified in subdivisions (a), (b), or (c) [or (d)] of this section must be retired from black car service no later than the expiration dates of their for-hire vehicle permits on and after January 1, 2014 [and every year thereafter; provided that a for-hire vehicle that is [six] five model years old upon its permit renewal on or after January 1, 2014 shall not be affiliated with a black car base after one year following such renewal].

(e) All for-hire vehicles affiliated with black car bases that are five model years old or older and are not specified in subdivisions (a), (b), (c) or (d) of this section must be retired from black car service no later than the expiration dates of their for-hire vehicle permits on and after January 1, 2015 and every year thereafter.

(f) [A for-hire vehicle affiliated with a black car base which has reached its retirement date must be retired from black car service regardless of whether it passes the New York State Department of Motor Vehicle inspection.] (1) Notwithstanding the provisions of subdivisions (a) through (e) of this section 6-10, beginning on January 1, 2011, the retirement date of any vehicle licensed to operate in black car

service and affiliated with a black car base that is a level one clean air for-hire vehicle is extended for an additional two model years or that is a level two clean air for-hire vehicle is extended for an additional one model year.

(2) A level one clean air for-hire vehicle is one which receives an air pollution score of 9.5 or higher from the United States Environmental Protection Agency (EPA) or its successor agency and is estimated to emit 5.0 tons or less of equivalent carbon dioxide per year by the United States Department of Energy (DOE) or its successor agency, provided that such vehicle is powered by the fuel for which such vehicle meets the above-specified standards; and a level two clean air for-hire vehicle is one which receives an air pollution score of 9.0 or higher from the EPA or its successor agency and is estimated to emit 6.4 tons or less of equivalent carbon dioxide per year by the DOE or its successor agency and that does not meet the definition of a level one clean air for-hire vehicle, provided that such vehicle is powered by the fuel for which such vehicle meets the above-specified standards.

[(f)] (g) A for-hire vehicle affiliated with a black car base which has reached its retirement date must be retired from black car service, regardless of whether it passes the New York State Department of Motor Vehicle inspection.

Section 3. Subdivision (g) of Section 6-12.1 of Chapter 6 of Title 35 of the Rules of the City of New York is amended, to read as follows:

§6-12.1 Additional Conditions of Operation of For-Hire Vehicles and Bases.

A base owner and a for-hire vehicle owner shall each be separately and individually responsible for compliance with the following provisions and liable for penalties for violation thereof.

(g)(1) To be affiliated with a black car base, a vehicle [owned or leased by a new applicant, beginning January 1, 2010, must meet the requirements set forth in section 6-09 and], beginning January 1, 2011, must meet the requirements set forth in section 6-10 of this chapter. [For purposes of this paragraph (g)(1), a "new applicant" is the owner or lessee of a vehicle who does not hold a current for-hire vehicle permit for that vehicle.

(2) To be affiliated with a black car base, a vehicle owned or leased by a renewal applicant, beginning January 1, 2011, must meet the requirements set forth in section 6-10 of this chapter. For purposes of this paragraph (g)(2), a "renewal applicant" is the owner or lessee of a vehicle who holds a current for-hire vehicle permit for that vehicle and is affiliated with a black car base when the application is submitted.]

Section 4. Section 6-22 of Chapter 6 of Title 35 of the Rules of the City is amended by amending the penalty previously labeled §6-09(c) as follows:

Rule No.	Penalty	Personal Appearance Required
§6-09(c)	\$250 – first violation	No
	\$500 – second violation within 24 months	No
	Revocation - third violation within 24 months	Yes

**Statement of Basis and Purpose of Rules**

In April 2008, the Taxi and Limousine Commission (TLC) promulgated rules requiring new black cars, except for wheelchair accessible vehicles, to achieve fuel efficiency standards of 25 mpg city rating in 2009 and 30 mpg city rating in 2010. The rules were promulgated with the express understanding that, before the rules became effective, the TLC would arrange for financing to assist black car owners in complying with the rules.

After promulgation of those rules, the economic downturn precipitated by the 2008 financial crisis made it impossible for the TLC to arrange the promised financing. As a result, the TLC three times deferred the effective date of the April 2008 rules – once by rulemaking and twice by industry notice.

The continued unavailability of a financing package for black car owners requires the TLC to devise a new approach. These proposed rules would repeal the 25 and 30 mpg requirements for black cars. Instead, the proposed rules would revise the provisions for retirement of black cars, in three respects.

- Phase in a maximum black car vehicle age of five model years;
- Allow two additional model years for black cars that meet the level one clean air for-hire vehicle standard; and
- Allow one additional model year for black cars that meet the level two clean air for-hire vehicle standard.

The definitions of "level one" and "level two" vehicles are taken from the definitions of "level one clean air taxicab" and "level two clean air taxicab" in section 19-535(a) of the New York City Administrative Code.

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**SPECIAL MATERIALS**

**COMPTROLLER**

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on August 10, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
177	15968	P/O 89
180	15968	P/O 86
181	15968	P/O 85
184	15968	P/O 82
189	15968	P/O 75
190	15968	P/O 73
223	15966	P/O 1

Acquired in the proceeding, entitled: Beach 43,44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu  
Comptroller

jy27-a10

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on August 13, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
257	15963	P/O 46
266	15963	P/O 37
282	15962	P/O 5
316	15962	P/O 49

Acquired in the proceeding, entitled: Beach 43,44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu  
Comptroller

jy30-a13

**HOUSING PRESERVATION & DEVELOPMENT**

■ NOTICE

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES  
CERTIFICATION OF NO HARASSMENT UNIT**

**REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983**

DATE OF NOTICE: August 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
687 Quincy Street, Brooklyn	69/10	July 7, 2007 to Present
349 Hancock Street, Brooklyn	70/10	July 9, 2007 to Present
249 Beach 117th Street, Queens	72/10	July 12, 2007 to Present
116 West 132nd Street, Manhattan	76/10	July 21, 2007 to Present
246 Lenox Avenue, Manhattan	77/10	July 21, 2007 to Present
129 Manhattan Avenue, Manhattan	78/10	July 26, 2007 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person

statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

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**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES  
CERTIFICATION OF NO HARASSMENT UNIT**

**REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL CLINTON DISTRICT PROVISIONS OF THE ZONING RESOLUTION**

DATE OF NOTICE: August 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
437 West 46th Street, Manhattan	71/10	September 5, 1995 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Clinton District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

a9-17

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES**

**CERTIFICATION OF NO HARASSMENT UNIT  
REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL GREENPOINT-WILLIAMSBURG DISTRICT PROVISIONS OF THE ZONING RESOLUTION**

DATE OF NOTICE: August 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
266 North 9th Street, Brooklyn	73/10	October 4, 2004 to Present
a/k/a 2 Havemeyer Street		
598 Union Avenue, Brooklyn	74/10	October 4, 2004 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Greenpoint-Williamsburg District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

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**CHANGES IN PERSONNEL**

**POLICE DEPARTMENT  
FOR PERIOD ENDING 07/23/10**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
BURRUSS	MICHAEL	L	70210	\$41975.0000	APPOINTED	NO 07/06/10
BUSECK	TOM	Z	70210	\$41975.0000	APPOINTED	NO 07/06/10
BUTERA	MICHELE	G	70210	\$41975.0000	APPOINTED	NO 07/06/10
BUTLER	KHOURI	A	70210	\$41975.0000	INCREASE	NO 07/06/10
BUTLER	MICHAEL	G	70210	\$41975.0000	APPOINTED	NO 07/06/10
CABRERA	GERSON	O	70210	\$41975.0000	APPOINTED	NO 07/06/10
CACCAVALE	MICHAEL	L	70210	\$41975.0000	APPOINTED	NO 07/06/10
CACCIATORE	ADOLFO		70210	\$41975.0000	APPOINTED	NO 07/06/10
CADAVID	LAURA	E	70210	\$41975.0000	APPOINTED	NO 07/06/10
CAHILL	KEVIN	M	70210	\$41975.0000	APPOINTED	NO 07/06/10
CALLAHAN	MICHAEL	V	70210	\$41975.0000	APPOINTED	NO 07/06/10

CALTABIANO	ANTHONY		70210	\$41975.0000	APPOINTED	NO 07/06/10
CAMACHO	ANTHONY		70210	\$41975.0000	APPOINTED	NO 07/06/10
CAMACHO	CYNTHIA		70210	\$41975.0000	RESIGNED	NO 07/06/10
CAMMAROTA	YVETTE	F	70260	\$98164.0000	PROMOTED	NO 07/02/10
CAMPAGNO	MICHAEL	V	70210	\$41975.0000	APPOINTED	NO 07/06/10
CAMPANELLA	LOUIS	J	70210	\$41975.0000	APPOINTED	NO 07/06/10
CAMPBELL	JASON		70210	\$41975.0000	APPOINTED	NO 07/06/10
CANDELARIO	JUAN	C	70210	\$41975.0000	APPOINTED	NO 07/06/10
CAPOBIANCO	LOUIS		70210	\$41975.0000	APPOINTED	NO 07/06/10
CARABALLO	JANET		70210	\$41975.0000	APPOINTED	NO 07/06/10
CARDELLLO	JOSEPH	M	70210	\$41975.0000	RESIGNED	NO 07/10/10
CAREY	STEPHEN	F	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARLINO	CHRISTOP	L	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARLO	JAMES	W	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARNEY	ERIC	J	70210	\$41975.0000	APPOINTED	NO 07/06/10
CAROLAN	STEPHEN	G	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARPIO	BRYANT	E	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARR	STEPHAN	E	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARSON	MATTHEW	J	70210	\$41975.0000	APPOINTED	NO 07/06/10
CARTICA	JEREMY	S	70210	\$41975.0000	RESIGNED	NO 07/09/10
CASALE	MICHAEL	I	70210	\$41975.0000	APPOINTED	NO 07/06/10





## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

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

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

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

### Attention Existing Suppliers:

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

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

### SELLING TO GOVERNMENT TRAINING WORKSHOP

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

### PRE-QUALIFIED LIST

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

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

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

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

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

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

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

### COMMON ABBREVIATIONS USED IN THE CR

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

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

### KEY TO METHODS OF SOURCE SELECTION

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

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

- NA/9 ..... New contractor needed for changed/additional work
- NA/10 ..... Change in scope, essential to solicit one or limited number of contractors
- NA/11 ..... Immediate successor contractor required due to termination/default  
*For Legal services only:*
- NA/12 ..... Specialized legal devices needed; CP not advantageous
- WA ..... **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 ..... Prevent loss of sudden outside funding
- WA2 ..... Existing contractor unavailable/immediate need
- WA3 ..... Unsuccessful efforts to contract/need continues
- IG ..... **Intergovernmental Purchasing** (award only)
- IG/F ..... Federal
- IG/S ..... State
- IG/O ..... Other
- EM ..... **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A ..... Life
- EM/B ..... Safety
- EM/C ..... Property
- EM/D ..... A necessary service
- AC ..... **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE ..... **Service Contract Extension/**insufficient time; necessary service; fair price  
*Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason* (award only)
- OLB/a ..... anti-apartheid preference
- OLB/b ..... local vendor preference
- OLB/c ..... recycled preference
- OLB/d ..... other: (specify)

### HOW TO READ CR PROCUREMENT NOTICES

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

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

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

☛ m27-30

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

### NUMBERED NOTES

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